

**Decision Maker:** Children and Young People Portfolio Holder

**Date:** 8<sup>th</sup> April 2010

**Decision Type:** Urgent Executive Non-Key

**Title:** **APPOINTMENT TO BROMLEY FOSTERING PANEL**

**Contact Officer:** Philippa Stone, Scrutiny Co-ordinator  
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**Chief Officer:** Mark Bowen, Director Legal Democratic and Customer Services

**Ward:** Borough-wide

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1. Reason for report

Councillor Mrs Anne Manning's term of Office on the Bromley Fostering Panel expired at the end of March 2010. She wishes to be re-appointed to the panel for a further term.

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2. **RECOMMENDATION(S)**

**The Portfolio Holder is asked to confirm Councillor Mrs Manning's re-appointment to Bromley Fostering Panel.**

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Children and Young People.
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Children's Placement Budget
  4. Total current budget for this head: £9,566,730
  5. Source of funding: Base Grant
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### Staff

1. Number of staff (current and additional): 21 FTE
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: Statutory requirement. Fostering Services Regulations 2002 as amended by the Fostering Services Amendment Regulations 2009
  2. Call-in: Call-in is applicable yes
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

3.2 The Bromley Fostering Panel has a number of functions regulated by Fostering Services Regulations 2002 as amended by the Fostering Services Amendment Regulations 2009

. These include:

- To consider each application for approval and to recommend whether or not a person is suitable to act as a foster parent.
- To approve all foster carers who have applied to become carers with the Department.
- To recommend whether or not a person remains suitable to act as a foster parent and whether or not the terms of the approval remain appropriate following the first review of the carer, or on the occasion of any other review requested by the Fostering Service Provider.

3.2 In Bromley the Fostering Panel deals with the following areas:

- Consideration of whether long term fostering is in the best interests of individual children.
- Consideration of whether a child is appropriately matched with their long term or short-term carers.
- Consideration of applications for approval and to recommend whether or not a person will act as Supported Lodgings Carer for Young People.
- Consideration of all applications to recommend relative and friend foster placements (Kinship Fostering).
- Provision of an Annual Report.
- Identification of unmet needs and contributing to planning and service development.

3.3 Membership of the Panel is defined within the Fostering Service Regulations and requires that 'the fostering panel shall consist of no more than 10 members and in the case of a local authority fostering service, at least one elected member'. Regulation 24 provides that a fostering panel member—

(a) shall hold office for a term not exceeding three years, and

(b) may not hold office as a member of the fostering panel of the same fostering service provider for more than three terms without an intervening period.”.

Councillor Manning has held two terms of office as an elected member representative on the Fostering Panel her current term of office has now expired.

3.3 Current Membership is as follows:

- \* Chair
- \* Vice-Chair
- \* Councillor Manning
- \* Councillor Ellis
- \* Social Workers
- \* Independent Members

- 3.4 As noted in this report, in accordance with the Fostering Services Regulations 2002 as amended (FSR), at least one elected member should be a member of the panel. The terms of reference provide for two elected members.
- 3.5 It is important that membership is maintained, to ensure that each meeting has the due quorum of at least five members. and that the Local Authority's representation is maintained at the relevant level.

**4. POLICY IMPLICATIONS**

- 4.1 The continued development and improvement of the Fostering Service is a key component in achieving internal targets to reduce expenditure on children's placements as well as meeting a number of Delivery Improvement Standards.

**5. LEGAL IMPLICATIONS**

- 6.1 The appointment of an elected Member to the Fostering Panel is required by FS Regulations. Membership of the Panel is for a term of 3 years, and any member of the Panel can only serve for three terms without a break.

**6. PERSONNEL IMPLICATIONS**

None

<b>Non-Applicable Sections:</b>	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	Fostering Services - National Minimum Standards/Fostering Services Regulations Care Standards Act 2000 and Fostering Services Regulations 2002 (as amended by the Fostering Services (Amendment) Regulations 2009) - Access via Contact Officer.

## SECTION 5 – THE FOSTERING PANEL

### SECTION 5.1 ROLE AND TERMS OF REFERENCE AND COMPOSITION OF THE FOSTERING PANEL

#### Role and responsibilities of the Fostering Panel (Regulation 26)

1.
  - (a) To consider each application for approval and to recommend whether or not a person is suitable to act as a foster parent.
  - (b) To recommend for approval [if appropriate] all foster carers who have applied to become carers with the Department.
  - © To recommend whether or not a person remains suitable to act as a foster parent and whether or not the terms of the approval remain appropriate:-
    - (i) On the first review carried out in accordance with Regulation 29 (Reviews and Terminations of Approval) and
    - (ii) On the occasion of any other review when requested to do so by the Fostering Service Provider in accordance with Regulation 29(5) and
  - (c) To consider any case referred to it under Regulation 28(8) or Regulation 29(9).
2. The Fostering Panel shall also:-
  - (a) Advise on the procedures under which reviews in accordance with Regulation 29 are carried out by the Fostering Service Provider and periodically monitor their effectiveness.
  - (b) Oversee the conduct of assessments carried out by the Fostering Service Provider.
  - © Give advice and make recommendations on such matters or cases as the Fostering Service Provider may refer to.
3. In Bromley, the Fostering Panel will:-
  - (a) Consider whether to recommend if long-term fostering is in the best interests of individual children.
  - (b) Consider whether to recommend if a child(ren) is appropriately matched with its long or short-term foster carers.

- (c) Consider applications for approval and to recommend whether or not a person will act as Supported Lodgings Placement for Young People.
- (d) To consider all applications to recommend all relative and friend foster placements (Kinship Fostering).
- (e) To provide an Annual Report.
- (f) To identify unmet needs and to contribute to planning and to contribute to service development.

## **Composition of the Panel**

The membership of the panel is defined within Regulation 24 of the Fostering Services Regulation 2002 and includes a: -

- Chair Person – a senior member of staff who does not have day to day responsibility of the Fostering Service.
- Two Social Workers – one of whom has childcare expertise and the other of whom has expertise in the province of a fostering service.
- Two elected member(s).
- At least four independent members, one of whom has been a foster carer for another agency.

On Bromley's panel other independent members include

- A Medical Advisor
- A young person who has been in care to this authority
- A officer from the Education department

The panel shall consist of no more than ten members.

No business can be conducted by the Fostering Panel unless at least five of its members, including that person appointed as Chair to the Panel, or the Vice Chair or at least one of the Social Workers employed by the fostering service and at least two of the Independent Members are present.

Specialists may be invited to provide expertise in a particular field.

Group Manager – Fostering Family Placement provides advice to the Panel and the Panel Secretary will be the Clerical Officer, Fostering Service. Five panel members, including the Chair or Vice Chair must be present for a quorum.

## **SECTION 5.2 ARRANGEMENTS FOR BOOKING THE FOSTERING PANEL AND SUBMITTING REPORTS**

The presenting worker and their Group Manager – Fostering should agree a date for a report to be presented at Panel.

The presenting worker should book the time and date (by 'phone, memo or email) with the Clerical Officer, Fostering Service.

Reports must be with the Clerical Officer two weeks prior to the Panel Meeting. All reports need to be read and signed by the individuals involved (where appropriate) and the relevant Social Worker and Supervisor.

The Clerical Officer, Fostering Service will liaise with the Group Manager, Fostering regarding the agenda and compile the agenda for the Panel Meeting ten days before the meeting.

Copies of reports will be made and circulated to Panel Members a week before the Panel Meeting.

Notification confirming the date, time and venue of each item will be sent to the appropriate worker.

The presenting worker should inform (prospective) carer(s) of the date, time and venue of the Panel and the Panel Procedure.

The time allowed for consideration of the approval of carers is 20-30 minutes and 10-15 minutes for reviews where there is no consideration changes to the terms of approval.

After the Panel Meeting, the Clerical Officer will produce minutes within six working days and submit these to the Chair or Vice Chair for checking. Relevant recommendations then go the Assistant Director [Children and Families] for a decision.

At the Panel Meeting, the members should confirm the accuracy of the record and the decision made.

The Clerical Officer should write on behalf of the Group Manager, Fostering to the individuals involved (Foster Carers, Birth Parents) confirming the outcome of the Panel, using a standard format or drafting a letter, as necessary. This is following confirmation of approvals by the Local Authority Decision Maker – the Assistant Director of Children & Families.

The Clerical Officer will send to newly approved Carers:-

- Foster Carer Agreement
- Foster Carer Handbook
- Identify Card

A copy of the Panel Minutes and letter of approval or re-approval or termination of approval should be placed on the Carer's file by the Clerical Officer.

The Clerical Officer should maintain a Panel file containing a copy of all Minutes and Panel Reports.

The Chair should sign a Minute and Decision Sheet – a copy to be placed on the Carer's file.

## **SECTION 5.3 DECISIONS, REPRESENTATION AND APPEALS**

Recommendations are made by the Chair of the Panel following the discussion of views of all the Panel Members. The recommendations of approvals will be passed to the Decision Maker, Rory Patterson [Assistant Director – Children and Families]

(Prospective) Carers who are dissatisfied with the decision or the conduct of the Panel may make representation, in writing, to the Chair within 28 days of receiving written confirmation of the decision.

### **FORMS**

BAAF Form F

BAAF Adult AH

Panel Minutes and Decision Sheet

### **Cross-Reference other Departmental Procedures**

Training of Foster Carers

Annual Reviews with Carers

Representations and Complaints Procedure

### **Statutory References & Guidance**

Children Act 1989 – Schedule 2.12(d)

Children Act 1989 – Guidance & Regulations Volume 3 – paragraphs 3.12-3.53

Children (Protection from Offenders) (Miscellaneous Amendments) Regulations – Statutory Instrument 1997/2308

Foster Placement (Children) Regulations 1991 3(4)b, 3(6)c

### **National Foster Care Standards**

23 The Foster Care Panel

25 Representation and Complaints.