Present: Cllr Elizabeth Kangethe (Chair), Cllr Simon Bremner, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Syed Ghani and Cllr Adegboyega Oluwole

Also Present: Rao Khan

Apologies: Cllr Danielle Smith

14. Declaration of Members' Interests

There were no declarations of interest.

15. Minutes - To confirm as correct the minutes of the meeting held on 19 September 2016

The minutes of the meeting held on 19 September 2016 were confirmed as correct.

16. Presentations from representatives involved in the Adoption Process

The Chair welcomed members, officers and guests to the meeting and asked all those present to introduce themselves.

The Operational Director for Children’s Care and Support (ODCCS), stated that the Committee had commenced a scrutiny review on ‘Improving the Council's Adoption Scorecard Performance’ in September this year and included in the scope for the review were the presentations arranged for this meeting. The presentations would help the Committee answer the question of how the views and experience of others involved in the adoption process might help improve the Council's practice, which partly formed the terms of reference of the scrutiny review.

The ODCCS stated that the presentations today would be delivered by Roy Stewart, the Independent Chair of the borough’s Adoption Panel, who had over ten years’ experience in the role, the Council's Senior Solicitor for Safeguarding (SSS), the Group Manager for Looked After Children, Adoption and Prevention Services (GMLAC), who would present on family-finding and a Social Worker (SW) who would deliver a presentation on post-adoption services.

Mr Stewart gave a presentation on the following issues:

- Why have an adoption panel?
- Who is on the Panel?
- Independent members
- What does the Panel do?
- What does the Agency Decision Maker do?
- Other matters.
Members asked how often the Panel met and what factors it took into account when considering matching a child with a potential adoptive family. Mr Stewart stated that the Panel met once a month and that it would take all relevant factors into account, including the potential adoptive family’s ethnicity and cultural background. The government had changed the law so that there was no longer a requirement to match the child ethnically with the family. Whilst the Panel was not against transracial placements, it still placed importance on ensuring that the family would be able to support the child develop a strong sense of identity.

Members asked how members of the Panel were selected and what safeguards were in place to ensure they understood data protection requirements. Mr Stewart stated that the adoption agency (who in this case was the Council’s adoption service) advertised vacancies and recruited members to the Panel according to its policy. With regards to data protection, members were interviewed to check their understanding of the requirements of the role and also required to read and sign a confidentiality agreement. Furthermore, when Mr Roy met new members he talked them through issues such as where papers should be stored.

Members asked whether there were any examples of the Agency Decision Maker not agreeing with the Panel’s recommendation on a potential adoptive family for a child. The ODCCS, who is also the ADM, stated that she had never disagreed with the Panel’s recommendation whilst working for this authority; however, she had whilst working for another authority. She added that when she met with Mr Stewart, that their discussions included cases which involved areas of social work practice that could be improved.

Members asked who was on the Independent Review Mechanism (IRM) panels (panels set up by the IRM to provide adoption applicants in England with the option of applying to ask for a review of the adoption agency’s decision not to approve them as adopters). Mr Stewart stated that the IRM had set up IRM panels to consider applications within certain areas, which would usually be similar in composition to adoption panels.

Daniel Agyei (Deputy Chair of the BAD Youth Forum) stated that in his view, transracial and cross cultural adoption placements could also be positive and asked whether the Adoption Panel should be more open to this view. Mr Stewart stated that this was an area of contention amongst academics, professionals, and the government so there was no straightforward answer. The government had changed the law because it believed children were waiting too long for an adoptive family, and it felt removing racial and cultural requirements would speed up the adoption process for some children. Mr Stewart believed that it was true that some social workers may have in the past been overzealous in matching children with families who were of the same race and/or culture; however, this was not the Panel’s approach as the Panel would look at the potential adoptive family’s overall ability to look after all the child’s needs. Having said this, providing a strong cultural identity was also a part of the child’s needs and the Panel would take this factor into account when making the recommendation to the ADM.

In response to a question, Mr Roy stated that four members of the Panel were lay people although some may have had previous experience of working in adoption or the adoption process.
The SSS delivered a presentation on:

- Changes in the way courts consider care cases;
  - The most important of these cases is Re. BS where the Court gave guidance that a care plan of adoption should only be endorsed if the Court was satisfied that “nothing else will do”.
- Guidance Issued by the Court of Appeal in 2015; and
- Where do we go from here?

Members asked the SSS whether there were cases in which the court appeared to be giving a preference for adoption to the child’s relative over a non-related but suitable potential adopter. The SSS stated that the courts would not grant adoption in favour of a non-related potential adopter over a member of the child’s extended family, without a social worker’s assessment, which included an assessment of how well the related person would meet the child’s needs. This could often lead to complicated circumstances as sometimes the relatives were willing to adopt the child but did not have a prior relationship with the child.

Members commented that whilst they understood why a birth parent may wish to appeal a decision that their child should be adopted, appeals cause delay, which is harmful to the child. The SSS stated that many adoption practitioners would agree; however, it was important to balance this consideration against the rights of the birth parents, given that a decision that the child should be adopted is of the most draconian action authorities can take. The SW stated that she had had a recent experience of birth parents appealing against the authority’s decision that the child be adopted, which would have led to the adoption placement breaking down, had it not been for the very high level of support put in place. Often the birth parents’ solicitor would advise them that they could appeal the authority’s decision, which can lead to a false sense of hope.

In response to comments, the SSS stated that this local authority always informs birth parents of each stage of the process, including in care proceedings. She stated that legal aid was now means tested to remove spurious claims for financial help from the system. Those not entitled to legal aid could represent themselves. Whilst this would not be suitable for all parents, as the adoption process and the court’s judgment was now much more transparent than previously, some birth parents could effectively represent themselves. In some cases, for example where a single mother has relinquished the care of her child, a court hearing may not be necessary, as long as she had had independent advice from the Children and Family Court Advisory and Support Service. Parents may appeal at any stage up until the child has been placed with an adoptive family. In the last year 3.5 percent of cases were challenged and had resulted in the return of the child to the birth parents. In all cases the law states that the needs of the child are paramount. The GMLAC stated that throughout the process of bringing a child into local authority care, birth parents were aware that adoption may be an outcome and officers did advise the birth parents to get legal representation.

The SW stated that the Council offered counselling to birth parents who were faced with the prospect that their child may be adopted; however, take-up of this service was extremely low. The ODCCS stated that the authority did recognise the traumatic nature of having one’s child taken into care and adopted. She suggested that the Committee may wish to recommend as part of this review, that the
authority work with a programme called PAUSE which aimed to support women to stop having repeat births when it was clear that they would not be able to keep the child, for example, due to a serious addiction to drugs and/or alcohol.

The GMLAC delivered a presentation on family-finding which included:

- Where we look;
- Process once a family is identified; and
- The national context.

Members noted that previously the cost of purchasing an adopter from another authority could be reimbursed from central government; however, this had now changed which meant that the authority would be paying £27,000 to purchase an adopter if an in-house match could not be found. The reason for this was that local authorities used to be able to purchase out of borough adopters for approximately £9000 from other local authorities but if they wished to purchase from private or voluntary agencies, the cost was much higher. The Government set the price at £27,000 for purchasing an adopter from any agency to standardise the price.

In response to a question, Ms Tarbutt confirmed that publications aimed at prospective adopters, which included information on children who were looking to be adopted, were usually accessed through specialised websites which were password protected.

The SW delivered a presentation on Post-Adoption Support Services, which covered:

- The number of staff – one full time post and one part time;
- What post-adoption services are offered;
  - Intermediary Services;
  - Contact - indirect and direct (open adoptions);
  - Adoption preparation groups;
  - Professional meetings;
  - Birth parents support groups;
  - Assessment of need;
  - Supporting colleagues;
  - Providing advice to other professionals;
  - Birth counselling; and
- What the Adoption and Children Act 2002 says about post-adoption services.

Members noted that there was a low take-up by birth fathers of the offer to attend group support sessions. The SW stated that the service would be writing to birth fathers to find out the reasons for this and where possible, it would be implementing the feedback in the hope that this would increase take-up.

In response to questions, the SW confirmed that her team included only herself and her colleague who was part-time, which meant that their workload was extremely challenging. This was further exacerbated by the removal of a business support officer role. Members felt strongly that they wished to make a recommendation to Cabinet that the shortage in resources in the post adoption support team should be addressed. Members asked the SW whether an
apprentice or student looking for a placement would help reduce the workload, to which the SW responded that this would not be of help as these people would need support themselves; what was needed was an experienced social worker to help ease the pressures of the workload.

Members asked whether children who had been with one foster carer for a long period of time were encouraged to keep contact with them after they had been adopted. The SW stated that it would depend on what was best for the child. Usually some form of contact would be maintained through, for example, emails and phone, but it would not usually take place in the child’s new or old home as it could give them confusing messages. Some children wish to meet their foster carer which is encouraged only after they have settled in, which could take up to a year.

Members asked the GMLAC to describe what usually took place on an Adoption Activity Day which aimed to find families for children in care. The GMLAC stated that only children aged four years and above took part in Activity Days, which usually took place in a large hall, with various activities set up for children of different ages and abilities. Potential adopters could move from one area to the next to watch the children play and talk to them. The children’s foster carers and social workers were also there and every effort was made to ensure the day was enjoyable for the children and the potential adopters; for example, one year the children were in fancy dress.

In response to a questions the SW stated that there was a photocopying charge for adults who had been adopted as children requiring the Council’s help to contact their birth family and that many families who adopted did keep the Council aware of changes in address and would get in touch for support if they felt there may be a potential breakdown in the relationship with the adopted child, further down the line. The ODCCS stated the Council would have to accept the decision of families who did not wish to remain in contact with the Council.

17. Work Programme for remaining meetings in 2016/17

Councillor Freeborn queried whether the agenda item on Child Sexual Exploitation that had been scheduled for the 20 March 2017 meeting could be moved to the meeting on 8 February 2017. The Chair referred to an informal meeting of the Committee on 25 October 2016, during which members agreed to move this item from the agenda of the 8 February 2017 meeting to the agenda for the 20 March 2017 meeting, on the request of officers as Child Sexual Exploitation week would be held just prior to the 20 March meeting, and they wish to include information on the activity of that week in the paper.

The Work Programme was noted.