

# The IRM explained

## The IRM in England and Wales

The Independent Review Mechanism (IRM) was introduced by statute in England and Wales in order to increase public confidence in the transparency of the approvals process and to encourage more people to consider fostering and adoption. In England, the IRM has been considering fostering applications since 2009 and in Wales, since 2010. As yet, there aren't any corresponding bodies in Scotland or Northern Ireland.

The regulations require a 'qualifying determination' (QD) when a fostering service Agency Decision Maker (ADM) is planning not to approve, or cease the approval or change the terms of approval of foster carers. The QD offers the opportunity for the situation to be reviewed by an IRM panel before the final decision is made by the ADM.

The IRM is not an appeals process, and the final decision regarding suitability or terms of approval remains with the ADM, but they must take into account the recommendations of the IRM panel when they make the final decision.

This is the lowest number of applications that Wales has received since 2010, with no known reason for this drop. The IRM has been promoted in North and South Wales, the website has been updated and a leaflet has been distributed to ensure information about the IRM is as accessible as possible.

## The role of the IRM

The purpose of the IRM is to assist the fostering agency decision maker in reaching a final decision by providing a thorough review of all the circumstances by an independent review panel which sets out its recommendation to the ADM.

This is an important quality assurance exercise for applicant and agency alike.

The applicant has the opportunity to have their case independently considered and highlight any evidence that they feel was not properly examined by the fostering service. For fostering services, it underwrites their responsibility to foster carers to operate within the framework of fostering regulations.

## Applications to the IRM

**The following figures give a snapshot of the work undertaken by the IRM in England**

- In 2015/16 the IRM accepted 98 applications (83 fostering and 15 adoption)
- In 2016/17 this increased to 122, with 109 of these being fostering
- The IRM heard 94 reviews during 2015-16; consisting of 17 adoption cases and 77 fostering
- The IRM made a positive recommendation in 29 of the fostering cases and in 11 of those cases the Agency Decision Maker (ADM) agreed with the IRM
- 67 fostering cases concerned review of suitability to foster
- 1 fostering case concerned disagreements with Terms of Approval
- 2 were full assessments of suitability to foster
- 7 were connected persons applications

### In Wales

- 5 applications received by the IRM in 2015-2016
- 4 of these applications were from foster carers who the ADM were 'minded to de-register'
- 1 was from a prospective adopter who the ADM were 'minded not to approve'

## Issues arising at IRM reviews:

The most common reason for application (80%) to the IRM is when a fostering service proposes termination of approval of a foster carer. Only 5% of applications derived from a decision not to approve mainstream fostering applications; there were 7 applications in respect of connected persons and only 1 following a brief report. In 11 of the 77 fostering cases heard, the applicants chose not to attend the IRM review panel.

The reviews heard by the IRM confirm the complexity of relationships between foster carers and their fostering services and the increasing expectations of foster carers (through regulations, minimum standards and care planning) to take a professional role. Some foster carers have been subjected to considerable changes over the length of their fostering career with increasing expectations placed upon them, which is reflected in the cases reviewed by the IRM.

Some IRM reviews highlighted concerns about foster carer training with a lack of provision or lack of attendance not being robustly addressed by some fostering services. A number of IRM reviews indicate issues with foster carers' abilities to prioritise the needs of children or lacking understanding of the needs of looked after children as well as inflexible views and an inability to change. Some of the most common reasons for concern were an inability to work with the fostering service; safeguarding issues; an inability to understand the role of the foster carer and standards of care issues respectively.

The development of good working relationships between foster carers, the fostering service and other professionals is key to the fostering

task and to the provision of a comprehensive and co-ordinated care package for looked after children. Foster carers must have robust safe caring procedures, monitored and reviewed by their fostering service for each placement, to enable them to provide effective foster care. Fostering services need to regularly review their policy and procedures in this area and support carers to implement them in their daily care.

IRM reviews found evidence of children being moved immediately from placement at the outset of an allegation investigation without a childcare review taking place, this is an on-going concern, especially for those children who have been in placement for some time. A premature decision to remove children, particularly from long-term placements, will have serious consequences for the children involved.

There has been more enquiries from foster carers who have been placed on hold by their fostering service to enable them to undergo further assessment or training without a QD having been made, which results in them having no recourse to the IRM.

## The outcome of IRM reviews

### In England in 2015/16

- In 29 of the 77 cases heard by the IRM, panel recommended the applicants were suitable to foster or continue to foster
- In 16 of these cases the ADM disagreed with the IRM
- In 2 further cases the applicants resigned and no agency decision was made

It is interesting to note that in the 22 cases when the IRM Panel was not unanimous, it was highly likely that the ADM would confirm their original decision.

### Foster carers applying to the IRM

- 65% of foster carers were from local authority fostering services
- 35% were from independent or voluntary sector agencies

## Advice and support by IRM

The IRM recognises its responsibility to provide guidance for both applicants and fostering services through what is often the unfamiliar and demanding process of an IRM review. It is important to the integrity and reputation of the process that both parties feel listened to and supported in preparing for the process and understand the expectations an IRM review will place on them.

Applicants and fostering services are encouraged from the outset to contact their allocated caseworker to answer any queries they may have as the case progresses. They are then asked for feedback on their experience after each review which in turn keeps the IRM processes and practice under review.

## Termination of approval/change of approval category

The most common reason why a foster carer might have their approval amended or terminated, is after an allegation or a standards of care concern. This would normally be done following a review and after a report has been presented to the fostering panel.

A foster carer should see any report before it goes to panel and has the right to respond and be there with a supporter, at the panel meeting. Following a recommendation by panel, the ADM will make a decision about the foster carer's approval.

If a foster carer is unhappy with this decision, they can make a 'representation' to their fostering service within 28 calendar days of the decision. In England and Wales, they can either ask for their representation to be heard by the fostering panel, or apply to have this heard by the IRM.

### By Maureen O'Loughlin

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## Northern Ireland and Scotland

In Northern Ireland, foster carers who are unhappy with the outcome of a fostering panel can appeal, and ask for their plea to be heard by another (independent) fostering panel.

In Scotland, foster carers may request a review of a decision not to approve them as a foster carer, to terminate their approval or to vary the terms of their approval within 28 days of the date of notification of the decision. Where the fostering service receives a request for a review of the decision, it will be referred to a differently constituted fostering panel for a recommendation.

For further information contact the IRM, for England visit [www.independentreviewmechanism.org.uk](http://www.independentreviewmechanism.org.uk) and for Wales, visit [www.irm.cymru](http://www.irm.cymru)

## Further information

A leaflet with information about the IRM for foster carers is available online here: [www.independentreviewmechanism.org.uk/sites/default/files/IRM%20Information%20for%20Foster%20Carers%20Leaflet\\_0.pdf](http://www.independentreviewmechanism.org.uk/sites/default/files/IRM%20Information%20for%20Foster%20Carers%20Leaflet_0.pdf)

“FISS”
“FosterTalk”

Foster Carers Independent Support Service
supporting those who care



# face to face support

**Foster Carers Independent Support Service (FISS)**  
- supporting foster carers facing an allegation or complaint

**If you are a foster carer, FISS\* offers:**

- Contact within 24 hours of referral (usually in the same working day)
- A qualified advisor to visit your home and provide support and advice in complete confidence
- An advisor who will liaise with key professionals as required and as instructed by you.

**If you are a fostering service, FISS offers:**

- Support to meet National Minimum Standards (22.12) via a spot purchase basis or by contracted service
- Enhanced recruitment and retention of your foster carers
- A fully supervised service by an experienced manager who will oversee and quality assure the case to conclusion.

\*FISS can only be commissioned by fostering services

To find out more visit: [www.fostertalk.org/face-face-support](http://www.fostertalk.org/face-face-support) or call **01527 836910**