

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK COMMITTEE – 16 December 2002

REPORT ON: ADOPTION SERVICES

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 865 -2002

1.0 PURPOSE OF THE REPORT

This report informs members of the progress of the Dundee City Council Adoption Services including the business of the Adoption Panel.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Social Work Committee: -

Note and approve the contents of the report.

2.1.1 Approve the contents of the amended Adoption Panel Constitution(Appendix 1)

2.1.3 Approve the expansion of the membership of the Adoption Panel to include an additional two members, as outlined in the amended constitution.

3.0 FINANCIAL IMPLICATIONS

There are no financial implications arising from this report

4.0 LOCAL AGENDA 21 IMPLICATIONS

The work of the Adoption Service and of the Adoption Panel is in line with the principles of Agenda 21 in that efforts are made whenever possible to meet the needs of children locally and for their social, education and health needs to be promoted within a family setting.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

The work undertaken by the Adoption Service and the Adoption Panel recognises and values diversity and promotes the principle of equal opportunities.

6.0 MAIN TEXT

6.1 Adoption Service

All local authorities are obliged to provide an Adoption Service in their area. The Adoption Service has a duty to meet the needs of children who have been or may be adopted, parents and guardians of such children and those who have adopted,

or may adopt a child. These duties are laid down in the Adoption (Scotland) Act 1978 which is the primary legislation and amended in the Children (Scotland) Act 1995. Adoption Service Planning is contained in Children's Services Plans.

In considering whether or not adoption is in a child's best interest, the local authority must:-

- ◆ have regard to the need to safeguard and promote the welfare of the child throughout his or her life as their paramount consideration;
- ◆ so far as is practicable, take account of the views of the child, if the child wants to express them, and in doing so take account of the child's age and maturity (any child who is 12 or over should be presumed capable of having a view, but many younger children will also have the maturity to express a view);
- ◆ so far as is practicable, take account of the child's religious persuasion, racial origin and cultural and linguistic background;
- ◆ so far as is practicable, take account of the wishes of the child's parents or guardians and about the religious upbringing of the child; and
- ◆ consider, for every child, whether adoption is in the best interests of that child or whether there is a better practicable alternative.

In ascertaining whether or not adoption is in a child's best interests a comprehensive assessment must be undertaken which informs the plan for the child. Although the assessment report is undertaken by the child's social worker, it will include input from other professionals, such as health, education or any other agency that is involved with the child and their birth family. Once this report is completed, within a particular timescale, it is forwarded for consideration at the Adoption Panel and recommendations from the Adoption Panel are shared with the Agency Decision-Maker, who then makes a decision on behalf of the Adoption Agency.

6.2 Post Adoption

Post adoption work in respect of a child placed is undertaken by child care workers and any post adoption work is built to the placement to address the specific needs of a child.

Adoption counselling, which is a duty on local authorities to provide, is undertaken predominately by staff in the Family Placement Service. This service is for adults who have been adopted, adopters, birth family members. The service may range from providing background information to organising a reunion between a birth parent and adoptee.

6.3 Adoption Panel

The Adoption Panel, meets fortnightly and is chaired by the Senior Officer (Adoption and Fostering).

The Adoption Panel considers:

- ◆ If adoption is in the child's best interests and if so whether a Freeing for Adoption application should be made under the Section 18 of the Adoption (Scotland) Act 1978;
- ◆ to provide a written report of the consideration given by them to alternatives to adoption and in circumstances where adoption with parental contact is recommended, why adoption is recommend rather than an alternative course of action;
- ◆ whether to recommend the approval of adopters;

- ◆ to consider whether a prospective adopter would be a suitable adoptive parent for a particular child;
- ◆ advice on specific issues during the assessment of the adopters;
- ◆ what the approval should consist of, for example categories of children, age range, gender and if for a specific child;
- ◆ amendments of approval of adopters; and
- ◆ whether an adoption allowance should be payable

6.4 The membership of the Dundee City Council Adoption Panel comprises of experienced child care practitioners and managers, representatives from Education and independent panel members, one of whom is an adoptive parent and the other from a voluntary organisation. A medical advisor is also available for advice.

In order to ensure that the Panel can effectively discharge its functions, it is important to ensure that the Panel make-up continues to be multi agency. During the last year a number of changes have taken place in Panel membership. The task of being a panel member is time consuming and not all members are able to attend on every occasion. To ensure flexibility and continued multi-agency involvement at all panels it is recommended that panel membership should be increased by two members. The panel would then comprise a voting membership of 10 with a quorum at each panel of not less than 3 voting members.

6.5 Statistics Presented to Panel

Between April 2001 and March 2002 the Panel were presented with: -

◆ Number of Children presented for adoption	11
◆ Number of children presented for permanent substitute care	3
◆ Number of Children matched with adopters (5 children had been approved for adoption in the previous year).	10
◆ Number of children matched with long term foster carers (all of whom were approved as in need of permanent substitute care in previous years)	6
◆ Registration of Adopters	15
◆ Number of carers approved for permanent foster care	3
◆ Amendments to the approval of adopters	2
◆ New Adoption Allowances	8

6.6 Future Plans

As of April 2003 Adoption Services will be registered and inspected in accordance with the Regulation of Care (Scotland) Act 2001. These cover the following activities:-

- ◆ Services for children, young people and adults who were adopted as children
- ◆ Services for birth families
- ◆ Services for adoptive parents and prospective adoptive parents
- ◆ Managing and staffing arrangements

These standards will be introduced in a gradual way over a three-year period.

6.7 The Scottish Executive has recently forwarded copies to all local authorities of Phase 1 of the Adoption Policy Review for consideration. This report incorporates all aspects of permanency planning which the adoption standards do not cover. Collated responses to the report will possibly inform additional standards in all aspects of permanence.

Phase 2 of the Adoption Review is currently taking place and this phase will address areas of the legal framework.

7.0 CONSULTATION

7.1 Consultation has taken place with the Directors of Education and Housing, and through the Children's Services Strategic Planning process with members of other organisations and agencies.

8.0 BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report.

9.0 SIGNATURE

Alan G Baird
Director of Social Work
6 December 2002

APPENDIX 1

**DUNDEE CITY COUNCIL
SOCIAL WORK DEPARTMENT**

ADOPTION PANEL CONSTITUTION

Dundee City Council Social Work Department, in accordance with its duty as an Adoption Agency, and the requirement of the Adoption Agencies (Scotland) Regulations 1984 and The Children (Scotland) Act 1995, hereby appoints an Adoption Panel.

ROLE AND FUNCTION

The Panel's primary functions are :

- (a) To consider whether adoption is in the best interests of a child and if the Panel recommends that it is, whether an application should be made to free the child for adoption;
- (b) to consider whether a prospective adopter is suitable to be an adoptive parent;
- (c) whether a prospective adopter would be a suitable adoptive parent for a particular child; and
- (d) to provide a written report of the consideration given by them to alternatives to adoption and in circumstances where adoption with parental contact is recommended, why adoption is recommended rather than an alternative course of action.

SUPPLEMENTARY FUNCTIONS OF THE PANEL

The Regulations give agencies discretion to seek the Panel's advice on other such relevant matters. Such matters might be:

- (a) To consider permanence plans for children;
- (b) to consider plans to place siblings together or separately;
- (c) to monitor and review the implementation of plans for children;
- (d) to review after a specified time approved adoptive parents who have not been linked with a child;
- (e) to consider reports on the disruption of any adoptive placement and make recommendations about whether adoption is still in the best interests of the child, and whether the prospective adopters should still be approved and, if so, the terms of their approval; and
- (f) to consider matters relating to financial assistance for adopters, for example approved adoption allowances or the payment of legal expenses incurred by the adopters in obtaining an adoption order.

COMPOSITION

An Adoption Agency must satisfy itself that the numbers, qualifications and experience of individual members of an Adoption Panel will enable it to discharge its duties.

In Dundee City the Adoption Panel comprises of 10 voting members appointed by the Director of Social Work. A quorum for each Panel should consist of not less than 3 voting members.

In addition although the medical adviser is a voting member, he or she cannot make up the quorum.

The legal adviser is not a voting member. The legal adviser's advice at the Panel enables members to explore the legal issues in each case and to clarify the alternatives to adoption. A Solicitor from the Council's Legal Division will attend the Panel when legal advice is required.

Dundee City Council Adoption Panel is made up of 10 voting members who include:-

- 1 A Senior Social Work Manager who co-ordinates and chairs the panel;
- 2 Social Work Staff members with appropriate qualifications and expertise in adoption;
- 3 Representatives from other agencies, departments and independent members who are considered competent in terms of their knowledge, skills and experience;
- 4 Medical Adviser to the Panel; and

In the absence of the designated Chair, another social work representative will act as Depute Chair.

The balance of Panel members offers a wide experience and reflects a multi agency approach that provides objectivity. Membership should, where possible reflect the racial and cultural heritage of the children and adopters and other staff may be asked to participate in any particular panels where there is a specific need.

Membership will be reviewed annually. Vacancies will be filled promptly.

MEETINGS

The timing and the frequency of meetings is determined by the chair of the panel in consultation with Panel members and will be determined by the needs of the Authority in its capacity as an Adoption Agency.

AGENCY DECISION MAKING

The Agency Decision-Maker is appointed by the Director of Social Work and is currently the Manager, Children's Services. The Agency Decision-Maker receives all reports presented to Panel and the Panel minutes. This allows the Agency Decision-Maker to make decisions on full information and to understand why the Panel has reached particular recommendations. The Agency is required to make a decision within fourteen days of the Panel. Panel recommendations and the agency decision are intimated in writing, by the Chair of the Panel, to prospective adopters and

parents of children when a decision has been made that their child is in need of permanent substitute care.

APPEALS

Appeals by prospective adopters against a Panel's recommendations and subsequent agency decision should be made in writing to the Director of Social Work within 14 days of the receipt of notification of the agency decision. Upon receipt of such an appeal the Director of Social Work will appoint an Appeal Panel where appropriate.