

Guidance and Information for foster carers and kinship carers when an allegation has been made against you

Cwm Taf Safeguarding Boards	Date: June 2016	Status: Endorsed - FINAL VERSION
Author: PPG	Previous version: December 2014	Review Date: June 2019

1. Introduction.

This leaflet aims to provide you with information about what happens if an allegation of abuse or neglect is made against you.

Becoming the subject of an allegation is very stressful for the carers, and their family. Everyone involved in an investigation will work to ensure that children are safeguarded whilst at the same time treating you fairly. You will be provided with support during an investigation and kept informed about what is happening.

It is recognized that foster carers and kinship carers are often in a more difficult position when there are allegations or serious concerns about them than others who work with children as they are caring for vulnerable children in their own homes. This guidance is designed to answer some of the issues most commonly raised by foster carers who have been subject to this process and to clarify exactly what you can expect in terms of the process itself and the support available to you.

2. What happens when an allegation is made?

The allegation will be referred in to Children's Services or the Police and preliminary enquiries or an assessment will be carried out to decide whether there are grounds for taking further action under Child Protection Procedures. This means that a decision will be made about whether the referral is about an allegation that requires further investigation, or a concern or a complaint that should be dealt with by the agency you foster for.

2.1 Actions in respect of your position as a foster carer or kinship carer

All allegations against foster carers or kinship carers must be referred to Children's Services. The Social Services and Wellbeing Act places a legal duty on professionals to report a concern that a child is or may be at risk to Children's Services.

If you are employed by an Independent Provider, your Fostering agency will also have to inform the Care and Social Services Inspectorate Wales (CSSIW) of the allegation.

If a child protection concern has been raised about you personal life or professional conduct, it is your professional duty to tell your Social Worker or their Manager immediately. This concern may lead to further enquiries about your fitness to be a foster carer or a kinship carer.

Cwm Taf Safeguarding Boards	Date: June 2016	Status: Endorsed - FINAL VERSION
Author: PPG	Previous version: December 2014	Review Date: June 2019

2.2 Actions in respect of the children you foster

In addition to investigating the allegation, consideration has to be given to the safety of all the children placed with you. Children's Services will assess what is in the children's best interests in making a decision about whether or not they can remain in your care while the investigation is on-going. No further placements will be made with you while the child protection process is on-going.

2.3 Actions in respect of children in your own family

Children's Services may also need to complete assessments for any children in your family with whom you have close contact. This is done to establish whether there is a need to take steps to safeguard or support those children.. The need for this action to be taken is decided in accordance with the nature and severity of the allegation.

3. The strategy meeting

If further action is necessary under Child Protection Procedures, a strategy meeting will be held. The meeting is held to ensure that all relevant information is shared and to plan what action needs to be taken to establish the facts of what has occurred and the impact on any child involved.

If a Child Protection investigation is undertaken, this will be done by a Social Worker who has not previously been involved with you and is independent of the family placement/fostering service in your Local Authority area.

3.1. Who will be at the strategy meeting?

The meeting will be chaired by a senior member of Children's Services and may include:

- Children's Services staff - the relevant Managers, the Social Worker who completed any assessment to do with your own family, the Social Workers and Independent Reviewing officers for the child or children you care for
- Police
- The Social Worker completing the Child Protection investigation into the allegation
- The Manager of your Fostering Service and your Social Worker
- Any professionals with information about the child/children you care for
- Someone from CSSIW

3.2. What will happen at the strategy meeting?

Cwm Taf Safeguarding Boards	Date: June 2016	Status: Endorsed - FINAL VERSION
Author: PPG	Previous version: December 2014	Review Date: June 2019

CWM TAF SAFEGUARDING CHILDREN BOARD

The strategy meeting will decide whether further enquiries will need to be made and what safeguards will be in place while those enquiries are happening.

The meeting will have to consider:

- All the children placed with you and make recommendations as to whether they should remain with you while enquiries are being completed. The child/children's safety is the over-riding concern but their views should always be taken into account. If there is a change of placement, consideration should be given to the need for the child/children to have contact with you.
- The safety and welfare of your own children and any other children with whom you have regular contact. Any assessments completed with these children will be shared with the meeting.
- Any other employment or voluntary activity you are involved in which brings you into contact with children or adults at risk.

The Strategy Meeting will decide what information can be given to you about the allegation and the child protection investigation, and by whom.

The Chair of the Strategy meeting will write to you to confirm this information and to inform you of any recommendations of further action in respect of you or any family members, as long as this would not place any children at risk. The letter should also confirm who is available to support you and keep you informed.

The Strategy meeting will also plan how you (and anyone else affected) will be supported through the enquiries, and by whom. It is very important that you get the recommended support and advice so that you are prepared for and informed about what will happen. Foster Carers can access advice through Fostering Network and you can also request a referral from your Fostering Service to an Independent Social Worker.

You (or your representative) will not be invited to the meeting, but the nature of the concern will be explained to you and you will be told if your foster care status will be affected. A decision may be made to suspend you from fostering while the investigation is being completed but this is a neutral decision and does not imply guilt or innocence.

4. What are the possible outcomes from the strategy meeting?

- The meeting may decide that there will be no further action because the allegation is shown to be unfounded or malicious. If this is the case

Cwm Taf Safeguarding Boards	Date: June 2016	Status: Endorsed - FINAL VERSION
Author: PPG	Previous version: December 2014	Review Date: June 2019

CWM TAF SAFEGUARDING CHILDREN BOARD

you will be provided with information and support and the Chair will write to you and confirm the outcome.

- The meeting may decide that there is to be an investigation under child protection procedures. This can include a police investigation.
- The meeting may decide that child protection enquiries and/or a criminal investigation are not warranted as there is not enough evidence to establish that the alleged incident occurred. However, if there are still concerns about what may have happened, the meeting can recommend that the organization you foster for should conduct its own investigation or implement its own relevant procedures.
- It may be decided that there should be a follow-up strategy meeting once more information has been gathered or there are further actions to be completed. There may be a number of strategy meetings held before the final decisions and recommendations are made. You will be given as much information as possible and kept informed where appropriate of the progress of the investigation.
- The decision reached by the Strategy meeting process is based on the balance of probabilities. At the final, or Outcome meeting, a decision will be made about whether the allegation is:
 - **Substantiated** – a substantiated allegation is one which is established by evidence or proof.
 - **Unsubstantiated** – an unsubstantiated allegation is not the same as an allegation that is later proved to be false. It simply means that there is insufficient identifiable evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
 - **Unfounded** – this indicates that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances. For an allegation to be classified as unfounded, it will be necessary to have evidence to disprove the allegation.
 - **Deliberately invented or malicious** – this means there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false.
- You will receive a letter from the Chair of the meeting informing you of the outcome and explaining as fully as possible the reasons for the

Cwm Taf Safeguarding Boards	Date: June 2016	Status: Endorsed - FINAL VERSION
Author: PPG	Previous version: December 2014	Review Date: June 2019

outcome. You can contact the Chair if you are not clear about the reasons, or disagree with them.

- A review of your status as an approved foster carer will be completed and a report presented to the Fostering Panel whatever the outcome of the investigation. This is a requirement under the Fostering Regulations and is detailed in your Foster Carer Handbook.

5. Where can I get support and advice?

It is recognized that this process is often very stressful and upsetting for those personally affected and we are required in the strategy meeting to consider your need for support. You should expect personal support from your Supervising or Link Social Worker but they will not be able to discuss the allegation or the investigation with you as they are likely to be part of the investigation. If you feel that this will make it more difficult for you to discuss your worries or feelings about what is happening, you can ask for contact with another member of your Fostering Service. However, they will also be unable to discuss specifics of the allegation with you.

You should expect to be kept updated about the investigation and any Children's Services involvement with your own family.

If you prefer, you can also ask to be referred to an Independent Social Worker by your Social worker.

Fostering Network can provide advice and also have written information about the process when an allegation is made about a foster carer. Their details are:

Internet address: <https://www.fostering.net/wales>

Telephone advice line 08003167664

Your Fostering Handbook should also provide the necessary information.

You can contact the Chair of the Strategy Meeting if you have any questions in relation to the strategy meeting process or about how the investigation is progressing.

7. Can I complain?

Yes. If your complaint is about an individual you need to contact their Manager who will deal with your complaint. If you are not happy with the conduct of the investigation of the allegation against you, you should contact the Chair of the Strategy Meeting in the first instance.

Cwm Taf Safeguarding Boards	Date: June 2016	Status: Endorsed - FINAL VERSION
Author: PPG	Previous version: December 2014	Review Date: June 2019