

Scrutiny Committee

Meeting to be held on 8th November 2013

Electoral Division affected: All

Independent Reviewing Officers

(Appendix 'A' refers)

Contact for further information:

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Executive Summary

Further to the request of the Scrutiny Committee held on the 18th January 2013, this report provides a response from the Directorate for Children & Young People in relation to the actions taken to improve the recruitment and retention of Independent Reviewing Officers (IROs).

Recommendation

The report is presented for information.

Background and Advice

In January 2013 the Scrutiny Committee received a progress report in relation to the Safeguarding and Looked After Children Inspection Action Plan. The Ofsted inspection report made several references to the valuable role played by IROs in Lancashire, highlighting that child protection conferences and children looked after reviews are effectively chaired and that the IROs are well managed. The report also gave recognition to the contribution made by IROs overall to shape and improve services at both a strategic and individual child level. However, at that time the Scrutiny Committee was advised of the challenges faced by the local authority in relation to the recruitment and retention of IROs, which impacted on IRO caseloads and capacity. This report sets out the actions taken within the Directorate to address these issues and explains the current position.

The IRO Role

The IRO has a critical and unique role, having independent oversight of the child's case, with responsibility for ensuring that the child's interests are protected throughout the care planning process. The appointment of an IRO for children looked after was made a legal requirement under Section 118 of the Adoption and Children Act 2002. The role and responsibilities of the IRO are set out in statutory guidance. ('The IRO Handbook, Statutory guidance for independent reviewing officers and local

authorities on their functions in relation to case management and review for looked after children', 2010). IRO's have two distinct functions:

- Chairing the child's review; and
- Monitoring the child's case on an ongoing basis.

As part of the monitoring function, the IRO also has a duty to monitor the performance of the local authority's function as a corporate parent and to identify any areas of poor practice. Equally important, the IRO should recognise and report on good practice. The IRO manager is required under the statutory guidance to produce an annual report including this information. The IRO Annual Report for 2012/13 is attached to this report as **Appendix A**. The report has been presented to the Directorate Leadership Team (DLT) and the Lancashire Safeguarding Children Board (LSCB). It will also be shared with the Corporate Parenting Board.

The Team Structure

IROs are located within the Safeguarding, Inspection & Audit Service which sits within the Specialist Services arm of the Directorate. It is independent of the line management structure of the district social work teams, therefore retaining the independence of the IROs. There are 27 full-time equivalent (FTE) IRO posts in the team. This includes 25 IRO's with responsibility for chairing children looked after reviews, child protection conferences and a range of specialist strategy meetings. There are currently two Fostering IRO's who chair foster carer reviews, although with the introduction of a panel system for undertaking foster carer reviews, this will be reduced to one in January 2014. Details of the team structure can be found in Section 3.1 of the annual report.

The Challenges

Recruitment & Retention

Historically Lancashire has faced significant challenges in the recruitment of IROs and this issue was highlighted in the IRO Annual Reports for 2011/12 and 2012/13. In recognition of the capacity issues within the IRO Service, in January 2012 DLT approved the creation of two additional temporary IRO posts for a period of twelve months. This was in the context of the increasing number of children looked after and IRO caseloads having risen. The posts were temporary, with the aim, in line with Lancashire's Children & Young People's Plan, of reducing the number of children looked after.

In line with the County Council's HR policies, it was agreed that the posts would be ring fenced to staff in the residential service whose jobs were at risk in the residential restructure in order to retain experienced staff. However, difficulties arose in recruiting to these posts.

In March 2012, DLT approved a further request to establish two permanent IRO posts given the additional demands on the IRO Service arising from short breaks, remands and the rise in the number of foster carer's. Following four separate recruitment attempts between May 2012 and January 2013 these posts were eventually filled.

Pending recruitment to vacancies a number of actions have been taken to support the IRO Team as follows:

- Agency IRO's have been used to cover vacancies.
- Part-time staff in the team have worked additional hours, meaning that the actual vacancy position over the previous summer reduced to 0.6 FTE posts.
- Secondment of staff from the residential service. Two residential managers have been seconded to the service, both of whom have been successful in securing permanent posts in the team.
- Managers within the service have taken on additional supervision responsibilities to cover the long term sickness absence of two IRO managers rather than acting up an IRO to cover the posts.
- IROs prioritise their statutory responsibilities and do not undertake additional tasks.
- We continue to explore new ways of working to ensure IRO's have the right 'tools' for the job and to make the most efficient use of their time. For example, a centralised booking service for child protection conferences is reducing the amount of time spent on administrative tasks and IROs have been put forward as a priority group of staff to pilot any new technological solutions.
- Consideration of how other services within the Specialist Services arm of the Directorate could support the IRO Service. In particular, the use of YOT managers, although this option could not be progressed due to changes in the availability of staff.

In addition to addressing staff recruitment, consideration has also been given to how we can improve the efficiency of the service, to get the most from existing resources. Greater efficiency has been achieved by:

- A review of the IRO Service was undertaken to further consider how the capacity issues could be addressed. The review concluded that the two IRO Teams, (at that time there were two separate IRO Teams for CLA and Safeguarding) should be combined to ensure continuity of IRO for children and more equitable caseloads across the service. The new IRO structure became fully operational on the 7th January 2013.
- A review was also undertaken of the management structure within the Safeguarding, Inspection & Audit Service and a decision made to reduce the number of Tier 5 manager posts from four to three, in order to increase IRO capacity through the creation of an additional full-time permanent IRO post.

The Directorate's Commissioning Service has also explored a number of options for the future delivery of Lancashire's Independent Reviewing Service. Consideration was given to commissioning the whole or part of the service from an external provider. However, current legislation prevents local authorities from discharging their IRO functions to another body. Furthermore, it was not cost effective to do this. It was concluded that the current model of service delivery should be continued.

Staff retention has shown an improvement in 2013. Although three IROs will have left the team this year, two have retired and one has been successful in obtaining an IRO post nearer to home. (This person was travelling from Cumbria). One of the three managers also left the team in August for the same reason, having secured an

IRO manager post nearer to home, creating a better work-life balance with less travelling.

Increase in IRO Caseloads

IRO capacity remains a significant challenge as caseloads are consistently higher than that recommended in the IRO Handbook. (50 – 70 children looked after). This is not unique to Lancashire as evidenced in a recent review of IRO caseloads across the North West region, which highlighted that only one local authority is compliant with this requirement. Research by the National Children's Bureau (NCB) identified a similar picture, with two thirds of local authorities nationally, having average caseloads above the recommended limit. However, based on the regional data Lancashire's IRO caseloads are amongst the highest at 114. (Bolton: 122 and Liverpool: 118).

Although DLT has previously agreed four additional IRO posts (two permanent and two temporary), there has continued to be an increase in service demand since March 2012, which has meant that the reduction in IRO caseloads anticipated has not been achieved.

	March 2012	July 2013	% change
Initial CP Conferences	848	1,413	+66.6%
Subject to CP Plan	547	873	+59.6%
CLA	1332	1514	+13.6%

(12 months cumulative totals).

At September 2013 the number of children looked after had increased to 1,548, whilst the number of children subject to a child protection plan had increased to 946. There has been an 83% increase in child protection plans from March 2012 to September 2013.

A report regarding the increase in service demand was considered by DLT on the 22nd October 2013 and approval was given to make the two temporary IRO posts, (which were coming to an end), permanent. This will increase IRO capacity.

Quality Assurance & Performance

Despite the increase in workload, performance has been maintained at a high level. (Section 4 of the IRO Annual Report, Appendix A). The IROs are in a unique position, independent from service delivery and with oversight of practice across Children's Social Care. However, in the past there has been an over emphasis on their role in relation to compliance and performance timescales. Development work within the IRO Service has focused on the IRO responsibilities within the IRO Handbook and the importance of the IRO challenge role. There is evidence that IROs are challenging practice and use the problem resolution process to escalate concerns to Team and Senior Managers. However, rising caseloads are impacting on some aspects of their quality assurance role, particularly in undertaking mid-point reviews checks, to monitor the progression of review recommendations. Lower caseloads would enable this to occur in all cases in line with the statutory guidance.

Current Staffing Position

Following interviews in September 2013, appointments were made to all IRO vacancies in the team. This included three full-time permanent positions and one full-time temporary post, funded through the Adoption Reform Grant. The latter has been agreed as a secondment, subject to the post holder's substantive post being back-filled. It is anticipated that all four staff will be in post by February 2014. Recruitment to the two IRO posts which DLT agreed to make permanent, will also be progressed. This will reduce caseloads and based on the current number of children looked after and children subject to a child protection plan, the average IRO caseload will be 96.

Future Development

Lancashire has participated in a piece of research led by the NCB, exploring the role and effectiveness of the IRO service. The study incorporated a national survey of IROs, IRO Managers and Directors of Children's Services and an analysis of costs and qualitative case studies in four local authorities. Focus groups were also held with IROs, Social Workers and semi-structured interviews were undertaken with children looked after and other stakeholders. .

The study is considering the following areas:

- Ways in which IROs and Social Workers work together.
- How IROs support the care planning process.
- The impact of the IRO service on individual cases and overall services for looked after children.

The first stage of the research relating to the national survey was published in August 2013. Following publication of the final report, Lancashire will consider how the findings can be used to further improve its IRO service.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

IRO's have statutory responsibilities as set out in legislation and statutory guidance. They have an important role in quality assuring practice and holding the local authority to account as a corporate parent. The effectiveness of IROs, particularly in relation to their quality assurance and challenge role is subject to external scrutiny by the courts (in legal proceedings) and by Ofsted under the inspection framework for services for children in need of help and protection, children looked after and care leavers. Failure to provide effective services will result in Government intervention and possible action by children, young people and their families under the Human Rights Act.

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A