

An Action Plan for Adoption: Tackling Delay

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Ministerial foreword



I was adopted when still a baby. My experience, and that of thousands of other adoptees, demonstrates that, whatever your start in life, being brought up by adults who provide you with stability and love is transformative.

Adoption today is not remotely as straightforward as when I was a child. Babies are now rarely relinquished by their mothers. Adoption now is much more likely to follow a period of neglect or abuse and time in care. That makes adoption today more complicated and more challenging. It is precisely the reason why I intend to ensure that our adoption system promotes successful and early adoptions, and does not thwart them.

Adoption is not suitable for all children who are removed from their birth parents and cannot be returned home. But there are many more than just the three thousand or so adopted last year, who need, and deserve, all that being adopted by a loving and caring family means. That adoptions are at their lowest point for a decade means a cruel rationing of human love for those most in need.

For those fortunate children who were adopted last year, too many waited too long. The average wait between their coming into care and being united with their adoptive parents was twenty one months. Only 60 babies were adopted in 2012.

In this Action Plan, we set out our proposals for tackling delay in the adoption system. It outlines what this Government intends to do to accelerate the whole adoption process so that more children benefit from adoption and more rapidly.

We shall:

- legislate to reduce the number of adoptions delayed in order to achieve a perfect or near ethnic match between adoptive parents and the adoptive child;
- require swifter use of the national Adoption Register in order to find the right adopters for a child wherever they might live;
- encourage all local authorities to seek to place children with their potential adopters in anticipation of the court's placement order;

- radically speed up the adopter assessment process so that two months are spent in training and information gathering – a pre-qualification phase – followed by four months of full assessment;
- introduce a “fast-track” process for those who have adopted before or who are foster carers wanting to adopt a child in their care; and
- develop the concept of a “national Gateway to adoption” as a consistent source of advice and information for those thinking about adoption.

Finally, the Action Plan sets out how we will measure improvements in tackling delay across the system, through a new performance scorecard.

This Action Plan is not the last word on improving adoption. There is much more to be done to improve the support that families receive after adoption and we need to reach out to people who have never thought of adopting. We shall publish further proposals later in the year.

Adoption gives our most neglected and disadvantaged children the new start they so desperately need. We are determined that no child misses out when that is what is best for them.

A handwritten signature in black ink that reads "Michael Gove". The signature is written in a cursive, flowing style.

Michael Gove MP
Secretary of State for Education

Why we need an Action Plan for Adoption

The place of adoption in the care system

1. Children thrive in stable and loving families. Sometimes birth parents are unable to care for their children themselves. There are currently over 65,000 children in England whom local authorities are looking after, either with the agreement of their parents, or because the local authority has satisfied the family court that it is in the best interests of the child for them to be taken into care. Getting the best possible care for those children is one of the state's most important responsibilities.
2. So what constitutes the best possible care? The answer depends on the individual circumstances and needs of each child, which are often challenging and complex. Over 60% of looked after children have been taken into care as a result of neglect or abuse, which can have long term damaging effects. A study in 2004 by the Office for National Statistics found that 42% of looked after children between the ages of five and 10 had a mental disorder of some kind – five times as many as for other children¹. Age is also an important factor. Around a quarter of looked after children are under the age of five, and over half are aged between five and 16.
3. The best possible care involves giving children security, stability and love through their childhood and beyond. There are a range of permanent care options which can do this. Many looked after children – around 10,000 last year – are looked after by local authorities for short periods and then return home to live with their families. Local authorities are under a legal duty to support families to stay together when that is a realistic prospect. Three quarters of looked after children are in foster placements. For some this is a temporary arrangement, but for many children, particularly older children with a link to their birth parents, long-term foster care, often with family or friends, is the best permanent care option. Special guardianship was introduced in 2005 as a way of giving foster carers, a relative or family friend parental responsibility for a child without severing the child's ties with his or her birth family. It was designed primarily for older children and we have recently commissioned the University of York to investigate how it is working in practice. Residence orders were introduced in 1989 and are usually used

¹ Office of National Statistics (2004) *The health of children and young people*. London: Office of National Statistics.

by relatives. Residence orders are made for around 1,000 looked after children each year. 6,000 looked after children are in children's homes – which can provide the best environment for children with particularly complex and specialist needs. Each of these options can offer the best possible care to an individual child.

4. But in many cases adoption is the best option – particularly for younger children, but also for some older children. Adoption gives vulnerable children, including many with complex needs and a history of ill-treatment, the greatest possible stability, in a permanent home with a permanent family. It is, in every sense of the word, for good.
5. So it is concerning that the numbers of children adopted from care has been going down in recent years. Just 3,050 children found new homes through adoption last year – the lowest number since 2001. Over the same period a smaller but growing number of children have found a permanent home through a special guardianship order.
6. But with the number of looked after children under the age of five currently standing at 15,680 and growing quickly, this Government strongly believes that adoption is the best permanent option for more children than currently benefit from it.
7. The Government is determined to improve services and outcomes for looked after children in all these types of permanent care and we have already made progress. In relation to adoption, we have issued revised statutory guidance, which emphasises the need to avoid delay, launched the Adopter's Charter, and supported the most successful National Adoption Week to date. In relation to children in care more widely, we are supporting intensive support programmes for children in, or on the edge of, care and their families, we have stripped out unnecessary bureaucracy from the regulatory framework for foster carers, and we have begun a programme of targeted improvement work to tackle underperformance in some children's homes.
8. We are continuing to look at new ways to improve services for all looked after children including each of the permanent care options, and will set out how we intend to tackle these wider issues in a further publication in the summer. This Action Plan covers the steps we are taking urgently to address the problem of delays in the adoption system. This problem is increasingly recognised by leaders within the adoption sector, and means that some children, who would benefit from adoption, either never get that

opportunity or have to wait too long. This Action Plan is not our last word on adoption – indeed it identifies a series of vital issues which we will return to in our summer children in care publication.

Delay in the adoption system – its impact on children and how it occurs

9. A couple of statistics indicate how slowly the adoption system currently moves. For children who go on to be adopted, the average time between entering care and moving in with their adoptive family is one year and nine months. If children who go on to be adopted enter care when they are already past their infancy, at the age of two and a half, on average they will be nearly five by the time they move in with their adoptive family. But long periods between entering care and being adopted are neither inevitable, nor universal. They vary widely for different groups of children – at least partly because it is harder to find parents for children with complex needs. They also vary widely between different local authority areas. Last year, five local authorities placed every single child within 12 months of the decision that adoption was the best plan for them. But another four local authorities placed fewer than half their children in need of adoption over the same timescale. The individual circumstances of these children are complex, but at least some of this variation is a result of unnecessary delay in local adoption and family justice systems.
10. Delays in the adoption system cause lasting harm for vulnerable children, and may rob them of their best chance of the love and stability of a new family. Based on an in-depth study of the case histories of 130 older looked after children for whom adoption had been identified as the best option, Dr Julie Selwyn concluded that: ‘delay in decision making and action has an unacceptable price in terms of the reduction in children’s life chances and the financial costs to local authorities, the emotional and financial burden later placed on adoptive families and future costs to society’². We must not and will not allow unnecessary delay to continue.
11. This is not just an issue for local authorities, which are involved in all parts of the adoption system, and voluntary adoption agencies, whose role is predominantly in recruiting, assessing, approving and supporting prospective adopters. It is an issue for

² Selwyn, J.; Sturgess, W.; Quinton, D. and Baxter, C. (2006) *Costs and outcomes of non-infant adoptions*, British Association for Adoption and Fostering.

all the agencies and professionals in the adoption system and the family justice system, throughout the process from a child becoming known to the local authority to their being successfully placed in a permanent home.

12. Where children are exposed to neglect and abuse, local authority safeguarding teams should act quickly to bring them into care or provide services to enable them to stay at home safely. Professor Harriet Ward's recent study of 57 children in ten local authorities found that many children are left in damaging situations for too long before being removed³. The Government is seeking to address this issue through a programme of workforce reform which follows on from Professor Eileen Munro's review of child protection. We are, for example, working with eight local authorities to test less prescriptive approaches to assessment. The emerging findings are encouraging and suggest that reducing bureaucracy and focussing on timely, professional judgments can have the positive impact on practice envisaged by Professor Munro.
13. Local authorities must apply to a court to bring a child into care. Courts may then make an interim care order to give local authorities parental responsibility for the child, while the court considers the case, and ultimately a full care order. The decision is made by a court so that it can provide independent scrutiny of the evidence from the local authority, the parents and, where appropriate, the child. This part of the process is the responsibility of the whole family justice system – which includes local court staff, judges, lawyers, local authorities, health professionals and other expert advisors, including those from the Children and Family Court Advisory and Support Service (Cafcass). But at the moment, as the recent Family Justice Review confirmed, it takes far too long – an average of 55 weeks. Our programme of reforms flowing from the review aim dramatically to speed up care proceedings, including by legislating for a time limit within which all but exceptional cases must be completed. This Action Plan builds on and complements those reforms.
14. Local authorities should be considering whether adoption or one of the other permanent care options is best for the child at as early a stage as possible. Statutory guidance requires them to have decided on the best option within four months of the child entering

³ Ward, H.; Brown, R. and Westlake, D. (2012) *Safeguarding Babies and Very Young Children from Abuse and Neglect*. Jessica Kingsley Publishers.

care. Fieldwork done in drawing up this Action Plan suggests that all too often they wait unnecessarily until this deadline, or even significantly exceed it.

15. If the local authority does decide that adoption is the best option, it must apply to the court for a placement order, unless the child's parents have consented to the child being placed for adoption. The court will consider whether adoption is indeed the best option and, if it agrees, make the placement order – often in parallel with considering and making the care order. Statutory guidance now makes clear that, once the local authority decides that adoption is the best option, the search for an adoptive family can and must begin straightaway. A recent investigation by Professor Elaine Farmer suggested that family finding in most local authorities tends only to begin after the court has considered and made a placement order, which can take many months. The same investigation showed that local authorities often 'strove to find a notional 'ideal' family for children', rather than identifying the best available family as quickly as possible, and were sometimes unwilling to widen the search for suitable families outside of their local area⁴.
16. In short, there is the potential for unnecessary delay to develop throughout a child's journey towards adoption.
17. One of the primary reasons why children miss out on adoption altogether, or spend most of their early childhood waiting to be matched with a family, is the mismatch between children in need of adoption and the families approved to adopt them. Disabled children, sibling groups, children with severe emotional and behavioural difficulties, older children and black children all currently wait longer than average. For many of these children, the main reason for this is that there are currently far fewer prospective adopters who are willing or able to adopt children with complex needs. To reduce delay for these children, we need to recruit a greater number of prospective adopters, and we need to do more to encourage and help them to adopt children with more complex needs.
18. The Government supports the long-standing principle that the adoption system exists to serve vulnerable children, not adults who wish to adopt. There is no entitlement to be

⁴ Farmer, E.; Dance, C.; Beecham, J.; Bonin, E. and Ouwejan, D. (2010) *An investigation of family finding and matching in adoption – briefing paper*. DfE-RBX-10-05

assessed or approved as a prospective adopter. But this principle seems in some cases to have led to too little attention being paid to the treatment of prospective adopters.

19. In fact, to serve the best interests of children, the adoption system needs to do everything possible to encourage and welcome a broad range of prospective adopters; it needs to prepare them thoroughly for the many challenges – and joys – involved in giving a loving home to a child who may have suffered severe trauma and face great developmental uncertainty; and it needs to maximise the numbers that go on to adopt successfully. Yet we hear from all too many potential adopters for whom it has done the reverse. One couple waited six weeks only to be told by the local authority that they were not recruiting. Another said that they were made to feel that their enquiries were an inconvenience – so much so that they apologised when the local authority eventually responded to say they were not recruiting. For one would-be single adopter the assessment process took two years to complete. Throughout, she felt she was treated like a suspect, and that the process was ‘disempowering and debilitating’. It is no surprise that many people give up before becoming approved adopters or are deterred from pursuing it in the first place.

20. Happily, these cases do not reflect the system as a whole – many adopters receive an efficient, professional and supportive service. Adopters also tell us of the excellent support they have received from social workers, and of a preparation process that is deeply thought-provoking and valuable. But we are led to conclude that there are more people willing and able to give a child a stable, loving home, who never get beyond an initial tentative enquiry, or who do not complete the assessment process. That is why we need to ensure that the adoption system provides a high-quality service to all prospective adopters, and dismisses any negative perceptions that may put some prospective adopters off before they begin.

Case study

"My experiences are within the timescale below:

June 2008: First I rang my local authority to say that I was interested in adopting a child.

July 2008: A social worker from the local authority visited me at home and recommended that I attended their preparation groups.

September 2008: I attended the preparation group sessions over 4 days and confirmed

my commitment to adopting a child.

April 2009: I was allocated a social worker for the home assessment process.

April 2009 – July 2010: Home assessment process.

September 2010: My application to adopt went to Panel and I was approved.

September 2010 – to date: No match with a child as yet."

Case study

"We were very lucky as, once we'd contacted social services, everything fell into place very quickly. There were 2 places on an introduction course the following month, and we were able to attend. We also had a lot of time free over Christmas that year to begin preparing for the assessment, so that when the social worker started visiting at the beginning on 2006, we were well prepared. We went to panel and were approved in June and matched in October of the same year."

21. Previous Governments have shared our desire to make greater use of adoption but, their efforts have tended to have more limited or short-lived impact than was intended. Guidance issued by the Department of Health in 1998 (LAC 98 (20)) sought to address many of the same problems as this Action Plan, but it was not accompanied by a programme of system reform, and did not have all the desired impact on social work practice. In 2000, Prime Minister Tony Blair led a major overhaul of adoption legislation, guidance and practice. He increased funding for adoption, set out new National Adoption Standards, established an independent mechanism for reviewing the assessments of prospective adopters who are turned down, and introduced specific targets for adoption numbers. At its high point this reform programme achieved an increase of 38% in the number of children adopted from care, despite misplaced suspicions that it was an attempt to split up families, but in time adoption slipped back down the agenda. When financial incentives were removed, improvements in the system was not sustained. The emphasis on keeping families together meant that adoption began to be seen as an anachronism.
22. Our proposals include some changes to adoption legislation and guidance, but unlike previous attempts at reform they focus on other less direct influences on social worker practice. In Chapter 1, we set out improvements to professional development to ensure social workers' decisions are informed by the latest evidence about the impact of delay

on children; we seek to improve the local authority management systems within which social workers work; and we suggest local conversations about how good practice in placing children with families quickly can be implemented more widely. Our overriding focus is on reducing delay for children.

23. We also pay close attention to the quality of the service experienced by prospective adopters, on whom the adoption system depends. We invited leaders from the adoption system to form a Working Group to lead this part of our work. We are immensely grateful to the group for their dedication and enthusiasm. As set out in Chapter 2, they have suggested a radical overhaul of the adopter assessment process to make it shorter, more supportive, more consistent and more analytical; and they have proposed improvements to the recruitment of prospective adopters, to the availability of information for them and to the support they receive as they adopt and thereafter.

Expert Working Group on Adoption

Hilary Brooks (Brent local authority); John Coughlan (Hampshire local authority); Steve Crocker (Hampshire local authority); Elaine Dibben (British Association for Adoption and Fostering); Matt Dunkley (East Sussex local authority and President of the Association of Directors of Children's Services); Jan Fishwick (Parents and Children Together); Philippa French (adoptive parent); Norman Goodwin (Adoption Matters); David Holmes (British Association for Adoption and Fostering); Carol Homden (Coram); Sally Marriott (adoptive parent); Judith Matthews (Leeds local authority); Mark Owers (NSPCC); Jonathan Pearce (Adoption UK); Julie Selwyn (University of Bristol); John Simmonds (British Association for Adoption and Fostering); Chris Smith (Consortium of Voluntary Adoption Agencies); Ian Smith (Lewisham local authority).

24. As we set out in Chapter 3, we will back these changes by ensuring the accountability regime places much stronger incentives on local authorities and the family justice system to tackle unnecessary delay.

25. Martin Narey's leadership of this phase of reform deserves special tribute. He put the case for radical reform of the adoption system back on the agenda with courage and skill last year. Since then, in his role as Ministerial Advisor on Adoption, his energy and ambition for improving the lives of our most vulnerable children has driven the pace of our work and his expertise has been of immense value to Ministers and officials alike.

26. In the interests of the most vulnerable children in our society, our aim is profound and lasting reform.

Case study

“Adoption is not second best, it is first best. We have ups and downs like anyone else; we have a very busy house. The kids are so happy and loved. They are such positive things that have come into our lives. We are making strong and confident little people, and we have as normal a family life as anyone else.”

Chapter 1: Finding children loving homes without delay

The dangers of delay

27. Babies are born with immature brains, which then develop rapidly in the first two years of life. The social experiences of babies and young children, in particular the intense bond formed with their primary carer, have a significant effect on this development. They need to form attachments, or secure and stable relationships, with one or two main carers in order to develop physically, emotionally and intellectually⁵. Children who are insecurely attached have more difficulties regulating their emotions and showing empathy for others. They may also have difficulties forming attachments later in life⁶. A review of international evidence on attachment concluded that those who were adopted before 12 months of age were as securely attached as their non-adopted peers, whereas those adopted after their first birthday showed less attachment security than non-adopted children⁷. Thus if birth parents cannot provide or develop the capacity to provide good enough care, early separation and timely placement in a permanent form of care are likely to offer the best hope of a full recovery from early trauma or attachment deficits.

28. That is why it is so important that we back social workers to intervene quickly and decisively where they identify neglect and abuse – whether by supporting parents to address the family’s problems or by removing children from actual or potential significant harm. We now know that the system tends to overestimate the capacity of families to improve, and to prioritise keeping families together even where it may compromise children’s development. Professor Harriet Ward followed up a group of 43 infants identified as at risk of suffering harm before their first birthday, and found that just under half of the children who remained with birth parents were still considered at risk at the age of three. Almost all professionals did everything they could to keep families together and parents were given repeated opportunities to prove they could look after a child⁸. Professor Elaine Farmer made similar findings in a study of 138 children taken into care

⁵ Ward, H.; Brown, R. and Westlake, D. (2012) *Safeguarding Babies and Very Young Children from Abuse and Neglect*. Jessica Kingsley Publishers.

⁶ Child Welfare Information Gateway (2009) *Understanding the effects of maltreatment on brain development*. www.childwelfare.gov/pubs/issue_briefs/brain_development/

⁷ Van den Dries, L.; Juffer, F.; Van Ijendoorn, M.H. and Bakermans-Kranenburg, M.J. (2009) ‘Fostering security? A meta-analysis of attachment in adopted children’. *Children and Youth Services Review* 31, 410-421.

⁸ Ward *et al* (2012) *Ibid*

then returned to their parents – two years after their return, 59% had suffered further abuse or neglect⁹.

29. Once children are in care, delay in moving them into stable, long-term placements continues to be harmful to them, whatever their age. It makes it more likely that they will have to move between a number of temporary placements and suffer further emotional upheaval, and it means that if and when they are adopted, they are more likely to display behavioural and attachment problems. A study following up a sample of children who were adopted or in long-term foster care, found that the later a child was placed with permanent carers the lower the chances of improvement in relation to their emotional and behavioural difficulties¹⁰. These difficulties, in turn, are associated with an increased risk of the adoptive placement breaking down¹¹.

30. As children grow older in care, waiting to be matched to an adoptive family, it gets less and less likely that they will be adopted at all. A child's age is one of the strongest predictors of whether or not they will be adopted. In fact, research has found that children's chances of adoption reduce by almost 20% for every year of delay¹².

31. Given all this evidence, and even given their often complex needs, it cannot be right that babies and young children for whom adoption has been identified as the right option commonly wait two or even three years.

Case study

Jane and Hugh adopted Louise at 14 months, through a voluntary adoption agency. The couple already knew when they approached the agency that they wanted to adopt a child with a disability. Louise has a number of disabilities, both physical and developmental.

Jane says, "We had always intended to adopt a child with disabilities. Having had birth children and also worked with children for 20 years we felt we had the experience and

⁹ Farmer, E. And Lutman, E. (2010) *Case management and outcomes for neglected children returned to their parents. A five year follow-up study*. DCSF- RB214.

¹⁰ Biehal, N.; Ellison, S.; Baker, C. and Sinclair, I. (2010) *Belonging and Permanence. Outcomes in long-term foster care and adoption*. British Association for Adoption and Fostering.

¹¹ Selwyn, J.; Sturgess, W.; Quinton, D. and Baxter, C. (2006) *Costs and outcomes of non-infant adoptions*, British Association for Adoption and Fostering.

¹² Selwyn *et al* (2006) *Ibid*

time to give to a child with additional needs. Our journey to adopting our daughter took two years and was very difficult at times. She has now been with us two and a half years having arrived in our family at 14 months old. Although she has both learning and physical difficulties which can be hard work at times we feel very privileged to be the parents of such a special girl who is a real blessing on our lives. We are so pleased we chose to adopt!”

The couple often speak of their experience at conferences and events, in the hope that others will consider adoption as a possibility for their family. They hope that their positive experience of adopting Louise, who has enriched their lives, will encourage others to consider what they could offer a disabled child.

The importance of social work

32. Social workers have an extremely sensitive, challenging, and important job to do. We expect them to make decisions which change lives, on what can only ever be imperfect evidence. We owe them a great deal of gratitude.
33. When a social worker is considering a decision about adoption, the risks of getting it wrong are all too evident in terms of the impact on vulnerable children, birth parents and adoptive parents. What can be less obvious is the harm done to the child by delaying a decision in order to allay all remaining doubts.
34. Social workers need time to gather the necessary evidence, work with birth parents and provide the basis for a robust decision. Some argue that efforts to speed up adoption will lead to an increase in adoption breakdown, by forcing social workers and local authorities to make rushed and therefore lower quality decisions. Adoption breakdown is of course an important issue and we currently have too little data and evidence about it. Estimates have tended to put it at around 20%, but in his recent report, Martin Narey convincingly argued that the true figure was much lower – around ten percent for children adopted under the age of five, and just three percent for those adopted under the age of one. He cited a study which followed a high risk group of children – adopted between the ages of five and eleven – until their fourteenth birthday. It found that 23% of the adoptions had broken down by that age, which would suggest a much lower rate for adopted children overall. We have commissioned the University of Bristol to undertake further research

into the rate of and reasons for breakdown.

35. But it is too simplistic to argue that speedier adoption will lead to more adoption breakdown. First, it is wrong to suggest that unnecessary delay in the system is all down to social worker decision-making – the causes are much more widespread and include the regulatory and accountability frameworks, the supply of prospective adopters and issues in the family justice system. Second, as we have seen, taking longer to make decisions is in itself harmful to children and reduces the chance of successful adoption.
36. A high-quality decision in the best interests of the child is one which weighs the risks of deferring a decision appropriately against all the other factors. So for example, the clear consensus amongst our Working Group is that waiting long periods for the perfect match between child and adopters is quite simply the wrong thing to do; adoptive parents who can meet the needs of that child and are available quickly may offer the very best future for the child.
37. Our responsibility to social workers is to ensure that the adoption system gives them all the support they need to get the balance right. That means appropriate and effective training based on the latest research evidence and best practice, and a clear regulatory and management framework that helps them to make timely and robust decisions in the best interests of children.

Better training and professional development for the social care workforce

38. Building on the work of the previous Government, and with the support of the sector, we have made significant progress on social work reform. Professor Eileen Munro's review has prompted a shift away from bureaucratic box-ticking through a radical reduction in central prescription and guidance. We want to replace a culture of defensive compliance with one which gives social workers more freedom to use their professional expertise and judgement.
39. Earlier this year, we launched the College of Social Work which will set standards for the quality of social work training and seek to improve professional development for social workers. We have launched 'Step Up to Social Work' – a prestigious new route into the profession for people transferring from successful careers in other fields which provides

high-quality training alongside paid work leading to a masters qualification as a social worker within 18 months rather than the usual 24.

40. Another recent development has been the piloting of a small number of Social Work Practices, whereby organisations led by social workers can perform local authority functions, such as adoption, under contract to a local authority, so long as they are registered as Voluntary Adoption Agencies. We think that public service mutuals may have the potential to lead to more effective and efficient adoption services. The Cabinet Office is supporting some of the most promising mutuals and we will explore these opportunities, including any regulatory or legislative changes required, in further detail ahead of our summer children in care publication.
41. We need to ensure that this reform momentum delivers the greatest possible benefits for adoption and children in care services – it has so far not had a specific focus on adoption and children in care. The Government will give further consideration to what needs to be done to equip the children in care workforce to deliver the Government’s vision. We will include any further reform proposals in our summer children in care publication.
42. Currently, the generic degree for social workers contains limited content on child development, attachment theory and other relevant research from neuroscience, and very little on adoption. The Government is asking that universities address these gaps as a matter of urgency. The Government will also work with the College of Social Work and others to develop a range of specialised continuous professional development to support the development and training needs of social workers who may decide to work in the area of children in care and adoption. We will ensure that there is a specific focus on developing the knowledge they need to weigh the impact of delay appropriately in the decisions they make about adoption.
43. The Family Justice Review identified a similar issue and suggested that a better understanding of child development and the negative impacts of delay for children was an absolute requirement for all family judges. It recommended that the Judicial College, the provider of training for judicial office-holders, reflect this in its training for family law work. The Government accepted this recommendation and will work with the Judicial College to take it forward.

44. At present, there is no readily accessible reference material for family justice professionals, such as judges, magistrates and lawyers, on the impact of delay on a child's development. To address this, the Government has commissioned Professor Harriet Ward to produce some concise but authoritative guidance which summarises the key research evidence in the context of care proceedings. The Government will make this guidance available later this year.

A framework to support swift decision making

45. Social workers cannot and should not work in isolation when making difficult decisions about adoption. They need a regulatory framework that provides the checks and safeguards that allow them to work confidently, but which avoids duplication and unnecessary delay. With this in mind the Government has accepted the Family Justice Review's recommendation that one of the functions of adoption panels be removed. The regulatory framework requires local authorities to establish adoption panels, whose role is to advise on certain decisions made by adoption agencies.

46. One of the roles of adoption panels is to advise local authorities on the decision as to whether adoption is the best option for a particular child. However, in most cases the local authority can only act on that decision and place a child for adoption if a family court agrees to make a placement order. In these cases, the Family Justice Review argued it was unnecessary for the adoption panel to duplicate the court's role in providing independent scrutiny of the evidence in each individual case. The Government will implement the recommendation that this role of adoption panels be removed through changes to regulations that will come into force this summer. Where the court is not involved, the function of the adoption panel will remain in place. The Government made a series of regulatory changes last year to make the membership of panels more flexible. There must be five members, including at least one social worker and at least one independent person. We will ask our Working Group to review further the role of the adoption panel in the approval of prospective adopters and of adoption matches in time for the summer children in care publication.

47. Social workers also need appropriate support and oversight within their own management chains. Professor Elaine Farmer's study found that the use of formal monitoring to track the cases of children in need of adoption appeared to reduce the time

taken to find families for them in complex cases¹³. The fieldwork we did in drawing up this Action Plan supported this finding. We spoke to a number of local authorities who had rigorous case management systems, which were effective in tackling delay. The London Borough of Harrow, which works with the voluntary adoption agency Coram, holds monthly meetings chaired by a Coram senior manager at which the progress of every child is tracked. These meetings help social workers to balance the demands on their time and give due regard to the child's pressing timetable in their decision-making. They provide a forum for delay to be escalated and tackled – for example by widening the search for a family to other agencies. They can also offer a useful mechanism for the Independent Reviewing Officer (IRO) to monitor the local authority's performance of its functions. Every looked after child has an IRO, who is appointed by the local authority to quality-assure care planning.

48. Our fieldwork showed that these simple but effective approaches are not yet standard practice. The Government will therefore work with the Children's Improvement Board – the consortium of local government representatives responsible for supporting local authorities in improving children's services – to gather and disseminate best practice in establishing management systems that help ensure swifter high-quality decision-making.

Case study

Two cases in a North West local authority involved the adoption of sibling groups of four children (one sibling group consisted of four children, each of whom were from a different ethnic background). Both groups of siblings had come from similar family backgrounds of parental drug and alcohol misuse, and all of the children had been subject to neglect. In each case the sibling groups were successfully placed for adoption together and in both cases this was achieved within 9 months of the decision to place for adoption.

The key factors that achieved good outcomes in these cases were:

- Timely and effective assessment of the children's needs and attachments.
- Proactive case management which ensured that all required actions were

¹³ Farmer, E.; Dance, C.; Beecham, J.; Bonin, E. and Ouwejan, D. (2010) *An investigation of family finding and matching in adoption – briefing paper*. DfE-RBX-10-05

taken at the earliest possible stage.

- Strong commitment from the organisation and workers that they would go all out to achieve the best possible placement for the children despite the apparently daunting prospect of placing four siblings together.
- Good communication and joint working between the key professional players such as child and family social worker, family finding social worker and psychological services.

Matching children to prospective adopters without delay

49. One of the key points at which delay can occur is the process of matching a child to an adoptive family. As with all decisions relating to the adoption of a child, the overriding principle in finding a match is the child's welfare throughout their life, and this is reflected in existing regulations and statutory guidance. As we have seen, delay can harm a child's welfare so should be a key consideration during the matching process.

50. The delay faced by black children during this process needs particular attention. They take around a year longer to be adopted after entering care than white and Asian children. One reason for this is that in some parts of the system, the belief persists that ensuring a perfect or near perfect match based on the child's ethnicity is necessarily in the child's best interests, and automatically outweighs other considerations, such as the need to find long-term stability for the child quickly. In Professor Elaine Farmer's study for the Adoption Research Initiative, attempts to find families of similar ethnicity were a cause of delay for 70% of the black and minority ethnic children who experienced delay¹⁴. Ethnicity encompasses not only race, but also cultural, religious and linguistic background. A study by Dr Julie Selwyn found that children's profiles often included the specific requirement for the prospective adoptive parents to match the child's ethnicity, with "same-race" placements dominating the Child Permanence Report over and above other needs. This study also found that some social workers were so pessimistic about finding ethnically matched adopters that there was little family finding activity. Consequently many minority ethnic children had their plan changed away from

¹⁴ Farmer, E.; Dance, C.; Beecham, J.; Bonin, E. and Ouwejan, D. (2010) An investigation of family finding and matching in adoption – briefing paper. DfE-RBX-10-05

adoption¹⁵.

51. In fact, a review of research on transracial adoption by the Evan B. Donaldson Institute concluded that adoption across ethnic boundaries does not in itself produce psychological or behavioural problems in children. However, where a child is adopted across ethnic boundaries, they and their families can face a range of challenges. The manner in which parents handle these challenges, particularly their sensitivity and approach to racism, facilitates or hinders children's development. The authors conclude that these challenges need to be addressed when matching children with families and in preparing families to meet their children's needs¹⁶. A recent review of international evidence on matching in adoptions from care has also shown that adoptions across ethnic boundaries are at no greater risk of disruption¹⁷.

52. That is not to say that ethnicity can never be a consideration. Where there are two sets of suitable parents available then those with a similar ethnicity to the child may be the better match for the child. Sometimes an ethnic match will be in a child's best interests, for example where an older child expresses strong wishes. However, it is not in the best interests of children for social workers to introduce any delay at all into the adoption process in the search for a perfect or even partial ethnic match when parents who are otherwise suitable are available and able to provide a loving and caring home for the child.

53. Similarly, there are approved adopters who are ready and able to offer loving homes but who are too readily disregarded because they are single, or considered too old. These can, of course, be relevant factors, but we know that in most cases delay and the instability associated with it will be the greater potential cause of damage to the child.

54. The Government will bring forward primary legislation at the next available opportunity to address these issues. The overriding principle in finding a match for a child will remain what is in the child's best interests throughout their life.

15 Selwyn, J et al (2010) *Pathways to Permanence for Black, Asian and Mixed Ethnicity Children*. British Association for Adoption and Fostering.

16 Evan B. Donaldson Institute, (2009) *Finding Families for African American Children*. www.adoptioninstitute.org

17 Quinton D (2012) *Matching In Adoptions From Care: A Conceptual And Research Review*. . British Association for Adoption and Fostering.

Case study

Helen and Andrew waited a long time to have children. They adopted Matthew and Nicola, who are of mixed ethnic origin, through a voluntary adoption agency. They adopted their first child, Matthew, who is of mixed Hungarian/Albanian descent, when he was six months old. Now nine years of age, he is a confident and well-adjusted young boy.

The couple found adopting Matthew such a positive experience that they decided to do it again. They were matched with 18 month old Nicola, who is from a Slovakian/Romani background. Before the placement, Nicola had been moved from two foster families, and could not walk or talk.

They worried about how Matthew would cope with the introduction of another child, as he has Asperger's syndrome. But Matthew was fully involved with Nicola's adoption, and is now very protective towards his little sister. Nicola is now walking and talking without a problem, and the family have never looked back on their decision.

Helen and Andrew stress that adopting a child with additional needs did not deter them from adopting a second child. They simply believe it takes management and support to make it work.

Living in a multicultural area has helped the children form a strong sense of identity. Matthew currently attends a school with a high intake of Eastern European children, as well as Irish. Nicola attends a toddlers' group where she plays with children of a similar ethnicity and skin colour to her. These factors will play a very important part in Matthew and Nicola developing their self-esteem and confidence.

The agency supported the family through every stage of the adoption process. Helen says 'I cannot fault the agency, and have always been happy with the work they have done for us.'

Increasing the use of national family finding resources

55. The adoption system comprises a mixture of local and national elements. Deciding on the best permanent care option for a child and identifying a suitable adoptive family needs to be done by a local authority and informed by detailed knowledge of the child. Equally, however, the wider the local authority extends its search for a suitable family, the greater the chance a child will be matched quickly. If local authorities can not initially identify a suitable match amongst the adopters they have approved, they can seek matches through other local authorities or through voluntary adoption agencies, either directly, through consortia arrangements, or through the Adoption Register. The Register is a database of children waiting for adoption and approved prospective adopters that enables potential “matches” between children and families to be made.

56. Professor Elaine Farmer’s investigation into family finding and matching identified that in 30% of cases, delay was associated with unwillingness to seek a family outside of a local authority’s own group of approved adopters¹⁸. Our Working Group also identified this issue. Statutory guidance already requires local authorities to refer to the Adoption Register all children for whom they don’t identify a potential family within three months of the decision that adoption is the best plan for them. The Working Group proposes that the Government make this requirement in regulations. Local authorities should, of course, continue their own direct efforts to search for suitable families in parallel. The Working Group argues that there should be a new regulatory requirement to keep information about children up to date. It also proposes a legislative requirement on all adoption agencies to refer to the Adoption Register all prospective adopters who are not being matched to a child within three months of being approved (provided the adopters agree).

57. We welcome these proposals, which will help ensure everything possible is done at both a local and national level to find a suitable match for those children in need of adoption. It is important to ensure the information about a child is kept up to date, particularly where the child has been referred to the Adoption Register. It is that information that will enable the Register Team to identify suitable potential matches, all of which should be considered promptly by the child’s social worker. It is also essential that prospective adopters have the fullest information about the child so that they can be properly

¹⁸ Farmer, E.; Dance, C.; Beecham, J.; Bonin, E. and Ouwejan, D. (2010) *An investigation of family finding and matching in adoption – briefing paper*. DfE-RBX-10-05

prepared and support services can fully reflect the child's needs. We will take these proposals forward as part of our response to the Working Group's report as a whole, which is set out in the next chapter. Adoption agencies can implement the proposals immediately within the existing regulatory framework, but we will consult on regulatory changes to make them requirements this autumn with a view to implementing them as early as possible next year.

58. We are also considering other ways of promoting earlier and wider efforts in family finding. Over the last decade, about 20% of children who have been adopted were placed with adopters recruited and approved by voluntary adoption agencies, but voluntary adoption agencies tell us they could do more. One of the reasons that many local authorities do not make more use of them is that they think the inter-agency fee is too high. In fact, Dr Julie Selwyn has found that inter-agency placements cost virtually the same as in-house placements when overheads are taken into account¹⁹. As part of our work for the summer children in care publication, we intend to review the effectiveness of local authority commissioning arrangements for adoption, and consider whether further action should be taken to increase the role of voluntary adoption agencies in the system.

Making it possible for early placements to become permanent

59. Our aim is to help children find loving permanent homes as early as is possible and to minimise the damage caused by disruption to children of moving between placements. This means that wherever a local authority has decided that adoption is the plan for a child, they should aim to place that child as early as possible with the carers who are likely to become their adoptive parents. This can never pre-empt a court's decision that a child should be adopted, but it means that whether or not the child is adopted, they should suffer less trauma from disruption. The circumstances of each child will be different. Their needs for contact, and the likelihood of a return to their birth family will vary in each case, and with them the demands on the foster carers, prospective adopters and local authority – but the single principle of placing children in families as early as possible should shape all practice, and as we explain below, we will amend legislation to make this easier.

¹⁹ Selwyn, J.; Sempik, J.; Thurston, P. and Wijedasa, D. (2009) *Adoption and the inter-agency fee*. DCSF-RB149

60. Concurrent planning is a well-established process which can help provide early stability for children who may be adopted. Where local authorities use this approach, prospective adopters who are also approved as foster carers, care for the child from soon after the child enters care and work with the local authority to see if a child can return home, assessing the birth parents' capacity to care for the child and maintaining contact. Concurrent planning has been introduced in several London authorities including Harrow, Islington and Camden, in partnership with Coram. Almost all concurrent planning placements have resulted in the baby being adopted by the carers with whom they have lived, in most cases, from just a few weeks of age. Concurrent planning means that children get a stable loving home as early as possible and that the risks of disruption are taken by adults rather than children.
61. We would like the principles behind concurrent planning to be used more widely and for children as well as infants. Whilst there can be no question of pre-empting a court decision, we want to see local authorities working with family-finding teams as early as possible to find potential permanent carers for children, and children with families who may, if the court agrees, go on to adopt them. Where a child's case is still in court and no placement order has been made, these placements are foster placements under the Children Act 1989.
62. While such practice is consistent with the current legislative framework, the Government believes that it should be easier for local authorities to approve prospective adopters as foster carers as this would enable more children to benefit from a greater continuity of care. We will therefore consult on changes to legislation to enable a more stream-lined process for prospective adopters to be approved as foster carers in appropriate cases. This will enable vulnerable children, for whom there is little likelihood of a return home, to be placed with their potential permanent carers as early as possible. Local authorities will make sure that carers have the necessary skills, training and ongoing support to meet the needs of the child who is being fostered whilst allowing full consideration of the placement order application by the courts, and the birth family will continue to be supported.
63. These practices are well-established in some areas – Harrow and East Sussex, for example, as well as concurrent placements delivered over a number of local authorities by Coram – but it is not widespread. With the support of sector bodies such as the

British Association of Adoption and Fostering, the Consortium of Voluntary Adoption Agencies, Coram and the Association of Directors of Children's Services, and leadership of Martin Narey, the Government will promote wider application of existing good practice. With the support of the British Association of Adoption and Fostering, Consortium of Voluntary Adoption Agencies, Coram and the Association of Directors of Children's Services, the Government is asking all Directors of Children's Services to convene local discussions with social workers and others in the family justice system to discuss these kinds of practice and any barriers to applying them, and to share the outcome of their discussions.

Case study

Martin, now aged 16 months, was placed from birth with foster carers who had adopted his older sibling. This plan gave Martin the opportunity to spend at least the early part of his childhood with his older sibling and of reducing the potential number of moves he experienced if the Court decided that the best plan for him was adoption. While the birth parents' situation had not changed from the situation that had led to the adoption of his older brother, thorough parenting and family assessments were arranged by the Court as part of the care proceedings.

Martin suffered from feeding difficulties which caused distress to him and to his birth mother in contact meetings. The foster parents were able to assist the birth mother with feeding Martin during the contact, which was potentially a sensitive issue for all parties. In this case the input was a positive experience for the birth mother and Martin and has facilitated a helpful relationship between the adults for future contact arrangements. A placement order was made when Martin was 13 months old and he and his adoptive family are now able to consolidate the secure start that Martin has received with them.

Chapter 2: valuing prospective adopters

What needs to change

64. We owe people who are willing to adopt a child the greatest respect. They are offering to make a unique and inspiring life-long commitment and do a great service to society by bringing themselves the joy of adoptive parenthood. The way they are treated by the adoption system should reflect this.

65. It should also reflect the fact that we need more adopters, especially those who are willing to adopt older children, sibling groups, and children with disabilities. We do not have comprehensive national data comparing the number of approved adopters with the number of children in need of adoption, but the numbers from the Adoption Register give the best available indication. The Register accounts for around 12% of matches each year, and referrals to it are not consistent across adoption agencies. Nevertheless, it is worth noting that there are currently around 2000 children on the Register because a family can not be found for them locally, but only 325 approved adopters. There are about 80 sibling groups of three on the Register, and only about three adopters willing to consider adopting up to three children.

66. Many prospective adopters are satisfied with the service they receive, but many are not. It is symptomatic of a system which does not always pay enough attention to prospective adopters that we do not currently have any comprehensive national information about their experiences. We do have one recent (although self-selecting) survey of adopters by Adoption UK which found that around two thirds were satisfied with their experience of the adoption system, while around one third were dissatisfied²⁰. This supports our view that while some adopters receive a good service, even amongst those who complete the assessment process successfully, there are a significant number who do not. Feedback to Government and to the Ministerial Adviser, Martin Narey, has helped us develop a clear picture of what is going wrong for some prospective adopters.

67. While some prospective adopters receive welcoming reassurance and support when they express interest in adoption, others find that adoption agencies respond slowly or not at

²⁰ *Waiting to be parents: adopters' experiences of being recruited*, Adoption UK, (2010)

all to initial enquiries from those interested in adopting. As a result, many people give up and do not pursue their interest in adoption.

68. Some prospective adopters find the training and assessment process a thorough, valuable and rewarding opportunity to examine and develop their capacity to look after vulnerable children with complex needs. The process gives them the time they need to prepare thoroughly, and they are quickly matched to a child – in some cases on the same day as they are approved as adopters.
69. Others simply do not feel valued. They feel unable to complain about delays or poor service, because they fear that it may affect their chances of adopting a child. The adoption agency they are working with ultimately makes the decision about whether or not they are suitable for adoption. They do not get the opportunity to ask obvious questions or discuss their strengths and weaknesses openly during training because it runs in parallel with and so may compromise the assessment of their suitability to adopt. They find that their assessment tends to focus on ticking boxes and writing long reports, rather than on a professional and critical analysis of their capacity to parent a child. Above all, many prospective adopters find that the assessment drags on for much longer than the eight months set out in the statutory guidance, sometimes with no clear sense of when it will end.
70. And the problems go beyond the training and assessment process. Some adoption agencies have real strengths in targeted recruitment. But on a broader scale, efforts to recruit prospective adopters currently tend to be fragmented, localised and ad hoc – and do not attract sufficient prospective adopters who are willing, with appropriate support, to take on the types of child who are often harder to place. Some adoptive families receive effective counselling and support from their adoption agencies when they encounter emotional or behavioural issues. But many prospective adopters find it hard to find out for certain what support they can expect to receive once they have been matched with a child, not least because the level of support available varies widely between different local authorities and voluntary adoption agencies.

A vision for a new approach to prospective adopters

71. In response to this urgent need for reform, the Government asked a group of leading experts from across the sector to help us rethink the adoption system for prospective

adopters in order to get the best for children in need of adoption. The membership of this Working Group is set out at paragraph 23.

72. The group is proud of the high performance of the adoption system at its best, but they also recognise as well-founded our assessment of the weaknesses of the system for prospective adopters set out above. We are very grateful to them for the speed and dedication with which they have worked, and we welcome their proposals for a radically redesigned system, building on the best of current practice.

73. We want an adoption system where enquiries from potential adopters always receive a prompt and welcoming response. We want potential adopters to have ready access to the information they need in order to understand adoption and the training and assessment process. We want them to know what quality of service they can expect from adoption agencies and feel able to demand it if necessary. We want the quality of the information and training provided by adoption agencies to be high. Training has a vital role in equipping prospective adopters with the skills to help an adopted child recover from the loss and disruption, developmental delay and ill-treatment that he or she may have suffered. We want the assessment of prospective adopters to feel planned, timely and transparent, and to be rigorous without being unnecessarily burdensome.

Case study

Kevin and his civil partner Mark adopted their daughter in 2010. “The local authority was fantastic and of all the councils we contacted, they were the only ones who got back to us. They were positive about the fact that we were a same-sex couple and that put us at ease. We didn’t find the adoption process particularly difficult to navigate because we had a great social worker who we both really got on with, so the whole thing was quite straightforward. Let’s be honest, no one is going to give you a child to care for unless they are absolutely certain you are capable of doing it.”

74. We want the adoption system to work hard to attract potential adopters from all walks of life, including people with proven caring expertise who do not currently consider adoption. We want to ensure that adopters are encouraged to consider offering a home to the widest possible range of children. We think innovations like BAAF’s pilots of ‘Placement Activity Days’ have the potential to help with this. They are known as

'Adoption Parties' in the USA where they are relatively common. They allow groups of prospective adopters and children in need of adoption to spend time together and can help encourage prospective adopters to consider offering a loving home to children with more complex needs. Finally, we think improving the consistency and level of individually tailored adoption support available will help attract more prospective adopters – especially those willing to adopt children with particularly complex needs. Of course, a match must always be in the best interests of the child, but the Government wants to explore a greater role for adopters and would-be adopters in initiating the matching process. We have asked Martin Narey to advise on how this might be done.

The Working Group's Proposals and the Government's response

75. Our Working Group has developed a set of reform proposals which, in our view, have the potential to make our vision a reality. We are publishing the group's full report on the Department's website in parallel with this Action Plan. The remainder of this chapter provides a summary of the Working Group's proposals, and sets out how the Government will take them forward.

A new training and assessment process

76. At the heart of the proposals is a radically redesigned two stage training and assessment process. For the majority of prospective adopters the first stage (pre-qualification) will be completed within two months and the second (full assessment) within four. There will be a fast-track process for people who have adopted before, or who are already approved foster-carers who wish to adopt a child in their care.

77. The pre-qualification phase will involve initial training and preparation – clearly separated from the full assessment phase. During this stage, prospective adopters will use initial training sessions and online training materials to develop their understanding of adoption and to reflect on what they have to offer before progressing with their application. The full assessment stage will consist of more intensive preparation and training and a new more streamlined and analytical assessment process. Adoption agencies will sign up to assessment agreements with prospective adopters setting out what will be involved and what the timetable will be, given their particular circumstances.

78. We think this new process has the potential to improve significantly the quality of the service that prospective adopters receive from the adoption system and to begin to increase the numbers that enter and complete the assessment process while providing the appropriate rigour. This in turn will improve its reputation and attract greater numbers of prospective adopters. We accept these proposals outright. Implementing them fully will require changes to regulations, statutory guidance and the National Minimum Standards. The Government will consult on the necessary changes later this year, with a view to implementing them as early as possible next year. In the meantime, the Government will work with the national and local agencies represented on the Working Group to prepare for successful implementation of the new system. BAAF has produced a draft new assessment form and intends to pilot this over the coming months. We agree in principle with the proposal that the government develop new online training materials, and will consider further how they can best be developed.

A new national gateway to the adoption system

79. The Working Group's second key proposal is the creation of a new national gateway to the adoption system. This would complement adoption agencies by providing a central point of contact for anyone interested in adoption. Through a telephone helpline and website, it would provide independent advice and information about adoption and how to apply to become an adopter. In particular, it would make sure those interested in adoption knew they were not obliged to adopt through their local authority, and help them to choose the right agency for them in their local area. It would also assess management information about how prospective adopters are treated and support a national customer service charter.

80. We think the proposal for a new national gateway could dramatically improve the experience of those who enquire about adoption. We think it could also help prospective adopters to exercise greater choice and so encourage improvement by adoption agencies. We accept the proposal in principle but before we begin to implement it, we want to consider whether the gateway's remit should extend further. Should it for example have a role in supporting prospective adopters to hold local authorities, voluntary agencies and consortia to account for the quality of their service? Should it be linked to the Adoption Register – the other national element in what is primarily a local system? Should we seek to encourage all prospective adopters to use it as a first point

of contact to ensure it has a comprehensive national picture of the supply of adopters? We will explore these questions and others, with the help of the Working Group, in order to develop a final proposal in time for the summer children in care publication. We welcome the proposal for a customer service charter and we have asked the Working Group to develop its contents, as we consider the proposal for a national adoption gateway.

Improvements in adoption support and recruitment of prospective adopters

81. The Working Group has proposed an ‘adoption passport’ – a transparent guarantee of the minimum support that adoptive families will receive. The passport would give prospective adopters greater clarity about what to expect, and it would ensure greater national consistency. As part of the minimum levels of support that the passport would guarantee, the Working Group proposes a series of possible extensions to existing adoption support. It argues that this would help recruit prospective adopters who are willing to adopt children with particularly complex needs. The Working Group thinks, for example, that there is a particular case for adopted children to have priority access to Child and Adolescent Mental Health Services. The group suggests that adoptive parents should be given a voucher, entitling them to a parenting skills programme. It also proposes reforms to the tax and benefits system, suggesting, for example, that adoptive families should continue to be eligible for child benefit payments regardless of their income and that the tax credits system should be used to support those who adopt children with complex needs.
82. The Government agrees with the group that adoption support is an important part of the system. Adopted children and their families are likely to have significant needs and require support to deal with them effectively. Improving adoption support has the potential to aid recruitment of prospective adopters, make adopters more open to adopting the kinds of children who currently wait the longest to be placed, and reduce the chances of adoptions breaking down. Indeed, the Government has recently taken an important step to support adopters to get the best education for their adopted children, by ensuring that children who leave care for adoption continue to have priority in school admissions.
83. Adoption support can include a wide range of things such as financial support, therapeutic services and counselling. Local authorities are required by law to make

arrangements for providing support to adoptive families and to conduct an assessment of what support each adoptive family needs, but how much support they provide is up to them.

84. The Government agrees in principle with the need to clarify and improve the consistency of adoption support. We are asking the Working Group to give further thought to how the proposed 'adoption passport' could be implemented – how, for example, would we ensure consistency of support services between adoption agencies? In this context, the Government welcomes the Working Group's reference to the potential for local authorities to reinvest into adoption support resources saved by addressing delay in the adoption system. We are also asking the Working Group to help us do further work to examine the case for improvements to adoption support including through changes to the tax and benefit systems, for consideration in advance of our summer children in care publication. We want to work with them to develop a more detailed assessment of the potential impact and value for money of each of their proposals, to consider their implications for non-adopted children with complex needs, and to assess how they could be implemented. We intend to complete this work in time for the summer children in care publication.
85. Finally, the Working Group makes a number of proposals to improve the marketing and recruitment of prospective adopters. The Association of Directors of Children's Services and the Consortium of Voluntary Adoption Agencies will convene a new recruitment forum to spread best practice, to share existing marketing tools and resources, and to identify how they might be improved. The forum will lead the sector's efforts to encourage more families with experience of caring for children with particular needs to come forward as prospective adopters. The Working Group also proposes a new national awareness raising campaign to build on the current public momentum.
86. We have asked Martin Narey to consider the Working Group's proposals, liaising with the group and also seeking professional marketing advice. He will report in time for our summer children in care publication.
87. We expect these proposals to make a significant difference to the number of approved successful adopters prepared to adopt vulnerable children with complex needs. But inevitably they will not take effect overnight, so we need to take additional steps to find loving homes for the backlog of children waiting for adoption that has built up over recent

years – including many of the 2000 currently on the Adoption Register. One innovative proposal that may have the potential to address this issue is a social impact bond under development by the Consortium of Voluntary Adoption Agencies. It could make a significant difference by releasing the necessary funding to allow voluntary adoption agencies to find prospective adopters for children with the most severe and complex need through intensive marketing and recruitment and by offering high levels of expert adoption support. With the help of the Working Group, we will be paying close attention to the progress of this proposal between now and the time of the summer children in care publication.

Chapter 3: System Improvement

The case for sharpening accountability

88. The fact that delay in the adoption system harms children is not a new discovery – although the evidence base has been strengthened in recent years. Neither is a vision of a system that provides an excellent service to prospective adopters revolutionary. Indeed, some adoption agencies already provide an excellent service under the existing regulatory arrangements. The task at hand is at least as much about consistent implementation as it is about new policy thinking.

89. In the past, accountability mechanisms have had too little purchase on quality and timeliness in the adoption system. John Goldup, Ofsted's Deputy Chief Inspector, acknowledged in the first of Ofsted's annual social care lectures that Ofsted judgements under the outgoing framework tended to be too generous to adoption agencies – including on the question of timeliness and its impact. He noted that '80% of local authority adoption services are [rated] good or outstanding' and argued that there had been too little focus on the question of whether children were getting the 'life-changing opportunity [of adoption] as quickly as possible'.

90. As the Family Justice Review found, successive attempts have been made to address delays in the family justice system, through circulars, guidance and ministerial exhortations. Just last year, the Government brought out revised statutory guidance for the adoption system and highlighted many of the issues raised in this document. We think we need to do more to secure the kind of widespread and energetic response we need.

Progress so far

91. We have begun to address this accountability deficit. We have worked closely with Ofsted on their new more rigorous inspection framework for adoption services, which was published in February this year. We welcome the greater emphasis it places on the issue of timeliness, both for children and prospective adopters.

'A new framework for the inspection of local authority and voluntary adoption agencies has been published by Ofsted for use from April 2012. It aims to raise standards and focuses on promoting positive outcomes for children.

A three month consultation which closed on 31 August 2011 was followed by seven pilot inspections to test the impact of the new framework. The inspections will scrutinise delays in the adoption process through the examination of data and case files and through discussions with adopters, social workers and adoption agency staff. The clear intention is to improve practice across the local adoption system so that the process itself results in the timely and best placement of children with adoptive families. However, delays will not be considered in isolation from other key aspects of adoption. The importance of finding the right family who can meet children's needs is emphasised as is ensuring that age, disability and ethnicity are not in themselves a cause for delay. All children who need an adoptive family should be identified and placed, wherever appropriate with their siblings, and early enough so that they benefit from the opportunity to live with an adoptive family as quickly as possible.

This framework will be used for the inspection of voluntary adoption agencies and local authorities. However it is proposed that the inspection of local authority adoption services will be integrated into a new local authority Children Looked After inspection from April 2013.'

John Goldup, Ofsted's Deputy Chief Inspector

92. Work is under way to create stronger incentives to eradicate unnecessary delay as care cases progress through the courts. The Government has begun to publish much more data about the duration of court proceedings around the country including in family courts. The Government has also agreed to the Family Justice Review's recommendation to legislate to require care proceedings to be completed within six months in all but exceptional cases, and we are setting up a Family Justice Board to drive improvement across the family justice system. It will have a key role in speeding up care proceedings, including by monitoring key performance indicators, and so will help improve the timeliness of adoption for those children for whom it is the right outcome.

93. The Department for Education too has begun to make much more information available about the performance of the adoption and children in care systems than has been the case previously, with the publication of performance tables on children in care and adoption at the end of last year.

A new adoption scorecard

94. All of this will make a difference, but we need to go further if we are to get the system from where it is now to where it needs to be to best serve children in need of adoption.

95. Generally, the Government does not believe in managing the performance of local authorities from the centre by reference to a large and comprehensive set of targets and indicators. In most circumstances, we think it is more effective for local authorities to be held accountable by their local residents through democratic means. However, where necessary, we continue to take action ourselves to ensure adequate services are provided to the vulnerable. Looked after children are amongst the most vulnerable people in our society and they are not in a strong position to hold the local authority – who acts as their parent – to account. It is clear that the current inspection and accountability frameworks have not secured the improvements needed to maximise their chances of being placed quickly in a safe and loving home.

96. At present, all but a small handful of local authorities fail on average to meet the timescales that statutory guidance sets out for the different parts of the assessment process. And there is huge variation between local authorities. Large numbers of them fall short by a significant margin, with the very slowest local authorities taking an average of nearly three years for a child to go from entering care to being placed for adoption. As this Action Plan has made clear there are a variety of reasons for this, but for the sake of children whose best future depends on timely adoption, we need to increase the focus of the adoption system on eradicating unnecessary delay.

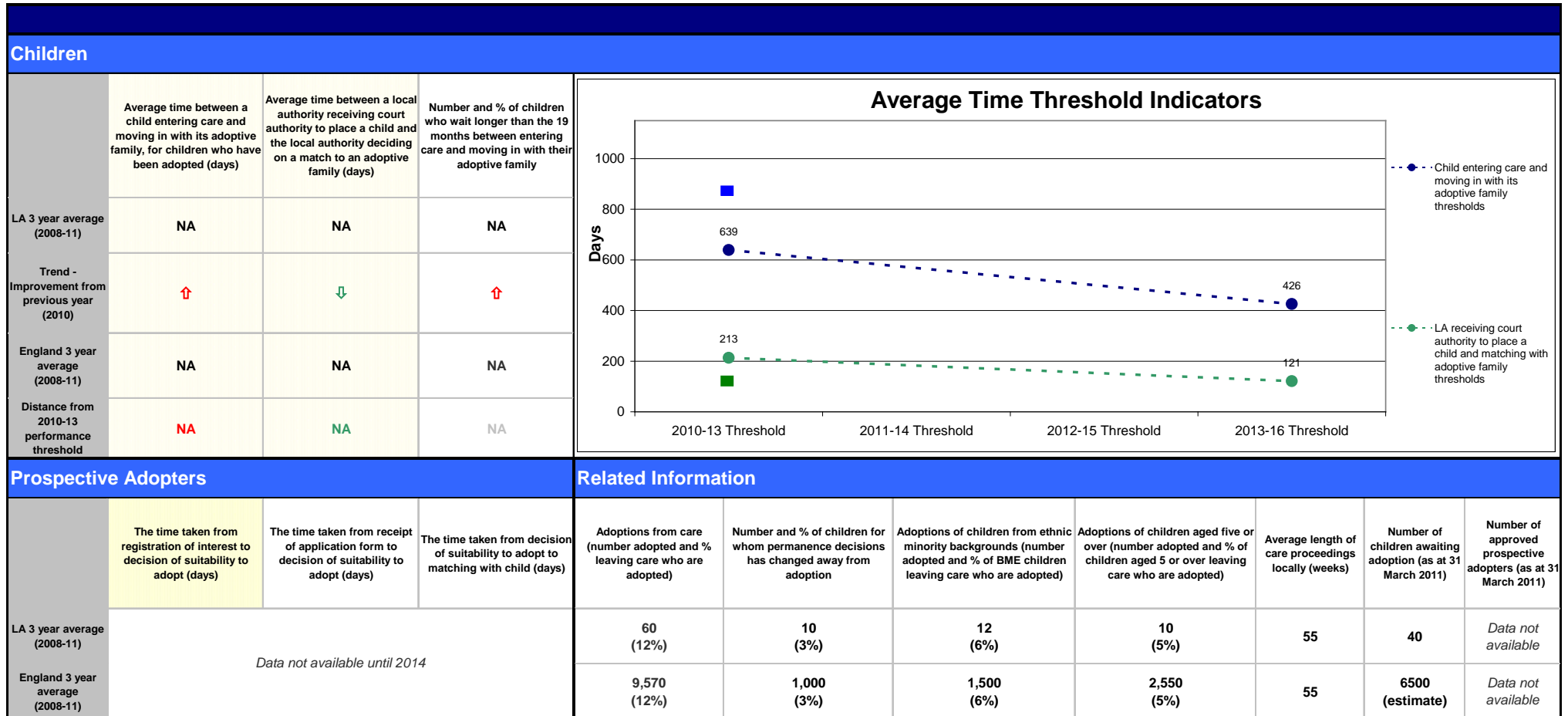
97. In the coming weeks, the Government will therefore publish new adoption scorecards for each local authority, which will then be updated annually when new data become available. The scorecards will highlight key indicators for how swiftly local authorities place children in need of adoption and how swiftly they and adoption agencies deal with prospective adopters. They will allow local authorities and other adoption agencies to monitor their own performance and compare it with that of others. Because

comprehensive national data on timeliness for prospective adopters will not be available until autumn 2014, the scorecard will focus initially on local authorities and the adoption process for children. In the interim, we will assess the timeliness of the prospective adopter's journey in a cross-section of adoption agencies as they prepare to implement the new training and assessment process. From 2014, the scorecards will include data on prospective adopters and will be published for all adoption agencies so that they can compare their performance in relation to timeliness with each other (see figure 1 below).

98. The first key indicator will relate to the overall experience of a child who is adopted. It will measure the average time it takes for a child who goes on to be adopted from entering care to moving in with his or her adoptive family. The local authority leads this process, working with the child, the birth parents and the prospective adopters, but they share the responsibility for parts of this process with the other agencies in the family justice system, including the courts and Cafcass. Where this indicator signals weaknesses in the family justice system in a local area, this will be tackled both through the work of the Family Justice Board at national level and the Local Family Justice Operational Boards.
99. The second key indicator will look at the same period, but identify the proportion of children who wait longer for adoption than they should. It will help ensure the scorecard takes account of children still waiting, as well as those who have already been adopted – and allow us to act quickly if a large number of children seem to be stuck in the system in a particular local area.
100. The third key indicator will test the speed and effectiveness of family-finding. It will measure the average time it takes for a local authority to match a child to an adoptive family once the court has formally decided that adoption is the best option. Family-finding is a part of the adoption process which is the sole responsibility of the local authority so this indicator will always give an undiluted picture of their performance. We will measure the time it takes to match a child, rather than for the child to move in with their new family because we recognise that a smooth introductory phase is vital and will be different for each child. As we set out in chapter one, family-finding should begin as soon as a child is identified as needing adoption, and run in parallel with other parts of the adoption process. In many cases, prospective adopters should be ready and waiting for the child when the placement order is made.

Figure 1 (some data for illustrative purposes only)

Adoption Scorecard



101. The scorecards will also include additional information, such as an indicator of the timeliness of the local family justice system, and the numbers of older children being adopted. This additional information will help the scorecards give a more contextualised and rounded picture of a local authority's performance and so aid effective comparison between local authority areas.
102. The introduction of the scorecard does not mean that we are asking adoption agencies to focus on the timeliness of adoption to the exclusion of everything else that makes a difference to a child's adoption. It is designed to incentivise the adoption system to give timeliness greater attention than it previously has. We don't want it to distort local authority decisions about whether adoption is the best option for children, for example by discouraging them from placing some children for adoption – such as older children, those in sibling groups or those with complex needs. Both the Department, in looking at local authority performance in relation to the scorecards, and Ofsted in their inspections, will take account of and give credit to local authority efforts to place children for whom it is difficult to find a family. We will therefore include amongst the additional information the numbers of older children being adopted, and the numbers of children where the local authority initially decides adoption is the best option, but revisits and changes that decision before the child is adopted.

A tougher intervention policy

103. The scorecards will form part of a new tougher approach to addressing underperformance in the adoption system. As part of this, we will set performance thresholds for the first and third indicators in the scorecard. They will make clear our minimum expectations for timeliness in the adoption system. Because they will relate to local authority averages, they will apply to all children in need of adoption but will allow for the fact that some children's needs mean it takes longer for them to be adopted. We think the thresholds should be in line with the timescales set out in statutory guidance. But performance in the system needs to transform radically to make that realistic so that is an aspiration we will work towards as reforms to all parts of the adoption system are implemented. We will set performance thresholds from this year, but raise them incrementally over the next four years until they reflect the levels set out in statutory guidance. The indicators are based on three year averages to ensure they are based on

large enough numbers of adoptions to be meaningful – but this means it will take longer for improved performance to be reflected in the figures.

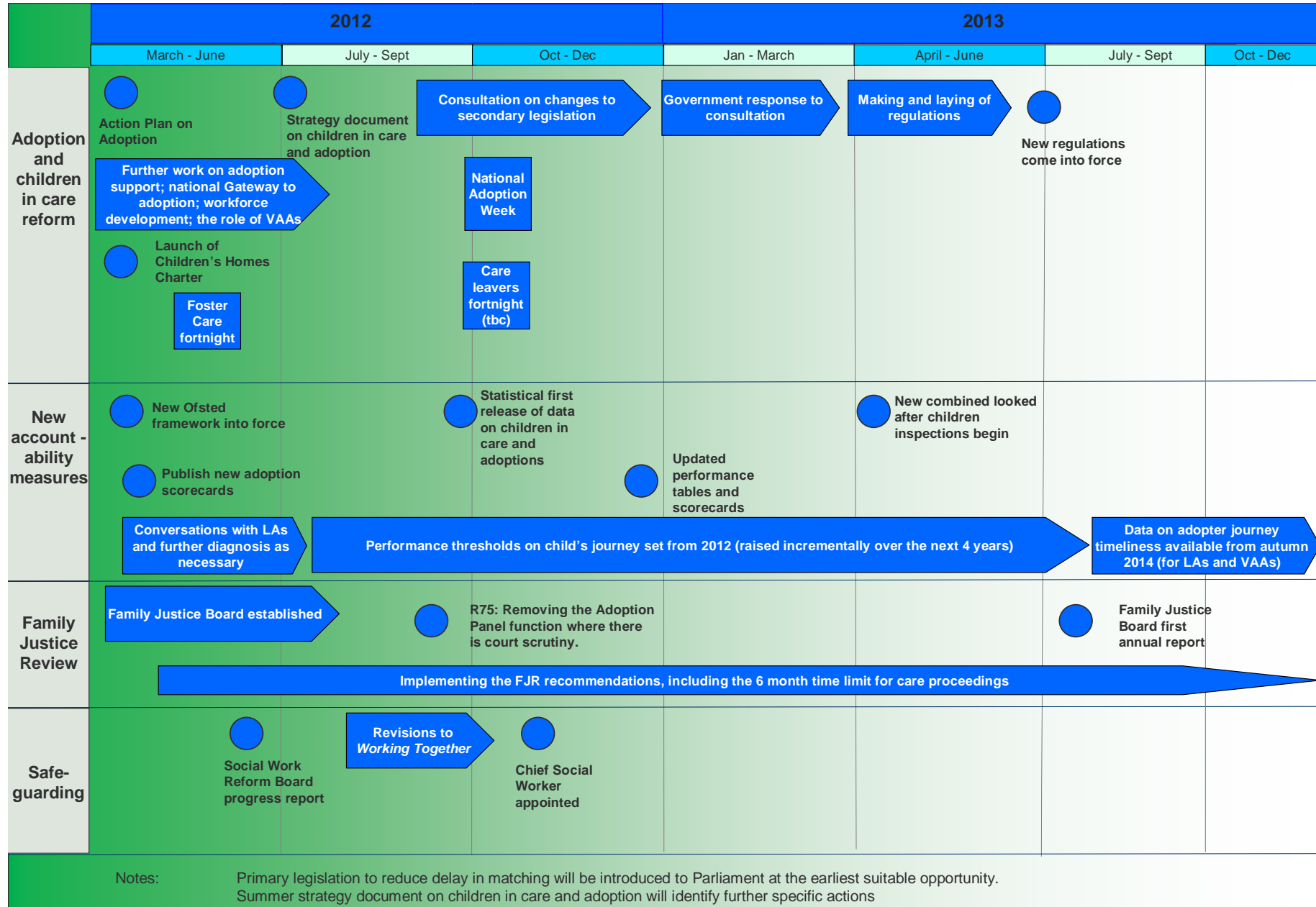
104. Initially, our performance threshold for the child's journey overall will be twenty one months. Within four years, it will be fourteen months. The threshold for the family finding indicator will be seven months initially, moving down to four months within four years. We will keep these thresholds under review as we develop and implement the changes to the adoption system set out in this Action Plan and elsewhere. Achieving this level of transformation will help protect thousands of children from the harm associated with delay and instability.

105. In line with our general approach to local government, we expect the sector to lead efforts to ensure local authorities and the family justice system improve in line with these minimum expectations through its own improvement mechanisms. However, given the vulnerability of these children and the current levels of under performance, central Government can and will intervene where necessary. The indicators alone do not give a full and authoritative picture of local authority performance so there will be no automatic link between the performance thresholds and intervention. Where local authorities are below one or both of the thresholds, we will look at further information from the performance tables and from Ofsted reports to get a fuller sense of the results they achieve for the children in their care. We will, for example, look at whether poor performance against the indicators reflects the complex needs of the children being placed for adoption, as opposed to failings in the local authority's family finding. We will also consider to what extent a local authority's performance is already showing signs of improvement, even if the threshold has not yet been met. Where this exercise substantiates performance concerns triggered by the scorecard indicator, we will have conversations with local authorities about their performance. Ultimately, we will consider where we may need to intervene in order to ensure that local authorities are providing an adequate service to children in need of adoption.

106. Where we need to intervene in the interests of children, we will use improvement notices to require authorities to take specific action to improve their performance within set timescales. Where performance remains poor and the evidence suggests an authority will be unable to improve its own performance sufficiently, we will not hesitate to use our statutory powers of intervention. This might involve, for example, directing local

authorities to outsource all or part of their adoption service to another higher performing local authority or voluntary adoption agency with a strong record.

Annex A - Actions and Milestones



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