

Responding to Allegations against Foster Carers: Protocol for Consultation and Comment November 2008

1. Background to the Protocol

1.1 The Scottish Government document *Getting it Right for Every Child in Kinship and Foster Care* acknowledged a need for a national protocol to ensure that allegations against foster carers were handled sensitively and efficiently. The Fostering Network was commissioned to develop 'a national protocol, capable of being adapted to fit local circumstances and to include the needs of kinship carers'¹.

1.2 The same policy document indicated that the protocol should 'have as its starting point the importance of protecting the child and ensuring they are not exposed to abuse or neglect of any kind, whether emotional, physical or sexual'. It also recognises that foster and kinship carers may face unsubstantiated allegations and that allegations may be a means by which a child draws attention to their underlying needs. Thus allegations against carers need to be investigated and managed in a way which safeguards children, while also treating carers justly.

1.3 A number of research studies and reports have emphasised how important it is that allegations against carers are managed in a fair and measured way, with due consideration to the particular context in which foster carers care for children. A similar message emerged strongly in the discussions of the Reference Group² which informed the development of this protocol. Concerns were repeatedly expressed that failure to develop more flexible and measured practice in response to allegations against foster carers was detracting from foster carers' capacity to care for children in a number of ways. Those identified by the group included: making it more difficult to recruit and retain foster carers, undermining foster carers by creating a pervasive fear that they will be subject to a false allegation and disrupting stable placements in ways which are not in the interests of the children concerned. The purpose of this protocol is to assist agencies and practitioners to develop responses to allegations which protect children, but are also fair to carers.

¹ A similar document has been developed by the Fostering Network for use in England: *managing allegations and serious concerns about foster carers' practice or standards of care*. The Fostering Network, 2006

² Composition of the Reference Group is at Appendix 1.

1.4 The protocol will apply when it is alleged that a foster carer or member of the foster carer's family has:

- behaved in a way that has caused or may have caused harm to a child;
- possibly committed a criminal offence against a child or related to a child.

In most situations the allegation will be about a specific harmful action, but in others there may be a cluster of concerns or complaints which indicate that some aspect of the carer's practice, for example attitude to the child, use of discipline or standard of physical care may be harmful. Allegations can be made against any member of the carer family, including the foster carers' own children.

1.5 Where a complaint is made against the carer which does not imply any harm to the child, local authority, voluntary organisations' and independent providers' complaints procedures may be used.³ However complaints can cover a wide spectrum of situations and many will be able to be sorted out by a less formal approach, for example by involving the Children's Rights Officer to make sure a child's wishes or worries are heard and taken seriously.

1.6 Whether or not the protocol applies to kinship carers depends on the nature of the placement. Under present regulations it will apply only to kinship carers who have been approved as foster carers and are supported by the local authority or another fostering service. In the future it is likely that it will be applied to kinship carers when they are caring for a 'looked after' child.

1.7 The protocol should be able to be adapted to fit local circumstances, so it is envisaged that it will be implemented by incorporating key elements into relevant local authority and fostering agency policy and procedures. Where implementation requires an interagency response, it would be necessary to negotiate local agreements and policies with key partners, notably police and health. Area Child Protection Committees will be well placed to co-ordinate these negotiations.

1.8 Recognising that certain terms are used differently in different local authorities or agencies, the following provides an explanation of how terms are used within the protocol⁴.

1.9 The term '**allegation**' is used to refer to any claim or concern that a carer or member of the carer family may have harmed a child. Allegations can be made by anyone, including children who were previously fostered but no longer live in the foster home. Use of the term 'allegation' does not necessarily imply that the alleged level of harm is necessarily *significant* or that the matter should automatically be investigated through a child protection investigation. Section 3 of the protocol proposes an initial process for collating information about the nature of the allegation, circumstances in which it arose and the actual or potential impact on the child. Having considered these,

³ Social Work (Scotland) Act 1968 and the Regulation of Care (Requirements as to Care Services) Scotland 2002.

⁴ A glossary of these and other relevant terms is at Appendix 2.

staff will decide whether this is an allegation of abuse which should be subject to a child protection investigation (Section 4) or whether internal enquiries and review will be more appropriate (Section 5). It should be borne in mind that inherent in the term **'allegation'** is the notion that there may be no substance to what is claimed, i.e. the carer or member of the carer family may not have behaved in the way which is being alleged.

1.10 Clarification is also needed of terms to refer to different processes for responding to allegations. The term **'investigation'** is used where the response is part of a child protection procedure. In situations where the fostering agency needs to find out more about the nature or implications of an allegation, the term **'further enquiries'** is used. When completed, information from these enquiries or obtained during a child protection investigation will inform a **'review'** of the foster carers' practice. The term **'review'** is used to refer to the process of collating relevant information and considering its implications. The information and recommendations based on this are to be outlined in a **'review report'** and considered at a **'review meeting'**⁵. The review meeting may decide to make a recommendation to the agency fostering panel. At the close of the formal process an **'evaluation'** of the process may be arranged. Three kinds of evaluation are referred to in the document. One involves hearing from the foster carers about the impact on themselves and their family, the other refers to giving staff involved in managing the allegation an opportunity to identify what can be learned from the process. A system of management evaluation is also proposed, so that as much as possible can be learned from an overview of current practice in local authorities and independent agencies.

1.11 Shared understanding is also required of the titles used for different staff who would be involved in responding to an allegation against a foster carer. The social worker responsible for the child is referred to as the **'child's social worker'**, while the line manager for this worker is designated as **'child's senior social worker'**. The term **'child protection staff'** is used to denote social workers who carry out the child protection investigation. Senior staff responsible for child protection within the carers' local authority are referred to as **'senior child protection staff'**. Fostering agency staff who support foster carers are referred to as **'link workers'** and their line manager as the **'fostering manager'**. A more senior manager in the fostering agency is **'senior fostering manager'**.

1.12 The term **'fostering agency'** is used to denote any fostering service, whether in the voluntary, independent or statutory sector.

1.13 Where the protocol refers to **'independent'** support or reviews, this will usually be provided by someone within the fostering agency who has had no previous contact with the foster carers or children affected by the allegation and so is able to bring an element of objectivity to the task. The Fostering Network's independent advice service can offer this kind of support. Some smaller agencies may find it helpful to establish reciprocal agreements with other fostering providers to provide independent

⁵ A 'review meeting' is convened specifically to consider a report following an allegation, so has a different purpose from the annual statutory foster carer review.

practitioners as required. Only in unusual circumstances, for example when the situation is very complex or strongly contested, is it envisaged that independent services will be commissioned from an external agency or practitioner.

2: Context, Underpinning Principles and Relationship between the carer and fostering agency.

Context

2.1 During discussions within the reference group it was acknowledged that certain aspects of the context in which foster carers care for children can present obstacles to a measured and fair approach to allegations against them. Increasing awareness of these contextual factors plays a part in achieving good practice and so points raised by the group are summarised here.

2.2 As evidence has come to light of children in public care being abused by their carers, public perceptions of the trustworthiness of people who care for children have changed. Social work professionals are not exempt from these shifts in public attitudes. In addition they may worry that they themselves have placed children with people who have abused them. It was suggested that this underlying anxiety is activated when allegations are made against carers, potentially predisposing practitioners to 'believe the worst' and respond accordingly.

2.3 Foster carers have a dual status in that they are both families living in the community and private households providing a public service. As foster carers now care for more demanding and damaged children, they have become more like services and less like 'ordinary' families. Fairness requires that allegations against foster carers are investigated in a way which takes account of the unusual and challenging situations in which they care for children. This is not about offering a lower level of protection for children in foster care, but about recognising that a high level of professional skill will often be needed to discern what may have prompted an allegation and how children with very particular needs can best be safeguarded. Effective procedures need to be able to allow for this level of professional discretion.

2.4 The rise in the number of unsubstantiated allegations against carers reflects increasing awareness among accommodated children and their families that making an allegation of abuse is an effective way of drawing attention to their needs or worries. It follows in situations where social work resources for effectively attending to children's needs and worries and/or supporting their parents are stretched, false allegations are more likely to be made.

Underpinning Principles

2.5 Basing practice on key underpinning principles will help ensure that responses to allegations are in the best interests of the children concerned, while also being fair to carers. The following principles would be reflected in best practice.

- 2.6 Whilst quick action should be taken to protect any child who is considered to be at risk of immediate harm, decisions about whether or not to remove a child should, as far as possible, be based on well informed assessment which balances the possible risks associated with leaving the child in placement against those which might arise from leaving the placement abruptly as the result of an allegation. When it is considered necessary to move a child, the move should be timed and planned in a way which minimises distress to the child being moved and to members of the foster family.
- 2.7 Decisions about whether or not to investigate allegations using child protection procedures should be based on the level of actual or potential harm to the child and whether an offence may have been committed. Thresholds for invoking child protection procedures and involving the police should be the same for foster carers as for other families living in the community.
- 2.8 Carers should be treated in a fair and honest way which means that:
- carers should be kept as fully informed as possible throughout an investigation;
 - investigations should be completed within indicative timescales which are backed up by local commitments to meet and even exceed these;
 - to avoid foster carers experiencing financial hardship during an investigation, **a proportion** of their usual payments should be paid from the point when they are suspended from fostering following an allegation till the suspension is lifted or the fostering service provider makes a decision to deregister them, based on a recommendation from the fostering panel and decision by the agency decision maker. Agency policy on this should be clearly set out in the Foster Care handbook and in the fostering agreement when the carers start their fostering career.

Relationship between the foster carer and the fostering agency⁶

2.9 Fostering agencies have a duty to ensure that foster carers are enabled both to safeguard fostered children and to minimise the possibility of allegations being made against them or members of their family. To this end, the fostering agency has a duty to provide appropriate training, supervision and support throughout carers' fostering careers. Appropriate support should continue after an allegation has been made, until such times as the fostering decision maker accepts a fostering panel recommendation that the carers be de-registered and this decision has been communicated to the foster carers.

⁶ The term 'fostering agency' refers to the agency responsible for the carers. This may be a local authority fostering section, a voluntary organisation or an independent fostering agency.

2.10 The relationship between fostering agencies and foster carers should be fair and honest. This can be difficult to maintain when an allegation is made against the carer, because strong feelings of fear, anger and guilt can be triggered in both carers and staff. It is the responsibility of fostering agencies to ensure that, through appropriate training and support, staff are equipped to continue to treat carers fairly and honestly in these fraught situations.

2.11 While an allegation is being investigated, the link worker should normally have continuing responsibility for communicating between the fostering agency and the foster carer family. However if the foster carer requests that another member of the fostering agency's staff should fulfil this role, the foster carer's views should be taken into account. This contact should continue, even when independent support is also provided.

2.12 Foster carers subject to an allegation should have immediate access to information and advice from an independent source. This should include legal advice. Details of the service provided by the Fostering Network Scotland are provided at Appendix 3.

2.13 The fostering service should provide independent support⁷ for carers during an investigation into an allegation of abuse which is being investigated in accordance with child protection procedures. Consideration should also be given to independent support for the foster carer's sons and daughters, whether or not the allegation has been made against them. In some situations it may be appropriate for the fostering agency to also consider providing independent support for other relatives affected by an allegation.

3. Initial responses to an allegation against a foster carer or member of the foster carer family

3.1 This section of the protocol offers both a process for managing initial responses to an allegation against a foster carer and guidance on considerations which should inform initial decision making. The aim is to develop practice which ensures that responses are proportionate, i.e. that situations which merit a child protection investigation are reliably identified, but that other situations which do not involve child abuse are managed in ways appropriate to the nature of the allegation and the child and carers' circumstances. It is envisaged that the process and guidance will be incorporated into local authority and fostering agency procedures and so be customised to suit local circumstances.

3.2 Each local authority should identify in relevant procedures which of their personnel will be nominated as 'senior child protection staff', that is which senior child protection staff will have responsibility for overseeing and/or managing the response to allegations against foster carers living in their area. Some local authorities may choose to appoint one specific manager who will oversee the initial decision making proposed in this section.

⁷ See par 1.13 for what is meant by the term 'independent'.

3.3 When an allegation is made against a carer, staff receiving the allegation need to make an initial assessment of the immediate risk to the child and any other child living in the household. If the child or any other child is considered to be at immediate risk of significant harm, decisions need to be taken urgently to ensure the threat is removed or the child is moved to a place of safety. This would lead to an interagency discussion immediately and action to protect the child.

3.4 Unless there are indications that a child is at immediate risk of serious harm, decisions about removing children should be delayed at least until a discussion on this issue has taken place between the child's social worker or senior social worker and the link worker or fostering manager. Senior child protection staff responsible for overseeing the response to the allegation might also contribute to discussions about whether children should be moved from the placement.

3.5 Ideally a decision to move children should be based on systematic and well-informed assessment which identifies and describes the nature of the danger to the child and weighs up the risks associated with remaining in the foster home against those which would arise if the child were moved and placement stability disrupted. To allow this assessment to be as well-informed as possible, where practicable, decisions about moving children should be delayed until an interagency planning meeting as described at paragraph 4.4. The aim of this careful assessment is to ensure that children affected by the allegation are protected with the least possible disruption to their lives.

Initial Internal Discussions

3.6 Whenever an allegation is made, one of the nominated senior child protection staff should be informed without delay. Within 24 hours of being notified, senior child protection staff should discuss with the fostering manager and senior social worker for the child the nature of the allegation, circumstances in which it was made and the actual or potential impact on the child.

3.7 The purpose of this discussion is to find out the nature of what is being alleged, taking into account the context in which the allegation was made. Taking account of the child's and carers' context is important in arriving at the best decisions for children and ensuring that carers are treated fairly. The following areas would be relevant to the discussion:

Nature of the Allegation

Consideration should be given to: the actual or potential impact on the child, taking into account the child's age, developmental stage and previous experience; the level of alleged harm to the child; the circumstances in which the alleged incident or lack of care took place; the intent behind the carer's action i.e. was it unintentional, did the carer intend to hurt the child or was the motivation to control the child or keep him/her safe?

Child

Background: reasons for being accommodated; how the child has experienced parental care; previous abuse of the child; previous placements and how these have ended in the past;

Current issues: any pressures on the young person, for example a hearing or review coming up; contact issues; school issues; recent sanctions; any situations where the carers have had to limit their activities.

Past and present behaviour: how the child behaves when under pressure; his/her responses to stress; any previous allegations or complaints made by the child or members of his/her family; how the child has responded to the alleged behaviour on the part of the carer or member of the carer family.

Carers

History of placements: the number and types of placements; the experience of and response to different kinds of challenges; how placements have ended; any previous allegations or complaints against carers.

Current issues: the demands of current children placed; financial pressures; family problems e.g. illness, separation or family tensions.

Person making the allegation

Consideration should be given to: the relationship between the child, foster carers and the person making the allegation; current tensions or circumstances which may have contributed to the allegation being made; any previous allegations, how these were investigated and the outcome; taking the allegation seriously, while also acknowledging factors which suggest that the allegation may be false.

Obtaining additional information to inform initial decisions

3.8 In some situations it will be clear to the relevant managers whether or not the allegation involves abuse, but in others they may decide that additional information is needed to help them come to a decision about the best way to proceed. It will be important that managers making this decision consult fully with the social worker for the child and link worker for the family who are likely to have a fuller understanding of the child and family. There may also be a case for having further discussion with the child or adult making the allegation, members of the carer family or other professionals who know the child or carer family well, for example a teacher, psychologist or worker from a voluntary organisation. In some instances it may be helpful to consult with the designated contact person within the Police. Any enquiries of this kind should be carried out and findings reported to senior child protection staff as soon as possible and no later than 3 working days after the initial discussion by relevant managers.

3.9 In some cases it may be clear that the allegation, if true, would warrant a child protection investigation, but there may also be strong grounds to believe that the

allegation is false, for example because the person making the allegation has made previous allegations which have proved false or had recently talked about intending to make an allegation. In cases where there is clear evidence to support the view that the allegation is false and the nature of the allegation does not indicate that a child is at immediate risk, it may be appropriate to arrange for further inquiries to be made by fostering agency staff and/or the child's social worker. This option for some preliminary investigation should be agreed in initial internal discussions and authorised by senior child protection staff responsible for the case.

3.10 These additional enquiries should be completed within three working days, at which point a decision would be taken on whether or not to proceed to a child protection investigation. Procedures for these enquiries should be specified in local authority child protection procedures. Details should include identifying which staff would carry them out, what they should entail and within what timescale the inquiries should be completed.

3.11 Where young people have a history of making false allegations and there are reasons to believe that the current allegation is also false, social workers should help the young person see that the worker understands that making the allegation may show that there is some underlying issue that is bothering the young person and that the worker wants to understand what that is. The worker needs to try to find out what the child or young person's anger is about and to take action to remedy whatever is causing the problem. The worker also needs to give the message that making malicious allegations will be taken very seriously, that this behaviour will be challenged, is unacceptable and will have consequences.

3.12 Those carrying out the necessary enquiries should report back to senior child protection staff within the specified time period at which point senior child protection staff will consult with others who took part in the initial internal discussions and make a decision on how to proceed.

3.13 At each stage of the initial decision making process, a record should be made of all key information considered, decisions taken and the reasons for them. A pro-forma for recording relevant information is available at Appendix 4.

Decisions about the nature of the allegation

3.14 Having considered all of these matters, most allegations will fall into in one of the four categories below, though some may straddle one or more. Concerns about emotional abuse or neglect are often particularly difficult to categorise.

1. An allegation which includes information that there may have been significant harm or risk of significant harm to the child, as a result of physical, sexual or emotional abuse or neglect;
2. An allegation that amounts to a carer acting inappropriately or in ways which are considered unsuitable for the child, but not causing or likely to cause

significant harm. Examples might include the carer or member of the carer family constantly criticising the child and/or child's family or imposing rules and sanctions which undermine the child's dignity e.g. insisting that a child who persistently runs away wears night clothes during the day.

3. No aspect of the carers' behaviour or practice has been observed to be problematic, but some concerns have been raised about the child's behaviour, lifestyle or frame of mind. For example a child may be reluctant to go home to the foster home or have talked about feeling depressed in the placement. Concerns of this kind might emerge from a range of sources e.g. school staff, psychologist, social worker. In assessing the significance of this kind of concern, it is particularly important to take account of the child's age, stage and previous experience.
4. Complaint from the child, the child's parent or someone else about some aspect of the foster carer's behaviour or practice, but the complaint does not imply any risk of significant harm to the child. Examples might include complaints about choice or quality of food, clothing or use of sanctions.

Moving into Initial Interagency Discussions

3.15 In any situation where there may have been actual or potential significant harm, an Initial Interagency Discussion should be convened in accordance with local child protection procedures⁸. This will apply in all category 1 situations and in any other situations where there is evidence of actual or potential significant harm to a child. Situations involving the possibility of emotional abuse or neglect will often be difficult to assess in terms of the level of actual or potential harm. In these situations decisions about how to proceed should be based on what is likely to achieve the best outcome for the child. Medical or psychological assessments may be required to assist with assessing the impact on the child.

3.16 The purpose of the initial interagency discussion is to review the matters outlined at 3.7 and to ensure that relevant information held by other agencies such as health and police is included in the decision making process. The interagency discussion should take place as soon as possible, but no later than five working days after an allegation has been made. These discussions will ideally take place in a meeting, but if necessary, all the key parties can be consulted by phone. The decision of the interagency discussion may be to move into a child protection investigation or to refer the matter back to the fostering agency for further enquiries and review.

3.17 Practice in relation to Child Protection Investigations is covered in Section 4.

Moving into Enquiries and Review by the Fostering Agency

⁸ In some local authorities these are referred to as Initial Referral Discussions (IRDs).

3.18 Where initial discussions conclude that the allegation or concern does not involve abuse, the most appropriate way of taking the matter forward would be to refer back to the fostering agency for further enquiries and review (Section 5). At any point during these enquiries it may emerge that a child has been significantly harmed or is at risk of significant harm, in which case the matter should be referred back to senior child protection staff without delay.

Evaluating the decision making process

3.19 Decisions taken in the early stages following an allegation may have far-reaching effects for children and carers, so it is important that practice is as effective as possible. The aim is to reach a position in which all situations which involve child abuse are quickly identified and investigated, while responses to other kinds of concern are proportionate and effective. Correspondingly, effective practice should mean that children are only moved from a foster home following an allegation when this is necessary to protect them and is in their best interests.

3.20 The pro-forma at appendix 4 can be used to guide and record initial decision making. Completed forms would also provide information on current practice in managing these complex situations which in turn might be used for practice development.

4 Inter-agency Investigations into Allegations against Foster Carers or members of their Family.

Planning and carrying out a Child Protection Investigation

4.1 As soon as a decision is taken to initiate a child protection investigation, this should be communicated to the fostering agency decision maker, any local authorities responsible for children placed with the carers and the Scottish Commission for the Regulation of Care. Local procedures should indicate where responsibility for this lies.

4.2 Arrangements for informing the foster carers that an allegation has been made against them or a member of their family should be agreed by the key professionals involved. These would include the police, child's social worker and the link worker for the foster family.

4.3 When an allegation is made against a foster carer or member of the foster carer family it will be good practice for the initial inter-agency discussion to be followed by a more comprehensive inter-agency case discussion and planning meeting. The purpose of this meeting is to share all available information and to agree a plan for carrying out the investigation. Unless there is an immediate risk to the child, it would be preferable to delay decisions about whether or not to remove a child until the planning meeting has taken place.

4.4 Wherever possible the inter-agency planning meeting should take place within three working days of initial inter-agency discussions. It should be chaired by senior child protection staff responsible for the investigation. Those attending should include police, an appropriate representative from education and health services, senior staff from the fostering agency for the carers and from the local authority responsible for the child or children currently affected by the allegation. The social worker for the child and link worker for the family should also be present. It is important that those present include someone who knows the child and foster carer family well.

4.5 The planning meeting should consider the following areas:

- Significant information about the child concerned, including previous placements, and information about any previous allegations or complaints made by the child and up to date information on their circumstances;
- Significant information about the foster carers, including the terms of their approval, their record as carers and any past allegations/serious concerns relating to them or members of their families;
- Whether anything needs to be done immediately to safeguard the welfare of the child or any other children in the foster carer's household;
- The likely impact on any children who may need to be moved from their current placement, how any negative impact might be minimised and arrangements for supporting children after the move;
- Whether anything needs to be done to safeguard the welfare of other children with whom the foster carer or relevant members of their family have contact e.g. as childminders, youth workers;
- What action, if any, needs to be taken in relation to other children previously placed in the foster home;
- What action, if any, needs to be taken in relation to the carers' own children;
- Identifying key people and the information to be given to them, including foster carers, adult members of the foster family, parents/people with parental responsibility, other local authorities who have children in placement/ previously had children in placement; out-of-hours services
- Deciding what information is to be given to the fostered children and by whom, what support /counselling will be provided for them and what will be recorded;
- Decisions by the fostering service provider regarding any temporary changes concerning the foster carer's terms of approval, pending the completion of the investigation;
- Arrangements that could be made if someone were to move out of the foster home in order to safeguard a placement;
- The time-scale for interviewing key adults and children;
- Time scale within which the agencies involved, including police, will aim to complete an investigation;
- Clarification of the role of the supervising worker and the fostering service's ongoing support to the foster carer and their family;
- Appointment of independent support to foster carers and relevant members of their family and the need for advocacy for any of the children affected by the allegation;

- Management of any media implications and potential for preserving anonymity for the carer against whom the allegation has been made.

4.6 Planning meetings should agree what information can be shared with the carers at each stage of the investigation, what cannot be shared and who would be responsible for communicating key information to the foster carers. Police may not always be able to share all the information they hold at the meeting. While carers want to hear from the police what is happening, this may not be possible as the police investigation into the alleged actions of the carer or member of the carer family may still be on-going. It is important that whoever is appointed to keep carers informed about the progress of the investigation maintains this role until the investigation has been completed.

4.7 Minutes of the planning meeting should record decisions and action points on each of the above matters. A copy should be sent to each person attending the group and to the decision maker for the appropriate fostering panel within ten working days.

4.8 A date should be set for the planning meeting to reconvene one month from the date of the first meeting in order to review progress. Further meetings should be held on a monthly basis until the enquiry is completed.

4.9 The length of time needed to complete investigations will vary widely, but a target timescale should be agreed at the planning meeting and progress reviewed at least monthly, when the planning group reconvenes. Local Area Child Protection Committees may wish to agree indicative timescales which are realistic for their area. In situations where enquiries are continuing beyond the agreed timescale and reasons for this are not clear, it will be the responsibility of the fostering service manager to liaise with police and local authority colleagues carrying out the investigation in order to ascertain the reasons for the delay and discuss possible ways of overcoming them. Unless there are good reasons for withholding the information, carers should be told about these discussions.

4.10 As required by the policy document *Getting it Right for Every Child in Kinship and Foster Care*, the investigation should be carried out in a way which demonstrates to the child that any concerns about their safety and well-being are taken seriously. Because some young people make allegations which are found to be unsubstantiated, taking allegations seriously does not always mean accepting the substance of the allegation. Social workers need to respond to young people in a way which does not discourage those who have been harmed from pursuing the matter further, but conveys to anyone making a false allegation that their accusations will have serious consequences for themselves and the carer family. It is important to help young people understand that any matter which is bothering them will be taken seriously and that they do not need to make an allegation in order to be listened to.

4.11 When a decision is made to end a child protection investigation, those who have contributed to the planning discussions should be informed as soon as possible, usually within three working days. Fostering agency staff and social workers for the child should be told the reasons for ending the child protection investigation and advised whether any further inquiries are continuing. The investigation may have uncovered some issues for

the child in the placement or in relation to the foster carers' practice. The child's social worker and fostering agency must be informed of these, in case there are concerns and issues to examine further, once the child protection investigation has been completed.

4.12 In most instances the outcomes will fit into one of the following four categories:

- Criminal charges continue to be processed through criminal justice system and further review of implications for carers' future fostering is needed;
- No criminal case is being pursued, but concerns persist and further review is needed of the implications of some aspects of the carers' practice or conduct;
- No concerns have been substantiated about the carers' practice, but the allegation has highlighted or resulted in stress between the carer and one or more of the children placed, so the implications of this need further review;
- No concerns have been substantiated about the carers' practice or their relationships with the children currently in placement.

4.13 Within three working days of a decision to bring a child protection investigation to a close, the fostering agency decision maker, any local authorities responsible for children placed with the carers and the Scottish Commission for the Regulation of Care should be informed that the investigation has ended and given reasons for concluding the investigation and brief details of the outcome. Local procedures should indicate who is responsible for conveying this information. For a number of other people, for example birth parents and some people interviewed in the course of the investigation, it will be appropriate to consider at what point they should be notified and what specific information should be conveyed to them.

4.14 If the investigation indicates that a carer or member of the carer family should be referred to the *Disqualified from Working with Children List*, notification should be made in accordance with local procedures.

Fostering Agency Responsibilities to Carers and their Families during an Inter-agency Child Protection Investigation

4.15 Once the foster carers have been informed that an allegation of abuse has been made against them, the fostering agency should ensure that foster carers:

- are given a copy of the local authority's safeguarding children procedure;
- have access to legal advice and representation;
- understand the process of the investigation and why it is taking place;
- as far as possible, know when, where and by whom interviews will be conducted;
- are informed about the independent support that will be provided;
- are informed about the financial arrangements the fostering service will make in relation to allowances/fees if fostered children are removed or the carer is temporarily suspended from taking further placements.

They must also ensure that foster carers:

- know the reasons for the removal of children, if applicable;
- know what contact, if any, each member of the foster family is permitted to have with each child affected by the allegation;
- understand the current status of their approval to foster;
- are assisted in communicating with investigating agencies;
- are informed on a regular basis of the progress of the investigation, both verbally and in writing
- understand that if they resign while the investigation is underway, this will not affect the progress or outcome of the investigation.

If any of the above has not yet been decided when the carers are first informed about the allegation, any remaining information should be provided within two working days of the relevant decisions having been made.

4.16 Once foster carers have been informed that an allegation has been made, if appropriate, options for safeguarding children without moving them from the placement should be explored with them. For example it may be possible for certain member(s) of the foster care family to live elsewhere while matters are investigated. In such cases all possible assistance should be provided.

4.17 Decisions about whether carers should be suspended from caring for any children while the matter is investigated will be made in accordance with fostering agency procedures. These decisions would usually be taken by senior staff within the fostering agency in consultation with senior child protection staff within the local authority in which the carers live.

4.18 Foster carers and any members of the foster family named in the allegation should be informed personally and in writing when the child protection investigation has been concluded. Reasons for this decision and what further steps will follow should also be explained⁹. This information should be conveyed as soon as possible and within three working days of the relevant decisions having been taken. If applicable, the foster carers should also be informed in writing of arrangements to continue payments and independent support. They should also be offered an opportunity to meet with the fostering manager in order to clarify the implications of these decisions for the foster carer family.

Responsibilities of the Fostering Agency and Local Authority Social Workers to Children during an Inter-agency investigation

4.19 If children are to be moved from a placement because of an allegation, the reasons for this should be explained carefully to them, using appropriate methods for communicating with younger children or children with special needs.

⁹ Possible outcomes are at 4.11

4.20 Children and young people should, as far as possible, be given an opportunity to express their views on moving placement. These views should be taken into account, giving due consideration to the child or young person's age, maturity and understanding. In some circumstances it may be appropriate to offer children and young people the support of an independent advocate or children's rights officer to help them effectively present their views.

4.21 Responsibility for discussing these matters with children will usually rest with the social worker for the child and/or the carers, but in some circumstances, for example if the social worker has seldom met the child, it may be helpful to also involve someone whom the child knows well and trusts.

4.22 Unless they are considered to be at immediate risk, children should be given time to say goodbye to the carer family and friends in the local area. They should also be made aware of what opportunities there will be for maintaining contact with people who have been important to them. Unless there may be immediate risks to the child, no major changes, for example to schooling, should be made until the matter has been considered and decided at their next LAC review.

4.23 Children will need support to adjust to the move and opportunities to talk about how this has affected them. They may also need to be updated on implications for their future care, especially if there is a possibility that they will return to the carers. This would usually be the responsibility of the child's social worker, but might be delegated to another suitable person if the child's social worker cannot be allocated adequate time to carry out this role¹⁰.

5. Reviews by the Fostering Agency

5.1 At three stages following an allegation, fostering agencies may be called upon to carry out further enquiries with a view to reviewing implications both for the foster carers' capacity to foster and appropriateness of current placements. These are:

- Following initial consideration of an allegation by senior child protection staff, the fostering manager and senior social worker for the child (3.5-3.12);
- Following formal or informal interagency discussions which decide not to proceed with a child protection investigation (3.8 & 3.14-3.15);
- Following the completion of a child protection investigation (4.11)

5.2. The purpose of carrying out further enquiries and review will be to find out whether change is needed to any aspects of the foster carers' practice, current placements or category of registration. Key findings will be reported in a review report which will be considered at a review meeting. In some situations this process may result in a recommendation to the fostering panel that a carer's approval to foster should be

¹⁰ Decisions about who will support children will be made at the inter-agency planning meeting (par. 4.4) and at subsequent LAC reviews.

terminated. However in many instances the review will identify ways of supporting the carers to continue their fostering career.

5.3 The senior fostering manager will have managerial responsibility for how the review process is conducted. Following a child protection investigation, the senior fostering manager may decide that there is no need for further enquiries and proceed straight to a review meeting. It is important that the response to any specific situation is proportionate to possible risk of harm to children, so within their policies and procedures, fostering agencies may wish to develop more specific guidelines on appropriate levels of response to different levels of concern¹¹.

5.4 The senior fostering manager will be responsible for defining:

- what issues are to be addressed in the review,
- who is to be interviewed as part of the process;
- within what timescale the review report should be completed;
- who should carry out the enquiries and prepare the review report.

5.5 Unless there are very complex issues to be addressed, the review report should be completed within four weeks. Should the process extend beyond four weeks, the person conducting the review should inform the senior fostering managers of the reasons for this and a revised date for completion should be agreed.

5.6 In deciding who should undertake the review the senior fostering manager should weigh up the advantages of involving someone who is already familiar with the family against introducing an element of independence, in which case the review would be carried out by someone who has not previously been involved with the foster carers or the children in their care. A suitably qualified practitioner from the fostering agency will often be able to offer this element of independence and objectivity. However in smaller fostering agencies or in situations where the relationship between the carer and agency is contentious, there may be advantages in someone from an outside the agency being commissioned to conduct the enquiries and review.

5.7 Foster carers should be given the option of requesting that the review be carried out by someone independent and advised on the procedure for making this request which should be considered by the senior fostering manager.

5.8 In deciding who should undertake the review the senior fostering manager should take account of the complexity of the task. Where a member of the carer family has been charged with abuse, it will be important that the person carrying out these enquiries has appropriate understanding of the complex family dynamics which may be

¹¹ In accordance with the regulations, fostering agencies should have a separate procedure for dealing with complaints. It would be helpful for fostering agencies to outline in the foster care handbook examples of situations which will be treated as complaints and those which will result in a more formal enquiry. One example might be that diets not being varied enough would be a complaint, whereas concerns that children were malnourished would be a serious concern which merited a more formal enquiry. *Social Work (Scotland) Act 1968 and the Regulation of Care (Requirements as to Care Services) Scotland 2002.*

operating, how this may affect the non-abusing carer and what kinds of support would be needed to enable the carer to continue to foster safely.

5.9 Within three days of the senior fostering manager agreeing that a review is required, carers should be informed of this decision and what the review will entail. Carers who have been subject to a child protection investigation should be informed about this at the completion of that investigation (par. 4.18). For other carers, the fostering manager will be responsible for informing them, both verbally and in writing, that a review is to be carried out.

5.10 Carers should be informed of :

- the reasons for the review;
- what the review will entail;
- within what timescale the review will be carried out;
- who will be responsible for completing the review report;
- the process for considering the review report, arrangements for a review meeting and possible outcomes from the review.

Foster carers should also be informed that they can request that the review should be carried out by someone independent of the fostering agency and advised how to go about making this request. This information should also be included in the fostering agency's policies and foster carer handbook.

5.11 Arrangements for reviews should take the carer's needs into account. If the carer is not willing or able to co-operate, for example because of illness,¹² the fostering agency should take all possible steps to enable the carer to participate fully in the process. Where appropriate, this should include reconsidering who has been appointed to carry out the review. If the carer remains unwilling to participate with enquiries, the senior fostering manager should decide when the point has been reached to proceed without the carer's participation. When that point is reached, the foster carer should be given seven days notice that all relevant information will be considered at a review meeting and taken forward to a review of the carer's approval by the agency fostering panel, should this be recommended. Foster carers should be informed of the time-scales for this process, and again invited to participate fully.

5.12 If the foster carer gives 28 days notice of their wish to cease fostering, there are no means of continuing with internal enquiries beyond the expiration of the notice that the carer no longer wishes to act as a foster carer. In this situation, the agency should nevertheless continue to investigate the matter as fully as possible and formally deregister the carers if this is considered to be the appropriate action. The senior fostering manager should continue to collate the information already known in order to include it on the foster carer's record. S/he should immediately notify the relevant senior manager in the local authorities responsible for all the children involved. This notification should be followed up in writing, setting out the date from which the carer has resigned and

¹² If the foster carer cannot co-operate because of ill-health, there may be a delay, with their agreement, on production of a medical certificate.

summarising information collected to date in the course of the investigations and/or further enquiries undertaken as part of the review process.

5.13 The review report should summarise the nature of the allegation, circumstances which may have contributed to it being made and, if applicable, the outcome of the child protection investigation. Any implications for the carers' current suitability to foster, and training or support needs should be highlighted. It may also be relevant to highlight the implications of the allegation for each individual child who is currently placed in the foster carers' home or may be returning there on completion of the review process. Based on this information, the report should indicate what action is needed to ensure that children placed with the carers will be safeguarded and cared for to the standard expected by the fostering agency. Recommendations may include:

- that the fostering carers receive additional training, support or advice on specific aspects of practice;
- that the appropriateness of individual children's placements be reviewed with the child's social worker and senior social worker;
- that the agency fostering panel review the number, ages of gender of children the foster carers are registered to care for;
- that the agency fostering panel consider terminating the foster carers' approval as foster carers.

5.14 The fostering manager or senior manager should convene a meeting to consider the report and its recommendations. The review report should be available to the foster carer 14 days before the meeting. Any reports the foster carer wishes to submit should also be considered at the meeting. People attending the meeting may include: the foster carer, the link worker, the social worker and senior social worker for the children involved, the report writer, and, at the request of the carer, the person who is providing independent support to the carer.

5.15 At the meeting the carer and/or the person providing independent support to the carer should be given every opportunity to put their point of view and comment on the report, particularly if they disagree with any aspects its findings. Their views and those of all participants should be given full consideration. However the senior manager is responsible for any decisions. In some circumstances the fostering service manager may wish to take time to consider what is discussed at the meeting and come to a decision later. If this is the case, the decision should be made within three working days of the meeting having taken place.

5.16 The carers should be informed of the decisions from the meeting, both verbally and in writing, within three working days of them having been made. The record of the meeting should clearly state what decisions were made and the reasons for them. It should also clarify what action points were agreed, who is responsible for carrying them out and within what timescales. If there is a decision to refer the carers to the agency fostering panel to review or terminate their approval, the fostering manager should inform the fostering agency decision maker.

5.17 The minute of the meeting should be held in the carers' file¹³ and be referred to at their next annual review. The minute of this review should indicate what progress has been made on implementing agreed actions and/or highlight if further support, training or changes to the carers' terms of approval are required.

5.18 Procedures followed by local authorities and fostering agencies should specify who should be informed when reviews of this kind are completed and who is responsible for informing them. The fostering agency decision maker should be informed and, where applicable, an appropriate manager in local authorities responsible for children in placement. Local procedures should also include a mechanism for ensuring that findings from this process link into arrangements for referral for inclusion in the List of People Disqualified from Working with Children.

6. Reviews of Foster Carers' Approval by the Fostering Panel

6.1 A decision to recommend to the agency fostering panel that the foster carers should be deregistered or their approval to foster amended might be made directly following a child protection investigation or following further enquiries and review. The matter should be considered by the fostering panel within six weeks from that decision having been taken.

6.2 The fostering manager should inform the foster carers, both verbally and in writing, within three working days of a decision to refer to the fostering panel for a review of their approval. They should be informed if the recommendation to the panel is that the carers' approval to foster should be terminated. The information given to foster carers should include information on what will happen next and, if applicable, arrangements for the continued provision of independent support and/or payments until a final decision has been taken by the fostering agency's decision-maker.

6.3 In all other respects, local policies and procedures for reviewing and deregistering foster carers should be followed.

7. Evaluation following an allegation

7.1 Allegations of abuse are extremely stressful for foster carers and their families. At the end of the process of investigation and review, foster carers should be offered a formal opportunity to talk about the impact of the allegation and subsequent investigation and review on them and members of their family. They should have an opportunity to identify any support or other services which would help them manage the impact.

7.2 The evaluation meeting should be chaired by the manager of the fostering agency and attended by the link worker and the foster carers. Any adult family members who were the subject of the allegation or substantially affected by it should also be invited to

¹³ Retention of records will be in line with revised Looked After Children Regulations after 2009.

attend. Care should be taken to ensure that the meeting does not become a 're-run' of the investigation process. It should be conducted at a time and place that takes account of the needs of the foster family. Consideration should also be given to whether a separate process should take place for any children and young people involved, including the sons and daughters of foster carers. A record of the meeting should be taken and sent to everyone present within ten working days.

7.3 Points which might be considered at the meeting would include:

- the foster family's comments on the way in which the fostering agency undertook their roles and responsibilities;
- the impact of the allegation and subsequent investigation on the foster carers/family member who was the subject of the allegation/others in the family;
- the impact of any decision to remove children from the placement;
- the current needs of everyone in the foster carer's family;
- how any needs identified by members of the fostering family or fostering agency will be met.

7.4 Following an allegation there should also be an opportunity for fostering agency staff to reflect on their experience of managing the allegation and any implications for future practice. Where the investigation has been particularly stressful or contentious, there may be value in also including staff who carried out the investigation and social workers responsible for the child. In some circumstances it may be appropriate to engage an independent person to facilitate this kind of evaluation meeting. Building in this kind of debriefing and support will help staff manage their own anxiety and so continue treat carers fairly and honestly when faced with an allegation. This in turn will help ensure that children's safety and welfare remains paramount in their decision making.

7.5 Both forms of evaluation should be used to critically review and learn from practice.

7.6 Fostering Agencies or Area Child Protection Committees may want to institute arrangements for monitoring how effectively procedures incorporating this protocol operate in practice, whether or not they result in any changes in how agencies respond to allegations against foster carers and whether or not these changes are helpful. A pro-forma which could be used to collate relevant information is at appendix 4.

Appendix 1: Members of the Reference Group

Gail Aboim, Dundee City Council

Bill Atkinson, Perth and Kinross

Anne Black, the Fostering Network

Paul Carruthers, Strathclyde Police

Sue Hardman, the Fostering Network

Marie Hindmarsh, Foster Care Associates

Colin McFarlane, East Lothian carer

Mary McKenna, the Fostering Network

Sandra Moody, the Fostering Network

Rae Ormiston, Fife Council

Lexy Plumtree, BAAF

Margaret Rooney, Scottish Government

Margaret Sim, Glasgow City Council

Theresa Stephenson, Fife

Stephanie Stone, Foster Care Associates

Donald Urquhart, Midlothian Child Protection Committee

Ken Whitty, Glasgow carer

Clare Williams, Glasgow carer

Appendix 2: glossary of terms as used within the protocol

Child's social worker – social worker responsible for the foster child

Child's senior social worker – line-manager for the foster child's social worker

Link worker- fostering agency worker who supports the carers

Fostering Manager - line manager to the link worker

Senior Fostering Manager - senior manager within the fostering agency

Child protection staff – staff in the foster carers' local authority with responsibility for investigating allegations of child abuse

Senior child protection staff – manager(s) in the local authority where the foster carers live who have been designated as responsible for overseeing allegations against foster carers.

Independent - The term 'independent' is used in relation to support and reviews. In most instances this means that the practitioner involved is outside line-management for the child and carer family and so brings an element of objectivity. In small agencies or in very complex and contentious situations, it may be helpful for someone outside the fostering agency to provide independent support.

Allegation - any claim or concern that a carer or member of the carer family may have harmed a child. Use of the term 'allegation' does not necessarily imply that the alleged level of harm is necessarily *significant* or that the matter should automatically be investigated through a child protection investigation. It is acknowledged that allegations can be false and/or unsubstantiated.

Concern - any indication that the care of a child may not be meeting the standard expected of foster carers and/or be having an adverse effect on one or more children.

Complaint - any accusation which does not imply that a child has been harmed, but alleges that carers' behaviour or practice has not met the standard expected of foster carers either by the agency or another key person, for example the child, the child's parent or another professional.

Initial internal discussion - discussion held following notification of an allegation to senior child protection staff. Its purpose is to assess the nature of the allegation and decide how best to respond to it. Those involved in this discussion are senior child protection staff, child's senior social worker and the fostering manager.

Initial interagency discussion - if the internal discussion indicates that the allegation may involve a child being abused, an initial interagency discussion should be convened to consider how best to proceed. The decision may be to initiate a child protection investigation or to refer back to the fostering agency for further enquiries and review.

Child Protection Investigation - an investigation carried out in accordance with local authority child protection procedures.

Planning or strategy meeting - an interagency meeting to plan the investigation. A planning meeting should always be convened to plan and review investigations involving foster carers.

Further enquiries and review - enquiries carried out by the fostering agency or person appointed by them to assess what action needs to be taken following an allegation being made against foster carers or a member of the foster carer family. The enquiries can be carried out following a child protection investigation or in situations where the allegation, concern or complaint does not involve abuse to the child, so no child protection investigation is considered necessary.

Review report - The report which summarises findings from further enquiries and review and makes recommendations about what action is needed to ensure high standards of foster care practice are maintained.

Review meeting - A meeting at which the review report is considered.

Foster care review - a foster care review as carried out in accordance with regulations.

Evaluation - three kinds of evaluation are referred to:

- a) hearing from the foster carers about the impact on themselves and their families;
- b) giving staff involved in managing the allegation an opportunity to identify what can be learned from the process;
- c) a system for collating information on decision making and outcomes, so that agencies and ACPCs can monitor and learn from current practice.

The following terms are used as defined in the *Looked After Children (Scotland) Regulations* or other relevant regulations.

Fostering Agency – a local authority or a registered fostering service, as defined in *Looked After Children (Scotland) Regulations*¹⁴

Fostering Panel - panel appointed by each fostering agency to carry out functions as specified in *Looked After Children (Scotland) Regulations*

Agency decision maker – person designated by the fostering agency to undertake responsibilities outlined at 7 (1) of the *Children Act (Scotland) 1995 Guidance and Regulations Vol. 2*.

Area Child Protection Committee

TBA 'Looked after child', 'foster placement', 'kinship care placement'?

¹⁴ Relevant reference in most recent regulations to follow.

Appendix 3: The Fostering Network's Independent Advice and Mediation Network

This service provides independent and confidential help for foster carers. This includes:

- Advice on fostering related problems
- Information on legal and financial issues related to foster care
- Support and advice if carers are unhappy about some aspect of their agency's service
- Confidential, independent support and advice in situations where an allegation or complaint is made against a foster carer or member of the foster carer family.

More information on this service is available from the Fostering Network's advice, information and mediation officers:

Sue Hardman: North East Scotland

t 01330 811896

(Mobile 07501 224498)

e susan.hardman@fostering.net

Sandra Moody: South and Central Scotland

t 0141 204 1400

e sandra.moody@fostering.net.

Legal Helpline:

Fostering Network membership gives access to a legal helpline and legal expenses insurance to allow members to defend themselves against criminal charges arising as a consequence of their fostering. If foster carers think that they are likely to be interviewed by the police, they should contact the legal helpline for advice.

Appendix 4: Draft record of initial decision making and outcomes following an allegation against a foster carer or member of the foster carer family.

1. Description of the allegation/ concern.
2. Source of the allegation /concern
3. Personnel involved in initial decision making about the nature of the allegation and appropriate response.
4. Format of discussion or information sharing e.g. by phone, e-mail, in person.
5. Conclusion on the Nature of the Allegation
 - a) Allegation includes information that there may have been significant harm or risk of significant harm to the child, as a result of physical, sexual or emotional abuse or neglect. Yes / No
 - b) Allegation amounts to a carer acting inappropriately or in ways which are considered unsuitable for the child, but not causing or likely to cause significant harm. Yes / No
 - c) No aspect of the carers' behaviour or practice has been observed to be problematic, but some concerns have been raised about the child's behaviour, lifestyle or frame of mind. For example a child may be reluctant to go home to the foster home or have talked about feeling depressed in the placement. Yes/ No
 - d) Complaint from the child, the child's parent or someone else about some aspect of the foster carer's behaviour or practice, but the complaint does not imply any risk of significant harm to the child. Examples might include complaints about choice or quality of food, clothing or use of sanctions. Yes / No

Please give reasons for reaching the above conclusion

6. Action taken

- a) Tried to obtain additional information about the circumstances or nature of the allegation/concern/ complaint e.g. by speaking informally with key people Yes / No
- b) Convened a multi-agency Initial Referral Discussion Yes / No
- c) Referred to Police Yes / No
- d) Convene a planning meeting prior to carrying out a child protection investigation Yes / No
- e) Carried out child protection investigation Yes / No
- f) Matter dealt with through internal review Yes / No
- g) Matter dealt with through complaints procedure Yes / No
- h) Moved child(ren) named in the allegation from the placement Yes / No
- i) Moved other foster children from the placement Yes / No
- j) Moved at least one of carers' children from their care Yes / No

To be completed when the investigation or enquiry has been brought to an end

7. Outcome from child protection investigation

- Criminal charges continue to be processed through criminal justice system and further review of implications for carers' future fostering is needed. Yes / No
- No criminal case is being pursued, but concerns persist and further review is needed of the implications of some aspects of the carers' practice or conduct. Yes / No
- No concerns have been substantiated about the carers' practice, but the allegation has highlighted or resulted in stress between the carer and one or more of the children placed, so the implications of this need further review. Yes / No

- No concerns have been substantiated about the carers' practice or their relationships with the children currently in placement.
Yes / No

8. Outcome for children's placements

- At least one child remained in the placement throughout
Yes / No
- At least one child was removed from the placement but returned following the allegation being investigated
Yes / No
- At least one child was removed from the placement and will not return there
Yes / No

9. Outcome for carers

- Referred to Fostering Panel with a recommendation that they be deregistered
Yes / No
- Referred to Fostering Panel with a recommendation that there should be changes to their category of registration
Yes / No
- Additional training, supervision or support provided by the Fostering Agency
Yes / No
- No changes considered to be necessary
Yes / No

10. Following the completion of the investigation:

- Was an evaluation/ debriefing meeting arranged for the carers and key members of the carer family?
Yes / No
- Was an evaluation / debriefing meeting arranged for staff involved in the investigation?
Yes / No

- 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?

- 6) Do the four categories outlined at 3.14 accurately reflect the range of situations which arise in practice?

Section 4:

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

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?

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?

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?

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

Section 7:

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

Any additional comments would be appreciated:

Respondent Information Form: Consultation on Allegations Protocol

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:.....
Postal Address:.....
.....

1. Are you responding: (please tick one box)

- (a) As an individual go to Q2a/b and then Q4
(b) On behalf of a group/organisation go to Q3 and then Q4

Individuals

2a. Do you agree to your response being made available to the public?

- Yes (go to 2b below)
No, not at all We will treat your response as confidential

2b. Where confidentiality is not requested, we will make your response available to the public on the following basis (please tick one of the following boxes)

- Yes, make my response, name and address all available
Yes, make my response available, but not my name or address
Yes, make my response and name available, but not my address

On behalf of groups or organisations

3. The name and address of your organisation *will be* made available to the public. Are you also content for your response to be made available?

- Yes
No We will treat your response as confidential

Sharing responses/future engagement

We will share your response internally with other policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Fostering Network to contact you again in the future in relation to this consultation response?

- Yes
No

Please return to:
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Ingram House, 2nd floor, 227 Ingram Street
Glasgow G1 1DA
t 0141 204 1400 e 0141 204 6588
e sara.lurie@fostering.net

