

Consultation

Fostering for the future: improving the foster care system, consultation response

17 March 2026

Proposal 1: Amending the role of fostering panels and strengthening quality assurance standards within the assessment process

9 To what extent do you agree that panels provide value that is proportionate to the time and resources required to operate them?

Strongly agree

If desired, explain your response below:

Through extensive consultation with our members and our own internal feedback we are strongly of the view that panels are a proportionate use of time and resource in approving foster carers. They provide welcome independence, differing views and perspectives, including lived experience and an important additional and necessary safeguard in the process. In our view and from what members have shared, panels are not the major cause of delay to assessments being approved.

In completing this consultation response, we have considered feedback from a variety of sources. We have engaged with 1500 people during this time. This includes 650 people who attended an online briefing about the reforms. Feedback from our fostering advisory committee, over 100 practitioners and foster carers and care experienced people who attended our fostering conference held on 2 March and 144 survey responses and a fostering practice forum. We've also had feedback from our health practice forum and panel advisors practice forum, health advisory committee, legal advisory committee, kinship care advisory committee, kinship practice forum and a specific kinship related practice briefing.

In our survey 62% of those who responded did not agree with the proposals to remove panels for assessment. Only 12.5% agreed with the proposals with a further 25.5% partially in agreement. The main concerns that were shared about the proposals were:

- Loss of independent perspective of panel members
- Reliance on one person/role (ADM) for approvals
- Quality assurance and scrutiny role reduced



Members frequently tell us that, "Delays in DBS checks and medicals often cause more delays in approvals than getting an applicant booked onto panel. We need to acknowledge that whilst we all want more fostering families, some foster carers do cause harm to children and agencies need to be able to safeguard. These reforms sound like it will be even harder to terminate the approval of foster carers who are not suitable foster carers." (feedback from CoramBAAF member.)

The strong view that we have heard is that the value of panels for approvals are proportionate for mainstream foster carers. Panels are described as an essential safeguard that adds independent, multi-disciplinary (e.g. health, probation, education) scrutiny, improves quality assurance, supports consistency, and creates auditable records valued by courts. Benefits many see as worth the time/cost.

... "the composition of panel which includes individuals from diverse ethnic, cultural, gender background and also from diverse professional backgrounds such as education, care experienced, medical, foster carers, adopters, special guardians, local council provide a multi lens scrutiny which is impossible to replicate with an internal model." (feedback from CoramBAAF member)

"There is a lack of evidence provided to justify dismantling an established statutory safeguard. Fostering panels were formally embedded in legislation through the Fostering Services (England) Regulations, which set out detailed requirements for their constitution, purpose, and function, including their role in approving and reviewing foster carers. Panels were introduced as part of a wider programme of safeguarding reform following high profile systemic failures such as the death of Victoria Climbié, which led to Lord Laming's report and the Children Act 2004 — reforms that emphasised the necessity of strengthened oversight, independent scrutiny, and multi-agency accountability to prevent harm to children" (feedback from CoramBAAF member)

"How can we strengthen fostering reform without recognising the vital role of panel scrutiny — particularly for marginalised carers? I've sat in panels where robust, independent oversight has ensured proper scrutiny of social work assessments, challenged bias, identified gaps in analysis, and ultimately strengthened both practice and decision-making. Panels are not there to rubber-stamp; they exist to test evidence, uphold standards and drive development. For marginalised foster carers in particular, panel oversight can be an added layer of protection. It provides a space where representation matters, where assumptions can be questioned, and where power is balanced through a wider range of professional and independent voices." (feedback from CoramBAAF member)

Our members have had the experience of removing panels from the process of making decisions for children in adoption cases. We are aware that in adoption agencies the removal of Panels has increased the pressure and time commitment for ADMs. Panels have a crucial quality assurance role. Their removal therefore inevitably necessitates an increased burden on the processes within the agency. Several ADMs act as ADMs for adoption and for fostering and have indicated that if panel input was removed from the process their organisations would have to buy more ADM time. The rationale for removing panels in adoption decisions included the fact that decisions for children were also scrutinised by the court before being implemented. Fostering decisions are not part of the court process so judicial scrutiny is not part of the system.



Learning from the removal of Panels in adoption has also highlighted the critical need for a robust process to be established. If this is not determined centrally or through clear guidance, agencies formulate their own process for collation, QA and approval paperwork. These processes do not always meet standards or Regs and can ultimately lead to court cases such as Somerset County Council v NHS Somerset Clinical Commissioning Group & Ors [2022]

Some view the proposal as prioritising speed over quality. Robust assessment is not simply about deciding whether applicants are “safe people”, but about preparing carers for the realities of fostering, testing their understanding, and supporting retention and increasing stability for children. There is concern that if carers are rushed through, the system may gain short-term approvals but lose carers later, after inappropriate matching or ill-informed support plans. Members have shared that one explanation foster carers give when leaving soon after approval (within two years) is that their assessment was rushed and they were not fully prepared for the intensity and extent of the role.

Feedback from our members suggested that the high agreement from panel with the assessment recommendation rate should not be treated as evidence that panels add no value. Rather, it may show that panels operate as an effective quality assurance mechanism upstream, because assessors know the work will be scrutinised and need to ‘stand up’ to the process. The rate at which the panel agreed with the assessor recommendation does not reflect the number of times that a panel has adjourned for further information or made suggestions to the type of approval and support needed.

10 What would you see as the advantages or disadvantages of removing fostering panels from initial assessment and the first annual review process?

Please respond below:

Advantages of removing fostering panels from initial assessment

We remain of the view that it is proportionate to retain panels for the approval process. However, some have expressed (this is a minority view of our members) that panels are disproportionate. This is especially for kinship carers. A few members see panels as duplicative and/or bureaucratic and at times intimidating to some carers. A very small number report that ADM sign off, if done robustly, is adequate for the quality assurance role. However, this does not address the other elements lost through the removal of panel as described below.

Disadvantages of removing fostering panels from initial assessment

We are of the view that there are more disadvantages than advantages in removing fostering panels for initial assessment and the first annual review process.

Formal requirements for fostering panels were introduced in the Fostering Regulations 2002 following a series of enquiries and case reviews where children had suffered harm or died (e.g. Tyra Henry) in local authority care. The aim was to provide professional and independent scrutiny of agency decisions and to provide consistency across agencies, including adoption agencies on which the panel model was based.



CoramBAAF Safeguarding Children Living with Foster Carers, Adopters and Special Guardians by Hedy Cleaver and Wendy Rose (2020) publication contains a section on the effectiveness of panels and the panel failures leading to child deaths and serious harm.

“The assessment and approval of prospective carers is the responsibility of fostering services and adoption agencies. It is essential to the safety and welfare of the children who will be placed with them that the assessment is carried out fastidiously and that all information is cross-checked. A scrutiny of the data suggests that this was not always the case; the reviews identified concerns in the assessment of potential carers in 23 of the 52 case reviews.” (Cleaver & Rose, 2020)

All three of the following serious case reviews (children safeguarding practice reviews) involve foster carers sexually abusing children in their care. In some case review cases there is evidence that the panel raised doubts, but the service didn't take these seriously. Other examples where the service had carried out what they considered to be a thorough assessment, but the panel failed in its quality assurance role. One also highlights the DBS issue and the need for PNCs to share more relevant information. Below are excerpts from three reviews:

“The Review Team concluded that although some queries were raised and tentatively explored, the Fostering Panel could usefully have adopted a far more challenging and questioning approach to the assessments of both foster carers, specifically in relation to the level of reliance on self-reported information, the particular issues related to diversity, and the fact that both applicants would be learning parenting skills for the first time as untested carers. Again, whilst there is no evidence that such challenges would have influenced the decision to recommend approval for the applicants as foster carers, there may well have been a more realistic understanding about their immediate support needs and therefore greater oversight of their developing role as foster carers.” (Trafford Safeguarding Partnership, 2017)

“However, there was no information about the previous unsuccessful assessment in the papers that went to fostering panel and the ADM, for reasons that are not known. Had the panel members and ADM known about the previous unsuccessful application they would have wanted to understand the issues and satisfy themselves that they had been resolved before making a recommendation and decision respectively, that the couple were suitable to be foster carers. They would have likely been mindful that the behaviours might only have been suppressed for the duration of the assessment, or re-appear when the carers were under stress, rather than be resolved entirely. They might have made additional recommendations/decisions; for example, that (rather than waiting up to the full maximum of 12 months stipulated in the regulations), the couple have an early first annual review, which included specific feedback from others working with the children (for example school and/ or CAMHS) or for specific training to be completed. They might also have made some observations about cautious matching and additional support/monitoring.

The papers presented to panel and ADM did not include any details of the concerns which had accumulated by then. This meant that neither panel members nor ADM had the opportunity to consider whether these meant the carers were still suitable as foster carers either for these children or any children. Even without knowledge of the concerns, there should have been challenge to the service (from panel) about not ensuring there was an unannounced visit since



October 2018 and updating the safer care policy to reflect the children in placement's (changing) needs." (LCSPR, 2024)

"Doubts about the carers' motivation for fostering identified at the fostering panel were not kept under review because initial placements with the carers were seen as being successful. There illustrates the risk (still potentially present in any fostering service) that individual workers and the service as a whole may develop an uncritical pride in and loyalty to 'their' foster carer." (CHSCP, 2014)

"Instead of getting rid of panels, why not make them better in the ways they are lacking? They do not need to be removed to improve efficiency. Digital paperwork, pre-panel briefings to focus on risks and child needs, rather than reading reports line by line? We only meet online which reduces costs.

Everything we do in relation to panel is online. Panels can provide constructive feedback to foster carers, encouraging growth. Standardise panels!" (feedback from CoramBAAF member)

There are numerous ways to improve consistency e.g. having fewer panel chairs. One panel chair can support consistency and having experienced vice chairs who chair in the same way can increase equity, this requires panel chairs and vice chairs meeting frequently and attending relevant high quality training together. Clear and widely understood processes in the way panel meetings are conducted including questions being shared with applicants in advance can be beneficial.

An example of good practice include panel practice development meetings with chair, vice chairs and Head of Service these tend to be held three monthly or quarterly this is when the panel advice is shared, seen as "vital for informing and implementing practice developments." During these regular meetings trends and issues that are being raised by foster carers can be shared, understood and where necessary support cascaded to the social workers in the fostering service.

Diversity of panel members, including fostering and children's social workers, was highlighted consistently as a key strength in providing varied perspectives and enhancing scrutiny.

Panels provide valuable learning opportunities that feedback into social work practice systems.

It is felt by many, including foster carers that the process should carry a sense of gravitas and panels can provide that. Shifting decision-making solely to ADMs or small groups of managers is seen as potentially risky due to concerns about unconscious bias and variability in understanding the national minimum standards. This is particularly the case as ADMs often have budget holder responsibilities and therefore might be less inclined to agree to support that could be cost/ resource heavy.

The current panel structure is valued by prospective foster carers, approved foster carers, care experienced adults and practitioners working across fostering for its additional layer of scrutiny and accountability, which many feel will definitely be lost with a single decision-maker.

Panel minutes were noted as critical for documentation, particularly in serious case reviews or legal proceedings. The concerns about weaker legal defensibility loss of independent, minuted challenge that supports decisions in court is a serious concern.



Feedback and learning from Panels feeds into practice development across the fostering service and this enhances the experience for current and future foster carers with the potential of positively impacting retention.

“Panel gives routine external scrutiny 'the critical friend' to the service and the foster carers. That would be a huge loss.” (Feedback from CoramBAAF member)

“The impact of removing Panels from the assessment and review process cannot be understated. The loss of independent scrutiny by non-social work individuals who comprise Panel (e.g. those with experience of growing up in care, with experience of fostering, kinship carers and those from child in care health and education backgrounds). If you remove these you are left with a SW assessment, overseen by a SW Manager, with the decision being made by an ADM who is also a SW. Panel members bring their lived experiences and knowledge to the process and this is highly valued by the service and by foster and kinship carers.” (feedback from CoramBAAF member)

Good practice includes both foster carers and care experienced adults on their panels.

“Our care experienced panel members have been crucial in panel and often pick up things other members don't.” (feedback from CoramBAAF member)

Foster carers value being able to attend and to speak directly to panel members, many report feeling valued and celebrated as part of the experience.

The removal of panels could lead to a rise in cases needing to go to the IRM.

“As one of the advantages of panel is to bring together people from different background and experience and consider different perspectives.” (feedback from CoramBAAF member)

Often panels make a recommendation for a slightly different term of approval after meeting with applicants, this scope for nuanced and reflective recommendations based on human interactions with a diverse group with varied perspectives, views and observations cannot be underestimated.

The quality assurance remit will be lost.

“We have our panel members give their feedback on the quality of reports - our SSWs, IROs & ISWs really find this helpful positive and the constructive feedback supports them to be reflective, maintain best practice and contributes to their development etc - really helpful to have independent comments.” (feedback from CoramBAAF member)

Opportunity for cross pollination will disappear,

“We have panel members who sit on other panels with other L.A's or IFA's and bring experience/good practice knowledge from those areas. I think that this will be limited with it all being done through the L.A/IFA.” (feedback from CoramBAAF member)

The ADM will be more likely to be persuaded by the requirement to increase the number of fostering households due to their senior management and budget holding responsibility and this pressure could influence decision making. Another concern is the extensive workload of ADMs and conflicting priorities that ADMs, specifically those in LAs, this means they might not have the capacity. Lack of



independent scrutiny means that one agency is responsible for accepting assessing and approving potential foster carers 'agencies marking their own homework'.

"I think no matter how good the quality of the assessment Panel always benefits from meeting applicants on panel to ask them questions and get a feel for them. If panel is bypassed, then this will be lost". (feedback from CoramBAAF member)

"Panels and allegations: If you essentially disband them for other purposes it will not be possible to keep an active panel in place". (feedback from CoramBAAF member)

The risk with speeding up assessments, disbanding panels and 'removing barriers' to fostering recruitment, is that safeguarding our most vulnerable children is the first thing that will suffer.

"the plan to remove panels is a mistake. It removes a key level of scrutiny for quality and compliance and provides additional reassurance for ADM's." (feedback from CoramBAAF member)

"Panel are a robust, independent mechanism to ensure best practice is being maintained. Rushing approval of carers without proper independent oversight feels risky. Panels are an extra layer of security." (feedback from CoramBAAF member)

Kinship perspective

Fostering panels are only one aspect of the regulatory processes that underpin approval of kinship foster carers. Arguably there is a wider debate needed about the usefulness of the fostering framework as a mechanism for enabling children to live with their kin, that will hopefully be addressed through the law commission project – feedback from kinship practitioners consistently describes the mismatch as "fitting a square peg into a round hole". It is therefore somewhat limited to only focus on role of panel as a discreet activity within the fostering framework, when some of the tensions, relevance and usefulness of fostering panel for kinship foster carers apply more broadly to other aspects of the fostering regulatory framework. It is therefore premature to make significant change until law commission reports.

However, there are some specific issues we can highlight and recommendations we can make.

Parallel processes - many prospective kinship foster carers may be part of a parallel court process, as the child may be subject of public law proceedings. This will mean their kinship assessment may be used both to recommend approval as a kinship foster carer and/or recommend a special guardianship order, adoption or child arrangement order. CoramBAAF publishes Kinship Care Assessment (Form K) England which highlights the need for assessment to be holistic to avoid kinship families being expected to undergo multiple assessments. However, the differing timescales for panel and court can collide and make the reality of assessment practice very challenging.

Our member's state:

"Court process often runs in parallel leading to double scrutiny." (feedback from CoramBAAF member)



Temporary approval – if the kinship carer already has the child in their care, and the child is either voluntarily accommodated or looked after, they will have been temporarily approved as kinship foster carers. The law then requires their full assessment to be started immediately and has to be completed within 16 weeks (Regulation 24 – Care Planning, Placement and Case Review Regulations 2010) with an option for an 8-week extension when certain conditions are met (Regulation 25).

However, the care plan for some children may already be known, and may be special guardianship, adoption or reunification, and then the kinship foster carer's need to be fully approved is arguably an unnecessary and process driven step purely around avoidance of unlawful placements. In our survey, members described this "double scrutiny" as "wasteful" and "a waste of time and resources" and there was consensus that approval at panel should only be sought if there is a strong likelihood that court may make a care order and when the court therefore requires an agency decision before final evidence. The likelihood or otherwise of Court wishing to make a care order can be identified at IRH, when time can then be timetabled accordingly to allow for panel and ADM prior to final hearing if needed. In some cases it will be important for Court to have all options available to them, including the making of a care order when the kinship carer needs to have been fully approved as a kinship foster carer.

Potential further extension being available for an additional 8 or 16 weeks (32 or 48 weeks in total) would therefore remove the requirement for a significant number of kinship carers to even attend panel at all, as their full approval as kinship foster carers is not required if the care planning does not suggest a care order is likely. This would also align with the PLO requirement for care proceedings to be completed within 26 weeks, enabling FGDM at pre-proceedings and sufficient time for a kinship foster carer to remain temporarily approved when the likely care plan is special guardianship or reunification, within the 26 weeks proceedings timescale. It also aligns with broader kinship policy aiming for support to be based on need not legal status, and for children not to become or remain looked after unnecessarily when living with their kin.

Timescales - there are significant tensions and challenges with the court directed timescales for kinship assessments. CoramBAAF advocates for a minimum of 12 weeks and will shortly be publishing a practice note detailing this rationale and good practice guidelines. However, it is unrealistic to expect an agency decision about a kinship foster carer within the 12-week assessment timescale as this unreasonably impacts on the time available for the assessment if the need to meet panel deadlines is the priority.

Our members stated:

"Tick-box culture and limited timescales impact assessment quality and lead to negative outcomes."

Therefore, creating an additional period of extension to temporary approval would provide much needed flexibility to avoid unlawful placements (Unlawful placements in kinship care | CoramBAAF) and as stated above reduce the numbers of kinship foster carers needing to be approved at panel at all.

Kinship friendly panels – There is mixed opinion about the value and impact of kinship foster carers attending panel.

Our members stated:



“fostering panels struggle with making kinship carers fit into the square hole of fostering regs which can result in a negative recommendation and a need to return at a later date which leads to unregulated placements as the children are already in the care of their relative/connected person which does not remove risk” (feedback from CoramBAAF member)

“Would favour a simplification rather than removal - especially for kinship carers as their circumstances do not always fit the NMS/Fostering Regs · Kinship carers find foster panels daunting and it acts as a barrier. Also many Kinship carers struggle to meet fostering standards and my experience of panels is that they do not account for individual circumstances or that despite the family not meeting fostering standards it is the best place for the child to grow up.” (feedback from CoramBAAF member)

“From my experience Panel is risk adverse when it comes to Kinship Carers. They struggle when kinship carers do not meet the fostering standards despite the fact we the LA should be supporting them to meet the standards.” (feedback from CoramBAAF member)

“there still needs to be clear oversight and I am unsure whether alternative processes will be rigorous enough.” (feedback from CoramBAAF member)

“An element of independence is required, under pressure LA’s practice is not always the best for children & families.” (feedback from CoramBAAF member)

“Approval yes, reviews no as these can be managed without the need for panel.” (feedback from CoramBAAF member)

“For kinship carers I already feel that there is quite a lot of oversight and scrutiny of assessments prior to Fostering Panel. Most of these assessments will be in the court arena and so will already be subject to: social worker and team manager QA and oversight; IRO/FIRO, key social work team, Legal and Guardian oversight and scrutiny. I genuinely do not feel that Fostering Panel offer any additional benefit other than scrutiny which often does not come from a social work or kinship-aware lens (despite the best intentions of our LA to recruit panel members who are either kinship carers or aware of kinship issues)” (feedback from CoramBAAF member)

“As a kinship manager I am on the fence about them needing to approve kinship foster carer assessments. I feel that kinship assessments can be particularly complex and even with a social work representative on panel quite often there are delays and deferrals in kinship” carers being approved.” (feedback from CoramBAAF member)

Members consistently highlighted the need for “better support not more scrutiny”. And highlighted the need for a legal framework designed for kinship carer:

“Kinship Care has always been a 'square peg in around hole' as far as fostering panel/fostering regs are concerned. There should be a bespoke process for scrutiny and review of kinship assessments, approval, support, finances and legal status for kinship care, rather than continuing to try and make it fit into fostering.” (feedback from CoramBAAF member)

“Currently, there is huge - and duplicating - scrutiny; kinship assessment / manager sign-off / filing kinship assessments in court / permanence panel /fostering panel / court oversight and



decision-making. We could usefully lose the 'fostering panel' bit for kinship carers, or better still, develop one streamlined process - with a level of independent scrutiny - for kinship care." (feedback from CoramBAAF member)

The design of a bespoke process and legal framework should be informed by the law commission review, and removal of panels as just one step in the fostering framework will not achieve this much needed goal. Therefore, if panels continue, they need to be better and/or simplified, but there is not sufficient evidence to warrant their removal entirely as just one discreet process within the fostering framework.

As with mainstream foster care, panels provide an additional level of safeguarding oversight, independent scrutiny and input from those with lived experience. Additionally, we know that they can be a useful lever to securing support for kinship families, as their independent status enables panels to maintain expectations and require accountability from LAs to deliver resources when support needs have been identified. However, ensuring panels understand kinship care is more than a tick box exercise.

The Statutory Guidance states panels:

"The panel members should also receive specific training on kinship care, and have representation from person(s) with either lived or professional experience of kinship care as this will aid the panel's consideration of matters before it"

We recommend strengthening this expectation so that kinship specific training becomes an essential requirement and is required to be updated regularly as part of mandatory annual training for panel members. Likewise, we recommend strengthening the requirement for representation from kinship experts by experience (kinship care experienced young people or kinship carers) as learned experience is not sufficient. It is evident their involvement has a positive impact of panel's understanding and empathy for kinship carers who attend. Co-production is essential and the system needs to create more space for experts by experience to be part of the system, not less. Some kinship carers report a positive experience at fostering panel, and describe feeling valued and understood.

One panel advisor member stated:

· "if a kinship carer left my panel feeling distressed, I would be absolutely clear that panel had not behaved to the standards expected of them and this would be addressed" (feedback from CoramBAAF member)

11 What changes (if any) would you seek to make to standards and guidance to ensure that effective quality assurance takes place throughout the assessment process?

Please respond below:

The below is a list of potential changes to improve the quality assurance process throughout the assessment process:

- Embed independent quality assurance: formalise a second reader or independent reviewer role separate from the fostering service (IRO/FIRO-like), require second-assessor checks, and peer



review/audit of assessments in all initial approval cases. This is particularly needed where there are identified concerns, complexity or disagreement.

- Nationalise expectations: set clear national quality assurance standards, consistent thresholds, and escalation routes for concerns.
- Update statutory guidance to mandate best practice and ensure consistency
- Tighten practice tools: standard chronologies, focus on analysis over duplication
- Create dedicated DBS/medical pathways to significantly reduce drift unrelated to panel.
- Smaller scrutiny groups possible, but the challenge will be whether local authorities can fund them where they are not a statutory obligation especially as they will have to continue to fund panels for terminations and changes of terms - there will be minimal cost savings from reducing panel work, the administration and training requirements will be near identical.
- Health information is important and must not be diluted. Our members have ideas about transforming the provision of medical advice in fostering processes and suggest these are explored.

“Before we talk about diversifying the foster carer workforce, we need to ask some harder questions first. Do we truly have the right support systems in place for the carers we already have? Are we acknowledging the complexity of need? Are we providing reflective supervision that recognises emotional labour and secondary trauma? And critically: Have we actually spoken to our most marginalised carers? Not just consulted them for a strategy document — but really listened. What are LGBT+ carers experiencing within assessment, panel and supervision? What are Black and minoritised carers saying about bias, scrutiny and allegations processes? How are single carers, disabled carers, kinship carers or carers from socio-economic deprived backgrounds being treated within systems built around narrow norms? Do they feel trusted? Respected? Protected?” (feedback from CoramBAAF member)

“Naïve to assume it is all being done swimmingly LA fostering inspection relatively light touch. The panel is a protective feature.” (feedback from CoramBAAF member)

Kinship perspective

Many kinship assessments already receive double scrutiny of court and fostering panel.

Adequate timescales for assessment are essential to achieve robust and comprehensive kinship assessment that also identify support needed to mitigate potential vulnerabilities. Any attempts to improve quality assurance are meaningless without sufficient time to complete the assessment.

Group supervision provides opportunity and space to reflect, interrogate our assumptions and biases and to think critically, and is essential for effective quality assurance. Kinship assessment practice is complex, needs to prioritise importance of pre-existing relationships, amplify the voice of the child and proportionately balance potential risks against the child’s holistic welfare needs. These complex considerations should be considered in group supervision.



Clarity around agency advisor role; in many local authorities their role is limited and alongside other responsibilities. Their role and remit needs to be specifically underpinned by regulation to ensure it is a distinct and protected role to ensure role has capacity for quality assurance.

12 If panels were not required for approvals, how would we strengthen the role of the Agency Decision Maker or other processes to ensure objectivity and rigour?

Please respond below:

We don't agree with panels being removed for approvals. However, if the government should decide to do that then these are things that they should consider:

- We do not believe that these would be able to replace the important role that panels currently play.
- This would likely require multiple or dedicated ADMs, not a single overloaded manager who is currently doing more than one job.
- This ADM role would require both fostering and kinship expertise.
- Re-purpose panel advisors as ADM advisors to fulfil an independent pre-ADM quality assurance role.
- Small approval group around the ADM (5–7 people) to retain breadth and reduce single view risk. Smaller “table-top” scrutiny groups (e.g. just 3 independent members) could retain challenge while saving time.
- Independence safeguards: avoid dual roles; consider ADM independent of the fostering service.
- Clarity on due processes: right to appeal and clear decision recording to preserve transparency if panels are removed.
- The above suggestions are not necessarily a model we endorse.
- Crucial to retain access to medical and legal advice.
- Critical friend and challenge role needs to be retained especially through the lived experiences of care experienced adults and foster/kinship carers who provide an essential role. This could be achieved by introducing interviews, smaller more informal panels and observations of applicants by those with lived experiences.

One strategy could be to have shared panels. This would reduce costs whilst improving availability and overall standards required re. the quality of assessments. However, there are issues of applicants, panel members and social workers having to travel long distances to attend in person panels. There would potentially be a lack of cohesion with panel membership due to a larger and disparate central list and a lack of crucial relevant local knowledge when considering applicants.



“Care experienced young people’s involvement in assessment and review of foster carers currently happens mostly via panels. They often have astute input re safeguarding. How will their input be maintained?” (feedback from CoramBAAF member)

“There is such a push for recruitment that sometimes this takes over the objective view of whether someone is appropriate, supported enough etc.”

(feedback from CoramBAAF member)

“An idea that is already used in some fostering agencies in addition to panel is, “we have care experienced young people who interview foster carers and provide a written report/ video to panel saying what they thought.” (feedback from CoramBAAF member)

The current proposal risks shifting panel scrutiny onto a single internal decision-maker without providing equivalent independence or breadth of expertise. If the proposal proceeds, the ADM framework would need to be materially strengthened. At a minimum, that should include a requirement that the ADM is sufficiently senior, experienced and properly trained in fostering law and practice, and has protected time to undertake the role. Several participants noted how onerous ADM decision-making already is, especially where cases come straight to the ADM. It is not a question of simply strengthening the role of the ADM as they already have the authority, training and skills to fulfil the appointment of the ADM role.

Guidance should require detailed written reasons by the ADM, specifically addressing how the evidence was weighed, what issues were unresolved, and why approval is or is not in the child’s interests (where applicable). There should also be mandatory audit and oversight of ADM decisions by senior leaders and inspectors, including patterns in approvals, disruptions and complaints.

If panel functions are reduced, stronger expectations in standards and guidance would be needed.

Kinship perspective

If panels were not required, absolute minimum additionally from a kinship perspective would be:

- Kinship specific training as per the recommendation currently for panel members. Regardless of their social work background, ADMs may not have kinship experience and are as vulnerable to bias and assumptions as panel members.
- Agency advisor role with requirement for significant kinship experience and not just fostering experience to advise on the “square peg in a round hole “issues of kinship carers not fitting the fostering framework. There is no evidence that ADMs will have any better capacity to navigate the tensions of applying the existing fostering framework to kinship families than panels without specific training or advice.

To what extent do you agree with the proposal to maintain the use of panels for recommendations on possible deregistrations of fostercarers?

Strongly agree



For panels that make recommendations on possible deregistrations of foster carers, what are your views on the number of panel members that should be required to conduct panel business?

Please respond below:

Feedback supports retaining a properly constituted panel rather than reducing membership to a minimal quorum. The key point was that the value of panel lies in the range of perspectives brought to bear. For termination of approval, where the consequences for carers and children are serious, the process should continue to involve a chair plus a sufficient number of members to ensure meaningful scrutiny, rather than a token or overly narrow panel.

The current legal framework requires a central list and prescribes panel composition requirements under the 2011 Regulations, with the consultation noting that the core function of panels continues for written representations after a proposed refusal or termination of approval. In light of our feedback, any move to reduce numbers should be approached cautiously. A minimum of four, including the chair, remains a sensible safeguard for termination or variation of approval business.

It is important to note that panel composition is not just about the number of people. Panels should have lived experience (foster carers and care experienced people and people who are not social workers).

If panels are only for termination of approval and allegations, panels will likely meet less often, it will be harder to recruit people and retain them and maintain a central list. Panels will end up being responsive and ad-hoc this will be based on availability of panel members. This won't lead to cohesive, established working relationships (due to lack of frequency) panels will be less effective and in some cases could lead to a likelihood of poor experience for the foster carers attending.

Kinship perspective

Smaller panels may be more kinship friendly, as they could feel less daunting and intimidating. Recommend as a minimum four – a social worker, kinship expert by experience, health professional and chair. Anything less would risk panels becoming arbitrary and meaningless as there would be insufficient breadth of knowledge and experience.

15 For panels that make recommendations on possible deregistrations of foster carers, what are your views on the type of experience or qualifications that panel members should have?

Please respond below:

Being on a panel involves a number of scrutiny skills requiring the ability to analyse assessments, test evidence and assumptions, spot practice gaps, and advise on support/training needs.

For termination of approval panels, members should include at least one experienced fostering social worker, people with substantial fostering practice knowledge, and independent members who understand safeguarding, child development, trauma and the realities of foster care. Lived experience



should remain part of the panel model. Three years' post-qualification experience should be treated as a baseline, not necessarily a sufficient benchmark for all members or for the chair.

Therefore panels require a breadth of expertise: legal/medical insight ; practitioners in education, health, social work, foster carers, care-experienced adults, and kinship awareness. Lived experience is essential. Elected members do not always bring the right skill set. Alternatives to elected members could be senior members of staff within local authorities (e.g. housing lead or public health lead) It is an opportunity to encourage people from different directorates to sit on panels and would fits into the wider corporate parenting duties and responsibilities, as well as bringing wider expertise to panel including availability of services.

Kinship perspective

Panel members must have either kinship lived experience or have received specific kinship training that is regularly updated as part of annual mandatory training.

16 For panels that make recommendations on possible deregistrations of foster carers, what are your views on the level of independence that panel members should have from the fostering service?

Please respond below:

Feedback emphasised the need for challenge from outside the service and the risk of internal decision-makers validating their own organisation's practice.

At the very least the chair should remain fully independent (having independent panel chairs puts more onus on the authority of that role so that they are sufficiently independent from the ADM). A significant proportion, preferably a majority, of panel members should be independent of the fostering service. This is the safest way to preserve confidence in fairness and objectivity.

There are vagaries about precisely what independence means in practice. For example where there is lived experience on a panel, this may be a foster carer in that service or someone care experienced may have been cared for by that service. The important point is that it should not be the service marking its own homework so there is a separation between those directly responsible for the assessment and those scrutinising it through panel. There are not specific qualifications that should be required in general. However, we do need to ensure that a health voice features on panel

17 What other changes to the requirements for panels that make recommendations on possible deregistrations of foster carers would improve the process?

Please respond below:

The below would all potentially make improvements to the process.

- Clearer statutory guidance on the evidence threshold and clarity on processes for termination of approval.



- A stronger distinction between allegations, standards of care issues and cases that genuinely justify termination of approval. This requires mandatory training at practitioner level in the first instance.
- A requirement for carers to receive reports and associated paperwork in good time, with an opportunity to respond properly.
- Training for panel members on cultural humility, procedural fairness, proportionality and trauma-informed practice.
- Clearer guidance on how panel recommendations interact with the Independent Review Mechanism, which remains an important safeguard in qualifying determination cases. The consultation confirms that decisions remain those of the fostering service and may be taken to the IRM.
- Ensure foster carers are present for their case, avoid “presentations without foster carers,” and record clear reasons/evidence for decisions.

Kinship perspective

Continuing access to legal advice when required, given complexity of care planning if a kinship foster carer's approval is terminated but they do not agree with decision or that child should be moved. Kinship foster carer should be encouraged by LA to seek their legal advice too although challenges with legal aid will continue to make this difficult for many, and the local authority may need to agree to fund some initial legal advice .

18 Are there other mandated parts of the fostering approval process that should be changed to clarify responsibilities, ensure robust checks and speed up approvals?

Please respond below:

Feedback suggests the focus should be on administrative inefficiencies and front-end process e.g. delay in initial home visit, not on removing key safeguards. Our members repeatedly said that delays often arise from delayed DBS checks, delay in receiving medical reports, late references, slow checks, and poor administrative systems, rather than panel itself.

Key improvements could be to improve the timeliness of checks and references, clarify when changes to terms of approval are required, and improve the interface between approval decisions and exemption decisions. The process in relation to medicals can be improved. The legal position on approval, terms of approval and qualifying determinations under regulations 25 and 27 of the Fostering Services (England) Regulations 2011 would benefit from clearer operational guidance.

Other areas to consider are:

- First-year reviews: proposals to remove routine first-year reviews from panel (shift to FIRO/IRO or team manager oversight) and/or bring first review earlier (6 months) for focused QA.
- Institute dedicated DBS and/or medical services; set national timescales for multi-agency inputs; invest in workforce capacity.



Kinship perspective

As with mainstream foster carers medical information needs to be accessible easier and quicker as causes delay and disproportionate time and resources trying to achieve medical check in already short timescales.

Proposal 2: Allegations and standards of care

19 To what extent do you agree with the proposed changes to our standards and guidance for providing greater support to children and carers who are experiencing an allegation?

Strongly agree

If desired, explain your response below:

We and our members have welcomed the government's approach to allegations. Our members and foster carers have suggested that it is possible to be even more ambitious. 62.5% of those we surveyed agreed with the changes to the allegations process, 30.5% partially agreed and only 7% didn't agree. We have heard too many examples of poor experiences of how allegations have been handled leading to foster carers leaving the service. At the same time it is important to recognise that when children do raise concerns that these are always listened to and responded to in a proportionate and timely way. It is important to ensure all allegations are properly recorded and assessed for accuracy and relevance. Terminations of approval decisions cannot rest with one person.

"False allegations don't appear in a vacuum, they are often rooted in trauma. Many of our young people have experienced abuse, neglect, instability and loss. Trauma shapes how they interpret relationships, authority and safety. When that trauma is unprocessed, it can surface in crisis, conflict or allegations. So where is the consistent reference to additional support, therapy and early intervention for our children? Young people themselves are asking for therapy. They are telling us they want help to understand what has happened to them. Yet too often, the response from their Local Authorities is that there is no funding available. If we know trauma is driving behaviour, and we know therapeutic support can help children make sense of their experiences, why is that support still treated as optional?" (feedback from CoramBAAF member)

"Foster carer retention and C4C stability is impacted by 2+ year delays in children receiving assessments and support for neurodiversity, counselling sessions following significant abuse etc. which all impact upon behaviours and foster carer capacity to meet their needs and is dependent on medial support. Allegation outcomes are impacted upon by police outcomes and timescales. Fostering panels enable fair and just scrutiny and time delays are usually DBS/Medicals/ASW capacity." (feedback from CoramBAAF member)

"We have been criticised by Ofsted in the past for being too supportive of our carers whilst handling allegations." (feedback from CoramBAAF member)

Currently "The allegation process for carers is at best brutal, any changes to this need to be well thought of and consistent and supportive of carers in the long term, we have lost carers



due to the process and if this can be streamlined it would assist all.” (feedback from CoramBAAF member)

20 To what extent do you agree with the proposed changes to our standards and guidance for making the allegations process fairer and more transparent?

Strongly Agree

If desired, explain your response below:

Members are clear that the proposed changes are welcome but there is appetite to go further. More robust definitions of allegations and standards of care will reduce unnecessary escalation. The following suggestions have been made:

- Statutory timelines, especially for LADO and Police
- Mandatory training for all supervising social workers on allegations versus SOC
- Independent advocacy and expectations about communication – requires training of staff.
- Stop unnecessary escalation of minor issues
- More experienced investigators either or supporting newer members of staff – mentoring opportunities

“All carers to be allocated a peer mentor during the allegation process.” (feedback from CoramBAAF member)

21 Do you have any additional suggestions to improve the allegations process?

Please respond below:

Feedback from our members is that what is proposed amounts to known good practice in many cases. There is room to further to ensure support for foster carers. Some of the concerns relate to other agencies involvement. We have heard examples of police investigations taking up to 2 years which impacts on the ability of the service to conclude the allegation investigation. In tackling allegations it is important to look beyond just the fostering service and ensure req



References

Cleaver, H. and Rose, W. (2020) Safeguarding children living with foster carers, adopters and special guardians: Learning from case reviews 2007–2019. London: CoramBAAF. Available at: <https://corambaaf.org.uk/books/safeguarding-children-living-foster-carers-adopters-and-special-guardians-learning-case>.

Trafford Safeguarding Children Board (2017) Serious Case Review: Child PB – Final report. Available at: <https://www.traffordsafeguardingpartnership.org.uk/Docs/Learning-development/Resources/SCR-PB-FINAL-REPORT-May-2017.pdf>

Liverpool Safeguarding Children Board (n.d.) Child C and D: Final report. Available at: <https://lcitylscb.org/media/1981/lcspr-child-c-and-d-final.pdf>

Coventry Safeguarding Children Board (2015) Case FC: Overview report. Available at: <https://www.chscp.org.uk/wp-content/uploads/2015/12/CDM-16569311-v1-CHSCB-Case-FC-Overview-report-FINAL.pdf>

