

DUNDEE CITY COUNCIL

REPORT TO: Social Work Committee - 21 June 2004

REPORT ON: Adoption Service

REPORT BY: Director of Social Work

REPORT NO: 464 - 2004

1.0 PURPOSE OF THE REPORT

1.1 This report informs members of the progress of the Adoption Service including the business of the Adoption and Permanence Panel.

2.0 RECOMMENDATIONS

It is recommended that the Social Work Committee: -

2.1 Note the current adoption services being provided in Dundee and the need for further development of a more comprehensive Post-Adoption Support Service.

2.2 Approve the content of the amended Adoption and Permanence Panel Constitution (Appendix 1).

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising from this report.

4.0 LOCAL AGENDA 21 IMPLICATIONS

4.1 The work of the Adoption Service and of the Adoption and Permanence Panel is in line with the principles of Agenda 21 in that efforts are made, wherever 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

5.1 The work undertaken by the Adoption Service and the Adoption and Permanence 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 agency 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. The agency must have arrangements in place for assessing children and prospective adopters, placing children for adoption and post-placement support. Post-placement support specifically includes counselling and assistance to children who have been adopted and people who have adopted them, as well as counselling for anyone else with problems about adoption. 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 the Children's Services Plans.

When a child becomes Accommodated a clear and comprehensive assessment is required to be completed in order to make sound child care plans either for rehabilitation with birth family or for long-term alternative care. This written assessment needs to be undertaken within a timescale that meets the need of the child. It will be compiled by the childcare social worker but will be informed by other professionals such as health and education and also by current carers and birth family. If the local authority has ruled out the possibility of the child returning to live with the birth parents then alternative options need to be explored without delay. These options will include placement with extended family or friends, permanent/long -term fostering and adoption.

A report detailing the needs of the individual child together with the options for future placement and recommendations are forwarded for consideration at the Adoption and Permanence Panel. Recommendations from the Panel are shared with the Agency Decision Maker who then makes a decision on behalf of the adoption agency. The Agency Decision Maker for Dundee Adoption and Permanence Panel is the Head of Children's Services.

6.2 **Adoption and Permanence Panel**

Dundee City Council Adoption and Permanence Panel meets a minimum of once a fortnight and is chaired by the Senior Officer, Adoption & Fostering or in her absence by the Senior Social Worker of a Children and Families Team.

The statutory functions of the Panel are:

- to consider whether adoption is in the best interests of a particular child and, if so, whether a freeing application should be made under Section 18 of the Adoption (Scotland) Act 1978.
- to provide a written report of the consideration given by the Panel to the alternatives to adoption and in circumstances where adoption with parental contact is recommended, why adoption rather than an alternative course is recommended.
- to consider whether an applicant is suitable to be an adoptive parent.
- to consider whether a prospective adopter would be a suitable adoptive parent for a particular child.

Dundee City Council Adoption and Permanence Panel undertakes a number of supplementary functions including:

- considering all permanency plans for children
- monitoring and reviewing the permanence plans for children within 12 months if they are not placed in their permanent placements
- reviewing all approved permanent and adoptive carers who have not been linked with a child within 12 months
- considering reports on the disruption of any adoptive placements and recommending whether adoption remains in the best interests of the child
- considering whether adoption allowances or other financial assistance for adopters is required
- giving advice at an early stage of the assessment process of adoption applicants regarding whether to progress with the assessment or not.

The Adoption Regulations 1996 require that there is a minimum of 6 Panel members and that members are competent to assess whether any recommendation in relation to children is likely to promote their welfare throughout their lives.

The membership pool of the Dundee City Council Panel currently comprises experienced childcare practitioners and managers, representatives from Education and a voluntary organisation, independent panel members including an adoptive parent and a former foster carer, a medical advisor and a legal advisor.

During the last year there have been several changes in the membership of the Panel due to staff changes and other reasons. The task of being a panel member carries a high level of responsibility and requires a significant time commitment from individual members. Not

all members are able to attend on each occasion and several members are now only able to make a part-time commitment to attendance. Furthermore, there has been a steady increase in the number and complexity of cases to be discussed at Panel that have led to several additional Panels having to be convened. To ensure flexibility, breadth of knowledge and experience and continued multi-agency involvement on all panels it is recommended that panel membership be increased by three members. The panel would then comprise a voting membership of 12.

6.3 **Statistics of Situations Presented to Panel**

Between January 2003 - March 2004 the Panel considered the following:

• Number of children presented	35
• Number of children with recommendation for adoption	18
• Number of children with recommendation of permanent/long-term fostering	17
• Number of children matched with adopters	9
• Number of children matched with permanent/long-term foster carers	5
• Registration of adopters	15
• Number of carers approved for permanent foster care	3
• Number of advice panels	6
• Number of amendments to approval considered	4
• Number of adoption allowances awarded	5
• Number of disruption panels	1
• Of those children presented for adoption the majority were in the age range 0 - 5 years.	
• Of those children presented for permanent/long-term fostering all were aged 8 years or over and were in regular direct contact with their birth family	
• Of those registered as adopters 3 were single female applicants and 1 were a couple of mixed ethnicity	
• Almost all of the carers approved for permanent foster care were temporary foster carers who wished to offer long term care to a child they were already looking after. The majority continued to provide temporary fostering placements in addition to the permanent placements. One permanent carer was originally approved as an adopter but amended her approval to meet the revised care needs of the child.	

6.4 **Post-Adoption Services**

There is a duty on adoption agencies to provide a range of post-adoption support services for children, adopters and birth families in a way that can be easily accessed without undue delay. The Scottish Executive has issued National Care Standards for Adoption Agencies that include expectations regarding post-adoption support.

It is recognised that children being placed for adoption may have suffered significant emotional damage as a result of their earlier life experiences and that adoptive carers can often expect to face a range of emotional and behavioural problems at various times during the child's development. Support may be provided on an ongoing basis by the childcare worker or the resource worker for the family or by other agencies offering therapeutic input.

An increasing number of children in permanent placements outwith the family continue to have a level of direct contact with their birth parents, siblings or extended family and this often requires to be directly supported and facilitated by the childcare social worker. In virtually all cases where direct contact is not being maintained, indirect contact arrangements are facilitated by letterbox arrangements arranged and managed via the Senior Officer, Adoption & Fostering.

In Scotland adopted people have a right to access their adoption records aged 16 years and others affected by adoption may ask for a service. In Dundee adoption counselling work is predominantly carried out by Family Placements staff although partnership agreements are also in place with some voluntary agencies, including Birthlink and After

Adoption. The adoption counselling services offered can range from record searches to organising a reunion between adoptees and members of their birth family.

There is a need to further develop adoption support services, specifically therapeutic input for children and families and counselling services to birth families.

6.5 **Developments in Adoption Services**

- As of 1st April 2004 the adoption agency is registered with the Scottish Commission for the Regulation of Care and will be inspected in accordance with the Regulation of Care (Scotland) Act 2001 against the National Care Standards for Adoption Agencies.
- The Scottish Executive Adoption Policy Review (APR) has moved into Phase 2 looking at the legal aspects of adoption and permanent fostering. A consultation paper was distributed in September 2003 and responses were collated early in 2004. The various working sub-groups of the APR continue to meet and are looking closely at the future role of the Children's Hearing system in relation to permanence planning for children and also options for replacing the current Freeing Orders.
- Arising out of the recommendations from Phase 1 of the APR, the Scottish Executive have commissioned BAAF (British Agencies for Adoption and Fostering) to undertake a scoping exercise on strengthening resource sharing within Scotland to provide more choice of placements for children requiring permanent substitute care. One of the recommendations arising from this exercise has been to build on the capacity of existing consortia. Dundee is a member of the North East Consortia that is finalising a proposal for recruiting an administrator for this purpose.
- Recruitment of both adoptive and foster carers has continued on an ongoing basis. The previous 'drop-in' events were acknowledged to be losing their effectiveness so new strategies have been implemented including obtaining permission from local Asda and Tesco supermarkets to leaflet drop at their outlets. Increased uses of the Internet and council intranet have also produced positive results. Overall the recruitment strategies have proven successful with 45 adoption enquiries during the period April 2003 to March 2004, more than 20 of which progressed beyond the initial contact stage.

7.0 **CONSULTATION**

- 7.1 The Chief Executive, the Depute Chief Executive (Support Services) and the Depute Chief Executive (Finance) have been consulted in the preparation of this report.

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.

Alan G Baird
Director of Social Work

Date: 9 June 2004

**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 and in Dundee the Adoption and Permanence these supplementary functions are:

- (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 12 months 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 order to ensure that Dundee Adoption & Permanence Panel is able to effectively discharge its duties the Adoption and Permanence Panel will comprise of 12 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 will not be 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 12 voting members who include:

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- 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.