



**Devon County Council**

**Children's Services**

**Securing Permanence: Policy, Procedure and Practice  
Standards**

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## PERMANENCE DEFINITION

Devon County Council wants every child and young person in the county to be safe and to have the opportunity to grow up in a stable and secure environment. Our philosophy is children are better placed within their own families and communities and therefore our approach is to always, where safe to do so, prevent children becoming children in care, however, some children and young people will need to live in alternative families.

Permanence is a framework of **psychological/emotional, physical** and **legal** condition that gives a child a sense of security, continuity, commitment and identity. The question "*how are the child's permanence needs being met?*" must be core to everything we do.

Permanence planning is about ensuring children who come to our attention, have a safe, secure, stable and loving family to support them through childhood and into adulthood. Three key areas should be considered when looking at how to achieve this for a child or young person:

- Psychological or emotional permanence (when the child feels attached to an adult who provides a stable, loving and secure relationship.);
- Physical or environmental permanence (involves a stable home environment within a familiar neighbourhood and community which meets the child's identity needs).
- Legal permanence (ensuring whoever is caring for the child has Parental Responsibility or that there is somebody in a position to effectively exercise Parental Responsibility);

## PERMANENCE LEGAL FRAMEWORK

The [Children Act 1989 Guidance and Regulations](#) sets out the clear expectation Local Authorities should, where necessary, secure permanent care arrangements for the children in its care. This has been strengthened in the revised regulations where achieving Permanence for every child must be a key consideration from the day a child becomes a Child in Care ([Care Planning Placement and Case Review \(England\) Regulations 2010](#)):

*“Permanence is the framework of emotional permanence (attachment), physical permanence (stability) and legal permanence (the carer has parental responsibility for the child), which gives a child a sense of security, continuity, commitment and identity. The objective of planning for permanence is therefore to ensure that children have a secure, stable and loving family to support them through childhood and beyond.*

*Permanence provides an underpinning framework for all social work with children and families from family support through to adoption. One of the key functions of the care plan is to ensure that each child has a plan for permanence by the time of the second review, as set out in the statutory guidance to the 2002 Act. Achieving permanence for a child will be a key consideration from the day the child becomes looked after.*

## PERMANENCE PRINCIPLES

All staff working with children and young people will understand the importance of permanence and incorporate these principles and values into their work from the outset.

- Children and young people are, from the earliest stages of involvement with social care, provided with information and supported to make sense of their life story and journey and are prepared for permanence.
- Wherever possible, care should be provided within the extended family network unless clearly identified as unsafe. Where it is necessary for a child to leave their family and become cared for, Family Time with the family and extended family should be facilitated, unless it is deemed harmful.

- Children will be sensitively, and age appropriately consulted in the permanence planning process but will be assured the burden of decision making does not fall upon them. The older and more mature the child, the greater the weight will be given to their wishes.
- Parents and Carers will be worked with in partnership to ensure they are clear and involved (where appropriate) in decisions about the best interests of their children. They will be offered appropriate information and support.
- Permanence planning will be child focused and where conflict arises between the wishes of the child and parent and our plans, the child's needs will be paramount. Where wishes and feelings do not correspond to the assessed needs of the child, the child will always have a voice through an [advocate](#).
- At the latest every child will have an agreed written permanence plan in place at the second Child in Care Review in accordance with the [Care Planning Placement and Case Review \(England\) Regulations 2010](#) and the [Adoption and Children Act 2002](#).
- Everyone has a duty to promote the child's links with their racial, cultural and religious heritage by promoting placements wherever possible that allows the child to be brought up within the same heritage, cultural and religious environment as their birth family. Where this is not possible, it is important to ensure a placement is identified which can promote links for the child with his or her heritage, culture and religion.
- The needs of children with additional needs and disabilities will be considered as part of the planning and matching process.
- Where siblings require permanence plans, careful consideration will be given to their individual needs and their need to be placed together via a [Sibling Assessment](#). Where it is not viable for siblings to live together, consideration of significant, good quality Family Time will be promoted by their care givers.
- Every child and young person must have support services available to meet their assessed needs and have readily available assistance in the event of difficulties or placement's ending unexpectedly.
- Every child or young person must have information about how to make complaints or representations if required and how to access advocacy services.

## ROLES AND RESPONSIBILITIES

The **Lead Member**, as a member of the Council Executive, has political responsibility for the leadership, strategy and effectiveness of Devon Children's Services. The Lead Member for Children's Services is also democratically accountable to local communities and has a key role in defining the local vision and setting political priorities for Children's Services with the broader political context of the Council.

The **Chief Officer, Director of Children Services** has professional responsibility for the leadership, strategy and effectiveness of Devon Children's Services. The Director of Children's Services is responsible for securing the provision of services which address the needs of all children and young people, including the most disadvantaged and vulnerable, and their families and carers.

The **Deputy Chief Officer** is responsible for overseeing the implementation of this policy across Children's Social Care and Early Intervention and with relevant partners.

**Locality Directors** are responsible for monitoring and ensuring the effectiveness of Permanence Planning within the scope of the policy.

**Area Managers** across Children's Services have responsibility for ensuring high standards of practice and timeliness in the implementation of this policy in practice.

**Team Managers** across Children's Services oversee the effectiveness of care planning for individual children taking into account relevant research and current best practice including ensuring timely Permanence planning.

**Social Workers** lead on care planning for children, obtaining the views of the child and family members and taking these into account when proactively implementing the Permanence Plan.

**Independent Reviewing Officer (IRO)** has a key role in providing independent review, advice and challenge to the plan and advocacy for the child in line with the IRO handbook.

**Permanence Panel** is a multi-agency panel which has responsibility for ensuring permanence remains at the forefront of the child's journey and that Permanence Plans are achieved in statutory time scales.

For Permanence Panel Terms of Reference and Practice Standards please see [here](#):

This Permanence Policy seeks to provide a set of common processes when planning permanence for children who have differing needs, and for whom a range of different placement and legal outcomes are required. All Permanence Planning informs the Care Plan, which should be the overarching plan for the child. The key points in the child's journey are below and will apply until a final placement and legal permanence is achieved for a child; they could also be used at other key points in a child's life.

## PROCESSES

- Permanence Discussion with Area Manager
- Permanence Panel for all permanence tracking and decision making / legal planning or accommodation of a child via section 20 Children Act 1989.
- Legal Planning Meeting
- Permanency Planning Meetings
- Family Group Conferences
- Statutory Children in Care Review

## PERMANENCE OPTIONS

### **REMAIN WITH OR RETURN TO BIRTH PARENT(S) WITH OR WITHOUT A LEGAL ORDER AND APPROPRIATE SUPPORT TO MAINTAIN THIS.**

The first stage within permanence planning is to work with families and children in need to support them staying together. Staying at home offers the best chance of stability. Research shows family preservation has a higher success rate than reunification. This of course must be balanced against the risk of harm to the child. A Permanence Planning Meeting should be convened at the earliest opportunity, children **do not** need to be in care to think about their permanence needs.

For most Children in Care, returning home to birth parents will be the preferred option. It is the duty of the Local Authority to make all reasonable efforts to rehabilitate Children in Care with their families whenever possible and safe. The council's first consideration, therefore, must be to support the family to enable the child to be cared for safely and appropriately. Supporting a family is an integral part of permanence planning which should be used to enable children to remain with or return to their birth parents.

All edge of care resources should be exhausted prior to considering permanence out of the family home. These should take place even if the child has been subjected to urgent care arrangements. These can include a child and parent placement (Placement with Parents) (which is accessed via Placements Team), Edge of Care Service, and [Family Group Conferences](#). Where this is not possible, we must ensure that permanence is achieved in the child's best interests and in the child's timescales. Drift and delay will have a negative impact on the child's outcomes.

During care proceedings, if a parenting assessment is ordered, pursuant to s.38(6) CA 1989 and Devon have an Interim Care Order, childcare planning regulations will need to be followed. A Placement with Parents assessment is required at the point the family are moving from the Child and Parent Assessment placement (foster or residential unit), to their home for further assessment under Interim Care Order.

For children who have a legal order, such as a Care Order and who's plan for permanence is being reviewed for consideration of reunification under a [Placement with Parents arrangement](#), a placement with parent assessment will need to be completed and approved

by Senior Manager in line with [Care Planning Placement and Case Review \(England\) Regulations 2010, Schedule 3](#). Placement with Parents Practice Guide can be found [here](#).

When we are worried it might not be possible for a child to live with their parent's long term and the Local Authority is exploring alternative permanence plans for example, entering pre proceedings or care proceedings, the social worker must attend the Permanence Panel. The social worker will make this request to attend in a Permanence Discussion with their Area Manager. This will enable the social workers and team managers to formally discuss the realistic permanence plan options for children prior to the Permanence Panel with their area manager, considering the child/young person's legal, psychological and physical permanence needs. This discussion will be recorded on Permanence Planning Meeting template.

Permanence Panel Terms of Reference and Practice Standards can be found [here](#)

Permanency Planning Meeting guidance can be found [here](#).

The process and practice expectations for achieving permanence via Court can be found in Achieving Permanence via Public Law Outline Guidance on Tri X Library under section [Pre Proceedings](#).

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## **PLACEMENT WITH RELATIVES, FRIENDS OR OTHER CONNECTED PERSONS**

If a child is to be placed by Devon County Council with family or friends carers, this is within the legal framework of the Care Planning, Placements and Case Review Regulations 2010, which sets out the temporary approval of a connected person ([Regulation 24 & 25](#)) pending a full foster carer assessment (within 16 weeks). The council must be satisfied that the placement is the most suitable means to safeguard and promote the child's welfare. ([Refer to Placement with Connected Person procedure](#)).

The placement of a child on a temporary basis with family and friends (connected or kinship persons) does not imply this is a suitable permanent solution, and a separate assessment and careful consideration of long-term implications must still be undertaken. Plans should seek to actively discourage families 'placing' children for extended periods without consideration of the options for legal security and should encourage families and friends to consider seeking an appropriate order best suited to the child's needs.

Where it is the plan that children remain with a relative, friend or a connected person until adulthood, their legal permanence will be achieved if and when the friend or relative secures a [Child Arrangements Order](#) (Section 8, Children Act 1989 – as amended by Section 12 of the Children and Families Act 2014) or [Special Guardianship Order](#) (Section 14A of the Children Act 1989 - as amended by Section 115 of the Adoption & Children Act 2000). Only in exceptional circumstances should this be within a [long-term fostering arrangement](#).

Where relatives and friends are being considered as a possible permanence placement it is important, they have an understanding of the tasks involved in meeting the current and likely long term needs of the child. This includes exercising Parental Responsibility. This can be

acquired by relatives and friends/carers through either a Child Arrangement Order or Special Guardianship Order. Any plans for realistic Family Time will need to support the stability of such placements.

During the early stages of our involvement with a child or family, genograms and eco maps should be completed with both children and their parents. This can contribute to an effective Family Group Conference and robust family plan at an earlier stage, identify who is significant to the child, and if the child is not able to live with their birth parents, we have a good understanding of who is important to the child to ensure these relationships are maintained as long and as safely as possible.

Similarly, in cases involving children who are [Privately Fostered](#), the assessment and planning process should also keep the issue of legal permanence at the centre of planning. Since, by definition, the arrangements are known to be of a temporary duration, then the plan must identify the reasons with details of the long term aims for legal permanence along with associated timescales.

Where informal arrangements have been agreed it is recognised that families may require Local Authority support for a child's permanence to be secured. This support may take the form of advice, guidance, or in exceptional circumstances provision of financial support as a single or recurring payment. (Section 17 monies).

Devon's policy and practice guidance for Family and Friends Care can be found [here](#)

Devon's process for Family and Friends Care can be found on [Tri X](#) under section Connected Carers and Special Guardianship

1 Minute Guide for Special Guardianship Assessments can be found [here](#)

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## **ADOPTION**

When [Adoption](#) is a realistic option for a child, we will require a Placement Order to place a child for adoption unless the child is a [relinquished child](#). This is then followed by an Adoption Order which transfers Parental Responsibility for the child from the birth parents and others who had Parental Responsibility, including the Local Authority, permanently and solely to the adopter(s).

The child is deemed to be the child of the adopter(s) as if they had been born to them. The child's birth certificate is changed to an adoption certificate showing the adopter(s) to be the child's parent(s). A child who is not already a citizen of the UK acquires British citizenship if adopted in the UK by a citizen of the UK.

See: [Local Authority Pre Adoption Activity Process Map](#)

Adopters may be supported (including financially) by the Local Authority if the child is eligible. They will have the right to request an assessment for support services at any time after the Order is made.

If an existing foster carer makes a request to adopt the child living with them, Adopt South West should be contacted immediately to discuss the request.

Devon Children Services work closely with Adopt South West for all children with a plan of adoption. Adopt South West is a partnership of councils Devon, Somerset, Plymouth and Torbay, working together to make the adoption process quicker and simpler.

Devon's policy for Adoption can be found [here](#)

Adopt South West full scope of process and Eclipse maps can be found [here](#)

Adopt South West Practice Guidance can be found [here](#)

Further information of Adoption and Adopt South West can be found [here](#)

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## **EARLY PERMANENCE PLANNING (INCLUDING FOSTER FOR ADOPT)**

For child for whom Adoption is thought to be a likely outcome, consideration must be given to making an early permanence placement such as [foster for adopt](#), where prospective adopters have been given temporary approval as foster carers. This can be where the child's plan is likely to become adoption, and other assessments are already completed ruling out alternative options for that child. This foster for adopt arrangement must be first discussed in a Permanence Discussion and agreed in the Permanence Panel, followed by Legal Planning meeting and endorsed by the Agency Decision Maker.

Foster for Adopt placements will be with *'in house'* approved Adopt South West adopters. Decisions as to whether particular children are suitable for Foster to Adopt placements will be made with consideration to the particular circumstances of the child and following discussion with Devon legal and managers in both Children and Families and Adopt South West services.

Approved prospective adopters may be given temporary approval as foster carers under [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.

For further information, contact:

Adopt South West on Advice and Support line open 9-4pm on 0345 155 1076.

Or speak to Family Finding Team Manager for individual child planning.

Adopt South West for practice guidance on Foster to Adopt, please see page 98 [here](#)

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## PRIVATE FOSTERING ARRANGEMENTS

Private Fostering is defined by [The Children \(Private Arrangements for Fostering\) Regulations 2005](#) as an arrangement made for the care of a child or young person under the age of 16 (under 18 if disabled) for 28 days or more in their home by someone other than a parent or close relative (close relatives are parents, step-parents, siblings, siblings of a parent and grandparents). This could be an arrangement by mutual agreement between parents and the carers or a situation where a child or young person has left home against their parent's wishes and is living with a friend and the friend's family. In a private fostering arrangement, the parent retains parental responsibility for the child or young person.

Devon's policy for Private Fostering can be found [here](#)

Further information of Devon's Private Fostering Team can be found [here](#)

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## LONG TERM FOSTERING

For a variety of reasons, it may not be possible for some children in care to secure any of the above outcomes. The specific reasons for this may be complex and varied and should only be agreed following careful assessment, management, endorsement and rigorous review all of which must place the child's best interests at the centre. In such circumstances care planning will be driven by the pursuit of achieving enduring stability through long term fostering or residential care in a children's home.

A [long term fostering](#) permanence option allows a child to live within a family setting until they have reached adulthood and is ready to assume independence. Long Term Fostering can meet the needs for psychological and environmental permanence. It has proved to be particularly useful for older children and young people who retain strong links to their birth families.

Children in Devon achieve permanence through long term fostering when they are matched with their foster carers following a process of family finding.

The making of placements in foster care can be found [here](#) with further detail into Devon's process available on Tri X Resource Library [here](#) (please note this is currently under review).

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## RESIDENTIAL CARE

Residential care in a Children's Home, for 12 months or more, may provide the best permanence option for some children who either have a preference not to live in a family setting or who have been assessed as having needs best provided in a residential or team parenting setting for example children with disabilities and complex emotional needs. However, their age needs to be factored into permanence plan of residential for over 12

months. Transitions are key for teenagers and the reality is if they remain in a residential for too long there is a risk of becoming institutionalised if transitions are not discussed with young people in a timely manner. Consideration needs to be given in child's care plan for semi-independent as a step-down approach or supported living for children with complex needs in a timely manner.

Care planning will need to be robust to monitor and track progress, to ensure the placement is meeting needs and to plan for when the child or young person could return to a family environment. All financial arrangements must be formally approved by the Permanence Panel for long term placements with external parties and will be reviewed through the same panel at a frequency agreed by the panel chair.

If you are in Initial Response, Children and Families Team or Disabled Children Service, please speak to your team business support for booking onto Permanence Panel.

If you are in Permanence and Transition Service, the process for booking on to Permanence Panel can be found [here](#).

If you have further queries, please email Childrens Social Work Panels mailbox on [childrensocialworkpanels-mailbox@devon.gov.uk](mailto:childrensocialworkpanels-mailbox@devon.gov.uk)

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## **STAYING PUT- PERMANENCE BEYOND 18**

The Planning Transition to Adulthood for [Care Leavers Regulations and Guidance 2010](#) and the [Fostering Regulations and Guidance 2011](#) (Children Act 1989) both require local authorities to have a Staying Put policy. The [Staying Put policy](#) sets out the practical, financial, tax and benefit issues (for both the foster carer and the child) which impact on the decision to extend foster care as Staying Put care when a looked after child reaches the age of 18 years.

Devon County Council is committed to preventing social exclusion amongst care leavers and has developed the following policy in order to ensure 'disabled' young people, 'vulnerable' care leavers and those in education receive continued support.

Devon's policy for Staying Put can be found [here](#)

Good practice guidance for Staying Put can be found [here](#)

## PERMANENCE OPTIONS CONSIDERATIONS

### SIBLING RELATIONSHIPS

Sibling relationships should be included as an area of consideration within the Single Assessment regardless of the Child's plan type to assess the pre-existing and meaningfulness of the sibling relationship. This analysis will be built on over time to reflect the fluid and evolving nature of sibling relationships and will provide a basis for a formal Sibling Assessment in the future. It will be important to actively seek to maintain sibling relationships within any Permanence Plan, including those where an alternative family placement is sought.

For both Single Assessments and Sibling Assessments there are lots of tools and guidance available on ReSources: [Sibling Assessments](#)

Key points from research:

- The most enduring relationships people have, are likely to be with their siblings;
- The impact on separated siblings of losing vital support, a shared history and continuity can affect stability in the placement;
- More successful outcomes occur for children placed together with their siblings. Children should therefore be placed with their siblings unless there are exceptional circumstances, such as dysfunctional interaction that cannot be remedied, incompatible needs or where the lack of appropriate placement would lead to unacceptable drift. The immediate non-availability of a suitable placement should not prevent rigorous Family Finding efforts within an agreed time frame, based on balancing the potential for success against the risk of undue delay;
- The importance of identifying strengths and difficulties in sibling relationships in order to make appropriate permanent placement decisions. It is important to ascertain the perceptions and wishes of the child and their family, to assess the shared experience of siblings and the children's individual permanence needs. This involves thorough consideration of issues of gender, race, disability, identity and attachment;
- It is important to recognise that children who have suffered severe abuse and neglect may have bonds based on a shared trauma rather than a mutually supportive sibling relationship, and that in the longer term, their individual needs may mean separation allows for emotional recovery.
- Difficulties in finding a suitable placement for a sibling group may lead to drift. The immediate non-availability of a suitable placement should not prevent rigorous home-finding efforts, within an agreed time frame, based on balancing the potential for success against the risk of undue delay;
- Placement Planning should include arrangements for contact when siblings cannot be placed together. Planning should consider the child's need for contact, the ability of

the placement to support contact and the impact of contact on the stability of the placement.

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## **FAMILY TIME (CONTACT)**

Family Time must always be for the benefit of the child, not the parents or other relatives. The nature of Family Time will vary depending on the permanence arrangements and must be regularly assessed to ensure they continue to be appropriate to the child's needs.

It may serve one or all the following functions:

- To maintain a child's identity;
- To provide reassurance for the child;
- To provide an ongoing source of information for the child;
- To give the child continuing permission to live with the adoptive family or long-term alternative carer;
- To minimise the sense of loss;

When considering Family Time arrangements as part of the child's Permanence Plan, please see Family Time in Further Guidance for Identifying the Best Option Appendix 2 below.

## **PERMANENCE PLANNING AND MONITORING**

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### **RE B-S JUDGEMENT**

'The case of Re B-S in 2013 was perceived by some to change the threshold for adoption, making it more stringent, and it has been suggested that this is one reason for a reduction in adoption orders and increasing special guardianship orders in recent years.

However, the Adoption and Special Guardianship Leadership Board, and the Family Court, have been clear that this is not the case. Rather, the case clarified the need for high-quality, evidence-based assessments of all realistic options for a child's long-term care, with the child's welfare and best interests at the heart of all considerations'<sup>1</sup>.

Permanence planning is based on exploring all realistic options for a child which is informed by an up to date sound assessment which considers:

- The child's current and future holistic needs;
- Implications of permanence for the child, their birth family and siblings, particularly in regard to Family Time and identity;
- Current and likely support needs for the child in the permanence option chosen.

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<sup>1</sup> Adoption Leadership Board (2014) 'Impact of Court Judgements on Adoption' <http://www.first4adoption.org.uk/wp-content/uploads/2014/11/ALB-Impact-of-CourtJudgments-on-Adoption-November-2014.pdf>

- The children, family and community and professional support networks views and knowledge of the child

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## PARALLEL PLANNING AT PERMANENCE PLANNING MEETINGS

Parallel planning at Permanence Planning Meetings can also be referred to as concurrent planning and dual tracked planning. It is the key principle which underpins this permanence strategy and is essential for our work with all our children. Parallel planning would be considered where our assessment concludes there is a strong possibility of the child not continuing to live with birth family, but all options continue to be explored until the child's situation is clear. This would include working towards a child's return home whilst at the same time developing an alternative Permanence Plan, within strictly limited timescales.

An example of a parallel plan is a situation where plans for two or more permanence options run in parallel e.g. plan 1: reunification/remain with parents, alongside plan 2: an assessment of a family member for a special guardianship. Parallel plans are developed to avoid delay for a child and to provide the Court with a clear plan. Parallel Planning should begin for all children by their first Child in Care Review. Good practice would be for Parallel Planning to start no later than Pre-Proceedings. See: [Achieving Permanence via PLO guidance](#).

The Permanence Planning Meeting will consider the '**Realistic**' permanence planning options for the child which are those options available to the court, including all those still putting themselves forward as carers for the child. See Further Guidance for Identifying Best Option Appendix.

Birth parents and those with Parental Responsibility must be informed from the outset that two or more options are under consideration within a strictly controlled timescale.

Parallel planning does not pre-empt the Court decision but does prevent delay in achieving permanence for children should reunification not be feasible.

Where children's cases are before the court in Care Proceedings, the Court require concurrent planning to be reflected in the social work evidence and Care Plan.

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## FAMILY GROUP CONFERENCES

Family Group Conferences (FGC) aim to ensure the immediate and extended family and friends' network are included in the planning for their children and young people. This should be part of the work we routinely do to harness the strengths and support families can offer. Families should be offered the opportunity to engage with the Family Group Conference process so that they can be at the heart of the decision making. The family group, in this process, are the primary decision makers to the questions they are asked (as set by the

identified needs from assessment). The process maximises the family's ability to address their own needs and identify what support is needed to sustain change.

The best time to make the offer of a Family Group Conference is when:

- Children's Services need to be involved in the planning for this child for the immediate and/or long-term future, this can be when a Child in Need or Child Protection Plan is in place or if a child is in care.
- Pre-proceedings under the Public Law Outline have begun
- There is a risk the child will need to be accommodated;

Devon's policy for Family Group Conference is [here](#)

Family Group Conference practice guidance by Family Rights Group can be found [here](#)

Devon's Family Group Conference process offer can be found [here](#) and timescale process here.

Devon's Family Group Conference leaflets are available and can be below:

- [Family Group Conference](#)
- [Leaflet for Families](#)
- [Leaflet for Referrers and Service Providers](#)

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## PERMANENCY PLANNING MEETINGS

Permanency Planning Meetings should take place as early as possible and be held at key points of the permanence planning process, ensuring smooth transitions and avoiding drift. Once a child is in our care, Permanency Planning Meetings should be held every six weeks until the child/young person has achieved legal and physical permanence.

The Permanence Planning Meetings differ from statutory meetings such as Core Groups, Child Protection Conferences and Child in Care Review Meetings. However, discussions of Permanence should not be restricted to the Permanency Planning Meetings only. Where significant changes to Permanence Plan are discussed e.g. during a Core Group Meeting the Special Guardianship Order applicant advises they are no longer in a position to care for the child, this should be captured in a Permanency Planning Meeting record with the impact on the planning clarified e.g. triple track plan is now dual, or single track plan etc.

The purpose of the Permanency Planning Meeting is to:

- Develop the Permanence Plan to ensure parallel and single-track planning is in place at the earliest opportunity, considering all realistic permanence options for the child.
- Develop the Permanence Plan to present to the first and subsequent statutory reviews for endorsement by the Independent Reviewing Offer;

- Monitor the progress of the Permanence Plan options in meeting the overall needs of the child in relation to: Health, Education, Emotional and Behavioural Development, Identity, Family and Social Relationships, Social Presentation and Self-Care Skills.
- Ensure all elements of Permanence Plans are being implemented and monitored to avoid drift and delay
- Provide a forum for the team around the child to collectively analysis the success of a variety of realistic permanence options

See: Permanency Planning Meetings Practice Guidance [here](#) and Terms of Reference [here](#).

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## STATUTORY CHILDREN IN CARE REVIEWS

- For all Children in Care, it is a legal requirement to have an up-to-date [Care Plan](#). The [Care Planning, Placement and Case Review \(England\) Regulations 2010](#) set down minimum requirements for the review of care planning for Children in Care.
- In summary, the first review should take place within 20 working days of the child becoming a Child in Care. The second review should take place no later than three months after the first and then at intervals of no more than six months thereafter ([section 4 Care Planning, Placement, Review](#)).
- In addition, the Care Planning Regulations and the [Adoption Act 2002](#) requires there to be a written Permanence plan presented to the second statutory review (i.e. within 4 months of a child becoming a Child in Care).
- The Permanence plan will identify the appropriate option (or options depending upon the stage reached in any care proceedings) and will be documented within the overall holistic care plan for the child and will be formally endorsed at this second statutory review by the Independent Reviewing Officer.
- Responsibilities for implementing the plan and actions contained within it will be clearly attributed with timescales for outcomes. The plan will include evidence of contingency arrangements.
- The plan will be made available, and updated, at each subsequent review. The Independent Reviewing Officer (IRO) will be consulted about proposed changes and informed by the social worker of any changes to the Care Plan and any significant events in the child's life between reviews.

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## TRACKING PERMANENCE AT PERMANENCE PANELS

Tracking arrangements are in place for children on the journey to permanence and these are coordinated through the weekly Permanence Panel. These meetings are chaired by a Locality Director each Locality (North, South, Mid & East and Exeter) and by the Senior Manager in the Permanence & Transition Service. The purpose is to track all children's permanence plans including all those in our care, in pre-proceedings and court proceedings. The Permanence Panel is a decision-making forum for financial approvals, placement moves, approval for legal advice and scrutiny of children's permanence plans up until adulthood. Practice issues or any delay for children from internal / external services agencies is escalated from these meetings for resolution. The purpose of these meetings is to track every child in Pre-Proceedings, in Proceedings and those that are a Child in Care on their journey, to identify drift or delay, or barriers to meeting our permanence objectives for every child up until adulthood.

Adopt South West will operate a separate tracker which monitors planning for all children age 8 and under across Devon from the point of Permanence Panel where Adoption is identified as a realistic permanence option.

The core members of the Permanence Panel will include:

- Service Manager/ Locality Director– Chair
- Representative from Adopt South West
- Representative from Fostering – Family Finder
- Representative from Fostering – Connected Persons
- Representative from QARSS Service
- Representation from Health and Education

Each team will be allotted time for all their children to be discussed at the Permanence Panel Part 2.

The Permanency Planning Meeting minutes will be completed in preparation for the panel. Every panel attendance for a child in care will include the Independent Reviewing Officer's view to ensure the independent oversight of planning.

Each child's plan will be RAG rated indicating progress and where attention is more pressing. Actions from the meeting will be inputted into Eclipse by Business Support within 24 hours and recorded as Senior Manager oversight. The Senior Manager will then sign off this decision on Eclipse within 24 hours.

A quarterly quality assurance oversight report will be completed by the Permanence Panel Chair to confirm the number of children matched with carers, identify key themes related to progress and/or drift and delay to permanence and a review of the effectiveness and development of tracking procedures.

Permanence tracking will be serviced by the nominated Business Support in each area. When a decision is first made for a child to be made subject to Pre-Proceedings or Proceedings at Permanence Panel, the child will be added to the County Wide Pre-Proceedings Tracker in preparation for it to be reviewed at the next Panel.

If a child is made subject to immediate care arrangements outside of the family home under Sec 20 or via another process outside of Permanence Panel, the child's plan must be heard at the next available Permanence Panel to ratify this decision and to begin tracking permanence planning.

Every child heard at Permanence Panel will have a primary permanence plan cited and entered into the tracker with key dates for initial planning. Key milestones for the child will be added to the tracker by the Team Manager/social worker as the child's journey progresses.

At the point of transfer to the Permanence and Transition Service, the child will be transferred to the Permanence Tracker in the Permanence and Transition Service where monitoring and scrutiny will continue.

For detail of Permanence Panel Terms of Reference and Practice Standards please see [here](#).

## **COMMUNICATING THE PERMANENCE PLAN**

Consultation of all relevant parties, including relevant professionals, carers, parents and the child is an integral part of the permanence planning process and should be clearly evidenced throughout the process.

It is important a Permanence Plan is communicated clearly and effectively. It informs the care planning process. Any changes or additions to the Permanence Plan should be ratified by the Permanence Planning meeting.

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

Good quality Care Plans set out clear, concise statements about intended outcomes. Although 'a sense of permanence' can in itself be stated as an outcome, it can also be presented as a means to achieving particular developmental outcomes;

Make timescales clear. These are about having regard to the child's age and circumstances, achieving a balance between a framework for an action plan to provide a sense of stability for the child, and flexibility to allow for adequate changes in the parents or birth families circumstances.

Robust contingency planning. The planning template offers the social work team options for planning and these should be used to full effect, noting a primary permanence plan and options for contingency if this is not realised.

## PERMANENCE STABILITY

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### PLACEMENT STABILITY

When permanent placements require additional support to maintain stability and to prevent a placement ending prematurely a Placement Stability Meeting must be held.

In Devon, there is a Placement Support Team based in the Fostering Service that promotes stability in fostering families using Dyadic Developmental Psychotherapy DDP informed practice. The Placement Support Team is available to respond to crisis situations, and at the same time, ensure a focus on prevention intervention which is the key to stabilising foster families effectively. The Placement Support Team's focus is attachment and healing Developmental Trauma using a relational strategy, connecting, empathy and building emotional safety through a trauma lens.

Devon's policy for Placement Stability Meetings can be found [here](#)

Devon's practice guidance for Placement Stability Meetings, process and actions template can be found on Tri X library under section [Children in Our Care](#).

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### DISRUPTION MEETING

A Disruption Meeting must be held after a placement has broken down irreparably.

For Adoptive placements a disruption meeting involving all key professionals and the adoptive parent(s) will be convened to identify the factors that led to this and identify learning from the case. The meeting will be independently chaired in line with a regional protocol. See Adoption Disruption Meetings policy [here](#) process map [here](#) and practice guidance [here](#).

If the disruption of a placement leads to the child being placed at home with their parents, whether this be on a short- or long-term basis the 'Placement with Parents' Procedures should be followed. Approval for placing a child at home with their parents must be sought from the Deputy Director. This change in care plan must be discussed with the Independent Reviewing Officer before the child is placed.

Devon's policy for Disruption Meetings, which includes chairing arrangements and proposed agenda can be found [here](#)

- Advantages and disadvantages of different legal outcomes
- Comparison of legal outcomes and family placement type
- Scenarios to consider when securing Permanence

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## ADVANTAGES AND DISADVANTAGES OF DIFFERENT LEGAL OUTCOMES

### ADOPTION

#### Advantages

- Adoptive parents gain PR and the child has legal rights equal to that of a birth child
- Child has permanence within a new adoptive home, hopefully for life.
- Child has security, emotional stability in their 'forever family'
- Child is protected from damaging influences from birth parents/family.
- Child becomes a child of the adoptive family and is treated as such for inheritance purposes.
- Finality and certainty after potentially periods of disruption and disarray within the birth family.
- The outcomes for children in adoption are consistently better across a range of measures including lower rates of disruption than long term fostering.
- CSC involvement ceases (no statutory ongoing responsibility) on the making of an adoption order, family may wish to request adoption support involvement.

#### Disadvantages

- Possibility of breakdown with consequential emotional harm/loss.
- The basis of adoption under constant challenge on human rights grounds.
- Parental responsibility is extinguished permanently for birth parents.
- The child is denied the advantage of growing up within their birth family, family ties being severed permanently.
- The parents are likely to have restricted contact, often letter box on very few occasions per year. Contact is usually limited to indirect exchange of information or direct with siblings adopted elsewhere

## **SPECIAL GUARDIANSHIP ORDER**

### **Advantages**

- Special Guardians have enhanced parental responsibility (PR) to enable them to safeguard the child against potentially damaging parental influences.
- The child has permanence within the new family.
- The child may retain contact with the birth parents/family; it may be possible to have direct contact.
- Damaging contact can be limited, assessment of risks of contact can be made and a judgement made to restrict contact with which the parents cannot interfere.
- If the placement breaks down, it may be possible for reunification to the birth family if the parents' circumstances have changed.
- Child may be able to retain, maintain and develop cultural identity.
- Parents retain parental responsibility for the child, albeit that it is superseded by the special guardians who have enhanced PR.
- The order is a lesser order in nature than a care or placement order.
- Child is not classed as a Child Looked After.

### **Disadvantages**

- Parents have reduced PR and contact may not be promoted as they would wish.
- SGO holders may abuse their position and deny contact/act unfairly towards parents.
- The child is denied the opportunity to grow up with their parents.
- The parents are denied the opportunity to bring up their own children.
- The parents can seek leave to revoke the order.

## **CHILD ARRANGEMENT ORDER**

### **Advantages**

- Parents retain parental responsibility.
- Less interventionist than the above orders.
- Allows the child to retain contact with the parents/birth family.
- Child may be able to live with both parents, 'shared care arrangement'.
- Contact can be defined within the Order, which may prevent disputes and allow certainty to child and all parties.

### **Disadvantages**

- One or both parents may not be able to obtain legal aid; this could lead to an unfair advantage by the wealthier parent who can fund the court process.
- A relative, such as a grandparent, may be able to fund the court process, leaving the parent or parents unrepresented and therefore at a disadvantage.

- Child may 'slip through the net' and the Local Authority may be denied the opportunity to intervene in the child's life.

## **SUPERVISION ORDER**

### **Advantages**

- The Local Authority remains involved for the duration of the Order, in a supervisory and monitoring capacity.
- The child maintains a link with a social worker and the protection this affords them.
- The child and family will receive support and services.
- The Order is a lesser order than the above orders.
- The Order is time limited, (usually 12 months but can be extended up to three years in total), so they can see the possibility of the Local Authority releasing control and returning to having a normal life without Local Authority intervention.

### **Disadvantages**

- The Local Authority cannot enforce the order.
- The child is not protected with legal status.

## **PERMANENT FOSTERING**

### **Advantages**

- The Local Authority retains a role in negotiating between the foster carers and the birth family over issues, such as continuing direct contact.
- There is continuing social worker support to the child and foster family in a placement which is regularly reviewed to ensure that the child's needs are met.
- It maintains legal links to the birth family who can still play a part in the decision making for the child.

### **Disadvantages**

- Lack of Parental Responsibility for the carers.
- Continuing social work involvement.
- Regular reviews, which are statutorily required, to ask if rehabilitation to the parent is to be considered. This may be regarded as destabilising to the placement.
- Stigma attached to the child through being Looked After.
- The child is not a legal member of the family. If difficulties arise there may be less willingness to persevere and seek resolution.
- Higher disruption rates compared to SGO and Adoption.

## COMPARISON OF LEGAL OUTCOMES AND FAMILY PLACEMENT TYPE

The table outlined below compares key needs associated with permanence and benefits differing legal orders bring.

| Permanence Need                     | Child Arrangement Order/Special Guardianship Order   | Adoption  | Permanent Fostering  |
|-------------------------------------|--|---|--|
| Security & Identity                 | Child needs the security of a legally defined placement with alternative carers, but does not require a lifelong commitment involving a change of identity | Child's primary need is to belong to a family who will make a lifelong commitment. Have good outcomes in terms of stability.                      | Primary need is for a stable, loving family environment whilst there is still a significant level of continued involvement with the birth family |
| Exercise of Parental Responsibility | Child's relation, foster or other carer needs to exercise day to day parental responsibility and is prepared to do so as a lifelong commitment             | Child's birth parents are not able or not willing to share parental responsibility in order to meet their child's needs                           | Child has a clear sense of identity and involvement with the birth family, whilst needing to be cared for away from home                         |
| Family Time (Contact)               | There is no need for continuing monitoring and review by the Local Authority, although support services may still need to be arranged                      | Child needs an opportunity to develop a new sense of identity whilst being supported to maintain or develop a healthy understanding of their past | Ongoing need for continued monitoring and support by Local Authority   |
| Support                             | Special Guardianship Support Services. or Child Arrangement Order Allowance  | Adoption Support Services   | There is need for continuing oversight and monitoring of the child's developmental progress  |
| Attachment                          | Child may have a strong attachment to the alternative carers and   | Child expresses a wish to be adopted if old enough. Enables a   | Birth parents may be able and willing to exercise a  |

|  |   |  |                                   |
|--|---|--|-----------------------------------|
|  | legally defined permanence is assessed as a positive contribution to their sense of belonging and security. Could support the maintenance of links to the child's birth family. | child to have legal and emotional permanence through childhood and beyond. | degree of parental responsibility |
|--|---|--|-----------------------------------|

## SCENARIOS TO CONSIDER WHEN SECURING PERMANENCE

### Children under 10 - no connected persons identified; no return home possible

| Permanence Meetings  | Permanence Planning in Panels  | Permanence Outcomes  |
|--|--|--|
| <p>Permanence Planning meeting considers parallel plan including Foster to Adopt</p> <p>Contingency of Permanent Fostering</p> <p>Attended by: Social Worker, Adoption and Fostering Family Finder</p> | <p>Agency Decision Maker considers "should be placed for adoption" and match/adoption support</p> <p>Fostering Panel</p> | <ol style="list-style-type: none"> <li>1. Adoption</li> <li>2. SGO with current short-term carers</li> <li>3. Contingency Permanent Fostering</li> </ol> |

### Children under 10 - connected people available, no return home possible

| Permanence Meetings  | Permanence Planning in Panels   | Permanence Outcomes   |
|--|---|---|
| <p>Permanence Planning meeting considers multi track planning;</p> <p>This meeting should be informed by feedback from a Family Group Conference to consider Connected carers options;</p> | <p>Fostering panel considers</p> <ul style="list-style-type: none"> <li>• Need for permanence;</li> <li>• Approval of Connected carers</li> <li>• Match &amp; support.</li> </ul> | <p>Priority order of outcomes-</p> <ol style="list-style-type: none"> <li>1. Special Guardianship;</li> <li>2. Child Arrangement Order;</li> <li>3. Care Order – active consideration of / possibility of move to SGO/CAO.</li> </ol> |

|  |  |  |
|--|--|--|
| Attended by: Social Worker,<br>Kinship and Fostering Team,<br>Family Finding Fostering |  |  |
|--|--|--|

**Children and young people 11 to 16 - no connected persons identified, no possible return home**

| Permanence Meetings   | Permanence Planning in Panels  | Permanence Outcomes   |
|---|--|---|
| Permanence Planning meeting.<br><br>To include: <ul style="list-style-type: none"> <li>• Social worker;</li> <li>• Fostering Team;</li> <li>• Kinship Team</li> </ul> | Panel consideration of: <ul style="list-style-type: none"> <li>• Need for Permanence;</li> <li>• Best placement type;</li> <li>• Approval of carers;</li> <li>• Evaluation of support issues &amp; plan;</li> <li>• Match placement to child.</li> </ul> | Hierarchy of desired outcomes: <ol style="list-style-type: none"> <li>1. SGO</li> <li>2. CAO</li> <li>3. Permanent Fostering with Care Order (possible resumption of PR by carers through SGO/CAO);</li> <li>4. Residential with Care Order</li> </ol> Assumes that assessment indicates that child's needs can be best met in family setting |

**Children and young people 11 - 16 – connected people available**

| Permanence Meetings   | Permanence Planning in Panels  | Permanence Outcomes  |
|---|--|--|
| This meeting possibly informed by feedback from a Family Group Conference to consider Connected carers options.<br><br>Attended by: <ul style="list-style-type: none"> <li>• Social Worker;</li> <li>• Kinship Care Team</li> </ul> | A panel considers- <ul style="list-style-type: none"> <li>• Need for permanence;</li> <li>• Approval of Connected carers;</li> <li>• Match &amp; support.</li> </ul> | Priority order of outcomes- <ol style="list-style-type: none"> <li>1. SGO</li> <li>2. CAO;</li> <li>3. Care Order – possibility of move to SGO/CAO.</li> </ol> |

**GEOGRAPHICAL CONSIDERATIONS FOR BEST OPTIONS IN TERMS OF PERMANENCE STABILITY**

Robust consideration should be given to the proximity of birth family members for any of the options outlined above and the likelihood of destabilisation and/or support that may occur. Equally risk assessments regarding a placement at a distance must also be undertaken. Where

children are being placed for Adoption, every effort will be made to enable the child to remain within the region unless there is clear evidence associated with risk to a placement that placing out of area is required.

## APPENDIX 2

### FAMILY TIME (CONTACT)

In Devon, we call contact, the act of a child spending time with family and/or connected persons Family Time.

Family Time must always be for the benefit of the child, not the parents or other relatives. The nature of Family Time will vary depending on the permanence arrangements and must be regularly assessed to ensure they continue to be appropriate to the child's needs.

It may serve one or all the following functions:

- To maintain a child's identity;
- To provide reassurance for the child;
- To provide an ongoing source of information for the child;
- To give the child continuing permission to live with the adoptive family or long-term alternative carer;
- To minimise the sense of loss;

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#### DIRECT FAMILY TIME

Direct Family Time will generally work best if all parties accept/agree to

1. The plan for permanence;
2. The parental role of the permanent carers;
3. The benefit of Family Time;
4. The permanent carers being present.

Direct Family Time is not likely to be successful in situations where a parent or other family member seeking Family Time:

- Presents an ongoing significant risk of harm to the child and/or the permanent carers in a Family Time situation;
- Disagrees with the plan for permanence;
- Does not accept the parental role of the permanent carer and their own minimal role with the child;
- Has proved to be unreliable in their commitment to Family Time in the past;
- Has not got a significant attachment with the child.

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

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

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## INDIRECT FAMILY TIME

We do not all share the same sense of family - it means different things to different people. It helps when children are helped to understand to whom they are related, especially if they have complicated family trees including half-brothers or sisters living in different places. Wherever possible, indirect Family Time between the child and his or her new family with people from the past should be facilitated.

Indirect Family Time should have the following purposes:

- To leave open channels of communication in case more Family Time is in the child's interests in the future;
- To provide information (preferably two-way) to help the child maintain and enhance their identity and to provide the birth relative with some comfort in knowing of the child's progress.

Indirect Family Time must be negotiated prior to placement, and all parties should be asked to enter into an agreement with one another about the form and frequency that the Family Time will take. Renegotiations of the Family Time should only take place if the child's needs warrant it.

All parties to the agreement will need to accept that as the child becomes older and is informed more fully about the arrangements for indirect Family Time, the child will have a view regarding its continuation. No Family Time arrangements can be promised to remain unaltered during the child's childhood. Those involved need to accept Family Time may cease if it is no longer in the child's interests. Alternatively, an older child may wish/need to have direct Family Time with family members.