

## Independent Reviewing Officers - Children in Care Dispute Resolution Process

This process sets out the required communications when Independent Reviewing Officers are concerned about issues that are causing potential drift and delay in the plans for Children Looked After.

All Local Authorities are required to have a formal process for the IRO to escalate their concerns where these issues are not addressed. This process should be clearly communicated to Social Care Teams and to partner agencies, to ensure that the reasons and requirements are understood and so that response requests are prioritised by Managers.

This document sets out the process to escalate concerns within identified timescales for a response at each stage. It is always expected that the least formal approach will be taken, but the process indicates the steps that can be taken if progress is not made for the plans for the child and/or if the right conversations are not happening.

If the concerns indicate that the child/children are at immediate risk of significant harm, the appropriate action needs to take place. Each stage of the Resolutions process does not need to be followed in sequence – IRO can commence Resolution at a higher level than Informal – following discussion with their Service Manager - if it is identified that situation requires a more prompt and significant response.

### Pre- Review preparation

The preparation work that happens before the Review or MidWay Review meeting is vital to ensure that issues that are causing potential drift or delay for the child are being highlighted and a plan identified to resolve them. File reviews/ checks to be carried out in preparation.

Any concerns will be identified by IRO in telephone call/ email to SW or TM and recorded as Case Note – Independent Reviewing Officer.

### Informal Resolution Process

If the IRO identifies that there are corrective actions required at point of Midway or Child Looked After Review, then IRO should complete the **CLA Informal Resolution Form**.

IRO to identify the corrective actions required, and to propose timescales for completion. Response required by TM within 5 working days, SW to complete tasks within agreed timescales.

IRO to record reasons for Informal Resolution on **Case Note: ' Record sheet entry- IRO Informal Resolution '** this will send an alert to the Social Worker and Team Manager

**If the issue is not then resolved within agreed timescales, or communication is not forthcoming from TM, then the outcome of the Informal Resolution Form should be 'Progress to DRP – Formal Resolution Process Stage 1 '. This will transfer the information and open the form for the next stage on the system.**

### DRP – Formal Resolution Process stage 1.

If there has been no resolution (or if communication has not taken place with IRO) and the concerns remain, the IRO should complete the **Form 'CLA - Resolution Stage 1'**. Upon IRO completion of this Form it will be assigned to the named Team Manager for their comments, then reassigned to IRO.

It may be that a face to face meeting can be arranged to achieve resolution.

There is an expectation that the Team Manager will respond to the form within 5 working days.

Summary of reasons for Resolution should also be recorded on - **Case note – 'IRO DRP, Formal Resolution Process Stage 1- Team Manager'**. This will send an alert to SW and Team Manager. Email confirming this to be sent to SW Service Manager and CPRU Service Manager

If the issue is resolved within agreed timescales then IRO to outcome Stage 1 Form as 'Resolved'. **However if IRO does not consider the matter to be resolved, and/or communication from Team Manager is not forthcoming, then the outcome of the form should be : 'Progress to DRP- formal resolution Stage 2 '. This will transfer the information and open the form for the next stage on the system.**

### **DRP- Formal Resolution Process stage 2**

If no resolution and the concerns remain these should be briefly outlined in completion of the form –**CLA Resolution Stage 2 – Service Manager**. Upon IRO completion of this form it will be assigned to the relevant Service Manager for their comments, then reassigned to IRO .

There is an expectation that the Service Manager will respond to this email within 5 working days

IRO to discuss with CPRU Service Manager and to complete a **Case note – ‘IRO - DRP formal resolution process stage 2- Service Manager’** . This should evidence a request for a meeting (email) to resolve the concerns. Email to also include the Team Manager and SW. This meeting should be chaired by CPRU Service Manager.

Actions from Meeting to be recorded within 24 hours on DRP Stage 2 Form by CPRU Service Manager.  
Minutes of Meeting to be completed and circulated to all attendees.

If the issue is resolved then IRO to outcome Stage 2 Form as Resolved.

**However if IRO & CPRU Service Manager do not consider the matter to be resolved, and/or communication from Service Manager is not forthcoming then the outcome of the form should be : ‘Progress to DRP- formal resolution Stage 3 ’. This will transfer the information and open the form for the next stage on the system.**

### **DRP- Formal Resolution Process stage 3-**

If no resolution and the concerns following the meeting chaired by the CPRU Service Manager remain, then the CPRU Service Manager will complete the Form **CLA Resolution Stage 3 – Head of Service**. When submitted this form will flow into the Heads of Service work tray and should be accompanied by a request for a case discussion. The Heads of Service (from A & I/ Children Looked After teams and CPRU) should be informed of the situation and be made aware of the key issues that remain unresolved.

A meeting will be arranged to look at options for progressing the situation. Principal Social Worker and Service Director to be notified.

A summary of this meeting should be recorded by CPRU Service Manager on Case note - **‘IRO DRP Formal Resolution Process stage 3 -Head of Service’**

**If this remains unresolved and the outcome is likely to be *Progress to DRP - resolution process stage 4*, a meeting should be requested to be held with Service Director to seek to resolve dispute.**

**This would be before the case is progressed to a Referral to CAFCASS**

**To be recorded on a case note: Case note-record sheet entry- IRO DRP stage 3 formal resolution request for meeting with Service Director**

**However if the situation remains unresolved then the outcome of the Form should be : *Progress to DRP – Formal resolution stage 4***

### **DRP- Resolution Process stage 4**

#### **Referral to CAFCASS**

In the event that the issues remain unresolved in the view of IRO and CPRU Service Manager, the IRO can make a formal referral to CAFCASS. the CPRU Service Manager will complete the Form **CLA Resolution Stage 4 – Referral to CAFCASS**  
All previous Dispute Resolution Processes /Forms to be released.

CAFCASS role – may allocate case for Judicial Review.

IRO are entitled to seek independent legal advice if required where Resolution Stage 4 is in place.