



Department  
for Education

# **Proposals for placing children with their potential adopters earlier**

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## The case for a focus on infant adoption

In the Action Plan for Adoption we set out the strong evidence base for the importance of ensuring that all children who cannot live with their parents are placed swiftly in the right form of permanent care for them. Having reviewed 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'.<sup>1</sup> This principle applies to all the work local authorities do with children in need: supporting families, where necessary finding children alternative permanent care through Residence Orders, special guardianship or adoption, or looking after children through foster placements, or in children's homes.

The Government has set out a range of measures to reduce delay so that more children for whom adoption is the best option can be placed swiftly with loving and capable adoptive families. The Family Justice Review proposed a six month time limit on care proceedings, except in exceptional cases. The Action Plan for Adoption explains the Government's approach to reducing delay throughout the adoption system.

The Action Plan also made the point that it is the youngest children who are particularly vulnerable to the harmful effects of delay and disruption. The brain develops most rapidly during the first years of a child's life so children's experiences during that period, and particularly their attachment to their primary carers, shape the way in which the brain develops.<sup>2</sup> Stress associated with disrupted attachments during this period can harm children's physical, cognitive, emotional, and social growth<sup>3</sup> so delay in the adoption system is particularly harmful to infants. It also means that they grow older in care which reduces their chances of successful adoption. A child's age is one of the strongest predictors of whether or not he or she will be adopted and whether the adoption will break down.<sup>4</sup>

One of the most striking statistics about the adoption system is that just 60 babies under one year of age were adopted last year. For children, the moment they move in with their adoptive parents is more important than the moment they are formally adopted. But just 470 of over 3000 children adopted last year were under the age of one when they moved in with their adoptive parents. This is all the more significant given that recent DfE analysis has found that 1350 of the children who were adopted in 2010-11 (44%) first became looked after when they were less than one month old. On average, these children moved in with their adoptive families around 16 months after becoming looked after.

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<sup>1</sup> Selwyn, J.; Sturgess, W.; Quinton, D. and Baxter, C. (2006) *Costs and outcomes of non-infant adoptions*, British Association for Adoption and Fostering.

<sup>2</sup> Ward, H.; Brown, R. and Westlake, D. (2012) *Safeguarding Babies and Very Young Children from Abuse and Neglect*. Jessica Kingsley Publishers.

<sup>3</sup> Child Welfare Information Gateway, 2009

<sup>4</sup> Selwyn et al (2006) *Ibid*

## Early permanence

When a child becomes looked after, the local authority's first priority will be to support the family so that the child can return home. If and when it decides this is not a realistic option, it will try to identify relatives who can care for the child. If that is not possible, it may then decide adoption is the right option and reflect this view in the child's permanence plan. The local authority will draw up a child permanence report setting out the evidence that leads them to this view, and then formally decide that adoption is the right option. The local authority will then apply to the court for a placement order. Until a placement order has been made, the prospective adopters cannot be treated as the child's future parents.

In chapter one of the Action Plan, we sought to promote ways of placing children waiting for adoption with the carers who are likely to become their adoptive parents as early as possible, and prior to the placement order. This early permanence is important for all children, but can have a dramatically positive effect for infants.

## Early permanency through concurrent planning

Concurrent planning is a well-established example of this kind of practice, which is used widely in the USA but less frequently in the UK. It is suitable for looked after children under two years old, for whom a local authority thinks adoption is likely to be the best option, but who may still be able to return home. The child is placed with carers who have been approved both as foster carers and as prospective adopters. Efforts to support the birth family and make possible a reunification between infant and the birth family are not abandoned. But if they fail, the infant is then adopted by those same carers.

Concurrent planning has been in use in several London local authorities, including Harrow, Islington and Camden, as well as others in the Southeast and Northwest. The voluntary adoption agency Coram has recently been behind its renaissance, establishing some successful pilots. 57 infants have been through their concurrent planning process with 54 being subsequently adopted. Analysis of Coram's approach has found that children are placed with their eventual adoptive families more quickly, and with fewer disruptive changes of carer than children receiving traditional services.

Concurrent planning depends on front-line social workers being equipped to identify and refer on cases where concurrent planning may be appropriate. It places significant demands on the social workers and carers involved. They must work intensively with the birth family to give them the best chance of resolving the issues that led to the child coming into care. They must manage regular and appropriate contact between the child and the birth family to minimise disruption if the child does return home. Above all, the carers must be well-trained and be able to cope emotionally and practically with the possibility that they may not go on to adopt the child in their care.

Partly for these reasons, recruiting adopters willing to participate in concurrent planning can prove challenging. Some carers are willing to take on this risk, but generally only in relation to younger children, because they are attracted by the prospect of starting to care for their potential adoptive child while he or she is still a baby, when it will be easiest for them to form a strong bond with the child.

We think concurrent planning should be one of the options considered by all local authorities for their youngest looked after children. Over four years in their partnership with Harrow, Coram has found that it was appropriate for a third of the children who went on to be adopted. It can allow children to be placed with their eventual adoptive carers from birth – common practice in Coram’s concurrent planning process, but currently extremely rare elsewhere in the adoption system.

## **The wider application of concurrent planning principles through ‘Fostering for Adoption’**

The principle of placing infants as early as possible with carers who are likely to become their adoptive parents is applied more widely a by a small number of local authorities, including East Sussex. In East Sussex, children are placed with foster parents, who are also their prospective adopters, before the placement order is granted. This means that when the application for a placement order is granted (which happens in the vast majority of cases), the placement changes from a fostering placement to an adoptive one, but with no disruption for the child. We are calling this approach ‘Fostering for Adoption’.

‘Fostering for Adoption’ doesn’t require such specialist training for social workers or prospective adopters and is potentially more widely applicable than concurrent planning. Nonetheless it places some particular demands on local authorities and carers.

Like concurrent planning, it requires carers to be willing to accept the risk that a child will not be placed for adoption with them, either because a suitable carer from the birth family comes forward at a late stage, or because the court does not agree to grant the placement order. However, this risk is smaller than in relation to concurrent planning because the local authority has decided that the child should be placed for adoption, and so we are confident that many prospective adopters will see this as an opportunity to begin to care for their potential adoptive child earlier in his or her life.

‘Fostering for Adoption’ will place particular importance on the quality of work local authorities do to support and rehabilitate the birth family and to assess relatives and friends of carers before deciding adoption is the best option. Local authorities will need to be able to demonstrate to the courts that placing the child with foster carers who are also likely adopters has not pre-empted their decision as to whether a placement order should be granted. They will also need to provide appropriate support to carers given the specific circumstances for each individual child, and taking account of the legal status of the placement.

We think ‘Fostering for Adoption’ can and should be used by all local authorities and for significant numbers of children. Like concurrent planning, it has particular potential to improve the success of adoption for the youngest children. Around half of children who become looked after under the age of one month go on to be adopted. On average it takes local authorities eight months to reach their decision that adoption is the best plan for these children and a further eight months for them to move in with their adoptive parents. As we said in the Action Plan, we think local authorities should often make the adoption decision much more quickly – and the adoption scorecard is one way in which we are encouraging them to do so. The ‘Fostering for Adoption’ approach would enable

children to move in with their likely adoptive parents as soon as the local authority decides adoption is the best plan. So wider use of 'Fostering for Adoption' has the potential to halve the time that children spend in temporary care placements, and combined with other measures in the Action Plan could allow hundreds more young babies to be placed with their potential permanent carers in the early months of their lives.

Concurrent planning and 'Fostering for Adoption' are two ways in which local authorities can secure early permanence for children in need of adoption, but they don't cover all possible scenarios. The approach used to find a permanent home for a child needs to be the right one for the circumstances of the individual case. But we think that some form of early permanence should be the norm for the vast majority of children who go on to be adopted. The limiting factor is likely to be the number of adopters willing to foster with a view to adopting – but we hope that many will want to do so. It is also important to be clear that local authorities should apply the basic principle of early permanence to all children in their care, whatever the plan for their permanent care is.

## **New proposals to promote early permanence**

In the Action Plan, we sought to promote concurrent planning and 'Fostering for Adoption'. We announced that we will change legislation to make it easier for prospective adopters to be approved as foster carers in appropriate cases, and these new draft regulations will be published for consultation in September. We also asked local authorities to convene local roundtables with social workers and others in the family justice system to discuss introducing this practice, and to share the outcome of these discussions with the Department. Based on the response so far, we think we need to do more to remove any groundless doubts amongst local authorities and others in the family justice system about whether this practice is appropriate and legal. We therefore propose to introduce a new legal duty on local authorities to consider placing a child with carers who are likely to become their permanent carers, where the evidence available to the local authority clearly indicates that it is unlikely that he or she will be returning home.

We will also fund Coram – the leading centre of practice in concurrent planning – to broaden their reach as a National Centre of Excellence in Adoption and Early Permanence. This will allow all local authorities and voluntary adoption agencies in England to access expertise in concurrent planning, and in the sorts of management practice that make for effective early permanence practice, including fostering by potential adopters.

The National Centre will give social workers and managers access to training and a set of tools to help them introduce concurrent planning and other early placement practice, working with the judiciary in their area. It will draw on the elements of effective practice already developed in a number of different local authorities and will give access to learning sets and collaboration to improve understanding of good practice. Working with local authorities and a range of national experts, the Centre will define and promote national standards approved by experts and will offer accreditation to local authorities and voluntary adoption agencies who sign up to its programme.

Finally, we are proposing a small adjustment to the adoption scorecard to ensure it gives due credit to effective practice in early permanence by local authorities. Specifically, we

will change the first scorecard indicator so that it measures the average time between a child becoming looked after and moving in with his or her eventual adopter, including in cases where he or she initially moves in on a foster care basis. This change will serve the additional purpose of removing some anomalies in the scorecard data that local authorities have raised with us.



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