**Early Permanence Placement Protocol for Adoption West staff and Local Authority Children and Families’ Social Workers.**

Please note that text in Blue refers to a document available in Professionals Section (user name: permanence password: pennywell) of the CEPP Website: [www.adoptionconcurrency.org](http://www.adoptionconcurrency.org)

Early Permanence (EP is used throughout this protocol to cover Concurrency or Fostering for Adoption (FfA) placements, with a distinction being made only where specifically relevant procedurally.

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| 1 | **Purpose** |
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| 1.1 | To ensure that LA social workers placing Looked After Children (LAC) with EP carers do so in a manner consistent with good practice and legislation.  To ensure that social workers within Adoption West working with the LAs on EP placements (potential or actual) and EP carers do so in a manner consistent with good practice and legislation. |
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| 1.3 | To identify persons responsible for required actions. |

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| 2 | **Scope** |
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| 2.1 | This protocol applies to all those involved in the placement of Looked After Children (LAC) in EP placements in the Adoption West RAA which includes the local authorities of Bristol, BANES, N Somerset and South Gloucestershire, Gloucestershire, Wiltshire and CCS Adoption and Action For Children. |

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| 3 | **General Action** |
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| 3.1 | All Team Managers and Children and Families’ social workers should have attended training on EP. |
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| 3.3 | EP cases (children) should be closely overseen by experienced practitioners and their line managers. |
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| 3.4 | All LA and AW social workers and managers should be aware of the Adoption West website and the EP guidance/documents available on the Concurrency and Early Permanence Website ([www.adoptionconcurrency.org](http://www.adoptionconcurrency.org) User name: permanence and Password: pennywell |
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| 3.5 | This protocol should be read in conjunction with the **AW Early Permanence Planning Referral and Care Planning Flow Chart.** |
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| 4 | **Procedure** |
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| 4.1 | **Criteria for selection** |
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| 4.2 | EP should be considered for all children/unborn that meet the following criteria: |
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|  | * Assessed as being highly likely to need an adoptive placement based on an analysis of the case history, birth parent history and or current difficulties (use the Concurrent Planning Tool and the Early Permanence Planning Screening Matrix) to help with this analysis. * All relinquished babies should be considered for an EP placement (see Section 21). * All children of any age where the LA is either *“considering adoption for the child*” or is *“satisfied that the child ought to be placed for adoption*”. The Children & Families Act 2014 introduced this significant amendment to the Children Act 1989 to require LAs to consider placing a child with prospective adopters in either of these situations (these are new sub sections (9A, 9B and 9C added to section 22 of the Act). In such a situation the first duty on the LA remains for it to consider a placement with a relative, friend or connected person. However, if the LA decides that such a placement is not appropriate for the child the “*the LA must consider placing the child with a LA foster parent who has been approved as a prospective adopter.”*   Note: the effect of this provision in the Children and Families Act 2014 is to fundamentally change the priorities for LAs who are considering adoption, with the aim of achieving stability for the child being overriding. The duty to place with a foster parent who has been approved as a prospective adopter outweighs any other considerations such as; proximity to the child’s home, disruption of the child’s educational training, placement with a sibling, or meeting disability needs. |
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| 4.3 | It is the responsibility of the LA - using the screening tools and guidance on the Concurrency and Early Permanence Project website and advice from AW - to make the decision that an EP care plan is appropriate for the child. |

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| 5 | **Social work tasks that need to be completed prior to the final decision to implement an EP plan.** | |
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| 5.1 | Any child that the LA is considering an EP plan for should have: | |
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|  | * An up to date chronology. * A genogram or family tree showing their location and that of the wider family (and all family members who could possibly care for the child should have been assessed). * Where possible their parentage clarified by a DNA test if there is any doubt as to who the parents are. * Had the adopters of any adopted siblings contacted to see if they are willing to be considered to care for the child. | |
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| 5.2 | LA protocols in relation to pre-birth referrals should be followed. Pre-birth planning meetings should always consider EP and AW should be included in the discussions where this looks like it might be a viable option for the unborn child. The LA social work manager should take a lead strategic role in relation to pre-birth assessments and ensure that active communication with AW takes place. | |
| 5.3 | Adoption West should be invited to all relevant planning meetings. | |
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| 6 | **EP Planning Referral**  The child’s social worker should contact the Adoption West Front Door to make a referral. The child’s social worker must complete the Early Permanence Planning – Referral Form and email this to AW to start the formal process of searching for an EP placement. | |
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| 6.2 | As soon as possible after the decision has been taken that an EP plan seems the correct plan for the child a Referral Meeting/Telephone Discussion (**see Early Permanence Planning Referral and Care Planning Flowchart)** should take place between the child’s social worker and their manager and the AW social worker/team manager if this has not already happened.  AW will be responsible for identifying whether there are any potential EP carers for the child within Adoption West, the region and nationally.  If AW identify potential EP carers, the AW social worker/manager should be involved in the discussion/meeting. If the child is placed with another Agency, AW will maintain an overview and provide input/guidance to the child care team. | |
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| 6.3 | Any outstanding social work tasks should be identified at this stage and timescales set for their completion. Tasks that should have been completed: | |
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|  | i | Any possible family members who could care for the child should have been identified and assessed. |
|  | ii | A decision to initiate care proceedings should have been taken by the LA and best practice indicates they should have held A Family Review Meeting or Family Group Conference to ensure that any potential resources within the family network have been fully explored. In determining which is the most appropriate placement for a child the LA must `give preference’ to a placement with a connected person. It is vital therefore that at the very least initial viability work has been undertaken. If there is a family member who can provide an appropriate, safe and nurturing home for the child then concurrent planning would not be appropriate. |
|  | iii | A legal planning meeting should have been held and advice noted (including the views of the birth family on the EP plan). |
|  | iv | As much medical information as possible should have been gathered on the child and where possible (i.e. with consent) any relevant medical information about the birth parents (see Protocol on Sharing Medical Information in Concurrent Planning). This will be shared with EP carers in their role as Foster carers, however full medical information can only be provided after a Placement Order has been agreed by the court. |
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| 7.3 | The Children and Families’ Team Manager of the child’s LA should take responsibility for the completion of tasks i– iv. With the AW manager also sharing responsibility for task iv and tracking the progress and completion of tasks i, ii and iii. | |

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| 8 | **Informing birth parents** |
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| 8.1 | The child’s birth parents should be informed of the EP plan, their views sought and the benefits for the child explained. This should take place as soon as possible after EP has been identified as a possible plan for the child. There is an information sheet that can be downloaded from the CEPP website which can be given to birth parents, Concurrent Planning: Information for Birth Parents, Fostering for Adoption: Information for Birth Parents. This information should also be provided to the birth parents’ lawyers. |

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| 9 | **Initial Linking and Matching and the EP Placement Planning Meeting:** |
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| 9.1 | Any child with a possible plan for adoption within the 6 local authorities should be added to the AW tracking system to ensure that their progress is monitored and plans made for them as swiftly as possible.  The AW family finding team will take the lead on seeking potential EP and adoption placements, these placements may be within AW if available or made externally e.g. through SWAC.  Once possible EP carers are identified the child’s social worker should liaise directly with the AW supervising/assessing adoption social worker for the EP carers (this will probably be within AW but may be another Regional Adoption Agency). The EP carers PAR (and Addendum to the PAR if appropriate) should be shared with the child’s social worker. If the Initial Match looks like it might be possible an EP Placement Planning meeting should be held as soon as possible. Ideally this should happen prior to placement but if this is not achievable, as soon possible after placement (follow the **Early Permanence Placement Planning Meeting Protocol**). The Initial Match (i.e. both considering whether the carers are suitable to meet the interim needs of the child as well as potentially their long term ones) should be considered and a robust well-documented decision made and documented. The AW assessing social worker should complete the `Carers ability to meet needs’ (part 2) of the EP Referral Form. The EP Planning – Referral Form should be used to work through the suitability of the match and should form the basis for the Formal Matching presented to panel later in the process should the plan become one for adoption. This meeting should also identify if there is any further training or preparation needed for the EP carers in order to meet the needs of the child. |
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| 9.2 | The child’s social worker should confirm the envisaged contact arrangements and the implications should be discussed. They should also inform the meeting if there is any relevant information they are unable to share with the carers. If this is so, the child’s social worker should be prepared to provide the EP carers with information as to what type of information the LA can/cannot share due to court restrictions. If the AW social worker has any concerns about information sharing they should be discussed at the meeting and agreement reached. Each case will need to be considered separately but it is important that EP carers are aware that it may not be possible to share all of the information about the child with them at this stage. |

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| 10 | **The mechanics of an EP placement in the Adoption West area** |
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| 10.1 | If an initial match is agreed and the EP carers have already been dual approved by the AW Adoption and Permanence Panel **and** the court agrees the care plan, the child can be placed directly with the EP carers under fostering regulations.  However, if the EP cares have been approved for adoption by CCS-adoption or Action for Children they may not yet been approved by any fostering panel. If this is the case, then the placing LA will need to arrange for the EP carers to be approved by their own LA fostering panel. In order to do this, the social worker should book a date for them to attend the fostering panel and ensure that the panel administrator receives the relevant paperwork (PAR, Addendum to the PAR) in order that they are equipped to make the decision. The child’s LA should also allocate a fostering social worker to take them to fostering panel and oversee the placement (see para on after placement).  The fostering social worker should liaise closely with the AW adoption social worker throughout and the expectation is that the adoption social worker will also attend the fostering panel to support the concurrent carers. It is important that the fostering nature of the placement is adequately supervised, and statutory requirements adhered to. The Addendum to the PAR should outline the additional training and preparation the Adopters have received to prepare them for the fostering task. |

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| 11 | **The role of the EP carer’s supervising social worker** |
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| 11.1 | The role of the carer’s AW social worker is to ensure that the EP carers are provided with all the appropriate information about the child to enable them to make an informed decision about whether they can meet the child’s needs in both the short term and permanently if necessary. If the EP carers already have children (adopted or birth) the AW social worker will need to help them plan to prepare the children already in the family. |
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| 11.2 | It is also the role of the EP carer’s social worker to have assessed and prepared them for the task of EP (For additional guidance on assessment see Additional Components of Preparation Training for Concurrency Carers, Self-Assessment Tool for use with Potential Concurrent carers) It is essential that the carers:   * Understand the nature of EP and that the child may move back home or to another placement. This can be distressing for the child and the carers. The expectation of EP carers is that they are able to place the child’s needs first and continue to care for the child whilst constructively participating in the possible reunification/introduction plans. * Have been well assessed as both Adopters *and* EP Carers. They should have been given training on the fostering role and explored in depth with their assessing social worker their ability to cope with the uncertainty and potential losses involved in EP. * Are informed of the realistic potential outcomes of the EP plan at all stages. The social work task is to help the carers to manage their own emotions and remain child focussed. * Understand that uncertainty is inherent at all levels within EP, e.g. building the plan for any individual child, eventual outcome, medical health etc. * Are provided with enhanced support during the EP process. * Are kept informed of relevant court dates, assessment completions, police incidents or new contact arrangements etc. as this can help them manage the placement. * Are prepared to adopt the child should the LA conclude that reunification is not possible and the court grants a Placement Order. |

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| 12 | **The role of the child’s social worker** |
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| 12.1 | The role of the child’s social worker is to:   * Actively work on a plan of reunification whilst twin tracking a plan of adoption. * To liaise regularly with the EP carer’s social worker updating them on: on-going assessments, court dates, contact arrangements, police incidents and developments regarding the wider family, and the LA’s plan for permanence. Significant information should be passed on to the supervising adoption social worker a.s.a.p. and in the child’s social worker’s absence this is the responsibility of the child’s social worker’s line manager. * Support the emotional needs of the EP carers (in liaison with the AW social worker) and be mindful that whilst the EP carers are acting as foster carers, their intention is to adopt if a PO is made. * Undertake all the statutory requirements that apply to a traditional foster care placement and a Looked After Child. |

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| 13 | **The Agency Decision Maker** |
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| 13.1 | The Agency Decision Maker (ADM) of the child’s LA should be *informed* of the potential match and EP placement. Note that the ADM does not formally agree the match at this stage as adoption has not been agreed as the final plan for the child by the court. The LA is still twin or triple tracking and the Formal Match cannot happen until a Placement Order has been made. |
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| 13.2 | The LA’s medical advisor or other suitably qualified professional should be available to answer any questions in regard to known health information and the inherent uncertainty in relation to the child’s longer term health. This can assist the EP carers to make an informed decision as to whether or not they can meet the child’s life long needs. Each LA’s Medical Advisor should be prepared to meet or talk on the phone with EP carers at short notice to discuss the medical uncertainties/needs of a potential match (see Protocol on Sharing Medical Information in Concurrent Planning). |

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| 14 | **Initial Court Hearing for an Interim Care Order (ICO).** |
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| 14.1 | At the application for an ICO the court will make a decision on whether the threshold for removal has been reached and only then should it consider a plan for EP. However, it is possible to consider an EP plan for a child already subject to an ICO whether still living at home or in a temporary foster care placement. Each possible case should be considered on a case by case basis and care taken to try to achieve timely permanence for the child whilst not increasing the possibility of moves and disruptions. |

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| 15 | **Placement** |
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| 15.1 | If the ICO and care plan are agreed, transition meetings between the birth parents and the EP carers can be set up if risk assessed as safe. In reality such meetings may often be seen as too risky but the possibility should always be considered. This meeting should be prior to the first supervised contact with the child’s family. |
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| 15.2 | Legally the child is placed with the EP carers under fostering regulations and they act as foster carers for the child. |

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| 16 | **After Placement** |
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| 16.1 | After placement the EP carer’s social worker must ensure that the carers receive regular updated information about the child and the progress in the care planning. In order for this to happen there must be regular and clear communication set up between the child’s social worker and the EP carers’ supervising social worker. See above para. 12 onThe Role of the EP Carer’s Social Worker. |
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| 16.2 | Adoption West EP carers will have been dual approved at the Adoption and Permanence Panel.  If the carers are from an external agency it is possible that they may have been approved for EP by an Agency Adoption panel **only** and still need to go to the placing LA’s fostering panel for fostering approval.  If the latter is the case the manager from the Adoption Agency responsible for the placement and the Adoption West manager will need to ensure that fostering approval has taken place before a child can be placed with the EP carers. |
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| 16.3 | The child’s social worker is responsible for the on-going assessment of the birth parents. It is the LA’s responsibility to provide the birth parents with every opportunity to adequately meet the needs of their child. Birth parents should be given clear information about the plan for their child and the expectations of them. |
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| 16.4 | On-going communication and information sharing between the LA, AW, the CAFCASS Guardian and the IRO is essential at this stage. |
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| 16.5 | It is the responsibility of the IRO to acknowledge at the beginning of LAC review meetings the complex role of the EP carers. |
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| 16.6 | For external placements the placing LA must appoint a supervising foster care social worker at placement to work with the adoption supervising social worker to oversee that the fostering regulations are adhered to during the fostering phase of the placement. |
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| 16.7 | In general the expectation is that the adoption supervising social worker will undertake most of the support work, but that joint visits will also take place and the fostering social worker must be confident that the fostering task (reporting etc.) is being completed to a high standard. The fostering supervisor must give the concurrent carers a copy of the LA’s Fostering Handbook and ensure regular payments are made in line with the Interagency Fee Protocol for Concurrency Placements within the Partnership Area. This is available on the website: www.adoptionconcurrency.org |

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| 17 | **The Assessment Decision** |
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| 17.1 | There should be no surprises regarding the LA’s decision-making and with good communication the view of the LA regarding the right plan for the child should become clear during the assessment process. The AW social worker should have been working with the EP carers throughout the placement to help them manage the feelings and tasks associated with the emerging outcome. |

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| 18 | **If the plan is for reunification** |
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| 18.1 | If the plan is for reunification the EP carers’ AW social worker must support and prepare the carers to help the child to return to their birth family. The AW social worker should help them to remain child-centred throughout. The AW social worker can also help them to draw on the strengths and resources identified in their PAR that will help them to manage this loss and to manage their emotions. |
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| 18.2 | The child’s social worker should work sensitively with the EP carers with the plan for reunification appreciating that they had been prospective adopters for the child. |

18.3 AW will provide up to 6 counselling sessions for EP Carers where the child returns to birth family. This will be funded by the local authority responsible for the child.

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| 19 | **If the plan is for adoption** |
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| 19.1 | If the court agrees with the LA’s plan for adoption and grants a Placement Order the LA would proceed to Matching Panel and once the LA Agency Decision Maker formally approves the match the placement becomes an adoption placement. |
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| 19.2 | The fostering allowance will cease on the day of LA ratifying the match. |
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| 19.3 | Adoption leave and pay entitlements (if the EP carers are eligible) can commence from the date the EP placement commences. See the Adoption Leave and Pay Entitlements document for further information. |
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| 19.4 | An application for an Adoption Order can be lodged at any time after a child has been in the placement for over 10 weeks. But note that this does not have to be 10 weeks from the date of the Placement Order being granted, but could be 10 weeks from the date of initial placement with the carers. |
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| 19.5 | The EP carers’ adoption social worker should support the carers in the transition to this new status of placement. Some adopters may find it hard to shift from temporary foster carer to permanent adopter. |

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| 20 | **Financial arrangements:** |
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| 20.1 | **Fostering Allowance** |
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| 20.2 | The local authority responsible for the child will pay the foster care rate for age to the EP carers during the fostering phase of the care plan. |
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| 20.3 | **Setting Up the Placement** |
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| 20.4 | The placing local authority will pay for equipment of up to £250 for the set-up of the placement. This will only be following prior agreement with the placing authority and should be checked with the team manager in all cases.  Receipts would be required to trigger payments and discussion of what equipment is needed should happen in advance between the child’s and the EP carer’s social worker. Should the child move from the placement the equipment should move with the child or be returned to the LA. |
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| 20.5 | **Inter-agency fee:** If the EP placement involves the child’s local authority placing with an independent adoption agency the placing authority would pay the inter-agency fee at the point of the agency decision on the match. |
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| 20.6 | If the child is placed with a voluntary agency please consult the Interagency Fee Protocol for Concurrency on the website for detailed guidance about payments. |

21 **Relinquished Babies**

21.1 The term "relinquished baby" is used to describe a child under the age of 6 weeks whose parents are making the choice of adoption for the child.

21.2 In AW all relinquished babies should be considered for an EP placement.

21.3 Statutory adoption guidance sets out the process to be followed in the case of relinquished children under the age of six weeks. However, this guidance is based on the supposition that the adoption agency is approached in the early stages of the pregnancy and that the woman’s intention to relinquish does not waver. Experience has shown that this does not match the reality. The focus of AWs work with relinquishing birth mothers is based on the principle that adoption is a service for children and not a service for adults. Whilst the circumstances of mothers who have expressed a wish for their baby to be adopted must be carefully and sensitively considered, every effort will be made to explore the possibility of the mother or father caring for the child, or of the child being cared for within the extended birth family.

21.4 When AW is contacted with an initial referral of a potential relinquished baby the case will be allocated to an adoption social worker with the skills and knowledge necessary to counsel birth parents on the implications of adoption for the child, themselves and their wider family.

21.5 The AW social worker will co-work with the LA social worker on the case.

21.6 Following receipt of the referral to AW the child’s social worker and the AW social worker co-working the case will arrange to meet with the relinquishing mother and provide her with pre-birth counselling. The focus of this interview will be a general discussion of adoption and its legal and emotional implications and a discussion of available alternatives which should include: Staying with the parent or parents, with close support where possible; Long term placement within the child’s wider family; EP placement, with the aim of returning the child with support if possible; EP placement, with the aim of adoption by the EP carers.

21.7 T he rationale and process for making an EP placement should be explained to the birth mother, as well as the implications of such a placement and the legal implications of adoption. The birth mothers wishes and feelings should also be ascertained.

21.8 The birth mother should also be informed that where it is not possible to place directly with EP carers, the child will be placed with foster carers until suitable prospective adopters can be identified.

21.9 It is usual to include the father of the child in the counselling process. The birth mother should be encouraged to provide the father's name. His consent to adoption will be required if he has parental responsibility.

21.10 Reasons for not involving the father must be discussed with the LA Social Work Team Manager, and the AW Team Manager and legal services and any decision must be recorded.

21.11 Every effort must be made to elicit comprehensive family health background information - using BAAF medical forms. Information from both parents needs to be obtained.

21.12 Sharing Stories: Mediation for Life Story Work, is a service that works with EP carers and birth parents to gather good quality life story information for the child across the AW area. All relinquished baby cases (with birth parent consent) should initially be referred to the service by the child’s SW. The AW social worker should ensure this referral is made.

21.13 In the absence of an available and suitable EP placement the LA social worker will make a referral to their fostering team for a fostering placement.

21.14 When the child is born, the birth mother should be encouraged to register the birth and name the child. The baby will be placed with either the EP carers, with the signed agreement of the birth mother.

21.15 Once a decision for adoption has been made by the birth parent/s, and shortly after the baby is born an adoption panel date should be booked and information for the child permanence report should be collected. The report should be discussed with the birth parent/s and their wishes clearly recorded. The report content must be read and signed by the LA Social Work Team Manager.

21.16 The LA social worker should liaise with AW to refer the birth mother (and birth father with parental responsibility) to After Adoption for independent counselling prior to referral to CAFCASS to witness consent.

21.17 Where there is parental consent to the child's adoptive placement and/or advance parental consent to the child's adoption, and the child is more than 6 weeks old, the LA child's social worker must arrange for a written request to be sent to CAFCASS to appoint an officer to witness the consent.

21.18 The child's parent or guardian is able to withdraw their consent to the child's placement for adoption at any time up to the point where the prospective adopters apply for an Adoption Order by writing to the LA/AW.

21.19 On receiving the notice of withdrawal of consent the LA is required to immediately review its decision to place the child for adoption.

21.20 For more detailed guidance on specific Relinquished Babies procedures AW Tri.x Procedures and the LA Relinquished Baby procedure is one is in place.

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| 22 | **Essential Points** |
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| 22.1 | Every case that is being considered for EP must be reviewed on a case-by-case basis, but the essential key points are relevant to all cases where an EP placement is used:   * All professionals, birth parents and wider family should know when EP is being considered and if the child is placed with EP carers. * There must be regular, detailed communication between all professionals and the EP carers (following the protocols outlined above). * Regular meetings (every 6 weeks at least) should be held and chaired by a manager (or someone delegated by them) in the child’s LA. Minutes should be taken and distributed (follow the procedures outlined in the Early Permanence Planning Placement Meeting Protocol). * All professionals, EP carers and birth family members can access the project’s website for information, documentation or guidance (www.adoptionconcurrency.org). |