Title: Update Report on Adoption Scrutiny

Report of the Corporate Director and Director of Operations

Open Report

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Accountable Director: Ann Graham, Director of Operations Children’s Care and Support

Accountable Strategic Director: Anne Bristow, Deputy Chief Executive and Strategic Director Service Development and Improvement

Summary:

The CSSC undertook a detailed scrutiny of the Adoption Service in 2017, primarily focussing on the Adoption Scorecard performance and what could be done to improve this. This report provides an update on each recommendation outlined in the final scrutiny report.

In addition, two workshops have taken place in October and November 2017 with Cllr Worby and Anne Bristow, Deputy Chief Executive and Strategic Director Service Development and Improvement, to provide assurance that the actions are being implemented and positive changes are taking place to improve the Scorecard performance, but also to ensure that children are still being given every opportunity to be adopted if this is their care plan. This has resulted in both Cllr Worby and the Deputy Chief Executive having assurance that positive changes are being made, further development of the action plan has been undertaken and no further workshops are proposed. However, Cllr Worby will be provided with regular updates on the progress of the action plan.

Recommendation(s)

The CSSC is recommended to:

(i) Note the contents of the updating report; and,

(ii) Confirm if any further reporting to CSSC is required

Reason(s)

To report back on progress as required by this Select Committee
1. Introduction and Background

1.1 The performance on the Government’s Adoption Scorecard for LBBD is moving further away from government targets and has continued to do so in 2016-17 even though the performance for this year is yet to be published. This led to the CSSC undertaking an in-depth scrutiny on the scorecard performance and on the adoption service more widely and a final report was produced in July 2017 outlining the work that was undertaken and a list of nine recommendations for the service to implement. The CSSC requested an update on the recommendations after six months.

1.2 This report provides an update on each recommendation and has an appended action plan that the service is currently implementing.

2. Proposal and Issues

2.1 Recommendation 1

2.1.1 The Cabinet Member report back to CSSE within six months’ time, the impact of the Adoption Action Plan on timeliness performance for all adopted children.

2.1.2 The recently published DfE scorecard data indicates a decline in performance, which relates to the period 2013-16. Within this period LBBD on average took 715 days between a child entering care and moving into its adoptive family (A1). This represents a longer time period for A1 when compared to 2012-15 performance (655 days) and is also significantly above the England average of 558 days. Barking and Dagenham’s performance on A1 is now worse than our statistical neighbours average of 597 days. Both nationally and in similar areas, performance on A1 has improved between 2012-15 and 2013-16.

2.1.3 The data for 2016-17 has been analysed, but not yet published by the DfE. The performance for 2016-17 will decline again to 1,127 days which is way above the national threshold and will impact on the scorecard up to and including 2019.

2.1.4 The performance for A2, which is the average time between a local authority receiving court authority to place a child and the match to an adoptive family, has also declined from 237 days in 2012-15 to 303 days in 2013-16. Once the 2016-17 performance is added to the scorecard the performance will decline further to 543 days, 422 days above the national threshold.

2.1.5 There were 14 children adopted in 2016-17 and the individual case studies for each child during this period have been provided to the Lead Member who has a detailed understanding of the individual reasons for delay. Example:

2.1.6 Sibling group of 2 where initial family finding did not identify a family despite placing on the national registers, advertising and attending an Adoption Activity Day. The care plan then changed to special guardianship with the foster carer. However, due to the carer’s personal circumstances the placement broke down and the children were moved to an alternative foster placement. The children expressed the wish for an adoptive family rather than long term fostering and one final attempt was made to find a family,
which was successful. The children were aged 9 and 11 at the time of adoption. A1 – 2560, A2 – 1454.

2.1.7 It is important to note that there has been a ‘turn of the curve’ for children placed to date in 2017-18. There have been 7 adoptions so far this year but a further 15 children who are placed with their adoptive families awaiting the granting of the adoption order. It is difficult to predict when these orders will be granted due to, for example, parental appeals, court availability to hear cases. If 7 of the children, who have been placed the longest, have adoption orders granted by the 31st March 2018 the performance will have improved for A2 by reducing to 246 days, shaving off 10 months compared to 2016/17. However, the impact on the scorecard performance will be minimal when published next year due to the 3-year rolling average currently being so high. A2 will only reduce by 2 days from 380 to 378.

2.1.8 The Adoption Team family finders have much more manageable caseloads in 2017-18 as the number of children we are family finding for has declined. The majority of the very difficult to place children from previous years are no longer within the team as they have either been adopted or have moved to the Children in Care Team, with a care plan of long term fostering. In 2015-16 we adopted 27 children and the following year this halved to 14 children, but a significant number of these 14 children were very challenging to place. However, this year the overall reduction has enabled the family finders to dedicate more time to family finding, which has resulted in quicker matches.

2.1.9 In addition, it has been evident that East London Family Court are not granting placement orders for many children who are considered hard to place. Historically, courts were open to giving these children the chance of adoption even if that chance was slim. However, the trend now is to only grant placement orders where the court has some certainty that there are available adopters waiting who could be a potential match for children. Older children, large sibling groups and children with significant needs are rarely being granted placement orders. This means that more of the children we have been family finding for during this year are considered somewhat easier to place.

2.2 Recommendation 2

2.2.1 The Adoption Improvement Group (AIG) continues to be held at the current frequency of bi-monthly and the challenge to timely performance remains a focus.

2.2.2 The AIG has continued to meet bi-monthly and the tracking of individual children is a focus of this meeting. It is chaired by the Director of Operations, Children’s Care and Support, who will offer challenge to the relevant teams, where required. However, this forum also ensures there is detailed discussion about the complexities of certain children so that there is a clear understanding of why there might be issues of delay. Following the Adoption Workshop which took place in October 2017, an additional agenda item of ‘Creative Ideas’ has been added to look at ways of improving individual children’s timescales by ‘thinking outside of the box’. An example of this would be a specific recruitment campaign for a hard to place child and this was actioned in November and December for a particular child where a potential link is being followed up.
2.3 Recommendation 3

2.3.1 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.

2.3.2 All children who the Local Authority considers should have an adoption care plan are presented to the Agency Decision Maker to make a recommendation for adoption and these plans are presented to court in final care plans. However, there are examples of family members coming forward at the final hearing and the court allowing further delay for assessment, which sometimes results in the Local Authority changing the plans to special guardianship to a family member. Other cases have resulted in a court refusing to accept the care plan of adoption as the view is taken that the likelihood of finding an adopter is slim. A recent case in the Life Planning team of a 4 year old child who has special needs resulted in the court not granting a placement order, which means that this child will remain in care for the next 14 years with little chance of a legally permanent alternative family.

2.4 Recommendation 4

2.4.1 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 local 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.

2.4.2 Requests have been made to the East London Consortium members on 2 occasions, but only one authority has provided details of the placements they made in 2016-17 (7 children):

- 1 sibling group of 2, aged 8 and 1, BME.
- 2 single children aged 18 months
- 1 relinquished baby
- 2 single children aged 5 and 6 (one has developmental delay)

2.4.3 The Adopt London Report (October 2017), has provided information about harder to place children across London in preparation for the Regional Adoption Agencies being proposed for London in 2019. The data indicates that all local authorities in London have harder to place children and LBBD does not stand out as higher than others. The major factor that has been identified for our borough is the category of sibling groups, in terms of children awaiting a match. There are a number of challenges to finding placements for sibling groups, particularly if they fall into multiple categories e.g. have older children, are BME or have special needs. Many adopters find the prospect of taking on more than one child very difficult in terms of their physical and emotional resources but even more significantly due to financial resources, even with the offer of adoption allowances.

2.4.4 If sibling groups are under 5, with no special needs and are no more than 2 in the group the prospect of finding a family is increased, albeit not without difficulties. However, we are currently family finding for a sibling group of 3 who have no
additional needs, but no families have come forward to consider a match for these children so far. At the time of writing only 1 family on the Adoption Match and Linkmaker websites are approved for 3 children and we are aware they have been inundated with children to consider. These children attended an Adoption Activity Day in November 2017, but no family showed any interest in pursuing a match with this sibling group. Two other sibling groups of 2 also attended this event, with one match being explored for one of these groups.

2.4.5 An additional factor identified for LBBD in the Adopt London report is the primary 'harder to place' category for children who have been adopted is children over the age of 5 and we are the only borough in London who has this as the primary category. The Team’s ethos is that all children under the age of 12 should have the opportunity to be adopted if this is the right plan for them, rather than ruling them out at an early stage due to the difficulties of finding placements. We have been very successful with regards to placing older children, but inevitably this is challenging and has impacted on our scorecard performance. In 2016/17, of the 14 children adopted, there were 7 children over the age of 5:

- Age 11 x 2 (one is part of a sibling group)
- Age 9 x 2 (both are part of a sibling group)
- Age 7 x 3 (one is visually impaired, 1 has an older sibling and 1 has a younger sibling)

2.4.6 Without detailed information about individual children from other local authorities it is very difficult to compare ‘like for like’, as is evident from the information provided by Havering.

2.5 Recommendation 5

2.5.1 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.

2.5.2 This process is implemented in AIG. A decision was made in a meeting several months ago to apply for revocation of placement orders for 2 siblings due to their level of ongoing and increasing needs and the fact that no adopter had shown any interest in these children since they have been available for adoption. This application has been lodged at court and we are awaiting a hearing date. Their care plan will formally change to long term fostering.

2.6 Recommendation 6

2.6.1 The Cabinet Members ensures that recommendations a-c in 5.13 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 review and within the child’s care plan.
The contingency plan is outlined in all family finding statements submitted to court prior to placement orders being granted and also incorporated into the LAC reviewing process.

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 the Annexe A if necessary.

This recommendation has been implemented and there are currently 2 foster carers who have decided to apply privately. The timeliness issue in relation to these applications is in relation to deciding what date should be recorded as the formal placement for adoption. We are currently using the date that the application is submitted to court as we are mindful that foster carers may consider this course of action over a number of months and may never actually progress to an application.

c) Consideration should be given to arranging additional Adoption Panels to consider matches if there will be a delay of several seeks in order to maximise performance.

Panel has been consulted on this recommendation and all members are willing to offer flexibility wherever possible to schedule additional panels. However, in reality, this is problematic for many members to accommodate at short notice as evidenced by a recent attempt to reschedule a panel due to it not being quorate. Further work will be undertaken to increase the Central List so that there is a wider range of panel members to call upon in such circumstances. Whilst it is not a legal requirement any longer to have a Member on Adoption Panel, we would welcome expressions of interest from Members to become a Panel member either as a core or Central List attendee.

2.7 Recommendation 7

2.7.1 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 the Looked After Child reviews, as well as in staff supervision; A Family Finding tab has been developed for the children’s electronic recording system (ICS) where all family finding activity is now recorded, rather than within generic case notes. This is available for use in staff supervision and for information to be included in reports for Looked After Children reviews.

2.7.2 To date the individual records have not been scrutinised by AIG, but a request was made for a specific chronology to be available for the November meeting to review the activity for a particular difficult to place child. Family finding started in May 2017 prior to the placement order being granted in June 2017 and this is evidenced in the chronology. At AIG meetings staff members are able to verbally inform the meeting of all family finding activity that has taken place without the need to refer directly to ICS.
2.8 Recommendation 8

2.8.1 The Strategic Director for Service Development and Integration oversees the implementation of the Committee’s suggestions to improve the recruitment of adopters at 6.2 of this report.

2.8.2 The East London Consortium continues to work collaboratively on recruitment events for adopters. Decisions are made at an early stage whether or not the adopters are likely to meet the needs of the children the local authorities are family finding for so that resources are not allocated to adoptive families with limited availability for our children.

2.8.3 There are 2 options for preparation groups for our prospective adopters – we run an in-house group even if we have a small cohort of families, or an individual family can access the training via Barnardo’s which the Consortium has commissioned on a spot purchase basis. This is to prevent delay of recruitment of adopters.

2.8.4 A meeting with LBBD Communications Team took place on 30 October 2017 to discuss marketing plans for Adoption, Fostering and Private Fostering for the next 6 months. A draft plan is currently being considered and costed.

2.9 Recommendation 9

2.9.1 The Cabinet Member 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.

2.9.2 As mentioned previously the family finding pressure has lessened with the reduction of children on placement orders. However, the work in recruitment of adopters, post adoption support and special guardianship continues to be a pressure. Currently there are no plans to increase family finding capacity as the placements over the last 6 months have been more timely, but consideration is now being given to how to increase recruitment and assessment capacity, as in-house approved adopters tend to result in more timely placements as they are often identified at an early stage for a match with no external family finding required.

2.9.3 The timescale for the Regional Adoption Agency going live is April 2019 and the plan is that the RAA will take over all adopter recruitment, so any resource change or increase over the next 18 months should be temporary.

3. Options Appraisal

3.1 Not applicable

4. Consultation

4.1 Consultation has taken place with Cllr Worby, as Lead Member for Children’s Care and Support in the form of 2 workshops that have taken place to provide further scrutiny to the service and the development and implementation of the Adoption Action Plan. This work has been incorporated into the updates on the 9 recommendations in this report.
5. **Financial Implications**

Implications completed by: Katherine Heffernan, Group Manager – Service Finance

5.1 The report provides an update to the committee on the activity underway to improve budget performance. This activity is already funded from within Children's Care and Support budget and there are no direct financial implications arising from this report at this stage. If the final recommendation leads to additional resources then funding for this should be identified before the resources are put in place.

5.2 It should be noted that although adoptions are not sought for financial reasons (and absolutely should not be), reductions in the timescales will in some cases result in a small financial benefit to the authority as the average cost of supporting adoptions is lower than the cost of maintaining a child in care so alleviating some of the pressure on the LAC placement budget.

6. **Legal Implications**

Implications completed by: Lindsey Marks Deputy Head of Legal, Adult, Education and Social Care.

6.1 The adoption scorecards were introduced as part of the government's new approach to address delays in the adoption system. There is an expectation for timeliness in the adoption process. These scorecards allow local authorities and other adoption agencies to monitor and compare their performance.

7. **Other Implications**

7.1 **Safeguarding Children**

The Adoption Action Plan must focus on improving timeliness of placing children in a permanent adoptive family to ensure best outcomes. However, it is also important to note that a significant number of children are considered harder to place and all efforts should be made to ensure that they have an equal opportunity to be found an adoptive family and the issues of delay are clearly documented to ensure that the impact on Scorecard performance is transparent.

7.2 **Health Issues**

The evidence provided by Julie Selwyn in the initial CSSC Report from July 2017 indicates that adopted children generally have much better outcomes, including emotional wellbeing, than children who remain Looked After. Therefore, efforts to achieve adoption are essential for the long term wellbeing of this cohort of children.

**List of appendices:**

**Appendix A - Adoption Action Plan**