

## **CABINET**

**4 FEBRUARY 2020**

### **ANNUAL ADOPTION REPORT**

Portfolio Holder:	Councillor Mrs Josie Iles – Portfolio Holder for Children’s Services (Lead Member)
Report from:	Ian Sutherland, Director of People, Children and Adults Services
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#### **Summary**

This report provides the Cabinet with the Adoption Agency’s Annual Report. This annual reports covers adoption performance during this period and provides an update on the work of the team.

This report also includes information about the progress made towards Medway forming a Regional Adoption Agency (RAA) with Kent County Council and the London Borough of Bexley, which is also covered in more detail in a separate report on this agenda.

This report was initially considered by the Children and Young People Overview and Scrutiny Committee on 9 January 2020, details of which are set out in paragraph 2.4 of the report.

#### **1. Budget and Policy Framework**

- 1.1 This report is consistent with the Council’s budget and Policy Framework including the Council Plan, in particular the Council Plan priority “to develop Children’s Services to be a good service.”

#### **2. Background**

- 2.1. The Statutory Regulations require that Elected Members should be informed of the Adoption Agency’s activity on a regular basis. This annual report provides information that will assist Elected Members in respect of their responsibilities as corporate parents for Looked After Children, and it should be read in conjunction with the Adoption Agencies Statement of Purpose. The work of the Agency is governed by the Adoption Act 1976, the Adoption and Children Act 2002, the Children Act 1989, The Children and Adoption Act

2006 and associated guidance. In addition, the Agency works within the National Minimum Standard 2014, The Adoption Agency Regulations 2005 and 2013 and the Statutory Adoption Guidance 2013.

- 2.2 The Agency has responded to and embraced the Government's Adoption Reform Programme and the Children and Families Act 2014. The Adoption Service contributes to improving outcomes for the most vulnerable children and young people. Its key priority is to achieve permanence and stability for Looked After Children ensuring that they are brought up in loving, secure, stable families. Where a child's welfare requires placement outside the birth family, the Adoption Agency's paramount consideration is the welfare of the child throughout his or her life. Permanence outside the birth family will be legally secured through Adoption, Special Guardianship or Child Arrangement Order.
- 2.3 This report provided an overview of the Adoption services provided during the period October 2018 to September 2019
- 2.4 Officers presented the Annual Adoption Report to the Children and Young People Overview and Scrutiny Committee at its meeting on 9 January 2020 and the Committee noted the report.

### **3. Advice and analysis**

#### **3.1 Service Structure**

- 3.1.1 The structure of the Adoption Service is set out at Appendix 1

#### **3.2 Adoption Panel**

- 3.2.1 Adoption Panel contributes to the running and quality assurance of the local authority's adoption service and provides annual reports on the service and its performance. In doing so, it has an overriding responsibility to promote good practice, consistency of approach and fairness in all aspects of the adoption service, in accordance with its principles. As part of this function, the Panel makes recommendations on the following:

- Suitability of prospective adoptive applicants to adopt
- Whether a child should be placed for adoption (only for children voluntarily relinquished by a parent)
- Whether a child should be placed for adoption with particular prospective adopters

The recommendations must be unconditional and cannot be 'in principle'.

- 3.2.2 The panel meet every four weeks. During the most recent Ofsted inspection, the inspector commented on the effectiveness and quality of the panel discussion The Adoption Panel makes recommendations to the agency about the cases referred to it. It is the role of the agency to make a decision and for this purpose, it is necessary to appoint a decision maker. The Agency Decision Maker (ADM) is a senior person within the agency..

### **3.3 Adoption Panel Membership**

3.3.1 As at 31 October 2019, the Adoption Panel central list was as follows:

- Independent Panel Chair
- Independent Vice Chair
- Independent second Vice Chair
- 4 further Independent members
- Social work qualified representatives
- Medical adviser
- 1 Elected Member Medway Council

3.3.2 Non-voting members include the Professional Adviser to the panel and Panel Administrators

### **3.4 Panel Training and Development**

3.4.1 The Adoption Agency strives to ensure there is a good level of induction, appraisal and training. Feedback from Panel members suggested that whole day training was difficult because of other commitments alongside the commitment to panel itself. Training has therefore been taking place on panel days following panel business and has included subjects such as:

- 'Helping panel members understand the processes which take place from initial referral through to the cases being heard at Adoption Panel',
- 'Effective Panels',
- 'Feedback from CoramBaaf training on Adoption Panels and current issues in Adoption'.

3.4.2 The Agency has supported the new vice chair into her role and she has benefited from attending CoramBAAF training on chairing panels.

3.4.3 All Panel Members had an annual appraisal completed by the Agency Panel Advisor and Panel Chair where their personal training needs are discussed and considered. This enables the identification of learning needs and effective planning of the training schedule for the following year. The Panel Chair meets with the Agency Decision Maker to have an annual appraisal undertaken by the Agency Decision Maker. In addition, representatives from the Agency and Panel Chair meet every 6 months for a Panel Liaison meeting to discuss issues with regard to the functioning of the panel and the agency. This meeting is shared with the Fostering Panel to improve consistency and practice across both panels.

### **3.5 Panel Activity and Agency Decision Maker**

3.5.1 In the period between October 2018 and September 2019, the Adoption Panel met on 11 separate occasions.

3.5.2 Below is a table detailing Panel activity for each month in terms of matches and approval of prospective adopters and also figures for decisions made by the Agency Decision Maker that supported a care plan for adoption for a child.

Panel decisions	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Year
Matches	2	1	1	0	2	0	1	1	3	3	0	2	16
Decision that adoption is the plan for the child	0	5	3	1	2	1	6	7	3	0	5	1	34
Adoptive families approved	1	0	2	0	0	1	3	3	2	1	2	2	17

Data Source: Performance and Information, Medway Council

3.5.3 The Agency Decision Maker decided that adoption should be the plan for 34 children in 2018/19, which compares to 33 in 2017/18 and 38 in 2016/17. The details of these children are discussed in section 4 below.

3.5.4 In terms of matching children with prospective adopters, the panel considered matches for 16 children. This is similar to figures in 2017/18, but a considerable reduction from 2016/17, when 31 matches were considered.

3.5.5 The numbers of households approved as suitable to adopt has increased this year to 17 in total compared to 12 the 2017/18

Panel decisions	Year ending September 2017	Year ending September 2018	Year ending September 2019
Matches	31	16	16
Decision that adoption is the plan for the child	38	33	34
Adoptive families approved	23	12	17

Data Source: Performance and Information, Medway Council

## 4. Referrals for Adoption, Placements and Adoption Orders

### 4.1 Children Referred for Adoption

4.1.1 Medway has made recent changes to its permanency policy to ensure that all children have a timely permanency planning meeting (PPM) within 6 weeks of becoming looked after and cases are tracked on a monthly basis to ensure plans are progressed without delay. Permanency planning meetings will consider early permanence options by way of fostering for adoption to ensure these are considered as early as possible.

4.1.2 Following a permanency planning meeting, if adoption is a potential plan, a social worker in the Adoption team is allocated the case for monitoring and family finding. This link worker will begin work on potential matches prior to the final hearing by considering Medway approved adopters and contacting our RAA partners to ensure no delay with matching should the court grant a placement order.

4.1.3 The family finding social worker may be required to provide a written report for the courts around the viability and timescales for securing a forever family.

They also attend subsequent looked after children reviews and review permanence planning meetings with the case holding social worker to ensure that all involved in care planning for the child are working together.

## **4.2 Number of Children with an ADM Decision**

4.2.1 As detailed above, in 2018/19 the Agency Decision Maker (ADM) decided that adoption should be the plan for 34 children, compared to 33 in 2017/18 and 38 in 2016/17. Of the 34 children, 2 of these children have already had changes of plan agreed because family members came forward subsequent to the decision for adoption and were positively assessed. A further 2 children are likely to also have changes of plan in the same circumstances.

4.2.2 Of the others, 19 to date have had a placement order granted and the remainder are in proceedings. Of these 19 children, 10 have had matches identified or are already placed and for one of these children, the adoption order has been granted. For 6 of these children, family finding is ongoing and for 3 children family finding is on hold. Family finding is only put on hold if there are complexities with children that need further investigation.

## **4.3 Adoption Placements in 2018-19**

4.3.1 In 2018/19, 16 children were matched and placed with prospective adopters.

4.3.2 In the same period, 5 children were matched and placed with adopters assessed and approved by Medway Council, 4 were placed with our RAA partners and 7 children were matched with prospective adopters approved by other agencies. One of these disrupted during introductions and was not placed.

4.3.3 There were two sibling groups of 2 children placed for adoption during this period. No child placed was registered disabled. One adoption order has already been granted within this cohort. As at October 2019, there were 11 children with a placement order still waiting for an adoptive placement; 3 of whom received placement orders prior to October 2018. The shortage of adopters nationally for older children, sibling groups and children with complex developmental or trauma-related needs has been challenging and for some children, it has not been possible to identify families, despite extensive efforts.

4.3.4 Within this period Medway placed 1 child in a 'Fostering for Adoption' placement. There is now a duty for Local Authorities to consider providing this type of placements to children, however it is recognised that this will only be an option for a small number of children in any one year due to the risk of the child returning to parental or family care.

4.3.5 The Medway performance on the A1 indicator (time from entry into care to placement for adoption) for the three years ending September 2019 is 539 days. This is behind the latest national figures of 486 days.

4.3.6 Performance on the A2 indicator (average time between local authority receiving court authority to place and identifying a match) for the year end September 2018 year was 179 days, against a national average of 201 days.

## 4.4 Disruptions

4.4.1 No adoptive placements experienced a disruption pre adoption order but a transition plan fell through towards the end of introductions. It was acknowledged that this was a potential high risk placement because of age and level of trauma-related behaviours and much care was taken to ensure that the adopters were sufficiently supported to manage introductions and the early days of placement. On the day before placement, the adopters made the decision to withdraw which was upsetting for all concerned, and especially for the child and the potential adopters. A disruption meeting was held to reflect on and understand what happened so any lessons can be learned to improve practice for the future.

## 4.5 Ethnicity of the Children Placed for Adoption

4.5.1 All of the children placed for adoption were white British.

## 4.6 Ages of the Children Placed for Adoption

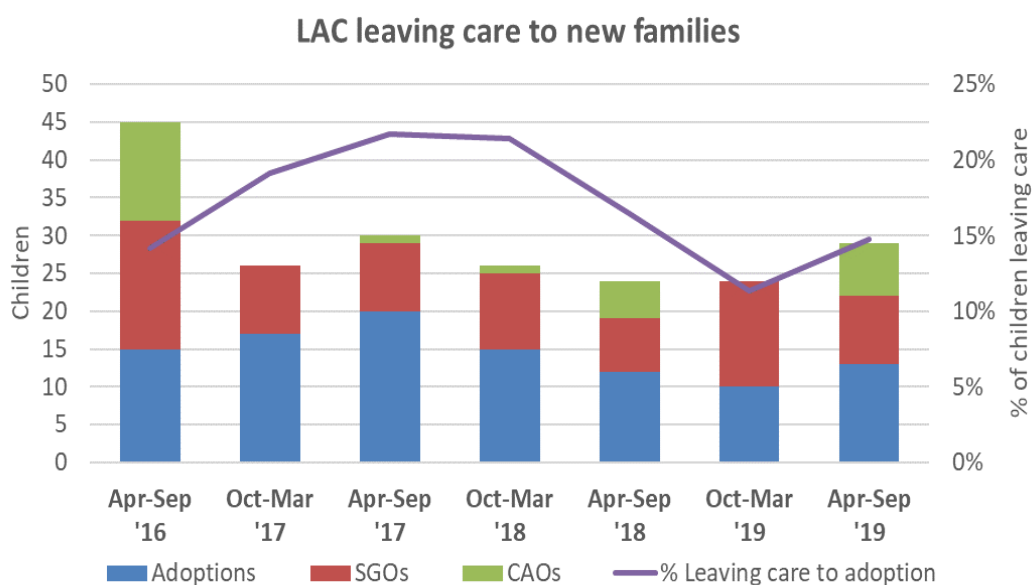
4.6.1 Of the children matched, 8 were under the age of 2 years, 4 were between 2 years and 4 years, 3 were 5 years and one was 7 years old.

## 4.7 Gender of Children Placed for Adoption

4.7.1 Of the 16 children matched for adoption, 5 were females and 11 were male.

## 4.8 Adoption Orders

4.8.1 The graph below details the numbers of children leaving care to Adoption, Special Guardianship Orders (SGOs) and Child Arrangement Orders (CAO, previously Residence Orders (RO) and demonstrates marked change in the use of Child Arrangement Orders, a reduction in the use of Special Guardianship Orders and increase in the use of Adoption Orders. Although the 13% of children leaving Medway care to adoption in the last 12 months is a reduction from historical performance, it is in line with the national figure of 13%.



- 4.8.2 Some of the reduction in adoption orders reflects the national shortage of adopters, especially for traditionally “harder to place” children. There have been a number of children in the last few years who have required a change of plan away from adoption because it has not been possible to find adopters nationally, because of their level of special needs or because they are part of sibling groups.
- 4.8.3 Although these children have had plans changed, the team have successfully placed some older sibling groups and children with complex, trauma related needs as a result of early abuse and neglect. Although these placements have taken up to a year to identify, which is outside the government expectations for placement, it has nevertheless been a significant success for those children.
- 4.8.4 Special guardianship orders have tended to fluctuate year on year. Special Guardianship orders are generally used for family members who come forward to care for a child from within their extended family. This ensures that children can grow up within their own network, rather than being adopted by a stranger. The courts require the local authority to ensure that “nothing else will do” when considering adoption so all possible family members will be explored before a plan for adoption is made.

## **4.9 Disrupted Adoptions**

- 4.9.1 There were no pre-adoption disruptions in this period. This reflects the extra care given to the matching process between children and adoptive families, the resilience and commitment of adoptive parents and the support given to them and the children in the critical early months of placements.

## **5. Prospective Adopters**

### **5.1 Information for Prospective Adopters**

- 5.1.1 Medway Council has a single point of contact to the service through its dedicated email address and telephone line. Information is also freely available via the council website with links to an initial enquiry form.
- 5.1.2 Social workers from the team send information and speak to all potential new applicants within 5 working days of contact and offer attendance at information evenings and initial interviews. Information Evenings are held monthly with colleagues from London Borough of Bexley where current information on the needs of children requiring adoption and the process of assessment is provided to people who are interested in becoming prospective adopters.

### **5.2 Recruitment of Adopters**

- 5.2.1 In order to ensure a range of adopters are recruited for children and to meet the needs of children requiring adoptive families, a range of recruitment activity has taken place during the year. Research has shown that most applicants express interest through internet searches and through social media so recruitment activity has focussed on these avenues. The Senior in

the team responsible for recruitment has ensured that all enquiries through social media have a rapid response. The team has also used local press articles to highlight the need for adopters for particular children, such as sibling groups.

- 5.2.2 Adoption Agencies have a duty to recruit a range of adopters to meet the needs of the children they are seeking to place for adoption. The recruitment strategy considers the sufficiency of adopters required to meet the needs of children in Medway. For this reason, Medway and Bexley have run events encouraging potential adopters to consider adopting a sibling group.

### **5.3 The Assessment Process:**

#### **Enquires, Assessment and Approvals**

- 5.3.1 All assessments are carried out in accordance with The Statutory Guidance for Adoption July 2013, National Minimum Standards 2014 and the Adoption and the Adoption Agencies Regulations 2005.
- 5.3.2 There were 24 initial enquiries received during 2018/19, of which 16 households attended an information meeting during this period. 1 enquiry went no further at this time. It is not unusual for prospective adoption applicants to make enquiries to decide that adoption is not right for them at that time. Some applicants may reconnect at a later stage and progress from an initial enquiry and follow through with an application.
- 5.3.3 There were 25 Registrations of Interests received by the Agency, and of these, 7 households were second time adopters or foster carers, moving straight into stage 2, with the remaining households going into stage 1.
- 5.3.4 During 2018/19, 19 applications were presented to the Adoption Panel. 17 of these were approved and two were not approved.

#### **Makeup of households/Applicants presented to the Adoption panel in 2018/19**

- 5.3.5 There were 15 couples and two single adopters approved by the Adoption Panel.

#### **Ethnicity of Adopters approved in 2018/19**

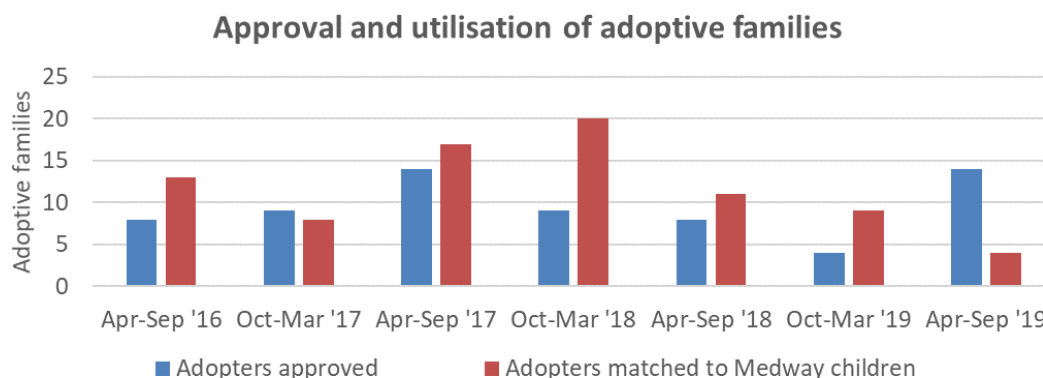
- 5.3.6 Of the 17 households approved 11 were White British (WB) couples, one couple was WB/ White South African, one couple was WB/ Black British, one couple was WB/ White Irish and one couple was British Sikh. Both single adopters were WB.

#### **Pre and Post Approval Support**

- 5.3.7 All applicants and approved adopters are supported by a Social Worker from the Adoption Team from application right through to approval, the process of placement of children, to the making of an Adoption Order. Once an Adoption Order has been made, adopters continue to access support or can request an assessment of their additional support needs through the Adoption Team.



5.3.8 The graph below indicates the numbers of adopters approved over time and the numbers subsequently matched with Medway children. There is no cost to the local authority when Medway children are placed with Medway approved adopters. In contrast placing children with adopters approved by any other local authority or voluntary agency incurs a considerable cost, which is agreed nationally. It is therefore beneficial to the Council to approve sufficient adopters and enable and support them to take Medway children, whenever appropriate, or alternatively to “sell” them to other local authorities which gives income to Medway.



## 6. Adoption Support Services

### 6.1 Pre and Post Adoption Support for Families

6.1.1 The Adoption and Children Act 2002 established the right of adopted families to request an assessment of their adoption support needs. Our website informs the public about the level of support Medway offers both pre and post placement and how help and support can be accessed. Also available is a 'Children's Guide to Adoption Support'.

6.1.2 Each request for adoption and special guardianship support is assessed to ensure the appropriate support is put in place, whether through social work support from the team or specialist support through the provision of therapy or counselling. The recent Ofsted report commented on post adoption support as comprehensive and easily accessible.

6.1.3 There were 18 new adoption families coming forward for post-adoption support and 12 new Special Guardianship families coming forward for post Special Guardianship support during the period.

6.1.4 The Department for Education Adoption Support Fund has been available since April 2015 to provide funding for therapeutic support in recognition of the impact of trauma and loss for all children who are placed for adoption and the lifelong impact of this. During the last year, 60 applications were successfully made for funding to provide therapeutic support to children and their families. The grants totalled £140,798.53, although it needs acknowledging that some of these funds will need to be returned should the work not be completed.

- 6.1.5 The team have a mailing list of adoptive families who are sent newsletters, invitations to training and support groups, and social events including a Christmas party and a summer picnic.
- 6.1.6 Each child placed for adoption is required to have a contact plan in relation to their birth family. The service currently manages letter box exchanges on behalf of 250 children and families many of which have required direct intervention to support all the parties involved in the contact arrangements, i.e. adopted children and young people, their adoptive parents and their birth families.
- 6.1.7 The team also supervised 3 direct contact arrangements between children, their adopters and birth family members.
- 6.1.8 There were a total of 15 new adult adoptees and birth relatives who applied for support to access their information.

## **6.2 Commissioned Support Services**

- 6.2.1 During this period, Medway Council remained a full member of CoramBAAF. CoramBAAF is a leading agency for research, professional advice and development. They also organise the National Adoption Week and Adoption Activity Days where would-be adoptive parents meet children with a plan of adoption.
- 6.2.2 The Agency has also continued its membership with New Family Social, a national charity supporting adopters and foster carers from the Lesbian, Gay, Bisexual and Trans-gender community. This organisation provides social events, a website and membership events for carers, and support and advice to adoption agencies.
- 6.2.3 The Agency has a service level agreement with the Post Adoption Centre (PAC) who have provided direct support to anyone affected by adoption through a monthly local surgery.
- 6.2.4 The future of these commissioned services will be decided within the ongoing discussions about the RAA.

## **6.3 Independent Counselling for Birth Parents**

- 6.3.1 This service was contracted out to Family Action until April 2019 when it was brought in house. One member of staff was transferred over to Medway and she has subsequently been on maternity leave since May. Some aspects of the service are being run by the team and others in need of counselling have been referred to Post Adoption Centre surgery locally.

## **6.4 Services for Adopted Adults and Birth Relatives**

- 6.4.1 Social Workers in the Post Adoption Service provide advice and counselling services to adopted adults seeking information and access to their birth records. For all Medway residents an access to records counselling service is offered. Information is also provided to other councils who are supporting adopted adults living in their area who were adopted through Medway

Council. An initial counselling interview is offered to those seeking birth records and work is undertaken to locate records held by other Adoption Agencies. Counselling and practical advice during tracing, an intermediary service and pre and post reunion support are also available to adopted adults and their birth relatives. Birth relatives or those with a prescribed relationship, seeking to make contact with adopted adults are offered information and advice and an intermediary service where appropriate. In the case of birth relatives, they are not provided with any identifying information about the adopted person but the Agency acts as the intermediary.

## **7. Intercountry Adoption**

- 7.1 Medway Council offers an Intercountry adoption service as required by regulation. However no enquiries have been received in the last 5 years. Intercountry adoption figures nationally dropped by 80% between 2004 and 2014 as more countries have sought to make suitable arrangements for their children within their own borders and no longer make children available for adoption internationally.

## **8. Regionalisation**

- 8.1 In March 2016, the government announced changes to the delivery of adoption services setting a very clear direction that all local authorities' adoption services must be delivered on a regionalised basis by 2020. This followed a range of national policy changes since 2012, including the 2015 'Regionalising Adoption' paper by the DfE that sought improvements in adoption performance. Following the general election in June 2017, the Minister of State for Children and Families reaffirmed their commitment to this policy. In March 2018, the DfE commenced the legislation that allows them to direct a local authority into a Regional Adoption Agency (RAA) if there is no progress being made.
- 8.2 It is proposed that a new RAA is created through combining the adoption services for the three authorities of Kent, Bexley and Medway. These agencies wish to build on the success of their existing services to improve performance in meeting the needs of children who require permanence through adoption, by bringing together the best practice from each authority within the RAA. It is proposed that this will be a partnership arrangement.
- 8.3 A separate report and business case detailing the proposals for the RAA is attached to this agenda for this Committee, which will then be presented to Cabinet in January 2020.
- 8.4 The next year will be a challenging and busy year as the work towards an RAA progresses at pace, and the Annual Report next year will be presented by the RAA.

## 9. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Finance	Where possible, Medway children are placed with Medway approved adopters at no cost to the authority. Placement of Medway children with external adoptive families while initially costing the authority money produces a saving by reducing long term fostering costs. These costs are also offset by the selling of Medway adopters to other authorities if their children are placed with Medway adopters.	The regional adoption agency will provide access to a wider range of potential adopters thereby reducing costs to the authority.	C2
Recruitment of the right adopters for the children of Medway.	There is a national shortage of adopters at the current time which has implications for timely placement of children. This also has implications for the placement of Medway's complex and challenging children.	The RAA should enable all three local authorities to access a wider pool of adopters and provide good quality support to enable adopters to parent more complex and challenging children.	B2
Legal Issues	There are continuing discussions about the delivery model for the RAA and whichever model is chosen will lead to a number of legal issues and risks regarding contracts, procurement and transfer of functions into the Regional Adoption Agency. This also may include consideration of pension arrangements and a formal partnership agreement between all the local authorities involved in this project.	Key risks and issues will be identified as part of the project planning. A risk register will be produced and will be regularly monitored and updated as part of the work plan of the project board.	A2

Risk	Description	Action to avoid or mitigate risk	Risk rating
Commissioning/ Procurement	Whatever arrangement is put in place will need to follow the Public Contracts Regulations 2015. This ensures that appropriate supply chain and contractual relationships are in place to meet and manage any sustainability issues, generate innovation and the development of partnerships.	Much will depend on the commercial model chosen. A clear understanding of risks identified within a risk register will pinpoint robust mitigations and reduce risk to the local authorities and the providers, and will enable all parties to understand where risks need to be shared.	B2

## 10. Implications for Looked After Children

- 10.1 In order to ensure there is timely permanency planning for all children entering care, Medway has considered its Permanence Planning Policy alongside those of its partner agencies within the RAA. This supports early identification of the children for whom adoption is the plan and supports early family finding so that children can be placed within their permanent family at the earliest opportunity.

## 11. Financial implications

- 11.1 Funding of £800,000 has been awarded to the three local authorities to develop the RAA.
- 11.2 The current Adoption Agency model is operating within budget and the development of the proposed regional adoption agency (RAA) will be more cost effective and help to drive cost efficiencies. However traditionally Medway is a net exporter of adopters and entering into the RAA may result in a short term pressure against the approved budget.

## 12. Legal implications

- 12.1 There are no specific legal implications relating to the delivery of an adoption service to children and families; however there are implications relating to the RAA as detailed below.
- 12.2 In June 2015 the Department for Education (DfE) reported that local authorities should be working towards the creation of Regional Agencies by 2020. This remains the expectation of all local authorities. Their commitment to this approach is such that the Education and Adoption Act 2016 has given power to the government to direct a local authority to enter into a RAA if it has not done so by 2017.
- 12.3 There are likely to be a number of legal issues and risks regarding contracts, procurement and transfer of functions into the RAA. This may also include

consideration of pension arrangements and a formal partnership agreement between all the local authorities involved in this project. A formal proposal has been sent to the DfE for consideration.

- 12.4 Key risks and issues will be identified as part of the project planning. A risk register will be produced and will be regularly monitored and updated as part of the work plan of the Project Board.

### **13. Recommendations**

- 13.1 The Cabinet is asked to note the Annual Adoption Report.

### **14. Suggested reason for decision**

- 14.1 Statutory guidance requires adoption agencies to report on adoption agency activity in the last year.

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### **Appendices**

Appendix 1 – Adoption Team Structure Chart

### **Background Papers**

None

# Appendix 1 - Adoption Team Structure Chart

