

<b>12 March 2015</b>		<b>ITEM: 5</b>
<b>Report to Corporate Parenting Committee</b>		
<b>Adoption Report Outlining Process and Performance</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b>	
<b>Report of:</b> Andrew Carter, Head of Care and Targeted Outcomes		
<b>Accountable Head of Service:</b> Andrew Carter, Head of Care and Targeted Outcomes		
<b>Accountable Director:</b> Carmel Littleton, Director of Children's Services		
<b>This report is public</b>		

## **Executive Summary**

This report is for information only and fulfils the requirements of 25.6 of the National Minimum Standards for Adoption 2011, which is:

*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 2014, and updates members on 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. In England the average age of a child at the point of adoption in 2013-2014 was 3 years and 5 months, and 80% of adopted children were below the age of 5.
- 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 was previously part of an Adoption Consortium with Southend and Havering, formed in 1999, which significantly extended the capacity of all three agencies to provide adoptive parents to children who need adoption. As previously reported in April 2014, Havering announced a formal withdrawal from the Consortium, without prior warning.
- 2.5 We made an agreement with Southend to continue with our partnership arrangement for the immediate future, but have both acknowledged that as a formal Consortium we cannot sustain this arrangement and have therefore agree to formally end the Consortium. However this needs to be set in the context of other development possibilities discussed below.
- 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. STAFFING:**

- 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.
- 3.2 The existing staff availability was reduced by one worker starting maternity leave in January 2014; she is due to return in April 2015. There have also been some significant disruptions caused by periods of illness in the last year. However we created an additional post, using money from the Adoption Reform Grant allocation 2013-2014. This was filled through an internal secondment, which helped offset some of the shortfall created by the maternity leave, although it did not create additional capacity as originally hoped. We have continued this post through 2014-2015 but unfortunately it has been announced that this additional source of funding (Adoption Reform Grant) will not be repeated for 2015-2016, and we therefore need to review whether there is any other potential to retain this extra capacity.
- 3.3 A significant change occurred when the Adoption Team Manager, who had been in post since February 2010, resigned in July 2014. This obviously affected the stability of the team, but as described below this also provided 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 continued we have had a very capable Agency Team Manager in place.
- 3.4 There is one full-time adoption administrator, who provides both day to day administrative 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. We have just sought agreement to continue this for an additional three months, but following the discontinuation of the Grant funding to sustain this longer term is not guaranteed.

### **4. EXTERNAL SCRUTINY, CHALLENGE AND PERFORMANCE:**

- 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. To date we have not received such an inspection although it is highly probable that it will occur in the next few months

- 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 three year period April 2012 to March 2015 is 16 months or 487 days
  - 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 three year period April 2012 to March 2015 is 4 months or 121 days.
- 4.6 The most recent set of data released, covering the three year period to March 31<sup>st</sup> 2014 show improved performance against the previous three year cycle, although there remained a gap between performance and the target. Our A1 performance against the 2011-2014 target of 547 days was 710 days (or approximately 23 months) and against the A2 target of 152 days it was 244 days (or approximately 8 months).
- 4.7 We are now able to provide updated performance figures for the calendar year 2014. During the year 11 children became subject to Adoption Orders (i.e. the final conclusion of the adoption process). These are the children who will definitely be added to the three year cycle which will form the basis of the next three year Adoption Scorecard cycle, although there may be others to join them between now and March 31<sup>st</sup>.
- 4.8 For these eleven children the average time against AS1 was 503 days. This would bring our performance for this group of children below the national target of 547 days for 2011-2014, but remains slightly above the 2012-2015 target of 487 days. However it does include a child who was subject to particularly protracted care proceedings, and if we remove this case the

average comes down to 399.8 days which is significantly below the target figure. In addition, 12 children are currently placed with prospective adopters, but still awaiting the Adoption Order. If we combine these children with those described above, making a cohort of 24, the average performance against AS1 comes out as 492.5 days, even including the protracted case mentioned, and without it reduces to 447 days.

- 4.9 Against AS2 we can examine the same two cohorts of children. For the eleven for whom the Adoption Order has been made we achieved an average of 137 days, which is below the 2011-2014 target of 152 days, but slightly above the 2012- 2015 target of 121 days. However removing the most protracted case brings the average down to 110 days, which would be well below this target.
- 4.10 However if we combine the two cohorts, as for AS1, the performance is slightly less positive, averaging out at 182 days, although this still represents significant improvement on the last reported figures of 244 days, with a marginal improvement to 161 days by removing the protracted case mentioned above, together with another where finding a suitable adoptive family proved to be a protracted (though ultimately successful) process. We also had some notable successes, including a best performance of 52 days.
- 4.11 In combination therefore these figures indicate significant improvement in performance over the last year against the National Scorecard indicator. We will however still remain vulnerable to the inclusion of older cases (legacy cases) when the figures for 2012-2015 are published.
- 4.12 Significantly, as of 16.2.15 we have only 2 children for whom we are actively family finding, and who are not linked, matched or placed for adoption.
- 4.13 In 2013-2104 the average length of care proceedings for Thurrock Council was 44 weeks and in 2014-2015 (to date) the average length of care proceedings has been 21 weeks (below the 26 weeks national requirement). All of this adds to an improving picture in terms of timeliness.
- 4.14 For the recruitment of prospective adopters we are now expected to meet the 2 Stage Process introduced nationally in 2013, with both stages completed within six months of receiving a formal request to begin Stage 1. This remains a challenge to meet consistently. However, the national picture is that there are more adoptive households approved than there are available children and this applies equally in Thurrock, where there are eleven households awaiting identification and matching of appropriate children. The challenge for all authorities is finding appropriate adopters for slightly older and more difficult to place children. We continue to target our recruitment and look to see how we can maximise opportunities with the voluntary sector to revolutionise the recruitment of adopters for Thurrock.

## **5. BUDGETS:**

- 5.1 The Adoption and Permanence Team previously 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.
- 5.2 The overall budget was reduced to just over £1 million for 2013-14, with the intention that the reduction would be achieved through lower expenditure on Special Guardianship Allowances. Further reduction in the allocated budget correspondingly occurred for 2014-15. Unfortunately it has not been possible to contain the expansion of these Allowances, as Courts have frequently chosen this form of Order as a means to conclude Care Proceedings, with an expectation that the authority will provide an allowance. This will undoubtedly create overspend in this area this year. 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.
- 5.3 Unfortunately monitoring arrangements have not functioned in administering these payments (SGO & Adoption allowances) and this has led to some overpayments, which were picked up by Audit. Measures have been identified to strengthen the working relationships between the Adoption Team and Customer Finance and monitoring processes are being strengthened to ensure the right payments are always made at the right time.
- 5.4 Additional financial pressures have arisen from central government decision to equalise the Inter-Agency fee charged between Local Authorities and/or Voluntary Adoption Agencies to £27,000. This fee covers the cost of procuring an adoptive placement from another authority. 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, means we are likely to be net purchasers rather than sellers in the period ahead.
- 5.5 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.

## **6. PANEL:**

- 6.1 As reported previously we have been through a period of change, following the resignations of our previous Panel Adviser and Independent Chair in the early months of 2014. However the new Chair has brought some fresh thinking and challenge about our existing practices, which has been extremely helpful, and he is keen that we improve the efficiency of the administration of the Panel. 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 is under way regarding whether these tasks can be absorbed within existing staffing resources.

## **7. Issues, Options and Analysis of Options**

- 7.1 As indicated in both the September 2014 Committee Report and the update presented in December 2014, the opportunity is being taken to consider more radical changes to how the service might be delivered in the future, to the best advantage of Thurrock children. Specifically we are dialogue with a nationally recognised Voluntary Adoption Agency, to explore whether there some form of joint venture would be beneficial both in terms of outcomes and cost effectiveness. No decision has been taken to date, and discussions are on-going. However we are clear that any formal decision to pursue this option must be based on what is clearly in Thurrock's best interest and will of course require the agreement of elected members, as well as appropriate consultation with existing staff.

## **8. Reasons for Recommendation**

- 8.1 To ensure that members of the committee have made due note of the work of the service in line with the collective corporate parenting responsibilities to provide oversight of the service.

## **9. Consultation (including Overview and Scrutiny, if applicable)**

## **10. Impact on corporate policies, priorities, performance and community impact**

- 10.1 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*

## **11. Implications**

### **11.1 Financial**

Implications verified by: Kay Goodacre  
Consultant, Corporate Finance Team

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.

It is also critical that the measures identified to avert the possibility of potential overpayments function effectively.

## 11.2 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.

Any decision to pursue the joint venture described above will need to take into account the need to ensure that all the current regulatory requirements will continue to be met.

## 11.3 Diversity and Equality

Implications verified by: Natalie Warren  
Community Development and Equalities Manager

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.

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

12. **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):

Members may wish to refer to previous reports to the Committee dated 4 September 2014 and 18 December 2014.

13. **Appendices to the report**

None

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