

**Will anyone else be there?**

Your Adoption Agency will be invited to send up to two representatives to the panel meeting. It will, of course, be for them to decide who should attend, but we suggest they send someone who will be able to answer the panel's questions; usually an assessing or supervising social worker or a manager.

**Will I have a chance to speak to the Panel?**

You will also have the opportunity to comment at the end of Panel if there is anything you wish to add, in brief. The same opportunity will be given to the representatives.

At the Panel, you will be asked questions which the panel members have prepared after reading the Panel Pack, a copy of which will be sent to you and the Agency 2 weeks prior to panel, excluding for third party information. The representatives will also be asked questions.

The Panel may have further questions after an initial consideration and may call you back to clarify any points raised. When Panel feel confident they have all the information, they will advise you that you may go. The Panel will last up to two hours.

**What happens after the hearing?**

Minutes of your Panel will be prepared and will be posted to you with the recommendation 12 working days after Panel. A copy will also be sent to your Agency. These are not verbatim minutes.

The Agency decision maker will then be required to reach a Final Decision, taking into account the IRM recommendation.

The Agency will then formally write to you with this decision.

**Will I have to pay for the IRM to review my case?**

No, the IRM service is free to all applicants. The Adoption Agency does make a contribution to the cost of an IRM Review.

**What if I'm still not happy with my Adoption Agency's decision?**

There is no right of appeal against your Adoption Agency's final decision. If you remain dissatisfied, you should seek your own advice from, for example, a solicitor or the Citizens Advice Bureau, as to what action you may take.

**What if I want to complain about the IRM?**

There is a formal complaints procedure that is available for you to use and sets out the steps you should take. This is available from the IRM Head office or at [www.independentreviewmechanism.org.uk](http://www.independentreviewmechanism.org.uk).

**Contact Details:**

Contract Manager

IRM

Unit 4

Pavilion Business Park

Royds Hall Road

Leeds

West Yorkshire

LS12 6AJ

**Tel: 0845 450 3956 / 0113 202 2080**

**Fax: 0845 450 3957 / 0113 263 7414**

**(0845 numbers charged at local rate)**

**Email: [irm@irm.org.uk](mailto:irm@irm.org.uk)**

**[www.independentreviewmechanism.org.uk](http://www.independentreviewmechanism.org.uk)**



## Information about the IRM for Adopters

This leaflet is for people who have been through a brief or full assessment and have been found not suitable to adopt by their Agency or for Adopters whose Agency is proposing to terminate their approval.

[www.independentreviewmechanism.org.uk](http://www.independentreviewmechanism.org.uk)

### **What is the Independent Review Mechanism (IRM)?**

The IRM is a review process which prospective or existing adopters can use when they do not agree with the Qualifying Determination (QD) sent to them by their Adoption Agency. The review process is conducted by a review panel, independent of your Agency.

A "Qualifying Determination" (QD) is a proposed decision made by an Adoption Agency that it does not consider a person suitable to adopt. A QD is issued after either a brief or full report has been presented to the Agency's Panel. A QD can also be issued if the Agency proposes to terminate the approval of an existing adopter. This may also be in relation to adopt a child within the UK or for an inter-country adoption.

### **Who can apply to have their case reviewed?**

Prospective or existing adopters who have received a QD from their Agency. This includes cases involving a specific child.

The review panel does not have the power to consider whether adoption should be the plan for a child, whether a child should be placed/matched with a particular prospective adopter, or deal with complaints against the Adoption Agency. Complaints should be dealt with through the Agency's own complaints procedure.

### **Can I apply to the IRM and appeal to my Agency?**

No, you have to make a choice whether you wish to make representations to your Adoption Agency OR apply to the IRM.

### **So can the IRM make a new decision about my case?**

No. The review panel is not a higher appeals authority and it cannot overturn the Agency's determination. It can however make a fresh recommendation to your Agency on your suitability to adopt a child. They can also make a recommendation on the age range, gender, needs and background.

The review panel will make its recommendation after it has taken into account:

- The information that was before the original adoption panel, including any additional information you may have submitted for consideration by the panel;
- Any relevant information received by the Agency after the papers had been sent to the adoption panel;
- Your IRM application and grounds;
- Any further information requested by the IRM.

### **Will people who looked at my case originally be on the review panel?**

No. The IRM is independent of the Adoption Agency and the Panel considering your review will have no members connected to your case. You will receive details of the panel members who will consider your case prior to the hearing and you should tell us if you believe a particular review panel member should not, in fact, be appointed to consider your case.

The IRM will consider your case and may request further information from you and your Agency. The IRM may also feel it necessary to obtain medical advice.

### **Who will decide whether I am suitable to adopt a child?**

The final decision rests with your Adoption Agency; however it must take the recommendation of the IRM Panel into account when making its final decision on your suitability to adopt or, in cases where there has been a brief report, whether you should continue to a full assessment.

### **How do I make an application?**

There is no standard application form. You can make an application by post, email or fax, our contact details can be found on the back of this leaflet.

You must make your application within 40 working days from the date of your Adoption Agency's letter (QD) and must include the following information:

- Your name/s, address and a contact telephone number
- The name of your Adoption Agency
- The date of your QD letter; and
- Your grounds i.e. why you disagree with your Agency's determination.

You will have an opportunity to submit further information at a later date.

### **Where will the review panel be held?**

Review panels are held in Birmingham, Leeds and London. Once we accept your application, we will identify the panel most suitable to consider your case. We will try and keep your travelling to a reasonable distance.

### **So who will hear my case?**

Your case will be considered by a review panel whose members have professional or personal experience of adoption. The panel will consist of at least five voting members. A medical practitioner will often prepare a written report to advise the panel. They may attend the panel to

offer advice on medical issues, if required.

The review panel will have a written report on your case from its Legal Adviser, and there is also a Professional Advisor who will be able to provide advice on legislation, guidance and research to ensure that all relevant issues are considered and the correct procedures followed. A Panel Secretary will be present to take minutes of the meeting. The Panel Secretary and Professional Advisor are non-voting members of Panel.

### **I've waited long enough to get to this stage. Am I going to have to wait again to have my case heard by the IRM?**

We aim to complete each case within four months of receiving the application. Once we have received your application we will write to you to confirm its acceptance. We also ask that you let us know of any dates you are unavailable. We will advise you of the date, time and location of the review panel meeting and give you at least one month's notice. If there is an issue with the date please contact the office immediately to discuss. If you are happy to travel further to have your case possibly heard sooner, please discuss this with us, but no travel costs or expenses can be met.

### **Can I attend the meeting?**

Yes, you will be invited to attend the review panel meeting. You may bring a supporter; he or she cannot speak on your behalf or act as an advocate but is rather there for moral support.

If you have a physical, sensory or learning impairment, please let us know and we will work with you to meet your needs. Please also contact us if you feel you require an interpreter.