The Government’s Adoption Action Plan for Tackling Delay

Introduction

The government published its Adoption Action Plan on 14 March 2012. It was heralded by a flurry of (prime) ministerial activity which had a focus on the issue of black children and the propensity for them to miss out on the opportunity of being adopted for the want of a same race placement. This spotlight took the attention away from this thoughtful and assertive document which fits with the context of the new Ofsted framework for inspection of adoption services, click here to see the (Tri.x Policy Briefing 56) and the Family Justice Review, click here to see the (Tri.x Policy Briefing 53). The Action Plan was in part derived from an expert working group whose report was made available at the same time.

The full plan and associated documents, including the report of the expert working group, are available on the Department for Education website at:
http://www.education.gov.uk/childrenandyoungpeople/families/adoption/a00205069/action-plan-for-adoption-tackling-delay

The premise of the Adoption Action Plan is that the process of adoption takes too long, is too bureaucratic and denies or delays the opportunity for enough children to have a stable loving home. The Action Plan recognises both the complexities of the issues and the danger of setting things in motion that have unintended consequences that are more damaging than the problems they are intended to solve. The backdrop to the plan is a reduction in the amount of adoptions and an increase in the time the process takes to approve adopters and to place children.

Throughout the document, reference is made to the plan to publish more about the government’s intentions in relation to all looked after children in the summer of 2012 which will include the development of the ideas of the Action Plan.

The spirit of the Action Plan is expressed in Paragraph 88: (The)…..‘task at hand is at least as much about consistent application as it is about new policy thinking’.

This policy brief provides a guide to the highlights of the Action Plan, including the timescales within which action is expected.

Background to the Action Plan

Whilst there are complex issues in play during recruitment of adopters and the placement of children for adoption, there are wide variations in time it takes different local authorities to manage the process of adoption.

To resolve this issue and to intervene in a manner which will improve the situation will require intervention by local authorities as well as change in CAFCASS and the Family Courts.
When children first come into care, attention will need to be given as to whether attempts to support some vulnerable children with their own families are given too much time and whether earlier, more assertive action should be taken to remove children whose parents cannot meet their needs. This issue will be picked up in the summer when the government will be publishing further work in relation to children in care.

Whilst some changes will be required to legislation and guidance, the Action Plan suggests that the focus is on less direct influences on social workers such as professional training and development, local authority management systems and sharing good practice in placing children quickly. In particular, all those involved in the system for adoption need to understand Attachment Theory and the consequences that delay has on the emotional development of children. The government have commissioned Professor Harriet Ward to produce concise guidance summarising key research evidence in the context of care proceedings.

There is an acknowledgement that there are misperceptions in the public mind of what it may mean to become an adoptive parent and, given what we know about the impact of early deprivation on children, the Action Plan addresses how best to prepare adoptive parents for the challenges that lie ahead.

The Action Plan also states that delay in providing permanent placements leads to children being placed when they are older and the consequent chances of dealing successfully with the challenges that are linked with difficulties in attachment are lowered. The theory that quicker adoptions will lead to a greater incidence of adoption breakdown is also considered in the Action Plan but it is argued that the available evidence does not suggest that this would be the case.

**THE PROPOSED CHANGES**

**Changes to functions of the Adoption Panel**

It is planned that in the summer of 2012, the function of the Adoption Panel to recommend whether a child is suitable to be placed for adoption will no longer be required for children whose cases are in court and for whom Placement Orders are required to give authority to place for adoption. The Adoption Panel will no longer scrutinise the evidence in each case as these functions are duplicated in the Court, where these responsibilities will rest.

The report supports the idea of regular management meetings to track the progress of matching in individual cases as demonstrated in Harrow who work in partnership with Coram (http://www.coram.org.uk/section/adoption)
**The Adoption Register**

All approved adopters who do not have a placement within 3 months will be referred to the Adoption Register subject to their consent. Information about the child, including those on the register, will have to be kept up to date to avoid a delay in a potential placement. The government’s children in care document this summer will address the issue of agency fees and whether an obstacle to placements exists because of these apparent extra costs to the local authority of using inter agency placements.

**Trans-racial Placements**

Primary legislation will be brought in to address the issue of trans-racial placements as the view of the Action Plan is that black children are being denied the opportunity of adoption because a same race placement is often a specific requirement of the child’s profile in the Child’s Permanence Report and such placements are hard to find. Research and the experience of the Action Plan working group show that delay for black children is associated with local authorities being unwilling to seek families outside their group of approved adopters and/or the degree of pessimism about finding ethnically matched adopters resulting in there being little family finding activity. The overriding principle in finding a match for a child will remain what is in the best interests of the child throughout his or her life.

**Concurrent Planning**

The Action Plan supports the promotion of concurrent planning including encouraging the practice of placing children with carers who, subject to the court’s agreement, will go on to be their adopter(s). This will require the prospective adopters to have a dual approval as foster carers. The Action Plan says that this should be used more widely than just with babies. The aim is to make it possible for early placements to become permanent and thereby minimise disruption to the child caused by moving between placements.

**Recruitment and the National Gateway to Adoption**

There will be a new National Gateway to the adoption system for those interested in becoming prospective adopters with a telephone helpline and a website providing independent advice and information including the ability of the applicant to approach the agency best suited to them as opposed to necessarily going through their local authority. This would most likely be an option but not a pre-requisite to pursuing an interest in adoption – each agency or consortium can retain their own ‘front door’ as it is recognised as important to continue to provide enquirers with choice. Consideration is to be given as to whether this idea should be developed further into the system before its implementation.
Training/Assessment of Prospective Adopters

In relation to the training and assessment of prospective adopters, the Action Plan says that the government has accepted the working group’s recommendations for a two phase application process which will split into the pre-application Stage One (agency guided but adopter-led with a two month timescale) and post- application Stage Two (agency led and adopter guided with a four month timescale within which the assessment will be presented to the Adoption Panel).

Stage One will include information sessions, preliminary checks, self-assessment and preliminary training, including with online materials, to develop understanding of the process and reflect on what they have to offer before the assessment is progressed. The government will develop an online training resource for this purpose. The aim will be to get adopters to the point where they are ready to make an evidence-based, realistic and informed full application to adopt.

Stage Two will consist of more intensive preparation and training as well as a more streamlined and analytical assessment process. Assessment agreements will be introduced between the agency and applicants which include timetables which reflect the applicant’s circumstances. The government will consult on this later this year and with a view to implementing in early 2013.

It is proposed that fast track procedures are put into place for foster carers who wish to adopt and second time adopters, both of whom would progress straight to Stage 2.

Adoption Support

An Adoption (Support) Passport is to be introduced which will be a transparent guarantee of the support that will be available to adopters and it will include access to CAHMS, a parenting skills voucher, tax credits for those who adopt children with complex needs.

The Action Plan recognises that action needs to be taken in relation to the backlog of 2000 children who are waiting for adoption and it is considering whether exceptional resources could be made available to find families.

Performance and the Adoption Scorecard

Performance thresholds are going to be introduced this year and these are to be raised incrementally over the next four years until they reflect the practice indicated in statutory guidance. Government will not relate underperformance with intervention - they will want to get a rounder picture including progress and local issues but they will ‘have conversations’ and intervene where required using improvement notices and where there is no progress, use statutory powers to outsource adoption services to better performing agencies.

The Action Plan introduces the new Adoption Scorecard which the government will implement in the coming weeks. There are key indicators:
- Measuring the average time it takes for a child who goes on to be adopted from entering care to moving in with the adoptive family. (Performance thresholds to be set by government are: 2012 21 months for the child’s journey; 2016 14 months.)
- Measuring the proportion of children who wait longer for adoption than they should.
- Testing the speed and effectiveness of family finding measuring the time it takes from matching a child to placing them. (Performance thresholds to be set by government: 2012 seven months, 2016 four months)

Adoption Scorecards will include other information such as timeliness in the local family justice system and numbers of older children being adopted. Scorecards are not intended to dissuade local authorities from (for example) not using adoption for harder to place children for fear of threatening timeliness.

WHAT ARE IMPLICATIONS FOR TRI.X CUSTOMERS

Tri.x manuals do not require any immediate amendments. As the proposals of the Action Plan become clearer and when the primary legislation is drafted, checklists and amended chapters will be given to customers for approval and then inclusion in manuals. For example, once the new, two tier assessment model is devised, the chapter on assessments and approvals will be modified.

New customers will be provided with compliant chapters as soon as the changes are made.

Contact Us
Kensington House, 50-52 Albany Road, Earlsdon, Coventry, CV5 6JU
info@trixonline.co.uk       www.trixonline.co.uk
T: 024 7667 8053