

department for

**education and skills**

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1st October 2003

## **CONSULTATION DRAFT REGULATIONS AND GUIDANCE FOR INDEPENDENT REVIEWING OFFICERS**

Dear Colleague,

Please find enclosed a copy of the consultation draft Regulations and Guidance for Independent Reviewing Officers, a requirement arising from the Adoption and Children Act 2002. The regulations will update the *Review of Children's Cases Regulations 1991* by introducing the role of the IRO on a statutory basis. **Please forward one copy to the IRO and Director of Children's Services (or equivalent). The consultation requires action from both by 31st December 2003.**

### **Implementation**

We intend that the Regulations will come into force in September 2004, dependent on the response to this consultation with regard to the numbers of referrals to CAFCASS, which will inform plans for the provision of legal aid where necessary. At that time all local authorities must have Independent Reviewing Officers in place to chair the review meetings of all looked after children. Local authorities should consider the implications of the Regulations and Guidance now. Although the Regulations and Guidance will not be finalised until March 2004, local authorities should now begin to prepare for implementation to take place from September 2004.

### **How to Respond**

(see also 'How to Use this Consultation Document' at the front of the Guidance)

#### **1) Pull out Consultation Reponse Form**

**Please fill in the pull-out consultation response form questionnaire, and send it, with any other comments on the Draft Regulations and Guidance to:**

Nicola Sams  
Room 126  
Wellington House  
133-155 Waterloo Road  
London SE1 8UG

Fax. 020 7972 4257  
Email: nicola.sams@doh.gsi.gov.uk

Please contact Nicola if you require any additional copies of the document.



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## 2) Additional Consultation Form on Referrals to CAFCASS (attached)

Attached to this letter is an additional consultation form which the current IRO or equivalent staff member should fill in, and which the Assistant Director of Social Services should sign. This form is to help us estimate the number of referrals to CAFCASS by IROs per year, in order to predict the resource implications for the legal aid budget. This consultation form is not a measure of performance and will *only* be used to predict the number of referrals and linked legal aid costs of the new regulations. **The form should also be returned by 31st December 2003.**

### Regional Events

We will be running a number of regional events in the Spring to help local authorities prepare for the coming into force of the Regulations and Guidance. Please contact us if you would like to be sent details of these events.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'David Holmes'.

David Holmes  
Branch Head  
Placement, Permanence and Children's Trusts Branch  
Department for Education and Skills

# Additional Consultation Form

## Number of Referrals to CAFCASS

This consultation form is not a measure of performance. It is to help us estimate the expected number of referrals to CAFCASS (see chapter 6 of Guidance) by IROs per year, in order to predict the resource implications for the legal aid budget.

The form should be filled in by an IRO. It should be signed by the Assistant Director of Social Services.

**Consultation Question (to be answered by IRO after reading the attached document, in particular Chapter 5)**

**Over the last 12 months, please give a brief, anonymised outline of any case(s) that you believe you would have referred to CAFCASS had the arrangements outlined in the draft regulations and guidance been in place:**

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Local Authority \_\_\_\_\_

**Assistant Director of Social Services**

Print Name

Signed

Date

