

ALLEGATIONS AGAINST FOSTER CARERS

The Department receives relatively few allegations against foster carers but each allegation has to be taken seriously. Some allegations, by their nature, are more serious than others. If there is a serious allegation of abuse the first thing the carer may know about the allegation is being asked to give a police interview. The police advise us that carers cannot be informed about the interview beforehand as this can give the opportunity for explanations to be devised and for evidence, which may support the allegation, to be hidden or destroyed.

The foster carer allegation procedure is co-ordinated by a worker from the Child Protection and Review Unit to bring a measure of independence to the process.

We know that is not easy for foster carers to be subject to the allegation procedure but the process is aimed at trying to find out the truth and to protect children in our care. In most cases children are not moved from the foster home, but in some exceptional cases this may be necessary whilst the investigation is carried out.

All foster carers need to understand the allegation procedure. The Department provides regular training sessions about this procedure. Fostering social workers can advise on the next planned training session.

Remember the LFCA and the Fostering Network, are able to assist carers when an allegation is made.

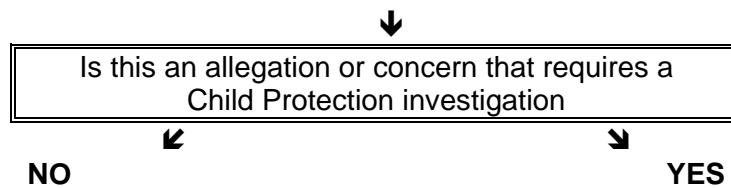
Safe caring is an important protective method of care for foster families. Carers should have a copy of the 'Safe Caring' handbook, which they should refer to from time to time. Safe caring is also covered on pre approval training courses. Carers and the supervising social worker should draw up safe caring guidelines for their family. At the time of each new placement, safe caring should be considered at the placement planning meeting.

Principles

- a) The welfare of the child and the protection of children from abuse is the Department's prime consideration.
- b) Children will be listened to and taken seriously.
- c) Carers will be listened to and taken seriously.
- d) There will be no presumption of guilt but steps may have to be taken to safe guard children in placement.
- e) The following procedure will be followed in each case but may be flexibly interpreted to allow for the different needs of each case.
- f) Allegations will be dealt with as thoroughly as possible without undue delay.

ALLEGATIONS AGAINST FOSTER CARERS FLOW CHART

A child, young person, parent or someone who knows the child or carer makes an allegation or raises a concern:



Then it will be discussed with the carer and hopefully be resolved. Advice may be given on safe caring to prevent further incidents. A report of the allegation will go on the child's file and the carer will receive a letter in writing confirming the decision to take no action. Carers will have the opportunity to place their version of events on record

PLANNING MEETING

Some situations may be complex and confusing but are not of sufficient seriousness to invoke this procedure. In these cases a Planning meeting may be called to clarify the situation. Carers (and their representative) will be invited to these meetings.

The allegation will be discussed with the Police, usually at the strategy meeting. If the allegation needs immediate action, there may initially be a telephone discussion involving most of the people who will eventually attend the Strategy meeting. Strategy meetings are arranged as soon as possible after the allegation is received, usually within 2-3 days.

STRATEGY MEETING

An Independent Chair from the Child Protection and Review Unit chairs the Initial Strategy meeting and all future Strategy meetings. The Chair, a Local Authority Solicitor, a Fostering Manager, the Police, the Fostering social worker, the social worker for any children placed, (past social workers or supervising workers if the allegation is an historic one) are all invited to attend as well as anyone who may have relevant information.

The purpose of this strategy meeting: -

- To plan the child protection enquiry

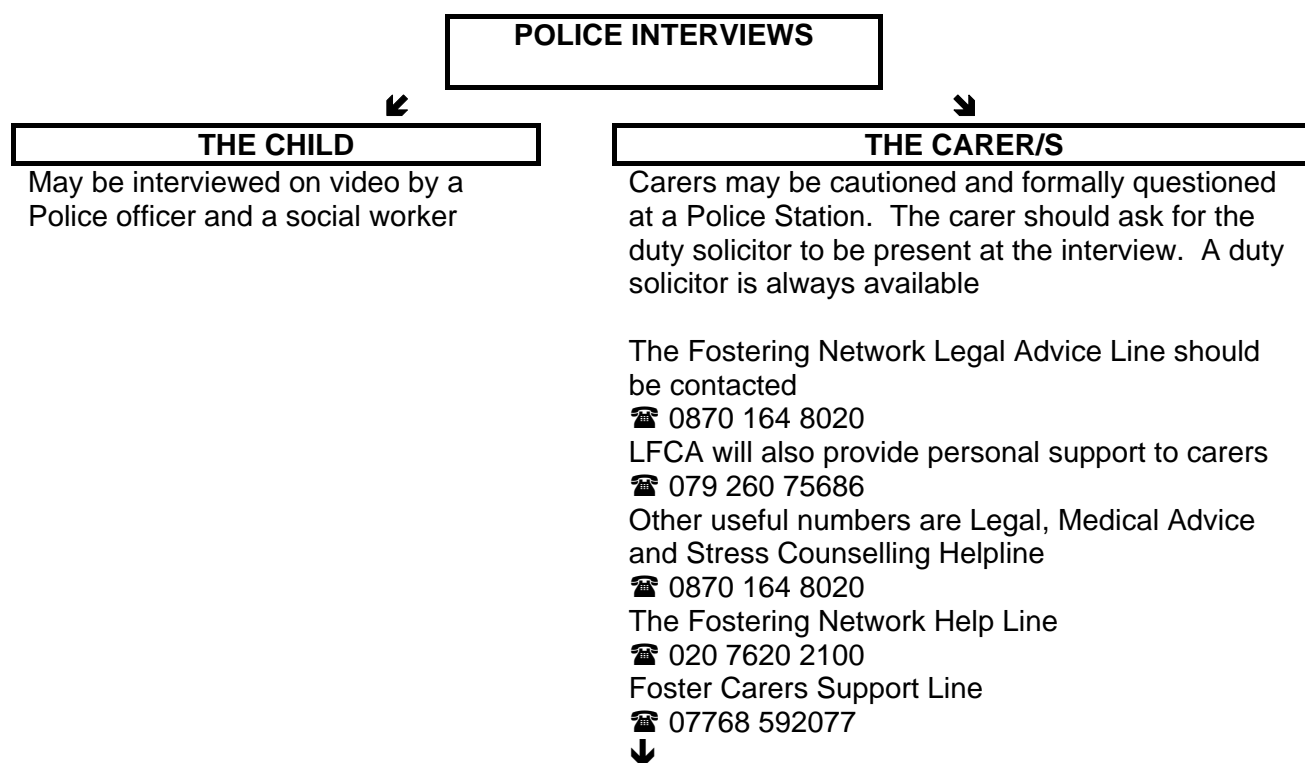
And

- To consider if the allegation is of such a nature that a Police investigation is necessary. If a Police investigation is to be undertaken the Police will not want the details of the allegation discussed with the carers. This is to prevent evidence being concealed or affected. The Strategy meeting will discuss what the carers are aware of in relation to the allegation and what further information can be shared.
- To consider the safety of all children in the household and to identify and consider the safety of any other children that the carer may have contact with, and any protective action that needs to be taken.

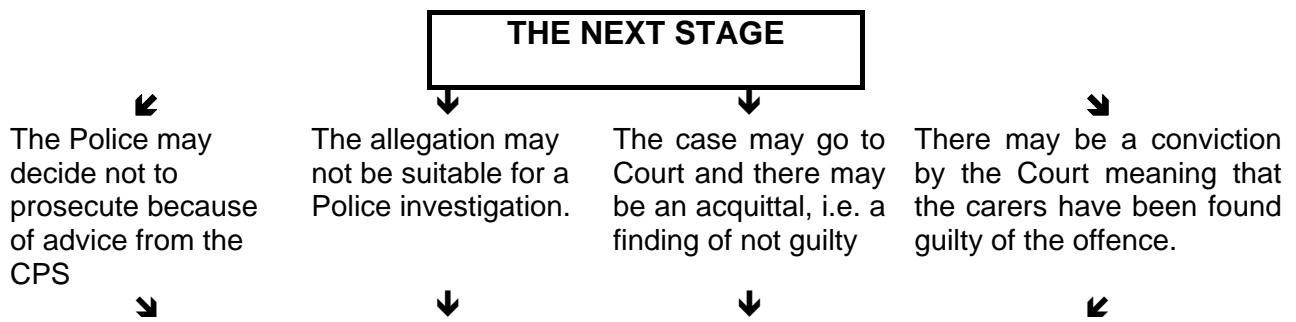
- To consider how a social care investigation is to be handled including whether any medical examinations are necessary. This may happen **alongside, instead** of or **after** a Police investigation depending on the nature of the allegation.
- To organise support to the foster carers and the child, recognising the race, culture, language and religion of the people concerned.
- To agree the support role of the Fostering social worker during the investigations. This will include ensuring the carer is advised of all sources of support. There must be a commitment to contact the carer **every week** whilst the investigation is ongoing. The difficult role of the supervising worker will be acknowledged. The fostering worker will not be able to discuss the detail of any investigation whilst the Police are involved, but the need for foster carers to receive support during this difficult period will be acknowledged.

Some allegations can be fully resolved at the first strategy meeting. Strategy meetings provide important safeguards for carers, for children and for the Department. They show that all allegations are taken seriously and are subject to careful consideration. If an allegation ends at this stage a letter will be sent to the carer(s) to let them know about the allegation and how the matter has been resolved. The team manager and the supervising social worker will offer to visit the carer to discuss the allegation.

Other allegations will have to proceed to the next stage.



When the Police have completed their investigation they send the file about the investigation to the CROWN PROSECUTION SERVICE (CPS). The CPS advise the Police whether or not a case is suitable to go to Court. The decision of the CPS will be made depending on the likelihood of a successful prosecution and the public interests in bringing the matter to court. The CPS also considers how well any witnesses will present in Court. It is acknowledged that some young people who are in care may be seen as potentially unreliable witnesses because of their history. This does not mean that the Department and the Police do not believe young people but it can mean that many cases do not go to trial. It is acknowledged that this can be very difficult for foster carers who want to "clear their name" and for young people who can feel that they have not been listened to.



When the Police have made their decision another Strategy meeting will be arranged. The meeting with the carer (see below) may take place before this meeting, depending on circumstances of the case.

(There may have been other interim Strategy meetings whilst the investigation was ongoing. These are called to progress the investigation to try and ensure it is not subject to undue delay). If however a case is being progressed through the criminal court the timescales may be very lengthy- the matter may not be dealt with for up to 12-months.

The purpose of this Strategy meeting is:-

- To obtain feedback from the Police about their investigation
- To hear the outcome of any interviews carried out by social workers, usually with children who have also been in this foster home.
- To decide whether any further enquiries need to be made, and if so, by whom.
- To consider whether any protective action needs to be taken, or safeguards put in place.
- To decide who will see the carer and what information will be given to them.

When the meeting with carers has been held the minutes of the meeting will be circulated with the minutes of this strategy meeting.



MEETING WITH CARERS



After this Strategy meeting the carers will be seen by the supervising social worker and the Family Placement Team Manager who will discuss, in detail, the nature of the allegation and the Departmental response to it. Carers can ask for their LFCA or other representative to be present. Following this meeting the details of the allegation will be put in writing to the carer. The carer will want to put their views forward about this allegation. They can do this either by:-

- Asking to see the Team Manager again.
- Asking to have a meeting with the Team Manager from the Family Placement Team who has not been involved with the investigation.
- Asking to have a meeting with the Chair of the Strategy meetings.
- Responding to the written information in writing.

The final strategy meeting which will usually take place after the carer has been seen will consider a possible recommendation to the Fostering Panel concerning the future registration, training or supervision needs of the carer.

If carers resign during an investigation into an allegation their approval must be automatically terminated after 28-days. But the Fostering Panel, will consider a full report of the outcome of the investigation, at its conclusion



THE FOSTERING PANEL

- A report will be prepared by the fostering social worker. The report will incorporate any comments/ recommendations of the final strategy meeting in relation to the continuation of registration or the identification of future training needs
- In accordance with The Fostering Services Regulations 2002, the social worker preparing the report will (subject to the understanding and age of any foster child) seek his or her views as well as those of the carers who may choose to comment on it or submit their own report.
- The Fostering Panel will consider the report and carers will be invited to attend the Panel. A representative of the LFCA can attend. If the non-supervising line manager has visited the carer they can also attend Panel to support the carer and to help them present their point of view.
- The Fostering Panel will make a recommendation on the nature and type of the carer's future registration or on whether continuing registration is appropriate.
- If following the above processes the local Authority decided that registration is no longer appropriate or that there should be a revision of the conditions of registration then the carers will receive written notice of this and may submit further representations within 28-days of the date of such notice. In which case the matter will be referred back to the Fostering Panel for further consideration/review. The local authority must take into account the recommendations of the Panel when considering the matter further.



RESOLUTION MEETINGS (IF NEEDED)

Resolution meetings are called in serious cases where there are implications beyond the individual carers and children. There is a consideration of what lessons might be learnt, whether there are practice or training issues. LFCA will be invited to attend if appropriate. A report to the LSCB or to management team or a referral to the Protection of Children Act List (POCAL) may have to be considered.

The most appropriate person, depending on the circumstances of the case, will be asked to chair the meeting.