# Adopt North East operational guidance policy

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Adopt North East is the new regional adoption agency, which combines local authority adoption services from North Tyneside, Gateshead, Newcastle, Northumberland and South Tyneside.

Adopt North East brings together the best practices from each council to deliver high quality adoption services across the region.

## Objectives

* We place all children in a timely way in high quality, successful, life-long adoptive placements which meet all their needs.
* Families and prospective adopters receive a high-quality experience no matter where they live.
* Adoptive children and families receive the support they need for as long as they need it.
* Our skilled and dedicated staff are proud to work for the service.
* We achieve our objectives by working together in a spirit of collaboration, openness and co-production.

## Services

Adopt North East delivers the following services across the five local authority areas:

* Recruitment and assessment of prospective adopters
* Matching and placement – to match prospective adopters with children in need of adoption
* Post placement and post adoption order support
* Support and advice to all affected by adoption
* Develop and manage all forms of post adoption contact between adopted children and birth families
* Step parent adoption

Intercountry adoption

A service level agreement is in place with The Centre for Adoption (IAC). They will undertake this work on behalf of Adopt North East.

## Recruitment and assessment of prospective adopters

Adopt North East aims to recruit and assess prospective adopters who can meet the needs of children for whom adoption is the plan.

It is part of the recruitment strategy of Adopt North East to encourage applications from people irrespective of their status and without prejudice; we welcome applications from people who are single, married, living together in a couple relationship, same sex couples, people from any racial or cultural background or religion.

General information

Potential applicants may contact [Adopt North East](http://www.first4adoption.org.uk/) for general information about adoption opportunities through the agencies website, social media, and information evenings or through participating Local Authorities who will signpost on behalf of Adopt North East.

General information will provide applicants with the following;

* General information on adoption
* Adoption eligibility criteria
* Adoption passport
* Fostering for adoption

Where a potential applicant decides, after receiving general information, that he or she would like to pursue adoption further, he or she may approach the adoption agency for more detailed information about adoption and proceed to a home visit.

### Detailed information

The home visit will be arranged within 10 working days from the request for further information. Detailed information should enable potential adopters to better consider their expectations of adoption and support their decision to proceed with the approval process.

A written report will be completed by the adoption social worker following the visit and this will be given to the manager within 2 working days. The manager will review the report and will decide whether to invite the potential applicants into Stage 1. If the outcome is not to invite a couple into Stage 1 then reasons will be provided in writing.

If moving forward to the next stage of the process, potential adopters will be asked to submit their application form and Registration of Interest. However, potential applicants may themselves decide that adoption is not right for them at that point in time and therefore their enquiry will be closed.

If potential applicants are invited into Stage 1 but they do not submit their application and Registration of Interest within 4 weeks of their invitation into Stage 1, Adopt North East will contact them to follow up the enquiry. The enquiry will be closed within 12 weeks if an application and Registration of Interest is not returned to Adopt North East.

## Registration of Interest in Adoption

From receipt of receiving a registration of interest, Adopt North East will decide to accept or decline the registration of interest within 5 working days and inform the prospective adopter, in writing, of the decision.

Where Adopt North East accepts a registration of interest this commences Stage one, the pre-assessment process. Adopt North East must set up a prospective adopter’s case record in respect of the prospective adopter.

From this point the applicant is referred to as ‘prospective adopters.’

## Stage One – The Pre-Assessment Process

Stage one commences when Adopt North East accepts the Registration of Interest in adoption and ends with the Pre-Assessment Decision. This stage should normally take no more than two months to complete, if the time period is extended, the reasons must be recorded on the prospective adopter’s case record, along with supporting evidence.

Stage One will focus on initial training and preparation, and on ascertaining, through prescribed checks and references, whether there is any absolute reason why the prospective adopter should not proceed further. The expectation is that the prospective adopter will be closely involved in the Stage One process and that they will be proactive in enhancing their knowledge of adoption. All prescribed checks and references must be carried out during Stage One in parallel with initial training and preparation.

A Stage One agreement signed and will set out the responsibilities and expectations of both the prospective adopter and Adopt North East during Stage One and prospective adopters will be given an explanation of the statutory duty on the agency to conduct statutory checks into their background and into the background of any other adult members of their household

This agreement will include:

* Information about the counselling, information and preparation for adoption to be provided
* The procedure for carrying out statutory checks
* Details of any training that the prospective adopter has agreed to undertake
* Information about the role of the prospective adopter in the stage one process
* Information about the process for making representations (including a complaint)
* Any applicable timescales and,
* Any other information that Adopt North East considers relevant

Whilst the importance of openness must be stressed to the prospective adopter, it should not be assumed that a failure to disclose information automatically implies that the prospective adopter is unsuitable. It will be necessary to discuss the matter and the reasons for non-disclosure.

Prospective adopters should be encouraged to use any other materials that offer them the opportunity to explore and reach an informed view about aspects of parenting and their parenting capacity and help them to identify their own training needs. A further visit, meeting or pre-planned telephone call with the prospective adopter (whatever works best for them and best meets their preferences) should be undertaken to ensure that they have the opportunity to ask for more information or training based on their needs.

### Information gathered during Stage One;

The following information will be gathered during Stage One.

* Information about the prospective adopter
* Name, sex, date and place of birth and address including the local authority area;
* If the prospective adopter is married or has formed a civil partnership and is applying alone for an assessment of their suitability to adopt, the reasons for this;
* Details of any previous family court proceedings in which the prospective adopter has been involved;
* Names and addresses of three referees who will give personal references on the prospective adopter, not more than one of whom may be a relative;
* Name and address of the prospective adopter’s registered medical practitioner;

### Police Checks

Criminal record checks with the Disclosure and Barring Service must be carried out on the prospective adopter and any members of their household aged 18 years and over.

### Health Checks

The applicants will also be asked to arrange for an adoption medical examination and report from their G.P unless the Medical Adviser does not consider such a medical examination is necessary, for example where the applicant is a foster carer and a recent health report is already available.

### References

Applicants will be asked to provide the names of three personal referees, who are adults (not more than one of whom should be related to them), have known the applicant for at least two years and who are willing to give written references on the prospective adopter and be interviewed following the provision of a written reference. A written report must be prepared of the interviews held with each of the referees.

### Counselling, Information and Preparation for Adoption

All prospective adopters will need appropriate and thorough adoption preparation. Preparation should be designed to help prospective adopters make an informed decision about pursuing adoption based on an understanding of the qualities they have to offer a child.

### Other checks

These will include checks as deemed necessary including current employer, previous employer, current and previous Local Authority, education, probation and ex partners.

## Stage One – The Pre-Assessment Decision

Where the Pre-Assessment Decision is that the prospective adopter might be suitable to adopt a child, the prospective adopter must be advised of the decision and that they have six months in which to notify Adopt North East if they wish to proceed to Stage Two – the Assessment Stage.

If the prospective adopters provide notification of their wish to proceed outside this six months’ time limit, they will need to restart Stage One. They should be contacted within 5 working days of their notification and offered a re-entry interview. The Stage One assessment should consider activities undertaken previously.

Where the Pre-Assessment Decision is that the prospective adopter is not suitable to progress, they must be provided with a clear written explanation of the reasons why they will not be able to proceed to Stage Two. The pre-assessment decision may be made notwithstanding that not all the required pre-assessment information has been gathered. Prospective adopters who wish to complain about this decision may make a complaint using Adopt North East’s local complaints procedure. They will also be able to raise general concerns about the process with Adopt North East. The Independent Review Mechanism is not available for decisions made during Stage One.

## Existing foster carers and previous adopters

There is a shortened process (termed Fast Track) for prospective adopters and foster carers who have already been previously approved as foster carers/adopters. The requirements are modified for applicants who are approved foster carers or previous adopters. (This does not apply to [Connected Persons](http://trixresources.proceduresonline.com/nat_key/keywords/connect_pers.html) or to prospective adopters given temporary approval as foster carers, under the Care Planning, Placement and Case Review (England) Regulations 2010 (as amended). All statutory checks including police checks will be undertaken in stage 2 of the process.

When an application is received from an existing foster carer or previous adopter the relevant local authority will be required to share information about a person that is held in their existing foster carer or adopter records with Adopt North East, within 15 working days upon the request. Information required in order to inform a new assessment of a person’s suitability to foster or adopt includes:

* The report of the original assessment of the person’s suitability to foster or adopt
* A copy of the report of the last review of the individual’s continuing suitability to foster or adopt and any other review report considered useful to understanding the person’s current suitability to foster or adopt;
* Previous ADM panel minutes for previous approval
* Any previous training notes
* Details of any concerns about standards of practice and what if anything is being done/has been done to address them;
* Details of allegations made against the foster carer/adopter or their household members; and
* Any other information considered to be relevant to the assessment of the person’s suitability to foster/adopt.

Information should only be shared with the informed, explicit consent of all parties referred to in the information, including young people where they have sufficient understanding to consent to the sharing of their information (if they do not have sufficient understanding, the consent of a person with Parental Responsibility would need to be obtained). This means that the person giving consent needs to understand why their information is to be shared, what will be shared, who will see their information, the purpose to which it will be put and the implications of sharing that information.

If consent is refused, the current fostering service or adoption agency should consider whether there is any information in the records that is a cause for concern.

Requests for access to information should be accompanied by the written consent of the applicant to the sharing of their information.

The receiving local authority should acknowledge the request and seek consent from all others referred to in the information, the information should be redacted where necessary.

The assessing social worker, within Adopt North East should, however, satisfy themselves that the information they have is current and relevant before using it to inform the latest assessment.

### Transfer from another agency

Occasionally people begin the adoption process with one agency but decide that they would wish to transfer to another agency at the end of Stage 1. Should this occur all Stage 1 documentation should be transferred to the new adoption agency within 10 working days.

## Stage Two – The Assessment Process

### Purpose and Process

Where the Pre-Assessment Decision is that the prospective adopter appears to be suitable to adopt a child, and they have notified Adopt North East that they wish to proceed, the application then proceeds to Stage Two of the process - the assessment process.

Stage Two is about intensive training and assessment. Intensive training should be provided as necessary and, in parallel, an assessment carried out of the prospective adopter’s suitability to adopt and a report produced of that assessment.

This stage should begin with a meeting or pre-planned ‘phone call between the prospective adopter and the allocated social worker. The social worker should explain how Stage Two will operate and what will be required of the prospective adopter. The social worker should explain the decision-making process and the role of the Adoption Panel, the Agency Decision Maker and the Independent Review Mechanism.

A decision must normally be reached as to whether the prospective adopter is suitable to adopt a child within four months of the date on which Adopt North East received the prospective adopter’s notification that they wish to proceed with the assessment process Reasons for any extensions should be recorded on the prospective adopter’s case file.

Stage Two will end with Adopt North East Agency Decision Maker’s decision about the suitability of the prospective adopter to adopt a child.

### Prospective Adopter planning for assessment

A written agreement must be entered into with the prospective adopter (‘the prospective adopter assessment agreement’) which must include the following:

* The procedure for assessing the prospective adopter’s suitability to adopt a child;
* Any applicable timescales;
* The arrangements for the prospective adopter to receive any additional counselling or preparation for adoption;
* Details of any training that the prospective adopter has agreed to undertake; and
* Any other matters which Adopt North East considers relevant.

In conducting the assessment, the social worker should analyse and consider the information they ascertain from and about the prospective adopter, including any issues identified during the adoption preparation. The approach should be objective and inquiring, with information evaluated and its accuracy and consistency checked. The assessment must be carried out by a qualified social worker with suitable experience.

The assessment will comprise a series of interviews, the majority of which will take place in the applicants' home. Applicants should be interviewed at least once both individually and with their partner, and all other members of the household will also be interviewed, including the children.

The areas covered in interviews will follow the subject areas:

* Individual profiles of all members of the household, including a photograph and physical description, racial origin, cultural and linguistic background, religious persuasion, personality and interests, relationship (if any) to the child;
* Information about the home, the local community and the neighbourhood;
* Details of education and employment - past and present;
* Income and expenditure;
* Details of past and present relationships;
* Motivation to adopt/childlessness;
* Parenting capacity, experience of being parented and experience with children;
* Support network, including wider family network;
* Views and feelings about adoption and its significance, attitudes to birth families and approach to openness in adoption and contact;
* Views about parental responsibility and what it means;
* Views about a suitable home environment for the child;
* Views about the importance and value of education;
* Views and feelings about the importance of a child’s religious and cultural upbringing;
* Specific matching considerations;
* Early Permanence Planning;
* Any other information which indicates how the prospective adopter and anybody else living in the household is likely to relate to a child placed for adoption;
* Testamentary Guardian;
* Any other relevant information which might assist the adoption panel or the adoption agency.

As part of the assessment:

A family tree and chronology of key events in the applicant's life from birth must be compiled, showing his or her educational, employment, marital and/or relationship history and addresses for the previous 10 years; any gaps and/or unusual patterns should be explored.

All information provided by the applicant must be independently verified where possible, by checking it against other sources such as referees.

Where an applicant has been divorced or separated, factors contributing to the breakdown of the relationship should be verified.

Where the applicants have pets, a risk assessment should be conducted, and any associated risks should be taken into account with regard to the pet itself and where the pet is kept. Where necessary, an independent assessment should be undertaken by a vet to establish whether the dog falls within the scope of the Dangerous Dogs Act 1991.

The assessment will consider the likely need for adoption support services of the prospective adopters and any member of their family. As part of this, the family's finances and the criteria for financial support should also be discussed.

## Prospective Adopter’s Report (PAR)

The information gathered during Stage One (the pre-assessment stage) and Stage Two (the assessment stage), including the checks and personal references, will form the basis of the Prospective Adopter's Report, together with any other relevant information.

The social worker who assesses the prospective adopter should draft the Prospective Adopter’s Report highlighting any issues of concern and submit it to their team manager 15 working days prior to panel for quality assurance.

When the Prospective Adopter's Report is finalised, a copy will be sent to the applicants, and they will be notified that the application is to be referred to the Adoption Panel.  The applicants are invited to send any observations in writing within 5 working days, beginning with the date on which the notification was sent.

The assessing social worker will then send the completed PAR to the panel administrator 10 working days prior to panel.

The report will include;

* Outcomes from statutory checks
* A summary by the Medical Adviser of the health report obtained on the applicant/s
* The agency’s assessment of the prospective adopter’s suitability to adopt containing a summary of the assessed strengths and vulnerabilities of the applicants, together with an opinion of the type of placement likely to be provided successfully.
* Potential risk factors should be highlighted.

Panel administrator will send the following information to panel members 7 working days prior to panel;

* The Prospective Adopter’s Report and the prospective adopter’s observations thereon;
* Where the Agency Medical Adviser so advises, the medical report on the prospective adopter;
* References;
* Where applicable, relevant information received from the prospective adopter’s home local authority; and
* Any other relevant information obtained by the agency.

The applicants are encouraged to attend the meeting of the Adoption Panel, which considers their application.

Where there are any issues of significant concern or where clarification is needed, the manager may arrange for a second person to visit the prospective adopter to discuss these but must remain mindful of the timeframe for Stage Two. The second person could be a team manager or another Adoption Social Worker. A visit by another person provides a second opinion where necessary before the report to the panel is finalised in cases where clarification is needed but should not be routinely carried out.

## Adoption Panel

### Adoption Panel meetings

The Adoption Panel contributes to the running and quality assurance of Adopt North East’s adoption service, in doing so it has an overriding responsibility to promote good practice, consistency of approach and fairness in all aspects of the adoption service, in accordance with its procedures and values.

The Panel makes recommendations as to the following:

1. The suitability of prospective adoptive applicants to adopt;
2. For relinquished children, if a child is suitable to be placed for adoption
3. Whether a child should be placed for adoption with particular prospective adopters.
4. The review and termination of prospective adopters’ approval

The panel may also offer advice on the adoption support plan including contact.

The assessing social worker will attend the Panel meeting (and his or her manager where appropriate), together with the applicants, applicants are expected to attend the panel meeting, a wish not to attend will not prejudice consideration of their application.

The Panel will consider the Prospective Adopter's Report together with all the supporting documentation and make a recommendation to the Agency Decision Maker regarding the suitability of the applicant to adopt a child. The Panel may request the agency to obtain any other relevant information which it considers necessary and may obtain legal advice as it considers necessary in relation to the case. If Panel recommend not to approve, the Panel Chairperson will meet the applicants, outside of Panel to give the reasons for the recommendation.

If a recommendation cannot be made, the application will be deferred for further work. The work required will be clearly outlined by panel to allow full completion before returning to Panel for further consideration. If Panel recommend deferring, the Panel Chairperson will meet the applicants, outside of Panel to give the reasons for the recommendation.

Where, during the Stage Two Assessment stage, the agency was of the opinion that the prospective adopter is unlikely to be suitable to adopt, and prepared a brief Prospective Adopter’s Report without having obtained all the assessment information, then the Adoption Panel must either request the preparation of a full Prospective Adopter’s Report having obtained all the assessment information, or recommend that the prospective adopter is not suitable to adopt.

The recommendation will be recorded in writing and, where approval is recommended, the record will include any advice given about the number of children the prospective adopter may be suitable to adopt, their age range, sex, likely needs and background. Reasons for the recommendations and any advice as set out above will also be recorded in the Panel's minutes.

The Panel Chairperson will inform the applicants of the panel recommendation if they are in attendance. If not, the adoption social worker undertaking the assessment will advise the applicants of the Panel recommendation within 24 hours of the Panel meeting. This will be verbally, by telephone or, where appropriate, a home visit.

Panel also has a role to monitor timescales for assessments and will record within the Panel minutes individual timescales for Stage 1 & 2 for approvals. Stage one should be no more than 2 months and Stage 2 no more than 4 months. Where the timescales are not met, the Adoption Panel should record the reasons.

Panel must consider the case of every relinquished child referred to it by the adoption agency (where the parents’ consent) and make a recommendation to the agency as to whether the child should be placed for adoption. Panel will consider and may give advice about the arrangements which the agency proposes to make for allowing any person contact with the child; and whether an application should be made for a Placement Order by the child’s Local Authority.

Social workers presenting reports to Panel must send their completed reports and any supporting documentation required to the Panel Administrator and / or ANE social worker involved at least 10 days before the date of the Panel meeting. It is expected that Children’s Social Workers will work with ANE Social Workers to ensure any joint reports are completed and available for the above timescales.

Reviews of adopters will be completed at least annually and referred to Panel where the agency proposes to terminate approval. The Panel will have available to them the review documents and the social workers Prospective Adopter’s panel review report outlining the reasons for the termination, the prospective adopter will be invited to attend panel with their allocated worker. The Panel makes a recommendation to the Agency Decision Maker as previously described, with the prospective adopters having the right to apply to the IRM.

### Adoption Panel minutes

The Panel minutes will always record the information in relation to the following:

* The reports received.
* Who attended and for which part of the discussion;
* Medical advice;
* Legal advice;
* The Panel's discussions (main points) and conclusions;
* The Panel's recommendations and reasons, including any reservations expressed by any member;
* Any advice given by the Panel.
* Timescales for assessments

The Panel minutes will be written in accordance with the format agreed and kept on every child's or prospective adopter's Adoption Case Record.

The Panel Chair is responsible for ensuring the accuracy of the Panel's recommendations, reasons and, following agreement with Panel members, the minutes. The Chair must also make sure that a person who is not a member of the panel fulfils the task of writing these documents.

The minutes must accurately reflect the discussion and cover the key issues, rather than be a verbatim record of the meeting. Where Panel members have serious reservations, the Panel chair must ensure these are recorded in the minutes and are attached to the Panel's recommendation.

The Panel minutes must be produced promptly and agreed by the Panel members before being approved by the Chair and sent to the Agency Decision Maker (ADM), together with the reports considered by the Panel when the recommendation was made, so that the Agency Decision Maker can meet the timescales for making the decision within 7 working days of receipt from panel. To ensure ADM timescales are met; Panel administrator will share Panel minutes with Panel Advisor for verification 2 working days post panel. Panel minutes and recommendations will then be shared with panel members 3 working days post panel for verification, the Chairperson will approve the final minutes 4 working days post panel, to then be sent promptly to ADM 5 working days post panel, by panel administrator.

Arrangements should be made by the Agency Adviser to the Panel for the safekeeping of the minutes and the record. Panel minutes, like other parts of adoption case records, are exempt from the right of access provisions of the Data Protection Act 2018 (i.e. the person to whom they relate does not have a statutory right of access to the information they contain).

## Agency Decision Making; after the Panel recommendation

The decision as to whether the prospective adopter is suitable to adopt a child must be made within 4 months of the date on which the agency received the prospective adopter’s notification that they wished to proceed with the assessment process.

The decision may be delayed:

* Where there are exceptional circumstances which mean that the decision cannot be made within that time; or
* Upon the request of the prospective adopter.

If the decision is delayed, the reasons must be recorded on the prospective adopter’s case record, along with supporting evidence.

The Agency Decision Maker (Adoption) will make a decision as to the suitability of the applicant, and express a view on any Panel advice given, based on the reports presented to the Adoption Panel and the minutes detailing the Panel's recommendation and advice.

Where the Agency Decision Maker (Adoption) is disagreeing with the Panel recommendation, he/she must first discuss the case with another senior officer with relevant experience, who must not be a Panel member, before arriving at a final decision. This discussion must be recorded and placed on the child's and the prospective adopter's Adoption Case Record.

The decision must be made within 7 working days of the Adoption Panel meeting and must be recorded, together with reasons.

The Panel Administrator will arrange for the applicants to be sent the written notice of the decision, signed by the Agency Decision Maker (Adoption), within 5 working days.

Where the decision is to approve the prospective adopter, they will be provided with information about family finding including link maker. If a decision is made not to approve an application, the applicant will be advised that if he or she wishes to challenge the decision, representations can be made in one of two ways, within 40 working days either directly to the Decision Maker at Adopt North East or apply to the <https://www.gov.uk/government/organisations/independent-review-mechanism/about>

After the 40 working day period has expired, if no representations have been made, Adopt North East Decision Maker may proceed to make a decision on the suitability of the prospective adopter to adopt.

## Approved Adopter; next steps

Once approved as a prospective adopter the adoption social worker will continue their involvement and will liaise with the family finding team to explore a match.

Possible matches will be discussed with prospective adopters and information shared as appropriate. The adoption social worker will provide support and advice throughout this process.

The adoption social worker will plan future visits and frequency of contact during this period leading up to a child being matched.

If a match is not identified within one year a formal review will take place chaired by an Adopt North East Manager. The adoption social worker will prepare a written report for the meeting. Reviews can take place at other times if necessary.

## Family Finding

### Fostering for Adoption

Fostering for Adoption (FfA) can be used for children where the local authority's plan for permanence is likely to be adoption but where other outcomes such as rehabilitation to birth family are still under consideration.

In such cases, the local authority will place the child with adopters who are also approved as foster carers (Fostering to Adopt FfA). The carers will be approved prospective adopters who have been temporarily approved as foster carers for a named child under Regulation 25A of the Care Planning, Placement and Case Review (England) Regulations 2010 ("2010 Regulations").

The advantage of this type of placement is that the child will be placed with foster carers who, subject to a Placement Order being made, or parental consent, are expected to go on to become the child's adoptive family. The child therefore benefits from an early placement with their eventual permanent carers. Delay in finding a permanent family for young children who have already experienced neglect early on in their lives may have a profoundly damaging effect on their development.

The aim of an FfA is:

To place children who cannot be cared for within their own families with a substitute family on a fostering basis, the family will then adopt the child on the making of the appropriate legal order. These placements can be made at birth or as soon as possible after the child has been removed from the care of their birth family. An FfA placement ensures that children do not endure the potentially damaging moves which can be experienced by babies/children when local authorities follow the traditional sequential route to adoption.

In FfA placements, the emotional uncertainty associated with possible and actual placement moves is held by the adults rather than experienced by the child in placement moves. In other words, the adults take the risks.

Birth parents will have the benefit of knowing that their child or children will not need to move if the decision is made that they cannot return to their care. It is not unusual for birth parents to ask for this at the point of the making of a Placement Order but on many of these occasions this is not possible as the foster carers do not wish to adopt or are not in a position to adopt.

Under Section 22C (9A and 9B) of the Children Act 1989 [as amended by the Children and Families Act 2014], where the local authority are considering adoption for a child, or is satisfied that the child ought to be placed for adoption but this is not yet authorised (either by consent or by Placement Order, the authority MUST consider placing the child with a relative, friend or other Connected Person who is also a local authority foster carer or, where they decide that such a placement is not the most appropriate placement, then they must consider placing the child with a local authority foster carer who has been approved as a prospective adopter.

Where a child is placed in a fostering for adoption / early permanence placement, the relationship which the child has with the person who is a prospective adopter must be considered by the Court or Adoption Agency alongside other relevant relationships the child has with their relatives or other persons (see [**s.9 Children and Social Work Act 2017 amending s.1(f) Adoption and Children Act 2002**](https://www.legislation.gov.uk/ukpga/2017/16/section/9)).

The carers will be approved prospective adopters who have been temporarily approved as foster carers for a named child under regulation 25A of the Care Planning, Placement and Case Review (England) Regulations 2010 (the 2010 regulations).

These placements will not be suitable for all children and situations but should be considered in cases where a local authority identifies that adoption is likely to be the most appropriate long-term plan for permanence for the child based on its assessment and available evidence. In these situations, other options are also likely to be under consideration including rehabilitation with family, although this will be thought to be highly unlikely to succeed and adoption is the most likely option.

It is also acknowledged that although the local authority will have considered all possible placements known to them with family members and concluded that these placements are unlikely to be able to care for the child prior to placement, it is possible that a suitable family placement might come forward following placement under Section 22C(9B)(C ). In this situation, these family carers will need to be assessed, as it is a continuing duty of the local authority to place the child in the most appropriate placement for that child (Section 22C of the Act).

The Statutory Guidance clearly states that Section 22C (9B)(C) placements may not lead to adoption and this may mean the child returns home or is moved to another permanence arrangement.

Where a decision is made to place a child in an FfA arrangement the adoption agency must:

* Notify the prospective adopter in writing;
* Explain the decision to the child in an appropriate manner, having regard to the child's age and understanding; and
* Explain to the birth parents (which includes fathers without Parental Responsibility) or guardian the legal implications.

On those occasions where the child is voluntarily accommodated under Section 20 of the Children Act, the notification should remind the birth parents of their right to remove the child from the local authority's care and should provide advice on access to legal advice and appropriate advisory bodies. At this point, the local authority may wish to consider commencing care proceedings.

The parents should be informed that the local authority cannot pre-judge the outcome of Care Proceedings and only the court can authorise placement for adoption if the parents do not consent to their child being placed for adoption.

The placement will only become agreed as an adoption placement when;

* A final Care Plan for adoption is approved by the court;
* A Placement Order is made; and
* The local authority approves the match between the foster carers and the child in their capacity as prospective adopters at Adoption Panel.

It is difficult to place timescales on the potential length of an FfA Placement however it is hoped that court proceedings conclude within 26 weeks where final decisions are made regarding care planning. An average FfA Placement is around 8 months.

### FfA as a Placement Option for Families

All prospective adopters should be provided with high quality information regarding FfA placements including the risks and potential benefits of these types of placements and sequential routes to adoption from the very beginning. It is expected that all prospective adopters considering FfA will attend training with Adopt North East around becoming FfA Carers. They should feel they have choice and options and should only pursue FfA if they feel they have the support and understanding in order to manage the associated risks such as a child returning to birth family rather than being adopted by them.

Specific training and support will be offered by the Adoption Team in close collaboration with the placing local authority Fostering Team, who will oversee the management of this support during the fostering phase of the placement.

The expectations of the fostering phase of the placement will need to be clearly understood by the family and it is the role of the Adopt North East team and placing local authority Fostering Team to ensure this is the case. Careful thought will need to be given to the ongoing contact / family time arrangements for the child and birth family.

The minimum expectation should be that the carers transport the baby/child to every contact / family time session to reduce the amount of time that the baby is out of their care and to ensure the baby is not being transported by different people. In addition, they will be expected to provide written updates on the child's progress, development and daily routine in the form of a diary for birth parents.

However, experience from good practice tells us that the optimum level of contact between prospective adopters and birth parents during the fostering phase of the placement would just involve the short handover period before and after contact / family time sessions.

Agreements will need to be reached regarding the management of the child's review meetings as confidentiality is a significant issue and data breaches will need to be avoided. In addition, children's social workers will need to pay careful attention to how their local recording and information systems pulls through carer’s addresses onto reports and forms, as data breaches and should be avoided by looking at using measures such as address confidential on the systems used.

FfA placements vary in terms of the risks that are associated with each placement, it is impossible to accurately quantify the level of risk present within any given placement, but we know that some placements have a higher level of perceived risk and we are working to support families who are able to manage increasing levels of perceived risk within FfA placements.

Temporary Approval as Foster Carers of Approved Prospective Adopters

Approved prospective adopters can be given temporary approval as foster carers under regulation 25A of the Care Planning, Placement and Case Review (England) Regulations 2010. This temporary foster carer approval process can be carried out at the same time as the adopter approval process.

This temporary approval can be given for a named Child Looked After, where the local authority considers that this is in the child's best interests. Temporary approval will need to be agreed by the local authority that has responsibility for a child as Adopt North East does not have appropriate powers to approve prospective adopters as foster carers.

Before giving such approval, the responsible authority must:

* Assess the suitability of that person to care for the child as a foster carer; and
* Consider whether, in all the circumstances and taking into account the services to be provided by the responsible authority, the proposed arrangements will safeguard and promote the child's welfare and meet the child's needs as set out in the Care Plan.

The temporary approval period expires when:

* The placement is terminated by the local authority;
* The approval as a prospective adopter is terminated;
* The prospective adopter is approved as a foster carer;
* The prospective adopter gives 28 days' written notice that they no longer wish to be temporarily approved as a foster parent in relation to the child; or
* The child is placed for adoption with the prospective adopter in accordance with the Adoption and Children Act 2002.

## Family Finding

Adopt North East Family Finding team manager will attend regular tracking meetings in conjunction with the child/ren’s local authority to ensure that early permanency is being considered for all children. An Early Permanence Notification Form is to be completed by the local authority and submitted to Adopt North East at the earliest opportunity. This commonly ties in with the second LAC review but can be earlier. Information gained will filter into Adopt North East’s recruitment strategy to enable family finding to be proactive.

Following a Local Authority Decision Maker (ADM) agreeing a plan of adoption for a child, the local authority will forward the Child Permanence Report (CPR) and ADM decision to Adopt North East. Each child who has a Should Be Placed for Adoption Decision (SHOBPA) will be allocated an adoption social worker. They will discuss the child/ren’s needs with the child/ren’s social worker, if necessary, their foster carer and all other relevant professionals to determine the desired adoptive family to meet those needs. The outcome of this discussion will be to devise an agreed family finding action plan which is signed by the local authority within 5 days. This plan will be reviewed by the adoption social worker in line with the child/ren’s care plan.

Requests from the local authority for a court statement on the process and availability of prospective adopters will be provided by the allocated social worker.

For any adoptive families being considered as a potential match for a child/ren, the Family Finding social worker will meet with their line manager to carry out a Selection Meeting to highlight the strengths and vulnerabilities of all families being considered. The outcome of the selection meeting will determine which adoptive families are to be sent to the child/ren’s social worker for consideration.

The child/ren’s social worker will be given the reports of no more than three adoptive families to consider and must make the decision to progress with a link within 7 days, as the families will then be released for other social workers to consider. Once the decision has been made the Child Permanence Report (CPR) and other written information will be shared with the selected adoptive family for consideration via their allocated adoption social worker. They will be supported by their adoption social worker to consider the information and decide if they are interested to move into the next stage of the matching process. This will be a meeting between the adoptive family, the child/ren’s social worker, the adoption social worker and the family finder. Note, there may be times when it is decided that the family finder does not need to be present, for example for a young child with no additional needs.

If the child/ren’s social worker does not wish to proceed to a match with this prospective adopter, they will complete ‘Visit to Prospective Adopter Social Work Feedback Form’. The form will be countersigned by their Team Manager and the information recorded about the reasons for not proceeding will be shared with the adoption social worker for the prospective adopters. The prospective adopter will also have a choice and if the prospective adopter does not wish to proceed the reasons for this will be shared with the child/ren’s Social Worker.

If an adoptive family is not identified within Adopt North East resources, then permission will be sought from the child/ren’s local authority to family find externally; a formal written request for interagency funding will be made to the local authority. If Adopt North East families have been declined by the child’s social worker this needs to be detailed within the written request. Once agreed, the child/ren will be profiled via Linkmaker, the consortium and nationally as agreed. Additional permission and funding will be sought if appropriate for family finding events such as Activity Day’s.

The Family Finder will complete a report on the family finding activity undertaken at three months and provide an update to the child/ren’s social worker. A telephone review will take place at this point to confirm plans for ongoing family finding.

If a potential match is identified external to Adopt North East, then the child/ren’s social worker and family finding social worker will visit the adopters with the adoption social worker from the identified agency.

The purpose of the home visit for both internal and external matches is to give the adoptive family the opportunity to understand the child’s needs and to evidence how the family can meet those needs.

Following the visit, the adoptive family will be given the opportunity to meet with the foster carers for the child/ren. The purpose of this visit is to share information about the child’s needs, care routines and to outline the potential transitional support needed. Following this visit a Life Appreciation Day will be arranged by the family finding social worker. If this is not possible/ appropriate, the adoptive family would be given the opportunity to speak with and visit any relevant professionals within the child/ren’s life. This could include the following; school, medical advisor, previous social worker or previous foster carer. Within the family finding process it may be decided that it would be beneficial for the child/ren and adoptive family to have a “bump into meeting”. The purpose of this meeting is to give the adoptive family the opportunity to see the child in a neutral environment to support putting written information into context. This visit is to be child led and is recommended not to be more than 30 - 60 minutes.

Once the adoptive family have received all appropriate information to allow them to make an informed decision, a pre-panel meeting should be held, to clearly identify the strengths and potential support needs of the match in the matching matrix (which should then be confirmed in the Adoption Placement Report). A clear link must be demonstrated in the Adoption Placement Report between the match vulnerabilities and the adoption support plan. The adoption support plan will be compiled in consultation with the adoption support service within Adopt North East. A referral to the adoption support team can be considered in line with any identified support needs. Within this meeting the following areas may also be considered; post placement contact with foster family, final birth family contact, outstanding preparation work for the child and adoptive family, any outstanding information required by the adoptive family and a potential transitional plan.

The Family Finding social worker will book the match into adoption panel at the earliest opportunity. Although the family finding social worker (or adoption social worker if the match is internal) will take the lead in coordinating the paperwork for submission to panel it is also the responsibility of the child/ren’s social worker to ensure timely completion of reports and sharing of documentation. The following documents are to be submitted to the Panel Administrator on the agreed submission date:

* Adoption Placement Report (fully signed);
* Adoption Support Plan (fully signed);
* Signed copy of Prospective Adopters Report (PAR);
* Signed copy of prospective adopter’s approval minutes;
* Updated and signed Child’s Permanence Report (CPR);
* Foster carer report;
* Adoption Medical and most recent Health Assessment if relevant
* PEP (if relevant)

The Family Finding Team Manager quality assures the Adoption Placement Report (APR) and Adoption Support Plan (ASP) for external matches; for internal matches the assessment team manager quality assures the APR and ASP.

The child/ren’s social worker and adopter’s social worker will support the adoptive family in attending Adopt North East’s panel to discuss the potential match with a view to gaining a recommendation.

Following panel all relevant paperwork outlining panel’s recommendation will be sent to the local authority’s agency decision maker for a final decision for agreement of the match between the adoptive family and child/ren.

For Internal matches, the family finding social worker will remain involved until the match is agreed and progressing to panel. For external matches, the family finding social worker will remain involved until the adoption order is granted to undertake the following tasks;

* attend the first adoption review (subsequent ones if necessary)
* be the point of contact for Adopt North East
* support adoption applications to be logged.

### Family Finding Activity

Adopt North East will hold the following events to ensure proactive family finding:

* Monthly tracking meetings with each local authority to consider all children with a “potential” plan of adoption. These meetings will ensure that there is no drift for children and that family finding is proactive;
* Adopt North East are available to provide advice and guidance to social workers on permanence plans as well as developing children’s profiles and discussing potential matches;
* Adopt North East profiling events will be held quarterly and are aimed for children who wait the longest. Adoptive families will be invited to the events to discuss children’s needs in greater detail;
* Adopt North East will attend profiling events being hosted in other parts of the country by CoramBAAF
* Adopt North East will support children to attend Adoption Activity Days where there has been local authority agreement, organised through CoramBAAF;
* Adopt North East provide targeted recruitment events to ensure that adopters being recruited reflect the needs of children that we are family finding for

### Family Finding Recording

The family finding action plan devised from the profile discussion will be held on the child’s case management system and will be regularly reviewed by the family finding social worker in line with the child’s care plan.

The family finding social worker will profile the child internally and through link maker (if this has been agreed by the child’s local authority) and will take responsibility for activity from this being recorded on the child’s case management system.

The child’s family finding process will be evidenced through the Adoption Placement Report.

## Post Adoption Support

### What is Adoption Support?

Adoption Support includes any support likely to be required for an adoptive placement to endure through to adulthood and is applicable to both existing and new situations.

Adopt North East has available a of a range of adoption support services.

Adopt North East does not have to provide the services themselves but must have made arrangements for services to be provided by voluntary or other agencies such as Health or Education.

### Duty to Provide Information Concerning Adoption Support

Under the Adoption and Children Act 2002 (as amended by the Children and Families Act 2014), Adopt North East **has a duty** to provide information on adoption support services to:

* Anyone contacting Adopt North East to request information about adopting a child;
* Anyone informing Adopt North East that (s)he wishes to adopt a child;
* Any parent of an adopted child within Adopt North East’s area who requests the information;
* Any parent of an adopted child within Adopt North East’s area of whom the authority is/becomes aware (e.g. where a parent rings about a SEN assessment and it becomes clear that the child is adopted).

Information **must** be provided about:

* The full range of adoption support services available through Adopt North East. This includes, but is not limited to, therapeutic services, assistance in relation to contact arrangements, and financial support;
* The right to request an assessment for adoption support services (at any time);
* The address and telephone number of Adopt North East’s Adoption Support Services Adviser;
* The availability of assessments for adoption support services for persons outside Adopt North East area, so that parents understand which regional adoption agency or local authority is responsible for assessing their support needs;
* Contact details for First4Adoption and the local the web-based information service which provides information about adoption;
* Priority school admissions (where relevant). Details can be found at School Admission of Children Adopted from Local Authority Care, GOV.UK website;
* Priority council housing and Discretionary Housing Payments;
* The entitlement to early education from the age of 2 years (since September 2014);
* How to make a complaint; both under the North Tyneside Council complaints procedure and to the Local Government and Social Care Ombudsman. Leaflet issued on request and given at the application stage of adoption process.
* Any other relevant services provided by Adopt North East;
* Any other information that Adopt North East considers relevant.

The following information **must** also be provided to potential and prospective adopters:

* Details of where to find information about adoption pay and leave. Details can be found at Adoption Pay and Leave (GOV.UK website);
* Information about the right to receive a copy of the child's permanence report, including a summary of the medical adviser's report on the health of the child, before the child is placed with them for adoption;
* The entitlement to a life story book. This should include who provides the life story book, what it includes and what it can be used for.

When a person requests information about a specific service, Adopt North East must ask whether they would like any of the other information as well.

Information does **not** need to be provided where:

* Adopt North East has provided all the necessary information in the last 12 months and none of the information has changed substantively;
* A person has informed Adopt North East that they do not wish to receive the information (unless Adopt North East considers it appropriate to do so);
* Where the information has already been sent, e.g. where the same person requests the information several times in a short period.

If Adopt North East refuses a person's request for information, it should give reasons for the refusal and signpost the person to the website that holds the information.

### Examples of Adoption Support

Adoption support is defined as including:

1. Financial support to adopters. This is usually targeted and time limited.
2. Priority access to social housing, and access to additional support to cover a spare room whilst adopters wait for their child to arrive in their new home;
3. Priority admission for school places, including academies and free schools;
4. Liaison with the designated teacher in offering support to previously looked after children and to their new school. See Education of Looked After and Previously Looked After Children Procedure;
5. Services to enable groups of adoptive children, adoptive parents and birth parents to discuss matters relating to adoption;
6. Assistance, including mediation, with contact arrangements between adopted children and their birth parents or others with whom they share a significant relationship;
7. Therapeutic services for adopted children;
8. Assistance to adoptive parents and children to support the adoptive placement and enable it to continue, including respite care;
9. Assistance to adoptive parents and children where a placement disrupts or is at risk of disruption;
10. A range of adoption support services, including access to counselling, information and advice for both adoptive parents and their children, who may have complex needs;
11. Assistance with cross boundary matters;

### When to Assess the Need for Adoption Support

15.4.1 In relation to adoptions arranged by Adopt North East, practitioners must assess the need for adoption support at the following stages of care and permanence planning:

1. When preparing the Child's Permanence Report for presentation to the Adoption Panel as to whether the child should be placed for adoption;
2. When preparing the Prospective Adopter's Report for presentation to the Adoption Panel as to the suitability of prospective adoptive parents to adopt;
3. When considering and preparing the Adoption Placement Report for presentation to the Adoption Panel in relation to the proposed placement of a child with prospective adopters.

15.4.2 In relation to placements arranged by Adopt North East, adoption support must also always be considered at a child's Adoption Reviews following the adoptive placement.

15.4.3 Adopt North East **must** also undertake an assessment of need for adoption support at the request of the following:

1. Children who may be adopted, their parents or guardians;
2. Persons wishing to adopt a child;
3. Adopted persons, their parents, birth parents and former guardians;
4. Other children of adoptive parents (whether they are adopted);
5. Birth siblings of adopted children;
6. Relatives of the adopted child or other persons with whom the child has a beneficial relationship.

The requirement to assess the need for support is limited to the entitlement to services of the person making the request.

As well as adoptions arranged by Adopt North East, children adopted from abroad are entitled to be assessed for therapeutic services and disruption support. It is only where the adoption is by a step parent that there is no requirement to carry out an assessment, although in such cases, counselling, advice and information may be offered as appropriate.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Person being assessed** | **Services for which they are entitled to be assessed** | | | | | | |
| **Services to enable discussion of matters relating to adoption** | **Assistance in relation to arrangements for contact** | **Therapeutic services** | **Services to ensure the continuation of adoptive relationships** | **Services to assist in cases of disruption** | **Counselling, advice and information** | **Financial support** |
| **Agency adoptive child** | 🗸 | 🗸 | 🗸 | 🗸 | 🗸 | 🗸 |  |
| **Adoptive parent of an agency adoptive child** | 🗸 | 🗸 |  | 🗸 | 🗸 | 🗸 | 🗸 |
| **Child of adoptive parent** |  |  |  | 🗸 | 🗸 | 🗸 |  |
| **Birth parents or guardians of an agency adoptive child** | 🗸 | 🗸 |  |  |  | 🗸 |  |
| **A relative (or someone with whom the local authority considers the child to have a beneficial relationship) of agency adoptive child** |  | 🗸 |  |  |  | 🗸 |  |
| **Intercountry adoptive child** |  |  | 🗸 | 🗸 | 🗸 | 🗸 |  |
| **Intercountry adoptive parent** |  |  |  | 🗸 | 🗸 | 🗸 |  |
| **Birth sibling of an adoptive child** |  | 🗸 |  |  |  | 🗸 |  |
| **Non-agency adoptive children, their parents and guardians** |  |  |  |  |  | 🗸 |  |
| **Prospective adopters** |  |  |  |  |  | 🗸 |  |
| **Adopted adults, their parent, birth parent and former guardians** |  |  |  |  |  | 🗸 |  |
| **A relative (or someone with whom the local authority considers the child to have a beneficial relationship) of a non-agency adoptive child** |  |  |  |  |  | 🗸 |  |

### Which Local Authority Should Carry out the Assessment?

The table below sets out which regional adoption agency or local authority has responsibility for carrying out the assessment of need for adoption support, and in what circumstances.

|  |  |
| --- | --- |
| **Circumstance** | **Responsibility for Assessment** |
| Child being Looked After and in respect of whom an adoption plan is being considered | The local authority looking after the child |
| Child placed with or adopted by family living in the area of Adopt North East | Adopt North East |
| Child placed with and/or adopted by family living outside Adopt North East area | The placing local authority has responsibility at the time of the placement and for up to 3 years after the Adoption Order is made, and then the local authority or regional adoption agency where the adopters live will have the responsibility |
| In all other cases (i.e. non agency placements except stepparent adoptions) | The local authority where the requester lives must assess |

### Which Local Authority Should Provide Support?

The local authority or regional adoption agency responsible for carrying out the assessment of need should provide support to meet the identified needs.

The exception to this is where ongoing financial support and/or supporting contact arrangements have been agreed by the placing authority before the Adoption Order was made, in which case the responsibility to provide such support will remain with that authority for as long as eligibility for the service continues.

### Process of Assessment for Adoption Support

In all cases where an assessment is required, the practitioners involved should conduct assessments by following the guidance set out in Working Together to Safeguard Children. The assessment should take account of the adoption context and, where the assessment relates to the child, all the developmental needs of the child should be covered including health, education and emotional needs, and contact issues. The relevant education service and health trust should be consulted as necessary.

Assessments of need for adoption support under paragraph 4.1 (a) and (b) above should be carried out by the child's social worker and/or the prospective adopters' social worker as appropriate prior to being presented to the Adoption Panel. The assessment under paragraph 4.1.(c) at the time of the child's proposed placement with prospective adopters should be considered at the Matching Meeting and have the approval of the Designated Manager prior to being presented to the Adoption Panel with the Adoption Placement Report. At all stages, the Adoption Panel must consider and may give advice on the proposed adoption support and this advice will be considered by the Agency Decision Maker, before making a final decision on the contents of the Adoption Support Plan.

Any assessment (under paragraph 4.2) considered necessary at an Adoption Review, as a result of which a change in the Adoption Support Plan is required, should be referred to the Designated Manager.

Requests for assessment for adoption support under paragraph 4.3 above will be allocated to a social worker to carry out an assessment, with advice from the Adoption Support Services Adviser as necessary. The assessing social worker will usually need to interview the person being assessed - where this is a child, the adoptive parents will also need to be interviewed depending on the case and the age, understanding and wishes of the child.

An assessment will not be required before providing advice and information.

Where an assessment is carried out as a result of a request under paragraph 4.3, a written report of the assessment should be produced and agreed by the Designated Manager.

A copy of the assessment report, once approved, should be sent to the person assessed with notice of the outcome of the assessment, which should state:

1. The person's assessed needs for support;
2. Whether Adopt North East proposes to provide adoption support services and if so, what the proposed services are;
3. Where the assessment relates to the need for financial support, how this has been determined and calculated and the conditions to be attached, (see Section 9, Financial Support).

Where the person assessed is a child, and it is not appropriate to send the notice to the child, notices should be sent to the adoptive parent or the most appropriate adult.

Where services are proposed, a draft Adoption Support Plan should usually be attached to the notice and those assessed should be allowed time to consider and make representations on the proposal as set out in Section 8, The Adoption Support Plan.

Where the service proposed is one-off, the notice of the outcome of the assessment will be enough to outline what is proposed and a draft plan will not be required.

### The Adoption Support Plan

#### Contents of Adoption Support Plan

An Adoption Support Plan should set out clearly:

1. The objectives of the plan and the key services to be provided;
2. The timescales for achieving the plan;
3. Those responsible for implementing the plan and the respective roles of others; what should be provided, when and by whom;
4. The criteria that will be used to evaluate the success of the plan;
5. The procedures that will be put in place to review the services to be provided and the plan.

The Adoption Support Plan will need to be completed after consultation with the appropriate Health Trust, CAMHS or education service where any special arrangements may need to be made. Where the child is placed in the area of another local authority, the agencies in that authority's area will need to be consulted as to what services may be available for the adopters and the adopted children. In these circumstances, the prospective adopters should be assisted with any cross-boundary issues that may arise

The Adoption Support Plan should include any proposed financial support, how the amount has been calculated, where it is to be paid in instalments - the frequency of payment, the period over which it will be paid and when the first payment is to be made, the conditions and the consequences of failing to meet them and the arrangements for review, variation and termination, (see Section 9, Financial Support).

#### Consultation with proposed recipients of adoption support

Once a proposed Adoption Support Plan has the approval of the Designated Manager (Adoption Support), a copy should be sent to the proposed recipients of the support, as well as to any party involved in the delivery of the plan.

The recipients of the proposed support should be given 10 working days to consider the proposals and make representations to Adopt North East about the proposed plan. Any representations made should be considered by the Designated Manager, who will amend the draft plan as appropriate and inform the recipients of the outcome of their considerations, if there are any amendments to be made.

#### Approval of Adoption Support Plan

In relation to proposed agency adoptive placements, the proposed Adoption Support Plan will be submitted to the Adoption Panel when the proposed placement of a child with prospective adopters is recommended. The final Adoption Support Plan will be approved, considering any advice given by the Adoption Panel.

#### Distribution of Adoption Support Plan

A copy of the final plan should go to all those involved in implementing it, and to the recipients of services (or appropriate adult). Where the child has an Independent Reviewing Officer, a copy should also be sent to them.

#### Reviews of Adoption Support Plan

Where adoption support is in place prior to an Adoption Order, the Adoption Support Plan should be reviewed at the reviews of the adoptive placement - see Adoption Reviews Procedure - or at any time if there is a significant change of circumstances, within 4 weeks of the notification of the change.

After the Adoption Order has been made, the Adoption Support Plan will be reviewed if a change in circumstances is brought to the notice of Adopt North East. The Adoption Service Manager will decide on the format and content of any such review, which will depend on the circumstances of the case. It may refer to only one element of the Plan or be relatively minor in which case an exchange of correspondence may be enough. (For annual reviews of financial support, see Section 9.10, Annual Review of Support).

Where the change of circumstances is substantial, such as a serious change in the behaviour of the child, it may be appropriate to conduct a new assessment of needs involving other parties.

If as a result of a review, whether before or after an Adoption Order has been made, it is proposed to vary or terminate the support, the proposed change must be referred to the Designated Manager (Adoption Support) for approval, who, in the case of agency adoptive placements, may decide to refer the case back to the Adoption Panel for information and advice and then to the Agency Decision Maker for a decision to be made.

Once approved, the person concerned must be notified of the proposed change, together with a copy of the revised Adoption Support Plan in draft. They must then be given 10 working days to appeal the proposals.

Any such appeals should be submitted to the Designated Manager (Adoption Support) whose decision as to the final contents of the revised Adoption Support Plan should consider any appeals made.

Notice of the decision must then be sent to the person concerned with reasons and, where appropriate, a copy of the revised plan.

#### Urgent Cases

Where there is an urgent need for support, the support can be provided before a Plan is drawn up, but the above procedure should then be followed as soon as possible.

## Financial Support

### Introduction

The purpose of this policy is to outline Adopt North East’s Adoption Financial Support Scheme. Financial support is paid by North Tyneside Council’s Children's Social Care (CSC) in conjunction with the agreements made within the Regional Adoption Agency.

This policy should be read in conjunction with relevant updating guidance from the Department for Education and relevant legislation and case law.

The term 'adoption allowance' refers to a periodic or regular payment payable at intervals determined by each local authority at the time of placement or when a subsequent need is assessed.

### Legal Framework

When the Adoption and Children Act 2002 was introduced a new regulatory structure for adoption support services was introduced which placed a duty on local authorities to assess the need for adoption support services for adoptive families and others. The Adoption Support Services Regulations 2005 specify the conditions for providing adoption support services including the provision of financial support.

### Policy

Adopt North East works with the responsible Local Authority who may in certain circumstances provide financial support to an adoptive parent or prospective adoptive parent, for the purpose of supporting the placement of the adoptive child or the continuation of adoption arrangements after an adoption order is made subject to eligibility.

A request for an assessment of eligibility for financial support can be made at any time following adoption by an adopter. Adopt North East has a duty to provide an assessment of need, but the Local Authority has discretion as to whether to provide financial support. The responsible Local Authority and the placing Local Authority will use the DfE Model Means Test to determine the level of financial support provided or not.

Eligibility for financial support will be based on an overall assessment of the child and adoptive family's support needs undertaken using the Framework for the Assessment of Children in Need and Their Families and related practice guidance. This includes the undertaking of an assessment:

* At the request of an adoptive parent,
* After the granting of an Adoption Order,
* If the adoptive parent feels there have been significant changes to a child's needs and circumstances or their own financial circumstances.

### The General Methods of Payment

The general methods of payment for financial support are by way of:

1. Regular payments - based upon the developmental age of the child and calculated by Local Authority to meet a specific assessed on-going need;
2. Lump sum payments (settling in costs, special needs and adaptations), which will cover items or adaptations that are required because of an assessment of each child's individual's needs. Payment may be in instalments and will end at a time specified by responsible Local Authority.
3. Payments in special circumstances, (for example, a child with additional needs or where foster carers adopt a child for whom they are already caring, or where adopters incur legal expenses in contested cases). Payment may be in instalments and may end at a time specified by the responsible Local Authority

Adoption Allowances are described in the 2005 Regulations. This allowance is in addition to any state benefit an adopter may be eligible for (e.g. Child Benefit).

Financial support is intended to complement existing means of support available to adoptive parents and the child or children being adopted where necessary and where the criteria for support are met. Adopters **must** be given advice of entitlements to benefits, tax credits and allowances, and these must be considered when considering eligibility for financial support.

All adopters will be asked to complete a Financial Assessment Form.

### When can an Adoption Allowance be Paid?

The 2005 Regulations set out that there must be no reward element in financial payments other than as a transitional provision for foster carers adopting a child for whom they are currently caring.

An adoption allowance can be paid from the date of the placement for adoption or from a later date. This includes providing the prospective adopter with a copy of the draft support plan and an opportunity to comment on the draft plan before it is submitted to Panel.

When deciding how much, if any, adoption allowance to pay, the responsible Local Authority must consider any other grant, benefit, allowance or resource which is available to adopters as a result of the adoption (for example, Disability Living Allowances (DLA), nursery grants, child benefit, etc.). Financial support from responsible Local Authority must not duplicate financial support from benefits and the tax credit system. The amount of financial support provided is a matter for the responsible Local Authority to determine through the assessment process.

The responsible Local Authority must also take account of:

* The Adopter's financial resources, including any benefits or tax credits that would be available to them if the child lived with them and any investments of the (prospective) Adopter(s); and
* The Adopter's reasonable outgoings and commitments excluding outgoings in respect of the child; and
* The financial needs and resources of the child.

Financial support is paid to an adoptive parent for the purpose of supporting the placement of the adoptive child or the continuation of adoption arrangements after an adoption order is made.

If it is established that the child has needs requiring additional financial support, it is only then that the adopter's financial circumstances will come into consideration.

An adoption allowance/financial support **may** be provided to adoptive parents in the following circumstances:

1. Where it is necessary to ensure that the adoptive parent can look after the adoptive child; for example, where it is in the child's best interest for a parent to remain at home for a specified period after placement;
2. Where the child needs special care, which requires greater expenditure of resources due to illness, disability, emotional or behavioural difficulties or the continuing consequences of past abuse or neglect; an assessment of the child's needs will be undertaken to consider whether an allowance or one-off payment is appropriate. Payment under this category is intended where the child's condition is serious and long term;
3. Where it is necessary to make special arrangements to facilitate the placement or the adoption because of:
   1. The age or ethnic origin of the child; or
   2. The desirability of the child being placed with the brother or sister (whether full or half-sibling) or with a child with whom the child previously shared a home.
4. In the above circumstances an assessment of the child/children's needs will be undertaken to consider whether an allowance is appropriate;
5. Where recurring travel costs for the purpose of visits between the child and a related person (i.e. post adoption contact);
6. Where it is appropriate to contribute to meet the following at time of placement:
   1. Expenditure on legal costs, including fees payable to a court in relation to an adoption; Adopt North East will pay the Court fee in all cases and will consider whether it is appropriate to fund legal advice in a contested leave or adoption application or if it is necessary for the adopters to be represented in court. Any agreement as to payment of legal costs (other than the Court fee) will be determined after discussion with Adopt North East’s Legal Services;
   2. Travelling expenses for adopters during introductions will be paid using public transport rates. If it is necessary for adopters to incur accommodation costs to facilitate the process, consideration will be given to reimbursing these at the equivalent of Travel Lodge rates;
   3. Expenditure necessary for the purpose of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations to and adaptations of the home, provision of means of transport and provision of clothing, toys and other items necessary for the purpose of looking after the child. This will be considered on a case by case basis dependent on the need of the child/children and in all circumstances, Adopt North East will require proof of expenditure or at least two quotes in respected of proposed expenditure before payment can be made.

### Types of Payment

**Single payments**

Single payments of financial support may be provided in cases where the identified need does not require on-going support.

**Remuneration for former foster parents**

The remuneration element will only be payable where it has been agreed by the Director of Children's Services of the responsible Local Authority that adoption through the foster carers was the only practicable way to achieve permanence for the child.

### Notification

Before the responsible Local Authority makes any decision as to whether to provide financial support, reasonable notice of the proposed decision must be given to the adopter(s) or prospective adopter(s) to enable them to appeal.

The notice **must** contain the following information:

1. A statement as to the person's needs for adoption support services;
2. Where the assessment relates to their need for financial support, the basis upon which the financial support is determined;
3. Whether Adopt North East propose to provide them with adoption support services;
4. The services they propose to provide;
5. If financial support is to be paid the proposed amount payable;
6. Any proposed conditions;
7. An adoption support plan;
8. Information about annual reviews (see Appendix 2: Adoption Allowance Payment Offer and Appendix 3: Adoption Allowance Agreement).

The responsible Local Authority will not decide until appeals have been made and has been notified that the adopter(s) is satisfied with the proposed decision, or the period for appeals has expired. Any representations will need to be made within a reasonable period and no more than 28 days after notification of the decision in respect of financial support has been provided to the adopters/prospective adopters.

### Conditions

If it is decided that financial support should be given to adoptive parents, payment will be subject to statutory conditions.

Prior to making financial support available to prospective or adoptive parent(s), the prospective or adoptive parent(s) will be required to confirm to responsible Local Authority immediately in writing:

1. Of changes to their home address;
2. If the child dies;
3. If the child (for any reason) no longer lives with them;
4. If the child ceases full-time education or training and commences employment;
5. If the child qualifies for universal credit, income support, employment and support allowance, jobseeker's allowance or any other credit or allowance in his own right;
6. If there are any changes to their financial situation/the resources of the child.

Where information regarding the above changes in circumstances is given verbally, adoptive parents must confirm this in writing within 7 days.

Prior to making support available, the prospective or adoptive parents will also be required to confirm to responsible Local Authority in writing that they will complete and supply responsible Local Authority with an annual statement as per the section below regarding Annual Review of Support. Should adoptive parent(s) fail to comply with the requirements, the authority may suspend payment of the financial support provided.

### Annual Review of Support

The annual review of each adoption allowance will be carried out by the responsible Local Authority. This may include a request for an assessment of adoption support needs to be completed by Adopt North East. A form may be sent out a few weeks before the review date and must be returned with all proofs of income and expenditure by the deadline date. Financial support will be reassessed with effect from the date of review. If the form is not returned by the deadline, financial support may cease and may not be backdated to the review date.

If the Review results in a recommendation for the adoption allowance to be increased, decreased, suspended or terminated, it must be a consideration as to whether a visit to the adoptive family is required; before referring to the Head of Service in the responsible Local Authority to make a final decision.

If the decision about the current rate, or change of rate, is difficult to make, a report will be requested from another professional, e.g. a consultant paediatrician, a psychologist, a person seeing a child on a regular basis.

### Ending of Financial Support

Financial support will end in the following circumstances:

1. When a child reaches age 18, unless they continue in full time education or training when support may continue until the end of the course of education or training being undertaken, subject to any other financial support the child may be entitled to receive;
2. Where a child ceases full-time education or training and commences employment;
3. Where a child qualifies for income support or job seekers allowance in their own right;
4. Where circumstances have changed significantly, and the criteria are no longer met;
5. If a child leaves the adoptive home and this is regarded as a permanent departure;
6. Temporary absences do not apply, e.g. boarding school, hospital, and respite care;
7. The child dies.

Financial support will also end if the assessment of the child's needs concludes that the criteria for the allowance is no longer met or where the specified period for payment agreed at the outset comes to an end.

## Contact and Post Box

### General

Adopt North East have a dedicated Post Box team who facilitate indirect contact between birth families and adopted children. The dedicated post box co-ordinator will be your first point of contact and will sign post you, if required to the correct person managing your post box.

We will support birth families and adopters with their contact arrangements, however if an independent agency is required for this, we can commission PAC UK to support birth families with letter writing and contact arrangements.

When Adopt North East is authorised to place a child for adoption, there is no general presumption for or against contact. Contact arrangements should be determined solely by the needs of the child as the welfare of the child is the paramount consideration.

Contact arrangements may need to be varied as the child’s relationships and needs for contact change over time. Contact may be direct (visits and meetings) or indirect (letters, cards and background information).

Where siblings cannot be placed together within the same adoptive family, contact between siblings must be given careful attention and plans put in place to maintain contact when it is in the best interests of the child. All decision making, analysis and reasons need to be clearly evidenced within the child’s records, particularly where ongoing sibling contact is not taking place.

### Summary of Contact Arrangements Provisions

The child’s Permanence Report should include:

• The child’s wishes and feelings regarding contact with a parent, guardian, relative or any other significant person should be ascertained during the assessment of whether the child should be placed for adoption.

• The wishes and feelings of the parent, guardian, relative or any other significant person should be ascertained during the assessment of whether the child should be placed for adoption.

• The proposed contact arrangements and the child’s Local Authority’s view on them.

When a child is matched with prospective adopters, the views of the prospective adopters about the proposed contact arrangements should be ascertained. The Adoption Placement Report should include the proposed contact arrangements.

The Panel will consider the contact arrangements when considering whether the child should be placed for adoption and, when the matching decision is considered and the Adoption Placement Report is presented, may give advice to Adopt North East about the proposed arrangements.

The Adoption Placement Plan should include all contact arrangements.

The following people should be informed of contact arrangements:

* The child if of enough age and understanding
* The parent or guardian
* Any person who had a contact order under the 1989 Children Act
* Any other relevant person

All reviews should consider the existing contact arrangements and whether they should be continued or altered.

### Direct Contact

Direct contact may continue once a child has been adopted if it is an established arrangement and is in the best interests of the child.

Some direct contact arrangements may be managed between the involved parties, whilst others may require the involvement of the agency either through indirectly facilitating the arrangement or directly supervising the arrangement.

The support required for any direct contact arrangements should be considered as part of the Adoption Support Plan. This may involve:

* Financial support
* Adopt North East acting as an intermediary between the parties in setting up the arrangement
* Arrange and/or coordinate transport of involved parties
* Provision of facility for the contact to take place
* Supervision of the contact

### Indirect Contact

In the past the making of an Adoption Order was final and all contact between children and their family of origin was severed. Nowadays however, many children placed for adoption have indirect contact known as Post Box Arrangements.

Indirect contact in Adopt North East is managed through the Adopt North East Post Box Team.

The Post Box Team provides a service by which letters, cards, information, and photographs may be exchanged between parties as agreed on either a voluntary basis or as ordered by the Court. The exchange of information is offered until the adopted child reaches 18 years of age.

For an adopted child an exchange of information can help the child to:

* Keep up links with a significant birth relative
* Understand more about his/her background
* Keep up to date with changes and events in his/her birth family
* Accept what has happened and deal with fantasies or myths about the birth family
* Prepare for possible future contact as an adult
* For adoptive parents an exchange of information can help them to:
  + Find out information not available at the time of the adoption e.g. medical information
  + Provide answers to questions from the child using more up to date information about the birth family
  + Assist the child to develop a positive sense of identity
* Enable the child to develop new attachments by acknowledging the old ones.
* For a birth parent or relative an exchange of information can help them to:
  + Find out how their birth child is developing, progressing at school etc.
  + Inform the child about changes in their own lives
  + Deal with their loss by being reassured that the child is safe, well and loved
  + Maintain links with the child
  + Remember the child is growing and developing rather than being stuck at the age they last saw each other
  + Prepare for the possibility of contact when the child reaches adulthood

The exchange of information is normally between the adopters and the birth family although with older children may involve some exchange of information with the child.

Indirect contact may exist between the child and:

* A birth parents
* A sibling
* A significant birth relative

As part of placement planning, consideration should be given to:

* What form the indirect contact will take i.e. letters, cards, information, videos/tapes/CDs and photographs. No items should be exchanged which identify details about the adopters, their location or the child’s school.
* How frequent the indirect contact will be.
* Whether the birth family write to the child or to the adoptive parents.
* What form of address should be used for the birth family e.g. mummy/daddy or Christian names.
* What updating information will be provided.
* Under what circumstances the contact will cease e.g. wishes of child.

The Post Box Arrangements will commence when the child has been adopted and managed by Adopt North East.

Unauthorised or unmediated indirect contact will present challenges for children, birth families, adoptive parents and social workers.

Social networking is for many adults and children a preferred and common method of communication. It is important that the implications of disclosing personal information and the harm unauthorised or unmediated contact can bring are discussed.

Prospective adopters will be given advice during the preparation and assessment process. Support will be available to all parties should unauthorised or unmediated contact be made.

### Post Box Procedure

Following the approval of the match between the child and the prospective adopters, the child’s social worker should ensure the completion of Post Box Agreement Initiation Form for the birth family and allocated Social worker for the adopters will support with the completion of the form for prospective adopters and any other parties to the agreement. The initiation form should clearly specify whom the contact is between. A formal agreement will then be put in place by the Post Box Team with all parties.

Each party should be given the relevant Post Box Contact leaflet, which explains the process. In addition, birth families should be given written information about the services available through the voluntary adoption service provider contracted by Adopt North East.

All parties should be asked to inform the Agency if there any changes of address or circumstances.

Each party to the Agreement should be given support about what to include in their letters. Sample letters are available which provide a model on which letters can be based.

Each arrangement will be set up on an electronic file detailing the arrangement.

When the exchange of information is received, it will be opened, and the contents read to ensure the contents are suitable to be passed on to the other party. Where there are concerns about the contents, an adoption support worker will contact the birth relative or adoptive family and advise them about the concerns to give the opportunity for an alternative to be provided or to counsel the recipient about what may be distressing information and how it should be handled. Any unsuitable contents or contents outside of the Post Box Agreement will not be passed on.

If information is sent which requires translation or conversion to Braille, this service will be provided by Adopt North East.

If there are no concerns about the contents or the concerns have been addressed, any correspondence will be stored electronically on the Post box file.

If any forwarded information is returned to the agency as not known the will be informed and will attempt to discover the reason for this e.g. failure to notify of a change of address.

If any urgent information e.g. serious illness or death needs to be exchanged outside of the Post Box Agreement frequency, should be contacted by the concerned party and will make a judgement about the transfer of the information.

The Post Box exchange of information ends when the child is 18 years old. The whole of the Post Box file will transfer to the child’s adoption file, which is then kept for 100 years from the date of the Adoption Order.

Many adopters and birth relatives do become anxious when attempting to write a progress letter. One of the most common concerns of adopters is worrying that their letter is too positive and may upset a birth parent. From a birth relatives’ perspective, writing a letter can be a difficult time as it may trigger painful feelings relating to the loss of the child.

However, if post box exchanges are going to work well, it is important that the individuals involved in the agreement can accept that the child now has two families and that post box exchange is in the child’s best interest.

### Review of Arrangements

The focus of the post box should always be ‘What is best for your child and their wishes and feelings.’ This may change over time and therefore the post box arrangements may need to change. Should this happen we will offer support to everyone involved.

### Advice and information

Post box is part of Adopt North East’s Adoption Support Service. For any advice or information, please contact Adopt North East.

The Post Box Team are available for enquiries between the hours of 9.30am – 12.30pm

Email: Postbox@northtyneside.gov.uk

## Access to Records

### Provision of Counselling

In all cases where an application or request is dealt with under this procedure, the allocated social worker must provide written information about the availability of counselling to the applicant and to the subject, including information about PAC-UK (which provides counselling in the area on behalf of Adopt North East adoption agency), as well as agencies that provide counselling in the area where the adopted adult now lives or the area where the adoption order was made, (if different) and any fees which may apply.

Where the applicant indicates a wish to receive counselling, the allocated social worker must ensure that the person receives the counselling, and the allocated social worker should ensure that the counsellor has the necessary skills and experience.

Whenever a referral is made to another agency for counselling to be provided, the allocated social worker should provide the agency carrying out the counselling with sufficient information about the applicant and/or the subject to enable the counselling to be beneficial.

### Access to Birth Records

Adopted people aged 18 or over can apply for access to and a copy of their birth certificate. The procedure for dealing with any such application will differ depending on whether the Adoption Order was made before or after 30 December 2005.

#### Adoption Orders made before 30 December 2005

When a caller enquires about access to birth records, the caller should be referred to the Adoption Team. If it is established that the caller was adopted and that a Local Authority now represented by Adopt North East was involved in arranging the adoption, the enquiry can be pursued. In other cases, the caller should be advised to re-direct their enquiry to the appropriate agency.

If a local authority now represented by Adopt North East was involved in arranging the adoption, but the adopted adult lives a considerable distance away, it will be for the Adoption Team to refer the adopted adult to an agency closer to where they live.

Where an enquiry is accepted, counselling will be offered in accordance with point 1 above.

The Adoption Team will advise an enquirer to write to the General Registrar Office (Adoption Section) Smedley Hydro, Trafalgar Road, Southport PR8 2HH, to ask for an application form. When information is received from General Register Office, a referral will be made to PAC-UK and an adoption social worker from PAC-UK will contact the adopted person to invite them to attend a meeting within 2 months to share the information provided from GRO.

At the interview, the PAC-UK adoption social worker will ask for proof of the identity of the adopted person to ensure confidentiality, for example a passport or driving licence, before providing any information. The PAC-UK adoption social worker should share the information provided by the General Register Office and complete the relevant form giving authority for the applicant to receive information from Court records. The PAC-UK adoption social worker should also give the adopted person the application form, to obtain a copy of their birth certificate.

The PAC-UK adoption social worker should then complete the form confirming the interview has taken place and return it to the General Register Office.

Where issues of concern have arisen at the counselling interview, for example in relation to the adopted person's instability, the PAC-UK adoption social worker should alert the General Register Office.

The adopted person should be advised about the Adoption Contact Register, the right to seek access to their Adoption Case Record (see Section 3, Access by Adopted Persons to Adoption Records below) and, for those who wish for help in tracing members of their birth family, the availability of Intermediary Services (see Intermediary Services). He or she should also be advised where appropriate about the right to register an absolute or qualified Veto on their adoption record - see Intermediary Services and informed of any other relevant agencies offering support.

#### Adoption Orders made on or after 30 December 2005

When a caller enquires about access to birth records, the caller should be referred to the Adoption Team. If it is established that the caller was adopted and that Adopt North East was involved in arranging the adoption or that the caller is a resident of the areas represented by Adopt North East, the Adoption Team will refer the applicant to PAC-UK. In the event that Adopt North East was involved in arranging the adoption, but the adopted adult lives a considerable distance away, the Adoption Team will refer the adopted adult to an agency closer to where he or she lives.

The PAC-UK allocated adoption social worker will arrange for an initial interview to take place. At the initial interview, the PAC-UK adoption social worker will ask for proof of the identity of the adopted person to ensure confidentiality, for example a passport or driving licence, before providing any information. For those adopted persons who confirm their wish to obtain a copy of their original birth certificate, they should be given the appropriate information to enable them to complete the application form to obtain a copy of their birth certificate. Where the requisite information is not held in Adopt North East, the adoption social worker should seek the information from the General Register Office on the adopted person's behalf.

Adopted persons should be advised of their right to have a copy of the Child's Permanence Report.

For those who wish to trace members of their birth family, they should be advised of the various courses of action they can take - see Section 3, Access by Adopted Persons to Adoption Records below.

The social worker should continue to offer support and advice to the adopted person for as long as they need it and will also inform them of any other relevant agencies offering support. If it is considered that the adopted person should not have access to the information, legal advice should be obtained regarding a possible application to the High Court to prevent access.

### Access by Adopted Persons to Adoption Records

#### Adoption Orders made before 30 December 2005

The Adoption Team provides a service, through PAC-UK, to adopted persons seeking access to their adoption records where they are Adopt North East residents or where Adopt North East or the former Local Authority holds the files relating to their adoption.

Any request by an adopted person for access to their adoption record must be in writing and accompanied by a photocopy of identifying information, such as passport or driving licence.

Where a request is accepted the adoption record should be retrieved – from the appropriate Local Authority Archive. The relevant forms for Retrieval of Records should be completed and signed by the Adoption Team and sent to the appropriate Records offices.

The adoption agency has discretion to disclose to the adopted person material from the adoption record, and this discretion should be exercised in the context of the particular circumstances of each request. The adoption social worker should discuss the case with their manager before arranging any access to the adoption record.

There should be a clear record on file of all information disclosed. Where copies of documents have been provided, this should also be recorded.

#### Third Party Information

Careful consideration should be given to the disclosure of information held on third parties. Specific consent from the third party is not required, but consideration needs to be given to the nature of the information, the relevance and benefit to the adopted person of knowing the information and the likely effect on them of receiving it.

There may be instances where the information held has been given by a third party (for example a birth relative) with a clear understanding that it may be disclosed to the adopted person in the future.

Conversely, there may be information held about a third party which is highly confidential and would serve no purpose for the adopted person to know - for example information that a birth mother had had a number of terminations prior to the adopted person's birth.

All decisions should be based on professional judgement and the adoption social worker should discuss the case with their line manager before making a decision.

All decisions should be recorded on the record, with reasons.

Where there is information about siblings held on the record, again consideration needs to be given to the benefit and relevance to the adopted person of knowing the information. Where, for example, a sibling has been placed for adoption separately, and the disclosure of information about the sibling may reveal confidential information about the sibling's new family, then extreme caution must be exercised.

However, if the information relates to the past family history, will provide no identifying information about the sibling's present whereabouts and the disclosure will enable the adopted person to understand more about the family and the reason why the siblings were separated, then disclosure is more likely to be appropriate.

The most difficult situations arise when the information relates to past family history, concerns confidential information about a sibling or family member and would clarify for the adopted person the reason why children were removed from their family of origin, or siblings were separated. These situations should always be discussed with the line manager and the discussion and decision to disclose or not to disclose information should be clearly recorded on the file, together with reasons for the decision.

#### Adoption Orders made on or after 30 December 2005

Any person may apply to the appropriate adoption agency for the disclosure of protected information about any person involved in adoption. Applications for the disclosure of protected information\* may therefore be made by adopted people, birth relatives or any other person involved in an adoption. The adoption agency has discretion not to agree to the requested disclosure. It must record its decision and the reasons.

\*Protected information is defined as information which is about a person and contains identifying information about that person.

The adoption agency must consider the following matters before deciding whether to disclose protected information to the applicant:

* The welfare of the adopted person;
* The views of the person to whom the information relates and if this is a child, their parents;
* All the circumstances of the case.

The agency cannot disclose identifying information about an adopted person to birth relatives without the consent of the adopted person.

Where the request relates to an adopted child, the obtaining of consent will depend on the child's age and understanding, and the consent of the prospective adopters will also be required.

Persons involved in adoptions can provide their consent in advance to the disclosure of identifying information about them at some point in the future.

Decisions made in relation to applications for disclosure of protected information must be communicated in writing both to the applicant and the subject, and the reasons for the decision must be outlined.

Where an application for disclosure of information relating to an adult is refused, this is a "qualifying determination" and the applicant may apply to the Independent Review Mechanism in relation to the decision.

Where an application for disclosure of information is agreed despite the objection of the subject, this is also a "qualifying determination" and the subject of the information may apply to the Independent Review Mechanism. (See Attending an IRM panel: Information Sheets, (GOV.UK))

The person requesting an Independent Review must apply within 40 working days of receiving notification of the decision.

There is no similar right to an Independent Review where the application relates to information held on a child and is refused.

Where a matter is referred to an Independent Review Panel, the Independent Review Panel will send their recommendation to the adoption agency. The agency is not obliged to follow the recommendation but must take it into account when reconsidering the application.

The agency must then notify the applicant, the subject and the Independent Review Panel of the decision and reasons.

### Access by Birth Relatives to Adoption Records

#### 4.1 Adoption Orders made before 30 December 2005

Where a birth relative requests access to an adoption record, there is no entitlement on their part to such access and it is for the adoption agency to decide whether information contained within the records may be disclosed. Any decision to disclose such information can only be taken after discussion with and with the agreement of the Adoption Team Manager.

In all cases, a balance must be struck between the confidentiality of the information, the enquirer's need to know, the relevance of the information to the enquirer and, when considering a request by a birth parent or relative, whether the anonymity of the adoptive placement can be preserved.

Information that would enable the birth relative to identify the adopted person should not be given, for example whether or not there was a change of name on the adoption, or the name of the adoptive family. However, sometimes the records include information received in the intervening years such as news of progress made at school, health problems, achievements, requests for post-adoption support. Careful consideration needs to be given as to whether it may be appropriate to disclose any of this information to a birth relative.

Where the birth relative makes an enquiry in relation to an adopted child who is still under 18, consideration should be given to approaching the adopters to request up-to-date information about the child and/or to offer to pass on information about the birth family and/or to seek the views of the adopters about any future exchange of information. Adopters may also be asked to clarify whether the adopted child is to be told of the birth family's request although there should be no implied expectation that they should do so against their wishes - and they should be given information about independent support agencies, which may be able to assist them.

The response to a birth relative should take into account any contact between the birth family and the agency since the child was adopted and any arrangements /agreements for post-adoption contact and how these have worked.

#### Adoption Orders made on or after 30 December 2005

See Section 3.2 Adoption Orders made on or after 30 December 2005 above.

### Access by Adopters to Adoption Records

#### Adoption Orders made before 30 December 2005

In the case of requests for information by adopters, regard must be had to the requirements on the part of the agency to share full information about the child and their history with prospective adopters prior to the placement. If the disclosure of information would assist and enhance their ability to care for the child in the placement, then the balance should weigh heavily in favour of the disclosure of the information save for confidential details about a birth parents' medical history, which would have no relevance to the adopters' in their care for the child.

#### Adoption Orders made on or after 30 December 2005

See Section 3.2 Adoption Orders made on or after 30 December 2005 above.

### Access by Others to Adoption Records

Any other request for access to Adoption Case Records must be referred to the Adoption Team. In some circumstances, the Adoption Team Manager may decide to seek the authority of the Head of Service before giving consent, for example a request from a researcher authorised by the Secretary of State.

In the case of members of staff within the Children Social Care who are involved in adoption matters regularly, they will be asked on appointment to their post to sign an agreement to maintain the confidentiality of all adoption information.

In all other cases, the person making the request will be asked to sign a form of declaration relating to confidentiality before access can be agreed.

Access to information contained in Adoption Case Records is normally limited to:

* Social Workers and other professional/administrative staff directly concerned with the case who establish a genuine ‘need to know’ (discretionary);
* Legal and Medical Advisers (discretionary);
* The Regulatory Authority (mandatory);
* The Ombudsman (mandatory);
* Any person undertaking a Statutory Inquiry under Section 81 of the Children Act 1989 (mandatory);
* CAFCASS Officers (mandatory);
* The Court and officers of the Court (mandatory);
* Any person appointed to deal with a complaint or representation in respect of which access to the adoption record is required in order to carry out the responsibilities of their appointment (mandatory);
* An Independent Review Panel (mandatory) convened to consider the ‘qualifying determination’ of an adoption agency e.g. where an adoptive applicant has exercised their right to challenge a decision of the adoption agency as to their suitability to adopt or where a decision has been made in relation to the disclosure of protected information; (mandatory),
* The Secretary of State or persons authorised on their behalf (usually mandatory unless for research purposes);
* Other adoption agencies or specialists taking part in the adoption (discretionary);
* Adoption agencies or local authorities undertaking birth records counselling (discretionary);
* Any person undertaking a Serious Case Review in relation to a child (discretionary).

Disclosure of information is also mandatory where a child is to be or has been placed for adoption when the placing authority must notify the child, parents, prospective adopters and their GP, the local authority, health trust and education service for the area where the prospective adopters live - see The Adoption Placement Plan, Introductions and the Placement Procedure.

## Adopter Review

### Arrangements for Adopter Reviews

Once the prospective adopter(s) have been approved there is a requirement to review the adopter’s suitability to continue to be an approved adopter under the Adoption Agencies Regulation 2005. This runs until the adopter(s) is successfully matched with a child(ren).

The adoption social worker should provide written information about the intended arrangements for Adopter(s) Reviews to the prospective adopters and to any other person considered relevant.

### Convening and chairing Adopter reviews

So far as reasonably practicable, all adoption reviews will be chaired by an Adoption Team Manager.

The adoption social worker will facilitate the adopter review, arranging the date and inviting all relevant persons.

### Timescales for Adopter reviews

An adopter review must take place whenever the adoption agency considers it necessary but otherwise not more than one year after approval.

Each adopter review will be help at intervals of not more than a year from the previous adopter review.

Preparations for the next adopter review will start 10 months from the previous adopter review to allow enough time to organise an appropriate date and complete all paperwork in preparation.

### Reports for Adopter reviews

The adoption social worker will produce a report that will be provided to the prospective adopters 4 weeks before the adopter review date. The prospective adopters will also be required complete their report and return it to the social worker. The social worker is responsible for providing the social workers and prospective adopters reports to the review chair 2 weeks before the review.

The adoption social worker will complete a report on the prospective adopters. This will be presented to the assessment team manager 2 weeks prior to the adopter review for quality assurance.

The adopter review report will incorporate the views of the prospective adopters, the adoption social worker and any other relevant person.

The Assessment Team Manager will visit the prospective adopters with the assessing social worker. Adopt North East may also make any additional enquiries it considers necessary. The prospective adopter’s views will also be an integral part of the review.

The review will cover the following areas:

#### What has changed regarding the following since approval?

* Finances
* Family or household composition
* Work commitments
* Health

#### Police and medical checks

* Police checks that are more than two years old will have to be repeated.
* Health checks

#### Matches and family finding

* Why did the placement not go ahead?
* Should the child criteria change?
* Adopt North East’s family finding to date.
* Actions that will need to happen before a child can be placed.
* Family finding plan for the next twelve months.

#### Motivation to Adopt

* What have the prospective adopters learnt from the adoption approval process and/or past year?
* Is there anything new that has emerged for Adopt North East since the initial assessment?
* Has the adopter’s motivation changed?

### Continuing suitability to adopt

The assessment social worker will record the main points of the meeting including the prospective adopters’ views and send a copy to the prospective adopters within two working weeks.

A recommendation will be made to the adoption panel by the assessment team manager following the adopter review.

### The Outcome of the Adopter review

Following the review, the assessment team manager will make a recommendation based on the content of the adopter review. There are 2 possible outcomes from the adopter review:

#### Recommendation That the Applicant is Still Suitable to be a Prospective Adopter

Following this outcome, the prospective adopter(s) will continue the family finding process until a successful match is made or the next adoption review.

The prospective adopter(s) will be notified of this decision in writing within 5 days of the adopter review.

#### Recommendation That the Applicant is No Longer Suitable to be a Prospective Adopter

A “prospective adopter’s panel review report” will be produced by the adoption social worker detailing Adopt North East’s reasons for their decision and will be counter signed by the assessment team manager. This will be sent to the prospective adopter(s) l within 10 working days of the review. The prospective adopter(s) will be given 10 working days to submit any written feedback on the report prior to the report being presented to panel.

Adopt North East will obtain, so far as is reasonably practicable, any other relevant information which may be required by the adoption panel and send that information to the panel.

The report and the prospective adopters’ views will be presented to the next available Adoption Panel. The prospective adopters will be invited to attend.

The prospective adopter(s) will be supported throughout this period by the adoption social worker.

### Role of the Adoption Panel in prospective Adopter reviews

* The prospective adopter may attend the Panel
* The Panel will consider the report and make a recommendation to Adopt North East’s Agency Decision Maker about the prospective adopters’ continuing suitability to adopt.
* The prospective adopters may at any time decide they no longer wish to adopt; in which case the agency will inform the Panel.

### Making the decision about continuing suitability to Adopt

* The Panel will make a recommendation to Adopt North East’s Agency Decision Maker
* The Agency Decision Maker will make a decision within seven working days of the adoption recommendation whether or not the prospective adopters continue to be suitable to adopt.
* Adopt North East will notify the prospective adopters of its decision orally within two working days and in writing within five working days of the agency decision.

### Appealing against an unfavourable review decision

* Where Adopt North East makes a qualifying determination that the prospective adopter is no longer suitable to adopt, the Agency Decision Maker will write to them within seven working days.
* The prospective adopters have 40 working days from their receipt of the notification of Adopt North East’s decision to make any representation or apply for a review under the Independent Review Mechanism to the agency decision maker.
* It is the ADM’s decision whether to represent the case to panel and the prospective adopter will be invited to attend.
* The prospective adopter(s) should decide which representation procedure to choose. They cannot choose both.
* If the prospective adopter does not make any representation the agency will proceed with its decision. The Agency Decision Maker will write to the prospective adopters at the end of 40 days. The prospective adopters’ name will be removed from the agency’s list of approved adopters.
  + If the prospective adopter asks their case to be heard again by the Adoption Panel, Adopt North East must consider the recommendations of previous panels before making its final decision.
  + Adopt North East is not obliged to refer the case to the Adoption Panel. The panel administrator will write to the applicants giving them at least seven days’ notice of the panel that will consider their representations and invite them to attend.
  + The panel will consider the representations and make further recommendations to the Agency Decision Maker.
  + The Agency Decision Maker should make the final decision within seven working days of receiving the Panel recommendations.
  + Prospective adopters should receive the decision in writing within five working days of the final decision being made.
  + A copy of the decision with the reasons and minutes of the panel meeting will be placed on the prospective adopters’ case record.
* If the applicant wishes their case to be referred to the IRM
* If the applicant decides to refer the matter to an Independent Review Mechanism, the panel administrator will send the necessary documents to the IRM when requested.
* Any relevant information about the prospective adopters that Adopt North East obtained after the above information and reports were passed to the Adoption Panel will also be sent.
* The procedure for the Independent Review is carried out by CoramBAAF (British Agencies for Adoption and Fostering)
* The applicant will be invited to attend the Independent Review.
* After considering the representations, the Independent Review may make a recommendation, which the Agency Decision Maker will consider before a final decision is made.
* The IRM cannot overturn the agency decision, as it does not have the power to do so.
* The Agency Decision Maker will make the final decision and record the decision, together with reasons, within 7 working days of the receipt of the Independent Review recommendation. Written notice of the decision, together with reasons, will be sent to the prospective adopters orally within 2 working days and in writing within 7 working days.
* Where the agency decision is different from the recommendation of the IRM, the agency must also provide the prospective adopters with information about the Independent Panel’s recommendation.
* Where an IRM has made a recommendation, the agency must send to the IRM Administrator a copy of its decision on the prospective adopter’s suitability to adopt.
* A copy of the report to the Adoption Panel, the Adoption Panel’s recommendation, the IRM’s recommendations and the decision to refuse an application must be retained on the applicant’s Adoption Case Record.

### The Prospective Adopter(s) choice to withdraw from the Adoption process

The prospective adopters may at any time decide they no longer wish to adopt; in which case the agency will inform the Panel.