

MAYOR AND CABINET		
Report Title	Adoption Service Update, Revised Statement of Purpose and Children's Guides to Adoption	
Key Decision		Item No.
Ward	All.	
Contributors	Executive Director for Children & Young People	
Class	Part 1	Date: 25 June 2014

1. Purpose

- 1.1 To provide the Mayor and Cabinet with an overview of the work of the Adoption Service and the Adoption and Permanence Panel in compliance with legislation, and to present the Statement of Purpose and Children's Guides.

2. Summary

- 2.1 This report sets out the work undertaken by the Adoption Service and presents the Statement of Purpose and the Children's Guides on Adoption.

3. Recommendations

That the Mayor:

- notes the report of the work of the Adoption Service
- approves the review of the Statement of Purpose (Appendix 1)
- notes the two updated Children's Guides to Adoption (Appendix 2 and 3).

4. Policy Context

- 4.1 Lewisham is a registered Adoption Agency. Adoption Agencies are subject to the Adoption Agency Regulations (AAR) 2005 and 2011 and The Adoption Agencies (Panel and Consequential Amendments) Regulations 2012; Adoption Agencies (Miscellaneous Amendments) Regulations 2013 and are subject to the National Minimum Standards (NMS) which accompany the Regulations. Standard 25.6a of the National Minimum Standards requires the Adoption Agency to produce a six monthly report to be received by the Council Executive.
- 4.2 Standard 18.3 of the National Minimum Standards requires that the Adoption Agency approves and annually reviews the Statement of Purpose and the Children's Guides.

4.3 The Statement of Purpose contributes to five of the key priority outcomes of Lewisham's Sustainable Community Strategy 2008-2020:

- **Ambitious and achieving** – where people are inspired and supported to fulfil their potential
- **Safer** – where people feel safe and live free from crime, antisocial behaviour and abuse
- **Empowered and responsible** – where people are actively involved in their local area and contribute to supportive communities
- **Healthy, active and enjoyable** – where people can actively participate in maintaining and improving their health and well-being
- **Dynamic and prosperous** – where people are part of vibrant communities and town centres, well connected to London and beyond.

4.4 The Government's Adoption Reform Programme and provision of special grant for Local Authorities to encourage more people to adopt and to reduce the time it takes for children to be placed with adoptive families, the action includes:

- implementing a simplified process for people who want to adopt or foster a child
- providing a first point of contact for anyone interested in adopting through [First4Adoption](#)
- Introducing scorecards that allow a comparison of the delay for placement of children in care in each local authority
- introducing legislation that will:
- make sure court hearings on children in care last no longer than 26 weeks, except in exceptional circumstances
- encourage 'fostering for adoption', i.e. placing children with approved adopters who will foster the child while they wait for court approval to adopt
- give adoptive parents the same pay and leave rights as birth parents from 2015
- reduce delay due to adoption agencies seeking a perfect or partial ethnic match
- allow prospective adopters to access the adoption register directly, subject to appropriate safeguards, so they can play a more active role in identifying children for whom they might be suitable adoptive parents

4.5 An action plan was devised to implement the above from 1st July 2013.

5. Background

5.1 The Adoption Service is primarily a service for looked after children. It is committed to finding and supporting stable and secure adoption placements for children when adoption is the identified plan for that child. The majority of children placed for adoption have been removed from their parents through the court system. All of these children have had their plan for adoption approved by the court.

5.2 Following the 2nd publication of the adoption scorecard the Children's Minister, Edward Timpson acknowledged the tough target Local Authorities have to meet to place children and congratulated Lewisham suggesting we share the lessons from our success in placing children timely more widely with other local authorities. There were also examples of service users writing directly to the Prime Minister and the Mayor about the high standard of service they received from Lewisham. This reflects the recognition of the effectiveness for children and adopters of this agency's organisational approach. As of July 2013, we have also formed partnership with three of our Consortium members running Stage 1 Learning groups for prospective adopters. Lewisham Adoption Service is a high performing agency and achieves adoption in a timely way for many children.

6. Current Development and Performance

- 6.1 The two previous Adoption Team Managers both retired in April 2013 after their long and loyal service in Lewisham. Their replacements joined the team in April and July respectively.
- 6.2 Currently the Adoption Team is working with 40 looked after children, preparing them for adoption and supporting adoptive placements.
- 6.3 The table below shows the number of adoption orders achieved in the last three financial year 2011-2; 2012-3 and 2013-4:

	April 2011 to March 2012	April 2012 to March 2013	April 2013 to March 2014
Number of adoption orders	31	23	28
Adoption orders, child placed with family approved Lewisham	12	19	20
Adoption orders, family approved by Inter-agency	19	4	8
Number of single adopters	10	8	4
Number adopted by foster carer	5	5	6
Number adopted by relative	1	0	0
Children adopted Male / Female	16/15	9/14	10/18

- 6.4 During the last year between 1st April 2013 and 31st March 2014, 29 children were placed for adoption, that is, they were placed with approved adoptive parents prior to an adoption order being granted.
- 6.5 The table below shows the detail of the children placed for adoption over the last year. This illustrates the number of adoption orders likely to be granted over the coming 12 months. It includes details of who the children were placed with including their ethnicity and gender. In 2014/15 the Adoption Service, along with colleagues across the Children and Young People's Directorate will have an increased focus on children previously considered 'hard to place'. We have partnership

arrangements with both PACT and the South London Consortium. In the coming summer we have our first Activity Day with Consortium members, an event to identify adoptive families with 'hard to place' children.

	April 2012 to March 2013
Number of children placed for adoption	29
With families approved by Lewisham	21
With families through inter-agency placements	8
Number of children placed with single adopters	3
Number of children placed with gay/lesbian adopters	4
Number of children placed with foster carers	2
Male	15
Female	14
Ethnicity	
White UK	20
Mixed heritage (incl mixed white parentage)	7
Black African Caribbean	2
Black African	0
Black African Caribbean / Black African	0
Black other	0
White other	0

6.6 Comparison of ages at time of placement for the last three years of data.

Age of child at time of placement for adoption	April 2011 to March 2012	April 2012 to March 2013	April 2013 to March 2014
Under 2 years	17	16	20
Age 2 to 3	6	4	4
Age 4	1	2	3
Age 5	1	2	0
Age 6	0	1	0
Age 7-15	1	0	2

6.7 The Adoption and Permanence Panel considers and makes clear recommendations to the Agency Decision Maker who has the ultimate decision making authority on behalf of the Council on a) whether a child who is not the subject of care proceedings, should be placed for adoption, b) whether an applicant(s) should be approved to adopt c)

whether a specific child/ren should be matched with an identified adoptive parent(s). Guidance sets out that adoption agencies must not deny or delay a child an adoptive home on the grounds that they do not share the same ethnic or cultural background. Lewisham is clear that due consideration is given to the particular characteristics and circumstances and the background of children when matching to adoptive parents but this consideration will never delay the placement.

- 6.8 Plans for the children are now considered by three Agency Decision Makers; the Director of Children's Social Care and two Service Managers. Because of the high volume of work and the new requirement of care proceeding to be completed in 26 weeks, the meeting is now weekly and in rotation amongst the three Agency Decision Makers. The Agency Decision Maker is able to consult with the agency's legal, medical and adoption adviser and to request any further information deemed necessary.
- 6.9 The Lewisham Adoption and Permanence Panel is fully compliant with the Adoption Agency Regulations. The Lewisham Adoption and Permanence Panel, which convenes on a fortnightly basis (more frequently if required to avoid delay in a child's placement), currently consists of one member nominated by the Mayor, four independent persons of whom one is an adoptee, one is an adopter, one having personal and professional experience of adoption and fostering and another having knowledge and expertise of education. Due to the departure of two social worker members; new appointments have been made to replace them. We have now appointed three new social work members to share the workload and they will attend meetings according to the arranged rota. The Medical Adviser is a paediatrician with the Lewisham NHS Trust. The chair is independent of the Council and has extensive experience of adoption work. The Panel is supported by a Solicitor and an Adoption Team Manager who acts as Panel Professional Adviser.
- 6.10 In line with the Adoption Agencies (Miscellaneous Amendments) Regulations 2013, which came into force on 1 July 2013. A new two-stage assessment process was introduced, with amended timescales, i.e. 2 months for Stage 1 and 4 months for Stage 2 for completion of the adoption processes for prospective adopters and a fast-track process for previous adopters/foster carers; i.e. they will proceed straight to Stage 2. With the Adoption Reform Grant, we updated the recruitment materials and now have monthly Information Evening to provide information for potential families who wish to adopt and meet the needs of children in Lewisham. When a person approaches an adoption agency and expresses an interest in being assessed as a prospective adopter, they will be provided with information and invited to one of the Information Evenings. After the Information Evening, if the person wishes to proceed, the agency will arrange a meeting and consider whether we should provide them with a Registration of Interest form. Once we agree for the family to proceed to Stage 1, the self-learning process, statutory checks, references, homework and Learning Group can start. If we agree for the family to proceed to Stage 2, the home study will begin. A report is provided to the Adoption and

Permanence Panel at the end of Stage 2 for recommendation to the agency decision maker in Lewisham, the Director of Children's Social Care, if the prospective adopter is suitable to adopt a child.

- 6.11 Between 1st April 2013 to 31st March 2014 30 families were approved by the panel to adopt.

	April 2011 to March 2012	April 2012 to March 2013	April 2013 to March 2014
Number of applicants approved to adopt	20	20	30
Of these applicants, number who were heterosexual couples	13	13	26
Of these applicants, number who were single female	5	7	3
Of these applicants, number who were single male	0	0	0
Of these applicants, number who were same sex couple	2	0	3
Of these applicants, number who were second time adopters	4	3	3
Of these applicants, number who were kinship / foster carers	1	5	2
Ethnicity			
White UK	8	8	20
Mixed heritage (including White UK/Asian)	1	3	5
Black African Caribbean	4	3	3
Black African	0	3	2
Black African Caribbean / Black African	0	3	0
Other	7	0	0

- 6.12 The second Adoption Scorecard published by the DfE confirmed that the Adoption Service in Lewisham performs in the top quartile of all London Local Authorities in the performance measure on the timeliness of adoption. For example, between 2011 and 2013, the average time between a child entering care and moving in with its adoptive family, Lewisham ranks 2nd place in Inner London ranking (the lower the better).

	No of days
National performance	647
Inner London	732
Lewisham	536

- 6.13 Lewisham also had the highest average percentage of children adopted from care between 2011 and 2013 at 12% and ranked first.

7. Inter-country Adoption

- 7.1 Adoption in the UK is principally a service for children in the UK. A small number of applicants in the UK want to adopt a child from overseas and Lewisham, as an adoption agency, has a duty to ensure these applicants are assessed. A charge is made for these assessments. From July 2011 PACT (Parents and Children Together), a voluntary agency, has provided this service for Lewisham. Predating 2011, Lewisham has two adoptive families approved and still awaiting the placements of a child from China and from Kazakhstan.

8. Adoption Support and Special Guardianship Support Services

- 8.1 Support services are available to adoptive families and special guardians. The support services provide a range of services to families and their children which includes counseling, advice and information, workshops/support groups, an annual conference, financial support and links with CAMHS. The team also coordinates post adoption contact arrangements. Counseling is also provided to birth relatives who are losing a child to adoption and Lewisham provides an intermediary service between birth relatives and adopted adults.
- 8.2 Over the last 12 months, the Adoption Support Team dealt with 404 exiting cases providing a range of support services to adoptive families, adopted children, adopted adults, birth parents and birth relatives. 87 new referrals were received, and out of those 53 were from adopted adults which indicates adoption is a life long issue and Lewisham responds well to the needs of adopted people. We also provide support, either financial, therapeutic support or both to 128 families who have a Special Guardianship Order.
- 8.3 The Government announced on 10 September 2013 that an Adoption Support Fund will be created to make adoption support accessible, timely and of high quality for those families that need it the most. Lewisham has been chosen by the Department for Education as one of the ten Local Authorities across the country to take part in developing the prototype before preceding full implementation of the Fund.

9. National Requirements

- 9.1 The National Minimum Standards require that a clear written statement of purpose is available to all users of the service which sets out the aims and objectives of the Adoption Agency and describes the facilities and services that are provided and the principles to which the service adheres. The Lewisham Statement of Purpose (Appendix 1) has been updated and is presented to Mayor & Cabinet for approval. Updating has included information on staff and new recruitment process and new information on Fostering for Adoption.
- 9.2 The National Minimum Standards require that two Children's Guides to Adoption are produced, one for younger children and one for older

children. The Guides (Appendix 2 & 3) have been updated and are presented to Mayor and Cabinet for approval.

- 9.3 Lewisham devised an Action plan for the Reform Grant and see that we well placed to meet the expectations of the Reform Programme. As can be seen from paragraph 6, Lewisham is already outperforming the national average, statistical neighbours and the inner London average in timeliness of adoptions. Our rate of disrupted placements is also very low with only 2 adoptive placements breaking down in the last 10 years out of 272 adoptions. The recent research study on adoption disruption indicates that the national figures was about 3%. Lewisham's figure of less than 1% compares very favourably.
- 9.4 Paragraphs 6 demonstrates that Lewisham is well placed to implement the forthcoming changes. However, such changes will be challenging and the service is aware of the need to work differently in order to meet the requirements. An example of this is the need to strengthen the role of the South London Adoption Consortium. It is only by working with the Consortium partners that the Lewisham Adoption Service will be able to deliver a responsive service where there are no delays in the assessment process. A more flexible approach within the Consortium is more likely to deliver placements for those children with specific needs who cannot safely remain within borough boundaries. A similar approach will need to be considered for post adoption support and to ensure the service is able to meet the requirements of the adoption support fund.

10. Financial Implications

- 10.1 In order to support the reforms detailed in paragraph 9.3 the Government provided in 13/14 a grant £213,470 which was ring fenced to adoption and £.802,369 to support the adoption agenda and permanence across the Looked After population. The grant needs to focus on meeting the Governments priorities. An Action Plan has been put together for the spending of this grant. We are on target with the time scale and targets set in the plan.

11. Legal Implications

- 11.1 Section 3(1) of the Adoption and Children Act 2002 places a duty on the Local Authority to establish and maintain an adoption service in its area designed to meet the needs of children who may be or who have been adopted, adults who have been adopted, their parents or guardians, including parents and former guardians, and both prospective or actual adopters.
- 11.2 The Local Authority is required to maintain and operate its adoption service in accordance with detailed statutory regulations, including The Adoption Agency Regulations (AAR) 2005 and 2011 and The Adoption Agencies (Panel and Consequential Amendments) Regulations 2012 , Adoption Agencies (Miscellaneous Amendments) Regulations 2013 and it is subject to National Minimum Standards which accompany the Regulations.

- 11.3 National Minimum Standards apply to how the Local Authority discharges its duties. They do not have the force of law, but are used by registration authorities when registering and inspecting adoption agencies and adoption support agencies, to determine whether the agencies meet their obligations under the mandatory regulations.

12 Equalities Legislation

- 12.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 12.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 12.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 12.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 12.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty

4. Equality objectives and the equality duty
5. Equality information and the equality duty

12.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

13. Crime and Disorder Implications

13.1 Research indicates that early adoption secures better outcomes for looked after children and improves their life chances and thereby reduces the likelihood of them becoming involved in crime or becoming victims of crime.

14. Equalities Implications

14.1 Looked After Children are one of the most vulnerable groups of children. They are more likely to have poorer education and health outcomes that lead to social exclusion. Looked After Children are also more likely to have special educational needs. Outcomes for adopted children are better than for Looked After Children so adoption is positive in terms of minimising inequalities.

15. Environmental Implications

15.1 There are no environmental implications arising from this report.

16. Conclusion

16.1 The Mayor is asked to accept the report of the Adoption Service and to approve the revised statement of purpose and the two updated Children's Guides.

17. Background documents

Adoption Agency Regulations 2005 and 2011

<http://www.legislation.gov.uk/uksi/2005/389/contents/made>
<http://www.legislation.gov.uk/uksi/2012/1410/contents/made>

The Adoption Agencies (Panel and Consequential Amendments) Regulations 2012; Adoption Agencies (Miscellaneous Amendments) Regulations 2013

<http://www.legislation.gov.uk/uksi/2012/1410/contents/made>
<http://www.legislation.gov.uk/uksi/2013/985/contents/made>

National Minimum Standards (Adoption) 2003 and 2011
<https://www.gov.uk/government/publications/adoption-national-minimum-standards>

Appendix 1-Adoption Service Statement of Purpose

Appendix 2-Children's Guides-Young Children

Appendix 3-Children's Guides-Older Children

If there are any queries arising from this report, please contact Tina Benjamin,
Service Manager LAC, Leaving Care and Adoption on 020 8314 7808.