

The following response was drafted in partnership with BASW England Members. Full details of the consultation can be found here [Foster care reform - proposed changes to assessment and handling of allegations of abuse - consultation](#)

Proposal 1: Fostering Panels and Quality Assurance

Question Number	Full Question Title	BASW England Response Focus
9.	<p>To what extent do you agree that fostering panels provide value that is proportionate to the time and resources required to operate them?</p>	<p>Strongly Agree. Our members believe the value of independent, multi-disciplinary scrutiny far outweighs the administrative cost. We view panels as a vital safeguarding "safety net" rather than a bureaucratic hurdle.</p> <p>If panels are to be replaced, we would want to be reassured how the vital functions that panels play will be replicated elsewhere in the system, and we would be very surprised if any alternative system could fulfil the same vital function more 'proportionately' or for better value.</p> <p>We would also like to see the Equalities Impact Assessment that has been completed, what potential impacts it has considered and how these impacts will be mitigated. In particular we would like to see the DFE's analysis of how the risk of unconscious bias in decision making may change in moving from panel-based decision making to an individual decision maker.</p>
10.	<p>What would you see as the advantages or disadvantages of</p>	<p>Disadvantages: Loss of independent professional challenge and increased risk of "internal bias" or "rubber-stamping" by the service. Our members fear that without panels, the process remains open to "corruption", 'optimism bias'¹ or neutrality failures.</p>

¹ [Revisiting the Rule of Optimism | The British Journal of Social Work | Oxford Academic](#)

	<p>removing fostering panels from initial assessment and the first annual review process?</p>	<p>A panel by definition brings a range of views and experiences to the table. An effective panel will be constructed to minimise the risks associated with unconscious bias by ensuring its members are drawn from people with a breadth of backgrounds a life experiences. The risk of unconscious bias is not mitigated if you have a single decision maker</p> <p>Whilst it is acknowledged that the vast majority of applications to panel are approved, this could be as a direct result of social workers understanding the level of scrutiny that the panel will apply, and that the process in and of itself improves the quality of assessment and reports. Should scrutiny by panels be removed, it remains unknown what the impact might be upon the quality and standard of applications. In simple terms, if you know your homework is going to be marked, you put in more effort.</p> <p>Kinship carers and foster carers, as experts by experience, bring a valued and important perspective to fostering panels. These perspectives are not called on if you have a single decision maker.</p> <p>For kinship carers, the panel process often provides the first formal validation and "official" recognition of the significant professional role they are undertaking for their family member. Panels provide a vital forum for kinship carers to understand the expectations and, crucially, to hold the local authority accountable for the support package they are entitled to.</p> <p>Advantages: Minimal. Whilst speed may increase, it must not come at the cost of robust safeguarding.</p>
<p>11.</p>	<p>What changes (if any) would you seek to make to standards and guidance to ensure that effective quality assurance takes</p>	<p>We seek the introduction of mandatory external audits and "Peer Review" mechanisms. Quality assurance must be embedded as a continuous process rather than a final set-piece, but it must remain independent of the immediate line management of the fostering service.</p> <p>To reduce the "parallel process" of court and panel, we suggest extending the period for which kinship carers can be temporarily approved. This avoids unnecessary panel appearances if the long-term plan is likely a Special Guardianship Order (SGO).</p>

	<p>place throughout the assessment process?</p>	
12.	<p>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?</p>	<p>Objectivity would require the ADM to have access to a mandatory independent advisor and standardised national training. However, our members remain unconvinced that a single individual (the ADM) can replicate the collective wisdom and multi-disciplinary expertise (legal, medical, lived experience) of a full panel.</p> <p>A panel by definition brings a range of views and experiences to the table. An effective panel will be constructed to minimise the risks associated with unconscious bias by ensuring its members are drawn from people with a breadth of backgrounds a life experiences. The risk of unconscious bias is not mitigated if you have a single decision maker.</p> <p>We do not support removing panels for kinship carers at this stage; any such change should be deferred until the broader Law Commission review of the legal framework for kinship care is completed.</p>
13.	<p>To what extent do you agree with the proposal to maintain the use of panels for recommendations on possible de-registrations of foster carers?</p>	<p>Agree.</p> <p>Our members insist that where a carer's livelihood and a child's stability are at stake, the highest level of independent scrutiny is non-negotiable to ensure fairness and transparency. However we also believe that this gold standard in decision making should also be applied to the initial decision to approve foster carers: prevention is better than cure and we do not think it is appropriate to weaken the safeguards that are intended to prevent people who wish to exploit children from becoming foster carers</p>

16.	<p>What are your views on the level of independence that panel members should have from the fostering service?</p>	<p>High Level of Independence. Our members feel strongly that "transparency and neutrality" are currently at risk. Panels must be completely independent to challenge the fostering service provider without fear of reprisal or institutional pressure.</p>
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Proposal 2: Allegations and Standards of Care

Question Number	Full Question Title	BASW England Response
19.	<p>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</p>	<p>Agree. However, our members note that support must be independent. Currently, "power imbalances" mean children often feel "unheard and neglected" by the organisations managing the investigation. We advocate for mandatory independent advocacy for all children involved.</p>

	experiencing an allegation?	
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?	Agree. Our members describe the current process as "distressing and isolating." Clarity on timescales and outcomes is essential to fix the "power imbalances" and build trust in the system, which is vital for retention.
21.	Do you have any additional suggestions to improve the allegations process?	Protect Professional Boundaries. We must oppose any "innovation" that merges the Supervising Social Worker (SSW) role with the child's social worker. This creates an irreconcilable conflict of interest. Furthermore, we oppose moving SSWs into Regional Care Cooperatives (RCCs), as this destroys the local, relationship-based knowledge required to manage allegations safely and fairly.