



# **THE NATIONAL ASSOCIATION OF INDEPENDENT REVIEWING OFFICERS**

## **AN IRO TOOLKIT**

**A series of measures to support and improve IRO  
practice and standards**

**January 2016**

**Local Authorities and other bodies seeking to improve outcomes for looked after children are welcome to copy these materials produced by the National Association of Independent Reviewing Officers (NAIRO) and adapt them for use within your own organisation. However if you use our materials please acknowledge NAIRO and provide a link to our website [www.nairo.org.uk](http://www.nairo.org.uk)**

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## INTRODUCTION TO THE NAIRO TOOLKIT

One of the key objectives of NAIRO is to promote measures which will support IROs and improve IRO practice, for the benefit of looked after children.

There is strong evidence (from Ofsted and research reports, as well as evidence from NAIRO members) that the IRO service in some Local Authorities areas is not making the impact it should. However, in some authorities a good service is being offered. The key question is **can the practice standards of the worse performing Local Authorities be raised to those of the best?** We believe that the toolkit offered here will make a strong contribution to supporting IROs, raising standards of practice, and bringing more consistency to the service across the country.

Over the last 3 years NAIRO has been developing this toolkit. We have consulted widely with our members and other key stakeholders about these matters and we believe we now have a series of interrelated “tools” which, if implemented would facilitate a general raising of practice standards. The measures consist of

- An IRO service health check
- A management protocol
- A schedule of competencies
- A code of practice
- A pledge to children in care

These documents have been written as “stand alone”. Each document will make sense independently. However, they link with each other and relate to each other. While it is quite possible to use each of them on their own (and of course users of this toolkit are free to do this) we think it sensible that in many circumstances the measures should be regarded as a package and implemented together.

In terms of logical precedence, we suggest the following order makes sense.

Firstly it seems sensible to get an overview of the strengths and weaknesses of the IRO service in a particular Local Authority. Our IRO service health check is intended to assist with this. It should facilitate an overview of what is working well, and not so well, and provide an analysis of what needs to change.

Management arrangements are likely to be the first thing to get right. If the underlying management arrangements do not provide adequate resources, do not promote an appropriate culture, and do not provide good quality support, supervision, training and appraisal, then it is difficult to see how the IRO service can succeed. Our management protocol should assist with this.

Next, it is important to be clear about the competencies, (ie the skills and experience) needed for the IRO job. This needs to be in place to enable recruitment of appropriate staff, identification of training needs, and performance appraisal. Without an agreed schedule of competencies, it is difficult to see how these processes can be undertaken properly.

Then, it is important to have agreement within the IRO service about fundamental standards. Amongst the hundreds of requirements of law regulations and guidance, what are the absolutely core standards that the team will aspire to? We have developed a Code of Practice which seeks to provide a framework for thinking about this. There may be disagreements in different teams about what is fundamental and essential, and undoubtedly our code is capable of improvement. The process within IRO teams, of discussing, identifying and agreeing core standards is in itself one which is likely to promote a positive and proactive shared culture and understanding of the IRO contribution to the welfare of children in care.

The last element of our toolkit is a pledge or promise that IROs should make to children in care. The pledge consists of a number of core promises that every IRO should make to the children in care for whom they are responsible. We believe it will help children's understanding of the IRO role, and promote their confidence in the IRO's capacity and willingness to support them. A signed copy of the charter should be given to each child for whom they are the responsible IRO at the beginning of the care episode.

In conclusion, it is undoubtedly the case that these measures are capable of significant improvement. However, they have already been consulted on with NAIRO members and improved as a consequence of that process. We believe they are now in a good enough shape to be tried out and used in different Local Authorities. We welcome comments and suggestions for amendments and improvements from all parties, which will be incorporated into future versions.

There are certainly other elements which need to be added to this toolkit. NAIRO looks forward to collaborating with colleagues and stakeholders over future months and years to improve augment and strengthen our toolkit, for the benefit of looked after children.

These materials have been developed by NAIRO. Local Authorities and other bodies seeking to improve outcomes for looked after children are welcome to use these materials and adapt them for use within their own organisation. We would be grateful if when you do so, you would acknowledge NAIRO and provide a link to our website [www.nairo.org.uk/](http://www.nairo.org.uk/)

## **NAIRO IRO TOOLKIT**

### **IRO Service Health Check**

#### **Introduction**

This 'health check' is one of a range of measures that constitute NAIRO's IRO toolkit. It may be used alone or in conjunction with other elements of that tool kit.

The purpose of this 'health check' is to provide a quick and straightforward method of assessing the strengths and weaknesses of a Local Authority's IRO service. It should be used by Local Authorities to assess their IRO service, and implementing improvements.

The health check consists of a number of questions clustered under different headings. The questions have been generated from law regulations and guidance, and by looking at problems that have been identified from various sources, which hinder the provision of an effective IRO service. These sources include

- Problems identified by NAIRO members,
- Ofsted 2013 Report "Independent Reviewing Officers – Taking up the Challenge"
- NCB 2014 report "The Role of Independent Reviewing Officers in England"
- Various Court judgements
- Ofsted single inspections of Local Authorities from September 2013 to September 2014

An Improvement Action Plan may be generated through analysing the deficits identified in the health check.

It is envisaged that the questions will primarily be answered by IROs themselves, and their managers. Some of the questions may appropriately be put to a wider range of stakeholders including children in care, social workers and their managers, senior managers and elected members.

We believe that if this measure (and others) developed in our toolkit were used across the country, there would be a significant improvement of IRO standards nationally.

The questions are clustered under three headings. These are:

- Management issues
- Independence and culture
- Service improvement

Finally, in Appendix 1, we have presented the questions in tabular form, to enable a systematic approach to analysing the questions, the findings, and potential remedies.

### **Management issues**

1. Is the service located in a position within the Local Authority which promotes and facilitates its independence?
2. Is there in place an agreed schedule of IRO competencies upon which can be based effective recruitment, training and performance management?
3. Are IROs in post who have the right skills, knowledge and motivation to do the job effectively?
4. Is appropriate training offered to IROs based on a systematic assessment of their training needs (at individual and aggregate level)?
5. Is there regular good quality supervision offered to IROs by appropriately qualified managers?
6. Are appraisal systems in place based on an agreed competency framework to assess performance of IROs, in order to consolidate and build on good practice, and address and remedy poor performance?
7. Are IROs' workloads consistent with DfE requirements? In particular:
  - is the IRO total workload equivalent to no more than 50 to 70 LAC cases
  - if the IRO is required to undertake duties other than LAC reviews, is the appropriate reduction made of the LAC review workload?
8. Is there adequate and effective administrative support for the IRO Service?

### **Culture and Independence**

1. Is the culture of the Local Authorities and its Children's Service Department one which values the IRO service and encourages child-centred scrutiny, and where necessary challenge to care plans?

2. Are management arrangements for IROs sufficiently separate from and independent of operational management?
3. Is the culture of the team:
  - fiercely child-centred
  - promoting of appropriate challenge
  - supporting of IROs when challenge is made
4. Is there a code of practice to which IROs signed up to which embodies and promotes these cultural values?
5. Is there a robust mechanism for escalating concerns and disputes within the department in an effective and timely way?
6. Is there a readily available source of independent legal advice for IROs?
7. Is there a mechanism for independent scrutiny of IRO performance when there is conflict between an IRO and their managers?
8. Are there effective links between the IRO service and
  - The Children in Care Council
  - The Childrens Rights Service (if there is one)
  - The Local Authorities Legal Services Department
  - The Corporate Parenting Board
  - CAFCASS
  - The independent chair of the Local Safeguarding Childrens Board

### **Service Improvement**

1. Do the findings of IROs influence service improvement at an individual and aggregate level?
2. Is the IRO annual report an effective mechanism for aggregate feedback to senior managers and elected members about the overall strengths and weaknesses of the looked after children service?
3. Are there mechanisms in place to review the overall effectiveness of the IRO service itself?

**IRO SERVICE HEALTH CHECK**

**Management Issues**

<b>No.</b>	<b>Issue</b>	<b>Summary of Findings</b>	<b>Required Action</b>
M1	Is the service located in a position within the Local Authority which ensures and promotes its independence?		
M2	Is there in place an agreed schedule of IRO competencies on which can be based effective recruitment, training and performance management?		
M3	Are IROs in place who have the right skills, knowledge and motivation to do the job effectively?		
M4	Is appropriate training offered to IROs based on a systematic assessment of their training needs (at individual and aggregate level)?		
M5	Is there regular good quality supervision offered to IROs by appropriately qualified managers?		
M6	Are appraisal systems in place based on an agreed competency framework to assess performance of IROs, in order to consolidate and build on good performance, and address and remedy poor performance?		



M7	<p>Are IROs' workloads consistent with DfE requirements? In particular:</p> <ul style="list-style-type: none"> <li>• is the IRO total workload equivalent to no more than 50 to 70 LAC cases</li> <li>• if the IRO is required to undertake duties other than LAC reviews, is the appropriate reduction made of the LAC review workload?</li> </ul>		
M8	<p>Is there adequate and effective administrative support for the IRO Service?</p>		

## **Culture and Independence**

<b>No.</b>	<b>Issue</b>	<b>Summary of Findings</b>	<b>Required Action</b>
C1	Is the culture of the Local Authorities and its Children's Service Department one which values the IRO service and encourages child-centred scrutiny, and if necessary challenge to care plans?		
C2	Are management arrangements for IROs sufficiently separate from and independent of operational management?		
C3	Is the culture of the team: <ul style="list-style-type: none"> <li>• fiercely child-centred</li> <li>• promoting of appropriate challenge</li> <li>• supporting of IROs when challenge is made</li> </ul>		
C4	Is there a code of practice to which IROs signed up to which embodies and promotes these cultural values?		
C5	Is there a robust mechanism for escalating concerns and disputes within the department in an effective and timely way?		
C6	Is there a readily available source of independent legal advice for IROs?		
C7	Is there a mechanism for independent scrutiny of IRO performance when there is conflict between an IRO and their managers?		

C8	<p>Are there effective links between the IRO service and</p> <ul style="list-style-type: none"><li>• The Children in Care Council</li><li>• The Childrens Rights Service (if there is one)</li><li>• The Local Authorities Legal Services Department</li><li>• The Corporate Parenting Board?</li><li>• CAFCASS</li><li>• The independent chair of the Local Safeguarding Childrens Board</li></ul>		
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### **Service Improvement**

<b>No.</b>	<b>Issue</b>	<b>Summary of Findings</b>	<b>Required Action</b>
S1	Do the findings of IROs influence service improvement at an individual and aggregate level?		
S2	Is the IRO annual report an effective mechanism for aggregate feedback to senior managers and elected members about the strengths and weaknesses' of the looked after children service?		
S3	Are there mechanisms in place to review the overall effectiveness of the IRO service itself?		

## **A PROTOCOL FOR THE MANAGEMENT OF IROS WITHIN**

### **LOCAL AUTHORITIES**

#### **Introduction**

Local Authorities and in particular Directors of Children's Services are responsible for the provision of the IRO service, and are accountable for that service. The management requirements are set out in paras 7.4 to 7.18 of the IRO Handbook, which is attached as Annex 1 to this protocol. This protocol seeks to spell out in more detail, the implications of these requirements.

The fundamental requirement is that the IRO service should be adequately resourced, in line with the advice of the IRO handbook para 7.15. This stipulates a caseload of no more than 50-70 for a full time IRO.

IROs are part of the team of professionals working around every child in care, seeking with other team members, to promote the welfare of that child. However, IROs are in important respects, independent of that team and have particular duties and powers arising from that independence. The implications for management arrangements arising from this independence need particular consideration.

The role of the IRO is to review and monitor progress for the cases of looked after children, and subject the Local Authorities care plan to critical scrutiny.

If an IRO believes that the practice or policy of the Local Authority is detrimental to the child's welfare, they have a duty to challenge the Local Authority, uninfluenced by resource or other pressures to which the Local Authority may be subject. There is potential here for significant tension. IROs may seek to make legitimate challenges which are inconvenient or unwanted by the Local Authority.

On the other hand it may sometimes be the case that there are performance issues in relation to particular IROs and that inappropriate challenges are being made.

It is essential that processes are in place (hopefully seldom used) which may resolve such disagreements in a fair and independent way.

In many cases, current arrangements work well and IROs are well supported when tensions of this nature arise. However, it is also clear that this is not always the case

If IROs are to carry out their role effectively and make their vital contribution to the welfare of children in care, management arrangements must be in place which provides them a platform to do this. This protocol seeks to set out measures through which this may be achieved.

## The Protocol

1. The IRO service must be located in a section of the Local Authority, which promotes their independent function.
2. Where the IRO service is located within the Children's Services Department, it must not be in an area of that department that is responsible for operational or for resource decisions.
3. IRO managers must be qualified social workers who can demonstrate a sound understanding of the legal and policy framework for looked after children.
4. There must be an agreed schedule of IRO competencies, which provides a basis for recruitment, training, and performance management.
5. IRO workloads must be managed so that caseloads of 50 - 70 cases for a full time IRO are not exceeded.
6. Where the IRO is required to undertake duties other than LAC reviews, an appropriate reduction must be made of the LAC review workload.
7. Adequate and effective administrative support must be provided for the IRO service.
8. IROs must be provided with;
  - Regular good quality supervision
  - Appropriate good quality training
9. Appraisal and performance management arrangements must be in place, based on an agreed schedule of competencies.
10. Measures must be in place which
  - Promote and support a child centred and independent culture
  - Facilitate timely and effective escalation of concerns including referral to CAFCASS
  - Provide for independent arbitration of disagreements about appropriate challenges
11. The IRO service annual report will be an effective mechanism for giving aggregate feedback about the strengths and weaknesses of the looked after children services, and of the effectiveness of the IRO service.

**EXTRACT FROM IRO HANDBOOK**

**Management**

***Role and functions of the IRO manager***

**7.4** Each IRO should be managed by a designated manager who will be accountable for the quality of the service that is offered to each individual looked after child. The role will include providing oversight, professional advice and management support to each IRO.

**7.5** The manager will be a qualified social worker who should be able to demonstrate a sound understanding of the legal framework and care planning process governing how the Local Authority meets its responsibilities towards looked after children.

**7.6** The manager should have the independence, ability and confidence to support the IRO through the dispute resolution process and to ensure that the IRO's employment is not put at risk, should the IRO progress a matter to a more senior level and/or outside to Cafcass.

**7.7** The manager in each Local Authority should ensure that there are policies in place to ensure the quality of service delivery. This should include regular and routine feedback from parents, children and social workers and an audit of the records and direct observation of the IRO.

**7.8** Alongside other colleagues in children's services, the IRO manager should be responsible for establishing effective arrangements for looked after children to communicate with senior managers in children's services and across the Local Authority and other agencies.

**7.9** The manager should ensure that the size of the caseloads enables each IRO to comply with primary legislation, the Regulations and relevant guidance in order to achieve the outcomes for every looked after child that a conscientious and caring parent would seek for their own children. This may include having the authority to limit requests made by the Local Authority for the IRO to undertake additional tasks, which are not part of the IRO role.

**7.10** The manager should be responsible for ensuring that IROs receive appropriate training on a regular basis.

**7.11** The manager should be responsible for the production of an annual report for the scrutiny of the members of the corporate parenting board. This report should identify good practice but should also highlight issues for further development, including where urgent action is needed. It should make reference to:

- procedures for resolving concerns, including the local dispute resolution process and it should include an analysis of the issues raised in dispute and the outcomes;

- the development of the IRO service including information on caseloads, continuity of employment and the make up of the team and how it reflects the identity of the children it is serving;
- extent of participation of children and their parents;
- the number of reviews that are held on time, the number that are held out of time and the reasons for the ones that are out of time;
- outcomes of quality assurance audits in relation to the organisation, conduct and recording of reviews; and
- whether any resource issues are putting at risk the delivery of a quality service to all looked after children.

**7.12** The report should be available as a public document from the Local Authority. It would be good practice to publish this on the Local Authority's website so that looked after children can easily access their corporate parent's assessment of the quality of its parenting.

### ***Caseloads***

**7.13** The IRO manager should take into account the following in relation to the size of caseloads:

- anticipated requirements set out in primary legislation, Regulations and guidance;
- caseloads in comparable boroughs;
- outcomes of quality assurance audits; and
- capacity to support developments within the service, especially in relation to increasing the active participation of children in the review process.

**7.14** The provision of a quality service to each looked after child requires the IRO to have sufficient time to:

- consult with all the relevant adults, including foster carers, before each review;
- read all the relevant documentation before each review;
- meet with the child in a meaningful way before the review (this may involve meeting with the child on a different day in advance of the review);
- chair all meetings that make up the review;
- provide a full record of the review;
- complete quality assurance documentation;
- undertake any follow up work after the review;
- monitor drift;
- alert the Local Authority in writing of areas of poor practice;
- consult with the social worker and the child, following a significant change;
- resolve concerns informally, implementing the local dispute resolution process where necessary;
- travel to meetings; and
- undertake training and attend meetings for the purpose of consultation and professional development.



**7.15** It is estimated that a caseload of 50 to 70 looked after children for a full time equivalent IRO, would represent good practice in the delivery of a quality service, including the full range of functions set out in this handbook. This range should reflect the diversity and complexity of cases across different Local Authorities.

### ***Role of the director of children's services***

**7.16** IROs are in the front line of ensuring that the Local Authority acts as a responsible and conscientious corporate parent for the children that it looks after. For this reason it is essential that the director of children's services (usually through his/her delegated senior manager responsible for corporate parenting, whose responsibilities will include quality of care, rather than operational or resource management) is accountable for the effective performance of the IRO function.

**7.17** It will be important that the director is able to demonstrate that the child's voice has been placed at the heart of the authority's strategic planning for looked after children. His/her behaviour will provide real evidence that the Local Authority is committed to providing high quality personal services to every child looked after by them, which strive to be excellent in everything they aim to achieve and are good enough for any child in the community.

**7.18** The director of children's services will need to:

- understand the rationale and statutory functions of IROs and have the capacity to appreciate and support IROs in their role and in the execution of their duties;
- have a sound understanding of the legal framework and care planning process governing how the authority meets its responsibilities towards looked after children; and
- be satisfied that policies and procedures are in place to ensure direct communication between senior managers across the departments and partner agencies.

## **A SCHEDULE OF COMPETENCIES**

### **Required Knowledge And Skills For Independent Reviewing Officers**

#### **Introduction**

Independent Reviewing Officers (IROs) are tasked to ensure that the plans for children in care are robust and focussed on the needs of the child, and that the plans are carried through in a timely manner. They conduct this task through a reviewing process. This is a highly complex process requiring the possession of a wide spectrum of knowledge, and a variety of skills.

It is a key objective of NAIRO to support and improve the performance of IROs in the service they offer to children in care. A key element of this endeavour is the identification and promotion of the core knowledge and skills which IROs must possess in order to perform the task effectively. This document sets out that knowledge and those skills in the form of a schedule.

It is intended that the schedule may be used to

- Provide a basis for the design of job descriptions and employment specifications to ensure that suitable staff are recruited
- Provide a basis for identifying training needs of individual staff and the whole team, to facilitate the provision of appropriate training
- Provide a basis for appraising the work of individual IROs to identify strengths and deficits in IRO practice and measures to improve practice

We take it as read that underlying the schedule is the requirement that at all times the IRO will behave in accordance with law, regulations and statutory guidance.

The schedule is constructed under the following headings.

1. Knowledge
2. Working in a Child Centred Way
3. Analysis and Scrutiny
4. Chairing Skills
5. Networking and Communication Skills
6. Recording Skills
7. Court Related Skills
8. Handling conflict
9. Empowering Children and Defending Childrens Rights
10. Raising Effective Challenges

The schedule is set out below.

## **1. Knowledge**

1. A thorough understanding of the legal and administrative framework relating to looked after children and care leavers and the duties of corporate parents.
2. A thorough understanding of processes in the Family Court, and the issues involved in care proceedings
3. A good understanding of the educational system, in particular the SEN framework, virtual schools, and extra support/resources available for looked after children
4. A working knowledge of the legal framework in relation to
  - Children with mental health problems
  - Immigration/asylum seeking issues
  - The youth justice system
5. A good understanding of child development and difficulties that may occur to impede healthy development.
6. Knowledge and understanding of the impact on children of attachment difficulties and trauma (usually as a consequence of abuse and/or neglect) and measures to promote resilience and recovery
7. Knowledge and understanding of the importance of secure affectionate relationships with trusted and trustworthy adults, in helping children to overcome the psychological consequences of earlier abuse and neglect
8. A working knowledge of latest research in relation to looked after children, and where to access research in order to promote evidence based practice
9. A thorough knowledge of the children's rights framework and its implication for IRO practice

## **2. Working in a Child Centred Way**

1. Capacity and commitment to communicate with children in an age appropriate way, about their wishes and feelings. This will include the capacity to communicate with children with learning difficulties, or other communication problems
2. Capacity and commitment to making arrangements for review meetings (in terms of location, timing, and handling of the meeting) that are based on the needs and wishes of the child
3. Capacity and commitment to conduct the review in a manner that places the child at the centre of the meeting, and conducts the meeting in a way which is most comfortable for the child

## **3. Analysis and Scrutiny**

1. The capacity to analyse and scrutinise the Local Authority Care Plan in a rigorous and systematic manner.

2. The capacity to analyse in an aggregate way the Local Authority looked after children services, and give constructive feed back through the annual report process

#### **4. Chairing Skills**

- 1 The capacity to chair a review meeting effectively and efficiently, and in particular
  - To treat everyone in the meeting with courtesy and respect
  - To make clear the purpose of the meeting
  - To give the meeting a coherent and logical structure according to an agreed agenda, and control the meeting accordingly
  - To ensure that everyone's voice (and especially the child's) is heard in a respectful way
  - To handle conflict constructively
  - To summarise complex information, highlighting differences of opinion
  - To articulate decisions and plans in a clear concise and "SMART" way

#### **5. Networking and Communication Skills**

1. To communicate with members of the care and planning network around the child (and including the child) before after and between review meetings

#### **6. Recording Skills**

1. To record the review meeting in an accurate, concise and timely way, in particular
  - paying attention to decisions and plans
  - striking a balance between producing a document in a form which is meaningful and comprehensible to the child, while being capable of being used in an official capacity (eg for a court)

#### **7. Court Related Skills**

1. To prepare reports in a form that will be helpful for the Family Court
2. To have the authority and confidence to be an effective witness in the Family Court

#### **8. Managing Conflict**

1. To handle conflict in a courteous constructive and sensitive manner, which seeks to
  - address conflicting issues on their merits
  - not personalise differences
  - hold the rights and welfare of the child as the most important factors in resolving differences

#### **9. Empowering Children and Defending Childrens Rights**

1. The capacity to take steps (whether by empowering the child, or by direct action) to defend the rights of the child in the face of possible breach of those rights

#### **10. Raising Effective Challenges**

1. The capacity and confidence to challenge in an effective way, at the most senior level if necessary, Local Authority (or other) plans for looked after children, and the officers responsible for those plans
2. The capacity to challenge Local Authority (or other) policies for looked after children, when the IRO believes this is necessary in the interests of looked after children

## **CODE OF PRACTICE FOR INDEPENDENT REVIEWING OFFICERS**

### **Introduction**

#### *The Work of Independent Reviewing Officers*

Independent Reviewing Officers (IROs) are social workers who work with looked after children, their families, their carers, social workers and other professionals involved in providing services for those children.

The core task of the independent reviewing officer is to review and monitor the cases of looked after children. In particular they chair reviews for children in a way which should:

- Hold the welfare of the child as the paramount consideration
- Ensure the voice of the child is heard clearly in the process
- Subject the Local Authority care plan to critical scrutiny and challenge the Local Authority in relation to that care plan if necessary.

The IRO has a complex array of duties that are undertaken through communications with a large network of people who are responsible for the care of the child. There is sometimes conflict and disagreement involved in the work, and the constructive management of disagreement is a key part of the job.

#### *The Code of Practice*

This code has been drawn up by the National Association of Independent Reviewing Officers (NAIRO). The document has been the subject of rigorous and full consultation with the members of that association. Other key stakeholders have also been consulted, but the content of the code is entirely the responsibility of NAIRO.

However, local services may amend and adapt the code for their own situation and priorities. It is expected that local discussions about what is really important and worthy of inclusion in the code will in itself be a process that promotes ownership of the code, and a proactive and independent culture.

It is expected that the adoption of this Code of Practice (or a locally agreed variant) by IROs, and the support of their managers in meeting its requirements, will raise standards of practice of IROs across the country. It will also lead we believe to greater uniformity and consistency of practice.

This Code of Practice seeks to set out the core values, principles and behaviours that may be expected of IROs in undertaking the complex tasks and duties associated with the role.

The code is consistent with the statutory framework within which IROs operate. It seeks to distil the most important elements contained within the statutory framework, and particularly the IRO Handbook. However our code goes beyond the statutory requirements. We seek to incorporate what we regard as elements of good practice

and covers areas not strongly covered by the statutory guidance, for example children's rights.

### Structure of the Code

The Code of Practice will be organised in a number of sections relating to particular areas of practice. There are 11 sections set out below

1. Experience and qualifications
2. A child friendly review process
3. The voice of the child
4. Children's rights
5. Scrutinising the care plan
6. Monitoring the case and keeping in touch with the child
7. Challenging the Local Authority
8. Cases in family proceedings
9. Reporting to the L.A. about its Looked After Children's Service

Some of the requirement of the code will not always apply or wholly apply, because of the age and understanding of the child. For example, it is not possible to consult a baby on their care plan. To avoid duplication and repetition, it should be taken as read that in relation to involvement of children in the review process, it is always dependent on their age and understanding.

Finally, the code does not refer to targets, performance indicators, or strict time limits. Nor does it have a "tick box" mechanistic approach. Of course, where there is a clear statutory requirement, we would expect it to be met. But in line with the spirit of the Munro review, the code seeks to encourage professional discretion and professional decision making by IROs, according to an agreed framework of good practice.

## **The Code of Practice**

### **1. Experience and Qualifications**

- 1.1 The IRO will hold a social work qualification recognised by the Health and Care Professions Council
- 1.2 The IRO will be registered as a social worker by the Health and Care Professions Council
- 1.3 The IRO will have had significant relevant social work experience in children's social care
- 1.4 The IRO will be able to demonstrate that they have management skills
- 1.5 The IRO will have a thorough understanding of the legal framework relating to looked after children
- 1.6 The IRO will seek to keep abreast of latest research in relation to looked after children, and to promote evidence based practice

### **2. A Child-Friendly Review Process**

- 2.1 In good time before every review, the IRO will discuss the review with the child's social worker to ensure that the child is properly consulted about the review and the arrangements for the review.
- 2.2 In good time before every review, the IRO will either consult directly with the child or ensure that the child is consulted with by someone he/she knows and trusts about
  - The location of the review
  - Who will be invited to attend the review
  - The timing of the review
  - Particular issues that the child would like to raise at the review
- 2.3 If necessary the IRO will ensure that separate meetings/channels of communication are set up to ensure that all relevant information is gathered for the review process. This is particularly important when important people do not attend the review meeting, perhaps because of the wish of the child.
- 2.4 After each review, the IRO will routinely ask the child how he/she experienced the review and whether there are any measures which could be taken to make the review more comfortable for them.
- 2.5 The IRO will encourage and support the child in chairing their own review if that is their wish.

### **3. The Voice of the Child**

- 3.1 The IRO will ensure the child is enabled to have a friend supporter or advocate attend the review meeting to help them express their view if they would like that.
- 3.2 The IRO will ensure that the child has other ways of conveying their views to the review process, if the review meeting is not the most comfortable for them.
- 3.3 The IRO will ensure that the child knows about the council's complaints procedures and has the help they need in using those procedures if they want to.
- 3.4 The IRO will ensure that all decisions are properly and fully explained to the child according to their age and understanding.



#### **4. Childrens Rights**

- 4.1 The IRO will have a good understanding of the children's rights framework, particularly as it applies to looked after children.
- 4.2 The IRO will ensure that children are informed of their rights (according to their age and understanding).
- 4.3 Where necessary the IRO will take steps to assist children in pursuing their rights through
  - Access to effective advocacy service
  - Referral to Childrens Rights Officer (where available)
  - Referral to the Childrens Commissioner
  - Use of the dispute resolution procedure
  - Referral to CAFCASS
  - Referral to a solicitor

#### **5. Scrutinising the Care Plan**

- 5.1 The IRO will ensure that the care plan is based on a proper assessment, and is subject to critical scrutiny in the review process.
- 5.2 The IRO will ensure that there is priority on securing permanent and stable placements for children, and that contingencies are identified in case of breakdown.
- 5.3 Essential elements of the plan that will always be scrutinised include:
  - Arrangements about where the child will live, who will look after him/her, and legal arrangements
  - Arrangements for education
  - Arrangements for health care
  - Arrangements for family contact and communication
- 5.4 If a written care plan is not available to the review for scrutiny the IRO will give careful consideration to whether the review needs to be adjourned.
- 5.5 The child's views will be sought on every element of the care plan.
- 5.6 If the IRO believes that the Local Authority care plan is not in the best interests of the child, he/she will challenge it promptly and assertively using the dispute resolution procedure as necessary.
- 5.7 The IRO will ensure that the child/young person is empowered to challenge the plan if they wish to, with the help of an advocate if necessary. (See 4.3)

#### **6. Monitoring the Case and Keeping in Touch with the Child**

- 6.1 At each review, the IRO will make it clear to all participants (and particularly the child) that the IRO should be contacted by any person if they have concerns about the care plan.
- 6.2 The IRO will ensure that all participants know how to contact the IRO.
- 6.3 At least once in between reviews, the IRO will monitor the progress of each case. The extent and type of this monitoring activity should be a matter for the professional discretion of the IRO.

## **7. Challenging the Local Authority**

- 7.1 If the IRO believes that the care plan, or any other element of policy or practice of the Local Authority in relation to a looked after child, is detrimental to the best interests of the child, he/she will raise the matter swiftly and assertively.
- 7.2 The IRO will take independent legal advice if necessary.
- 7.3 The IRO will use the 'dispute resolution procedure' to achieve the best outcome for the child/young person.
- 7.4 The IRO will consider referring the matter to CAFCASS at an early stage if that appears to be the most effective way of resolving the issue.

## **8. Cases in Family Proceedings**

- 8.1 Where a case is in family proceedings the IRO will make early contact with the children's guardian.
- 8.2 The IRO will work closely and collaboratively with the guardian and other parties in the proceedings
- 8.3 The IRO will ensure that his/her views of the case are known to the court.
- 8.4 When the case leaves the court, the IRO will have a careful and rigorous handover process with the guardian

## **9. Individual and Aggregate Reports for Local Authorities**

- 9.1 IROs will prepare timely review reports according to the requirements of the Local Authority.
- 9.2 The team of IROs who serve each Local Authority, will pool their views on the strengths and weaknesses of that authorities looked after children service and provide a report based on this aggregate view.

## **NAIRO IRO PLEDGE**

### **Introduction**

This 'pledge' is one of a range of measures that constitute NAIRO's IRO toolkit. It may be used alone or in conjunction with other elements of that tool kit.

The pledge consists of a number of core promises that every IRO should make to the children in care for whom they are responsible. We believe it will help children's understanding of the IRO role, and promote their confidence in the IRO's capacity and willingness to support them. A signed copy of the charter should be given to each child for whom they are the responsible IRO at the beginning of the care episode.

We would urge Local Authorities who don't have a document of this sort, to consider adopting this one (amended for local circumstances)

## The NAIRO Pledge

### Your Independent Reviewing Officers's Promise to You

I am your Independent Reviewing Officer (IRO). I am an independent person, employed to support you. I promise to:

- Try my best to build a good relationship with you so that you can tell me what your wishes and feelings really are.
- Listen to your views carefully and make sure that I have understood you properly.
- Help you achieve what you want, if I agree it is in your interests.
- Talk to you about your rights and make sure you understand them
- Make sure your review happens at a time and place that is best for you and that people you want to be there are there
- Conduct your review in a way that puts you at the centre, and makes sure your voice and your views are properly heard, understood and respected
- Respect you and your family.
- Make sure that your care plan is the best plan possible for you
- Help you understand your care plan and challenge it if you want to
- Challenge the Local Authority, social workers or others, if we think the plan isn't the best one for you, or that other things are happening that aren't right for you
- Help you be who you want to be, doing safely the things you want to do, having great relationships and feeling good.

If you ever want to talk to me about anything that is worrying you, this is how to contact me [*contact details*] Please feel free to contact me at any time.

**Signed:**

**Date:**