

4 September 2014		ITEM: 6
Corporate Parenting Committee		
Adoption Report Outlining Process and Performance		
Wards and communities affected: All	Key Decision: Non-Key	
Report of: Roland Minto – Service Manager, Placements and Support		
Accountable Head of Service: Nicky Pace, Head of Care and Targeted Outcomes		
Accountable Director: Carmel Littleton, Director of Children’s Services		
This report is Public		

Executive Summary

This report is to fulfil the requirements of 25.6 of the National Minimum Standards for Adoption 2011, which are:

25.6 The executive side of the local authority, the voluntary adoption agency’s/Adoption Support Agency’s provider/trustees, board members or management committee members:

- a. receive written reports on the management, outcomes and financial state of the agency every 6 months;*
- b. monitor the management and outcomes of the services in order to satisfy themselves that the agency is effective and is achieving good outcomes for children and/or service users;*
- c. satisfy themselves that the agency is complying with the conditions of registration.*

This report updates the report previously presented in September 2013, and updates Members of the Committee on activity over the last six months.

1. Recommendation(s)

- 1.1 The members of the Corporate Parenting Committee are asked to consider this report and their level of satisfaction with the above criteria on management, outcomes and conditions of registration.**

2. Introduction and Background

- 2.1 The work of the team is central to the provision offered to Thurrock's Looked After Children, and operates to deliver one of the key objectives of the Children and Young Peoples Plan, "Objective CYPP (PWN) 3.3. Deliver outstanding fostering, private fostering & adoption; develop & maintain excellent services for children in care".

The work of the team helps to meet a fundamental requirement for fulfilling our Corporate Parenting responsibilities, namely wherever possible to seek a permanent substitute family home for Looked After Children for whom there is no potential for reunification with their birth family.

- 2.2 In the main, children who are recommended for adoption will have been removed from their birth parents as a result of likely or actual significant harm. They will have been made the subject of Care Orders. During the legal process, a Care Plan, ratified by the Court, will have determined that it is in the child's best interests to be placed for adoption. As part of the court process the court also review the Adoption Support Plan agreed by the Local Authority to ensure that it will meet the child's needs. Children placed for adoption are increasingly likely to have more complex needs, or be part of a sibling group, resulting in increased support packages. Nationally the average age of a child at the point of adoption in 2011-2012 was 3 years and 8 months, and 74% of adopted children were between 1 and 4 years old.
- 2.3 Occasionally, babies are 'relinquished' by their parents at birth for adoption, when they (with counselling and help) come to the conclusion that they are unable to offer a stable home to that child.
- 2.4 Thurrock has been part of an Adoption Consortium with Southend and Havering. This partnership was first formed in 1999, which significantly extended the capacity of all three agencies to provide adoptive parents to children who need adoption. Until recently no major changes of approach had been necessitated, although one significant innovation occurred last year, in that we made a formal agreement to affiliate Barnados Adoption Service within the Consortium. This was in response to a clear message from central government that they wish to see greater cooperation between Local Authorities and Independent Adoption Agencies.
- 2.5 Unfortunately in April 2014 Havering announced a formal withdrawal from the Consortium, without prior warning, which significantly impacts on the capacity of the remaining partners to meet the majority of their placement needs from within the Consortium. We have made an agreement with Southend to continue with our partnership arrangement for the immediate future, but inevitably both authorities will need to review the long term viability of such a small Consortium, and we will both need to explore what alternative arrangements might best meet our longer term obligations.

- 2.6 Line management of Adoption falls within the remit of the Service Manager – Placements and Support.
- 2.7 The Adoption and Children Act 2002 (the Act) is the principal piece of legislation governing adoption in England and Wales. It has been in force since 30 December 2005, and has been amended by other legislation since 2002, most recently being the Children and Families Act 2014.

3. Issues, Options and Analysis of Options

- 3.1 The staffing complement of the Adoption Team consists of one Team Manager, and four full time equivalent Social Worker/Senior Practitioner posts. The Team is almost up to full strength, with a vacancy of effectively one day. We planned to fill this remaining post, with the intention to use these hours to fulfil our responsibility to previously adopted adults who wish to trace birth families. Unfortunately we received no suitable applications, and will therefore need to reconsider how best to use the remaining hours.
- 3.2 The existing staff availability was reduced by one worker starting Maternity Leave in January 2014. There was also some significant disruption caused by periods of illness in the last year. However we had created an additional post, using money from the Adoption Reform Grant allocation for 2013-14. After initial failure to recruit externally to this post, we secured an experienced worker from another team as a Temporary Secondment. This helped offset some of the shortfall created by the maternity leave, but unfortunately did not create additional capacity as originally hoped.
- 3.3 There has been a significant change recently in that the Adoption Team Manager, who had been in post since February 2010, resigned in July 2014. This has obviously affected the stability of the team, but as described below this also provides an opportunity to review whether it would be helpful to look at alternative management arrangements. However in order to make sure that the work of the team continues during this period it is planned that we have an Agency Team Manager in place.
- 3.4 There is one full-time adoption administrator, who provides both day to day admin support to the team, as well as being the administrator for the Adoption Panel. Adoption work is very heavily regulated, and adherence to timescales is critical. The administrator's role is therefore a crucial one. In response to a number of new government initiatives in the summer of 2013 it was acknowledged that the workload had become unmanageable for one individual and a second part time post was created on a temporary basis, also using the Adoption Reform Grant. However the original agreement for this has now expired and we are currently seeking agreement to renew this arrangement to enhance our admin capacity.

4. Reasons for Recommendation

- 4.1 As reported previously, Thurrock Adoption Service was inspected by Ofsted in February 2012, and received an overall judgement of Good. Nevertheless a number of recommendations were made to improve the service, and an Action Plan was developed to address these.
- 4.2 In late 2013 Ofsted launched a new framework for inspection of Children's Services under which there will no longer be separate inspections of the Adoption Service. Instead the new arrangement is that there will be a specific sub-judgement within the overall report on the effectiveness of the local adoption service. We are therefore reviewing our relative readiness to meet this challenge.
- 4.3 The current government has maintained its intention to heighten the profile of adoption as a means to provide permanent care since the publication of "An Action Plan for Adoption: Tackling Delay" in March 2012, which introduced the concept of "Adoption Scorecards". These set out specific thresholds against two indicators, with clear minimum expectations for timeliness of actions in the adoption system.
- 4.4 The stated intention is to raise these thresholds incrementally over a four year cycle. Local Authorities are expected to return key performance data to the Department of Education on a quarterly basis which will then be consolidated into comparative national data on an annual basis, known as the "Inspection Scorecard". Local authorities who fail to meet the thresholds will be expected to explain their performance to central government.
- 4.5 The current targets are as follows:
- A1: average time between a child entering care and moving in with its adoptive family, for children who have been adopted. The target for the 2013 to 2016 average (as measured during the 3 years 2013 to 2016) is 14 months
 - A2: average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family. The target for the 2013 to 2016 average (as measured during the 3 years 2013 to 2016) is 4 months

These are calculated as average times. A third measure (A3) of performance is the percentage of children who wait less than 20 months from entering into care and moving in with their adoptive family.

- 4.6 In January 2014 the most recent set of data was released, covering the three year period to March 31st 2013. Unfortunately Thurrock's reported figures against the two targets did not appear very good, as we exceeded both

targets by a considerable margin. Our performance against A1 was 784 days (or approximately 25 months) and against A2 it was 323 days (or approximately 10 months).

- 4.7 An explanation of these figures was provided in the previous report to the Corporate Parenting Committee in March 2014, and also discussed during a meeting with the DfE earlier this year. A significant contribution towards the poor performance against the timescales was the impact of two cases including sibling groups which proved particularly challenging, although there were positive outcomes at the end. One of these cases will disappear from the relevant cohort when the next national figures are published, although the other, despite the case having been concluded in May 2012, will continue to impact on the Scorecard for the immediate future.
- 4.8 An unfortunate consequence of the way the scorecard is constructed is therefore that it does not necessarily reflect current or recent practice or outcomes. In the period from January 2013 –July 2014 Thurrock made 20 placements for adoption. The average time between this cohort of children coming into care and moving into the adoptive placement was 466.6 days (or approximately 15.5 months) , and the average time between the granting of a Placement Order and the decision on an appropriate match was 134.5 days (or just under 4.5 months). These figures lay just slightly above the intended target, and would represent a significant improvement on the last Scorecard figures.
- 4.9 Moreover the averages for these 20 children are distorted by one particular case of a child, where the local authority was delayed in making plans for adoption by protracted Care Proceedings, during which several attempts were made to rehabilitate the child to her father. If we remove this child from the cohort the averages for the other 19 drop to 410 days (13.6 months) and 120.2 days (or almost exactly four months), thus demonstrating almost exact performance in line with the intended timescales for this group.
- 4.10 These figures give a more accurate reflection of current and recent performance, and there are another six children for whom formal matching decisions and subsequent placement moves are planned in the next few weeks. However we do need to recognise that because of some of the older legacy cases (and every authority is likely to have a small number of these) the next announced Scorecard figures are unlikely to show such a marked improvement. Some of the recent positive cases may also not be reflected for some time, as for A1, only cases where an Adoption Order has been granted are included, and this is not within the Authority's control. There is a minimum period of ten weeks after a child is placed with adopters before they can apply for the Adoption Order, but often the timescale significantly exceeds this.

4.2 Budgets

- 4.2.1 The Adoption and Permanence Team had a dedicated budget of just over £1.3 million for the financial year 2012-13, of which over £1 million was allocated to a range of support payments to carers, with most pressure arising from the increased use of Special Guardianship as a means for children to cease to be looked after. This has created problems for many authorities as these have increased nationally by 88% since 2008, often being seen as the preferred option by the Courts.
- 4.2.2 The overall budget was reduced to just over £1 million for 2013-14, with the aim that the reduced expenditure would be achieved by cutting the number and duration of Special Guardianship Allowances. Further reduction in the allocated budget has occurred for 2014-15. Unfortunately it is extremely difficult to resist the pressure for new payments to be agreed, with very high expectations being created in Courts by Children's Guardians from CAFCASS. However whilst we are unlikely to be able to reduce our level of existing commitments, we have been willing to explain to the Court that we are unable to commit initially beyond a three year period, and will then need to review in the light of competing demands and existing resources. This should give us a "permissive" platform from which to contain costs in future years, with our written policy adjusted accordingly. However we also need to balance the demands on this budget against the alternative costs that would accrue for the authority if these children remain looked after.
- 4.2.3 An additional pressure also arises from central government decision to equalise the Inter-Agency fee charged between Local Authorities and/or Voluntary Adoption Agencies to £27000. This fee covers the cost of procuring an adoptive placement from another authority. Under the previous Consortium arrangement there was agreement not to charge between the partners but there was pressure to abandon this practice from central government even before Havering's withdrawal, and hence this charge applies in all instances now. Potentially this is also a source of income as well as expenditure, but Thurrock's relatively small geographic area, and the size of the team in terms of assessing capability, we are likely to be net purchasers rather than sellers in the period ahead.
- 4.2.4 The remainder of the budget remains largely taken up by salary costs, with some additional expenditure required for the provision of the Adoption Panel, Medical Reports, CRB checks, post-adoption support groups, Ofsted fees, etc. Our most recent forecast across the whole budget cost centre indicates it will be a major challenge to remain within our overall budget for the service area this year.

4.3 Panel

- 4.3.1 The functioning of Thurrock's Adoption Panel remains largely as outlined in the previous reports, and the Panel has continued to function effectively in

ensuring that Approval of new Adopters and Matching recommendations for children with carers receives appropriate scrutiny

4.3.2 However we have been through a period of change, in that our existing Panel Adviser and Independent Chair both resigned, for different personal reasons, in the early months of 2014. We were able to identify a new Chair relatively quickly, and he has brought some fresh thinking and challenge about our existing practices, which has been extremely helpful. However more thought is required about how we fulfil the functions previously performed by the Panel Adviser. The model previously in place was to employ an external individual to add a greater level of scrutiny and QA to our performance, but this is not a requirement, and consideration needs to be given to whether these tasks can be absorbed within existing staffing resources.

4.4. Issues for Development

4.4.1 As indicated in Section 3, the departure of the previous Team Manager, combined with the recent withdrawal of Havering from the Consortium, has presented us with some immediate challenges in ensuring we continue to function effectively. However they simultaneously also provide a window of opportunity for us to consider whether any alternative approaches to the delivery of the service might enhance performance, or indeed provide more cost effective ways to achieve good outcomes. These options include internal restructuring, developing shared service arrangements with another authority, or entering into more formal partnership with one of the Voluntary Adoption Agencies (whose role in adoption work the current government are seeking to expand). To date we have had one discussion with a nationally recognised organisation, but no decisions have been made as yet, pending more detailed analysis of the benefits of various options, and we may yet conclude that no major structural change is required.

4.4.2 Whatever the conclusion of these deliberations the basic objectives to be achieved for Thurrock will remain as set out in the Adoption Service Plan developed earlier this year. A copy is attached as Appendix A of the report and identifies the key priorities and areas for development to be pursued in 2014-2015.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 Not applicable.

6. Impact on corporate policies, priorities, performance and community impact

6.1 The content of this report is compatible with Health and Well Being Strategy Priority 12: *Provide outstanding services for children in care and leaving care*

7. Implications

7.1 Financial

Implications verified by: **Kay Goodacre**
Interim Finance Manager

The implementation of the mandatory Inter Agency charge of £27,000 creates a potential financial risk if the balance between “buying” and “selling” becomes too weighted in favour of the former. It is therefore imperative that Thurrock retains its capacity to recruit significant numbers of Adopters, which if they cannot be used locally, can at least be made available for other authorities, thus generating compensatory income. It is also the case that if Thurrock is seeking to find adopters for more difficult to place children there will be a demand for Adoption Support payments. However it also needs to be acknowledged that both these costs are likely to be less than those resulting from children remaining in care for a significant part of their childhood.

7.2 Legal

Implications verified by: **Lindsey Marks**
Principal Solicitor

There are no immediate legal implications arising from this report, although it should be noted that a consequence of certain High Court judgments over the last year has been to make Courts apply greater pressure to ensure all options within birth families have been exhausted before they will grant a Placement Order in Care Proceedings. It remains to be seen whether this will have long term impact on the numbers of children becoming available for adoption.

7.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

The significant Diversity and Equality implications arising from the report relate to the on-going difficulty of finding adoptive placements for “hard to place” children, such as children with developmental delay, sibling groups and some Black and Ethnic Minority Children. We also recognise that older children may also benefit from adoptive placements, but overwhelmingly prospective adopters wish to adopt younger children. We therefore need always to balance the rights of children to have us pursue any possible options, with the need to avoid raising false expectations by persisting with

plans that have no realistic prospect of success. These are challenges for all local authorities, and are not particular to Thurrock.

However we do recognise that Thurrock has a changing ethnic profile, and we need to be alert to the need to ensure that our future recruitment of adopters takes this into account.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None.

9. **Appendices to the report**

Appendix A: Adoption Service Plan

Report Author:

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