

Information about the IRM for Adoption Agencies

This leaflet is for adoption agency professionals to explain the IRM, its remit and procedures in relation to adopters.

What is the Independent Review Mechanism (IRM)?

The Independent Review Mechanism is a review process which prospective or existing adopters can access when they do not agree with the qualifying determination given to them by their Adoption Agency. The review process is conducted by an independent review panel.

How will the process work?

Once an application has been accepted by the IRM we will contact you, the adoption agency, to confirm the details and identify a liaison officer for the case, if we do not have one you will be asked to submit a copy of the qualifying determination letter. Once the application is formally accepted, we will write to the liaison officer and request all the information which was provided to the adoption panel. We may request medical information and will provide the applicants consent to disclose this. We request that the minutes of the adoption panel are not included in the papers that are sent as the IRM review panels consider situations afresh. We will advise you of the panel date, time and location the letter. This paperwork must be provided within 10 working days from the date of the letter.

All documents that are sent to the IRM are reviewed by a legal adviser and the IRM caseworker. We will often require additional information and this will be requested in writing. Applicants can also provide additional information for the review panel to consider.

It may be considered helpful for the IRM panel to have medical advice which will be obtained from an IRM medical adviser. The medical adviser may seek additional information to assist them and where necessary, will be present at the panel meeting. Legal advice will be provided to the IRM review panel by an IRM legal adviser. Please note advice to the IRM review panel will not be shared with the applicants or the adoption agency.

Two weeks prior to the review panel we will send the panel papers to you and the applicants. Confidential third party information will not be sent to the applicants where it has been decided that it cannot be shared. The review panel will then consider all this information prior to the panel day.

How long will this process take?

We aim to complete cases from acceptance of an application to a review panel recommendation within a four month period.

Where will the review panel be held?

Review panels are held in Birmingham, Leeds and London; once we accept the application, we will let you know the date and time of the panel that will consider the case.

Who will be on the review panel?

The case will be considered by a review panel whose members have professional or personal experience of child placements. The panel will consist of at least five voting members. A medical practitioner may prepare written advice for the panel; they will attend the panel if required.

The review panel will have written advice from a legal adviser. There is also a panel adviser who will be able to provide advice on legislation, guidance and research to ensure that all relevant issues are considered and that the correct procedures followed on the day of the panel. A panel secretary will be present to take minutes of the meeting. The panel secretary and panel adviser are non-voting members of panel.

A list of the review panel members will be included with the panel papers that are sent to you prior to panel. If you believe there may be a possible conflict of interest please contact the IRM office to discuss this.

Who should attend from the Adoption Agency?

We invite you to send up to two representatives. We would advise that wherever possible the social worker who is responsible for the case attends, accompanied by the line manager.

You will need to ensure that representatives have access to case material for reference but it will not be possible for them to take electronic devices into panel.

Please let us know if representatives have additional needs as soon as possible so we can ensure the panel venue meets the requirements.

Will the applicants be attending?

The applicants are invited to attend the review panel to support their application. However, the review panel can go ahead without the applicants in attendance. Applicants may be accompanied by a supporter. The role of the supporter is to provide the applicant with moral support. They cannot address the panel directly.

Where applicants do not speak English as their first language the IRM will need to consider whether an interpreter is required for panel members.

How does the review panel work?

It is anticipated that the representatives will need to be available for up to 2 hours but each case is different and all times are estimated.

Applicants and agency representatives have separate waiting rooms but will be invited into the IRM panel together. They will all be given a list of topics that questions will be based on when they first arrive.

The panel will introduce themselves and then commence the review. The applicants will be asked a number of questions by panel members and then the adoption agency representatives will be asked questions. Both parties are asked not to interrupt each other during questions; there is an opportunity at the end to provide brief comments.

If the panel has questions about third party confidential information they will invite the representatives into the panel without the applicants being present whilst this is being discussed. The applicants will be advised that this is taking place.

The panel will then ask both parties to return to the waiting room whilst the panel considers whether they have any additional questions for either party. If they do have additional questions they will invite them both back into the panel. Once the panel has decided there are no further questions both parties are asked to leave. The panel will conclude their deliberations and reach a recommendation.

What happens after Panel?

The minutes and recommendation of the panel will be sent to the adoption agencies liaison officer and the applicants 12 working days after panel. The adoption agency liaison officer will also receive a feedback sheet from the panel which comments on agency policy, practice and procedures; this is not shared with

the applicants. If any third party information was discussed at panel without the applicants present, this will be removed from the applicants' copy of the minutes. A sheet with all the documents provided to the IRM panel will also be enclosed, an invoice for the adoption agencies contribution to the review panel will be sent separately.

The Adoption Agency's decision maker should make their final decision having taken into account all the information made available during the IRM process and the recommendations of both the original panel and the IRM panel. The ADM should write to the applicants within 12 working days of receiving the IRM recommendation, with their final decision and the reasons for that decision.

A copy of the final decision letter which is sent to the applicants should also be sent to the IRM office.

What if the applicants are not satisfied with the review panel's recommendation?

There is no right of appeal. Applicants can use the IRM complaints procedure if they are unhappy about any of the IRM procedures but not the review panel recommendation.

If the applicants are unhappy about the final decision of the adoption agency, they can use the adoption agencies own complaints procedure or seek their own legal advice.

What if the adoption agency wants to complain about the IRM?

The adoption agency cannot complain about the IRM panel's recommendation however there is a formal complaints procedure that is available for other issues which sets out the steps to be taken.

Contact Details:

Contract Manager

IRM

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Website: www.gov.uk/government/organisations/independent-review-mechanism