

Fostering Panel

Policy & Procedures

This document explains the membership, purpose, functions, and arrangements for meetings of both the Joint Fostering Panel and the Fostering Panel. It should be read in conjunction with the following procedures:

- Assessing Prospective Foster Parents Procedure
- Fostering Annual Review Procedure
- Practice Complaints, Concerns & Allegations against Foster Parents Procedure

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Purpose and Function of the Fostering Panel

Joint and single Fostering Panels are multi-disciplinary bodies that can act with independence from the agency and play an important role in the provision and monitoring of foster care placements for children.

ISP welcomes applications to foster from people from all backgrounds. It is our view that no person has a right to foster a child and the interests of the young people will always be the priority of the Fostering Panel.

In areas where there is a joint Fostering Panel, this is formed jointly by either two or three fostering registrations.

The Fostering Panel's primary function, as set out in the Fostering Services (England) Regulations 2011, is to make recommendations about the approval of foster parents. The panel cannot make decisions; its purpose is to advise the agency.

As part of this function, the panel oversees the conduct of assessments conducted by the agency, advises on any relevant matters in relation to the agency and makes recommendations to the agency's Decision Maker about quality issues and performance standards.

In particular, the panel makes recommendations as to the following:

- The suitability of applicants to act as foster carers, and if recommending approval, the terms of approval (e.g. number and age of children they can care for).
- The continued suitability of the foster carers and whether the terms of approval remain appropriate (Panel will make recommendations after the first review, every four years thereafter, and any other reviews referred to it by the fostering service where significant changes or termination of approval are recommended).
- The de-registration of foster parents.
 - This may be at the request of the foster parent who has decided to retire, change career or move to another fostering agency. The foster parent must give 28-days' notice to the agency, and this will be reported to the next Fostering Panel.
 - Occasionally it will be necessary for the agency to take action to terminate a foster parent's approval. Where this is considered, it should be presented to the Fostering Panel following a review of the foster parent's approval. This procedure is explained in the Fostering Annual Review Procedure.

- Any other matters or cases referred to the panel by the agency.

In addition, the panel will receive information about exemptions to the limit on the number of children placed with foster parents.

The panel will also receive and consider any representations challenging a decision not to approve an applicant as suitable, or a decision to terminate or revise the terms of a foster parent's approval.

Quality Assurance Function

The Fostering Panel oversees the conduct of social work assessments and provides a quality assurance function in relation to the assessment process. The panel will monitor and review the work of the assessors, provide feedback, identify problems, and ensure that there is consistency in the assessment process across the service that is fair to all applicants.

The Chair will communicate any issues of concern to the Panel Advisor and where it concerns the organisation's practice and/or procedures this will be communicated to the Registered Manager for consideration.

The Panel Chair and Panel Advisor complete an annual report of Panel business including statistical information about approvals, reviews, termination of approvals and the number of approved foster parents. The quality of reports to Panel and feedback from assessors, applicants and foster parents are also considered, and recommendations for future practice may be made. The report informs senior management of the work undertaken by Panel, and is made available to Ofsted, panel members and any interested parties.

Regulatory Requirements

In accordance with Regulation 24 (1), no business may be conducted by the Fostering Panel unless at least the following meet as the Panel:

- i. Either the person appointed to Chair or, in the Chair's absence, Vice Chair. (If the Vice Chair conducting the meeting is not an independent member, there must be at least one other independent member on the Panel)
- ii. A social worker and
- iii. Three, or in the case of a Joint Panel, four other members. The Chair should ensure that there are not so many people attending the meeting that it cannot fulfil its functions or intimidate applicants or foster carers.

For a single Fostering Panel, this means a quoracy of five panel members, and for a joint Fostering Panel, a quoracy of six panel members. However, the agency will always aim to have an additional panel member present. All panel members must be from the Central List.

Panel Membership and the Central List

The membership of the Joint/Fostering Panel is drawn from a Central List of suitably qualified and experienced people, who come from a variety of backgrounds. To promote consistency in recommendations, some members of the central list will sit on panel regularly and function as core members, and others will join as required to ensure that there is a balance of experience and expertise for individual cases being presented at panel. However, there is a quorum for meetings The Central List must include at least one social worker who has at least 3 years' relevant post-qualifying experience. The social worker can be an employee, but they should not serve as a Panel member if they have previously had direct involvement with the family.

The Central List must also include members who are independent of the agency. Independent members of the Central List cannot be either foster parents or employees of the Agency.

The Panel Chair will be one of the independent members. The Panel Chair should be able to demonstrate a sound understanding of the fostering process; have the authority and competence to chair the meetings; and be able to analyse and explain complex information. They must be able to identify key issues, problems and solutions and have excellent interpersonal, oral, and written communication skills.

The agency's Decision Maker or Panel Advisor/Manager must also appoint one or two Vice-Chairs, whose role is to take charge of the Panel when the Chair is unavailable.

All members of the Central List must have been the subject of satisfactory Disclosure and Barring Service (DBS) checks before taking up their appointment. The Human Resources Team will manage this process and also obtain personal and work references.

The agency will provide each member with written information on appointment of their performance objectives and requirements to participate in induction, complete specific training activities and safeguard the confidentiality of records and information submitted to Panel. All members will sign an agreement with the agency in relation to their membership of the Central List, covering the service expectations (including the requirement to report any involvement in criminal proceedings), confidentiality issues and commitment to anti-discriminatory practice.

As part of induction, panel members will attend at least one Panel meeting as an observer. Induction should be completed within 10 weeks of being appointed to the Central List.

Members will have access to appropriate training and skills development and can attend joint training with fostering staff at least annually.

The Chair and Panel Adviser will conduct an annual appraisal of each member. The agency's Decision Maker conducts the performance review of the Chair, with feedback gathered from panel members and the panel advisor, and with reference to the agency Decision Maker's observations.

Where there are concerns identified that a Panel member is not performing to the required standard, the Chair should discuss this with the Panel Advisor. The Panel Advisor will consult with the relevant Registered Manager/s and decide whether to end the appointment and if so, will advise the member in writing, giving one month's notice together with clear reasons for the decision.

Members of the Central List who no longer wish to fulfil the role need to give one month's written notice of their intention to leave.

Conduct of Panel Business, including timescales

Before Panel

The Panel Administrator, in consultation with the Panel Advisor / Manager and the Chair, prepares the agenda for each meeting and sends out the agenda to Panel members before the meeting. Panel members must have access to all the information (Including assessment reports and reviews) via the secure login using CHARMS, **five working days** before the Panel meets.

Panel members should consider any conflicts of interest in relation to Panel agenda items. A potential conflict arises if an interest may adversely affect a Panel member's capacity to act without prejudice or preference in a matter, for example because they know a person under consideration in a personal or professional capacity.

It is anticipated that there may be professional knowledge of a case which should be notified to the Chair, but which will not affect a member's capacity to participate in the Panel. In other circumstances there may be a personal interest or connection which would require the Panel member to refrain from participation. Where it is not clear, advice should be sought.

In the case of a potential conflict of interest where advice is required, Panel members should consult the Chair or Panel Adviser, giving as much advance notice as possible particularly having regard to the implications for the quorum.

Panel members must read all reports and carefully evaluate the information to identify issues or where they require further information or explanation, before the meeting takes place. Panel members must contact the Panel Chair in advance of the meeting if when reading the assessment and review reports they have concerns and have cause to disagree with the assessor's recommendation. This allows time for the Chair to seek clarifications, and the Panel may need to be re-scheduled.

The Panel Meeting

Applicants and foster parents are invited to attend the Fostering Panel, with a supporter if they so wish. Applicants and foster parents will have the opportunity to make comments

and seek clarification about the assessment or review process and any issues that may emerge. The role of any supporter who attends is to clarify to the applicant any points of which they are not clear. They address the applicant only and provide support. They are not invited to address Panel or speak on behalf of the applicant. The Panel's deliberations about an applicant's suitability will usually be done after the applicants have left.

The Fostering Panel must have access to medical and legal advice when this is required, but there is not a necessity for the people providing this advice to be Panel members or for them to contribute to Panel in person. The Panel Advisor will give advice on the Agency's policies and procedures.

The Chair's role is to ensure that all members participate fully in the meetings (unless an interest has been declared), and that each member has an opportunity to raise questions or offer comments on each matter considered. They will ensure that sensitive regard is paid to applicants and foster carers while keeping the child's welfare paramount, that consensus is achieved wherever possible and that the Panel has clear reasons for its recommendations.

All Panel members should be asked their views, and no view should carry more weight than another. The Chair should not have a casting vote, where an even vote occurs it may be preferable to seek further information.

Where there is a serious difference of opinion among members, the Chair may ask for more information to be made available to the Panel before a recommendation is made. Serious reservations expressed by individual Panel members about a particular recommendation must be recorded in the Panel minutes for consideration by the Agency Decision Maker.

The Fostering Panel makes recommendations to the agency. This can be done in three ways: making a positive recommendation, a negative recommendation or deferring a recommendation.

At the end of the meeting, the Panel Chair will inform the applicant/foster parent of the Panel's recommendation, and that this will be shared with the agency's Decision Maker. They will advise the applicant/foster parent that they will receive formal written confirmation of this decision from the Decision Maker. The Decision Maker will take account of the Panel's recommendation but can choose to make a decision different to the recommendation of the Panel.

After Panel

The Panel Administrator will prepare the minutes and record the discussion by Panel members, the reasons for recommendations and any disagreements. They will send the minutes to the Chair and Panel members for approval of their accuracy **within four working days** following Panel. The Panel Chair and members will agree the minutes for submission to the agency's Decision Maker **within three working days**. The minutes will be held on the applicant's or carer's 'Charms' electronic file. All Panel business is also recorded and held on an electronic file.

The agency's Decision Maker will make a decision regarding the carer's approval status **within seven working days** of receiving the final set of minutes of the Panel's recommendations. They will inform the applicants verbally **within two working days** and then confirm the decision in writing **within five working days**.

Responsibilities of the Chair/Vice-Chair

N.B. The Vice-Chair will assume these responsibilities when deputising for the Chair in their absence. When the Vice Chair is not an independent member of the Central List, there must be at least one independent person at the Panel meeting.

- Invite each Panel member to raise questions or offer comments and can seek and receive clarification about terms used in written reports.
- Clarify issues raised from reading assessment reports and any emergency issues that arise from discussions, with the social worker.
- Seek feedback from the applicants about the recruitment process, preparation, and training.
- Ensure that before applicants/foster parents join the meeting, the members have clearly identified what questions they will be asking, and for what purpose.
- Ensure that it is clear who will ask questions.
- Summarise discussions to reach a tentative conclusion, check Panel members' agreement and frame the terms of approval.
- Ensure that the Panel Administrator has recorded the reasons for Panel recommendations.
- Contribute to the Annual Report of the work of the Panel.

Responsibilities of the Panel Members

- Advise the Chair of any potential conflicts of interest, in a timely way.
- Sign a confidentiality agreement and maintain confidentiality of matters read and discussed during the meeting.
- Act in accordance with the terms of reference and the agency's operational procedures.
- Attend training arranged by the agency.
- Undergo Disclosure and Barring Service checks before commencing duties.

- Read relevant documentation before the Panel meeting takes place and raise any issues via the Panel Administrator with the Chair and Panel Advisor that could prevent them from making a recommendation.
- Consider whether all assessments brought to Panel are thorough, comprehensive, and meet the agency's requirements. Identify issues that need further exploration or explanation.
- Consider all matters brought to the Panel and make a clear recommendation to the agency's Decision Maker.
- Through participation, ensure that Panel makes good quality recommendations about the approval of foster parents in line with the overriding objective to promote and safeguard children in foster care.
- Consider complaints and representations in respect of assessments and approval.
- Each Panel member has a designated role and particular expertise, obligation to consider all Panel business in the context of their experience and expertise and to contribute actively and constructively to debate and deliberations.

Administrative Procedures

The Fostering Agency has a nominated Panel Administrator(s). Their main administrative duties are:

- Maintain an annual schedule of meetings for approval by the Panel.
- Notify all relevant parties of the Panel schedule and deadlines.
- Arrange the Panel Teams meeting, with appropriate security of access to the meeting.
- Prepare the Panel Agenda.
- In association with the Human Resources Team and local management, maintain records of Panel members, and notify HR of any changes.
- Ensure that social workers and managers conduct the requirements of the Panel and submit reports in good time.
- Receive reports and consult with the regional manager and Panel Advisor who will be responsible for ensuring that they are complete before they go to Panel.
- Ensure assessment reports are available to Panel members, via secure CHARMS login, at least 5 days prior to Panel.
- Remove of Panel members' access to Panel paperwork on CHARMS following Panel meetings to ensure the strictest confidentiality of information.
- Ensure that the Panel is quorate.

- Consult with the Chair about requests for new Panel members to observe or be present.
- Take minutes and record the recommendations made and the reasons given.
- Assist the Chair about any matters requiring their attention.
- Provide draft minutes for the Chair and Panel members and seek their agreement to the accuracy of the minutes prior to submitting them to the agency's Decision Maker.
- Maintain Panel business records and assist in maintaining statistical records of performance and the annual report.

Decision Maker (DM) Procedures

The Fostering Panel makes a recommendation to the agency's Decision Maker. The recommendations are recorded in the minutes, as summarised by the Panel Chair.

Panel administrators will ensure that the Decision Maker has all relevant documentation that was made available to Panel members, for them to make their decision. The Decision Maker will take account of the Panel's recommendation but can choose to make a different decision.

The Decision Maker will provide their written decision within seven days of receiving Panel minutes and any additional documentation. They will share their decision with the Panel Chair for their information, and this provides an understanding of the rationale relating to the decision, particularly if they made a different decision to that of panel's recommendation.

Should the Decision Maker have concerns about an applicant's ability to foster, or a foster parent's ability to continue fostering, they can make a Qualifying Determination that they should not be approved/re-approved. They must advise the applicant/foster parent that they may submit written representations to the agency to appeal this decision or may apply to the Independent Review Mechanism for an independent oversight. They can only take one of these routes of appeal and must appeal within 28 days.

Representations direct from the applicant/foster parent, or from the IRM will be considered and a final decision made. If no representations are received, and there is no application to the IRM within 28 days, the decision to not approve/terminate approval will be recorded and the applicant/foster parent notified accordingly.