

Questions for Consultation on the Protocol/ Guidance on Responding to Allegations against Foster Carers

General Questions:

- 1) The policy document '*Getting it Right for Every Child in Kinship and Foster Care*' refers to this as a protocol. Does this terminology seem appropriate or would it be more appropriately termed 'guidance'?

The preference was for guidance rather than protocol. Using the guidance, local areas could develop their own protocol/procedure.

- 2) Is the terminology adopted in the protocol, as defined at 1.9-1.13 helpful? Please identify any use of terms which you think would be problematic.

The term 'evaluation' was confusing. There appears to be 3 elements to evaluation as described in section 1.10:

1. debriefing session with carers and link workers
2. review of the process/outcomes by the fostering service
3. a review at a more senior/strategic level of how procedures are being implemented and the outcomes for carers and children/young people

Each element was judged to be important but it was considered to be unhelpful to group them under the banner 'evaluation'.

Section 3:

Section three proposes an approach to initial decision which is different from what follows an allegation against other families in the community. The rationale for this is that situations which arise in relation to foster families are often more complex, so that more thorough and sophisticated consideration is needed in order to discern what kind of response will be in the best interests of the children concerned. Increased complexity arises from a range of factors including increased potential for false allegations being made against foster carers, the implications of foster carers being service providers and the complex needs and circumstances of many of the children involved. The proposed approach would not prevent swift action being taken to protect children who were considered to be in immediate danger and so would not compromise the child's safety. The aim is to ensure that the 'right' situations get into the child protection process and that others which do not involve child abuse are dealt with by more appropriate means.

General comments on section 3 would be particularly helpful, as well as responses to the following questions:

The approach detailed in this section is not consistent with our local Child Protection Procedures should an allegation against a foster carer be made. It was agreed that local child protection

procedures should be implemented. A concurrent set of guidelines for children in foster care would be unnecessary and confusing. There was also little agreement that children in foster care should be treated differently to those living at home with parents.

There were suggestions within Section 3 that were considered to be very helpful and could improve the experience for carers following an allegation, for example the named person to provide an update monthly.

- 3) Would it be helpful for a senior member of staff with responsibility for child protection to oversee initial decision making following an allegation against foster carers or a member of their family? (as proposed at section 3.2).
[See comment above regarding local Child Protection Procedures.](#)
- 4) Do you agree that the kind of internal discussion proposed at 3.7 would help ensure that initial decisions were:
 - a) as well informed as possible
 - b) in the best interests of the children concerned?
[See comment above.](#)
- 5) Would carrying out additional enquiries, as proposed at 3.8-3.13:
 - a) helpful in ensuring that responses to allegations are appropriate and in the best interests of the child;
 - b) practical and feasible within your agency?
[See comment above.](#)
- 6) Do the four categories outlined at 3.14 accurately reflect the range of situations which arise in practice?
[See comment above.](#)

Section 4:

- 7) Are the proposals on setting and monitoring timescales for carrying out child protection investigations realistic?

[It is difficult to be prescriptive about time scales for investigations involving police and others. However the suggestion that a named person takes responsibility to update carers \(and others\) monthly was considered helpful. While a monthly meeting may be excessive, a monthly phone call to partners to obtain an update on progress prior to contact with carers would be helpful.](#)

- 8) Would any of the responsibilities accorded to fostering agency in the course of a child protection investigation be more appropriately carried out by another party, for example the child's social worker?

[In West Lothian it is a council department rather than an external fostering agency that is responsible for foster carers so it is difficult to comment.](#)

- 9) Would any of the responsibilities allocated to the child's social worker in the course of a child protection investigation be more appropriately carried out by someone else?

[In West Lothian the Edinburgh and Lothians Inter-agency Child Protection Procedures would be implemented.](#)

Section 5:

Section 5 proposes a framework for carrying out an internal review which will help inform decisions about carers' capacity to continue to foster, following an allegation. It is not proposed that this kind of

review would be required in all cases before proceeding to a Fostering Panel. Rather it may be a helpful way of managing more complex and potentially contentious situations.

10) Is the kind of review proposed in section 5 likely to be helpful in some situations?

In West Lothian the Carer Panel reviews the suitability of carers and any changes necessary. This is a requirement of the Care Commission.

11) Does the proposed framework for internal review incorporate an appropriate level of independence?

See above

Section 7:

12) Any comments on the proposals for evaluation would be helpful.

As mentioned earlier the term 'evaluation' was considered confusing. The process described in sections 7.1 – 7.5 were considered to be a debrief for both carers and their liaison worker(s). This was considered to be a useful inclusion. It is also helpful for the fostering service to review its role in the response to the allegation as well as review its role any practice issues that the process may have raised.

Section 7.6 is something different that probably warrants its own section.

Any additional comments would be appreciated:

4.1 We were under impression that Care Commission only wanted to be informed of Child Protection allegations.

4.5 (2nd last bullet point) Could it say 'the planning meeting should include discussion with the carer regarding who they consider to be best placed to support them'

4.10 Remove the sentence describing the 'serious consequences to children..'

4.15 (4th bullet point) Parents are not given this level of information so neither would carers

4.22 In West Lothian we would not wait for a LAC Review to make a decision.

5.12 Helpful advice

2.8.1 It was agreed that Carers should receive a proportion of their payments during an investigation. In West Lothian carers receive their fee but not the allowance.