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| 6 September 2012 | | ITEM 5 |
| Report to Corporate Parenting Committee | | |
| Adoption Report Outlining Process and Performance | | |
| Portfolio Holder: Cllr Oliver Gerrish | | |
| Wards and communities affected: All | Key Decision: Not Applicable | |
| Accountable Head of Service: Barbara Foster Head of Service, Care and Targeted Outcomes | | |
| Accountable Director: Jo Olsson Director Peoples Services | | |
| This report is public | | |
| Purpose of Report: to provide an updated Report on the work of the Adoption Team fulfilling obligations under National Minimum Standard 25.6 | | |

EXECUTIVE SUMMARY

This report is for information only and fulfils the requirements of 25.6 of the National Minimum Standards for Adoption 2011, which is:

25.6 The executive side of the local authority, the voluntary adoption agency's/Adoption Support Agency's provider/trustees, board members or management committee members:

- a. receive written reports on the management, outcomes and financial state of the agency every 6 months;*
- b. monitor the management and outcomes of the services in order to satisfy themselves that the agency is effective and is achieving good outcomes for children and/or service users;*
- c. satisfy themselves that the agency is complying with the conditions of registration.*

This report sets out the different elements of the purpose and function of the Adoption Service and makes comment on current levels of activity.

1. RECOMMENDATIONS:

- 1.1 The members of the Corporate Parenting Committee are asked to note contents.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 The work of the team is central to the provision offered to Thurrock's Looked After Children, and operates to deliver one of the key objectives of the Children and Young Peoples Plan, "Objective CYPP (PWN) 3.3. Deliver outstanding fostering, private fostering & adoption; develop & maintain excellent services for children in care".

The work of the team helps to meet a fundamental requirement for fulfilling our Corporate Parenting responsibilities, namely wherever possible to seek a permanent substitute family home for Looked After Children for whom there is no potential for reunification with their birth family.

- 2.2 In the main, children who are recommended for adoption will have been removed from their birth parents as a result of likely or actual significant harm. They will have been made the subject of Care Orders. During the legal process, a Care Plan, ratified by the Court, will have determined that it is in the child's best interests to be placed for adoption. As part of the court process the court also review the Adoption Support Plan agreed by the Local Authority to ensure that it will meet the child's needs. Children placed for adoption are increasingly likely to be older and have more complex needs, or be part of a sibling group, resulting in increased support packages.
- 2.3 Occasionally, babies are 'relinquished' by their parents at birth for adoption, when they (with counselling and help) come to the conclusion that they are unable to offer a stable home to that child.
- 2.4 Thurrock is part of an Adoption Consortium with Southend and Havering. This is a partnership first formed in 1999, which significantly extended the capacity of all three agencies to provide adoptive parents to children who need adoption. The overall direction of the Consortium's work is kept under review by senior managers, and whilst no major changes of approach are indicated, some areas for sharing of resources and improving practice have been identified for the coming year.
- 2.5 Line management of Adoption falls within the remit of the Service Manager – Placements and Support.
- 2.6 The Adoption and Children Act 2002 (the Act) is the principal piece of legislation governing adoption in England and Wales. It has been in force since 30 December 2005, and has been amended by other legislation since 2002.

3. STAFFING:

- 3.1 The full staffing compliment of the Adoption Team consists of one Team Manager, and four full time equivalent Social Worker/Senior Practitioner posts; over recent months we have had one full time and one part time vacancy, but following successful recruitment and an increase in hours by a part time member of staff we will be close to full staffing in September 2012.

3.2 The Adoption Team Manager has been in post since February 2010, and this has created a stable base to take forward the work of the team.

3.3 There is one full-time adoption administrator, who provides both day to day admin support to the team, as well as being the administrator for the Adoption Panel. She has attended a one day training course organised by the British Association for Fostering and Adoption specifically aimed at Panel Administrators. Adoption work is very heavily regulated, and adherence to timescales is critical. The administrator's role is therefore a crucial one.

4. EXTERNAL SCRUTINY, CHALLENGE AND PERFORMANCE:

4.1 The Adoption Agency is formally subject to rigorous external inspection from Ofsted, and this occurred most recently in February 2012. The previous overall judgement, achieved in January 2008, was Satisfactory. We were pleased therefore that our overall judgement this year was Good

4.2 The Inspectors did however make a number of recommendations to improve the quality and standards of care, and an Action Plan has been developed to address these. (Appendix 1). Progress in implementing this Action Plan will be monitored by the Service Manager and Team Manager to ensure improvements are made and sustained.

4.3 In 2011 Thurrock agreed to be one of a group of authorities engaged in Coram's Partnerships to Promote Permanency for Children project. This is a centrally funded government initiative to look at how performance can be improved nationally. It involved providing a researcher with key information about the progress of children towards adoption, and opens us up to external scrutiny in an attempt to identify whether there are avoidable and harmful delays. At the time of writing we have just received the draft report, and had one meeting to explore the findings. Further discussions will take place to analyse these in more detail to identify what changes may help speed children's progress through the system towards a positive adoption outcome.

4.4 However the initial conclusions indicate faster than average timescales in achieving adoption for most Thurrock children for whom this is the plan, although the report also highlights (as we would have expected) greater delays for sibling groups and children with clearly identified developmental issues. The report also poses the question whether pursuing adoption in Thurrock is done mainly on behalf of "safe bets", and whether some other children may be inadvertently excluded from this opportunity. Whilst we did not believe this to be the case, we accept this is a legitimate issue for further exploration.

4.5 The political context around adoption work has changed radically over the last year or so, with the current government making clear its wish to heighten the profile of adoption as a means to provide permanent care. This led to the publication of "An Action Plan for Adoption: Tackling Delay" in March 2012, which introduced the concept of "Adoption Scorecards", setting out specific

thresholds against two indicators, with clear minimum expectations for timeliness of actions in the adoption system.

4.6 The key thresholds set by the Government are namely:-

- 21 months or 625 days from entry into care to adoption
- 7 months or 171 days from granting of Placement Order to matching with prospective adopters

These are calculated as average times. A third measure of performance is the percentage of children who wait less than 21 months from entering into care and moving in with their adoptive family.

The stated intention is to raise these thresholds incrementally over a four year cycle. Local Authorities will be expected to return key performance data to the Department of Education on a quarterly basis which will then be consolidated into comparative national data on an annual basis. Local authorities who fail to meet the thresholds will be expected to explain their performance to central government.

4.7 An initial release of performance against the criteria was made in May 2012, based on existing data.

- against Threshold 1 Thurrock was ranked 51st out of 146 authorities
- against Threshold 2 Thurrock was ranked 21st out of 139 authorities

Against both Thresholds Thurrock was judged to have met the criteria, whilst in terms of the percentage of children waiting less than 21 months, Thurrock achieved 63%, in comparison to a national average of 58%, ranking us 51st out of 149.

4.8 There was significant national publicity to a set of indicators released by the Department of Education in the autumn of 2011, comparing the relative performance of local authorities in England against a number of measures for looked after children over the three year period to March 31st 2011. The three key indicators for adoption are:

- The percentage of children who ceased to be looked after who were adopted
- The percentage of children who ceased to be looked after because of a special guardianship order
- The percentage of looked after children adopted who were placed for adoption within 12 months of the decision

4.9 Thurrock's performance against these criteria was as follows:

- Against the first of these criteria Thurrock did not perform particularly well, with only 8% of looked after children leaving care doing so through adoption, placing us equal 118th in the country.

- However this is to a degree offset by our performance against the 13% of children ceasing to be looked after because of Special Guardianship Orders, which at 13% meant that we were second equal in the country
- Our performance against the third indicator, being placed for adoption within 12 months' of the decision was 88%, which placed us at equal 15th in the country.

4.10 These latter figures were previously cited in a report to the former Corporate Parenting Group in January of this year. They are repeated here as alongside the Ofsted Inspection and the Adoption Scorecard they reinforce a picture of consistently sound performance over time. However we recognise that there is still considerable room for improvement, and we also recognise that with Thurrock's relatively small numbers in comparison to larger authorities one or two cases slipping outside the targets can affect our performance figures enormously.

4.11 The other key function of the Adoption Team is to assess applicants to become adopters, through the completion of a Prospective Adopters Report (PAR). Both the Ofsted Inspection and the Coram Report reflect that we have performed less well in meeting the timescales for this area of work, and this will need to be improved in the period ahead. A pilot exercise is being conducted elsewhere on using a simpler version of the assessment report format, and it is likely that the government will change the regulations at some point to encourage all adoption agencies to use this as a means to accelerate the assessment process.

5. **BUDGETS:**

5.1 The Adoption and Permanence Team has a dedicated budget of just over £1.3 million for the current financial year, of which over £1 million is allocated to a range of support payments to carers:

- In 2011/12 33 children were subject to either an Adoption Allowance or Adoption Support Payment. Spend on these budgets for 2011/2012 was £308,596, with a projection for 2012/2013 of around £330,000.
- The growth in the use of Special Guardianship has created an additional financial category of Special Guardianship payments. The use of this particular Court Order has developed more than was originally envisaged and this has been a difficult area in which to predict accurately the appropriate level of annual budget. In 2011/2012 actual expenditure was £441,263, with a current projected cost for this financial year likely to rise to over £500,000. This increase is a reflection of more carers exercising their right in private law and choosing this particular legal option as described in the performance figures discussed above.

- However these payments were spread across 55 children in the last financial year . Compared to a minimum annual cost of maintaining a child in a foster placement in excess of £500 per week (£26,000 per year), coupled with the on costs associated with a looked after child, supporting a successful Special Guardianship placement represents good value for money, as well as (more importantly) providing a more secure base for the child
- In addition to the payments already mentioned, the team manager also maintains the overview for payments to former foster carers who have offered more stability to children by seeking Residence Orders. Residence Order allowances were paid in respect of 19 children during the 2011/12 financial year, with an actual spend for £184,595 with a forecast for 2012/13 of £155,000. This relative decline is related to the increased preference for Special Guardianship Orders.

5.2 The remainder of the budget is largely taken up by salary costs, with some additional expenditure required for the provision of the Adoption Panel, Medical Reports, CRB checks, post-adoption support groups, Ofsted fees, etc. Our most recent forecast across the whole budget cost centre indicates we are currently on line for the current year.

6. **PANEL:**

6.1 Decisions to place a child for adoption, to approve adults as adoptive parents or to agree to place a particular child with a particular family have to date been overseen by an independent panel. This Panel consists of a number of different key stakeholders (including an elected member) and is independently chaired. Its recommendations are then sent to the Head of Service, who acts in the capacity of “Agency Decision Maker” for final agreement. The Adoption Panel meets on a monthly basis and activity includes:

- approval of new adopters
- presentation of children’s cases for “should be placed” decision (previously referred to as “preferred option”)
- matching children with adoptive families.

In November 2011 the Final Report of the Family Justice Review suggested that the function of the “should be placed” decision should be removed from Adoption Panels, on the basis that it duplicates scrutiny of Care Planning that properly resides with the Court, and adds an extra tier of decision making. An amendment to the regulatory framework was therefore introduced in the early summer of 2012, and will come into effect from September 1st 2012.

6.2 The removal of this function will place significant additional time demands on the Agency Decision Maker, and we are currently piloting a proposed workflow structure to support this. All Local Authorities are facing this challenge and we will need to monitor how the new structure is working in practice and will make adjustments if necessary.

- 6.3 The other functions of the Adoption Panel remain as previously. The Thurrock Adoption panel is currently chaired by Lyndsay Davison, a highly experienced individual. Lyndsay previously held a senior position within one of our Consortium Partners, and now chairs each of the respective Adoption Panels, thus ensuring a high level of consistency in practice.

Similarly each of the Consortium partners has retained Alan Johnstone, the previous chair, as Agency Advisor to the panel, as it was recognised that the wealth of knowledge that he held was invaluable to Thurrock. His role is in part to Quality Assure all paperwork for the “should be placed” decisions, and the guidance around the regulatory change described above reaffirms the importance of his function in avoiding any subsequent challenge in the court process.

7. ISSUES FOR DEVELOPMENT

- 7.1 One area for development highlighted by the Ofsted Inspection is to look at how we allocate some of our resources into the area of post adoption support. This covers a range of tasks, for example such as tracing birth families of adopted adults. Previously this was primarily undertaken by an experienced part time worker in the team, and as some of this work requires special skill and sensitivity this approach seemed appropriate. However the risks of this approach became apparent when the worker became quite seriously ill late last year and then chose to retire as a consequence.

We now accept that this left us vulnerable, and although we are still seeking develop the expertise of one worker in the team, we are also trying to ensure that her experience will be shared across the other members, to build up a wider repository of skills and experience.

- 7.2 Similarly we had also previously identified that we needed to strengthen our capacity for providing support to Special Guardians, particularly those who have previously been Thurrock Foster Carers and taken on the legal responsibility for children previously looked after. We are therefore using the experience of this social worker to review and develop our offer to this group.

- 7.3 In the autumn of 2011 we entered into dialogue with our in-house Early Years providers to look at how we could ensure that new adopters are appropriately introduced to the range of universal services which they may wish to access. This has led to the development of a Single Point of Contact system, through which all new adopters will be offered a personal visit to explain the services available, and to encourage appropriate self-referral should the need arise. This is at an early stage, and a review will be needed towards the end of 2012 to assess the impact.

- 7.4 Currently the majority of children for whom we need adoptive placements are of White UK ethnicity, as are the majority of those locally wishing to adopt. Whilst we do not adopt a wholly rigid view of matching requirements, we do subscribe to the view that children’s long term development will be best promoted within a family that broadly reflects their own identity. In occasional circumstances we have sought appropriate matches through the use of Inter Agency payments. However we are mindful of Thurrock’s evolving ethnic

diversity, and that we may need to attract potential adopters from a wider spectrum than has been the case so far. This was highlighted within the Ofsted Inspection report, and correspondingly features within our Action Plan.

8. IMPLICATIONS

8.1 Financial

Implications verified by: **Michael Jones**
Telephone and email: **01375 652772**
mxjones@thurrock.gov.uk

There are no immediate financial implications to this report. However the need for consistent budget monitoring is indicated, particularly in relation to the expenditure on payments for Adoption Support, Special Guardianship Support, etc.

8.2 Legal

Implications verified by: **Lindsey Marks**
Telephone and email: **01375652054**
lindsey.marks@BDTLegal.org.uk

There are legal implications arising from this report.

8.3 Diversity and Equality

Implications verified by: **Samson DeAlyn**
Telephone and email: **01375652472**
sdealyn@thurrock.gov.uk

There are no immediate implications arising from this report. However it is noted that Ofsted have recommended that the authority attempts to broaden the pool of potential applicants to adopt.

Report Author Contact Details:

Name: Roland Minto
Telephone: 01375 652533
E-mail: rminto@thurrock.gov.uk