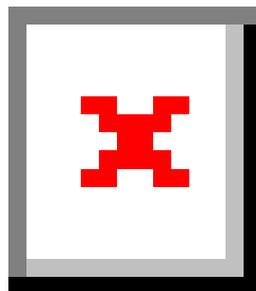


TITLE OF REPORT: Regional Adoption Agency Annual Report 2021/2022

REPORT OF: Strategic Director, Children's Social Care and
Lifelong Learning

EXECUTIVE SUMMARY

This report provides a summary of the work undertaken for children with plans of adoption within Gateshead Local Authority.



Purpose of the Report

1. To provide the Families Overview and Scrutiny Committee with an overview of the practice and delivery of adoption services in Gateshead Council.

Background

2. The Local Authority is responsible for securing permanency for those children who, for reasons of their safety and welfare are unable to live within their birth families and whose needs are such that adoption has been judged to be the best permanency option for those children.

- Policy Background:
- 1989 Children Act
- Adoption Acts 2002, 2014 & 2017

- Public Law Outline (2014)
- Children & Families Act (2014)

Proposal

3. It is proposed that the Local Authority continue to work towards adoption as the best outcome for some children for whom we act as corporate parents.

Recommendations

4. The Families Overview and Scrutiny Committee is asked to consider this report and make any recommendations for action as judged necessary.

Adoption in Gateshead 2021 – 2022

5. Adoption is the legal process in which the parental responsibility (PR) for a child is transferred from their birth parent or other persons with parental responsibility (PR) to the adopters.
6. Adopt North East, the Regional Adoption Agency responsible for adoption services on behalf of Gateshead Council, Newcastle City Council, Northumberland County Council, North Tyneside Council and South Tyneside Council. The regional adoption agency has been created in response to the legal requirement that all authorities regionalise their adoption services. Adopt North East replaced the council's own adoption team in December 2019.
7. The Safeguarding and Care Planning Service is responsible for intervening to safeguard children, assessing families, and making decisions about whether adoption is the most suitable plan for permanency if the child cannot be cared for safely and appropriately within their family of birth. Within the Safeguarding and Care Planning Service there is a dedicated Support Assistant who undertakes all Life Story work and books for our children with Placement Orders and undertakes Life Story work with our adoptive parents. Feedback from Adopt North East and our Adoptive parents is this work to a high standard and invaluable to understand the child's journey.
8. All decisions about adoption are ratified by the Assistant Strategic Director for Children and Families by way of Agency Decision Making Meeting (ADM). The Family Court makes the ultimate decision if a child should be placed for adoption by the making of a Placement Order. The child is then freed for adoption and can be matched with adopters who thereafter can apply for an Adoption Order once the child has been in their care for ten weeks or more.
9. Until the Adoption Order has been made, the child remains the responsibility of the local authority and is deemed a Cared for Child.

10. In making the decision about whether the child should be adopted, social workers and the courts must satisfy themselves that “nothing else will do” and that all avenues have been explored with regards to that child being cared for by someone in their birth family network.
11. Between 2020/2021 the average number of days between a child entering the care of the local authority and moving in with an adoptive family is 358. This has increased in 2021/2022 to 401 days.
12. It is clearly in the child’s best interests to minimise the time spent in foster care and decisions for permanent care are taken as soon as possible. This is done through robust assessments work of birth family to ensure that when the birth parents cannot care for a child they and all alternative option of care including family and friends have been considered and ruled out.
13. Due to a court case in November 2021 in Somerset County Council where a judge raised concerned about the local authority’s adoption practice and deemed children’s adoption placement orders unlawful, adoption processes which reflected similar practices to Somerset stalled across the country. This did impact on children in Gateshead and the timeliness of adoption placements was affected. In April 2022, the High Court handed down a judgement in *Somerset County Council v NHS Somerset Clinical Commissioning Group & Anor* [2021] EWHC 3004(Fam) dealing with the lawfulness of placement orders made in ten separate cases. The President of the Family Division Courts issued guidance for the approach to be taken by local authorities using similar practices where regulations have not been followed. In response to this guidance, Gateshead has changed it adoption practices and are now compliant with the adoption regulations.

14. Statistical Information:

15. Table 1: The number of children with a plan of adoption referred by Gateshead’s Safeguarding and Care Planning Service to Adopt North East in 2019/2020, 2020/2021, 2021/22:

Year	The number of children with a plan of adoption referred by Gateshead’s Safeguarding and Care Planning Service to Adopt North East
2019 - 2020	22
2020 - 2021	21
2021 - 2022	25

16. Table 2: The number of children for whom a Placement Order was made in 2019/20, 2020/21 and 2021/22:

Year	The number of children for whom a Placement Order was made
2019 - 2020	20
2020 - 2021	27

2021 – 2022	25
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17. Table 3: The number of children matched with adopters in 2019/20, 2020/21 and 2021/22:

Year	The number of children matched with adopters
2019 - 2020	16
2020 - 2021	20
2021 – 2022	21

18. In 2021/2022 the number of children with a plan of adoption reversed was one. The reason for reversal was that paternal grandparents presented late (at the Final Hearing) expressing a wish to care for their grandchild. The grandparents had been assessed in the early stages of the proceedings and made a decision that they did not wish to become fulltime carers for their grandchild and subsequently changed their mind.

19. Between September 2021 and March 2022, there have been 13 children placed in Foster to Adopt or Early Permanence placements.

20. When a child who has been placed with an adoptive family needs to be removed as the adoptive family no longer wish to care for them or the adopters are struggling to meet the needs of the child and the local authority intervene and remove the child, this is referred to as an adoption breakdown. In Gateshead there has been 2 (1 sibling group of 2 children) adoption breakdown's in 2021/2022. Fortunately for the child, their previous foster carers were available, and the children were returned to their care. The foster carers are currently being assessed as adoptive parents for the two children. This evidences that assessments of the child's needs and matching processes have been thorough and accurate.

Early Permanence

21. Early permanence is an umbrella term which includes both Fostering for Adoption and Concurrent Planning. Both schemes enable the Local Authority to ensure that permanent care arrangements are secured for the child as quickly as possible. Fostering for Adoption enables the Local Authority to find foster parents for children who are willing to adopt them at a later date if the courts decide they cannot return to live with their birth family. It is aimed at helping babies whose birth families are still being assessed as to whether they can look after their baby or not.

How does Early Permanence work?

- 22.** The Local Authority refers babies about whom there are concerns regarding the care they may receive from their birth family to the Regional Adoption Agency, Adopt North East. If appropriate and agreed, the Local Authority places the babies with foster carers who have already been approved as adopters. This means they can go on to adopt the baby if the courts decide he or she cannot live with their birth family.
- 23.** Early Permanence avoids the risk that the baby may be moved from foster carer to foster carer while the local authority and the courts assess the birth family's ability to look after him or her. National data tells us that time taken from the baby being placed into local authority foster care to being placed with their adoptive family usually takes between six and twenty-four months. Once an order has been made in court which allows the child to be adopted (Placement Order) he or she can then be matched with adopters.
- 24.** Under the Public Law Outline (2014) and the Children & Families Act 2014, guidance states that court care proceedings should be completed within 26 weeks, to be sure that children are not being unduly kept waiting for their permanence plans to be legally agreed.
- 25.** Gateshead Local Authority and Adopt North East will only place babies under Foster to Adopt or Early Permanence arrangements when, based on the available evidence and the birth family's history, there is a high probability that the court decision for the child will be adoption. The evidence upon which social workers make their decision to recommend a foster-to-adopt placement usually includes previous siblings being removed from the parent's care and subsequently no evidence of improvement in the circumstances of the birth family.

26. Benefits of Early Permanence

- 27.** Because the foster carers with whom the baby is living have already been approved to adopt the baby it means there is a seamless transition from foster care to adoption.
- 28.** It is clearly in the child's best interests to minimise the time spent waiting in foster care. Early Permanence eliminates the waiting period for children.

29. Other advantages of Early Permanence are: -

- It speeds up the planning of babies' lives and avoids delay in deciding their future.
- It avoids the disruption of being moved from foster care to adoption or from foster carer to foster carer.
- Bonding with the people who will eventually adopt him or her can begin right away – in many cases the baby is placed with the Early Permanence carers directly from the hospital where he or she was born.
- The foster carers who go on to adopt will have had a chance to get to know the baby's birth parents during the court process. This means they will know all about the baby's background and the circumstances that led to him or her being placed in care.
- It strengthens the attachments between the child and their adopters and avoids disruption to attachment between the child and their foster carer.

30. For those children for whom Early Permanence placements are inadvisable because their specific family circumstances may mean that an outcome of adoption at court is uncertain. Gateshead Council has systems in place to ensure that children are placed with their adopters or in a permanent care arrangement as soon as possible. For unborn babies whose siblings have previously been removed from parents care because of safeguarding concerns, planning begins before the child has been born by way of Pre-Birth team.

31. For all children, if safeguarding concerns are so great that care outside that of their parents is necessary, a Legal Gateway Panel will be held immediately, and legal proceedings will begin. Thereafter, a period of concurrent planning will begin. This means that parents and other family members or persons connected to the child will be assessed regarding their suitability to offer permanent care of the child. This will happen alongside a referral to Adopt North East and planning for possible adoption.

32. To avoid any unnecessary delay in securing a child's plan for permanence, the child's Independent Reviewing Officer will seek assurances about the permanence plan for the child at their second Child In Our Care Review. This takes place no later than four months after the child has become cared for by the Local Authority.

33. An additional measure of quality assurance is the Early Permanence Panel, which is chaired by the Deputy Strategic Director for Children and Families. The panel is attended by Service Managers, Team Managers, and local authority Lead Solicitor. Relevant data regarding children who are in the care of the local authority and those who are the subject of court proceedings are

presented and individual cases are scrutinised. Within Panel the length of court proceedings and the reason for any delays are understood so that, if possible, measures can be taken to avoid similar delay in the future. Sometimes, however, timetabling by the court builds in delay to children's plans so that they sometimes wait in Local Authority care longer than necessary and their permanence arrangements are delayed.

34. Following the assessments of parents and any other family members, firm plans for the long-term or permanent care of the child will be agreed. This will take place in a Decision-Making Meeting, that includes social workers, team managers and the local authority legal representative. The plans will either be for rehabilitation back to birth parents or any person whom made hold parental responsibility, adoption, long-term fostering or placing a child with another family member through a Special Guardianship Order or a Child Arrangements Order.
35. Agreement for Early Permanence and all adoption plans are agreed by Deputy Strategic Director for Children and Families by way of Agency Decision Making meeting (ADM) before recommendations about each child are made to the court.

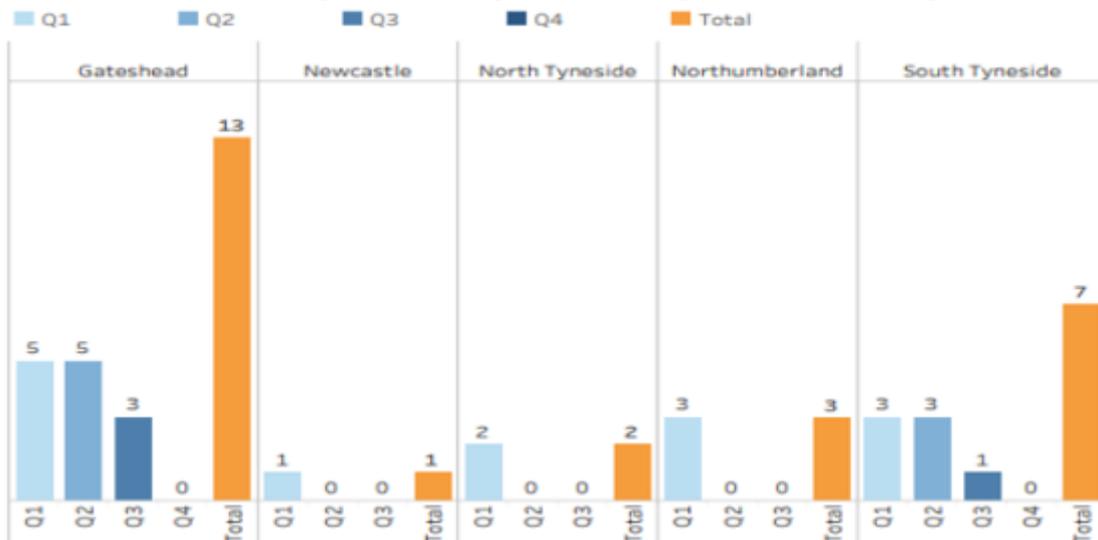
Statistical Information:

36. The number of Gateshead children placed in Early Permanence Placements during the year 2019/20, 2020/21 and 2021/22

Year	Gateshead Children placed in Early Permanence Placements (Foster to Adopt)
2019 - 2020	4
2020 - 2021	9
2021 - 2022	13

37. Of the children referred to the Regional Adoption Agency from all 5 Local Authorities a total of 28 children were placed in Early Permanence Placements in 2021/22, up from 18 in 2020/21 and 6 in 2019/20. This was a 56% increase on the previous year. This represents a continued increase in the use of Early Permanence Placements by the partnership. Three out of five Local Authorities increased their use. Gateshead continues to be the highest user of Early Permanence.

The Number of Children placed in Early Permanence placements in 2021/22



38. Regional Adoption Agency – Adopt North East

39. Adopt North East is the Regional Adoption Agency based in the North East of England in which Gateshead is in partnership with alongside, Northumberland, Newcastle, North and South Tyneside Councils.

40. Adopt North East has primary responsibility for recruiting, assessing and supporting prospective adopters, for non-agency adoption work including partner adoptions and intercountry adoptions.

41. Adopt North East has primary responsibility for Family Finding for all children with a plan of adoption, but the five partner Local Authorities retain overall responsibility for children in their care.

42. Adopt North East provides support to all parties affect by adoption, including adopters, adoptive families, adopted children, adopted adults and birth relatives.

43. Please see attached for reference Adopt North East Annual Report 2021/22

[ANE Annual Report 2021-22 - Draft v1 - Jul 2022.pdf](#)

[ANE Annual Performance Report 2021-22 - Draft v1 - Jul 2022.docx.pdf](#)

44. Recommendations

(i) It is recommended that note and comment on the information provided in the report

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