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| 10 September 2015 | | ITEM: 6 |
| Corporate Parenting Committee | | |
| Adoption Report Outlining Process and Performance | | |
| Wards and communities affected: All | Key Decision: To consider the report in line with regulation 25.6 of the National Minimum Standards | |
| Report of: Simon Shardlow, Service Manager, Placement & Support Service | | |
| Accountable Head of Service: Andrew Carter, Head of Care and Targeted Outcomes | | |
| Accountable Director: Carmel Littleton, Director of Children's Services | | |
| This report is public | | |

Executive Summary

This report fulfils the requirement of 25.6 of the National Minimum Standards for Adoption, 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 updates the report previously presented in March 2015, and updates members on the Committee on activity over the last six months and is for information and committee scrutiny in line with the above expectations.

1. Recommendation

- 1.1 The members of the Corporate Parenting Committee are asked to consider this report in line with the above regulations (25.6 of the National Minimum Standards for Adoption 2011).**

2. Introduction and Background

- 2.1 The work of the Fostering, Adoption and Placement teams 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".
- 2.2 The work of the teams 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.
- 2.3 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 reviews 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 have more complex needs, or be part of a sibling group, resulting in increased support packages. In England the average age of a child at the point of adoption in 2013-2014 was 3 years and 5 months; 80% of adopted children were below the age of 5 and it took on average 594 days from entering care to being placed (down from 656 days in 2012/13). From the most recent Adoption leadership quarterly returns in 2015 improving to 533 days.
- 2.4 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. Within the last year we have progressed one such relinquished child in Thurrock.
- 2.5 Thurrock was previously part of an Adoption Consortium with Southend and Havering, formed in 1999, which extended the capacity of all three agencies to provide adoptive parents to children who need adoption. As previously reported in March 2014, Havering announced a formal withdrawal from the Consortium.
- 2.6 We subsequently made an agreement with Southend to continue with our partnership arrangement for the immediate future, but have both acknowledged that as a formal Consortium we cannot sustain this arrangement and have therefore agreed to formally end the Consortium.
- 2.7 In light of the above, and also the Government Regionalisation agenda which sets out the ambition of seeking local authorities to regionalise to perform the significant functions of the adoption agency working in groupings that involve a minimum of 200 children, Thurrock Council is initially going into partnership with Coram Capital specifically for Coram to undertake our recruitment and assessment of adopters' function.

- 2.8 The proposal to work with Coram over the next three years will realise the benefit of grant money made available to Voluntary Adoption Agencies to form such partnerships and this arrangement offers both flexibility in its contractual design to respond to emerging needs and review as well as the benefit of developing services which we recognise Thurrock children will benefit from, such as Coram's experience in developing fostering to adopt placements.
- 2.9 Current proposals, as stated within the Government Regionalisation agenda, will mean the implication for Thurrock is that we will need to decide over the next year how we go into a fuller regional partnership to fulfil the responsibilities under this agenda for the remaining significant functions of the agency which are family finding, matching, and post adoption support (not step parent adoption or inter country adoption). If the current Education and Adoption Bill is passed (later this year) the Government will in future have the power to direct those local authorities not deemed to be making sufficient progress in forming regional adoption agencies.
- 2.10 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 30th December 2005, and has been amended by other legislation since 2002, most recently being the Children and Families Act 2014.
- 2.11 In May 2015 the Government also released funding for the Adoption Support Fund (2015/16 budget - £19.3 million) available to local authorities. This fund will support the permanence of Adopted children with emerging therapeutic needs and subject to review of impact. Thurrock has 22 families for which we are in the process of seeking support from this fund (subject to eligibility) for therapy.
- 2.12 Line management of Adoption falls within the remit of the Service Manager – Placements and Support
- 2.13 Since the last report to Committee in March 2015 monthly adoption and permanency tracking meetings have also been put in place to ensure that all children's permanence plans are routinely overseen by the Head of Service (Agency Decision Maker) on a monthly basis. This meeting also constitutes membership from the Independent Reviewing team and Legal services.

STAFFING

- 2.14 The staffing complement of the Adoption Team consists of one Team Manager (Agency), and four full time equivalent Social Worker/Senior Practitioner posts. The Team is almost up to full strength, with a vacancy of effectively one day.
- 2.15 The existing staffing is at full establishment; following on from a successful secondment arrangement and agreement to extend this Family Finding post, which has helped mitigate issues with staff illness. Due to the Governmental focus on Adoption and regionalisation this post has been extended as we prepare for the proposed partnership with Coram Capital and will be reviewed

regularly to ascertain if it is viable to retain this extra capacity as we enter into transition and post transition arrangements.

- 2.16 Following the resignation of the Adoption Team Manager in July 2014 the stability of the team was affected, but this also provided an opportunity to review whether it would be helpful to look at alternative management arrangements such as developing this within our Coram partnership. However in order to make sure that the work of the team continued, we continue to have a very capable Agency Team Manager who also acts as our agency advisor. This not only maintains and promotes our commitment to ongoing development, but benefits us by allowing for potential flexibility in developing further structures within adoption and our Coram partnership.
- 2.17 There is one full-time adoption administrator who provides both day to day administrative support to the team, as well as being the administrator for the Adoption Panel. Adoption work is very heavily regulated and adherence to timescales is critical. Additionally one part time administrator has been agreed over a 3 month period to embed the administration of special guardianship allowance budget.

EXTERNAL SCRUTINY, CHALLENGE AND PERFORMANCE

- 2.18 As reported previously, Thurrock Adoption Service was inspected by Ofsted in February 2012, and received an overall judgement of Good. Nevertheless a number of recommendations were made to improve the service, and an Action Plan was developed to address these.
- 2.19 In late 2013 Ofsted launched a new framework for inspection of Children's Services under which there will no longer be separate inspections of the Adoption Service. Instead the new arrangement is that there will be a specific sub-judgement within the overall report on the effectiveness of the local adoption service. To date we have not received such an inspection.
- 2.20 The current government has maintained its intention to heighten the profile of adoption as a means to provide permanent care since the publication of "An Action Plan for Adoption: Tackling Delay" in March 2012, which introduced the concept of "Adoption Scorecards". These set out specific thresholds against two indicators with clear minimum expectations for timeliness of actions in the adoption system.
- 2.21 The stated intention is to raise these thresholds incrementally over a four year cycle. Local authorities are 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, known as the "Inspection Scorecard". Local authorities who fail to meet the thresholds will be expected to explain their performance to central government.
- 2.22 The current targets are as follows:

- **A1:** average time between a child entering care and moving in with its adoptive family, for children who have been adopted. The target for the three year period April 2012 to March 2015 was 16 months or 487 days, with a **target of 426 days** (14 months) by the end of March 2016.
 - **A2:** average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family. The target for the three year period April 2012 to March 2015 was 4 months or **121 days** and remains the same target expected as at the end of March 2016.
- 2.23 The last report to Committee in March 2015, covering the three year period showed improved performance against the previous three year cycle, although there remained a gap between performance and the target. Our **A1** performance against the 2011-2014 target of 547 days **was 710 days** (or approximately 23 months); last year's performance (June 14 - June15) has reduced to **557 days (18 months)**.
- 2.24 Within the same report in March 2015 against the **A2** target of 152 days it was then reported as **244 days** (or approximately 8 months) which, within the current performance, is **now averaging 208 days (6.8 months)**.
- 2.25 Thurrock submits its quarterly performance to the Adoption Leadership Board (ALB) and the most recent analysis of trends in all local adoption agencies indicated a 50% drop in Agency Decision Makers (ADM) decisions and a 52% decrease in Placement Orders being granted.
- 2.26 There have been 11 Adoptions from the 2015 cohort within the last 6 months and there are 8 children who are currently subject to placement orders already placed and awaiting adoption orders.
- 2.27 As of 4.8.15 we have only 2 children who have placement orders for whom we are actively family finding, and who are not linked, matched or placed for adoption.
- 2.28 In 2013-2014 the average length of care proceedings for Thurrock Council was 44 weeks and in 2014-2015 (to date) the average length of care proceedings has been 21 weeks (below the 26 weeks national requirement). All of this adds to an improving picture in terms of timeliness.
- 2.29 For the recruitment of prospective adopters we are now expected to meet the 2 Stage Process introduced nationally in 2013, with both stages completed within six months of receiving a formal request to begin Stage 1. This remains a challenge to meet consistently. However, the national picture is that there are more adoptive households approved than there are available children and this applies equally in Thurrock, where there are eleven households awaiting identification and matching of appropriate children. We have a further seven households in stage 2 and a further two in stage 2 on hold. The challenge for all authorities is finding appropriate adopters for slightly older and more

difficult to place children. As we enter our Coram partnership the implication will be for those in stage 2 how we successfully manage a transfer of arrangements with the least disruption and continue to target adopters for those children deemed harder to place.

BUDGETS

- 2.30 The current overall budget was reduced to just over £1.3 million for 2015-16. Previously budgets had been reduced with the intention that the reduction would be achieved through lower expenditure on Special Guardianship Allowances. Unfortunately it has not been possible to contain the expansion of these Allowances, as Courts have frequently chosen this form of Order as a means to conclude Care Proceedings, with an expectation that the authority will provide an allowance. This will undoubtedly create overspend in this area this year. However we also need to balance the demands on this budget against the alternative costs that would accrue for the authority if these children remain looked after.
- 2.31 Measures have been identified to strengthen the working relationships between the Adoption Team and Customer Finance and monitoring processes are being strengthened to ensure the right payments are always made at the right time.
- 2.32 Additional financial pressures had arisen from central government decision to equalise the Inter-Agency fee charged between Local Authorities and/or Voluntary Adoption Agencies to £27,000. This fee covers the cost of procuring an adoptive placement from another authority. Potentially this is also a source of income as well as expenditure, but Thurrock's relatively small geographic area, and the size of the team in terms of assessing capability, means we are likely to remain net purchasers rather than sellers in the period ahead. On the 8th July 2015 the Department of Education confirmed that funding will be made available for local authorities (£30 million) to recover the cost of any inter agency fee for children whom authorities have found more difficult to place (defined as over the age of 5, disabled, sibling groups, Black and Ethnic minority children and those waiting for more than 18 months).
- 2.33 The remainder of the budget remains largely taken up by salary costs, with some additional expenditure required for the provision of the Adoption Panel, Medical Reports, DBS checks, post-adoption support groups, Ofsted fees.

PANEL

- 2.34 The Panel Chair is now embedded and continues to provide "critical friend" challenge about our current practices, which has been extremely helpful, and he is keen that we improve the efficiency of the administration of the Panel as well as developing robust medical advice and reports. The current Agency advisor is the Adoption team manager; the model previously in place was to employ an external individual to add a greater level of scrutiny and QA to our performance. Whilst an independent voice is generally considered a valuable

contribution the current arrangement from within our own resources allows us the flexibility we require whilst embarking on a transition period as we form our working partnership with Coram.

3. Issues, Options and Analysis of Options

- 3.1 We now need to plan and respond to the Regionalisation agenda in terms of how we can form an effective region to perform the remaining functions of the adoption agency and as yet no decision has been taken regarding this and discussions are on-going. The options in future will be in likelihood to either further develop our partnership with Coram or form a partnership with neighbouring authorities.

4. Reasons for Recommendation

- 4.1 To ensure that members of the Committee have made due note of the work of the service in line with the collective corporate parenting responsibilities to provide oversight of the service.

5. Consultation (including Overview and Scrutiny, if applicable)

Not applicable.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The content of this report is compatible with Health and Well Being Strategy Priority 12: *Provide outstanding services for children in care and leaving care*

7. Implications

7.1 Financial

Implications verified by: **Sean Clark**
Head of Corporate Finance

Within the Coram partnership there is the opportunity to improve outcomes for children and adopters whilst achieving better economies of scale. By entering into a grant agreement there is the flexibility to alter the annual costs should demand reduce or change significantly thus reducing financial risks to the Council. As well as improved outcomes for the child reducing the waiting time for adoption has the potential to significantly reduce the costs of interim placement arrangements.

7.2 Legal

Implications verified by: **Lindsey Marks**
Principal Solicitor Children's Safeguarding

There are no immediate legal implications arising from this report, although it should be noted that a consequence of certain Court of Appeal and High Court judgments over the last year has been to make Courts apply greater pressure to ensure all options within birth families have been exhausted before they will grant a Placement Order in Care Proceedings. It remains to be seen whether this will have long term impact on the numbers of children becoming available for adoption.

Any decision to pursue the joint venture described above will need to take into account the need to ensure that all the current regulatory requirements will continue to be met.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
**Community Development and Equalities
Manager**

The significant Diversity and Equality implications arising from the report relate to the on-going difficulty of finding adoptive placements for "hard to place" children, such as children with developmental delay, sibling groups and some Black and Ethnic Minority Children. We also recognise that older children may also benefit from adoptive placements, but overwhelmingly prospective adopters wish to adopt younger children. We therefore need always to balance the rights of children to have us pursue any possible options, with the need to avoid raising false expectations by persisting with plans that have no realistic prospect of success. These are challenges for all local authorities, and are not particular to Thurrock.

However we do recognise that Thurrock has a changing ethnic profile, and we need to be alert to the need to ensure that our future recruitment of adopters takes this into account.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

Not applicable.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

Members may wish to refer to the previous report to the Committee presented in March 2015.

9. Appendices to the report

Appendix 1 - Adoption Leadership Board headline measures & Business intelligence (Qtr. 3 14/15 update) June 2015

Appendix 2 - Inter-agency Fee Funding letter Dept. of Education dated 5.8.15

Appendix 3 - Link for information - www.familylaw.co.uk/adoption-myth-buster-re-b-and-re-b-s

Report Author

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