

Appendix 4 - *Guidance on the Quality Assurance Process (QAP) and Escalation of Professional Concerns Process (EPCP) and DRP

Functions and Principles	Legal Support and Lancashire Ruling	Quality Assurance Process (QAP) (Informal)	Escalation of Professional Concerns(EPCP)/Dispute Resolution Process (DRP)	Key Responsibilities	Recording & Sharing Information
<p>One of the key functions of the Independent Reviewing Officer (IRO) Service is to resolve problems arising out of the care planning process</p> <p>The QAP and EPCP/DRP process is designed to monitor delayed decisions/challenge poor practice identified within the review process and provides IRO service with a framework to effectively identify, monitor and achieve service improvement for the Looked After Child population</p> <p>The QAP and EPCP/DRP is fully compliant with the Care Planning Regulations and the IRO Handbook</p> <p>A key principle of the QAP and EPCP/DRP process is that it should be open and transparent and as such, all QAP and EPCP/DRP actions are recorded on the child's electronic file record.</p> <p>The guiding principle is for the IRO and the Children's Social Work Team to work together to resolve problems at the right time and at the right level as swiftly and informally as possible whilst seeking the best outcome for the child</p> <p>From 2005, IROs obtained the power to refer a case of a looked after child to CAFCASS where there is a danger that a child's human rights were breached due to the action or inactions of the LA</p> <p>The IRO has power to refer matter to CAFCASS at any point in the EPCP/DRP (regulation 45) and should give consideration to making a concurrent referral to CAFCASS</p>	<p>The IRO has access to independent legal advice</p> <p>Independent legal advice IRO Team Manager to support the IRO to access independent legal advice where appropriate from the designated Chambers</p> <p>Following consideration whether by the IRO to seek independent legal advice, the IRO Team Manager will brief the Senior IRO Manager on the circumstances of the child's case</p> <p>Lancashire ruling IRO and Social Work practitioners should familiarise themselves with the Lancashire ruling. This involves two brothers who were found to have their Human rights breached. The IRO was found personally responsible, alongside the local authority, because he did not hold the Local Authority to account for failing to implement its care plan and review decisions.</p> <p>Timely legal advice should be sought in order to seek the best outcomes for children</p>	<p>The Quality Assurance Process (QAP) is seen to be an informal process</p> <p>It is designed to monitor drift and delay on decisions that would not be normally challenged through the EPCP/DRP and it encourages resolution at a less intrusive manner</p> <p>Pre- review In advance of the review, the child's electronic file record is checked, relevant documents read and the child is consulted. Where concerns are identified, the IRO consults with relevant parties and seeks to resolve. This is usually via phone call and / or email</p> <p>Dependent on the circumstance, a decision may be made to access the QAP or EPCP/DRP if the matter is not resolved</p> <p>Looked After Child review At the review, the IRO may identify QAP actions with timescales for completion</p> <p>Where timescales for completion are not met, the IRO will discuss with the IRO Team Manager resulting in:</p> <ul style="list-style-type: none"> • New timescales are confirmed or • A decision is made to access the EPCP/DRP <p>The QAP involves social workers and Practice Supervisors and IRO practitioners up to the level of Team Manager</p>	<p>The EPCP/DRP is seen to be a formal process. There has potentially been a breach of the child's human rights</p> <p>The IRO has the powers to enter into dispute at any of the 3 stages of the EPCP/DRP. This is determined by the urgency of the matter and the appropriateness of the stage where decisions can be carried out to resolve the matter</p> <p>Once the EPCP/DRP has been accessed, the resolution period is 20 working days</p> <p>The Senior IRO Manager is kept fully informed throughout the EPCP/DRP</p> <p>The 3 EPCP/DRP stages involve social work and IRO practitioners at different levels:</p> <p>Stage 1 Matter resolved by Team Manager.</p> <p>Stage 2 Matter resolved by Children's Service Manager. Senior IRO Manager to be informed.</p> <p>Stage 3 Matter resolved by Assistant Director. Children's Service Manager for the locality team and the Senior IRO Manager to be informed.</p> <p>Referral to CAFCASS If the matter is not resolved through the EPCP/DRP, the IRO has the powers to refer the matter to CAFCASS.</p> <p>All EPCP/DRP reports are provided to CAFCASS. CAFCASS determine whether the criteria have been met for a breach of the child's human rights. If this is the case, the case is allocated for Judicial Review.</p>	<p>Independent Reviewing Officer (IRO) Responsible for setting any remedial timescales if actions have not been taken and there is a risk of drift in the delivery of a plan that will meet the child's needs and planned outcomes within the child's timescales (Care Planning Regulations 3.39) and:</p> <ul style="list-style-type: none"> • Consults relevant parties (e.g. social worker) and seeks to resolve issues before raising as a QAP • Adds QAP actions to the child's electronic file and escalation monitoring system, when identified. Email sent to Social Worker, Practice Supervisor and copy to the Team Manager of the both the Area Team and the IRO Team • Once the issue is resolved, records the outcome on the child's file and on the escalation monitoring system • If the IRO is not satisfied by the response from the QAP or is concerned about an issue that they feel warrants immediate attention from a TM or more senior manager then they enter the EPCP/DRP • Initiates an Alert Form when entering into the EPCP/DRP. This form clarifies actions and timescales and is shared with relevant parties at the 3 stages of the process • Brings all disputes to the attention of the IRO Team Manager within supervision sessions and at all key points in the process • Responsible for making a formal referral to CAFCASS if the matter is not resolved <p>IRO Team Manager Responsible for providing advice and guidance to the IRO throughout the QAP & EPCP/DRP process and deciding if the matter is resolved and:</p> <ul style="list-style-type: none"> • Enters EPCP/DRP Decisions/discussions onto the child's electronic record and updates following meetings and developments and revises timescales as required • Keeps the Senior Manager IRO Service informed at all key points in the process and the relevant social work Children's Service Manager. • Supports the IRO to access legal advice <p>Senior IRO Manager Responsible for supporting IRO Team Manager and IRO through the process. Chairing a formal meeting at Stage 2 or 3 of the EPCP/DRP if required and providing agreed actions to all concerned.</p> <p>Social Worker and their Practice Supervisor Responsible for working with the IRO to seek to resolve the matter at the earliest opportunity and:</p> <ul style="list-style-type: none"> • Discuss QAP and EPCP/DRP actions within supervision • Keeps Team Manager informed <p>Team Manager – Social Work Responsible for deciding whether to challenge QAP actions within five working days and keeps Area Children's Service Manager informed and attends formal meetings as required at Stage 2 and 3 of the EPCP/DRP and for seeking to resolve disputes at the earliest opportunity</p> <p>Area Social Work Children's Service Manager Responsible for keeping AD informed and attending formal meetings as required at Stage 2 and 3 of the EPCP/DRP and for seeking to resolve disputes at the earliest opportunity</p> <p>AD Responsible for seeking to resolve disputes at the earliest opportunity</p>	<p>Where QAP actions have been identified, the IRO details these onto the child's electronic file record and confirms with the Social Worker, Practice Supervisor and the relevant Team Manager by email.</p> <p>The IRO follows up on the QAP actions directly with the social worker until the matter is resolved or EPCP/DRP is accessed.</p> <p>The IRO initiates the Alert Form and this is shared at Stage 1 with the Team Manager, copy to IRO Team Manager. Recorded on the child's file and on the escalation monitoring system.</p> <p>Alert Form updated at Stage 2 and now also shared with: Children's Service Manager and Senior IRO Manager. Escalation monitoring system updated.</p> <p>At Stage 3, IRO brings dispute to attention of Assistant Director and updates Children's Service Manager and Senior IRO and Team Managers. Escalation monitoring system updated.</p>

*Adapted from Leeds City Council Children's Social Work Services Manual – IRO & Quality Assurance process model