

**Guidance on the Independent Reviewing Officer (IRO) Quality Assurance Process (QAP) and Dispute Resolution Process (DRP)**

[Refer to QAP and DRP flow chart](#)

Functions and Principles	Legal Support and Lancashire Ruling	Quality Assurance Process (QAP) (Informal)	Dispute Resolution Process (DRP) (Formal)	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 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 DRP process is fully compliant with the Care Planning Regulations and the IRO Handbook</p> <p>A key principle of the QAP and DRP process is that it should be open and transparent and as such, all QAP and DRP actions are recorded on the child's electronic file record and highlighted within IRO Decision Reports and shared with relevant parties</p> <p>The guiding principle is for the IRO and the Children's Social Work Service 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 DRP (regulation 45) and should give consideration to making a concurrent referral to CAFCASS</p>	<p>The IRO has access to in-house and independent legal advice</p> <p><b>In-house</b> IRO Team Manager to support the IRO to seek advice from the LA Chief Legal Advisor for initial legal advice (so long as the case is not in proceedings)</p> <p><b>Independent</b> IRO Team Manager to support the IRO to access independent legal advice where appropriate from the West Yorkshire Independent legal advice provision</p> <p>Following consideration whether by the IRO to seek independent legal advice, the IRO Team Manager will brief the Head of Service – ISU on the circumstances of the child's case</p> <p><b>Lancashire ruling</b> 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 Dispute Resolution Process (DRP) and it encourages resolution at a less intrusive manner</p> <p><b>Pre- review</b> In advance of the review, the child's electronic file record is checked 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 DRP if the matter is not resolved</p> <p><b>Looked After Child review</b> 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"> <li>• New timescales are confirmed or</li> <li>• A decision is made to access the DRP</li> </ul> <p>Timescales for actions are set individually for each matter to be resolved</p> <p>The QAP involves social work and IRO practitioners up to the level of Service Delivery Manager</p>	<p>The Dispute Resolution Process (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 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 DRP has been accessed, the resolution period is 20 working days</p> <p>The Head of Service ISU is kept fully informed throughout the DRP</p> <p>The 3 DRP stages involve social work and IRO practitioners at different levels:</p> <p><b>Stage 1</b> Matter resolved by SDM. Area Head of Service and Head of Service – ISU are alerted</p> <p><b>Stage 2</b> Matter resolved by Area Head of Service. Chief Officer Social Work + Deputy Director Safeguarding, Specialist &amp; Targeted and Head of Service – ISU are alerted</p> <p><b>Stage 3</b> Matter resolved by Chief Officer Social Work and / or Deputy Director Safeguarding, Specialist &amp; Targeted and potentially the Director of Children's Services. Head of Service – ISU are alerted</p> <p><b>Referral to CAFCASS</b> If the matter is not resolved through the DRP, the IRO has the powers to refer the matter to CAFCASS.</p> <p>All 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><b>Independent Reviewing Officer (IRO)</b> 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"> <li>• Consults relevant parties (e.g. social worker) and seeks to resolve issues before raising as a QAP</li> <li>• Adds QAP actions to the child's electronic file and Decision Report, when identified</li> <li>• Emails the social worker's Team Manager about QAPs that have been raised</li> <li>• Shares the QAP action information within <b>five working days</b> with the SDM, TM and Social Worker</li> <li>• Initiates an Alert Form when entering into the DRP. This form clarifies actions and timescales and is shared with relevant parties at the 3 stages of the process</li> <li>• Brings dispute to formal notice of Chief Officer Social Work + Deputy Director Safeguarding, Specialist &amp; Targeted at Stage 3 of the DRP</li> <li>• Brings all disputes to the attention of the IRO Team Manager within supervision sessions and at all key points in the process</li> <li>• Responsible for making a formal referral to CAFCASS if the matter is not resolved</li> </ul> <p><b>IRO Team Manager</b> Responsible for providing advice and guidance to the IRO throughout the QAP &amp; DRP process and deciding if the matter is resolved and:</p> <ul style="list-style-type: none"> <li>• Enters DRP Decisions onto the child's electronic record and updates following meetings and developments and revises timescales as required</li> <li>• Keeps the Head of Service – ISU informed at all key points in the process and the relevant area social work Head of Service and the Service Delivery Manager</li> <li>• Supports the IRO to access legal advice</li> </ul> <p><b>IRO Service Delivery Manager and Head of Service – ISU</b> Responsible for chairing a formal meeting at Stage 2 of the DRP and providing agreed actions to Chief Officer Social Work + Deputy Director Safeguarding, Specialist &amp; Targeted</p> <p><b>Social Worker and their Team Manager</b> Responsible for working with the IRO to seek to resolve the matter at the earliest opportunity and:</p> <ul style="list-style-type: none"> <li>• Discuss QAP and DRP actions within supervision</li> <li>• Keeps Service Delivery Manager informed</li> </ul> <p><b>Service Delivery Manager – Social Work</b> Responsible for deciding whether to challenge QAP actions within five working days and keeps Area Head of Service informed and attending formal meetings as required at Stage 2 and 3 of the DRP and for seeking to resolve disputes at the earliest opportunity</p> <p><b>Area Social Work Head of Service</b> Responsible keeping Chief Officer Social Work + Deputy Director Safeguarding, Specialist &amp; Targeted informed and attending formal meetings as required at Stage 2 and 3 of the DRP and for seeking to resolve disputes at the earliest opportunity</p> <p><b>Chief Officer Social Work + Deputy Director Safeguarding, Specialist &amp; Targeted</b> 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</p> <p>In addition, QAP actions are confirmed with the Social Worker and the relevant Team manager and Service Delivery Manager by email.</p> <p>The IRO follows up on the QAP actions directly with the social worker until the matter is resolved or DRP is accessed.</p> <p>Where the DRP has been accessed, the IRO Team Manager enters the DRP Decision Activity onto the child's electronic file record</p> <p>The IRO initiates the Alert Form and this is shared at Stage 1 with: Area HoS, SDM, TM, SW HoS – ISU, IRO TM and ISU Admin</p> <p>Alert Form updated at Stage 2 and now also shared with: Chief Officer Social Work (CO SW) + Deputy Director Safeguarding, Specialist &amp; Targeted (DD SST)</p> <p>At Stage 3, IRO brings dispute to attention of CS SW and DD SST</p>