

# Report of the Education & Children's Services Policy Overview Committee 2011/12

## Adoption & Permanency of Looked After Children



### Members of the Committee

Cllr Catherine Dann (Chairman)  
Cllr Judith Cooper (Vice Chairman)  
Cllr John Hensley  
Cllr John Riley  
Cllr David Benson  
Cllr Susan O'Brien  
Cllr Peter Curling  
Cllr Lindsay Bliss  
Mr Anthony Little



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# Chairman's Foreword



*I am delighted to present this review on Adoption & Permanency for Looked after Children. The aim of the review was to examine the effectiveness of Adoption & Permanence arrangements in Hillingdon with a view to ensuring that all Hillingdon children that need a substitute permanent home are placed to meet their needs, within acceptable timescale.*

*The review looked at the current performance information and heard from adopters on their experiences on the processes currently operated by Hillingdon.*

*The views of adopters and professionals involved in the adoption process was important for the Committee to understand where, if any, improvements could be made to reduce the delay for permanency for Looked After Children.*

*On behalf of the Committee, I would like to thank the external witnesses and officers for participating in the review. The Committee hopes that the recommendations can be supported by the Cabinet to ensure that delay for Looked After Children was reduced.*

*Catherine Dann*

**Councillor Catherine Dann**  
**Chairman of the Education & Children's Services Policy Overview Committee**

# RECOMMENDATIONS

Following its review the Education and Children's Services Policy Overview Committee has made the following recommendations to Cabinet:

**RECOMMENDATION 1 - That the local arrangements for concurrent fostering and adoption approvals are strengthened taking advantage of statutory changes as soon as they are available.**

**RECOMMENDATION 2 – The criteria for recruiting adopters should reflect statutory requirements and that Hillingdon applicants should be welcomed and approved on the basis only of their suitability to offer a permanent home to a child. Local processes to improve the efficiency of the approval process will continue to be strengthened to take advantage of changes in regulatory framework as soon as they are available and any improvements possible ahead of statutory change will be made.**

**RECOMMENDATION 3 - The recruitment and attraction campaign for prospective adopters is improved by developing a range of approaches targeted at finding adopters who will meet the needs of harder to place children. This will include developing a recruitment website which is attractive to prospective adopters and gives good quality information to encourage them to offer a loving home to children who are waiting.**

**RECOMMENDATION 4 - That the proposed changes in Panel processes are implemented once regulatory changes are in place.**

**RECOMMENDATION 5 - That a Hillingdon Scorecard for Adoption is developed and is used to report to the Adoption Panel, Corporate Parenting Board and as a management tool to monitor the progress of these proposals. The Hillingdon scorecard would be amended to meet any new statutory or regulatory changes.**

**RECOMMENDATION 6 -**

- a) That Hillingdon approved adopters should be routinely offered for exchange where there are no matched local children within 2 months of approval.
- b) Funds gained from Interagency fees should be used to purchase adopters whose offer matches for any child waiting who is not matched with Hillingdon adopters. This should happen within one month of Hillingdon's Agency Decision Maker approving adoption as their plan.
- c) That where children are not matched with Adopters within 3 months, their names will be placed on the Adoption register.

**RECOMMENDATION 7 - Taking account of the Norgrove Family Justice Review, processes are reviewed to ensure that robust care plans**

minimising the need for expert witnesses and the assessment of Connected Persons delaying Care Proceedings, are devised.

**RECOMMENDATION 8** - That the local arrangements for tracking the Permanence planning of all Looked After Children be strengthened and a regular management review of children's progress is implemented.

**RECOMMENDATION 9** - That family finding for children waiting is focused on attracting offers for children who are harder to match with waiting carers by the use of short films of them, the development of Adoption Activity days or any other useful methods.

**RECOMMENDATION 10** - That arrangements to clarify the role of identity in matching children with prospective adopters are put in place with training provided for all staff involved in this work to ensure that children are matched without unnecessary delay wherever possible.

**RECOMMENDATION 11** - The viability assessment of prospective Special Guardians be completed by the child's social worker before the Final Hearing of Care Proceedings unless directed otherwise by a court. The criteria for Special Guardians should be no less than that for Adopters.

**RECOMMENDATION 12** - That a protocol is developed with local health & education partners to improve their offer to adopters offering priority access to support for adopted children in line with recommendations from the Action Plan for Adoption.

**RECOMMENDATION 13** - That parallel permanency planning be undertaken for a Child to ensure that there was no delay in finding a permanent home.

## Background

### What is Adoption?

Adoption is a way of providing a new family for children who cannot be brought up by their own parents. It is a legal procedure in which all the parental responsibility is transferred to the adopters. Once an adoption order<sup>1</sup> has been granted it can not be reversed except in extremely rare circumstances.

An adopted child loses all legal ties with their first mother and father (the 'birth parents') and becomes a full member of the new family, usually taking the family's name.

Although adoption and fostering have taken place informally for centuries, it was only in the 1920s that adoption became legally recognised in Britain.

Since then, nearly a million people have been adopted. Initially, adoptions were seen as a way of providing security for war orphans and children born to unmarried mothers.

The 1960s and 1970s saw major changes in adoption, fostering and childcare practices. While the number of babies available for adoption fell rapidly because of improved birth control and changing public attitudes, adoption practice changed its focus to finding families for children with 'special needs', such as those in local authority care who had been abused, neglected or had physical or learning disabilities.

The Council has a statutory duty to provide Adoption and Adoption Support Services. There are also duties in respect of other legislation and regulation including Children Act 1989 as updated by Children Act 2004 and 2008, Adoption Act 2002 as updated by Adoption Act 2005, Care Planning Regulations 2010, Adoption National Minimum Standards 2011 and Adoption Support Services Regulations 2005.

The statutory framework is again under review by Government with an Expert Working Group chaired by Martin Narey, their Advisor on Adoption. The group has submitted an interim report<sup>2</sup> and Government have issued an Action Plan

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<sup>1</sup> a court order giving the person adopting the child the parental rights and duties in relation to that child.

<sup>2</sup>

<http://media.education.gov.uk/assets/files/pdf/w/working%20groups%20report%20on%20redefining%20adoption.pdf>

giving indications of planned changes in the statutory and regulatory framework.

This review was conducted against the backdrop of the Government Review and sought to establish what Hillingdon's issues are in relation to providing stable permanent homes as an outcome for children who are Looked After in the Borough.

The review heard from Council Officers, The Chairman of Hillingdon's Adoption & Permanence Panel, the Legal Advisor to that Panel, a national expert on Adoption and some of those who have or are adopting children who were formerly Looked After by Hillingdon Council.

The aim of this was to provide a spread of witnesses who established the national picture, history and background of adoption, looked at Hillingdon's performance in contrast to the average performance in England and the rest of West London. This was followed by an examination of the process of adoption in Hillingdon to try to establish the strengths and weaknesses in order to make proposals to ensure that children are found families appropriately, without undue or unnecessary delay and that these homes provide safety and stability throughout childhood and beyond.

### **The legal process of adoption**

Most children available for adoption are in local authority care, either with foster parents or in a children's home. Sometimes step-parents adopt the child from the previous marriage of their new husband or wife. In other cases, people adopt the child of a close relative.

Adoption law is set out in the 1976 Adoption Act and 1989 Children Act. However, most of the detailed procedures are laid down in guidance rather than in law.

Those wishing to adopt a child must be aged over 21 and able to show that they can give the child the care he or she needs. Decisions are made by an adoption agency, which is normally a local authority - but adoption is sometimes arranged by a voluntary agency.

### **Strict conditions**

There are considerable variations between local authorities in terms of the number of children who are adopted after being in care. A recent study found that some authorities placed no children for adoption, whereas in others one in 10 of all children in care were placed with adoptive parents.

On 28 August 1998 the Government announced new adoption guidelines. In light of the fall in the number of adoptions in recent years, the guidelines sought to emphasise the benefits of adoption and encourage more flexibility in the selection procedures.

The guidelines stressed that it would be unacceptable for children to be denied adoptive parents solely on the grounds of racial or cultural background or a parent's smoking habits, for example. The Government also expressed concern about the length of time some children wait in care before joining an adoptive family.

## **Facts and Figures**

There were 65,520 children in local authority care in England on 31 March 2011 an increase of 2% from 2010. The average age of adoption was 3 years and 10 months. During the year ending 31 March 2011 3,050 Looked After Children were adopted which was a decrease of 5% from 2010.

The number of adoptions are about a quarter of the level they were two decades ago. There were 21,000 in 1975 compared to 5,797 in 1995. About half of adoptions are by step-parents. Some 35,000 children are living with foster parents and a further 10,000 in local authority care. Only 10% of applicants become adopted parents. Nearly half of children who are adopted have previously been the victim of abuse or neglect.

Children entering care after the age of five wait an average of five years before being adopted. More than a third of children who are taken into care have three or more placements prior to being adopted. Around a quarter of adoptions are made by foster carers.

### **What is the difference between adoption and fostering?**

Foster carers share the responsibility for the child with a local authority and the child's parents.

Fostering is usually a temporary arrangement, though sometimes foster care may be the plan until the child grows up. This long-term or "permanent" fostering cannot provide the same legal security as adoption for either the child or the foster family but it may be the right plan for some children.

### **Who are the children who need adopting?**

There are around 4,000 children across the UK needing adoption every year. These children are from a great variety of ethnic and religious backgrounds. Many of these children are of school age and over half of them are in groups of brothers and sisters who need to be placed together.



There are disabled children and children whose future development is unclear - for more details read articles from *Be My Parent* about caring for children with special needs.

Some children will have been abused and/or neglected and all will have experienced moves and uncertainty and their resulting behaviour may be challenging.

### **Who can adopt?**

You have to be over 21 to be considered to adopt, happy to make space in your life and home for a child, patient, flexible and energetic, and determined to make a real difference to a child's life, for a lifetime.

Some people think about adoption but never look into it further – possibly because they are over 40 and think they'll be ruled out. But they are wrong, there is no upper age limit. Agencies are looking for adopters who have the physical and mental energy to care for demanding children, and whose lifestyle suggests they will still have that energy when the child is a teenager, or young adult. Older children are among those children who wait the longest so adoption agencies are keen to hear from people who can give a permanent and loving home to an older child.

People from all ethnic origins and religions can adopt although some religions and cultures have their own perspectives on this. It is essential that any family with whom a child is placed is in a strong position to meet the child's emotional, identity, health and development needs. Over many years, research and practice experience indicates that children usually do best when brought up in a family that reflects or promotes their ethnic, cultural or religious identity. What this means in practice is that efforts are made to find a family that reflects or can promote the child's individual identity. This search always needs to be balanced against the importance of minimizing any delay in placing the child. In practice, social workers need carefully to consider how available adopters can meet as many of a child's assessed needs as possible while ensuring the child is placed with the minimum of delay. In England, the revised Adoption Statutory Guidance 2011, establishes a clear framework for addressing these complex issues.

Disabled people are not excluded and sometimes experience of disability will be positively welcomed.

A single person, or one partner in an unmarried couple - heterosexual, lesbian or gay - can adopt. Since 30 December 2005 unmarried couples in England and Wales can apply to adopt jointly.

### **How do people apply to adopt?**

To adopt a child in the UK you need to be accepted by an adoption agency and go through a number of checks before being approved as adopters. In

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Hillingdon this is done through the Fostering and Adoption Team within Social Care, Health & Housing. People are not limited to their own immediate locality but most agencies work roughly within a 50 mile radius of their office. Although it is only possible to follow through an application with one agency, several can be contacted at this early stage.

### **How do people get approved to adopt?**

It usually takes at least six months for social workers from an adoption agency to get to know prospective adopters, assess them and help prepare them for the task ahead.

Confidential enquiries will be made of the local social services or social work department and the police.

Applicants will be examined by their GP and will be asked to provide personal references from at least two friends.

The agency's independent adoption panel will consider a report on the application and recommend whether or not applicants should be approved as adopters who will be given the opportunity to meet the panel.

### **How adoption is made legal**

There are certain minimum periods for which the child must live with the adopters before an adoption order can be made, or, in England and Wales, before an application can be made to the court. The precise details vary very slightly depending on the country concerned and the circumstances in which the child came to live with the adopters.

A birth mother cannot give consent to adoption until her child is at least six weeks old. Where birth parents do not agree, there is a process for the agreement to be independently witnessed. The detailed process varies according to the legislation of the particular country in the UK.

If birth parents do not agree to adoption, there are circumstances in which the court can override their wishes. Again the detailed process will depend on which country is involved. In many cases the question of consent will be considered by the court before the child is placed for adoption. A children's guardian (England and Wales) or a curator ad litem (Scotland) or a Guardian ad litem (Northern Ireland) will be appointed by the court to investigate and give advice to the court on the child's best interests. In some circumstances, it will be necessary for the question of consent to be considered when the adopters actually apply for the final adoption order.

A Looked-After Child is one who is in public care. This means they are looked after by a local authority (LA). To adopt a Looked-After Child you will need to submit an application to an adoption agency, which will assess your suitability. Then the court will decide whether to make an adoption order in your favour.

## **OBJECTIVES**

The aim of the review was to look at the Adoption and Permanence arrangements in Hillingdon and to examine their effectiveness in terms ensuring that all Hillingdon children that need a substitute permanent home are placed to meet their needs, within acceptable timescales

The review looked at national performance in achieving permanence for looked after children (Adoptions & Special Guardianship Orders) and the Hillingdon performance against that backdrop. It heard evidence from internal and external experts as to the current issues and obstacles recognised as contributing to delays in achieving outcomes speedily for Looked After Children.

The review of this area was to look at the effectiveness of Adoption & Permanence arrangements in Hillingdon with a view to ensuring that all Hillingdon children that need a substitute permanent home are placed to meet their needs, within acceptable timescale.

The Terms of Reference of the Review were:

- To review the overall position of legal permanence options for children including Adoption and Special Guardianship Orders (SGO<sup>3</sup>)
- To explore the performance of LB Hillingdon against the national trends
- To discover obstacles to placing children for permanence in the context of national and local issues
- To review the value of recruiting local adopters to ensure that a “traded market” of adopters is economically viable to ensure faster matching of children to suitable placements
- To explore issues of matching in securing permanence for children against their dimensions of need in order to secure stability and longevity of placements.
- To explore barriers in the assessment of prospective adopters taking account of the program to reform Adoption announced in December 2011.
- To review the associated costs of securing permanence for looked after children against the relative costs of them remaining looked after.

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<sup>3</sup> A special Guardianship Order is an order appointing one or more individuals to be a child’s “Special Guardian” and is intended for those children who cannot live with their birth parents and who would benefit from a legally secure placement, however, it is less secure than an Adoption Order because it does not end the legal relationship between the child and his/her birth parents.

- To review the arrangements for post adoption support and the contribution to securing stability for children who achieve legal permanence against the likely costs of them returning to care.
- To make recommendations to Cabinet based on the outcome of this review.

To meet the objectives of the review Members held 2 meetings on 9 February and 20 March 2012, when background information and evidence was received to help the committee in forming their findings.

The information, evidence and findings of the review are set out in the next sections under the following headings:

1. Information and analysis.
2. Evidence and enquiry.
3. Recommendations.

## **INFORMATION AND ANALYSIS**

Securing permanence for Looked After Children is of critical significance to them and is a factor in their ability to grow up as well adjusted adults, able to become good citizens who enjoy positive relationships and family life.

Focus on adoption has become a national issue with Central Government recently producing league tables of performance aimed at driving up the number of children adopted and the delays they face in waiting for families. This review looked at that in the wider context of securing permanence for children.

In terms of pressures on local authority resources, the cost of looking after children has also been a matter of concern locally and nationally. Securing permanence is a positive “exit from care” for children that co-incidentally relieves cost pressures both from the direct costs of looking after children and the indirect costs of providing a “looked after children’s service” for them.

From the two witness sessions the Committee identified two key issues, which helped the review reach its conclusions:

1. Resources available for adoption support, possibly through “passports to services”
2. Timescales being put forward by the Government Review.

## **EVIDENCE & ENQUIRY**

Witness sessions for the review were held on the 9 February and 20 March 2012.

The Committee received a presentation from Roy Stewart, a nationally accredited expert in Adoption & Permanence, who gave a historical context explaining the reasons for the complex process for achieving adoption and permanence. This included statutory and regulatory changes introduced in response to inquiries and policy changes to date.

The Committee also heard from the Council's Service Manager for Children's Resources in Social Care Health and Housing, Children & Families, who presented performance data and process information which set out the situation for Hillingdon children. He also presented information about the processes in Adoption both nationally and locally in Hillingdon.

The Council's Legal Advisor to Hillingdon's Adoption & Permanence Panel also gave evidence to the Committee on issues relating to the Court proceedings and the legal aspects of Adoption.

The Independent Panel Chairman for Hillingdon's Adoption & Permanence Panel gave the Committee a perspective of the role of the Panel in the permanence process and made reference to research initiatives which evidence the outcomes.

A group of Hillingdon Adopters also provided the Committee with evidence on their personal experience of the approval and assessment process with all of them agreeing that, whilst it had taken some time, they had benefited from the learning and reflection which had enabled them to settle on the children they could offer to adopt. The adopters also spoke about their need for ongoing support. They appreciated the support given by Social Care staff but were concerned at the difficulties encountered both with schools and health support.

The Committee was also provided with a presentation on the Action Plan for Adoption<sup>4</sup>, which had been published on 15<sup>th</sup> March 2012 following the rapid review of adoption commissioned by the Government. The Committee was also informed of the proposed response the Council was to make to the Action Plan.

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## **The Munro and Family Justice Reviews**

The Committee was informed of the 2010 Munro and Family Justice Reviews which were important for purposes of the review. The Munro review looked at how to remove the barriers and bureaucracy which prevented social workers spending valuable time with vulnerable children. The Family Justice review examined the effectiveness of the family justice system and the outcomes it delivers.

From the first witness session the Committee was provided with a general overview of the adoption process, together with the situation as it applied to Hillingdon.

### **Adoption in Hillingdon**

- There was a significant difference in moving from fostering to adoption.
- A child's wishes and views of birth parents had to be considered.
- Birth family had to be considered as an option for permanency, if this was felt to be in the best interest of a child.
- Black children are often older when placed for adoption so their needs become greater, and their chances of being adopted smaller.
- Feedback to the Adoption Panel showed that 77% of cases were either good or excellent.
- 14% of cases were delayed by Court proceedings and 9% delayed for other reasons, but had improved.
- In 2010/11 there were 16 children awaiting adoption, 9 adoptions approved in 2011/12, 20 children placed with adopters, 17 Adoption Orders were made and 8 children had waited longer than the required 12 months. These figures included hard to place children due to their age and those with additional needs.
- Prospective adopters were given indication of a child's needs as it was not really known how a child would react in a family environment.
- Awareness of the needs and potential needs could be talked through with the adopter's social worker.
- The aim was for permanency for a child, some children may have long term needs and many settle and catch up.
- Permanency planning in some areas could be made quicker for those adoptions that were not contested.
- There needed to be two different mechanisms adoption for those cases that were contested and those that were not.
- Residence Orders were just as permanent as Adoption Orders & Special Guardianship Orders which, the Courts have power to grant.
- Research showed that adoption outcomes were better for a child.
- There needed to be strong permanency planning

People who enquire about Adoption are sent an Information pack which includes a reply slip. On return of the reply slip indicating that they wish to

proceed with their interest in becoming adopters, a home visit is arranged where a social worker from Adoption & Permanence team will discuss the circumstances and interests of the applicant and give some further information about the process and the children who are awaiting adopters. The next stage in the process is attending a Preparation Group which is days staggered over 4 weeks (1 day per week). Applicants then commence the Home Study assessment where a social worker prepares a Prospective Adopter Report which will be presented to Adoption Panel for recommendation to the Agency Decision Maker (Deputy Director, Children & Families).

This process is under review and will be streamlined in line with Action Plan for Adoption and regulatory changes being brought forward by government.

### **Timescale**

There were national minimum standards in relation to timescales for Adoption. These timescales include: Children whose plan is adoption should be placed with adopters within 14 months of becoming looked after; children should have their plan for adoption ratified by the Agency Decision Maker within 2 months of a Looked After Child Review recommending that adoption is in their best interests and that once a court has made a Placement Order children should be placed within 7 months,

One of the recommendations suggested by the Government's adoption review working group stated that it would be easy to achieve a 55 week timescale for the average adoption case. There were a number of reasons why this might not be achievable.

Currently care proceedings in Hillingdon are taking an average of 55 weeks with approval of adopters taking 8 months on average from their application to being presented to panel.

The Committee was informed that the proposed reduced timescale of 6 months for adoption would put pressure on Local Authorities to meet the deadlines. The timescales needed to reflect the needs of children and whether further research and counselling was required. All parties, including adopters expressed an anxiety that time is needed to reflect and think through the changes required in preparing to adopt a child, particularly one with additional needs. Longer timescales are sometimes necessary to allow issues to be resolved with prospective adopters.

There were other areas where additional time was required. The placement of sibling groups to provide permanency, additional staff time needed in relation to the preparation work required for a child with complex needs and there may be therapeutic work required before a placement is made.



It was vital that there was early intervention to support adoptive families to ensure that bonds and attachments are formed and that the emerging needs of children who have suffered abuse and trauma are addressed.

## **Government Review**

In relation to Adoption Orders (AO)<sup>5</sup>, Special Guardianship Orders (SGO) and Residence Orders (RO)<sup>6</sup> the total number of children leaving care to permanence had risen from 3500 in 2006 to 4500 in 2011.

The main focus of the Government review being undertaken on adoption was to speed up adoption for children, however the Committee noted that since 2006 SGOs have taken a proportion of permanence outcomes which taken together has resulted in the number of children achieving permanence rising.

This would depend on the successful recruitment of prospective adopters. The Committee was informed that Hillingdon was heading in the right direction on achieving the statutory timescales and acting on meeting some of the objectives in light of the national debate.

Permanency and placements needed to be twin tracked to ensure that there was no delay for the placement of a child.

**RECOMMENDATION 1 - That the local arrangements for concurrent fostering and adoption approvals are strengthened taking advantage of statutory changes as soon as they are available.**

## **Recruitment of Adopters**

The recruitment process was sometimes slowed down by the exclusion of some adopters, concerns over the stability of placements, the pre-course work which was needed to be carried out to include fully the needs of children and criminal convictions which came to light for prospective adopters.

The Committee was given a brief outline on the procedure for adopter and were informed that the first point of contact for prospective adopters was through the contact centre. After the initial enquiry a permanency professional welcomed the family and provided the necessary information on the procedure. Training was provided, which included a range of sessions from seminars to role play, all to prepare adopters.

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<sup>5</sup> An adoption order is an order made by the court on an application under section 50 or 51 giving parental responsibility for a child to the adopters or adopter.

<sup>6</sup> A Residence Order (RO) settles the arrangements for where a child, or young person must live and gives that person, or persons, parental responsibility (PR).

There are no additional criterion used as barriers for prospective adopters and each family was assessed on merit and their ability to offer a secure and loving home permanently for a child who has been looked after. In the future the two stage recruitment process will include e-learning which will be used locally as soon as it becomes available.

The shortened assessment is being piloted already within Hillingdon's Adoption Team.

**RECOMMENDATION 2 – The criteria for recruiting adopters should reflect statutory requirements and that Hillingdon applicants should be welcomed and approved on the basis only of their suitability to offer a permanent home to a child. Local processes to improve the efficiency of the approval process will continue to be strengthened to take advantage of changes in regulatory framework as soon as they are available and any improvements possible ahead of statutory change will be made.**

The recruitment campaign for prospective adopters will be based on the Council's recent successful campaign to improve the recruitment of foster carers. Some of the areas the campaign will focus on will be finding adopters for sibling groups, children with additional needs and children of dual heritage

The Committee was informed of the development of a recruitment website for adopters which will provide good quality information for would be adopters and would help promote and encourage them to offer themselves to become adopters.

**RECOMMENDATION 3 - The recruitment and attraction campaign for prospective adopters is improved by developing a range of approaches targeted at finding adopters who will meet the needs of harder to place children. This will include developing a recruitment website which is attractive to prospective adopters and gives good quality information to encourage them to offer a loving home to children who are waiting.**

### **Adopters Charter**

Reference was made to the Government's Action Plan for Adoption which requested that an Adoption Charter be drawn up which would bring greater clarity to the commitments of all parties involved in the adoption process. The Committee was informed that plans are in place for Hillingdon to implement the Adopters Charter setting out standards and expectations for and of prospective adopters.

### **Work with other professionals**

The Committee was informed that a meeting with local Court officers had been set up to discuss the process and how the timescales for permanency could be met.

At present Counsel and Social Services Managers were always in attendance at hearings. A lot of debate and work between parties took place outside of the Court hearing. The court process requires work with a range of professionals including social care, legal representatives, and Court Officials, Children and Family Court Advisory and Support Services and Children's Guardians.

## **Resources**

Time and resources were needed to support adopters at the first point of placement to ensure the management of the placement of the attachment of a child to the family.

With fostering, support was always available, but with adoption once an adoption order had been granted support is provided within the Adoption Support Plan. It is difficult to commit other agencies to offering support in the longer term.

The Committee was informed that Adoption Panels mainly focused on a child's needs, which was the main factor in this process.

Housing was one of the considerations of adoption that applied in some areas. It would be difficult to deliver a housing need for prospective adopters but this could be raised as a challenge within the Housing Strategy.

Housing was an important issue that had been highlighted, which may enable sibling groups to be accommodated in suitable social housing, but this would be at a cost. In the Statutory Guidance on Adoption there was guidance in relation to housing but this would not necessarily be an obstacle for prospective adopters.

The Committee was informed that a tenancy review was to be undertaken and housing to accommodate a child to be adopted could be looked at as a factor for priority in Housing when looking at the overall tenancy strategy.

An SGO would be sought where there was already a significant relationship (defined in regulations) with a child and there was an attachment and care was being provided in a safe and proper way. In this way it is different to adoption where effectively children and adults who have never met are brought together as a new family.

There was a statutory obligation to consider children remaining with birth family. The threshold for SGO's was no lower than for AO's.

## Adoption Panel

The Committee was informed that there was a central list of Adoption Panel Members to ensure there was no delay in considering permanency. The remit of the Panel was to consider:

- Permanency through either Adoption, Long Term Fostering or Special Guardianship Orders.
- Contact for a child post placement.
- Placement orders, authority to place a child for adoption were also considered by the panel currently but It is unclear whether this would still be the case under the Government review.
- Prospective Adopters, number of children, age range, and sex of child and post placement resources where necessary to provide post adoption support.

The Committee was made aware that the proposed regulatory changes would result in the processes for the Adoption Panel having to be updated to reflect the changes. However, officers were unaware of these proposed changes at this stage.

**RECOMMENDATION 4 - That the proposed changes in Panel processes are implemented once regulatory changes are in place.**

## Scorecard

Reference was made to the Department for Education adoption scorecards which had been introduced as part of a new approach to address delays in the adoption system. As part of this, the Council will have to set performance thresholds for the first and second indicators in the scorecard. They will make clear minimum expectations for timeliness in the adoption system.

The adoption scorecard shows, against three key indicators, how swiftly children in need of adoption are placed for adoption, in each local authority area. These scorecards allow local authorities and other adoption agencies to monitor their own performance and compare it with that of others. In the future this will also include data on how swiftly local authorities and adoption agencies deal with prospective adopters.

The Committee agreed with the reasoning behind the scorecard but felt that Hillingdon should broaden it to enable even greater monitoring of the progress of adoption.

**RECOMMENDATION 5 - That a Hillingdon Scorecard for Adoption is developed and is used to report to the Adoption Panel, Corporate Parenting Board and as a management tool to monitor the progress of**

**these proposals. The Hillingdon scorecard would be amended to meet any new statutory or regulatory changes.**

## **Experiences of Adopters**

The Committee received evidence from three witnesses who provided information on their own individual experiences of the adoption process. This information included the following:

- From the first enquiry about adoption to the placement of the child, had taken a year.
- Home assessment was carried out by the same Social Worker throughout.
- Once approved as adopters it was a year before a child was placed.
- Two Hillingdon children were placed who had previously been in care for 2 years.
- It was difficult to say if a longer lead in for the placement would have helped.
- Both children needed a lot of therapy with the older child now placed in a special school and doing well.
- Both children still have emotional needs and would need further therapy in the future.
- Support had been received from Child and Adolescent Mental Health Services (CAMHS) for 3 years but had now ceased.
- A Younger child was in a mainstream school, but was not coping very well.
- Social Services were very supportive of the family.
- Other professionals were not providing any request for support.
- Funding was a big issue and this was felt why support was not being provided by other professionals and statutory agencies.
- The children do not have any direct contact with the birth family.
- The assessment was smooth and the Social Worker was very good.
- Matching had taken a long time for various reasons.
- The children placed had been with their birth family for 5 years and in Foster Care for 18 months.
- A lot of support had been provided by the Hillingdon Play Therapist.
- All other professionals, other than Social Services, were failing to provide the support the family needed.
- Access to school placements when adopting was an issue as a place could not be guaranteed until a child was placed.
- The Foster Carer was not keen to provide information of the issues, as it was felt they would be judged as not being able to cope.
- There were a lot less issues where a child had not been relinquished early from a birth family.

- Started process in 2010, had found obstacles as a same sex couple with other Agencies. Hillingdon treated us as human beings.
- Hillingdon process went smoothly.
- Attended a 3 day training course in December 2010.
- Placement, panel reports were provided and play therapy was received.
- Social Services provided as much case history as they had.

### **Other findings of the Committee**

Recruiting a pool of adopters, ensuring that no unnecessary obstacles or barriers are put in the way is an essential element of ensuring that delays are minimised. It was also noted that due consideration is given to factors which safeguard children and ensuring that they are well matched is also an important element.

Being able to have a reciprocal arrangement for the exchange of approved adopters so that children with complex needs or safeguarding considerations which prevent local placement minimises delay in finding suitable homes for more children who need them.

#### **RECOMMENDATION 6 -**

- a) That Hillingdon approved adopters should be routinely offered for exchange where there are no matched local children within 2 months of approval.**
- b) Funds gained from Interagency fees should be used to purchase adopters whose offer matches for any child waiting who is not matched with Hillingdon adopters. This should happen within one month of Hillingdon's Agency Decision Maker approving adoption as their plan.**
- c) That where children are not matched with Adopters within 3 months, their names will be placed on the Adoption register.**

### **Norgrove Family Justice Review**

During the review reference was made to the Family Justice Review panel, chaired by David Norgrove which concluded that the family justice system needed significant reform to tackle delays and ensure that children and families get the service they deserve.

The Norgrove Family Justice Review<sup>7</sup> has made challenging proposals to reduce delay in Care Proceedings which can contribute to the delay in

<sup>7</sup> <https://www.education.gov.uk/publications/standard/publicationDetail/Page1/FJR-2011>

children leaving care to permanent family homes. The Committee agreed that processes should be reviewed to ensure care plans are robust to minimise expert witnesses in Court proceedings.

**RECOMMENDATION 7 - Taking account of the Norgrove Family Justice Review, processes are reviewed to ensure that robust care plans minimising the need for expert witnesses and the assessment of Connected Persons delaying Care Proceedings, are devised.**

### **Other Findings of the Review**

A new workflow for permanence is being devised. This will include a process for the Agency Decision Maker to agree children's individual plans for adoption. Changes in the regulations now mean that these cases cannot be considered by Panel.

Emphasis will be placed on reducing the need for external "expert witnesses" by enhancing the Council's own parenting assessments and by skilling social workers to provide assessments for courts which reduce the reliance on experts.

This will include further training for social workers in court skills and collaborative work with legal services to offer more robust presentations to court in support of the local authority's plans for children.

**RECOMMENDATION 8 - That the local arrangements for tracking the Permanence planning of all Looked After Children be strengthened and a regular management review of children's progress is implemented.**

**RECOMMENDATION 9 - That family finding for children waiting is focused on attracting offers for children who are harder to match with waiting carers by the use of short films of them, the development of Adoption Activity days or any other useful methods.**

Systems are being developed to track a child's "journey through care" with a view to focussing earlier on parallel planning to reduce delay in planning for adoption where that is appropriate.

**RECOMMENDATION 10 - That arrangements to clarify the role of identity in matching children with prospective adopters are put in place with training provided for all staff involved in this work to ensure that children are matched without unnecessary delay wherever possible.**

The essential criteria for approving adopters and Special Guardians are similar and should not be compromised for family and friends. This will mean

that the viability assessment of Special Guardians should be conducted as early and robustly as possible in order to minimise delays for children. This can be an important factor in producing delays in the court arena.

**RECOMMENDATION 11 - The viability assessment of prospective Special Guardians be completed by the child’s social worker before the Final Hearing of Care Proceedings unless directed otherwise by a court. The criteria for Special Guardians should be no less than that for Adopters.**

The Action Plan for Adoption aims to reduce the time it takes for a child to be placed for adoption. There is an emphasis on reducing the length of care Proceedings to achieve this. Work is being undertaken to ensure that family members who put themselves forward are assessed earlier to avoid delays in proceedings. Proposals are also being developed which will ensure that the assessment of prospective Special Guardians undergoes a scrutiny process.

Proposals are being developed for work with health and Education partners, as well as Voluntary sector partners to improve access to appropriate support for adopters. This may include the “adoption support passport” mentioned in the Government review of adoption. Announcements are expected later in the year which will clarify any regulatory changes in this regard.

**RECOMMENDATION 12 - That a protocol is developed with local health & education partners to improve their offer to adopters offering priority access to support for adopted children in line with recommendations from the Action Plan for Adoption.**

As part of the permanence tracking and the new workflow for care planning, parallel plans will be put in place for every looked after child from their first review onwards.

**RECOMMENDATION 13 - That parallel permanency planning be undertaken for a Child to ensure that there was no delay in finding a permanent home.**



## **CLOSING WORD/ ACKNOWLEDGMENTS**

Our review has given an opportunity to review Adoption & Permanency for Looked After Children in line with the Government Review that was undertaken in 2011. Guidance has not yet been provided but it is likely that further information on the recommendations contained in the review will be produced later in the year.

The Committee heard from adopters and those professionals that are involved in the process of adoption. The adopters that attended as witnesses raised concerns about the post adoption support from other professionals than the local authority.

Finally, the recommendations that have been put forward by the review will be pertinent in moving the service forward in line with the recommendations contained in the Government review.