Calderdale Metropolitan Borough Council Children Looked After

Permanence Planning Policy

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# Defining Permanence

Department for Education (DfE) guidance on the Children Act 1989 sets out the following definition of what permanence should offer a child:

*‘a sense of security, continuity, commitment and identity … a secure, stable and loving family to support them through childhood and beyond’.*

Put simply, permanence means an enduring long-term commitment and stable family experience that enables the child to put down roots and creates a foundation for belonging. Permanence can be provided by the child’s parents or other relatives, other connected people, foster carers, Special Guardians, or adopters.

When children and young people experience permanence, they have one or more ‘family’[[1]](#footnote-1) members, including at least one parenting adult, who intend to always be there for them. If children /young people experience permanence they are more likely to maintain other important connections to the people around them such as their siblings and extended family members. Research evidence shows that children who grow up experiencing a sense of permanence are more successful in building and maintaining friendships and social connections.

Research tells us that when children come into care, the damage caused by separation from their birth family members can affect them for a long time. This may then create additional emotional and behavioural issues for the child as he/she is growing up[[2]](#footnote-2), in some cases resulting in the child requiring expert therapeutic support to help overcome these issues.

Permanence for children/young people has three particular aspects;

1. **Legal** - e.g. staying with birth parents who have [parental responsibility](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/parental_respons.html); Adoption; or court orders such as a [Child Arrangements Order](http://trixresources.proceduresonline.com/nat_key/keywords/chi_arrange_orders.html) or [Special Guardianship Order](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/special_guardianship_order.html);
2. **Psychological** - when the child/young person feels attached to an adult who provides a consistent, loving and secure relationship;
3. **Physical or environmental** - a stable home environment within a familiar neighbourhood and community where the child/young person's identity needs are met.

### Why does it matter so much?

Disruption of a child’s meaningful attachments to parents, siblings and other significant adults can create potential trust issues and relationship difficulties. Without a sense of permanence, children cannot settle, and anxiety can develop which sometimes manifests through behavioural and/or psychological issues later on in life. Children who experience fractured attachments often struggle to form and maintain trusting relationships in later life; however, a positive experience within a permanent substitute family, where the child experiences a consistent, secure and caring relationship(s) can go a long way in helping to reduce the long-term impact of previous experiences, enabling the child to develop a sense of trust and increasing self-esteem.

# Objectives in Permanency Planning

## Key Objectives

The objective of permanency planning is to ensure that all children/young people are provided with care arrangements that deliver continuity, consistency and security of care and support which positively promotes their individual sense of security, self-esteem, identity and other positive outcomes throughout and beyond the period of their childhood.

It is important to remember that older children/young people also need to achieve permanence in their lives, although they may not wish (for a variety of reasons) to be in a foster home, or to be adopted. For example, an older child/young person may prefer to live in a children’s home where he or she can also achieve a sense of security and belonging. In Calderdale it is our belief that every child/young person should be given the opportunity to develop lifelong relationships.

The question *"how are the child/young person's permanency needs being met?"* must be at the core of everything we do.

Calderdale Metropolitan Borough Council’s Children’s Services believes that all children have the right to experience family life, and that wherever it is consistent with their health and wellbeing, this should be within their own birth families. The driver for Permanency Planning in Calderdale is the Permanence Planning Meetings, which together with the Permanence Tracker Meetings, seeks to avoid drift and delay as well as sharing learning.

Where it is necessary for a child/young person to leave his/her family, this should be for as short a time as needed to secure a safe, supported return home, or, if the child/young person cannot be safely returned home, plans must be made for alternate permanent care.

In some cases, a child cannot be cared for by either of his/her birth parents because this would not be consistent with the child’s safety and wellbeing, or because neither of the child’s parents are able to look after him/her. Where this is the case, whether on a temporary or a permanent basis, the Authority must first look to place the child with a member(s) of his/her extended family (a ‘Connected Person’), provided that this is assessed as being consistent with the child’s welfare, with permanency then being secured through the appropriate legal order to meet the child/young person's needs.

Where it is not in the child's best interests to live within the family network, it will usually be in the interests of the child for alternative permanent carers to be identified and the placement secured through adoption, long term foster care, a Child Arrangements Order or a Special Guardianship Order;

Residential group living should only ever be considered if there is clear evidence to suggest that placement within a family is not appropriate to the child/young person's individual needs. In this situation the need for a residential placement must be clearly identified within the [Care Plan](http://trixresources.proceduresonline.com/nat_key/keywords/care_plan.html); after consultation and agreement with the Assistant Director, Early Intervention and Safeguarding.

For older children/young people the possibility of independent/supported living must be considered.

Where it is clear that a child/young person cannot appropriately remain in the care of his/her birth parent(s) or with a Connected Person, planning must be swift and clear to identify an appropriate permanent placement outside of the birth family network. Priority consideration should be given to forms of placement which will facilitate the child/young person's early discharge from public care provided that this is consistent with his/her welfare.

Wherever possible, care must be provided locally unless this is clearly identified as being inappropriate[[3]](#footnote-3).

Family time between the child/young person and his/her significant relatives should be facilitated (unless clearly identified as not being in the child’s best interests).

The professionals involved must work in partnership with parents/families to meet the above objectives. The wishes and feelings of the child/young person must be taken into account. The older and more mature the child/young person, the greater the weight that should be given to his/her wishes.

Wherever possible siblings should be placed together provided that this is in keeping with the assessed needs of each child/young person; when this is not possible or appropriate the reasons for placing them separately should be carefully explained to the children/young people (if of an age and understanding) and the birth relatives and recorded.

To avoid drift and children remaining for any longer than is necessary in placements which are deemed to be short term or bridging arrangements, every child in the care of the Authority should have a clear Permanence Plan or parallel plan in place by the time of his/her second CLA review. Where a return to parental care is not achieved this will support the child being able to move to a long-term placement appropriate to his/her individual needs with the minimum of delay. Good planning will also:

* enable the child to achieve a placement that is well suited to his/her individual long-term care and parenting needs;
* enable the child to move in a planned, knowledge driven and child focused manner, which will give him/her the best chance to settle and remain settled in his/her permanent home.

While there is no longer a requirement that local authorities must give due consideration to a child’s religious persuasion, racial origin and cultural and linguistic background when matching a child and prospective carers [including adopters], it remains best practice for these considerations to be given due weight, provided that this does not unduly delay achieving a permanent placement for the child. Given this, when undertaking permanency planning, the Authority will firstly seek to achieve culturally appropriate placements for children needing long term care, thus enabling the child/young person to be brought up within the same racial, cultural and religious environment as he/she would have experienced within his/her birth family; however no child/young person should be denied a permanent placement solely on the grounds that no prospective family is available which shares the child/young person’s racial heritage, culture or religion. Where a positive racial, cultural, and religious match is not achievable within a timescale appropriate to the individual child/young person, priority will be given to identifying a placement which will promote links with the child/young person's race, culture and religion of heritage. (The child's [Permanency Plan](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/permanence_plan.html) must evidence due consideration being given to the child’s cultural, religious and linguistic needs).

The Permanency Plan for a child needs to be developed carefully around the child, considering the child’s age, experiences, abilities and wishes. The plan should cover all aspects of moving the child on (or if appropriate confirming his/her short-term placement as his/her permanent placement) and where the child is subject to Care Proceedings, planning should begin before the Final Hearing as part of a twin tracking process. The earlier permanency planning starts the better the outcome for the child is likely to be, as information can be collected over a longer period and time can be given to gaining a full understanding of the child, his/her earlier life experiences and his/her birth family and relationships.

Conversations about the child’s long-term care and parenting needs need to evolve over time with the child’s social worker initiating discussions from an early stage with the child (if of an appropriate age and understanding), the significant birth family members, the foster carer(s) and any other professionals involved with the child and his/her birth parent(s), including those employed within health and education services. Discussions should be ongoing and actively encourage all of those with knowledge of the child to share their views so that as full an understanding as possible of the child’s experiences and needs can inform the future planning process.

It is generally accepted that Children Looked After do best when they feel informed and understand (at a level appropriate to each child’s stage of development) why different decisions are made about their care and education. Given this, time needs to be committed to facilitating children to talk with their social workers and their carers and to helping them to consider and understand the decisions made on their behalf.

For any child who is not yet in his/her permanent placement it is very important that his/her allocated social worker develops a relationship with the child and the child’s carer(s) which will facilitate the child’s active engagement in discussions and/or play sessions that will inform the Authority’s planning and decision making. A full understanding of the child’s needs will best enable a well-informed ‘match’ to be achieved.

The younger the child is when permanence is established the more likely the child is to develop secure attachments and to develop resilience and coping mechanisms that will protect him/her from future harm.

If Calderdale Children’s Services is to provide the best possible care for Calderdale Children Looked After, all kinship carers, foster carers and potential Special Guardians who the Authority recommends as being potentially suitable to care for a child/young person must have the capacity to provide permanence for the child(ren)/young people they are caring for or proposing to care for, including those who are Relatives and Friends or Connected Person Carers. This needs to be a fundamental aspect of all assessments, however the importance of familial ties and relationships with siblings must not be overlooked. The significance of each child/young person’s previous and existing relationships with his/her parent(s), siblings, and other significant adults and carers must be understood; the way in which the child/young person may be attached to a particular person will be different to the attachment that he/she has to another.

Children tend to be placed with short-term foster carers at short notice during a crisis with placements being largely dictated by availability rather than any child specific matching process. Given this, the short-term foster carer(s) who a child is placed with are unlikely to be the best long term or permanent carer(s) for the child unless a significant attachment has developed between the child and the carer(s) and the child has come to regard the carer(s) as his/her psychological parent(s).

## Permanence Tracking Meetings

This meeting is held monthly with additional meetings agreed when needed. Meetings are attended by Team and Service Managers in Children’s Services and a representative from the Regional Adoption Agency. Meetings also include an IRO representative. The purpose of the meeting is to ensure regular management oversight of all children who are subject to permanency planning and through this to ensure that undue delay is avoided and Care Planning is both timely and effective; the process will include discussion of cases that are not seemingly responding to the interventions put in place and those that are or are likely to be progressing through Legal Planning Meetings, PLO and/or Care Proceedings.

Responsible Team and Service Managers are invited to attend the meeting to discuss identified cases. A permanence tracker tool is used to establish/monitor the progress of each child

## Life Journey work

All Children Looked After need to develop an understanding of their individual life journey and the reasons as to why they may not be living with their birth parents or relatives. It is the role of each child’s social worker to incorporate this into his/her work with the child and to plan with others how best to achieve a record of the child’s life.

# Options for Permanence

Regulations require that a Permanency Plan is in place for every child/young person who is in local authority care by the time of his/her second CLA review (i.e. within 16 weeks of reception into care). Given this, Calderdale Children’s Services aims to ensure that a draft Permanency Plan is drawn up prior to each child’s second CLA review and confirmed at the Review Meeting.

The Permanency Plan will consider all assessments completed to date. If the child is subject to court proceedings it may need to be a parallel plan subject to the outcome of the proceedings.

The second and all subsequent CLA reviews will consider and amend/confirm the child’s Permanency Plan. All elements and steps within the Plan (all those aspects which will need to be managed to achieve the final agreed outcome) will be identified, and timescales set against each.

The options for permanence are:

* Placement with Parents (staying or returning home)
* Placement with a Connected Person (a relative or family friend)
* Adoption (including Early Permanence Placements)
* Long Term Fostering
* Child Arrangements Orders
* Special Guardianship
* Residential Placements
* Staying Put Arrangements

## Placement with Parents

The first stage within permanency planning is to undertake work with children/young people in need and their families to support them staying together. Staying at home will in most instances offer the child/young person the best chance of stability. Research shows that family preservation has a higher success rate than reunification. This must of course always be balanced against the risk of harm to the child/young person.

Calderdale Children’s Services does not advocate children being placed in parental care under the auspices of a Care Order following the conclusion of care proceedings; however, where the court deems this to be the most appropriate placement option the Authority will work within the regulations to best support any such placement.

Where it is proposed that any young person aged 16+ will leave Care to return home, the placement must be agreed at the young person’s CLA review, and the Care Plan then signed off by the Service Manager in line with the Placement with Parents Regulations. Where a young person elects to return home without this process having been completed in advance the process will need to be completed retrospectively. A written Support Plan must be in place before the child moves placement; this will usually be incorporated in the young person’s Care Plan/Pathway Plan.

## Placement with a Connected Person

[See **Calderdale’s** [Connected Persons Procedure for full det](https://calderdalechildcare.proceduresonline.com/p_place_con_pers.html)ails of the procedures].

If the conclusion of a Single Assessment is that the child/young person cannot safely remain at home, every effort must be made to secure placement with a Connected Person. This will be either as part of the plan to work towards a return home or - if a return home is clearly not in the child/young person's best interests - as the preferred permanency option. It is very important to establish at an early stage which of the child/young person’s relatives or family friends may be available to care for the child/young person, in order to avoid the kind of delays that can otherwise occur during court proceedings where this work has not been done.

Relative carers may need extra support to care for a child and, given this, there must be an active and coordinated Support Plan to support the process regardless of whether the child is also subject to a Child Protection or Child in Need Plan or is placed under the auspices of a Care Order:

* Where the child is subject to a Child Protection or Child in Need Plan, or is accommodation under S20 C7YP 1989, a written agreement should be in place detailing how the different agencies and services that are involved with the child will support him/her and his/her carer(s) and family members.
* Where the child is subject to a Care Order the carers must be approved as connected carers and receive ongoing support as such. The case will be monitored through the usual CLA review processes.

Where a placement with a relative or friend is being sought or has been achieved but has yet to be confirmed as being the child’s permanent placement option, Calderdale Children’s Services Permanence Tracker Meeting will track the progress of the case in order to ensure that there is no unnecessary delay which might impact on the welfare of the child concerned (see section 2.2 above).

## Adoption

[See [One Adoption West Yorkshire[[4]](#footnote-4) Practice Guidance](https://www.proceduresonline.com/oneadoption/oneadoption/index.html)for full details of the procedures].

The granting of an Adoption Order legally transfers parental responsibility for the child/young person from the birth parent(s) and any other(s) who had parental responsibility, including the local authority, permanently and solely to the adopter(s). Once legally adopted the child/young person is deemed to be the child of the adopter(s) as if he/she had been born to them. The child/young person's birth certificate is changed to an adoption certificate showing the adopter(s) to be the child/young person's parent(s). A child/young person who is not already a citizen of the UK acquires British citizenship if adopted in the UK by a UK citizen.

Research strongly supports adoption as a primary consideration and as a main factor contributing to the stability of children/young people, especially for those aged under four years who cannot be reunified with their birth parent(s) or provided with permanent care by a member of their extended family.

Calderdale Children’s Services is ambitious in its pursuit of adoptive placements for children in need of permanent families away from their birth parents and extended family networks. To this end, adoption should always be considered for children aged eight and under who cannot return to the permanent care of their parents or their wider family/friends network. Adoption will also in some cases be the appropriate placement plan for older children. All care planning must be fully compliant with relevant case law and guidance including Re BS.

Early Permanence is an umbrella term used when talking about certain types of adoption placements for babies or toddlers. It includes placements also referred to as Fostering for Adoption (FfA) and Concurrent Planning. Early Permanence helps to avoid delay in deciding a very young child's future, at a time in their life when days and weeks really matter.

Children who are in the care system from a very young age may experience foster placement moves, while the courts reach a decision about who will care for them in the long term. Research has shown that this level of disruption has a negative impact on a child’s mental health and development. Early Permanence removes this disruption by placing a child early on with approved adopter(s) who will act as foster carers during Court Proceedings. This means that, if the court agrees an adoption plan is in the best interests of the child, the child has a seamless transition from foster care to adoption, without having to move from a foster home where they have settled to a new adoptive family.

Early Permanence Placements must be considered for any child when Children’s Services are contemplating adoption after family members and their networks are ruled out as permanent carers for the child. This will link in with pre-birth assessments and Legal Gateway meetings.

Adopters may be supported, including financially, by the Authority, and will have the right to request an assessment of need for support services at any time after the Adoption Order is made.

Adoption has the following potential advantages as a Permanency Plan:

1. Parental responsibility for the child/young person is held exclusively by the adopter(s) once the Adoption Order is granted;
2. The child/young person is no longer [Looked After](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/looked_after.html);
3. No future legal challenge to overturn the Adoption Order is possible;
4. Decisions about continuing contact will usually be made by the new parents (on the child/young person's behalf) who are likely to be most in touch with the child/young person's needs, although this will be subject to any Contact/Child Arrangements Order made by the court at the time of the Adoption Order;
5. The child/young person is a permanent member of his/her adoptive family into adulthood.

Adoption has the following potential disadvantages as a Permanency Plan:

1. It involves a complete and permanent legal separation from the family of origin;
2. There is no review process following the granting of the Adoption Order.

As soon as adoption is under consideration (whether as the ‘Placement of Choice’ or as part of parallel planning) the allocated social worker must complete a number of tasks:

* Discuss the adoption plan or parallel plan with the child (if of an appropriate age and understanding), the birth parent(s) (including any putative father) and any other adult(s) who hold parental responsibility for the child;
* Provide the birth parent(s) and any other adult(s) who hold parental responsibility for the child with written information about adoption, this can be found via this link: <https://www.oneadoption.co.uk/information-and-support-first-parents-and-relatives>
* Arrange for the child to have a permanency medical (if not already completed), if adoption is the likely plan for the child then health partners should be informed when the child becomes looked after;
* Make a referral to One Adoption West Yorkshire (OAWY) in order for a family finder to be allocated and family finding actioned. A referral for a ShoBPA decision is made by emailing shobpa@oneadoptionwy.leeds.gov.uk . The CSW attends the ADM Meeting for the ShoBPA and then a Family Finder (FF) is allocated. The FF arranges an *Initial Family Finding Meeting* within two weeks of ADM agreeing the adoption plan. This meeting is attended by FF and CSW and, if appropriate, the foster carer.

Once adoption is the local authority’s Care Plan for the child, the allocated social worker must also:

* Seek a Placement Order through the ongoing Care Proceedings process [unless the child is being voluntarily relinquished for adoption by the birth parent(s) and there are no concerns that would warrant the Authority opposing the child returning to parental care should they in the future change their mind/s];
* Confirm the Care Plan with OAWY;
* Advise the child’s parents (and any other relatives who may benefit from referral to the service) of the PAC UK First Families Service (which is able to provide advice and support to the relatives of any child(ren) who are subject of an adoption plan; this advice and support is provided by a Social Worker who is independent of the child’s placing authority);
* Work closely with the allocated family finder within OAWY in order to achieve a timely placement for the child.

Depending on the child’s age and understanding he/she should also be supported to understand his/her situation and what adoption will mean for him/her. OAWY have produced a written guide for children about adoption and this can be used to discuss adoption with the child if appropriate. <https://www.oneadoption.co.uk/support/information-people-who-have-been-adopted>Alternatively a range of children’s story books are available via CoramBAAF (and other suppliers) which are suitable to be used with children of different ages.

When a potentially suitable prospective adoptive family is identified, they must be provided with full information about the child and his/her family background and circumstances, in order to facilitate them reaching an informed decision about whether or not they are likely to be able to provide appropriate care and parenting for the child. Where children do not have a Placement Order (PO) in place, but adoption is the primary Care Plan for the child, consent of the court is needed before information can be shared with prospective adoptive families.

Where the child is of an appropriate age and understanding life work must be undertaken with the child to prepare him/her for his/her new placement. This should, wherever possible, be undertaken by the child’s social worker. The CLA review process will consider how this might best be achieved and will monitor that this is being/has been done.

**Note**: For full details of the adoption family finding process please see [One Adoption West Yorkshire Practice Guidance Section 3](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html).

Calderdale Children’s Services Permanence Tracker Meeting will track the progress of all cases where the Placement Order has been granted but no placement has been identified within three months (see **section 2.2** above).

## Long Term Fostering

[See **Calderdale’s procedures around** [**Placement in Foster Care and Long-term Fostering and the Long-term Fostering flow chart**](http://wokinghamchildcare.proceduresonline.com/chapters/p_app_spec_guard.html)  for full details of the procedures].

Long term/permanent foster care can offer stability and security for children and young people in care. It is often the most suitable placement option for older children who have strong and well-established relationships with their birth parents and/or wider family members. It is also sometimes a positive placement option for younger children whose emotional and practical care needs (often arising from a disability or assessed emotional difficulties) require significant input from partner agencies and whose foster carer(s), whilst wishing to provide permanent care for the child, have concerns about losing the corporate parenting role and associated support from the local authority. Long term/permanent foster carers can help children to manage and negotiate what can be complex relationships with their birth families.

Long-term fostering has the following potential advantages as a Permanency Plan:

1. The local authority retains a role in negotiating between the foster carer(s) and the birth family over issues such as contact;
2. There is continuing social work support to the child/young person and the foster family in a placement that is regularly reviewed to ensure that the child/young person's needs are being appropriately met;
3. It maintains the legal relationship between the child/young person and his/her birth family members who can still play a part in the decision making for the child/young person[[5]](#footnote-5).

Long-term fostering has the following potential disadvantages as a Permanency Plan:

1. Lack of [parental responsibility](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/parental_respons.html) for the carer(s);
2. Continuing social work involvement in both the child/young person’s and his/her carer(s)’ lives;
3. Regular [Looked After Reviews](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/looked_aft_review.html), which may be destabilising to the placement;
4. Possible stigma attached to the child/young person due to him/her being in local authority care;
5. The child/young person is not a legal member of his/her foster family. If difficulties arise there may be less willingness on both sides to persevere and seek a resolution;
6. Post 18 (or post-21 if a ‘Staying Put’ arrangement is agreed) the carer(s) will have no responsibilities towards the young person (although this will not prevent an ongoing relationship if both parties choose to maintain one).

Where a child/young person’s specific individual needs mean that adoption or Special Guardianship is not the appropriate Care Plan, the Authority will always endeavour to secure a long term/permanent foster placement specifically for the young person. This will be done at the earliest possible stage to ensure that the child/young person does not experience ‘drift’ in respect of his/her placement. This may be achieved through converting the child/young person’s short-term foster placement to a long-term placement or by identifying a new placement for the child/young person. Either way this will entail an assessment and matching process.

The Authority recognises that the average time (days) between a child entering care and moving in with its adoptive family, adjusted for foster carer adoptions, for children who have been adopted, the target timescale around achieving a positive ‘match’ is 403 days. To achieve parity for children/young people with a long-term fostering plan, the Authority aims to identify a positive ‘match’ for each child/young person within 403 days of becoming looked after.

Prior to the second CLA review, if the Permanency Plan for the child/young person is likely to be long term fostering, the allocated social worker should:

* Discuss with the current foster carer(s) Supervising Social Worker whether the foster carers wish to care permanently for the child/young person, irrespective of whether the foster carer is in-house or registered with an IFA.

**Note**: Any such discussions with the carer(s) should not take place in the main CLA review where the child/young person may be present;

and / or

* Discuss wider family finding with the External Placement Team including the creation of a profile and matching criteria. The External Placements Team/Fostering will then be charged with undertaking any searches/publicity necessary to recruit a suitable carer(s).

While the External Placements Team will hold responsibility for identifying potentially suitable long term foster carers for the child/young person, the child’s social worker must remain actively involved in the selection of the ‘Family of Choice’ as it will be him/her who knows the child best and who is charged with ascertaining and representing the child’s wishes and views regarding his/her future placement.

## Child Arrangements Orders

Child Arrangements Orders were introduced in April 2014 by the Children and Families Act 2014 (which amended section 8 Children Act 1989). They replace [Contact Orders](http://trixresources.proceduresonline.com/nat_key/keywords/contact_order.html) and [Residence Orders](http://trixresources.proceduresonline.com/nat_key/keywords/residence_order.html).

A Child Arrangements Order is a court order regulating arrangements relating to any of the following:

1. Who the child/young person (who is the subject to the order) is to live with, spend time with or otherwise have contact with;

and

1. When the child/young person is to live with spend time with or otherwise have contact with a particular person.

The 'residence' aspects of a Child Arrangements Order (i.e. who the child/young person is to live with/when the child/young person is to live with the person) can last until the child/young person reaches 18 years unless discharged earlier by the court or by the making of a [Care Order](http://trixresources.proceduresonline.com/nat_key/keywords/care_order.html).

The ‘contact’ aspects of a Child Arrangements Order (who the child/young person is to spend time with or otherwise have contact with and when) will cease to have effect when the child/young person reaches 16 years, unless the court is satisfied that the circumstances of the case are exceptional.

Any person named in the order as a person with whom the child/young person is to live, will have [parental responsibility](http://trixresources.proceduresonline.com/nat_key/keywords/parental_respons.html) for the child/young person while the order remains in force. Where a person is named in the order as a person with whom the child/young person is to spend time or otherwise have contact, but is not named in the order as a person with whom the child/young person is to live, the court may provide in the order for that person to have parental responsibility for the child/young person while the order remains in force, but this will not otherwise be the case.

Child Arrangements Orders are private law orders and cannot be made in favour of a local authority.

Any court which is considering making, varying, or discharging a Child Arrangements Order, including making any directions or conditions which may be attached to such an order, must have regard to the paramountcy principle, the ‘no order’ principle and the welfare checklist under the Children Act 1989.  Interim Child Arrangements Orders can be made.

Where a child would otherwise have to be placed with strangers, a placement with family or friends/Connected Persons may be identified as a preferred option and the carers may be encouraged and supported to apply for a Child Arrangements Orders where this will be in the best interests of the child.

The holder of a Child Arrangements Order does not have the right to consent to the child's adoption nor to appoint a guardian; in addition, he/she may not change the child's name nor arrange for the child's emigration without the consent of all those with parental responsibility or the leave of the court.

Whilst support may continue for as long as the Child Arrangements Order remains in force, the aim will be to make arrangements which are likely to be self-sustaining in the long-term.

As was the case with Contact and Residence Orders, any person can apply for a Child Arrangements Order. The following can apply for a Child Arrangements Order without needing the leave of the court.  In addition, any person who is not automatically entitled to apply for a Child Arrangements Order may seek leave of the court to do so:

* Any parent (whether or not they have parental responsibility for the child), guardian or Special Guardian of the child;
* Any person named, in a Child Arrangements Order that is in force with respect to the child, as a person with whom the child is to live;
* Any party to a marriage (whether or not subsisting) in relation to whom the child is a child of the family - this allows step-parents (including those in a civil partnership) and former step-parents who fulfil this criteria to apply as of right;
* Any person with whom the child has lived for a period of at least three years - this period need not be continuous but must not have begun more than five years before, or ended more than three months before, the making of the application; or
* Any person:
* Who has the consent of each of the persons named in a Child Arrangements Order as a person with whom the child is to live;
* Who where there is an existing order for care in force, has the consent of each person in whose favour the order was made;
* In any case where the child is in the care of a local authority, who has the consent of that authority;
* In whose favour a Child Arrangements Order has been made in relation to the ‘contact’ aspects and who has been awarded parental responsibility by the court (i.e. they would be able to apply for a Child Arrangements Order in relation to the ‘residence’ aspects);
* Who in any other case, has the consent of everyone with parental responsibility for the child.
* A local authority foster carer is entitled to apply for a Child Arrangements Order relating to who the child is to live with, and/or when the child is to live with any person, if the child has lived with him/her for a period of at least one year immediately preceding the application;
* A relative of a child is entitled to apply for a Child Arrangements Order relating to who the child is to live with, and/or when the child is to live with any person, if the child has lived with the relative for a period of at least one year immediately preceding the application. (A relative is a child's grandparent, brother, sister, uncle or aunt (by full or half-blood), or by marriage or civil partnership.)

A Child Arrangements Order specifying with whom the child is to live has the following advantages:

1. It gives parental responsibility to the carer whilst maintaining the parents' parental responsibility;
2. The child will no longer be Looked After and there therefore needs to be no social work involvement, unless this is identified as necessary;
3. There is no review process;
4. The child will not be Looked After and so less stigma is attached to the placement.

A Child Arrangements Order has the following disadvantages:

1. It is less secure than Adoption or Special Guardianship in that an application can be made to revoke the Order (however, the court making the order can be asked to attach a condition refusing a parent's right to seek revocation without leave of the court);
2. There is no formal continuing support to the family after the Order is made (although in some instances, a Child Arrangements Order Allowance may be payable by the local authority);
3. There is no professional reviewing of the arrangements after the Order unless a new application to court is made, for example by the parents for contact or revocation. (**Note:** New applications to court may be expensive to defend, and the carers would have to bear the cost if not entitled to assistance with legal costs.)

## Special Guardianship Orders

[See **Calderdale Applications for** [Special Guardianship Orders Procedure for full details of the procedures].](https://calderdalechildcare.proceduresonline.com/p_spec_guard.html)

Special Guardianship addresses the needs of a significant group of children/young people, who need a sense of stability and security within a placement away from their birth parent(s) (and sometimes other relatives) but not the absolute legal break with their birth family that is associated with adoption. It can also provide an alternative way of achieving permanence in families where adoption, for cultural or religious reasons, is not an option.

Special Guardianship Orders (SGOs) are usually granted in one of two situations:

* Where the child/young person is subject to Care Proceedings and a relative/s or other adult/s (already significant to the child) commits to caring for the child, subject to a return to parental care not being achieved. In this scenario, the prospective carer(s) will be assessed within the proceedings, either before or after the child is placed in their care.
* Where the child/young person has previously been placed with a foster carer(s) on either a short- or long-term basis and the carer(s) have established an attachment to the child and want/s to commit to the child becoming a permanent and legally recognised member of their family, with the intention of the child remaining as a permanent member of the family through-out the remainder of his/her childhood.

**Note**: A Special Guardianship Order will expire when the child reaches his/her 18th birthday, however any assessment should explore the carer’s longer-term commitment to supporting the child post-eighteen as he/she moves on into his/her adult life.

 A child may be of any age up to his/her 18th birthday when a Special Guardianship application is considered.

**Note**: Special Guardianship Orders in favour of a relative are often the court’s preferred permanency option for children who are subject to Care Proceedings but unable to be safely returned to parental care, and during Care Proceedings the local authority is often required to consider and assess a wide range of family members to ensure that all possible options for legal permanency within the extended family network have been considered. Generally completing an in-depth Viability Assessment in the first instance will confirm whether a full assessment should be progressed.

The following persons may apply for a Special Guardianship Order:

1. Any guardian of the child/young person;
2. A local authority foster carer with whom the child/young person has lived for at least one year immediately preceding the application;
3. Anyone who is named in a Child Arrangements Order as a person with whom the child is to live;
4. Anyone with whom the child/young person has lived for 3 out of the last 5 years;
5. Where the child/young person is subject of a [Care Order](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/care_order.html), any person who has the consent of the local authority;
6. Anyone who has the consent of all those who hold parental responsibility for the child/young person e.g. anyone, including the child/young person, who has the leave of the court to apply.

The parent(s) of a child/young person may not become the child/young person's Special Guardian(s).

A Special Guardianship Order offers greater stability and security to a placement than a Child Arrangements Order in that, whilst it is revocable, there are restrictions on those who may apply to discharge the order and the leave of the court, if required, will only be granted where circumstances have changed since the Special Guardianship Order was made.

Special Guardians acquire parental responsibility for the child/young person and although this will be shared with the child/young person's birth parent(s), the Special Guardian(s) will have the legal right to make all day-to-day arrangements for the child/young person. The parent(s) will still have to be consulted and their consent required to the child/young person's change of name, adoption, placement abroad for more than 3 months and any other such fundamental issues.

A Special Guardianship Order made in relation to a child/young person who is the subject of a Care Order will automatically discharge the Care Order and the local authority will no longer have parental responsibility.

Special Guardians may be supported financially or otherwise by the local authority and, as with adoptive parents, will have the right to request an assessment of need for support services at any time after the Order is made.

Special Guardianship has the following potential advantages as a Permanency Plan:

1. The Special Guardian(s) have parental responsibility and clear authority to make decisions on day-to-day issues regarding the child/young person's care;
2. There is added legal security to the Order in that leave is required for the birth parent(s) to apply to discharge the Order and will only be granted if a change of circumstances can be established since the original Order was made;
3. It maintains the child/young person's legal links with his/her birth parent(s) and wider family members;
4. The child/young person will no longer be in care and there need be no social worker involvement unless this is identified as necessary, in which case an assessment of need for support services must be undertaken by the relevant local authority.

Special Guardianship has the following potential disadvantages as a Permanency Plan:

1. The Order only lasts until the child/young person is 18 and does not necessarily bring with it the same sense of belonging to the Special Guardian(s)' family as an Adoption Order does;
2. As the child/young person is not a legal member of the family, if difficulties arise there may be less willingness on both sides to persevere and seek resolution;
3. Although there are restrictions on applications to discharge the Order, such an application is possible and may be perceived as a threat to the child/young person's stability. Defending any application may also prove very expensive for the Special Guardian(s).

Where a SGO is being sought Calderdale Children’s Services Permanence Tracker Meeting will monitor the progress of the case to ensure that there is no unnecessary delay which might impact on the welfare of the child/young person concerned.

## Residential Placements

Young people who are aged 13 and over will usually be placed in residential placement for one of two reasons:

* The young person is presenting a level of emotional and/or behavioural difficulties that suggests that a family-based placement, even with very experienced carers, is unlikely to be able to contain and safely manage his/her presenting behaviours (i.e., the young person’s presenting behaviours pose a significant level of risk to him/herself and/or his/her carer(s) and/or any other child(ren) within a placement);
* The young person is actively requesting to be placed in residential care, as he/she does not feel ready to or feels unable to live within a family.

No young person aged under 13 should be placed as a long term/permanent placement in residential accommodation. Placement searches for foster placements should not cease at any age as Calderdale Metropolitan Borough Council’s Children’s Services believes that all children have the right to experience family life in a substitute family if they cannot return to their family or wider family networks.

Such placements should typically only be made where there is agreed joint/tri-partite funding and where an up-to-date assessment identifies that residential care is the most suitable placement option for a young person and this has been confirmed at the CLA review. Any placement agreed should be able to work intensively with the young person to prepare him/her for a return to family-based care in the longer-term, whether this is with one or both of his/her birth parents, with an extended family member(s) or with a foster carer(s). All residential placements will be monitored through the CLA review process to ensure that all services are working collaboratively to achieve the longer-term placement of the young person back in a family setting.

The funding for all proposed residential placements will need to be agreed by the Assistant Director, Early Intervention & Safeguarding before the proposed placement is agreed, regardless of the anticipated length of the placement, using the External Placement process and forms.

## Staying Put Arrangements

Under the Care Leavers (England) Regulations 2010, Planning Transition into Adulthood for Care Leavers Guidance and Government Staying Put Guidance (2013), the Authority must provide information about extending placements beyond the age of 18. These are known as Staying Put arrangements. The Authority has an up to date Staying Put policy and actively encourages and supports young people to remain with their carers beyond the age of 18.

Discussion should start with the young person and his/her foster carer(s) regarding the option of staying put as early as possible, ideally before the young person reaches the age of 16. Where a child/young person is formally matched with his/her foster carer(s) on a long term/permanent fostering basis, the potential for a Staying Put arrangement should be discussed as part of the matching and Panel process regardless of the age of the child/young person on placement.

If this has not already been done, the first CLA review following the child’s 16th birthday must consider whether a Staying Put arrangement should be an option. This will entail assessing the implications for both the young person and the foster carer(s).

# Permanence and Local Placement

Where a child/young person is placed with long term carers other than adopters, it is generally important that the child/young person continues to have access to the family, friends, or community within which he/she was previously brought up and which form part of his/her identity and his/her likely long term support network. For these reasons children/young people should be placed in local provision wherever possible.

Any decision to place a child/young person away from his/her community should be based on the needs of the child/young person and considered within the context of a Permanency Plan. Where an alternative family placement is sought in another local authority, the likely availability and cost of suitable local resources to support the placement must be explored. In the case of an adoptive placement, this will be required as part of the assessment of need for adoption support services, but a full exploration of available resources should be carried out in relation to any permanent placement.

# Negotiating and Monitoring IFA Placements

All contracts relating to placements with carers approved via Independent Fostering Agencies (IFAs) are negotiated via the External Placements Team.

The funding for all proposed IFA Placements will need to be agreed through the External Placement Panel process prior to the Foster Panel/ADM being asked to recommend the proposed ‘match’. This includes placements for children who are already in placement with the same carer(s) on a short-term basis.

It is the joint responsibility of the child’s social worker and the supervising social worker to complete the required Matching Report and to present the report to the Foster Care Panel/ADM.

The contract issued in respect of each placement must detail the expectation that:

* The supervising social worker for the carer/s will forward a copy of his/her case recording to the child’s social worker on at least a monthly basis in order to enable Calderdale Metropolitan Borough to fulfil its safeguarding responsibilities;
* The IFA will provide opportunity for the child’s social worker to comment on the care provided to the child prior to the carer(s)’ annual carer(s)’ review and to raise any points of concern;
* The IFA will provide the child’s social worker and the External Placements Team Manager with a copy of the carer(s)’ annual carer(s) review as soon as it is available.

Where a child is placed in an IFA placement on a long-term basis, the Team Manager of the External Placements Team will monitor the progress of the placement. The Team Manager of the External Placements Team will review each case after the carer(s)’ annual review (and any associated Panel minute) is received and will contact both the carer(s)’ supervising social worker and the child’s social worker to ascertain their views on the stability of the placement and whether the existing support plan is adequate or requires review. Where a review of the Support Plan is required, this will be discussed and agreed at the CLA review. A summary will then be presented to the External Placement Panel which will review every out-of-borough long term foster placement on a six-monthly basis.

# Assessing the child/Young Person’s Permanency Needs and Planning for Permanency

Assessments of a child/young person's needs in relation to his/her Permanency Plan must:

1. Focus on outcomes;
2. Consider stability issues, including:
* The child/young person and his/her family's needs for long-term support;
* The child/young person's needs for links, including contact, with his/her parent(s), siblings, and wider family network.

Social workers must ensure that the child/young person's Permanency Plan is clearly linked to previous and ongoing assessments of the child/young person's needs. The following table presents a brief, research-based checklist of considerations about, Long-term Fostering, Child Arrangements Orders, Special Guardianship Orders and Adoption.

|  |  |  |
| --- | --- | --- |
| **Child Arrangements/Special Guardianship Orders** | **Adoption** | **Long Term Fostering** |
| Child/young person needs the security of a legally defined placement with alternative carers, but does not require a lifelong commitment involving a change of identity | Child/young person's primary need is to belong to a family who will make a lifelong commitment to him/her | Primary need is for a stable, loving family environment whilst there is still a significant level of continued involvement with the birth family |
| Child/young person's relative foster or other carer needs to exercise day to day parental responsibility and is prepared to do so as a lifelong commitment | Child/young person's birth parents are not able or not willing to share parental responsibility to meet their child's needs, even though there may be contact | Child/young person has a clear sense of identity with the birth family, whilst needing to be looked after away from home |
| There is no need for continuing monitoring and review by the local authority, although support services may still need to be arranged | Child/young person needs an opportunity to develop a new sense of identity whilst being supported to maintain or develop a healthy understanding of his/her past | There is need for continuing oversight and monitoring of the child/young person's developmental progress |
| Child/young person has a strong attachment to the alternative carers and legally defined permanence is assessed as a positive contribution to his/her sense of belonging and security | Child/young person expresses a wish to be adopted | Birth parents are able and willing to exercise a degree of parental responsibility |

In considering the child/young person's permanency needs, full consultation with family and community networks should be undertaken to establish the child/young person's attachments and supports.

In all cases, the child/young person's own wishes and feelings must be ascertained and considered (whilst recognising the child’s age and level of understanding of his/her situation).

As detailed above, by the time of the second CLA review the child/young person must have a Permanence Plan (incorporated into the [Care Plan](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/care_plan.html)), and this must be considered at the review.

If it seems unlikely that rehabilitation to either of the child’s parents will succeed all other possible alternatives must be considered, including placement options within the extended family and the possibility of fostering, Special Guardianship, and adoption (including Early Permanence Placement to facilitate the early placement in the child’s potential adoptive placement).

Where the plan is to attempt rehabilitation to one or both of the birth parents or a wider family member(s) but the outcome is uncertain, parallel planning should be pursued. This could mean that a plan for long-term fostering or adoption runs alongside the plan for rehabilitation and/or exploration of the extended family. If this is the case then some preparatory work in relation to fostering or adoption can begin, thus potentially avoiding later delay in achieving a permanent placement for the child.

If the chances of the child ultimately being placed for adoption are high the possible merits of an Early Permanence Placement must be considered. Until assessments have been completed i.e. all family members and their networks have been ruled out as permanent carers for the child, an adoption plan for the child cannot be finalised, however an Early Permanence Placement can be pursued with the child being placed with his/her prospective adopter(s) on a fostering basis until a Placement Order is granted – see[Practice Guidance – Fostering for Adoption](https://calderdalechildcare.proceduresonline.com/p_foster_for_adopt.html) (LA’s procedures) and <https://www.proceduresonline.com/oneadoption/oneadoption/p_early_perm.html>

Where the Permanence Plan includes a [Parallel Plan](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/parallel_plan.html), the social worker must ensure that the parent(s) are informed of the reasons why two plans are being made; i.e. to meet the child/young person's needs and prevent possible future delay.

Calderdale Children’s Services Permanence Tracker Meeting will track the permanency planning for all children who are not yet in their permanent placements, in order to ensure that timely decisions are made on their behalf (see **section 2.2** above).

# Procedural Guidance

## Management Responsibility

The Permanency Planning process for all Looked After children is managed by the Locality Team Managers under the oversight of the Permanence Panel which is attended by the Service Manager Locality Teams and Service Manager Permanence & Sufficiency.

## Decision Making Processes

Permanence Planning informs a**child’s care plan**, which is formally agreed at the child/young person's second CLA review. Given this, unless rehabilitation to one or both birth parents is the identified and clearly achievable plan, the Team Manager of the Fostering Team should be notified in advance of the review in order to ensure that a member of the fostering team can be fully involved in the review process. While the Manager of the External Placements Service will not be directly responsible for managing the permanency planning process if the young person is aged 14 or over, any decisions around permanence made at the review are likely to have implications for the work of both the External Placements and Fostering Teams.

The development of this permanency plan requires the review meeting to reach conclusions as to whether the child/young person's need for permanency is likely to be best met by:

* Future re-unification with one or both of his/her parents;
* Placement with a Connected Person (under fostering regulations or under a Child Arrangements Order or a Special Guardianship Order);
* Placement with long-term foster carers;
* Placement with prospective adopters;
* Placement in residential care.

The needs of older children/young people may be best met by placement with carers who are able to offer them 'placement to independence' whilst accepting that the child/young person's primary attachments will remain elsewhere.

The decision-making process will be informed by the child/young person's social worker presenting the findings of the Statutory Assessment (and other relevant reports) and outlining their recommendations to the review meeting.

When planning for permanency one needs to consider, amongst other factors:

* What type of placement will best meet the child/young person's needs?
* The implications for siblings of being placed together or separately;
* What level and type of contact (with both the child/young person's parent(s) and wider family members) will best meet the child/young person's needs?
* What legal arrangements will best promote the child/young person's welfare?
* What other inputs/actions are needed to promote the child/young person's self-esteem and identity?
* What other actions are required to facilitate best outcomes?

Where re-unification to one or both parents is not an option, priority consideration should be given to forms of placement which will facilitate the child/young person's early discharge from public care - so long as this is consistent with his/her welfare.

Adoption can provide some unique advantages for some children/young people who are unable to return to parental care. The option of adoption should always be considered when children/young people cannot return home (see [One Adoption West Yorkshire Policy](https://www.proceduresonline.com/oneadoption/oneadoption/p_place_adop.html) for further details).

## Avoidance of Delay

Delay is generally detrimental to children/young people and should be avoided where possible. If a decision is needed before the second CLA review would normally take place, then the review should be convened early. Likewise, action to explore options within the child/young person's kinship network should begin from an early stage even if the plan is time-limited assessment.

In some instances, where at the second CLA review stage there is a need for further assessments to be completed or the outcome of court proceedings is awaited, the review meeting should consider pursuing "parallel planning", progressing work to identify possible long-term permanent carers whilst also continuing to work to promote the child/young person's return to parental care. When this occurs, particular care should be taken in explaining the planning process to the parent(s) with emphasis being placed on the department's wish to achieve re-unification provided this is consistent with promoting the child/young person's welfare.

In situations where the plan is for future re-unification with one or both parents, but the outcome is uncertain, a parallel plan should be developed to reduce any future delay in placing the child/young person in an alternative long-term placement should re-unification not prove to be appropriate/achievable.

The review meeting should also consider and agree:

* The timescales for achieving the overarching plan;
* Whether a family group conference should be convened;
* Which other professionals should be asked to contribute to future planning for the child/young person e.g., health, education etc.;
* Whether a formal permanency planning meeting should be convened;
* What arrangements need to be made to ensure that the child/young person, the parent(s) and other relevant parties are fully informed and consulted about the plan;
* Who will be responsible for implementing any of the above;
* The process for monitoring the agreed timescales for implementation of the plan.

## Family Group Conferencing

The possibility of holding a family group conference should be considered in all cases where a child/young person cannot return to the care of one or both of his/her parent(s), however if the case is in Care Proceedings the role of the birth family in the planning and/or placement process may have already been defined. A family group conference can also be a helpful way of identifying additional supports when plans are made for a child/young person to return to parental care (see **Calderdale procedures on** [Family Group Conferencing](https://calderdalechildcare.proceduresonline.com/p_fam_grp_conf.html) **for further details**).

## Permanency Planning Meetings

A permanency planning meeting should be held prior to the second CLA review meeting in order to identify the "overarching permanency plan"[[6]](#footnote-6) which should then be discussed and recommended at the review. In cases where early confirmation of the permanence plan is required e.g., baby relinquished at birth for adoption, a permanency planning meeting should be convened at the earliest opportunity and the first CLA review meeting can then confirm the plan. These meeting will usually be chaired by the Team Manager within the appropriate fieldwork team (but they may on occasions be chaired by the Practice Manager if appropriate).

Calderdale Metropolitan Borough Council is a member of the One Adoption West Yorkshire Regional Adoption Agency (OAWY); given this, where the permanency plan is for adoption, responsibility for permanence planning will still rest with the Authority, however in terms of progressing the adoption plan (once agreed) the [One Adoption West Yorkshire Practice Guidance](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html)should be followed.

Regardless of whether the permanency plan is for[[7]](#footnote-7):

* Re-unification with parent(s);
* Placement with relative or friend carers (under fostering regulations or under a Child Arrangements Order or Special Guardianship Order);
* Placement with long-term/permanent foster carers;
* Placement with unrelated adopters;

The permanency planning meeting should:

* Confirm the assessed needs of the child/young person (including any needs relating to his/her culture, religion, health, education, contact with significant relatives etc.);
* Agree the detailed arrangements that will underpin the "overarching plan", e.g. type of placement required, geographical location preferred, future contact arrangements, court processes, legal orders and any requirement to seek legal advice or to present the child/young person and/or his/her future proposed placement to the fostering or adoption panel etc.;
* Identify the competencies that will be required of future carers;
* Agree the specific actions that need to be taken to progress the permanency plan, e.g. family finding or referral to OAWY for family finding[[8]](#footnote-8), completion of permanence medical, presentation to panel, achieving ADM decision, making an application for a Placement Order etc.;
* Agree who is responsible for taking specific actions;
* Agree timescales;
* Consider what action should be taken if some aspects of the permanency plan cannot be achieved within reasonable timescales.

The Initial Permanency Planning Meeting should follow an agreed agenda (although this is intended to be a tool to steer discussion and should not be seen as being prescriptive) – See **Appendix 2 - Agenda for Permanency Planning Meetings.**

The chair is responsible for ensuring that the meeting is appropriately minuted and the agreed actions recorded, and that a date for a further meeting is set as appropriate. It is important that the Permanency Planning Process is kept 'on track' to avoid undue delay in achieving permanency for the child/young person if a return to parental care is not achievable - for this reason Permanency Planning Meetings should be held at least every 12 weeks unless there are significant delays within the court process which suggest that it would be inappropriate for permanency planning to be being actively pursued. In these instances, the decision will rest with the nominated Chair who should consult with the child(ren)’s IRO. A Case Note should be entered on the child(ren)’s case file/s detailing any such decision.

### The Constitution of the Meeting

The Permanency Planning Meeting should be set up by the child/young person's social worker and the following individuals should be invited to attend:

* The identified Chair (the initial PPM following the child being made looked after must be chaired by the Team Manager, through proceedings should then be chaired Practice Manager, once court proceedings have been concluded the Practice Manager may delegate the Chair to an Advanced Practitioner or a Level 3 social worker who has experience around permanence planning);
* Supervising Social Worker for the foster family;
* The child/young person's Family Finder (if identified);
* The child/young person's Independent Reviewing Officer (IRO);
* The Children's Guardian (if appropriate);
* Relevant professionals involved with the child/young person through, Health, Education, CAMHS, Probation, or other services (if appropriate).

Where it is not possible, or appropriate, to involve the above listed parties directly in at least part of the meeting, then alternative arrangements should be made to ensure that their views can be properly and fully considered. (Any decisions not to involve the above parties should be agreed by the Chair of the meeting and the reasons recorded).

Considerations should be given to whether, how, and to what extent it may be appropriate to involve the following individuals directly in the meeting:

* The child/young person;
* The current carer(s);
* Any significant others, e.g., the child/young person’s Key Worker.

## Approval of permanent carers

### Special Guardians

Assessments of prospective relatives and friends as prospective Special Guardians for a Child in Care are usually completed within the Care Proceedings – see [Calderdale Special Guardianship Procedures.](https://calderdalechildcare.proceduresonline.com/p_spec_guard.html)

Viability assessments of one or more relatives will be required prior to a decision being made as to which relatives will progress to full assessments. The Team Manager who holds responsibility for the child will confirm which relatives are to be subject to viability assessments. Good practice indicates that these assessments should be jointly completed by the child’s social worker and a social worker from the Fostering Service. Viability assessments may be completed at the point that the child/young person is placed, but good practice is that they should ideally be completed in advance (to reduce the risk of the child/young person having to be removed if the assessment proves to be negative). Any viability assessments completed should be signed off by the Team Manager who holds responsibility for the child/young person, and it will be his/her social worker and his/her line-manager who will decide whether a positive viability assessment should progress to a Kinship assessment or a Special Guardianship assessment which must be in discussion with the Practice Manager of the Recruitment & Assessment Fostering Team.

Where the plan for the child/young person is placement with a relative or family friend with a view to Special Guardianship the Team Manager who holds responsibility for the child/young person will manage all aspects of the permanency planning and the placement planning processes until permanency is achieved.

SGO applications are not considered by either the Fostering or the Adoption Panel or the Agency Decision Maker, however the carer(s)’ assessment must be signed off by the Practice Manager or Team Manager (Fostering) and the Court Care Plan for the child is agreed at the Legal Planning Meeting. The SGO Support Plan must be agreed and signed off by the Service Manager Permanence & Sufficiency.

If a child’s current foster carer(s) decides to progress a Special Guardianship application, the application will be made directly to the court; again, the application is not considered by either the Fostering or the Adoption Panel or the Agency Decision Maker, however the carer(s)’ assessment must be signed off by the Practice Manager or Team Manager (Fostering). This is discussed at Legal Planning Meeting.

### Placement with Relative and Friends Carers

Assessments of prospective relatives and friends as Regulation 24 Temporarily Approved foster carers for a Child in Care are usually completed before or within the Care Proceedings – see [Calderdale Regulation 24 Procedure](https://calderdalechildcare.proceduresonline.com/p_place_con_pers.html). In the case of children who are to be placed with their prospective carer(s) whilst assessments are ongoing, the prospective carer(s) must have been subject to a Viability Assessment with a positive recommendation and a police check must have been obtained on all adults living in the proposed carer(s)’ household. The Fostering Panel will not be involved in the initial approval process but ADM approval to the placement must be obtained.

Where the Plan for the child is placement with a relative or friend as a Regulation 24 placement or under a Family and Friends Fostering arrangement, the Team Manager who holds responsibility for the child/young person will manage both the permanency planning and the placement planning processes until permanency is achieved. Any Regulation 24 placement will need to be approved by the Nominated Officer – see [Calderdale Regulation 24 Procedure.](https://calderdalechildcare.proceduresonline.com/p_place_con_pers.html)

If the placement is to continue for more than 16 weeks, the placement will then need to be considered by the Calderdale Fostering Panel and the ADM (Fostering) for approval. An eight-week extension is then permitted if statutory checks remain outstanding or for any other reason the assessment has not been able to be fully completed. If full approval is not achieved within 24 weeks of placement the placement will become ‘unregulated’.

If the outcome of the Care Proceeding is a decision that the child should remain with his/her relative or friend carer(s) long-term the change of placement status does not need to be considered by the Fostering Panel and/or the ADM (Fostering), as when considering the carer(s)’ application at 16 weeks (and possibly again prior to 24 weeks), the Panel and ADM will have considered the possibility of the placement continuing longer-term.

### Permanent Fostering (unrelated carers)

All unrelated foster carers with whom a Calderdale Child Looked After is to be placed (whether on a short or long-term basis) must already be approved as foster carers and the approval must be current, including DBS checks being up to date. For this to be the case, all carers must have previously been considered by their approving agency’s Fostering Panel and have achieved ADM approval.

Calderdale Children’s Services is keen to avoid undue delay in achieving permanence for its Children Looked After, whilst also exercising due diligence. Give this the process for approving long-term foster placements is different depending on the age of the child and whether the child/young person is already settled within the placement and has an established relationship with his/her proposed long-term carer(s) or whether approval is being sought for a new or an as yet relatively untested fostering arrangement.

Where a child/young person is aged 15 or older his/her placement will be deemed to be a long term placement, usually providing task centred care focused on preparation for independence, and will not require approval as a long-term fostering arrangement.

Where a child is:

- aged under 11 years;

or:

 - is to be matched with long-term carers who he or she is not already placed with;

or:

- is aged 11 – 14 years and has been placed with his or her prospective long-term carers on a short-term or bridging placement, which while successful has been in place for less than 12 months

the required paperwork for both the decision as to whether permanent fostering is in the best interests of the child/young person concerned and the proposed ‘match’ should be prepared and presented to the Fostering Panel prior to consideration by the ADM (Fostering), who will then have responsibility for making the agency decision ([see Calderdale Fostering Procedures 4.7](https://calderdalechildcare.proceduresonline.com/contents.html)for full details).

However where a child/young person aged 11 - 14 or younger has already been successfully placed with an approved short-term foster carer(s) for a period of 12 months or more and the proposal is for the already existing placement to be converted to a permanent fostering arrangement, there is no requirement for the proposed ‘match’ or placement plan to be considered by the Fostering Panel provided that the CLA process has considered the child/young person’s permanence needs and has recommended that the existing placement be re-designated as the child/young person’s permanent fostering placement. In this situation the supervising social worker (SSW) should complete an updated Annual Household Review (AHR) confirming the carers’ suitability and agreement; the SW should complete a statutory assessment and then both practitioners should complete a joint matching assessment for their team managers’ approval. These reports must then be presented to the next CLA review recommending permanence. Following this the IRO will write to the ADM confirming the review’s support of the existing placement being re-designated as the child/young person’s permanent fostering placement. The ADM will then make the agency decision[[9]](#footnote-9).

Where the child/young person has been in placement for 12 months or more and the foster carer(s) wish to offer permanence to him/her by way of long-term fostering, but the child’s social worker and Independent Reviewing Officer are not both able to recommend that the placement converts to a permanent arrangement, the proposed ‘match’ should be presented to the Panel with the views of both key staff members clearly detailed; in order for the Panel to make a recommendation to the ADM who will then be responsible for making the final Agency decision.

Where a long-term fostering plan is being pursued for a sibling pair or group of mixed ages where they are placed together, the matching process detailed above relating to the youngest child, must be followed for all the children involved.

###  Adoption

All Children Looked After for whom adoption is the Care Plan will be placed in accordance with the Adoption Agencies’ Regulations. All such children will require an ADM ‘Should be placed for Adoption’ decision (ShoBPA) and the proposed ‘match’ will then need to be considered by one of the OAWY adoption panels prior to being considered by the Calderdale Adoption Agency Decision Maker who will have the ultimate responsibility for approving or refusing the proposed ‘match’ – see [One Adoption West Yorkshire Practice Guidance.](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html) 

**Note**: If Care Proceedings are in process legal advice should always be sought regarding the timescale for Panel consideration and/or ADM approval. The legal timeline is likely to dictate the timescale around completion of assessments of SGO carers and kinship foster carers and for achieving ADM approval for children requiring placement for adoption. Where adoption is the plan an application for a Placement Order will be required unless the birth parent(s) are voluntarily relinquishing the child.

## Reports for the Fostering or Adoption Panel and/or the Agency Decision Maker

### Reports required:

#### Adoption - Shobpa

|  |  |
| --- | --- |
| Report: | Author: |
| Child Permanence Report (CPR)  | Social worker for the child |
| Medical  Sibling assessment | Social worker for the child to inform CLA Health Team at the earliest opportunity[​Folder icon Sibling assessments (Coram BAAF templates)](https://calderdalecouncil.sharepoint.com/%3Af%3A/r/sites/CYPS/Social%20Work%20Templates/Sibling%20assessments%20%28Coram%20BAAF%20templates%29?csf=1&web=1&e=ybXfX7) |
| All specialist reports & assessments   | Social worker for the child |
| Foster carer report (CR-C) | Social worker for the child |

#### Adoption Matching

|  |  |
| --- | --- |
| Report: | Author: |
| Child Permanence Report (CPR)  | Social worker for the child |
| Adoption Support Plan   | Family Finder for the child |
| Matching Criteria   | Social worker for the child/Family Finder |
| Placement Plan | Social worker for the child/Family Finder |
| Linking Report | Social worker for the child/Family Finder |

####  Medical Report Social worker for the child

#### Fostering

|  |  |
| --- | --- |
| Report: | Author: |
| Combined matching and support report on each child/young person to be matched | Social worker for the child/young person incorporating the views of the IRO |
| An up-to-date assessment of the child/young person’s care and placement needs (Single Assessment) | Social worker for the child/young person |
| Child’s Care Plan  | Social worker for the child/young person |
| Carer(s) Annual Review | Supervising Social Worker |

#### Kinship Care

* Connected Persons’ Assessment (Fostering Network) are child specific and therefore are deemed as a long term match, when approved at panel.
* Placement Plan (including Support Plan).

## Family Finding and 'Matching'

For guidance on family finding and matching please refer to the relevant section of the [One Adoption West Yorkshire Practice Guidance](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html)or the [Calderdale Fostering Procedures 4.7](https://calderdalechildcare.proceduresonline.com/contents.html). The guidance from One Adoption West Yorkshire is here: 

## Placement of a Child/Young Person in Care with Prospective Adopters or other Permanent/Long-Term Carers

### Adoption

For guidance on the placement of children and young people with prospective adopters please refer to the[One Adoption West Yorkshire Practice Guidance](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html).

A child/young person cannot be placed with prospective adopters under the Adoption Regulations until the match has been formally agreed by the Adoption Agency Decision Maker (ADM Adoption)[[10]](#footnote-10).

A Placement Order or Parental Consent to Placement will be required depending on the circumstances of the case – see [One Adoption West Yorkshire Practice Guidance.](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html)

### Adoption Support

Calderdale Metropolitan Borough Council has a contract in place with One Adoption West Yorkshire to provide its post adoption support services. Given this, while permanency planning for Children Looked After and the social work role for Children Looked After who are placed for adoption remains with the Authority pre-order, all adoption support services provided after a child’s legal adoption are provided via the Regional Agency.

If it is agreed that a Life Appreciation Day will be hosted for the child to facilitate the prospective adopter/s’ understanding of the child’s earlier life experiences and of any resulting behaviours, responsibility for arranging and funding the day rests with Calderdale Children’s Services, however One Adoption West Yorkshire will provide a facilitator who will have the responsibility of running the actual day. When agreeing if A Life Appreciation Day should be hosted, One Adoption West Yorkshire will discuss with the CSW where this would be most beneficial, these are likely to be held for older children, children who have had multiple placement moves which may include a previous adoptive placement and where there are brother/sister groups.

The child’s social worker holds responsibility for the completion of both the child’s Later Life Letter and the child’s Life Book, both of which should be provided within a week of the Adoption Order being granted (if not earlier).

All children placed for adoption by the Authority will have a written Adoption Support Plan, which anticipates future support needs, compiled by the child’s social worker and allocated family finder prior to the child being ‘matched’ to his/her prospective adopters; post placement support, will be provided to the child/placement in accordance with this plan. The support plan will be kept under review through the CLA review process up until the point of legal adoption.

Birth parents and other significant relatives of children who have a Care Plan for adoption, will be offered the support of a social worker who is not connected with the removal of, or the planning for, the child concerned. This service will be provided via the First Family Service based at PAC UK - firstfamily@pac-uk.org. Referral to the Service is the responsibility of the child’s social worker however, is dependent on the agreement of the relative concerned.

One Adoption West Yorkshire holds responsibility for providing post adoption support to all children placed for adoption by the Calderdale Local Authority up until three years after their adoption orders are granted. If the child is placed outside of West Yorkshire, their local adoption service becomes responsible for providing post adoption support from three years post order.

All support specific to the needs of the prospective and legal adopters with whom Calderdale Children Looked After are placed is provided either by One Adoption West Yorkshire or via an inter-agency arrangement set up between One Adoption West Yorkshire and the adopter/s approving agency.

There is an expectation that prior to the Adoption Order being granted, the child’s social worker will maintain statutory visits to the child, with both the prospective adopter/s and their adoption social worker and will undertake joint visits as and when requested to do so.

### Special Guardianship

**For guidance on the placement of children and young people with Special Guardians see section 3.6 (above) and** [Calderdale’s Special Guardianship Order Procedure](https://calderdalechildcare.proceduresonline.com/p_spec_guard.html)**.**

### Special Guardianship Support

Calderdale Metropolitan Borough Council has responsibility for providing Special Guardianship support to all children placed in such arrangements by the Authority up until three years after the Special Guardianship Order is granted.

### Fostering

For guidance on the placement of children and young people with kinship carers or foster carers see the [Calderdale Fostering Procedures and Connected Persons Procedures](https://calderdalechildcare.proceduresonline.com/p_place_con_pers.html).

A child/young person should not normally be placed with his/her permanent or long-term foster carers until the match has been considered by the Fostering Panel and/or agreed by the Senior Manager who acts as the Agency Decision Maker for Fostering. However, it may be appropriate to place a child/young person needing a long-term "permanent placement" with foster carers who have dual approval as short and long-term carers for a trial period prior to formalising the arrangement; in this case if the child/young person is aged 11 or over and the existing placement has been ongoing for 12 months or more the Fostering Panel will not usually be involved in considering the proposed long-term ‘match’, unless the proposed long-term ‘match’ is being proposed by the child /young person’s social worker but the IRO is unable to endorse the worker’s recommendation (see section 7.6 above). When making such a placement care should be taken to avoid unnecessary delay and prolonged uncertainty for the child/young person.

### Placement to Independence

[See [Calderdale Leaving Care Procedure 4.10](https://calderdalechildcare.proceduresonline.com/contents.html) for full details of the procedures].

While consideration of a young person's age may have a bearing on placement type it does not diminish the need for longer term planning nor for consideration of what arrangements will:

* Provide consistency of care;
* Best promote the young person's long-term welfare;
* Provide the young person with support into adult life;
* Promote the young person's sense of self-esteem and identity;
* Facilitate the young person's early discharge from public care (where this is consistent with promoting his/her welfare).

While some older young people may appropriately be placed with carers "until independence," when such placements are made, careful considerations should still be given to what additional services need to be provided or actions taken to ensure that the young person has a sense of security and continuity of care during and beyond the period of being looked after, e.g. arranging for an individual from the young person's wider kinship network to have contact in the short-term with a view to him/her then being available to support/befriend the young person after his/her discharge from local authority care and into adult life. Where a young person has been in a stable foster placement whether with a relative or an unrelated carer a ‘Staying Put’ arrangement should always be considered if appropriate to the young person’s needs (see section 3.8 above).

Other services that will be involved in supporting the young person's transition into adult life must be fully consulted and appropriately involved in planning services for the young person.

## Timescales

### Re-unification to Parents

Delay is detrimental to children and young people. If a plan is made for a child/ young person to return to the care of one or both of his/her parents and this is not achieved within 6 months, the reasons for the delay should be carefully considered and documented and the viability of the original plan should be subject to further scrutiny at the next CLA review. An early review should be convened if necessary. Please refer to <https://calderdalechildcare.proceduresonline.com/files/reunification_process_pol.pdf>

### Adoption

The Adoption Regulations set clear expected timescales around matching and placing children for adoption:

* Time between Placement Order being granted and ADM approval of a proposed ‘match’: 121 days;
* Time between the child entering local authority care and being placed for adoption: 487 days (using FfA date if applicable).

(See [One Adoption West Yorkshire Practice Guidance](https://www.proceduresonline.com/oneadoption/oneadoption/contents.html) for further details).

Note: While One Adoption West Yorkshire is responsible for all family finding for Calderdale Children Looked After who have a Care Plan for adoption, it remains the responsibility of the Authority to monitor the timescales around this and to ensure that wherever possible timely matching is achieved (unless the individual needs and circumstances of the child suggest that this is not in the child’s best interests). Responsibility for monitoring this rests with the Team Manager who holds overall responsibility for the child (via Permanency Planning Meetings) and with the child’s IRO (through the usual CLA review process).

It should also be noted that One Adoption West Yorkshire undertake their own tracking of children for whom adoption is the primary or secondary plan for the child to achieve permanence. Planning meetings are held jointly with One Adoption West Yorkshire and Calderdale Metropolitan Borough Council.

### Permanent Fostering

The Permanency Planning Meeting should identify the child/young person's placement needs and how the criteria for matching, the placement plan and the progress of family finding are to be monitored and kept under review. The purpose of family time must be clearly defined, and a decision made as to whether the contact is to provide the child/young person with knowledge and information about the birth family or whether it is to support and maintain an existing relationship.

The social worker for the child/young person and the allocated family finder should keep each other updated on their actions on the case and regularly review together the progress of family finding, consulting their managers if a change to the agreed plan appears appropriate.

If no suitable family is identified within 6 months of the start of the family finding process a Permanency Planning Meeting should be focused on whether placement options need to be broadened or whether a change of Care Plan is necessary, e.g., separation of siblings (if so this change will need to be made at a subsequent review).

# Good Practice Guidance

The following practice guidance is not exhaustive It is drawn from research and consultation with young people, parents, carers and practitioners.

## Supporting reunification with birth or extended family

Research points to:

* The importance of clearly communicating to the child/young person’s parents and other significant relatives what needs to happen to enable the child/young person to return home, and within what timescales;
* The importance of exploring family ties and long term relationships with the child/young person’s significant relatives, school and community;
* The use of [Family Group Conferences](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/family_group_conference.html) as an effective way of facilitating both of the above.

## Identifying the best permanency option

The permanency planning process, informed by multi-agency contributions, will identify which permanence option is most likely to meet the needs of any individual child, considering his/her wishes and feelings. Issues to consider:

* The assessment process must ask how stability for this child/young person will be best achieved;
* Long term stability means the sense of a permanent home with the same family or group of people, as part of the same community and culture, and with long-term continuity of relationships and identity;
* Short- or medium-term stability or continuity will be important for children/young people who are going to stay in care for a brief period before going home and for children/young people who are going to need new permanent arrangements. The quality of a child/young person's attachments and life will be detrimentally affected by uncertainties, separations from who/what is known and changes of school and placement;
* Educational experiences, links with extended family members, hobbies and friendships and support to carers, contribute to guarding against disruption and placement breakdown;
* The importance of carefully listening to what each child/young person wants from his/her placement, supporting the relationship between the carer(s) and child/young person to build, making thorough plans around the child/young person’s contact with his/her family members, providing vigorous support during crisis times and taking a flexible and child-centred approach to the possibility of adoption by the child/young person's carer(s);
* The older a child/young person is, the less likely it is that the child/young person will secure a permanent family through adoption;
* Depending on the children’s individual and shared experiences and the individual needs of each child, it may not be in the best interests of siblings to be placed in the same substitute family (whether with a view to adoption or permanent fostering). A sibling assessment must always be completed if one or more of the children is aged 3 years or older or any of the children are already identified as having additional care and parenting needs or there are any presenting reasons for concern about the benefits for one or more of the children of them living together;
* The larger the family group of children/young people, the harder it will be to secure a single placement that will meet all the needs of each of them;
* Several other factors can also mitigate against achieving the positive placement of brothers and sisters together: they may have entered care at different times and/or have very different needs related to past experiences, current emotional and behavioural development, and age, especially where there are significant age differences. In some circumstances a child may have been abused by a brother or sister. An understanding of family functioning and family history, providing appropriate support to all parties, as well as listening to the wishes and feelings of the children are key to informing judgements regarding placement.

## Parallel Planning

Social workers are expected to work to this model, working towards a child/young person's return home whilst at the same time developing an alternative Permanency Plan, within strictly limited timescales.

Where children's cases are before the court in [Care Proceedings](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/care_proceedings.html), the court will require parallel planning to be reflected in the [Care Plan](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/care_plan.html).

Consideration/assessment about what contact with the birth family will be appropriate for the child/young person when adopted or permanently placed outside of his/her birth family, needs to start as soon as permanency is being considered. Experts usually distinguish between contact that gives a child/young person knowledge of the birth family and contact which encourages a relationship. What is appropriate will be different for every child/young person and likely to vary over time. The purpose of future contact should be clearly established in every case. Contact is more likely to be successful if all parties accept plans and have a positive attitude.

## Placement/Contact with Siblings - Issues to Consider

It is important to assess the extent and quality of relationships in a sibling group.

Usually, and especially where there is a pre-existing and meaningful relationship, it will be important to try to maintain a child’s sibling relationships within any Permanency Plan, including those where an alternative family placement is sought; however, the demands that this may place on the children themselves and their respective carers should not be underestimated. The merits of maintaining an active relationship between children who have a history of controlling or conflictual relationships or significant additional needs and/or attachment difficulties needs to be carefully evaluated. A lower level of contact which is maintained over time will likely be of more value to a child than a higher level of contact that is not sustained long-term.

Issues from research:

* The most enduring relationships that people have are likely to be with their brother(s) and sister(s);
* The impact of losing previous sibling support, a shared history and continuity, where siblings are separated, may affect the stability of future placements;
* Positive sibling relationships can provide support both in childhood and in adulthood and can be particularly valuable during periods of change in a young person’s life;
* More successful outcomes occur for children/young people placed together with one or more of their siblings[[11]](#footnote-11). Children/young people should therefore be placed with their siblings unless there are circumstances (such as dysfunctional interaction that cannot be remedied) or incompatible needs or a lack of appropriate/available placements would lead to unacceptable drift. The immediate non-availability of a suitable placement should not prevent rigorous family-finding efforts being pursued within an agreed time frame, based on balancing the potential for success against the risk of undue delay;

It is crucially important to identify the strengths and difficulties in any sibling relationship to make appropriate permanent placement decisions; this will usually be achieved by completing a thorough sibling assessment. It is important to ascertain the perceptions and wishes of the children/young people themselves (considering their level of understanding) and those of their other significant relatives, to assess the shared experience of the siblings and their individual permanency needs. This involves thorough consideration of issues of gender, race, disability, identity, behaviour, and attachment. [ Sibling assessments (Coram BAAF templates)](https://calderdalecouncil.sharepoint.com/%3Af%3A/r/sites/CYPS/Social%20Work%20Templates/Sibling%20assessments%20%28Coram%20BAAF%20templates%29?csf=1&web=1&e=ybXfX7)

The importance of wherever it is reasonably possible supporting a level of contact between siblings who cannot appropriately be placed together, must be addressed within the Permanency Plan.

There will always be circumstances in which it is not possible to place siblings together and where this is the case the children should be supported to understand why they cannot live with their brother(s) and/or sister(s). This can be undertaken through direct work, life story work and a Later in Life letter. In these circumstances, where it is in the best interests of each individual child, sibling contact should be proactively promoted and maintained.

Where the plan is for adoption, in order to reduce delay, an early decision should be taken as to whether it is in the best interests of each child to be placed together or separately and the likely impact on each child of that decision. The decision should be based on a balanced assessment of the individual needs of each child in the group, and the likely or possible consequences of each option for each child.

## Direct contact with birth family members and others

Contact must always be planned for the benefit of the child/young person, not the parent(s) or other relatives.

Depending on the legal basis of the child/young person's placement and the nature of his/her contact with his /her birth family members, contact may serve one or all of the following functions:

* To maintain a child/young person's identity, consolidating the new with the old;
* To provide reassurance for the child/young person;
* To provide an ongoing source of information for the child/young person;
* To give the child/young person continuing permission to live with his/her foster carer(s), Child Arrangements Order carers(s), Special Guardian(s) or adoptive family;
* To minimise the sense of loss;
* To assist with the process of tracing.

Direct contact will generally work best if all parties accept/agree to:

* The plan for permanence;
* The parental role of the permanent carer(s);
* The benefit of any agreed contact arrangement(s)
* If the child is adopted, the adoptive parent(s) being present.

Direct contact is not likely to be successful in situations where a birth parent:

* Disagrees with the plan for permanence;
* Does not accept the parental role of the permanent carer(s) and his/her own much reduced or minimal role with the child/young person;
* Has proved to be unreliable in his/her commitment to contact in the past;
* Does not have a significant attachment with the child/young person;
* Is prone to erratic, controlling, manipulative and/or violent behaviour.

The wishes of the child/young person to join a new family without direct contact, must be considered and given considerable weight at any age.

If direct contact is a part of the Permanency Plan, a formal agreement setting out how contact will take place, who with, where and how frequently must be negotiated before placement, and reviewed regularly throughout the child/young person's life.

In planning an adoptive placement for a child/young person the potential risks involved in setting up/maintaining any level of direct contact between the child/young person and his/her birth parent(s) or other significant adults connected to the birth family must be given due weight in decision making.

## Indirect contact with birth family members and others

We do not all share the same sense of family - it means different things to different people. It is helpful to a child/young person to understand to whom he/she is related, especially if he/she has a complicated family tree including half-brothers or sisters and/or stepbrothers or sisters living in different places. Identity is built on solid information.

Wherever possible a level of indirect contact between a child/young person and his/her new family and the child/young person's significant birth relatives should be facilitated;

1. To leave open channels of communication in case more contact is in the child/young person's interests in the future;
2. To provide information (preferably two-way) to help the child/young person maintain and enhance his/her identity and to provide the birth relative with some comfort by knowing about the child/young person's progress.

However, the level of contact that may be appropriate will vary depending on:

* The age of the child/young person on placement;
* The experience that the child/young person had whilst with his/her birth family;
* The nature of the attachment that the child/young person has experienced with his/her significant relatives;
* The legal basis of the child/young person's permanent placement;
* The wishes of all the parties involved.

Any plans for indirect contact must be negotiated prior to placement, and all parties should be asked to enter into an agreement with one another about the form and frequency that the contact will take.

All parties to the agreement will need to accept that as the child/young person becomes older and therefore more aware of both his/her earlier life experiences and the arrangements for indirect contact, the child/young person will have a view regarding its continuation. Contact arrangements will be reviewed throughout the child/young person's childhood. Those involved need to accept that contact may cease if it is no longer in the child/young person's interests, or the child/young person asks for it not to continue. Alternatively, as a child/young person grows older, it may be appropriate for an indirect contact arrangement to be changed to include a one off or a level of ongoing direct contact. Renegotiation of any agreed contact arrangement should always be driven by the child/young person’s needs, not those of his/her birth family members.

## Clearly communicating the Permanence Plan

Communicating a Permanence Plan effectively involves setting it out clearly and concisely as part of the Care Plan, in a way that acts as a useful reference to all involved during the Review process.

Good quality Permanence Plans set out clear, concise statements about intended outcomes and timescales.

## Legal routes to permanence

For younger children unable to be returned home where adoption is the plan, a Care Order and [Placement Order](http://www.proceduresonline.com/resources/keywords_online/nat_key/keywords/placement_order.html) are likely to be necessary unless the birth parent(s) are clearly relinquishing the child and are in agreement with the plan and the placement choice.

For children/young people for whom adoption is not appropriate, each case will need to be considered on its merits. The decision between Special Guardianship Order, Child Arrangements Order and Long-Term Fostering under a Care Order will depend on the individual needs of the child/young person set alongside the advantages and disadvantages of each legal route. Legal advice should always be sought.

# Appendix 1 - The Role of the Family Finder

* In co-operation with the child/young person's social worker:
* Identify the child/young person's placement needs and draw up the written matching criteria (consulting other relevant professionals as necessary e.g., Health, Education, CAMHS, Probation etc.); ensuring that separate criteria are drawn up for each child/young person in a sibling group even if being placed together;
* Assess the child/young person's readiness for family life in a permanent substitute family;
* Draw up a profile to be used for family finding;
* Arrange for professional photos to be taken and a dvd produced (suitable to be used for family finding);
* To pursue a wide range of family finding initiatives, aimed at identifying suitable permanent foster carers or prospective adopters for the child within a timescale appropriate to the needs of the child.

Where the Care Plan for the child is permanent fostering this will include the allocated family finder firstly exploring the availability of suitable carers within the Authority’s pool of approved carers.

Where the Care Plan for the child is adoption this will include One Adoption West Yorkshire’s family finder firstly considering the prospective adopters available within the Regional Adoption Agency.

Specific family finding initiatives may include:

* featuring children at national family finding forums and on specific family finding websites;
* the child and his/her carer(s) and social worker attending an Adoption Activity Day;
* specific child focussed family finding initiatives using the local and/or national press.
* To undertake preliminary analysis of the assessment reports (PARs) on families available for consideration and discuss possible matching issues with the relevant link workers and the child/young person's social worker;
* To in co-operation with the child/young person's social worker:
* Draw up a shortlist of families who appear able to meet the placement needs of the child/young person;
* Share appropriate information with the link workers to the prospective foster carers/adopters who are being considered;
* To arrange for him/herself and the child/young person's social worker to visit the family of first choice, or more than one family if appropriate.
* To arrange and attend the linking meeting. (The linking meeting for a child for whom adoption is the plan will usually be chaired by One Adoption West Yorkshire). The linking meeting for any other child/young person will usually be chaired by the Manager of the Fostering Service but may be chaired by an appropriate Locality Team Manager);
* To formulate a post placement support plan including consideration of appropriate allowances and communication with the local authority in whose area the prospective adopter(s)/foster carer(s) reside. If the child is to be placed for adoption, consultation should also take place with the OAWY Adoption Support Service;
* Where presentation to the Adoption or Fostering Panel has been agreed, to:
* Write the Adoption Placement Report for the Panel. This is undertaken jointly with the Family Finder and CSW;
* Ensure timely submission of all the necessary reports to the appropriate Panel (ensuring that DBS and medical reports are current). This is done jointly with the Family Finder and CSW, however the CSW has primary responsibility for ensuring the CPR and Medical is up to date prior to submission.
* To in co-operation with the child/young person's social worker:
* Prepare a plan for introductions and the preparation of all concerned (including other children/young people in the prospective adoptive or foster home etc.) for placement;
* Arrange an inter-agency meeting where needed;
* Arrange and attend the placement planning meeting;
* Arrange and attend a life appreciation day (if required).

# Appendix 2 - Permanency Planning Meetings

## a. Action prior to the fist Permanency Planning Meeting

A copy of the reports that were presented to the review meeting that made decision about **"the overarching permanency plan"** should be circulated to participants prior to the permanency planning meeting to facilitate understanding and initial discussion of the following:

* Background history and current situation of birth family;
* The legal context;
* The outcome of the initial and other assessments (if appropriate);
* The overarching plan as agreed by the last CLA review;
* Developments since the CLA review;
* The outcome of any family group conference (if applicable);
* The child/young person's wishes and feelings;
* The child/young person's needs;
* The parent(s) wishes and feelings;
* The wishes and feelings of significant others;
* The current carer(s)’ observations;
* The views of the child/young person's social worker and his/her supervisor;
* The views of the child/young person's Guardian - if relevant.

## b. Matters for Discussion and Agreement

### General

* What further assessments, if any, are required?
* What therapeutic input is needed - in the short/long term? How will this be provided?
* What additional work is needed to prepare the child/young person and promote his/her understanding? Who will undertake this work?
* What other work is required to promote the child/young person's self-esteem and identity? Who will undertake this?
* What additional work is needed to prepare/support the parent(s) and promote their understanding? Who will undertake this work?
* What additional work is needed to prepare the individuals within the extended family or wider kinship network and otherwise promote their understanding? Who will undertake this work?
* What immediate legal order(s)/outcome, if any, would best promote the child/young person's long-term welfare? Is any further legal advice required?

### Where the overarching plan is re-unification to Parental Care

* Is any further legal advice required?
* What legal order(s)/outcome needs to be agreed prior to re-unification?
* Does the re-unification plan and/or the legal recommendations need to be agreed by a Senior Manager? Who will deal with this? When?
* If the placement is to be made under the Placement with Parents Regulations, who is responsible for completing the required paperwork and securing management sign-off?
* What additional support, interventions, or services, are likely to be needed prior to and following re-unification? How will this be provided? Does additional funding need to be agreed? Who will deal with this?
* Does a child protection case conference need to be convened prior to re-unification? Who will deal with this?
* Do any other professionals, agencies or authorities need to be informed of or involved in the plans? Who will deal with this? When?

### Where the overarching plan is not re-unification to Parental Care or Concurrent Planning is being progressed

* What type of placement will best meet the child/young person's long-term needs - including where possible/appropriate the child/young person's early discharge from public care?
* What further action, if any, is needed to identify/assess possible kinship carers? Who will deal with this?
* Does a family group conference need to be convened?
* Does the plan for the child need to be considered by the Authority's fostering panel or the One Adoption West Yorkshire adoption panel (relinquished child)? Who will deal with this? Timescales?
* Does a referral need to be made to the Fostering Service or One Adoption West Yorkshire for family finding? Who will deal with this? Timescales?
* Arrangements for gathering medical information and completing medical assessments? Who will deal with this? Timescales?
* Do the current short-term foster carer(s) wish to be considered as long-term carers? How will this be explored and/or taken forward?
* What specific action(s) need to be taken to identify/find possible long-term permanent carers? Who will take this forward? Timescales?
* What criteria will be used to match the child/young person with possible carers or a particular residential placement? Who will deal with this? Timescales?
* What contact arrangements are best likely to promote the child/young person's welfare in the short/medium term and the long term? Should contact be promoted to an individual(s) in the child/young person's social network, who could have a continuing positive role as the young person reaches adulthood?
* What legal action is required to facilitate the attainment of a suitable long-term placement and appropriate contact arrangements? Who will take this forward? Timescales?
1. This may be a member of his/her substitute family e.g. his/her foster or adoptive family member(s) rather than a birth relative. [↑](#footnote-ref-1)
2. The emotional and behavioural issues often exhibited by Children Looked After are generally primarily the result of earlier experiences of neglect, abuse or inconsistent or inappropriate parenting, however depending on the nature of the child/young person’s emotional attachments, subsequent experiences of separation can serve to amplify and add to already established difficulties. [↑](#footnote-ref-2)
3. Statutory Guidance on securing sufficient accommodation for Looked After Children (2010), requires local authorities to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority’s area which meets the needs of children who the local authority are looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority’s area; Calderdale’s Sufficiency Strategy is in-line with this. [↑](#footnote-ref-3)
4. One Adoption West Yorkshire is the Regional Adoption Agency of which Calderdale Metropolitan Borough Council is a member and as such undertakes family finding for all Calderdale Metropolitan Borough Children Looked After for whom adoption is the Care Plan. [↑](#footnote-ref-4)
5. A child/young person’s birth family members may be able to provide a sense of permanence for the child/young person without caring directly for him/her. [↑](#footnote-ref-5)
6. **Note**: the regulations require that a Permanency Plan is in place for every child/young person who is in local authority care by the time of his/her four-month statutory review [↑](#footnote-ref-6)
7. **Note:** No permanency plan should have residential care, as its outcome; only as an avenue to achieving one of the permanency options outlined above. [↑](#footnote-ref-7)
8. Once adoption becomes the parallel or sole plan for a child a referral must be made to OAWY for family finding, in order to avoid any later undue delay in achieving permanence for the child if a Placement Order is granted or parental consent given. [↑](#footnote-ref-8)
9. **Note**: This may require the approval of the foster carer to be changed and if this is the case the change of approval will need to be considered by the Fostering Panel and then ratified by the ADM (Fostering) in the usual way. [↑](#footnote-ref-9)
10. **Note**: There are some circumstances where a child can be placed with his/her proposed adopters on a Fostering for Adoption basis in advance of the Placement Order being granted or the ADM agreeing the proposed ‘match’ as a prospective adoptive placement – see **One Adoption West Yorkshire Adoption Procedures** [↑](#footnote-ref-10)
11. It needs to be borne in mind that it is generally children with a lower level of emotional and behavioural difficulties who are successfully placed together. When a child has a high level of individual needs, living with a sibling, particularly one close in age, can exacerbate the child’s difficulties, particularly if earlier life experiences were of having to compete for adult attention. [↑](#footnote-ref-11)