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Achieving Early Permanence through Fostering for Adoption

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“It’s the most rewarding thing to do yet it’s also a rollercoaster of a ride. It’s not always easy, sometimes feeling as if it’s never going to happen but you need to focus and remember that you’re doing it because it’s the best thing for the child, not for you. As an adult, we have the capabilities to cope with loss much better than a child can and it’s only right that as adults we take the risks, not the child”. FFA carer.

The Beginnings of Fostering for Adoption

- Following the Treasury Review of adoption, BAAF submitted a paper to address delay as identified in the 'Pathway for the Child' strand.
- This was based on proposals to explore and expand the principles of concurrent planning where there is no active Plan A for rehabilitation
- The general principle was that children's development is best promoted when they are placed as early as possible with carers who may become the child's permanent carers and a recognition that delays are endemic at every level of the process.

"These new plans will see babies placed with approved adopters who will foster first, and help provide a stable home at a much earlier stage in a child's life. This way, we're trying our very best to avoid the disruption that can be so damaging to a child's development and so detrimental to their future wellbeing. I'm determined that we act now to give these children the very best start in life. These babies deserve what every child deserves: a permanent, secure and happy home environment to grow up in."

Prime Minister July 2012

Fostering for Adoption (FFA)

- FFA is considered for those cases where a local authority identifies that, based on the evidence available and on its assessment of the case, the long term permanence plan for a child is likely to be adoption. The child is placed with carers who are both approved adopters and approved foster carers as a fostering placement under the Children Act 1989 which may lead to adoption by those foster carers, where it is decided that adoption is the plan for the child and either the court agrees to make a placement order, or parental consent to adoption is given.

Concurrent Planning

Concurrent planning is considered where there has been the identification and delivery of a detailed rehabilitation plan while the child is placed with carers who are approved for both fostering and adoption who support that plan. If the rehabilitation plan proves to be unsuccessful, the foster carers can go on to adopt the child once care proceedings and the placement order application are completed. In these circumstances if adoption becomes the plan as it often does, then the child's attachment relationship will not be disrupted.

Routes to Fostering for Adoption

- **Dual approval** - where the agency would *'approve the adopter as a foster carer under the Fostering Services (England) Regulations 2011 (FSR 2011) so that they could foster any child for whom FfA is suitable' or*
- **Temporary approval** - where the agency would *'note the prospective adopter's interest ... and assess and approve the prospective adopter (to offer a fostering placement) when there is a specific child for whom they would be a suitable FFA placement' (SG 2.12).*

Use of FFA in England

- 320 children for FFA or concurrent planning in March 2016 compared to 260 children in March 2015 (includes a small number between 20-30 who were either relatives or 'connected people').
- In 2014-15 and 2015-16 the average time between a adopted child entering care and being placed for adoption was 18 months. In the first 2 quarters of 2016-17 this has reduced to 16 months.

Adoption and Children Act 2002

- General principle that the Placement Order alone gives the local authority authorisation to place for adoption.
- Local authorities should not predict the outcome of the PO application hearings by taking action to secure a placement.

Children and Families Act 2014

- Introduced a new requirement on a local authority under Section 22C of the 1989 Act to consider a placement with dually approved carers whenever it is considering adoption;
- as part of pre-birth conferences,
- early in the care planning process, and
- when the ADM is making the decision that the child should be placed for adoption

FFA and the Birth Parent's rights

- Section 22C(9A)-(9C) of the Act does not bring forward the point at which the child is removed from his or her birth parents, or affect the process by which that decision is made.
- Nor does it affect the process by which the decision to place him or her for adoption is made by the court or affect the rights of the birth family in that regard.
- If there is no parental consent, the decision whether to authorise the local authority to place the child for adoption remains one for the court at the placement order stage, and the birth parents retain their right to be involved in the process and to have full account taken of their views and wishes, as required.

Birth Parents

- Written information should be available for them and their advocates about the principles and processes of early permanence, including the identified benefits to the child and re-assurance that this will not disadvantage them in court proceedings
- They should be helped to understand the plan and should be consulted on their views
- Support from CCSW and independent counselling through the court process and after the placement order is made

Contact with Birth Parents

“Initially the birth mother did not want to meet us, as she was contesting the ICO and then the Placement Order. That said, she was more content in the knowledge that our son would stay with us if it were to convert into an adoption. The birth father was not in the picture ... We met with birth mother. It was a massively positive experience for everyone involved and the birth mother told us that she was happy for us to call our son ‘our son’. While we don’t feel we needed to hear this for our own sake, we feel it will be a very strong and important message for him when we explain his story’

Steps to making an FFA placement

- LA decides that 'it is not consistent with the child's welfare and reasonably practicable for the child to live with his or her parents' and that an alternative placement is needed
- LA must, as far as reasonably practicable, ascertain the wishes and feelings of the parent or anyone with parental responsibility for the child and to take these into account. CPPCRR 22 (4-6
- LA explores whether there are any suitable family members or connected people with whom the child can be placed who can safeguard the child and meet his or her welfare needs.

Steps to making an FFA placement

- LA should then consider whether an FFA placement under Reg. 22C(9a) is suitable before making a placement with a local authority / IFP foster carer
- Agreement to making a Reg. 22C placement must be given by a nominated officer who is appointed by the Director of Children's Services. That person will be a social worker with a good understanding of care planning, including adoption and fostering and could be the adoption ADM. **(CPPCRR SG 13)**

Discussion

- Discuss in pairs what particular barriers or successes you have experienced in achieving FFA placements for children.
- Feedback to main group

Approval of FFA carers (1)

- Where an FFA carer is **dual approved** the prospective adopter will need to be approved as suitable to adopt under AAR 30 and then be approved as a foster carer under FSR 2011. Their approval as a foster carer can include terms of approval being set (FSR 25 1(b)).
- When an FFA placement has become an adoption placement the FFA carers would usually then want to resign as carers. Their written notice of resignation will lead to their approval being terminated 28 days from the date on which the notice is received by the fostering service provider.

(FSR 28.13)

Approval of FFA carer (2)

Where an FFA carer is given **temporary approval** as a local authority foster carer the LA must;

- be satisfied that placing the child with **that particular carer** is the most appropriate placement for the child, and it is in the child's best interests to be placed with them,
- have assessed the carer's suitability to care for the child as a foster carer, and
- considered whether placing the child with that carer will safeguard and promote the child's welfare and meet the child's needs as set out in their care plan.

(CCPR 25A (1-2))

Early Placement through Reg 24 placement

Where the timescales do not give time to assess adopters of a sibling some LAs are approving the adopters as temporary foster carers under Reg 24.

- The LA must decide that the most appropriate placement for the child is with a 'connected person', (i.e. through the birth connection to their sibling)
- assess their suitability to care for the child, the suitability of their home and all other adults in the household and
- be satisfied that the proposed placement will safeguard and promote the child's welfare and meet their needs as set out in the care plan, given all the circumstances and taking into account the services to be provided. (CPPR 2013 24.2)

Placement with Siblings

- 'Our existing children were not provided with the full story- we couldn't allow there to be any doubt that the baby would be staying, as they wouldn't be able to deal with the uncertainty very well. We therefore let them know their birth parents were having another baby and that we had the option of her joining our family. For the children, it therefore felt like a family decision which they were involved in.'
- 'We told our youngest child that we were going to look after a baby whilst the social worker found a new mummy and daddy for him. We did this to protect her in case the situation arose that a care order/plan for adoption would not be the decision that was made. We told our older daughter everything as she was an older teen at the time and had a greater level of understanding.'

Use of Early Permanence after the Placement Order

- An FFA placement is one that is made before the Placement Order has been made when the local authority does not have agreement to placing the child for adoption.
- There are occasionally situations where local authorities find they need to place a child with their prospective adopters after the Placement Order but before the matching panel.
- In these situations Reg 25A approval cannot be given but approved prospective adopters could be dually approved as foster carers.

FFA in Wales

- In Wales the duty on local authorities to consider an FFA placement is limited to situations where the care proceedings have commenced but the Placement Order has not been made and where;
- the ADM decision has been made that a child should be placed for adoption and
- a matching decision under the AA(W)R 2005 has been made.

Identifying the Children for FFA

- Relinquished babies
- Pre birth Assessments – leading to placement from hospital or from unsuccessful parent and child placements
- History of previous siblings being placed for adoption with no change in circumstances
- Assessment of parent's history and their current circumstances seen to pose risks to the child and there is no potential identified for reunification
- Older children

Identifying the Children

- Local authorities must ensure that the identification of a child suitable for an FfA placement is based on evidence that has been properly gathered together, analysed, tested and agreed and clearly establishes the positive benefits to the child. That evidence should identify that the risk of disruption should be minimal. But until the Placement Order is made, circumstances can change so that risk will always be there.

Ruling out Extended Family members

- “Social Services did not contact all connected people at outset and after a few months into the FFA the court advised the social worker that these people should be contacted. These people wanted to be put forward to care for our child which caused us a huge amount of distress and upset. After several months they withdrew as in the best interest of child. Birth father also came forward to care for our child after many months into placement.

Acknowledge the risks

- In a FfA placement, the strengths of the carers and the support available to them must be clearly identified so that if the child was moved returned or moved to family members, the adults and the child would recover from the distress caused.
- Loss and disruption is a common experience in family placement and this impacts on adults, but above all on children. The current family placement arrangements expect children to move from placement to placement despite everything that suggests that this should be avoided.
- FfA is intended to minimise these moves but from time to time it may itself be caught up in them.

Establishing the role of FFA in permanence planning

- Senior management support in children's services and the adoption and fostering services for developing early permanence placements
- A willingness to address any resistance or lack of understanding of this from outside agencies such as legal services, CAFCASS and the courts through Family Justice Boards
- Training events for all social work teams, including IROs across children's services on the principles of early permanence and the benefits for children offered by FFA placements earlier in proceedings

Establishing the role of FFA in permanence planning

- Establish 'Champions' for development work and as 'subject matter experts' to liaise with/ mentor children's social workers.
- Early tracking systems for children, overseen by senior managers with input from the adoption team for informed decision making about when the use of an FFA is appropriate for the individual child.
- Put in place mechanisms for reviewing and learning from every FFA case and feed this learning back to all parts of the service as well as to the courts and judiciary and where needed revise or review policies and procedures.

Recruiting FFA adopters

- Adoption recruitment strategy should include a focus on early permanence
- Recruitment materials include information about FFA to be used on all platforms – websites, social media and in all written information provided to prospective adopters from their earliest point of contact
- Information about FFA included in all training for prospective adopters but also additional training on FFA and early permanence for prospective adopters considering FFA or concurrency.

Assessing FFA carers

- Assessing social workers need a good knowledge of the issues raised for FFA carers when carrying out their fostering role
- Additional areas to be covered – motivation to offer FFA; managing aspects of the fostering role – recording, contact, lack of PR; an understanding of what it means to ‘carry the risks of the placement’ and manage the impact of uncertainty on themselves and their family;

Setting up an FFA placement

- Clear matching process at this stage recognising the potential for it to become a lifelong placement
- Full information on the child provided to FFA carers (and only withheld where it is personal to the parents, and has no impact on the future health or development of the child).
- Opportunity to meet the medical adviser for discussion re known and unknown special needs, impact of prenatal and post natal experiences
- Contact arrangements appropriate to the needs of the child and arrangements are risk assessed

Planning Contact

“The contact visits involved me handing over our son to a social worker in a car park, which always felt so sad for him, being passed around. On one occasion, when I was taking him to contact with his birth mother, no-one came to collect him. In the end, I had to take him into the contact centre and his birth mother saw him. We initially felt anxious about this, but as we were later able to meet her anyway, it didn't matter. For safety reasons, there was always a time delay to avoid us coming into contact with birth parents.”

Supporting an FFA placement

- Social work support to the placement – CCSW and SSW
- Financial support – fostering allowances, setting up grant, statutory adoption pay and leave
- Emotional support which recognises the different impacts for a FFA carer from that of a mainstream foster carer,
- Peer support from other FFA carers, foster carers, relevant training opportunities

Social Work Support

- ‘...The responsibility for the provision of appropriate support must be identified including regular visits by the child’s social worker and the fostering supervising social worker and access to health and other parenting support services. If an adoption social worker is going to fulfil the role of supervising social worker they need to be familiar with their roles and responsibilities under the fostering regulations’.
- ‘We had a lot of social worker and health visitor visits and they would often give us contradictory advice – this caused significant stress as you do not want to be proclaimed unfit parents and have your daughter taken off you.’ FFA carer

Matching after the Placement Order

- Ensure full information to the FFA carers / prospective adopters – use of Life Appreciation Days, medical advisors
- Evidence of parenting capacity available from their FFA experience
- Identify adoption support needs in both the short and longer term and where this can be accessed.
- Match presented to Adoption Panel – not just a tick box process!

Filling in the Gaps

- As she was only just born we had only bits of information about birth family – and insufficient medical information on birth father, which we struggled for years to access.
- As we had (our child) pretty much from birth, we thought we had most information at that point. It was only at his 2 year review that we found out from the hospital staff that he was the worst drug case they'd had and they thought he would either die or be a very damaged child.
- I don't think we had all the information about our son by the time we got to panel. We learned new stuff from his life story book!!

Adoption Support

- Adoption Placement Plan
- Statutory Visits and review
- Adoption Application
- Contact Plans
- Adoption Support Plan

Adoption Support

“We were advised we wouldn’t get any support as the child does not have any special needs at this stage”. FFA carer

“I do feel that once the adoption is granted you are on your own! When people have children of their own there is support in the way of the NCT classes, national childbirth and lots of good things to help. But I often felt that once the adoption order was done you were left unless of course you have adopted a child with complex issues and support systems are in place”. FFA carer

Discussion

- Discuss in pairs your experiences of recruiting and supporting FFA carers? What has worked well and what challenges have there been? What have you /your agency done to overcome these?
- Feedback to main group

Reflections from FFA carers

“ Go with your gut instinct. Don't rule it out. You have to have an understanding employer, willing to let you go at a moment's notice. You have to be able to afford to live without your income for as long as it takes. You have to stay strong and believe in what you are doing. But when you first hear about your child and see a picture, and you know they are meant to be your child, then you have no option but to go for it. Your child will come to you sooner than they would have done if you'd waited for adoption and those extra precious months are invaluable”.

A Child Centered Opportunity

“ It is the most natural way of adopting a child and so closely matches the experience of having a birth child, having done both, I can confidently say that this is the case. If you are prepared to take a risk and trust the authorities to make the right outcomes for children, then you have got nothing to lose, and at the very least, will have made a massive difference to a child for the first months of his life”

FFA carer.

‘Where FFA provides a fair, evidence based and just solution, it is a child centred opportunity that is not to be missed’. John Simmonds 2013

Contact Details

- Thank you for coming and participating in this discussion
- If you would like a copy of the presentation or to discuss any aspects of this presentation with us, we are happy to be contacted on
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References

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