Title: Improving the Council’s Adoption Scorecard Performance Scrutiny Review

Report of the Commissioning Director, Education (and Scrutiny Champion for the Committee)

Open Report For Decision

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Summary:
At the start of the 2016/17 municipal year, the Children’s Services Select Committee (CSSC) agreed to undertake an in-depth scrutiny review into ‘Improving the Council’s Adoption Scorecard Performance’. Appended to this cover report is the proposed final report arising from this scrutiny, which makes nine key recommendations to the Cabinet Member for Social Care and Health Integration to help improve the Adoption Service’s adoption timeliness performance. The appended scrutiny report provides the background to why the CSSC chose to review this area, the methodology for the scrutiny, an introduction to the issue of adoption, the importance of reducing delay and factors which generally affect local authorities’ timeliness performance, an explanation of the Adoption Service’s performance measured against the Department for Education’s targets, consideration of the reasons behind the Service’s performance, consideration of what more can be done and, next steps.

As standard scrutiny practice, a monitoring report shall be presented to the CSSC providing an update on the progress of the recommendations that are accepted by the Cabinet Member, in approximately six months’ time, to help the CSSC evaluate the effectiveness of this Scrutiny Review and to obtain a view of the early impact of the recommendations.

The Cabinet Member has been invited to this meeting to respond to the report and recommendations.

Recommendation(s)

The CSSC is recommended to agree the appended Scrutiny Report at Appendix 1, which makes nine recommendations.

Reason(s)

The topic of adoption timeliness performance relates to the Council’s priority to ‘Enable Social Responsibility’ and the objective to ‘protect the most vulnerable, keeping adults
and children healthy and safe’. It also relates to the priority to ‘Encourage Civic Pride’ and the objectives to ‘build civic responsibility and help residents shape their lives’ and ‘narrow the gap in attainment and realise high aspirations for every child’.

It is best practice to ensure that reports arising from scrutiny reviews are placed in the public domain and that CSSC places on record its agreement to the report and recommendations so that officers may ensure that an action plan explaining how the accepted recommendations will be implemented is provided to the Committee in a timely manner.

1. **Introduction and Background**

1.1 At the start of 2016/17, the CSSC agreed that the Council’s Adoption Service’s Performance would be the topic on which to undertake a scrutiny review due to the concern around the potential impact the Service’s performance was having on children waiting for an adoptive family.

2. **Title and Terms of Reference**

2.1 The title of the Scrutiny Review is “Improving the Council’s Adoption Scorecard Performance” and the following four key questions formed the Terms of Reference:

1. What is adoption and why is this a good outcome for some children in care?
2. Why is the Barking and Dagenham Adoption Scorecard performance off target and are officers taking the right action to address the issues?
3. How might the views and experience of those adopted and those who adopt help improve our practice?
4. How might the views and experience of others involved in the adoption process help improve our practice?

The main Sections of the Scrutiny Report at Appendix 1 are:

- Introduction
- What is Barking and Dagenham’s Adoption Scorecard Performance?
- Why is the Barking and Dagenham Adoption Service not meeting the DfE’s A1 and A2 targets?
- What is Working Well and What More Can be done?
- Next steps

Below are summaries of each section.

3. **Section 3 - Introduction**

3.1 This Section introduces the concept of adoption and discusses why placing children early with an adoptive family is of crucial importance. There is evidence that shows that the earlier a child is adopted, the better the child’s life outcomes. This is why the Government introduced the A1 and A2 targets to measure all local authorities’ timeliness performance in relation to children waiting for an adoptive placement. Both these measures are reported as a three-year rolling average.

- **A1** measures the average time between a child entering care and moving in with its adoptive family, for children who have been adopted, in days; and
The Adoption Scorecard is used to measure performance in the timeliness of achieving adoption for children reported as a three-year rolling average and published by the Department for Education (DfE). The two key adoption indicators are:

3.2 This Section considers the impact of factors that local authorities generally face in trying to meet these targets. These include the impact of caselaw, particularly the case of Re B-S where the Court gave direction that a care plan of adoption should only be endorsed if the Court was satisfied that “nothing else will do”, which has resulted in extended family members coming forward at a late date to be assessed as alternative carers for a child.

3.3 This Section also explores the issues of delays caused by care proceedings such as difficulties in obtaining dates for cases to be heard at Court due to the demand for hearings, and an increase in parental legal challenge to placement orders resulting in delays in placing children with adopters.

3.4 Finally, the Section looks at delays which can occur in social care teams and the issue of resources and caseloads. It recognises that the Council’s Adoption Service has implemented an ‘Adoption Action Plan’ in response to these challenges which includes an ‘Adoption Improvement Group’ (AIG) to improve transparency and accountability around the Service’s performance.

3.5 This Section recommends that:

**Recommendation 1**
The Cabinet Member report back to CSSC within six months’ time, the impact of the Adoption Action Plan on timeliness performance for all adopted children; and

**Recommendation 2**
The AIG continues to be held at the current frequency of bi-monthly and the challenge to timely performance remains a focus.

4. **Section 6 - What is Barking and Dagenham’s Adoption Scorecard Performance?**

4.1 This Section explains that the Adoption Service has consistently been failing to meet the A1 and A2 targets over the years, and its performance has been poorer than the national and London averages. Between 2010 and 2015 the Service’s performance has been better than, or close to, its statistical neighbours. The Committee noted that the DfE’s target has becoming increasingly more challenging over the years. The Service’s 2013-16 Scorecard performance for A1 was 721 days against a target of 426 days and its 2013-16 Scorecard performance for A2 was 309 days against a target of 121 days.

5. **Section 5 - Why is the Barking and Dagenham Adoption Service not meeting the DfE’s A1 and A2 Targets?**

5.1 National data shows that some children can be ‘harder to place’ and this includes older children, disabled children, Black and Minority Ethnic (BME) children and children in sibling groups. Officers explained that there was anecdotal and soft evidence to suggest that the Service had a higher number of harder to place
children in its cohort, compared to other London boroughs, which would explain its poor performance. The Service’s case was that rather than place children who are harder to place in long term foster care, it was pursuing adoption as the plan for more of these children than other boroughs, which meant that its cohort of ‘harder to place’ children was larger than that of other boroughs. Its reason for taking this approach was that rather than being led by the impact on its Scorecard performance, it was led by the outcome adoption would have on these children, which was achieving stability and permanence, which in turn would lead to better long-term outcomes for these children.

5.2 The CSSC agreed with the Adoption Service that meeting the DfE’s performance targets should not be at the expense of the outcomes for the borough’s children. The CSSC recommended that:

**Recommendation 3**
All children, who may potentially be placed for adoption, continue to have adoption plans made by the Local Authority and that these are advocated for during care proceedings.

5.3 However, as the Service could not provide ‘hard’ data to the Committee to substantiate the claim that it had a larger ‘harder to place’ cohort, it felt it was important to exercise caution when accepting this as the reason for the Service’s poor performance. The CSSC therefore recommends that:

**Recommendation 4**
The Cabinet Member requests that officers in the Adoption Service undertake research to gather data which substantiates the claim that Barking and Dagenham has had more ‘harder to place’ children in its cohort than its statistical neighbours and other authorities in the East London Consortium, and that it has placed more of them for adoption than other authorities, and that the Cabinet Member reports the findings back to the CSSC within six months’ time.

5.5 Furthermore, the Committee noted that whilst taking this approach to family finding was in the best interests of the children in the Service’s cohort, the impact of this approach on the Council’s Scorecard could remain for years. This led to the recommendation that:

**Recommendation 5**
The Cabinet Member ensures that all children have the plan for adoption formally reviewed at 12 months, 18 months and 2 years after the granting of the placement order by the (AIG) to ascertain whether or not family finding should continue, or whether there should be an application to revoke the placement order. If family finding is going to go beyond two years the rationale for this should be formally recorded.

5.7 As there was no hard comparative data on the number of ‘harder to place’ children in the Service’s cohort, the CSSC felt it was important to know the Service’s performance for children who were not considered ‘harder to place’ and so it asked for a breakdown of this information. This established that nine out of 18 children in the not ‘harder to place’ category were not placed within DfE thresholds, which amounted to 50% of the cohort. The CSSC felt concerned at this and so asked for an analysis of each case where the child was not placed in time, which lead to the
recommendation that:

**Recommendation 6**
The Cabinet Member ensures that recommendations a – c are implemented and that the AIG is made aware of these additional action points:
(a) It is essential that all children have a contingency plan in case the match with the identified adopters does not proceed for any reason. The contingency plan should be formally recorded at Looked after Children reviews and within the child’s care plan;
(b) If foster carers wish to adopt a child, they should be supported with a private application rather than undertake a full adoption assessment on them – any issues can be highlighted in Annexe A (a court document) if necessary; and
(c) Consideration should also be given to arranging additional Adoption Panels to consider matches, if there will be a delay of several weeks, in order to maximise performance.

5.8 The Committee heard that the cohort of children relating to the 2014-17 Scorecard included 10 harder to place children and therefore the Service expected its Scorecard performance to worsen. The Committee felt concerned that the category, ‘harder to place’, was very wide and agreed that the Service should expect different timeliness performance for children in different sub-categories under ‘harder to place’. Members therefore felt that the Service should have in place a system whereby managers can more easily scrutinise the Team’s family finding performance in light of the circumstances of each child. The CSSC recommended that:

**Recommendation 7**
The recording of all family finding activity relating to each case is recorded in one place so that it is transparent and accessible. This could take the form of a Family Finding Record which is updated with every activity linked to family finding as a separate chronology attached to each child’s file. The Family Finding Records should be reviewed by the AIG, during Looked after Child reviews, as well as in staff supervision.

6. **Section 6 - What is Working Well and What More Can be done?**

6.1 In this Section the CSSC acknowledges the hard work within the Service, and the measures already in place, to improve performance.

6.2 It also considers areas for further consideration, in addition to the issues raised in the preceding sections. Members agreed that more could be done to target recruitment of adopters for harder to place children, such as:

- The use of in-house newsletters and other media to promote adoption for ‘harder to place’ children and the type of adopters we require for our children;
- A focus on the promotion of adoption in Council buildings and events;
- An internal campaign to include the promotion of adoption within extended family and friends’ networks that may be outside of LBBD, given that we require many families outside of our locality for safety reasons;
- The Council could identify a dedicated resource from the Communications section to specifically support the recruitment of adopters for BME children;
- Training for social workers on understanding the barriers preventing BME groups from adopting and how they can clear misconceptions around Adoption in these communities; and
- Members could be briefed on borough-specific issues regarding adoption so they can promote it to constituents where appropriate.

The CSSC therefore recommended that:

**Recommendation 8**
The Strategic Director for Service Development and Integration oversees the implementation of the Committee’s suggestions to improve the recruitment of adopters.

6.3 The CSSC found that post-adoption support works well within the Adoption Service, but there are issues of capacity to manage the range of responsibilities within this part of the Service with only 1.5 staff. This leads to waiting lists for the work with adopted adults as the children in placement are prioritised for intervention and support when required. In light of this, the CSSC recommends that:

**Recommendation 9**
The Cabinet Members asks the Adoption Service to undertake a review of resources to ensure that there is the correct allocation of staff to the various tasks within the Team, taking account of the changing landscape of adoption nationally. This may be an interim measure pending the outcome of Regionalisation.

7. **Financial Implications**

Implications completed by: Katherine Heffernan

7.1 Should the London Borough of Barking and Dagenham intend to adopt all nine recommendations coming from the CSSC review, it will involve staff within the Service spending time reviewing current practices and other investigative work. This will need to be met within the current staff budget.

8. **Legal Implications**

8.1 Implications completed by: Lindsey Marks

8.1 The Adoption Scorecards allow Local Authorities and other adoption agencies to monitor and compare their performance. The performance thresholds set by the Department of Education make clear the Department of Education’s minimum expectations for timeliness in the adoption system.

**Background Papers Used in the Preparation of the Report:**

None.

**List of appendices:**

Appendix 1 CSSC Scrutiny Report on Improving the Council’s Adoption Scorecard Performance