irm independent review mechanism ENGLAND

Independent Review Mechanism

Annual report 2024 to 2025

April 2025

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Summary

The Independent Review Mechanism (IRM) was established under the Adoption and Children Act 2002 and subsequent regulation, began operating in 2004 and is now in its 21st year of operation. The IRM has been holding independent reviews for applications for adoption since 2004 and for fostering since 2009.

The IRM is responsible to the Secretary of State for Education for reviewing Qualifying Determinations (QDs).[1] The QDs made by a fostering service provider (FSP) or an adoption agency (AA) cover a number of different areas:

- An individual's suitability to foster or adopt
- The terms of approval for foster carers, where the fostering service wish to change the terms and the foster carer is not in agreement
- Applications to receive information from adoption records.

The IRM does this by holding independent review panels. The panel reviews the proposed decision, using information provided by all parties and providing a fresh recommendation, with reasons, to the agency decision maker to assist them in making their final decision.

For applicants, the IRM provides them with the opportunity to have their case independently reviewed and to ensure that any information that they feel was not properly considered by their agency is looked at by the independent panel. For agencies, it supports their responsibility to foster carers and adopters to operate within the framework of adoption and fostering regulations and guidance.

The Review Panel can provide feedback to the agency on its policy, practice and procedure and any learning the panel thinks would be helpful for them to consider from the case. This is an important quality assurance function which benefits both applicants and agencies. As the IRM operates throughout England, it has a window into fostering and

[1] A Qualifying Determination (QD) is a letter from an Agency Decision Maker (ADM) indicating that they are minded to make a final decision. The letter sets out the reasons for that decision and the options available, including the right to apply to the IRM for an independent review.

adoption practice across the country. This provides an opportunity to identify and share information with all those interested in fostering and adoption services in England about issues and challenges that have been identified through the IRM's work.

The IRM is delivered under contract to the Department of Education by Coram Children's Legal Centre (CCLC). The IRM is partially funded by the Department for Education, this funding is supplemented by a £2,591 contribution to each case from providers whose decisions are reviewed by the IRM panels. This contribution is a regulatory requirement with payments based on a sliding scale should a case be withdrawn.[2]

[2] The Independent Review of Determinations (Adoption and Fostering) Regulations 2009 (legislation.gov.uk)

Overview of service

The IRM received 122 applications in 2024-25, up from 113 in 2023-24. Of these, 119 related to fostering and 3 to adoption. Connected persons applications fell from 36 to 26, while adoption applications fell from 5 to 3. Overall, the IRM accepted 117 applications, up from 107 the previous year, comprising 114 fostering and 3 adoption applications.

A total of 13 cases were withdrawn during the process after formal acceptance by the IRM, including 12 fostering cases and 1 adoption case. This is lower than the 19 withdrawals reported in 2023-24.

The IRM panels reviewed 88 cases during the reporting year, compared with 104 in the previous year. This reduction reflects the complexity of a number of cases, which led to some panels being postponed or delayed. Variations in the number of applications received throughout the year also affect panel scheduling. As in previous years, some applications accepted during the reporting period will be reviewed by panels in the next reporting year.

How the IRM operates

The IRM is a digital service which reflects the need for it to be accessible, cost efficient and mindful of its environmental impact. Panels are held virtually, and the application process is electronic, though adjustments can be made for additional needs and a face-to-face panel could be offered in exceptional circumstances to meet a specific need. However, no face-to-face panels have been required this year.

The digital service provides communication that is fast and cost effective and reflects the digital world within which the IRM operates.

Virtual panels give improved accessibility for applicants and agency representatives. It reduces costs for applicants and agencies as well as removing the stress of travel and potential delays. The IRM has held virtual panels for applicants where English is not their first language including those where British Sign Language (BSL) is their first language. These panels have worked well. Panels involving interpreters do take longer and extra breaks can be given if necessary, and where BSL is used, 2 interpreters are used to prevent fatigue.

Virtual panels have the additional benefit of increasing the flexibility of panel dates and the ability of panel members to attend. The IRM had a target of 120 cases being heard annually with dates arranged for 60 panels. Usually, 2 panels are held per day and booked in advance.

Panel members are paid on a case basis, so it is possible to have single case panels if a case is withdrawn or there are extenuating circumstances causing a postponement.

All IRM staff are home based. The IRM no longer has an office but operates a Post Office box for the limited mail it receives. An IRM case worker is available to take calls when the phone lines are open (weekdays 9.30 to 12.30). The IRM team meets both virtually and occasionally face to face.

Fostering activity in 2024 to 2025

Activity in fostering has increased in the last year from 108 applications in 2023-24 to 119 applications in 2024-25. Of the 119 applications, 93 were from mainstream carers and 26 were from connected persons.

The IRM responded to a further 35 enquiries from potential applicants and FSPs. Some of these later turned into applications but others were “standalone” enquiries or requests for advice. The enquiries covered a range of different topics including:

- what potential adopters or foster carers could do when they were told that they would not receive a positive recommendation from the approvals panel, but they did not wish to withdraw their application
- what options were available if foster carers had resigned but were still being taken through a formal deregistration process
- options available when an assessment was stopped at stage 1
- concerns about processes not being followed by fostering service providers.

5 applications were not accepted for the following reasons:

- 3 applications were outside the regulatory timescales for making an application to the IRM
- 1 applicant had only had a viability assessment therefore there was no qualifying determination
- 1 applicant had already resigned.

The number of applications not accepted within a given year may differ from the total number accepted, as some applications span reporting years and are submitted in one year but accepted in the next.

In total, 12 applications were withdrawn for a variety of reasons, as set out below, compared with 19 in the preceding year.

- Applicant (connected person) obtained court orders for the children they wished to care for
- Applicant circumstances changed, leading to withdrawal

- Applicant did not provide requested information / sign the IRM agreement form, so the application could not progress due to the lack of consent to access documents
- Applicant (connected persons) fostering service provider withdrew the qualifying determination (QD) as they were carrying out further assessment of their suitability
- Applicant (connected person) withdrew following a finding of fact hearing
- Applicant (connected person) as the child was placed in residential care
- Applicant (connected person) as the child was no longer looked after

Types of application

- 2 applications followed a full assessment of suitability to foster
- 3 applications followed a brief assessment of suitability to foster
- 87 applications related to the ongoing suitability of approved foster carers
- 17 applications were from connected persons seeking assessment to care for specific children
- 9 applications were from connected persons regarding their ongoing suitability to foster
- 1 application was submitted in response to changes in terms of approval

Of the 114 applications that were accepted, (56%) were from Local Authorities (LAs) and (44%) were from independent fostering providers (IFPs) (figure does not include those accepted in the next year or those not accepted). Children's Trusts are included within the Local authority category for reporting purposes. This represents a decrease in the proportion of accepted applications from Local Authorities, from 70% in 2023-24 to 56% in 2024-25.

IRM panels and outcomes

The constitution of panels is set out in the IRM Regulations 2009 (as amended), which specify that panels must include

- social workers
- individuals with experience of fostering and adoption, such as care-experienced people or foster carers
- health professionals and, where there are medical issues, registered medical practitioners

Preparation for panel meetings is undertaken by the IRM team. Each application is allocated to a caseworker, who is a registered social worker, responsible for ensuring that panel members have all the information they need to consider the case as fully as possible. Caseworkers work closely with a designated legal adviser to prepare cases for review. The legal adviser is also available by telephone to provide advice to the panel while it is sitting.

Where relevant, the caseworker may seek advice from a medical adviser. The medical adviser will provide written advice to the panel and may sit on the panel where this is considered appropriate. The number of panel members varies depending on the type of application being considered. Where suitability to foster or adopt is being assessed, the minimum number of panel members is 5 in addition to a panel adviser and panel secretary.

On average, panels are comprised of 7 members. For virtual panels, one panel member acts as the ‘host’, managing the technical and administrative aspects of the meeting.

IRM panels heard 88 fostering cases in the year ending 31 March 2025, the majority of which concerned the on-going suitability of mainstream foster carers.

The IRM received outcomes for 91 fostering applications during 2024-25 due to some delay from the agency decision maker’s final decision. In 75 of these cases, the IRM panel agreed with and upheld the agency's qualifying determination (QD).

The applications with recorded outcomes comprised:

- 1 full assessment of suitability to foster

- 3 brief assessments of suitability to foster
- 1 change in terms of approval
- 61 ongoing suitability applications
- 16 connected persons full assessments in relation to specific children
- 8 connected persons ongoing suitability applications
- 1 connected persons brief assessment

In the remaining cases, the IRM panel disagreed with the Qualifying Determination (QD) and made a positive recommendation. Agency Decision Makers (ADMs) accepted the IRM panel's recommendation and overturned the Qualifying Determination in 9 cases. These were:

- 1 change in terms of approval
- 1 mainstream full assessment
- 2 connected persons full assessments
- 3 mainstream ongoing suitability cases
- 2 connected persons ongoing suitability cases

In 10 cases where the IRM panel made a positive recommendation, the ADM decided not to accept the panel's recommendation and upheld the original QD.

In 2024-25, the IRM panel upheld the qualifying determination (QD) in 75 of the 91 cases with recorded outcomes. This represents a slight decrease in the proportion of cases where the panel disagreed with the QD compared with 2023-24, when the panel upheld the QD in 60 cases and disagreed with it in 25 cases. These trends will continue to be monitored in future reporting years.

Demographics

The IRM identifies applicant and agency geographical locations for reporting purposes. All other information is given voluntarily by applicants who chose whether or not to provide it.

Geographical locations

These provide insight into those that access the service. The applications received were from a spread of geographical areas:

Location	Number of applicants
East	6
South West	14
North West	19
North East	24
Central	41
South East	10
London	5
Wales	0
Other	0

The majority of applicants are located within the same area as the agency with a small number of connected persons located in different areas to their agencies.

Relationships (applications)

From the information received for accepted applications (some applicants do not provide information):

Relationship status	Number of applicants
Single Male	2
Single Female	22
Married	49
Partnership/Civil Partnership	16
Widow	0
Widower	2
Separated	1
Divorced	1
Other	1

Sexuality (as defined by applicants)

Sexuality	Number of applicants
Not Provided	3
Heterosexual	84
Lesbian	1
Gay	2
Undecided	1
Other	3

Ages

The age profile of applicants was concentrated among older age groups. The largest proportion of applicants were aged 55-59 (36 applicants), followed by those aged 50-54 (27 applicants) and 60-64 (19 applicants). Overall, 81% of applicants were aged 45 or over, while only 4% were under the age of 35. Applications were received across a broad age range, although numbers were relatively low among the youngest age groups and declined among applicants aged 70 and above. There were 2 applications from individuals aged 80 or over. Age range is calculated per household, however, if the household has 2 applicants with the same age only one person's age is included.

Age range	Number of applicants
18 - 24	0
25 - 29	2
30 - 34	3
35 - 39	6
40 - 44	11
45 - 49	12
50 - 54	27
55 - 59	36
60 - 64	19
65 - 69	9
70 - 74	3
75 - 79	3
80+	2

Ethnicity

In this reporting year, the majority of applicants were White British with the next largest groups identifying as Asian British – Pakistani and Black British Caribbean.
The National Statistics for Fostering indicate that 20% of foster carers are from non-White ethnic backgrounds. Among applicants to the IRM who provided ethnicity information, 23.8% were from non-white ethnic backgrounds. This is comparable to 23% in the year 2023-24.

Ethnicity	Number of applicants
White - British	71
White - Irish	3
White - Other	3
Asian / Asian British - Indian	4
Asian / Asian British - Pakistani	9
Asian / Asian British - Bangladeshi	0
Asian / Asian British - Other	2
Black / Black British - Caribbean	5
Black / Black British - African	1
Black / Black British - Other	1
Chinese	1
Mixed - White & Black Caribbean	0
Mixed - White & Black African	0
Mixed - White & Asian	0
Mixed - Other	1
Other	0
Black / Black British - African Caribbean	2

Religion

Religion	Number of applicants
Not Provided	3
No Religion	38
Christianity	36
Islam	10
Judaism	0
Buddhism	0
Hinduism	1
Sikhism	3
Mormon	0
Agnostic	1
Other	5

Additional vulnerabilities

In 15 cases, applicants disclosed additional vulnerabilities, and appropriate arrangements were made to support their full participation in the IRM panel process. The most commonly identified needs were English not being the applicant's first language, and disclosures of dyslexia.

Adoption activity in 2024 to 2025

A total of 3 adoption applications were received during the reporting year, representing a decrease of 2 applications compared with the previous year. All applications were accepted. The IRM also responded to 7 enquiries, most of which were from prospective applicants seeking information about the process. Of the accepted applications, 1 was submitted by a Local Authority/Regional Adoption Agency and two by Voluntary Adoption Agencies. No applications were refused.

IRM panels and outcomes in adoption

IRM panels heard 2 of the 3 adoption cases in the year, both were for ongoing suitability of registered applicants. The IRM panel found the applicants unsuitable to adopt in both cases. In the 2 outcomes received, the decision makers upheld the IRM panel recommendations. The third adoption case was withdrawn.

Further information is not being provided on the adoption applicants due to the low numbers and ensuring confidentiality of applicants and agencies.

Applications received per month over the last 3 years

The figures below demonstrate that applications do not seem to follow any kind of regular pattern and vary from year to year. These numbers represent the numbers of applications received and do not represent the numbers of accepted applications as discussed above.

	2024-2025	2024-2025	2023-2024	2023-2024	2022-2023	2022-2023
	Fostering	Adoption	Fostering	Adoption	Fostering	Adoption
April	13	0	10	2	5	1
May	10	0	11	0	10	2
June	8	1	11	1	12	0
July	11	0	5	0	5	0
August	3	0	10	2	6	3
September	8	1	7	0	9	0
October	6	0	8	0	6	0
November	12	0	10	0	18	2
December	10	0	8	0	10	0
January	13	1	8	0	7	0
February	13	0	6	0	12	0
March	12	0	14	0	10	0
Totals	119	3	108	5	110	8

Common themes

There are a variety of reasons for applications being made to the IRM. However, there are some common concerns from fostering providers when making their qualifying determination. These include:

Inability to understand the role of foster carer or adopter and to maintain appropriate boundaries and standards	36%
Inability to meet/understand the needs of a looked after child	28%
Safeguarding concerns	27%
Inability to work in partnership with the FSP	16%
Issues relating to current and historical personal and family circumstances	7%
Physical and mental health issues	4%
Drug and alcohol concerns	2%
Lack of recording / no meeting minutes	1%
Missing information in assessment	1%
References third party information	1%

Applications may be categorised under more than one theme; therefore, the percentages shown may exceed 100%.

There continue to be challenges caused by the variable quality of qualifying determinations (QD) and final decision letters and what they should contain. A number of agencies continue to fail to provide copies of final decisions (despite this being a regulatory requirement) which results in ongoing contacts, sometimes over several months, to ensure that process has been followed and the outcome recorded.

The IRM sends guidance information about the final decisions with the minutes to support this process, but it is crucial that the agency liaison passes these onto the decision maker. In some cases, the agency does not provide clear reasons for both the QD and the final decision. Some agencies offer an excellent service and provide applicants with the information they need in a way that they can understand.

They relate to applicants as individuals, rather than simply listing the national minimum standards that have not been met without explaining how those standards have not been satisfied.

Concerns about foster carers' understanding of their role and ability to maintain required standards were the most frequently cited issues by agencies. This was followed by concerns regarding carers' ability to meet or understand the needs of looked-after children, with safeguarding concerns being the third most common.

Delay in agencies responding to allegations in a timely way continues to be a theme in applications. Insufficient monitoring of practice concerns and allegations means that issues are sometimes dealt with in isolation rather than identifying an emerging pattern over time. This issue is particularly important when applicants then choose to move to another agency, as previous concerns can be overlooked.

Agency practice could be strengthened through more effective use of the annual review process and fostering panel oversight. This would provide opportunities for the agency and foster carers to identify areas for development, agree clear and achievable short-term objectives, and review progress regularly. By working together to address concerns at an earlier stage, agencies can better support carers to maintain the required standards and to prevent the need for de-registrations. This approach is likely to lead to better outcomes for both foster carers and agencies.

Both agencies and IRM panels had the next highest level of concern about the inability of foster carers to meet/understand the needs of children looked after. Many agencies have training programmes that address the need for foster carers to care for children in ways that are appropriate for their needs, but these concerns would indicate there is more work to be done.

One common reason mentioned in QDs for fosters carers deemed unsuitable, is a breakdown in professional relationships. This often stems from issues related to understanding the role of foster carers. This is best described as a breakdown of communication and trust which in effect means that the applicants and agency can no longer communicate and work together.

These are complex and difficult situations that may have grown out of incidents that have occurred and not been appropriately resolved, which then impact on the safety and well-being of children. Such situations can go on for many years and eventually reach a point where trust has been lost These situations highlight the importance of communication and good partnership working. Agencies might involve independent mediation or support for foster carers to resolve issues or provide contact points for foster carers who cannot express concerns to their supervising social worker. Agencies may make use of reviews, and their own panels to assess situations and recommend solutions before relationships deteriorate to the point where deregistration seems like the only option.

There continues to be confusion in some agencies about the status of applicants after a QD has been issued. The foster carers remain registered at this point and until a final decision is made, although some agencies inform the foster carers incorrectly that they are no longer registered foster carers. This is confusing and stressful for applicants.

Formal complaints made by applicants to fostering agencies can sometimes give rise to misunderstandings when they are being pursued alongside an application to the IRM. The IRM's role is not to investigate complaints about agencies; its remit is limited to considering the suitability of applicants or their terms of approval. It is therefore inappropriate for a complaint to be placed on hold while an application is considered by the IRM. Equally, applicants should not be advised that they cannot apply to the IRM because they have raised a complaint.

The IRM makes clear to applicants that it does not deal with complaints or re-investigate allegations. Rather, it provides an independent review of their circumstances and suitability through consideration by an independent panel.

There were a number of applications with medical concerns. Challenges can arise in accessing medical services and obtaining information. Additionally, inconsistent practices in updating medical information through formal reviews by medical professionals can cause issues.

In this reporting year there have again been applications that have involved domestic abuse, and substance and alcohol misuse.

A further ongoing theme relates to documents that are considered by the agency’s panel. When an application is accepted for an IRM review panel, the agency needs to provide all the documents that their panel considered together with any additional documents

considered by the agency decision maker in reaching the QD. These have to be the full documents with no alteration or redaction and if, for whatever reason, the agency is unable to provide these documents to the IRM in this condition they would be in breach of regulation. If the agency is unable to comply, they are left with no option but to withdraw the QD and go through the process again with a fresh panel with considerable distress for the applicants. To prevent this, agencies need to ensure that any documents presented to their panel will be able to be sent to the IRM should an application be made. This is particularly relevant for documents containing confidential information, for example those from the Local Authority Designated Officer (LADO).

The number of connected persons' applications has declined again during the year 2024-25. Time constraints associated with connected persons' assessments can affect the overall quality of the assessment.

There continues to be some concerns about foster carer IT skills. It remains vital for anyone caring for children to have sufficient IT knowledge to be able to safeguard them in the digital world. It is essential that all foster carers undertake the training that is available to support them in providing the necessary safeguards for children.

Sharing learning

The IRM has continued to undertake work in the last year to raise the profile of the IRM and to raise awareness of its role, including themes that are emerging in applications. To increase knowledge of the IRM, 19 webinars and Q & A sessions have taken place with agency decision makers, panel members, agency managers, heads of service, Local Authority Designated Officers (LADOs), including a regional group.

Additionally, connections have been made to IRM Cymru and the University of East Anglia regarding post commencement guidance for adoption agencies in anticipation of more people seeking information about adopted people and birth families.

The IRM has continued to be involved in the Ofsted Social Care National Consultative Forum and the fostering and adoption sub-groups of the forum, all of which bring together key representatives of the sector and enable discussion of practice and development.

The IRM continues to hold a list of stakeholder/agency contacts and uses this to circulate information, including the IRM updated information sheets, information about Qualifying Determinations and Final Decision letters, as well as giving information about the webinars that are offered.

We are seeking to engage more with stakeholders and will use a variety of channels and organisations to do so. We will also make greater use of technology to communicate as part of our digital service.

Complaints, concerns and compliments

There have been two complaints one of which reached stage 2. One complaint regarding an application which was outside the IRM's remit. The second complaint concerned the applicants stating that the agency had shared new information at the IRM panel.

The IRM offers the opportunity for applicants, representatives and supporters who attend panels to feedback on their experience of the IRM through a questionnaire. These are used to inform practice and to update processes so that the IRM can ensure that the service meets the needs of all users. The IRM uses an online link which is provided to applicants, agency representatives and supporters.

The IRM has received positive feedback from applicants and representatives, as illustrated by the examples below, highlighting the value of virtual panels:

- "There were prompt responses to queries, and we liked the way the Zoom meeting was handled from the 'test' to ensure technical difficulties were resolved, to the caring chairing."
- "The whole process was very professional."
- "Very happy with everyone that we have interacted with, they used a calm, unbiased and professional approach to what is a very emotive subject."
- "They were efficient, professional and friendly."
- "All have been helpful either by email or phone. Case worker was also very supportive and reassuring (even if I wasn't always listening to their replies to my questions!) and replied promptly to emails."
- "Contact has been fantastic. Emails are responded to very quickly and clearly. Where an email was to be dealt with by someone different, we were always kept informed of it being forwarded on."
- "They were very responsive and would normally answer any queries within 24 hours."
- "Information was detailed and informative."

Much of the feedback that the IRM receives continues to be applicants expressing thanks for the opportunity of having been listened to and having their situation thoroughly looked at by an independent panel.

Suggestions for improvement have also been received, including:

- “The IRM staff were efficient and friendly, However, there seemed to be lots of different names/people working on each case. It didn’t help that whenever the generic email address was emailed, a different person responded. Should be more continuity. Also, predominantly all contact with IRM staff was via email. It would be beneficial for the case worker to perhaps phone and introduce themselves/talk through the process at the start. Going to the IRM is extremely daunting.”

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