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**Surrey Children’s Services**

**Local guidance on working with birth parents whose children are to be placed or have been placed for adoption.**

**Relevant legislation, statutory guidance etc**

The Adoptionand Children Act (2005), Statutory Guidance for Adoption 2013, National Minimum Standards for Adoption (2011), Adoption Agency Regulations (2005, 2013, 2015). Taken together, these set out the local authority’s overarching responsibilities towards birth parents whose children have an adoption plan.

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|  | *Birth parents and birth families are treated fairly, without prejudice, openly and with respect. They are kept informed, on a regular basis, of the progress (or lack of progress) of their child’s adoption. They are given regular opportunities to raise any specific concerns or questions, which are then answered as directly and fully as possible.* |
|  | *The adoption agency is active in its efforts to involve the birth parents and birth family in the adoption plan. - National minimum standards for adoption standard 12 (2011)* |

Once a child is placed for adoption, it is noted that, whilst parental responsibility is still shared with birth parents, it is less likely that the agency would wish them to exercise many aspects of this or attend reviews. However, they would have the right to have their wishes heard and to have information about the child.

The agency should provide written information about how it intends to review a child’s case to the child’s birth parents or guardian. The Independent Reviewing Officer (IRO) appointed by the agency must ensure that the review is conducted in accordance with AAR 36 and, as far as is reasonably practicable, attend and chair any meeting to review the child’s case. The agency must ensure that it notifies any person the agency considers relevant of the outcome of the review, This should normally include anyone whose views were obtained and, of course, anyone directly affected by the decision (which is likely to include the birth parents)

**Achieving best practice**

Birth parent feedback to the service indicates that once an adoption placement has been identified they can feel sidelined by social workers, believing that keeping them informed becomes a lesser priority. This would be counter to the ethos of statutory guidance and minimum standards and has resulted in the development of the following local guidance

**Pending placement for adoption:**

1. Pending placement with adopters, the child care review process continues to inform the birth parents of the well being of the child and the progress of the adoption plan, including any proposed changes to the child’s care plan, (e.g if the plan changes away from adoption, or changes are considered to be needed with the contact plan or plan to place siblings together or apart.)
2. The birth relatives should be given the opportunities to have their views heard and recorded on these matters, and in the event that they are not in agreement with the changes the Local Authority proposes to make to the care plan, they may wish to seek independent advice.
3. The child’s social worker is responsible for informing the birth parents that adoptive parents have been identified for their child, and to share with them the process of going to adoption panel for a recommendation on the proposed match, and the role of the Agency Decision Maker. There should be discussion of the anticipated timescale for the child’s move, assuming that the match is approved.
4. A brief pen picture of the adoptive family should have been prepared to share with the birth parents at this stage. Typically this is written and agreed with the prospective adopters at the post adoption support plan meeting. The profile should be non identifying but have enough information to start to make the process of the child moving on real, with reference to family structure and such issues (e.g. culture and ethnicity) which are likely to be of importance to the birth parent.
5. Where it has been possible to elicit the birth parents views on the proposed match, these should be shared with the adoption panel, and represented in the panel minutes.
6. The Agency Decision (regarding the match) must be communicated to the birth parents by the child’s social worker (verbally within 2 working days,) and they are subsequently formally notified through a letter sent on the Agency Decision Maker’s behalf by panel administrators (within 5 working days)
7. Information is given to the birth parents about the support available to them. This happens twice: at the time of the Agency Decision (that the child should be placed for adoption) and again following ratification of the match.
8. The child’s worker, will start to prepare the birth parent for the expected changes -not least given that direct contact is now likely to reduce, and in some instances end.
9. Where direct contact is part of the care plan, care should be taken to communicate that the timescale for this is likely to be determined by the child’s needs as assessed once in their new placement. There should be clarity about how and when decisions about contact will be taken, and the birth parent’s views should be represented given that they are very unlikely to be physically present at the looked after child review meeting following placement for adoption.
10. In the event that the child is not placed for adoption for any reason, the IRO should ensure that there is a review of the care plan and the birth parents’ views should be sought. As part of the review of the care plan contact should be considered, as a different contact plan may also be indicated if the child is no longer to be adopted.

**Following placement with adopters**

1. On a case by case basis, the IRO for the child will determine how to conduct future reviews, ensuring that if the parent does not participate directly that their views are able to be heard and taken account of. They will also communicate to the birth parent in the manner by which the birth parent prefers, to update following a review if they are not present.
2. Following placement, the child’s social worker should endeavour to keep the birth parents informed of the child’s general well being, and of any significant event e.g. if the placement disrupted pending the making of an adoption order or the child became critically ill.
3. The child’s social worker should explain to the birth parents about the limits to their exercise of parental responsibility pending adoption, and that PR is now shared with the local authority and the prospective adoptive parents.
4. Adopters are asked to sign an Adoption Placement Agreement before the child moves to their care. In doing so they undertake to provide access to the child’s life story book, including information about their birth family and they agree to inform the Local Authority in the event of the child’s death in order that birth parents can be informed. Other than in very rare and individual circumstances the adopters undertake to retain the child’s given forenames.
5. The assistance of the birth parents or other members of their family should be requested, to enable the social worker to complete a comprehensive life story book and later life letter in accordance with timescales as set out in NMS for adoption (draft copy by second review following placement, final copy within 10 working days of the adoption order.)
6. The birth parents will be informed by the court when an adoption order has been applied for and will be invited to give their views at this stage. It is good practice where possible for the child’s social worker to prepare them for this, not least given the formality of the court notification.
7. The child’s social worker should engage with the birth parents to set in motion the plans for post order contact, whether this is to be direct or indirect. Once a post box referral is made the post box administrator will contact the birth relative to make sure that the details of this are clear.
8. If this has not already been done-the dynamics of direct contact post placement should be explored-to prepare the birth parents for the likelihood that the adopters would be present, and the role of the contact supervisor.
9. Support should be offered to birth relatives where indicated (to help them to manage direct contact or letter writing) and provided by the Adoption Agency (Adoption South East).
10. If a meeting between adoptive parents and birth parents is indicated, in the interests of the adopters building a more comprehensive and rounded picture of the birth parent (for sharing with the child in the future) careful consideration should be given to the timing of this. Where the birth parent is in support of the adoption order being made or does not wish to consent but will not actively oppose the order this may be possible prior to adoption.
11. There may be additional benefit to the birth and adoptive parents having met prior to adoption in the sense that it can sometimes enable both sides to resolve some of their concerns. The child’s social worker and the adopter’s social worker will work together to make this a positive meeting for all, recognising that whilst there are potential benefits that both parties are likely to have apprehensions.

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