

MUNICIPAL YEAR 2016/2017 - REPORT NO.37

MEETING TITLE AND DATE

Cabinet, 7 July 2016

Agenda - Part: 1 | **Item: 15**

Subject: Adoption Scrutiny Workstream

Wards: Not applicable

REPORT OF:

Director of Finance, Resources and Customer Services

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Cabinet Member consulted: Cllr Ayfer Orhan

1. EXECUTIVE SUMMARY

- 1.1 The Adoption workstream was set up in June 2015 by the Overview and Scrutiny Committee.
- 1.2 Based on the evidence gathered from adopters by members of the workstream, members are satisfied that the adoption service is good. The service is well run, and greatly valued and appreciated by those who use it.
- 1.3 Significant national changes have occurred over the last 12-24 months. There have been dramatic reductions in the number of placement orders given by the courts in preference of special guardianships keeping children within the family. Children who are subject to placement orders and need adoptive families are now more likely to be those who are the most vulnerable and come from abusive backgrounds. During this same period there has been a national increase in the pool of approved adopters.
- 1.4 Across the consortium around 75% of approved adopters are white, while around 75% of the children still awaiting placements are from a BME background, all of which led the work stream to consider the recruitment of adopters.
- 1.5 Recommendations have been based on the evidence and research undertaken, some of which was provided by the adopters themselves.

2. RECOMMENDATIONS

Cabinet are asked to note this report and the Cabinet Member and Directors response to the recommendations (attached as Appendix A)

Workstream Recommendations

- 2.1 Future key updates or developments on regionalisation are brought to the Overview and Scrutiny Committee to monitor and that they are kept informed of its implementation. (see 6.3)
- 2.2 The workstream suggest that the North London Adoption and Fostering Consortium uses images for adoption recruitment that include children with clear complex needs, and continues to use images of BME children. (see 8.17-8.19)
- 2.3 The Council creates a myth busting poster on adoption for display at GP surgeries in Enfield and future adoption recruitment events are advertised at GP surgeries in Enfield. (see 11.6)
- 2.4 The 'matching' process is reissued after approval at panel to remind adopters of the process. This should also include providing written details to adopters of what happens next and when they will be contacted and how often this contact will occur. (see 11.7)
- 2.5 The North London Adoption and Fostering Consortium consider providing adopters with the option of completing training feedback forms anonymously. (see 11.8-11.9)

Workstream Membership

The workstream consisted of the following Councillors:

Cllr Krystle Fonyonga (Chair), Cllr Andy Milne (Vice Chair), Cllr Dinah Barry, Cllr Suna Hurman, Cllr Toby Simon and Cllr Alessandro Georgiou.

The members would like to thank the many adopters both approved and prospective who took the time to provide their views.

The workstream members would also like to thank the following members and officers for their contribution to the work of the review:

Linda Hughes (Head of Services for Looked After Children), Debbie Michael (Team Manager, Adoption), Yvonne Metcalf (Independent Chair, Adoption Panel), Julian Edwards (Interim Assistant Director), Cllr Ayfer Orhan and Cllr Mary Maguire.

3. BACKGROUND

- 3.1 The Adoption workstream was set up in June 2015 by the Overview and Scrutiny Committee (OSC). This followed on from a report that OSC received in April 2015, where OSC members felt they would like to look at the recruitment of BME adopters and the number of available adopters and children in more detail.
- 3.2 Following the first meeting members identified three key areas that they wanted to explore:
- Recruiting adopters for our children with complex needs
 - Approved adopters waiting too long to adopt
 - Regionalisation of the Adoption Service
- 3.3 Members were keen as part of the review to meet with a random sample of current and prospective adopters to hear their views. This was arranged in a number of ways with members attending meetings, making telephone calls and receiving written feedback and comments.
- 3.4 The workstream have met on three occasions and have received an overview of the service, together with background information on recruitment of adopters and matching with children, support and training, quality assurance, performance management information and future regionalisation of adoption services. This has also included a public meeting which was attended by the Cabinet Member, and the Independent Chair of the Adoption Panel.

4. Adoption

- 4.1 Adoption provides 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 has been granted it cannot be reversed except in extremely rare circumstances. An adopted child loses all legal ties with their birth mother and father and becomes a full member of the new family, taking the family's name.
- 4.2 Members were advised that the picture on adoption has changed considerably over the last 12-24 months with far fewer children now having a plan for adoption. The knock on effect of this is that the children that are subject to placement orders and need adoptive families are now those children who are the most vulnerable and come from chaotic and/ or abusive backgrounds.
- 4.3 The workstream was informed that there are currently upwards of 6,000 children across the UK needing adoption every year, the significant majority being between 0 – 10 years of age. These children are from a range of ethnic and religious backgrounds and over half of them are siblings who need to be placed with their brothers and sisters.

A proportion of the children will have disabilities and the developmental progress of a far greater number will be uncertain due to parental substance misuse and mental health difficulties. Many will have suffered neglect and abuse before being referred to Children's Services.

- 4.4 In March 2015, an Ofsted inspection rated adoption services in Enfield as 'Good' – this judgement has been awarded to fewer than half of all adoption services inspected under the current framework.
- 4.5 Enfield is a member of the North London Consortium and in the year 2014/15 Enfield achieved the highest levels of approved families and adopted children amongst the Consortium members over the year.

5. **National Context**

- 5.1 The Government aim is to ensure that children are placed in adoptive homes more quickly. However nationally there has been a significant reduction in the number of placement orders made which members felt may feed into the frustration of adopters who are waiting if they are not made aware of the national context.
- 5.2 The workstream were advised that at each stage of the adoption process; from the information sessions through to foundation day and then during the assessments sessions, the aim is to make all adopters aware of the current national adoption landscape. The workstream felt that it is important to continue with this to assist in managing the adopters' expectations.
- 5.3 The reduction in placement orders is due to the practice of the judiciary currently placing a greater emphasis on family based solutions following case law. The court must be satisfied that adoption is necessary in order to protect the interests of the child and that "nothing else will do".
- 5.4 The legal threshold for the granting of placement orders allowing a plan of adoption to be progressed has risen significantly over the last year, following seminal case law placing a greater emphasis on family based solutions. Over this period the number of such orders granted nationally has almost halved.
- 5.5 There have been rising numbers of Special Guardianship Orders (SGO) granted by the courts. A SGO is an order appointing one or more individuals to be a child's 'special guardian'. It is a private law made under the Children Act 1989 and is intended for those children who cannot live with their birth parents and who would benefit from a legally secure placement. It does not end the legal relationship between the child and their parents.

- 5.6 The court must decide that a special guardianship order is the most appropriate order to make in the best interests of the child. It confers parental responsibility, which can be exercised to the exclusion of any other person with parental responsibility apart from another special guardian. The special guardian has responsibility for day to day decisions relating to a child's care and upbringing.

6. Regionalisation of adoption service

- 6.1 In the 2015 Queen's Speech, the Government announced plans to move to regional adoption agencies across the country with the aim of improving consistency and achieving economies of scale. This will involve all local authorities being part of regional agencies in some way.
- 6.2 A member of the workstream attended a London conference on regionalisation and the workstream have also received updates from both senior officers and the Cabinet Member.
- 6.3 Currently, plans for the regionalisation at a London level are still being developed. Members have heard that the service is not the same nationally with several adopters citing negatives experiences in other areas. The workstream is very keen to ensure that the good work of both Enfield and the North London Consortium are not lost under regionalisation.

Recommendation: Future key updates or developments on regionalisation are brought to the Overview and Scrutiny Committee to monitor and that they are kept informed of its implementation.

7. North London Consortium

- 7.1 The North London Consortium is a partnership of six local authorities; Enfield, Barnet, Camden, Hackney, Haringey and Islington. The workstream were advised that this has enabled joint working and the pooling of resources where it is beneficial and that significant financial efficiencies have been achieved. Fostering and recruitment events, support and training are just some examples of joint working that the consortium has been able to achieve. In addition there are regular meetings and forums at every level within the adoption service of these consortium boroughs.

8. Recruitment of Adopters and Matching with Children

- 8.1 Members heard how under the Government's adoption reform agenda, far more people have been encouraged to apply to become adopters and this has created a substantial rise both locally and nationally in the pool of available adopters. This is despite the national reduction in the number of children available for adoption.

- 8.2 There are now only 3 criteria preventing applicants from being assessed as adopters and these are that you; cannot be under 21- (although there is no upper age limit), cannot have a conviction for certain offences against children and must not have immigration/status issues preventing you from remaining in the UK legally.
- 8.3 The approval process has also been shortened in line with Government guidelines with approval now usually completed within 6-8 months from an applicant expressing an interest in adoption to being presented at an adoption panel for formal approval.
- 8.4 The reduction in the number of available children and the increase in the pool of available adopters has meant that many adopters now face longer waiting times to be matched with a child making the post-approval period extremely difficult for many adopters. The current climate of very few children is very much one for which adopters need to be prepared for and one in which they will need support.
- 8.5 Many adopters are looking for babies or very young children with few complications. Conversely, there are very few babies available for adoption locally and nationally; those that are have significant levels of developmental uncertainty. This is due to their parents' use of drugs and alcohol, mental health and domestic violence issues.
- 8.6 Therefore, despite the current climate of fewer children to adopters, there are still children that are hard to match due to their complex needs and the uncertainty around their future development.
- 8.7 For example at a meeting in January 2016, the workstream were advised that in Enfield there were 5 children (all aged 4 years old and younger and including one group of siblings) not yet linked to an adoptive family and 6 families waiting to be matched. All of the children waiting to be matched had global development delay at some level or developmental uncertainty due to the birth families history and included one child with highly complex needs. None of the adopters waiting felt able to take on any of the children available.
- 8.8 The workstream were advised that once an adopter has been approved, the social worker who assessed them will remain as their link worker. Telephone contact is planned for once a month but face to face visits will take place if felt necessary by either party. During this contact, all options available are discussed and adopters are supported to access adoption link and the adoption register themselves as well as potential children being identified by the local authority.
- 8.9 One year after approval, there will be a formal meeting to re confirm the approval – that nothing had changed in the meantime. This is chaired by a manager and attended by the adopters and their link worker. The

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reduced availability of children is discussed at all points starting with the adoption assessment. The option of fostering would be mentioned if felt appropriate.

- 8.10 There is now a London run support group 'for adopters who wait' this has proved very popular and further meetings are planned. All the London consortia will assist with planning and running these events.
- 8.11 All second time adopters are advised that a long wait is likely unless a sibling of their current adopted child comes along.
- 8.12 Adoption Link runs an online UK-wide matching service for adopters and children. At the time of this report they had 755 active profiles of children waiting for adoption across the UK on their database with only 14% of these children having no identified additional needs.
- 8.13 The workstream explored the issue of BME children; they were advised that BME children were not exclusively matched to BME adopters. Across the consortium around 75% of approved adopters are white, while around 75% of the children awaiting placements are from a BME background. This is the similar picture nationally with the majority of enquiries on adoption received by First4Adoption (First4Adoption is the national information service for people interested in adopting a child in England) being from those with white UK backgrounds. At a national, regional and local level, BME adopters have been targeted with a particular focus on adopting sibling groups and those with disabilities. This is due to the higher numbers of BME children compared to BME adopters.
- 8.14 When children cannot be placed with Enfield or consortium adopters, they will automatically be referred to the national adoption register and robust family finding will be undertaken by the dedicated family finder in the adoption team through focused advertising, referrals to specialist agencies and attendance at national exchange events. Some children would be deliberately matched outside Enfield, e.g. if they were older and more recognisable.
- 8.15 If adoption cannot be achieved within the child's timescales then long term fostering will be pursued as an alternative permanency plan.
- 8.16 Members heard that the consortium recruitment material for prospective adopters is now much more carefully targeted and more realistic about what can be expected. This message is further reinforced at the events. However there would still appear to be a disparity between the children being sought by adopters and those that are available.

- 8.17 Members were pleased to note that the images used for a recruitment event in October did include BME images. They felt that pictorial images are very powerful and likely to be remembered. They thought that the consortium could go further by ensuring that images used included children with clear complex needs; whether that is physical, mental or learning disabilities that this could be very effective way of demonstrating the available children.
- 8.18 Adopters waiting long periods for a child expressed their frustration at seeing recruitment events advertised on buses, when they could not find the child they were looking for. A pictorial image may also assist in reminding waiting adopters that it is the children with complex needs who are being sought adoptive parents.

Recommendation: The workstream suggest that the North London Adoption and Fostering Consortium uses images for adoption recruitment that include children with clear complex needs, and continues to use images of BME children.

9. Adoption Panel

- 9.1 The Adoption Panel has a statutory function and has an independent chair. The Panel has a range of members with different experiences including someone who has been adopted, someone with an adopted child, elected members, foster carers, a medical advisor and independent members. The Panel meets once a month with generally 3 to 4 cases going to each meeting.
- 9.2 The workstream also invited statements from the elected representatives and helpfully received a statement from one of the elected members setting out her experience as a Panel Member.
- 9.3 Members were pleased to note that applications were welcomed from same sex adopters and that such applications were being received. Members were also assured that all applicants are treated the same with the main concern being that the child's needs could be met and that the adopters can provide a positive role model.
- 9.4 The Panel's aim is to be transparent with all discussions and decisions made in front of the applicant where possible.
- 9.5 All Panel members have annual appraisals and attend mandatory training one day a year, other training is also available and is offered through the consortium.
- 9.6 Fostering to adopt was discussed however members were advised that many adopters are not suitable for this due to the possibility that they may not be able to adopt the child who they foster as the child is still within the jurisdiction of the court. The motivation behind wanting to

adopt and wanting to foster is usually very different. This sentiment has also been echoed by the adopters themselves that the workstream spoke to.

10. Support and training

- 10.1 Since October 2014, the Consortium has had a joint contract with a well-respected adoption agency offering a range of comprehensive pre and post adoption support.
- 10.2 There are at least 6 consortium training events each year for approved adopters. Intensive support is also available for families in crisis.
- 10.3 Training available to adopters is continuous with families often requiring assistance much further down the line when the child hits adolescence. Training sessions include current adopters who talk about their experiences which is something the adopters have stated that they greatly value.
- 10.4 A compulsory training session is part of the adoption assessment process and it is expected that there will be a willingness to learn from the families. The workstream were informed that families are very keen to attend training.
- 10.5 Members found from their feedback and their attendance at a support group meeting that the training and support offered is highly rated and the adopters themselves found it invaluable, with some adopters continuing to attend support groups many years after their children had been adopted.

11. Research and investigation

Adoption support Group Meeting/ Meeting with adopters/ Telephone interview/ Written feedback

- 11.1 Members of the workstream sought opportunities to meet with different groups of prospective and approved adopters. The aims of these meetings were to allow Members to independently gather information in order to properly scrutinize the services received at each stage of the adoption process. These groups consisted of applicants going through the assessment process; newly approved adopters and longer standing adopters whose children were now older. During the course of this review the workstream had contact with 24 adopters.
- 11.2 In addition to this members attended a support group meeting to both gather feedback from adopters and observe how the support group worked.

- 11.3 Following this support group meeting, the Chair requested that a letter was sent out to all those who had received a service from the adoption service within the last two years seeking their written feedback (which could be anonymous).
- 11.4 Members have greatly appreciated this opportunity and would like to thank the adoption service for arranging and the many people who took the time to provide their insight and thoughts on adoption.
- 11.5 The feedback that the workstream has received has been extremely positive with many adopters using the opportunity to praise both the service and in particular their dealings with their social workers and the post adoption team.
- 11.6 As well as discussing their experiences and the service that they have received adopters were asked for their feedback on the following:
- Recruiting adopters for our children with complex needs
- On this issue several adopters spoke of the explanation and help that is already available to assist adopters. However many felt that misconception around adoption was very common and there was always 'someone with a story to tell' on why you cannot adopt. They said that it is a common for them to hear that you cannot adopt either if you are an older couple (who they felt may well have the experience and maturity to cope with a child with complex needs) or if you are single. They felt that it would be helpful to provide a myth busting leaflet or poster and that a good place to display this would be GP surgeries and it was also suggested that this is a good place to advertise adoption recruitment events. They believed that those who cannot have their own children often consult with their doctor and may well consider the option of adoption. The workstream noted that there is a consortium Frequently Asked Questions (FAQ) page on the website and a '10 things about... Adoption' document by the Department for Education. These documents already provide the information online that could be put on a poster.

Recommendation: The Council creates a myth busting poster on adoption is displayed at GP surgeries in Enfield and future adoption recruitment events are advertised at GP surgeries

- Approved adopters waiting too long to adopt
- 11.7 On this issue adopters felt that the communication between approval and matching was paramount and some adopters highlighted what they considered to be a sub-optimal level of communication by the service during this period, explaining for example that they were left

feeling in 'no man's land' wondering what was happening. There was a consensus that this was the hardest, most disheartening and draining part of the process. Many spoke of the support groups which helped you feel less alone and gave you the opportunity to talk to other people going through the same thing. Alternatives of perhaps fostering or changing their criteria had been discussed, although many felt unable to consider fostering as would not want to give the child up. They all said that honest and clear information at all stages and formalised contact would be helpful.

Recommendation: The matching process is reissued after approval at panel to remind adopters of the process. This should also include providing written details to adopters of what happens next and when they will be contacted and how often this contact will occur.

- Other issues

11.8 An adopter spoke of attending a training event which was delivered by an external consultant. The adopter provided named feedback on this session which she considered to be fair and honest. This was submitted before the trainer gave a written assessment of the adopters. The adopter felt that this could have influenced the trainer's assessment. Indeed in this particular case the adopter's social worker, who had been present during the training, did counter the trainers' assessment. This could have been avoided if the feedback forms were either anonymous or were not available to the person writing assessments until after these assessment have been completed.

11.9 The workstream considered that to ensure both a robust process and that the potential adopters are receiving the most effective training sessions, the adopters should have the opportunity to provide feedback on the course and/or trainer anonymously.

Recommendation: The North London Adoption and Fostering Consortium consider providing adopters with the option of completing training feedback forms anonymously.

11.10 Two adopters spoke about being offered a child outside of their stated criteria which had caused them distress in an already emotional period. The workstream members could see a place for this as long as it was clearly stated at the outset that the child was outside of the criteria but the adopters may still wish to explore further.

- 11.11 The workstream were advised that when adopters are assessed they say what kind of child they feel unable to take on. The social worker will explore this with them – does ‘with a visual impairment’ mean a blind child, someone with a squint or someone who needs glasses for instance. Adopters who have a long wait may advise the service that they would like to broaden their criteria over time.
- 11.12 Whilst this was only mentioned by 2 of the adopters that the workstream spoke to members felt that it is important that the recording of information of requirements are accurate and available so that adopters are not offered children who have been identified as outside their criteria. That is unless:
- (i) this is clearly stated at the outset to the adopter and/ or
 - (ii) the adopter had previously indicated that they would be willing to consider children falling outside their desired criteria.
- Overall feedback
- 11.13 Adopters found the adoption process invasive, intensive and overwhelming yet they all felt that this right and proper and generally reported that their experiences were positive.
- 11.14 Although the Panel seemed intimidating at first due as a large number of people deciding your fate; the adopters commented that you were made to ‘feel at ease’ and the Panel was run in a highly professional manner.
- 11.15 The training the adopters received was well organised, interesting and relevant; included worst case scenarios with reality checks on the issues that could arise. The adopters all felt that they had benefited from the courses that they were offered and attended many years after adopting their child. Several adopters mentioned the annual family adoption day as invaluable in keeping in contact with other families and the adoption team.
- 11.16 It was clear that this service is not always being replicated around the country with some adopters either speaking about their own negative experience with other local authorities or their friends experiences in other local authorities.
- 11.17 Social workers were described as professional, compassionate and sensitive. The support groups were also commonly mentioned as very helpful. The post adoption team was praised as adopters spoke of being well supported at what is a very emotional process.

12. ALTERNATIVE OPTIONS CONSIDERED

None.

13. COMMENTS FROM CMB

CMB noted the report and the comments made by the Cabinet Member and the Director in response to the recommendations.

14. REASONS FOR RECOMMENDATIONS

To improve outcomes for children with a plan for adoption.

15. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

15.1 Financial Implications

Any costs from the adoption Scrutiny workstream recommendations will be met from existing budgets for 2016/17.

15.2 Legal Implications

Section 3(1) of the Adoption and Children Act 2002 places a duty on all local authorities to 'continue to maintain within their area a service designed to meet the needs, in relation to adoption, of—
'(a) children who may be adopted, their parents and guardians,
'(b) persons wishing to adopt a child, and
'(c) adopted persons, their parents, natural parents and former guardians.'

Section 3(2) of the same Act requires local authorities to provide facilities within their adoption service which must include 'making, and participating in, arrangements—
'(a) for the adoption of children, and
'(b) for the provision of adoption support services.'

The proposals set out in this report comply with the above legislation.

16. KEY RISKS

Adoption offers vulnerable children much needed stability and security and support to achieve their potential. Implementation of the suggested recommendations should help enhance the adoption service in Enfield. Future referral to OSC will reduce the low level of risk of scrutiny members not being able to input into developments on regionalisation of the adoption service.

17. IMPACT ON COUNCIL PRIORITIES

Fairness for All

The report concludes that Enfield has a good, well run service that ensures that children needing adoptive placements are treated fairly and enabled to fulfil their potential in stable families.

Growth and Sustainability

To provide a sustainable future for the service, it is important that the good work of the North London Fostering and Adoption Consortium is considered in the ongoing regionalisation of adoption services.

Strong Communities

Giving children the opportunity to grow up in stable adoptive families will contribute to building strong communities in Enfield.

18. EQUALITIES IMPACT IMPLICATIONS

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report. However EQIAs will be completed on the various work streams as and where necessary.

19. PERFORMANCE MANAGEMENT IMPLICATIONS

Further updates on the progress of the regionalisation of the adoption and fostering service will be provided to OSC as appropriate.

20. PUBLIC HEALTH IMPLICATIONS

Provision of good quality adoption services is important for the health and wellbeing of families. To maximise the public health gain, signposting to health promoting resources could further enhance the health and wellbeing of individuals.

Background Papers

None

Appendix A

CABINET MEMBERS' AND DIRECTORS' RESPONSE TO THE ADOPTION SCRUTINY WORKSTREAM REPORT & RECOMMENDATION

Recommendations	Director/Cabinet Members Response
Recommendations relating to the Cabinet Member for Education, Children's Services and Protection	Meeting with Cllr Orhan, Cllr Fonyonga, Tony Theodoulou 18th April
Future key updates or developments on regionalisation are brought to the Overview and Scrutiny Committee to monitor and that they are kept informed of its implementation.	Agreed – An update will be included in the annual Adoption report that is considered by OSC and Cabinet.
The workstream suggest that the North London Adoption and Fostering Consortium uses images for adoption recruitment that include children with clear complex needs, and continues to use images of BME children.	Agreed – Recruitment material is agreed by the North London Adoption Consortium and this recommendation will be brought to their attention.
The Council creates a myth busting poster on adoption for display at GP surgeries in Enfield and future adoption recruitment events are advertised at GP surgeries in Enfield.	Agreed –. Potential applicants will be directed to the Adoption website.
The matching process is reissued after approval at panel to remind adopters of the process. This should also include providing written details to adopters of what happens next and when they will be contacted and how often this contact will occur.	Agreed – this will be completed in conjunction with consortium partners.
The North London Adoption and Fostering Consortium consider providing adopters with the option of completing training feedback forms anonymously.	Agreed