



Fostering Panel Policy

Membership of the Central List

The membership of the Fostering Panel is drawn from a Central List of suitably qualified and experienced people who are from a variety of backgrounds. Panel membership is not fixed, nor is there a maximum number of members who can attend a meeting. However, there must be a minimum of 5 members present for a Panel to go ahead.

Key principles

- The welfare of the child/young person will be paramount within all Panel recommendations;
- Members of the Central List will be recruited using an open and transparent process;
- All Central List members are expected to attend Panel training and promote their own learning;
- Through the Chair, Panel will contribute to an Annual Report for the Directors of AFA;
- Members of the Central List are expected to work within the Agency's anti-discriminatory framework, be supportive of those who hold differing views, but challenge prejudicial behaviour or language;
- Central List members, supported by the Agency, should familiarise themselves with policies relevant to the approval of applicants and carers, e.g. safeguarding/safer caring;
- Central List members will contribute to and participate in their annual appraisal process and share any issues relating to Panel;
- Members will demonstrate respect to their colleagues on Panel and all those attending the meeting;
- Members undertake, by signing the Fostering Panel protocol, to keep paper and electronic reports, and any discussions held in the meeting, confidential; and
- Any matters of concern relating to Panel should be addressed to the Chair and/or Panel Adviser.

Diversity statement

AFA Fostering is committed to recruiting a diverse Panel membership which reflects the local community. Proactive recruitment will be undertaken to ensure representation of members of differing gender, sexuality, ability, race, faith and ethnic backgrounds. AFA will strive to ensure that adult children of Foster Carers, adults who were Looked After as children or young people, and Foster Carers are also represented.

Recruitment to the Central List

To facilitate the recruitment of a diverse membership, links are made with neighbouring local authorities and voluntary groups. Applications will also be encouraged through internal and external recruitment and occasionally through personal recommendation, if it is felt that a member of a specific profession, background or experience would contribute to the skill set, expertise or effectiveness of the Panel.

There is a clear and documented recruitment process for those applying for inclusion on the Central List. All applicants will be interviewed and selected against criteria outlined in the job description. Interviews will be conducted by the Panel Adviser with the Panel Chair or Decision Maker. To ensure consistency and cohesiveness within the Panel there will be a 'core' group of members who will be asked to regularly attend the Panel meetings they are invited to.

The Central List must include a Social Worker who has at least 3 years' relevant post qualifying experience. The Social Work representative can be an employee of AFA, but if this is the case, they must withdraw for any matters in which they have a current involvement.

The Central List must also include members who are independent of the Agency. Independent members cannot be Foster Carers or employees of AFA. The Chair is appointed by the Decision Maker and should be an independent member, as outlined in the Fostering Service Regulations 2011. The Chair should demonstrate a sound understanding of the fostering process; have the authority and competence to chair meetings and have the ability to analyse and convey complex information. They are also required to identify key issues, problems and solutions relating to matters brought to Panel. The Chair should also have good interpersonal, oral and written communication skills.

The Registered Manager of AFA may also appoint one or two Vice Chairs, whose role is to chair the meeting in the Panel Chair's absence, or as and when required. All members of the Central List, in accordance with fostering regulations and the National Minimum Standards, must have a satisfactory Disclosure and Barring Service check before taking up appointment. Personal and work references will also be obtained in writing, with a follow up phone call to referees. All records will be kept in compliance with the General Data Protection Regulations and each appointee will be provided with written information on performance objectives, which will include participation in an induction session and training on safeguarding and confidentiality. All successful applicants will be asked to sign a protocol covering the Agency expectations, which include a requirement to report any involvement in criminal proceedings or disciplinary action.

Professional development of Central List members

AFA is committed to delivering and promoting a consistently high standard of service, and the effective discharge of Panel's responsibilities and duties is recognised as being a critical component of an outstanding fostering provision.

AFA recognises the importance of Panel members being enabled to undertake their role effectively, and therefore provides them with ongoing training, observation, feedback and opportunities to discuss process and practice issues during Panel Business Meetings.

AFA offers regular training in a variety of areas linked to Panel Member's role and responsibilities, but there is an expectation that all those on the Central List attend Safeguarding training a minimum of once every three years.

An annual appraisal conducted by the Chair and Panel Adviser will be undertaken with individual Panel members and, although this is not a legislative requirement, it is an opportunity for members of the Central List to give feedback about their experience of participating in Panel, the functioning of Panel, any training required and any emerging issues, concerns or suggestions for improvement. The Decision Maker and Panel Advisor will undertake an annual appraisal of the Panel Chair.

Purpose and Function of Fostering Panel

Fostering Panels are multi-disciplinary bodies that act independently of the Fostering Agency, carrying out a quality assurance role. Therefore, they have no statutory authority and can only make a recommendation, not a decision. It is the prerogative of the Decision Maker to make a decision, which may or may not, concur with the Panel's recommendation. The Panel can make a recommendation regarding:

- The suitability of applicants to act as Foster Carers and, if approval is recommended, the terms on which they should be approved (e.g. number and age of children to be placed);
- The continued suitability of Foster Carers and whether the terms of approval remain appropriate; and
- Significant changes to a carer's status, such as termination of approval.

The Panel also:

- Comments on the standard of assessments and reviews carried out by the Fostering Service; and
- Provides advice on any matters relating to the Fostering Service as requested.

In addition, the Panel should be informed of any requests for an exemption from the 'usual' number of children placed with Foster Carers (Schedule 7 Children Act 1989) or any changes to a Foster Carer's terms of approval as made by the Decision Maker. The Panel will also consider any representations challenging a decision made by the Decision Maker. This may include a decision not to approve an applicant, or a decision to terminate or change the terms of a Foster Carer's approval without their consent.

The annual report of the Panel Chair is circulated to all members and will include statistical information relating to approvals, reviews, termination of approvals, the number of children in placement with the Agency and any complaints received during the preceding year. The report will be discussed under Any Other Business or at a Panel Business Meeting and those who are not at the meeting will have access to the report and be invited to feed back any comments or observations.

The Chair will communicate any issues or concerns expressed by Panel members to the Vice Chair/s, Panel Advisor, Registered Manager and Decision Maker in bi-annual meetings. Where relevant the Chair will share concerns at other times. The meetings will also review the Panel's effectiveness and report on the quality of work being presented to ensure a

consistently high standard is maintained. This is also achieved through feedback given to members by those who attend Panel, and from members to assessing Social Workers and Placement Managers.

Panel meetings

The quorum of Fostering Panel meetings is 5, all of whom must be from the Central List. This should include:

- The Chair, or in the Chair's absence, a Vice Chair. If the meeting is conducted by a Vice Chair who is not an independent member, there must be at least one independent member on the Panel;
- A Social Worker who has a least 3 years' experience relevant to fostering; and
- Three other members. The Chair should ensure that the number of members attending do not prevent the Panel from effectively fulfilling its function.

The Panel Administrator, in discussion with the Chair and Panel Advisor will arrange additional meetings as necessary. The Panel must have access to medical and legal advice as and when required but those providing professional information are not obliged to attend Panel or be members of the Central List. The Panel Administrator, in consultation with the Chair, prepares the agenda for each meeting and sends out Panel papers to members at least five working days before the Panel meets.

Applicants and carers will be invited to attend Panel, with a supporter if they so wish. This could be a family member or friend, another carer, or someone from a professional background, for example, a Fostering Network representative who is supporting a carer whilst an allegation is being investigated. Foster Carers should let the Placement Manager know if they intend to bring a supporter. Unless there has been a discussion prior to Panel, and the Chair agrees, a supporter cannot contribute to Panel. All Panel members sign a confidentiality agreement following their appointment, and a supporter attending Panel will also be asked to sign a form confirming that they will not share any of the information they hear in the meeting. A carer cannot ask anyone to attend Panel on their behalf if they are unable to come.

Meetings are voice recorded to facilitate accurate completion of the minutes. Panel members, applicants and carers are required to provide written consent to the meeting being recorded. The electronic recording will be deleted when the final version of the minutes is signed off by the Decision Maker.

The Chair's role:

- To ascertain if any members have a conflict of interest relating to the case under discussion;
- To facilitate all members, and those attending Panel, to participate fully and have the opportunity to raise questions or make observations;
- To ensure that the child's welfare is paramount;
- To remind Panel Members that their role does not incorporate case management decisions;
- To work towards a consensus decision, but ensure that those whose opinions differ are supported to express their views;
- To ensure that Panel members are fully aware of the range of recommendations that can be made, i.e. to approve or continue to approve, not to approve or terminate approval or defer for further information;
- To advise Panel to defer for further information if there are significant gaps in the information provided;

- To support members to contribute to the reasons for the recommendation, which should be recorded in the Panel minutes for consideration by the Decision Maker. The names of members who do not support the recommendation must be recorded, as should the reason/s for their decision;
- To identify and record any practice issues or concerns relating to the cases presented; and
- To advise members of actual or proposed changes to legislation, guidance or practice.

At the end of each meeting the Panel Administrator will collect all the papers. They will prepare the minutes, which will be sent to the Panel Chair for any amendments prior to being circulated to all those who attended the meeting. Any amendments or disagreements relating to the content of the minutes must be made and returned within 48 hours and will be shared under Panel Business at the next Panel. Significant concerns or issues should be referred back to the Chair and Panel Advisor. The final version will be sent to the Panel Chair for approval and signing before being forwarded to the Decision Maker. The Panel Administrator will also ensure applicants, Foster Carers and Social Workers are verbally informed of the decision made by the Decision Maker within 2 working days and in writing within 5 working days. A copy of the minutes relevant to each carer are saved on their electronic and paper files.

All minutes are monitored by the Registered Manager to ensure compliance and enhance good practice. This includes oversight by the Registered Manager to ensure minutes are comprehensive, accurate and detailed.

Independent Panel Members are entitled to invoice AFA for their attendance at Panel as outlined in their letter of appointment. Members may also submit a claim for attending Panel training or business meetings and any queries regarding payment should be referred to the Panel Advisor.

Conduct of Panel Business

The Fostering Panel is required to make a recommendation, not a decision, to the Agency Decision Maker. It is an expectation that prior to the meeting, members will have thoroughly read all reports and carefully evaluated the information, identifying any issues that require further information or clarification. Any significant points or safeguarding issues must be raised with the Panel Adviser and Chair prior to the meeting. The Chair will ensure that each Panel member, and those attending the meeting, are given the opportunity to comment on the reports submitted. Any feedback on the Panel process should be discussed directly with the Panel Adviser outside of the meeting.

The Panel's deliberations regarding an applicant or carers suitability to be approved, or continue to be approved, are carried out after the applicant/carers have left the meeting. The Panel aims to reach a recommendation based on the objective and informed views of Panel Members; highlighting the strengths of the applicant/carers as well as any vulnerabilities or concerns and how these can be managed. All Panel members will be asked by the Chair for their views and no one vote carries more weight than another.

The Chair does not have a casting vote and the Advisor is not a voting member of the Panel. If an even vote occurs, further discussion will take place between members, and the outcome may be a unanimous or majority decision, or a request to the Assessor/Placement Manager/or applicant/carers to return to the meeting to answer additional questions. The Panel Chair, being sensitive to the meeting's final recommendation, will invite the applicants/carers back into the meeting to inform them of the outcome.

Conflicts of interest

Panel members must declare any conflict of interest, for example, if they:

- Are related to an applicant, carer, assessing Social Worker or Placement Manager;
- Are a personal friend;
- Have been involved in Decision Making regarding the applicant, carer or a child who is or has been in placement;
- Have employed or been an employee of an applicant or carer; or
- Have at any time been involved in a financial transaction with an applicant or carer.

Following discussion with the Chair, a decision will be made as to whether the Panel member should withdraw. If a Foster Carer or applicant realises, having come into the meeting, that they know a Panel member for any of the above reasons, they should inform the Chair as soon as possible. Foster Carers are encouraged to attend Panel and will be supported to do so by their Placement Manager.

The Decision Maker

The Decision Maker must be a qualified Social Worker and have experience and knowledge of Fostering Regulations and the National Minimum Standards. The Decision Maker will take account of the Panel's recommendation before making a decision. The Decision Maker can make a decision which is not commensurate with the Panel recommendation.

The Decision Maker receives the same information as sent to Panel members prior to the meeting, along with a copy of the final minutes. He/she may request further information prior to making their decision. After the Panel, applicants and carers are sent a letter that states the information made available to the Decision Maker, their decision and the reasons for this decision. Carers/applicants should be advised verbally of the decision within two days, with confirmation in writing within five working days. The Decision Maker may have to defer their decision if the additional information requested is not immediately available. The Decision Maker may also refer the case back to Panel for further discussion, with or without additional information.

The resignation and termination of approval of Foster Carers

Carers who are retiring or resigning from fostering due to changes in their personal or family circumstances should notify their Placement Manager in writing. The letter will be noted by the Fostering Panel and a letter sent to confirm that the carers have been removed from the 'Register of Foster Carers'. This takes effect automatically 28 days after the letter of resignation is received by AFA. Carers need to be aware that once a letter of resignation has been received it cannot be withdrawn and, after 28 days, carers will no longer be approved.

If the Agency has significant concerns and wishes to terminate a carer's approval, the case must be presented to the Fostering Panel. The Foster Carer should have been informed and given the opportunity to make a written representation, which must be submitted no later than 3 working days before the meeting. If the Decision Maker decides to terminate a carer's approval, a letter confirming the decision will be sent to the carer and this will include the options for appeal. For example, referral back to the Panel by the Decision Maker for further consideration or self-referral by carers (or prospective carers) to the Independent Review Mechanism (IRM). When the appeals process has been concluded, the Decision Maker will make a decision.

This may not be the same outcome as the recommendation made by the Fostering Panel or the IRM, but it is final and cannot be appealed. If a carer/applicant wishes to make a complaint regarding the Panel process they may do so in writing to the Decision Maker.

If a carer resigns but is subject to an ongoing child protection enquiry (S47 Children Act 1989), the investigation process will be completed. Members will be informed of the outcome by the Panel Advisor and a report will be placed on the carer's file. A report confirming the outcome of any investigation will be placed on the carer's file and a letter will be sent to the carer. If a carer applies to another Fostering Agency, the information on their AFA file will be shared.

If a carer states their intention to resign and transfer to another agency, the process will be completed in line with the Transfer of Foster Carers protocol England (2014), as outlined by the Fostering Network. To be deregistered by the agency they are leaving, the assessment and approval by the recruiting agency should be completed, and the carer should submit a dated letter of resignation. A Foster Carer can only be approved by one fostering agency at a time, so the timing of their registration with the new agency needs to be coordinated with de-registration from their previous agency. It is established practice for this to follow on 28 days after the letter of resignation. However, the Decision Maker may consider the need to time the ending of the registration in line with the overriding objective to promote the welfare of any children in placement.

At the point of deregistration, although it is not a legal requirement, AFA will inform members of the Panel that the process for transfer has been completed.

For further information see:

Children's Act 1989

Fostering Regulations 2011

National Minimum Standards for Fostering 2011

Working together to Safeguard Children 2018

Connected Policies or Guidance

Name of Policy / Guidance	Relevant for
Foster Carer's Handbook	Foster Carers and Placement Managers
Whistleblowing policy	All staff and Foster Carers
Complaints and Compliments Policy	All staff and Foster Carers
Fostering Panel Handbook	Panel members
Change of Approval Terms and Exemptions	All staff and Foster Carers
Managing Allegations and Complaints Against Carers	All staff and Foster Carers
Safeguarding Policy	All staff and Foster Carers
Assessment and Approval of Foster Carers	All staff and Foster Carers

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