

Policy Overview & Scrutiny Committee Review Background Information Report

This report sets out some background information for the review of Adoption & Permanence.

The Committee will have the opportunity to hear directly from others in relation to all aspects contained herein, and a further opportunity to ask questions.

Current Performance information

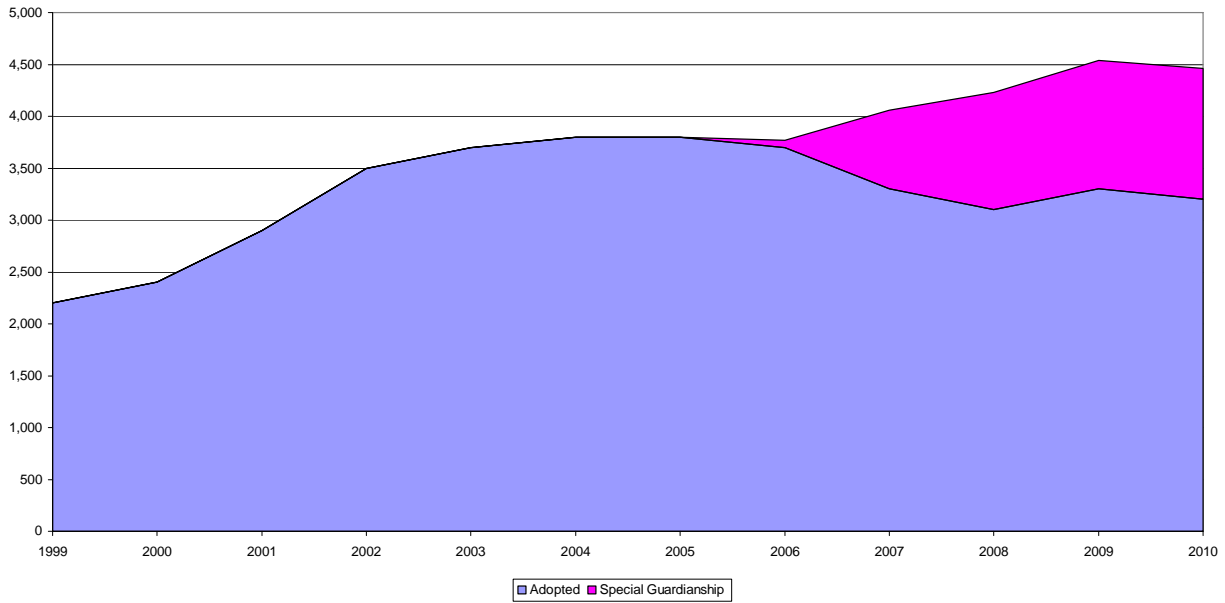
The table below shows the national performance data for children placed since 2006 (when Special Guardianship Orders were introduced)

	2006	2007	2008	2009	2010	2011
ADOPTED	3,700	3,320	3,160	3,320	3,200	3,040
Special Guardianship Order	70	760	1,130	1,240	1,290	1,740
RESIDENCE ORDER	930	1,030	910	930	1,010	1,180
PERMANENCE TOTAL	4,700	5,110	5,200	5,490	5,500	5,960

As can be seen, in absolute numbers terms, the number of “Permanence orders” in total has risen

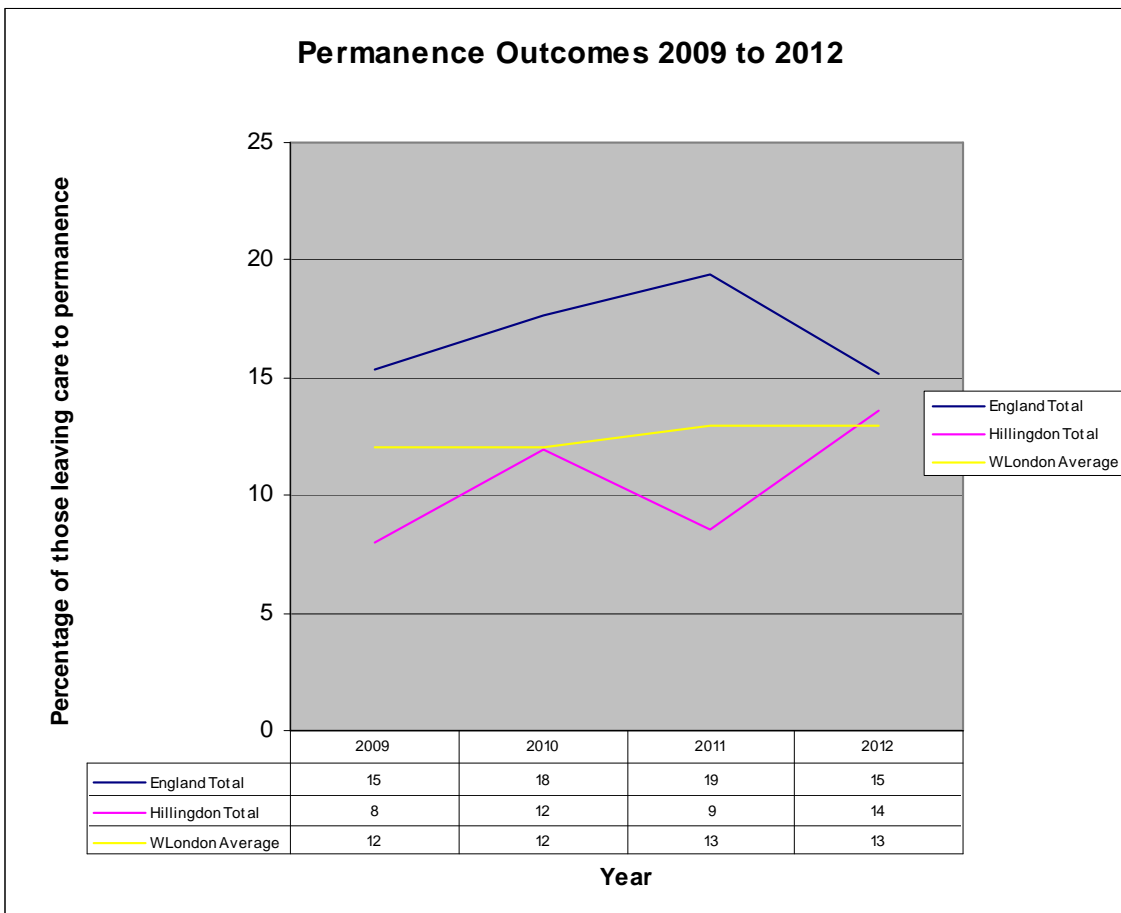
The chart below demonstrates this more graphically concentrating on Adoption & SGO specifically.

Children who cease to be looked after¹ through adoption and special guardianship² - 1999 to 2010



1. Only the final occasion in which a child ceases to be looked after is counted.
 2. Special Guardianships were introduced for the first time in 2005-06.

However, in percentage terms the picture is much more stable nationally with less than 3 percent difference in the number of LAC achieving permanence this way.



The table above shows the England, Hillingdon and West London percentages.

Therefore the overall picture for England and West London show a fairly stable picture whilst Hillingdon's most recent figures show a marked increase.

Recruitment of adopters

One of the suggestions put forward by Government in setting up the review of Adoption is that the selection criteria used by Adoption Agencies put unreasonable obstacles in the way of those wishing to adopt and therefore prevent some children from being adopted.

The information below is taken from a national adoption advice website and is characteristic of the stance taken by many Adoption Agencies.

http://www.adoption.org.uk/information/could_i_adopt.html

“Could I adopt a child?”

For most people there is good reason to believe that you could be approved to adopt. One of the "issues" that all adoption agencies are aware of is that quite a number of people decide not to apply because they think that they might not be approved. In many instances they are quite simply wrong!

There are some things which might indicate that you should consider delaying your application for a while and other matters that might make it more difficult for you to adopt. There are only a few things that would make it most unlikely that you could ever adopt. We list some of the more often asked questions below:

What will not affect your application to adopt

Your sexuality

Adoption by heterosexual and gay people and couples should be treated similarly by all adoption agencies. Recent research indicates that gay adopter's do a very good job of parenting children and that they have as much as anyone else to offer children who are placed for adoption. You should not expect to face any discrimination because of your sexuality.

Your religious beliefs

Agencies will often state that they approve prospective adopters "of all faiths or none". Your religion may exclude you from being considered for some children, usually where the birth parent has expressed a desire for them to be brought up in a particular faith, but it will not be a barrier to you adopting.

We are not married

Unmarried couples are encouraged to apply to adopt. Couples can be straight, lesbian or gay.

I'm not well off

Agencies will want to establish that you are financially secure (eg not threatened with eviction). You do not have to have a certain level of income to adopt.

I'm on benefits

You can be employed, self employed or unemployed. It will make no material difference to your application.

I live in rented accommodation

Agencies will consider this irrelevant unless you are renting a property where the lease is to end, and where you are expected to move out in the near future.

Why should you consider a delay in applying?

If you are currently, or have recently undergone fertility treatment

Most agencies will consider applicants who have undergone fertility treatment 6 months after this treatment has ended, some insist on a longer period. If you are in this position our advice is to use the time to gather information and to start to discuss all aspects of adoption with both your partner (if applicable) and your family.

You have a child who is not more than two years older than the age of a child you would like to adopt

All agencies insist that an adopted child should be at least two years younger than any existing children of the family. Some insist on an even greater age gap.

I have very small accommodation

Agency staff will not consider a family if they cannot provide the physical space the child needs. For example, if you live in a 2 bedroom property and you already have a daughter of 10 you would not be considered for the adoption of a 7 year old boy until your accommodation changes. For those living in council properties you will probably find that you will not be re-housed on the basis of your intention to adopt in the future.

You have a recent criminal conviction or a pending criminal charge

Agency staff will be able to advise you after being told of the offence/s, when they were committed and of the circumstances. It is quite unlikely that an Adoption Agency will consider you as a suitable applicant if you have committed an offence in the last few years. You might want to use this time to delay your application and gather evidence that would support the view that your offending is behind you.

You have not been with your partner very long

All agencies want children adopted into a very secure family environment. Whilst you may be convinced that your relationship with your partner is going to last, Adoption Agencies prefer to see a relationship that has a significant history and many will want to select only applicants who have been together for two years or more. This makes perfect sense as it gives them an indication of how, as a couple, you have coped with problems and adversity, how you bring different strengths to your relationship, how you support one another, make decisions, and apportion tasks, etc.

You are just about to or have just moved

The Adoption Agency is likely to want you to have settled into an area before applying. They want to feel confident that you will not move out of the area during or just after the home study. They also need to include within your home study report, details of your support networks and the links you have established within your local community. This

would be very difficult to determine within a few months of you moving to a new area to live.

You are the parent/s of a child that has died recently

It is quite natural for many who have lost a child to consider adoption. Adoption agencies will want to make sure that you have come to terms with your loss and given yourself sufficient time to grieve. Agency staff are likely to be concerned that you are able to cope with the anxiety and stress that most adopters go through during the assessment process.

Why Your Application might not be straight forward

I have suffered mental health problems in the past

One of the first steps you should take is to discuss your making an application to adopt with your GP. He or she will probably be prepared to advise you of the information they will give to the adoption agency and any supplemental information they would provide. The agency will have their own medical adviser who will also be asked for their opinion. This advice is likely to concentrate upon the impact of your last illness, your response to any treatment, any indication that the illness might occur again, and the long-term outlook.

I have suffered or have other health problems

One of the first steps you should take is to discuss your making an application to adopt with your GP. He or she will probably be prepared to advise you of the information they will give to the adoption agency and any supplemental information they will provide. The agency will have their own medical adviser who will also be asked for their opinion. This advice is likely to concentrate upon the impact of your illness, your response to any treatment, and just how it might affect your physical ability to care for a child in the future.

If you are suffering from a progressive illness the agency will pay considerable attention to how predictable is its progress and its impact upon your ability to physically care for a child over the long-term. If you have suffered from cancer the agency will want you to have been given the 'all clear' and many expect a reasonable amount of time to have elapsed since then.

You have a criminal conviction

Agency staff will be able to advise you how this might affect your application. If you have committed a criminal offence you will not, in most cases be excluded from applying. With the exception of some very serious offences the agency will consider the offence/s, the circumstances, and the likelihood of you offending in the future.

Why Your Application might be rejected

You have a criminal conviction for offences against children or another very serious offence.

If you feel that this might apply to you we would advise that you ask the Adoption Agency for confirmation that the offence excludes you from becoming an approved adopter. They will be able to tell you if the current legislation excludes you from adopting.

You are not a UK resident

You must OR at least one of a couple must be domiciled in the UK.

You or your partner are under 21

You need to be 21 to adopt, or if you are a couple you need to both be over that age. The only exception to this is for some step-parents adoptions. Most agencies will not consider applicants under the age of 25 as they feel that such a life changing decision requires considerable maturity.

You have had a child of your own that was 'taken into care'

Agency staff should be advised of all the facts and circumstances, but you should expect them to be quite negative about you making an application to adopt.

The list above is not exhaustive. Should your particular concern about your application not be addressed here please phone us for advice.”

Hillingdon’s current criteria are also based on the above. Prospective adopters call the Hillingdon Contact Centre and are sent an Information Pack. The only criteria for excluding any enquirer at this stage is:

- Any applicant being under 21 years of age
- Any applicant not being domiciled in UK
- Revealing a serious Criminal Conviction
- Having had a child taken into Care.

Enquirers who return a slip indicating their interest in Adopting are then visited by a Social Worker from Adoption & Permanence Team. The social worker will establish the enquirers bona fides including taking proof of identity and establishing that the applicant has space in their home for an adopted child(ren). Applicants are then invited to attend our Preparation group where they will receive detailed information including that about children waiting and the challenges faced by adopters (amongst many other items of information).

Those that come through this process without withdrawing or revealing information that indicates that they are not ready (physically or emotionally) to proceed with the home study are then allocated a social worker who will complete a Prospective Adopters Report (PAR) for presentation to Hillingdon’s Adoption & Permanence Panel, a body constituted statutorily under Adoption National Minimum Standards and Regulations 2010.

SCIE Scoping Adoption Report attached as Appendix 1 (Electronic copy) for further more detailed information.

Speed of approvals and timescales

The national minimum timescales laid down by Government are as follows:

National Adoption Standards – Timescales

Stage in Process	Timescales Set
A Permanence Plan for all looked after children must be made	At four month review
- Children's wishes and feelings must be listened to, recorded and taken into account: where not	Throughout the adoption process

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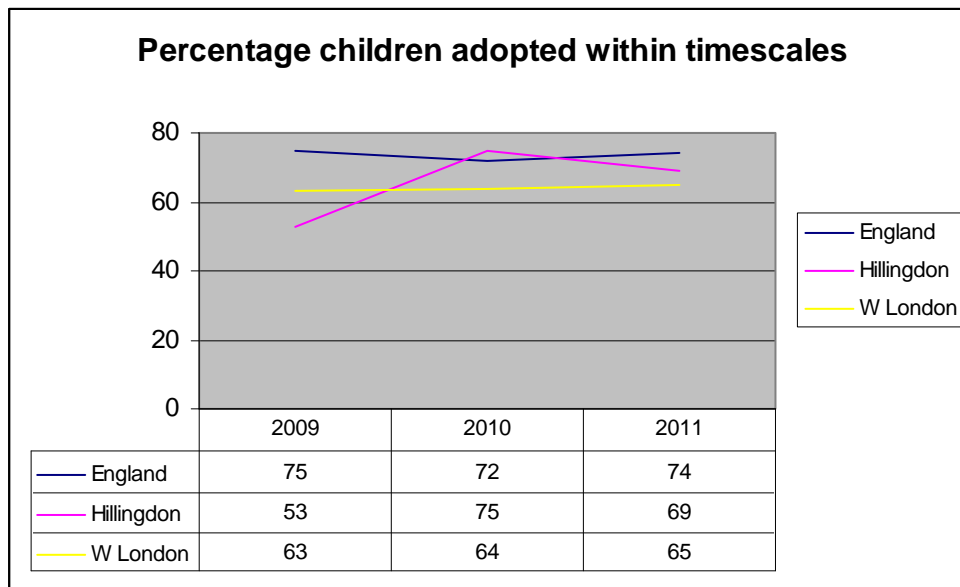
Part 1 – Members, Public and Press

<p>acted upon the reasons will be explained to the child and will be properly recorded</p> <ul style="list-style-type: none"> - Children will be well prepared before joining a new family and life story information will be kept safe - Children are entitled to support services to meet their assessed needs - Adoption plans will set out clearly arrangements for maintaining links (including contact) with birth families and significant others, and how and when arrangements will be reviewed 	
<p>Birth Parents</p> <ul style="list-style-type: none"> - To have access to a separate support worker - To give their account of events and comment on what is said about them in the reports to the Adoption Panel 	From the time the adoption plan is proposed
<p>Agency's Best Interest recommendation</p>	Within two months of LAC review at which the adoption is identified as the plan
<p>Agency decision on linking or matching child with prospective adoptive parents</p>	<p>Within six months of best interest decision, or</p> <ul style="list-style-type: none"> - Within six months of court decision in care proceedings, - or three months of 'best interest' decision re relinquished infant under six months of age
<p>Working with applicants</p> <ul style="list-style-type: none"> - Response to initial enquiries - Follow-up interview or Information Meeting - To receive a copy of the Home Study Report 	<ul style="list-style-type: none"> - Within five working days - Within two months of enquiry - At least 28 days before the Adoption Panel meeting
<p>Adoption Panel</p> <p>Consideration of application to adopt.</p>	Must receive reports within six weeks of completion of assessment
<p>Agency Decision</p> <ul style="list-style-type: none"> - Timing of all decisions - re applicant's suitability - re foster carers - at "best interest" or matching stage 	<ul style="list-style-type: none"> - Must be made within seven working days of panel meeting - Within six months of formal application - Within four months of formal application - All decisions to be conveyed in writing within 7 working days
<p>Prospective Adopters</p>	To be given full information re child's needs and background and have an

- Matching process
- Support services

opportunity to discuss the implications before a match is agreed
 - To be available before, during and after adoption

The table below shows comparative figures for England, Hillingdon and West London.



Care Proceedings and Placement Orders, the court process

In November 2011, the Norgrove Family Justice Review reported on the delays now inherent in Care Proceedings and consequently obtaining Placement orders allowing Local Authorities to seek adoption for children. This is set out in full as Appendix 3 (electronic copy only)

CAFCASS have produced a guide to Care and Placement Order proceedings which is set out at Appendix 4 for information (electronic copy only).

In summary the review found that Care Proceedings are too litigious, do not focus sufficiently on the needs of children and that delays are unacceptable. It found :
The average care case in county courts now takes over 60 weeks and many take much longer – an age in the life of a child. These delays contribute to the 2 years 7 months it takes on average for a child to be adopted. With 20,000 children now waiting for a decision, delay is likely to rise further.

The Recommendations of the review in respect to Care Proceedings are:

These recommendations seek to refocus the court on the core issues of the care plan.

Courts must continue to play a central role in public law in England and Wales.

Courts should refocus on the core issues of whether the child is to live with parents, other family or friends, or be removed to the care of the local authority.

When determining whether a care order is in a child's best interests the court will not normally need to scrutinise the full detail of a local authority care plan for a child. Instead the court should consider only the core or essential components of a child's plan. We propose that these are:

planned return of the child to their family;

a plan to place (or explore placing) a child with family or friends; alternative care arrangements; and contact with birth family to the extent of deciding whether that should be regular, limited or none.

Government should consult on whether section 34 of the Children Act 1989 should be amended to promote reasonable contact with siblings, and to allow siblings to apply for contact orders without leave of the court.

Government should legislate to provide a power to set a time limit on care proceedings. The limit should be specified in secondary legislation to provide flexibility. There should be transitional provisions.

The time limit for the completion of care and supervision proceedings should be set at six months.

The requirement to renew interim care orders after eight weeks and then every four weeks should be amended. Judges should be allowed discretion to grant interim orders for the time they see fit subject to a maximum of six months and not beyond the time limit for the case. The court's power to renew should be tied to their power to extend proceedings beyond the time limit.

The requirement that local authority adoption panels should consider the suitability for adoption of a child whose case is before the court should be removed.

The Support needed by Adopters and Post Adoption Services

The services described here are set out in Adoption Support Services Regulations 2005 and Special Guardianship Regulations 2005.

Support can be loosely divided into 2 types, Financial Support and professional support.

The circumstances in which financial support should be provided by a local authority are set out in the Regulations:

Circumstances in which financial support is payable

(1) Financial support is payable under this Part to an adoptive parent for the purpose of supporting the placement of the adoptive child or the continuation of adoption arrangements after an adoption order is made.

(2) Such support is payable only in the following circumstance

(a) where it is necessary to ensure that the adoptive parent can look after the child;

(b) where the child needs special care which requires greater expenditure of resources by

reason of illness, disability, emotional or behavioural difficulties or the continuing consequences of past abuse or neglect;
(c) where it is necessary for the local authority to make any special arrangements to facilitate the placement or the adoption by reason of

- (i) the age or ethnic origin of the child; or
- (ii) the desirability of the child being placed with the same adoptive parent as his brother or sister (whether of full or half-blood) or with a child with whom he previously shared a home;

(d) where such support is to meet recurring costs in respect of travel for the purpose of visits between the child and a related person;

(e) where the local authority consider it appropriate to make a contribution to meet the following kinds of expenditure

- (i) expenditure on legal costs, including fees payable to a court in relation to an adoption;
- (ii) expenditure for the purpose of introducing an adoptive child to his adoptive parent;
- (iii) expenditure necessary for the purpose of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport and provision of clothing, toys and other items necessary for the purpose of looking after the child.

The essence of the above being that financial support should be paid where it is the best way to support adopters to take on children who have any additional needs and to secure adoption for those who may be hard to find adopters for without the payment..

There is no doubt that the children now placed for Adoption have mostly come from circumstances where they have experienced abuse or neglect, include children with disability or complex health needs which will endure for the whole of their lives or are one of a group of siblings who will have much better outcomes if they are enabled to be adopted together maintaining their sense of identity and support. There is equally no doubt that adopting these children presents many challenges to adopters and at the very least causes upheaval and massive change in their lives. If adopters are to be able to give a stable family upbringing to these children, they need support to put arrangements in place to meet the children's needs and to help them to recover from the traumas they have experienced, catch up with peers educationally and socially and to have any specialist equipment they may require.

In addition to financial support and for all of the reasons above, it is necessary to offer services which give support. These may include direct psychological support to the children or support and training for the adopters including how to manage the behaviours and needs of the children they have adopted. Research shows that this is especially true in the first years of placement, but for some children (including those with life long needs) support that endures and adapts to the changing need as children grow older.

In Hillingdon there is one social worker employed as Post Adoption Social Worker and a part time Play Therapist who offers support to both adopters and children in the early years of placement and in preparation for placement.

Adoption UK, a charity working in the field produced a document in October 2011 called

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Supporting Adopters The Lifeline for Adopted Children and Adoptive Families

It is set out at Appendix 2 (electronic copy only).

However much of the Post Adoption Social Worker's job is taken up with duties relating to providing services to "Adopted adults", ie those who were adopted as children. The responsibilities laid down in this respect can be seen at:

http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/documents/digitalasset/dg_170320.pdf

The advice to adopted adults is set out below:

Although there has been adoption legislation in the UK since 1926, it was not until 1975 that adopted adults were given the right to apply for their original birth certificate – and the chance to find out more about their birth family. But adult birth relatives, never had such rights themselves. Although an adopted adult could take the initiative to seek out a birth relative, the opposite generally was not possible. Many birth mothers were not even able to find out whether a child they had relinquished for adoption was alive and well. The creation of the Adoption Contact Register in 1991 was the first opportunity for adopted adults and their adult birth relatives formally to register their wish for contact with each other. Relative, in relation to an adopted person, means any person who (but for their adoption) would be related to them by blood (including half blood), marriage or civil partnership.

The Registrar General runs the Adoption Contact Register, which puts adopted adults and their adult birth relatives in touch with each other – if that is what both parties want. This is how it works:

- adopted adults register on Part 1 of the Register;
- birth relatives register on Part 2;
- if an adopted adult and a birth relative have both registered a wish for contact, an automatic link is made;
- the Registrar General then sends the birth relative's name and address, with details of the relationship, to the adopted adult;
- the birth relative is told that this has been done;
- it is for the adopted adult to decide whether they want to make contact with the birth relative.

Since 30 December 2005 adopted adults and their adult birth relatives have been able formally to register a wish for no contact, and adopted adults have also been able formally to register their wish for contact with or no contact with specific adult birth relatives. A wish for contact or no contact can be changed at any time by notifying the Registrar General. A fee will be charged by the Registrar General to register on the Adoption Contact Register or to amend that registration.

Referrals for tracing and intermediary work occur at an average of 5 to 8 referrals per month. Each one requires that the enquirer is offered a counselling visit and that time is then taken reading their adoption file and work is undertaken liaising with other agencies and those connected with their adoption. This does not leave much time for support to be offered to new adoptive families as described in Adoption UK's document. Consideration is needed as to the investment Hillingdon make in Post Adoption support as the consequences of not doing so can easily be disrupted adoptions and breakdowns with children returning to care. In such circumstances children are older, more traumatised with

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subsequent attachment difficulties and can, as a result, be more resistant to placement in a family, more distrustful of adults and authority with often very negative effects on their behaviour. This can lead to the need for high cost specialist placements

The SCIE document at Appendix 1 sets out in more detail reported rates of disruption.

Appendices

Appendix 1: SCIE Scoping of Adoption

Appendix 2: Supporting Adopters The Lifeline for Adopted Children and Adoptive Families

Appendix 3 Norgrove Family Justice Review

Appendix 4 CAFCASS Guidance for Placement Proceedings