COVID-19

VIRTUAL MEETINGS OF ADOPTION AND FOSTERING PANELS

Please read this briefing note in conjunction with the updated guidance published by Coram BAAF on 9/4/20. Although the Coram/BAAF guidance refers to the legal position in England, the latter part of the document provides helpful advice on the choice of platform, ensuring full participation, security issues and managing the meeting, that are equally relevant to practitioners in Scotland (available at: Coram BAAF guidance on virtual panels).

While many agencies initially suspended panels or greatly restricted the business to be prioritised, over the last 5 weeks the majority have now successfully conducted at least some virtual panels using online video conferencing platforms such as Zoom, Microsoft Teams or Skype. While the feedback has been broadly positive, assessing the security issues and weighing up the risks and benefits involved remains a key issue for many. In terms of the meetings themselves, chairs and organisers have noted additional challenges setting up and running the meetings, but by and large participants have been surprised by how well these worked. AFA Scotland continues to chair a number of panels will update this advice note as more information becomes available. An extract from the recently extended CoramBAAF guidance is included at the end of this briefing note.

While virtual meetings bring additional challenges and should not become the norm in the longer term, with the outlook remaining so uncertain, there is a clear danger that plans for children will be indefinitely stalled as a result of the current crisis, and virtual meetings offer a possible route for dealing with the most urgent situations. If your agency is considering this, AFA Scotland's advice would be to think carefully about the following key issues.

Technology: many of the options work well (Zoom, MS Teams, Skype and GoToMeetings have been used so far, and there are several other options) but they require people to familiarise themselves with the process in advance and to consult with IT colleagues to ensure that all reasonable steps have been taken to minimise any security risks. The connection process is generally not complex but everyone involved in a panel needs the opportunity to test the system prior to any meeting and be sure that they have reliable broadband that will allow them to remain properly connected throughout with satisfactory sound and video quality. They will also need to test in advance that their device - pc, laptop, tablet or phone – will make a satisfactory connection. One or two panel members have joined meetings using audio only – this has proved adequate but noticeably less helpful than having the video link as well.

Planning the meeting: feedback from agencies that have conducted virtual panels is that these take considerably more planning time than usual. It is advisable to plan in considerable detail how the agenda will be structured and how and when people will join the discussion – and to ensure that someone in the organisation has the capacity to take on this coordination role.

Managing the meeting: managing the process and interaction in the virtual meeting space places extra demands on the chair. Again, the opportunity for panels to test this out before launching into their first virtual panel is strongly advised. As well as testing out the technicalities of the process, panel members and other participants will also need to confirm that they have a space from which they will join the meeting that will remain secure and uninterrupted throughout. Feedback has suggested it is helpful for panel members to agree an etiquette for interacting online – for example a signal to indicate that someone wants to interject with a question. In these early stages, chairs should seek regular feedback from

participants about how they are experiencing the process – and not assume people know how to make best use of the system.

Security and data protection: while most of the systems have the functionality to ensure that the meeting is properly secure, this does rely on the person hosting the meeting (e.g., panel co-ordinator or panel chair) being sufficiently familiar with the system to ensure that the privacy functions are well understood and operating (i.e. switched on!). Some agencies have limited use of particular platforms because of concerns about potential security vulnerabilities and it will be important for organiser to work collaboratively with their IT colleagues to establish the most appropriate system to use. If agencies decide to have technical support available to participants, they will also need to consider the security clearance of these IT support staff. Agencies may want to check with their Data Protection Officer about compliance, their data governance policy and procedures.

Support to participants: The approach will be unfamiliar for most participants whether they are social works, foster carers, prospective adopters or birth parents. They will need the same support and opportunity to test the system in advance as other panel members. Where carers or parents are participating in the meeting, agencies have found it best to set up a system where they can be contacted by text or email during to let them know when to click the link to join the meeting.

Use by local authorities: the need to consult with legal, IT and other colleagues has made it more difficult for some local authorities to quickly establish virtual panels. Several local authorities have now conducted panels, including Stirling Council who undertook this with support from their legal and IT sections using the Microsoft Teams platform and are happy to be contacted to share their experience. A number of specific points were noted:
- Microsoft teams only allows 4 people to be viewed at any one time – making it somewhat harder for the chair to manage than with other platforms that show all participants. The chat function does allow participants to flag up questions they wish to raise.
- Questions need to be clearly structured, preferably identified by panel members and shared with the workers in advance. These need to be worked through by the chair in a more linear way than usual with time for additional questions at the end.
- While it was possible to ask workers to 'step out' for 5 mins at the end and then return to hear the recommendation, where applicants are involved it may be best to advise them of the recommendation via the panel adviser after panel has finished.

Clearly it is early days in the use of approaches such as virtual panels, but if you do use this approach please tell us how you got on so that we can share the information as widely as possible. We are rapidly developing our own skills in this area, so do also get in touch directly if you want some support in relation to doing something similar in your agency.

Legal situation: Regulations and Guidance Part II of the Adoption (Agencies) Scotland

Regulations 2009 makes provision for the establishment of adoption panels whose functions are specified in Regulation 6. Regulations 3 and 4 make provision for the constitution, composition and meetings of the adoption panel whilst Regulation 5 prescribes the appointment of medical and legal advisers.

In reference to Fostering Panels, the relevant information is contained in the Looked After Children (Scotland) Regulations 2009. Part VI deals with the appointment, composition and meeting of fostering panels under regulations 17 and 18, with regulation 19 specifying rules in relation to medical and legal advisers and regulation 20 looking at the functions of the panel.

Each set of regulations, specify the requirements for a legally constituted and conducted Panel. They do not stipulate the physical location of the Panel. Therefore, it can be reasonably inferred that virtual Panels, provided they adhere to the Regulations, are legally permissible.

AFA Scotland
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