

Early Permanence Policy

Early Permanence is an umbrella term which covers both Fostering for Adoption and Concurrent Planning. Both are routes which enable babies and children to be placed with foster carers who could become their adoptive families as soon as possible after leaving their birth family.

Fostering for Adoption

The Adoption Reform Agenda, first announced in 2012, gave a strong focus to enabling children to live in their potentially permanent homes at the earliest opportunity, minimising any delay and reducing the number of moves between carers. The government amended existing Regulations to facilitate this occurring more frequently. In Fostering for Adoption situation, the local authority will have a care plan for the child of adoption but this plan has not yet been ratified by the Court.

Adoption Counts is committed to recruiting and assessing prospective adopters who are able to take the additional uncertainty that comes with a Fostering for Adoption placement and ensuring that early permanence is an option for as many of our children as could benefit from this child centred pathway.

Regulatory Guidance

Approved prospective adopters can be given temporary approval as foster carers under 25A of the Care Planning, Placement and Case Review Regulations 2010 (amended 2013). This temporary approval can only be given for a named looked after child (or child in process of being relinquished by birth parents) and for a child not yet born where the local authority considers that it is in the child's best interests.

Before giving this approval the LA must assess the suitability of the person to care for the child as a foster carer and consider whether the proposed fostering placement will safeguard and promote the child's welfare and meet the child's needs as set out in the care plan.

The temporary approval expires when;

- The placement is terminated by the LA
- or**

- The approval of the prospective adopter is terminated
or
- The prospective adopter is approved as a foster carer or gives 28 days notice stating that they no longer wish to be temporarily approved as a foster carer
or
- The child is placed for adoption with the prospective adopter under the Adoption & Children Act 2002.

Concurrent Planning

Concurrent Planning is another route to early permanence for babies and young children in care who are likely to need adoption, but who still have a chance of being reunited with their birth family. Concurrent carers are dually approved as both foster carers and adopters from the outset meaning that they can offer a placement to a range of children (subject to their own matching criteria). Concurrent carers perform the role of foster carers whilst the courts decide whether or not a child can return to its birth family, will facilitate the child's attendance at contact and will form a positive working relationship with birth family members.

If the Court decides that the child should return to live with their birth parents (or in some cases extended family members or other connected people), then the child will be returned to their care with the concurrent carers helping the child to settle back into their family.

However, if the courts decide that the child's parents cannot provide the security and care they need, and there are no alternative carers from within the birth family, the child will remain with their concurrent carer/s and be adopted by them.

Adoption Counts (along with the other 3 RAAS in the region and Blackpool Council) is part of a contract with Caritas Care and Adoption Matters to provide concurrent planning placements on our behalf. The contract is in effect from 1st October 2017 – 30th September 2019. The service can be contacted on 0161 743 3682 or info@concurrentplanning.org for general enquiries and discussions about particular cases. Referrals should be agreed by an Operations Manager and then made to the service on the forms attached at appendix 1. Appendix 2 gives more detailed information about the service and the remit of it's work. Additional information is also available via their website www.concurrentplanning.org

Fostering for Adoption or Concurrent Planning?

There are many similarities between Fostering for Adoption and Concurrent Planning. For both routes;

- the aim is to minimise the number of times children are moved between homes before they are adopted
- Adults take the risk and uncertainty rather than the child
- Approved adopters act as the child's foster carer for a period of time whilst the Courts make their decision
- In most cases the children are very young
- All carers must comply with fostering regulations; they are caring for the child on behalf of the LA and have limited delegated parental responsibility and no involvement in decision making.
- All carers would be expected to transport a child to contact with their birth parents / family. There may or may not be a direct handover depending on an assessment of risk but positive working relationships will always be encouraged even if that is through a written contact book rather than face to face meeting.
- All carers would be expected to work with parents and to clearly and thoroughly communicate information regarding the child, their routine, progress and any milestones in their development.
- In a minority of cases for either route, the child may return home, or to family members, if the Courts decide this is in the child's best interests.

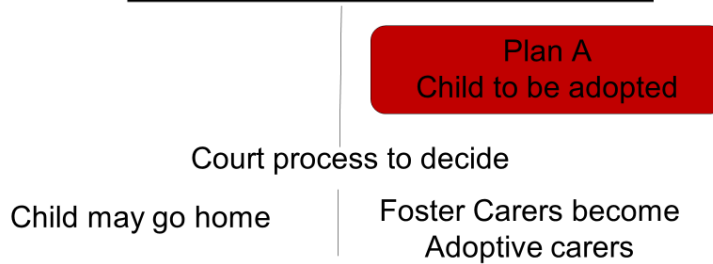
There are also a few differences between the routes;

- **Route to approval** – In Fostering for Adoption, temporary approval is given to already approved adopters, under Care Planning Regulation 25A by the child's local authority. In Concurrent Planning, carers are presented to both adoption and fostering panels for approval at the outset.
- **Registration** – in Fostering for Adoption, registration (and responsibility for training and support) lies with the child's local authority which may not be the same as the adopters. In Concurrent Planning, the approval is held by the adopter's agency.

- **Local authority plan** – in Fostering for Adoption, the local authority plan is adoption. In Concurrent Planning, there is a possible rehabilitation plan; Plan A is return home to family and adoption is plan B.

Fostering to Adopt

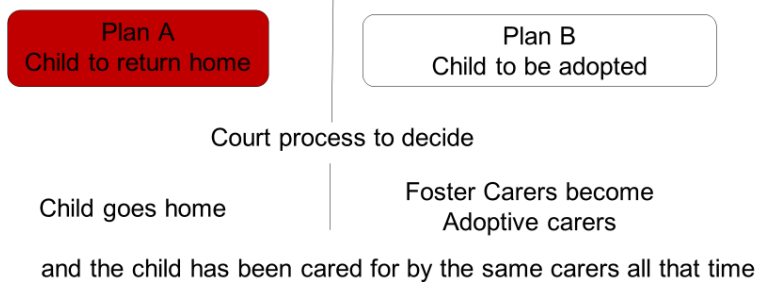
- Child is unable to live safely at home
 - Local authority seeks court order to remove child
- Child goes to Adopters who are temporarily approved for that specific child as Foster Carers



Concurrent Planning

- Child is unable to live safely at home
- Local authority seeks court order to remove child

Child goes to Concurrent Planning Carers who are dually approved as Adopters AND Foster Carers



Which children?

Fostering for Adoption can be used for any child who has a local authority plan of adoption at any stage of the looked after process.

For **Concurrent Planning**, the circumstances are more prescribed;

- Babies and young children under the age of 4 years. Children are often referred pre-birth and are usually placed at the outset of care proceedings.
- Children come from backgrounds where there are severe and long standing parental difficulties, usually involving drugs and alcohol, long term mental health issues, parents with learning difficulties and so on.
- It is important that the parent's history is known to the local authority so that an assessment can be made indicating that there is a low likelihood that the baby will be able to return home – rehabilitation is possible but likely care plan is adoption

Section 1 – Working With Adopters

See also Practice Guidelines for Enquires & pre stage 1, Practice Guidelines for Stage 1 and Stage 2 Policy

The Adoption Information Pack provided to potential adopters includes information about Fostering for Adoption.

Information evenings and initial visits are used to raise awareness of Fostering for Adoption as a possible route to adoption and to give initial information about the process and what is involved. If applicants express an interest in learning more then this should be noted in the Initial Assessment Visit report and on the Registration of Interest form.

In Stage 1, prospective adopters who are interested in Fostering for Adoption are identified and provided with detailed information both verbally and in writing. Information about Fostering for Adoption as a route to adoption is also included in the Preparation Training during Stage 1.

During the Stage 2 PAR assessment, Fostering for Adoption should be fully explored with adopters and the assessment should include clear indication of their suitability for Fostering for Adoption. This will focus on resilience and capacity to manage the uncertainty of an Fostering for Adoption placement. Where this is the case, the PAR will include specific sections evidencing this. It may be that prospective adopters can consider Fostering for Adoption placements under certain circumstances but not others; for example, where the baby has been relinquished and this should be clearly identified in the PAR.

In addition, adopters should be encouraged to complete the Fostering for Adoption Workbook to enable them to consider issues in detail and to facilitate discussion and provide evidence for their PAR. (Appendix 3)

Following the midway review in Stage 2, applicants are put on the Link Maker system and their interest in providing a Fostering for Adoption placement should be noted here.

The adoption panel when considering the approval of an adopter will give advice to the agency on their suitability to have a child placed as Fostering for Adoption. The Agency Decision Maker will also state a view on this. Some adopters may not be considered suitable for Fostering for Adoption at the point of approval but this may change post approval in relation to particular potential matches (e.g. a relinquished baby or the sibling of a child already adopted by them). Where this is the case there is no requirement for the agency to take this back to panel.

All prospective adopters interested in Fostering for Adoption will be offered a Fostering for Adoption training session specifically either during stage 2 or soon after their

approval. This will include input/training about the foster care aspect of the Fostering for Adoption role with involvement from the local authority fostering services.

Action – programme of training to be developed and organised. Need to identify an LA fostering team to be involved.

Also need to gather info re the offer from each LA – Fostering Network membership? And also whether a fostering worker will be allocated-not currently practise in MCC Training / mailing list? SSW? Level of allowance? Equipment?

Key information that prospective adopters will need to be provided with regarding the fostering role:

- The availability of information on the child and the child's family including the child's siblings. This will be less in the fostering phase than should the placement progress to one of adoption.
- The nature and meaning of parental responsibility, what it means in relation to a looked after child, the level of parental responsibility which will be delegated and what it means on a day to-day basis.
- The role of the local authority in assessing, planning and decision-making for the child and the child's family.
- The nature of care proceedings and the placement order application, timing and process.
- The position and role of the birth parents and their rights and responsibilities.
- The arrangements for contact between the child and the birth parents and any other significant people in the child's life.
- The role of the child's social worker and the fostering supervising social worker.
- The significance of the care plan, the placement plan and reviews.
- The role of the Independent Reviewing Officer.
- The requirement to keep appropriate records.
- The availability of support including parenting support, health and education.
- The importance and nature of 'safe caring'.
- Health checks and the health plan.
- Personal education plan where appropriate.
- The importance and nature of the child's life story work and their role in gathering information and photographs for this.
- The arrangements for the payment of fostering allowances.
- Foster care competences, requirements and associated support and developmental opportunities

Other Key information that prospective adopters will need to be provided with by the adoption service:

- When the agency expects to make a decision on adoption if it has not already done so.
- The procedure following the making of a Placement Order.
- The matching report, matching panel and matching certificate.
- The continuation of life story work.
- Parental responsibility, changes to delegated parental responsibility and the adoption placement plan following the matching panel
- Assessment for adoption support, including the cessation of the fostering allowance and the application for adoption pay and leave.
- Contact and 'goodbyes' with the birth parents.
- Applying for an Adoption Order

Section 2 – Working With Children

See also *Family Finding Procedure and Panel Policy*

Local authorities have a statutory duty to consider an early permanence placement for any child where it feels that adoption is a possible outcome. Section 2 of the Adoption and Children Act 2014 amended S22C of the Children Act 1989 to read that, should a placement with a relative or friend not be possible then;

“the local authority **must** consider placing C with a local authority foster parent who has been approved as a prospective adopter.”

At the point where a child is identified as potentially unable to remain with birth family and likely to need an adoptive placement, a Fostering for Adoption placement will be considered. A representative from Adoption Counts service will attend Legal Gateway panels in each local authority. All young children or unborn babies will be considered for Fostering for Adoption or Concurrent Planning as a matter of best practice where the Legal Gateway Panel indicates care planning may lead towards adoption.

The Adoption Counts monthly tracking system will review plans for all children and consider whether early permanence opportunities are being considered at all future points on their journey as appropriate.

In making decisions about which cases are most likely to be suitable for early permanence, following should be considered;

- Where parents have had one or more children previously placed for adoption or in other forms of permanent placement and the evidence strongly suggests that their circumstances have not changed.

- Where the local authority does not have a proactive plan to rehabilitate the child as the circumstances of the parents pose a serious on-going risk or that any such plan is assessed as unlikely to succeed due to the nature and duration of the difficulties faced.
- Where this is the first child, the circumstances of the parents and the risks to the child are such that there is no proactive plan to return the child to the birth parents or to other family members or that any such plan is assessed as unlikely to succeed due to the nature and duration of the difficulties faced.
- Where parents have stated that they may want their child adopted, but have not formally consented. (S52(3) Adoption and Children Act 2002).

The Screening Matrix (appendix 4) should be completed to enable thorough consideration of this decision.

Where a Fostering for Adoption placement is being considered, it is essential that the birth parents are consulted about their views on such a placement and wherever possible their views ascertained. Family Finders will have a key role in driving best practice working alongside the child's social worker.

The child's social worker (with support and guidance from the Family Finder) will also ensure that all key professionals have been made aware of the potential plan to place the child under Fostering for Adoption. This includes the Independent Reviewing Officer Service, CAFCASS, the court service, lawyers and health professionals.

Once the decision has been made to seek a Fostering for Adoption Placements, then the Referral Form (Appendix 5) should be commenced by the child's social worker, supported by the Family Finder.

Planning with a view to identifying suitable Fostering for Adoption carers will be undertaken by the Family Finder prior to the child being accommodated (where this is known in advance) or prior to the estimated delivery date for unborn babies. Where a Fostering for Adoption placement is identified, the Fostering for Adoption Addendum (see Appendix 3) will be completed as fully as possible by child's social worker and family finder. Notification will be given at this stage to the fostering team and a supervising fostering social worker will be allocated.

At the earliest possible point in the process (ideally prior to the child being accommodated or born) a home visit will take place to the prospective Fostering for Adoption carers, by the child's social worker, adoption social worker, family finder and (if possible) the fostering social worker. All known information about the child is to be shared with the prospective Fostering for Adoption carers at this stage.

The social workers (for child and in the adoption team) will then report back to their respective managers for a decision about whether the Fostering for Adoption placement should proceed.

Careful consideration does need to be given to the matching decision taking account of a range of factors relevant to the fostering placement as well as the potential adoption match at a later stage. However, it is important to note that this is not an adoption placement and so cannot be treated as one. It is not appropriate to follow the usual shortlisting and matching procedure and the relevant information regarding the child or family may not be available at this stage. Decisions should be made speedily to minimise any delay for the child or any unnecessary moves between placements.

A further meeting is then to take place with Fostering for Adoption carers at which information required for the rest of the Fostering for Adoption Addendum to their PAR will be gathered by fostering social worker with family finder and the family's social worker. This is child specific and addresses how these particular carers can meet the child's identified needs and also covers more of the role and expectations about being a temporary foster carer. At this point or soon after, the fostering social worker will complete other relevant agency paper work regarding the foster carer role with the Fostering for Adoption carer such as supervision agreements, Foster Carer agreement (to include safe care policy, recording policy, delegated authority, expectations about training and so on).

The PAR, Addendum, minutes from the Legal Planning Meeting, record of the decision made by managers and any other relevant documents (including the view of the child's Guardian and the IRO) should be passed to the line manager of the Family Finding Social Worker for Quality Assurance (Form / checklist to be developed). A review of the documents will be necessary to ensure that all relevant information is contained and in order for them to provide any necessary advice to the Agency Decision Maker to make their decision. This should be the Agency Decision Maker for the child's Agency who will decide whether (or not) to approve the prospective adopters as child specific temporary foster carers under Regulation 25A of the Care Planning, Placement and Case Review Regulations 2010 (amended in 2013).

In discussion with the Fostering for Adoption carer(s), a brief introduction plan will be agreed. For a newborn baby this will involve visiting the child in hospital from the earliest possible point and for a child already in foster care, visiting him / her in placement. The duration of introductions of this will vary according to the child's age and circumstances and will be agreed by the relevant managers.

The child will then be placed as a foster child and placement support will be provided by the supervising social worker and child's social worker in the placing authority.

With the support and guidance of the allocated fostering supervising social worker the Fostering for Adoption carers will participate in tasks expected of them in the fostering role e.g. attending meetings, appointments, medicals, weekly recording, taking part in contact arrangements. Support can be provided by the family's social worker in regard to managing the ongoing uncertainty around outcome and any contact with birth family.

A Looked After Child review will take place within 28 days of the placement being made at which ongoing support will be agreed for the child and for the Fostering for Adoption carers. This will include statutory visits for the child, supervision visits from the fostering supervising social worker as well as support visits by the Fostering and Adoption workers, as needed. Further training and support will be made available to Fostering for Adoption carers from Adoption team / Fostering Team as required but within the context of the specific nature of this being a Fostering for Adoption placement.

Action – to develop a training programme / plan for FfA carers comprising of mandatory (safeguarding, paediatric first aid...) and additional units (recording, lifestory, managing contact.....) which they could opt into if time allows. Also need to consider support groups / coffee mornings for FfA carers.

The adoption panel to consider the match should be booked in advance of the placement order being granted in order to avoid any delay in the child being placed for adoption. Once the Placement Order is granted, the match will be presented to Adoption Panel and subsequently to the Agency Decision Maker. The decision letter from this panel will also formally note that the approval as foster carers has now ended. This should be recorded as required by the fostering service.

Action – amend Adoption Match Decision letter to include the termination of approval.

Under Section 42 of the Adoption & Children Act 2005 the child must have had his home with the applicant or, in the case of an application by a couple, with one or both of them, at all times during the period of ten weeks preceding the application. Therefore, in a case where there has been a Fostering for Adoption placement, the adoption application can be made as soon as practicable after the Agency Decision is made (so long as the 10 week residence requirement is satisfied).

Appendices

Appendix 1 – CCP referral form

Appendix 2 – CCP Service summary

Appendix 3 – Fostering for Adoption Workbook

Appendix 4 – Screening Matrix

Appendix 5 – Referral Form

Appendix 6 - Fostering for Adoption addendum report

Appendix 7 – Fostering for Adoption QA Checklist of managers

Further reading

The Role of Fostering for Adoption in achieving early permanence for children Elaine Dibben and Viv Howarth

CoramBAAF Practice Note 59, The Provision of Information to Fostering for Adoption Carers