



Title: **Adoption Activity Report**

Public Agenda Item: **Yes**

Wards Affected: **All Wards in Torbay**

To: **The Mayor / Council**      On: **8<sup>th</sup> December 2011**

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## **1. Key points and Summary**

1.1 This report is to inform members of the Torbay Council Children's Services adoption Agency activities for the period 1<sup>st</sup> April 2011 to 30<sup>th</sup> September 2011.

## **2. Introduction**

### **2.1 The legal concept of adoption**

Adoption is a legal concept which creates a complete and permanent transfer of parental responsibility from a birth parent to an adoptive parent when a court makes an adoption order. Adoption orders, once made, cannot be revoked. Children, who were in the care of a local authority before an adoption order was made, are no longer 'looked after' by that authority once the adoption order has been made.

### **2.2 The changing face of adoption - 1926 to 2011**

There have been many developments since adoption first became a legal concept in this country in 1926, the year of the first Adoption Act. Initially and for many years, adoption was seen as offering a solution to the stigma and shame attached to illegitimacy and unmarried motherhood, at the same time as meeting the needs of childless couples to have a child. Adopters were given little background information about children they adopted and there was no recognition that those who were adopted might want to know anything about their birth family when they grew up.

2.3 By the 1970's, all of this was changing, alongside and as part of more general changes in society, leading to a reduction in the number of babies available for adoption. The number of children adopted in England has declined from a peak of around 25,000 in 1968 (most of whom were babies) to 3,200 in the 12 months to April 2010.

2.4 At the same time as the number of healthy babies available for adoption decreased, there was a growing awareness that there were many older children

in the care system who could benefit from the permanence and security of adoption. Today, adoption is seen as a positive way of meeting the needs of some of those children who, for whatever reason, cannot grow up with any of their birth family. Most children are now adopted following care proceedings. These children have complex backgrounds and most have experienced inconsistent and poor early parenting, serious abuse or neglect prior to being taken into care. They are generally older, have their own early histories and memories, and many are part of sibling groups. Younger children who are adopted include many who have been removed from the care of their birth parents immediately or soon after birth, because of parental drug or alcohol misuse, or serious mental health problems. A significant number of the youngest children placed for adoption are either permanently affected by their mother's alcohol use in pregnancy or themselves born drug dependent and withdrawing from drugs because of their mother's drug misuse in pregnancy.

2.5 The profile of children needing adoptive homes also reflects other changes in society. For example, as Britain has become more diverse ethnically, the number of children in care and needing adoptive homes from ethnic groups other than white British has also increased. In the 1960's and 1970's most of the children who were adopted were of white British ethnic origin, whereas in the year up to the end of March 2010, over 16% of those adopted were of an ethnicity other than white British. These children were also the ones who usually waited longest for a permanent adoptive family.

2.6 The age and background of the children placed for adoption nowadays means that many adoptive families will continue to need ongoing support after the adoption order is made. The effects on these children of early abuse and neglect from pregnancy onwards, means that by the time the child has been placed for adoption, they will have suffered long term physical or emotional damage, which will inevitably affect them throughout their childhood and into adulthood. In recognition of this, the Adoption and Children Act 2002 introduced statutory responsibilities on local authorities to provide adoption support services to all of those affected by adoption living in their area. The local authority which placed a child for adoption is responsible for most of these services for the first three years after an adoption order has been made, with the responsibility then transferring to the local authority where the child and adoptive family live.

2.7 A further change since the 1960's and 70's, partly as a result of the age at which children are now adopted, and partly in recognition of the importance of identity and knowing about roots, is that most children adopted now have some form of ongoing contact with their birth family. This is usually through indirect letterbox arrangements which are administered by the local authority between the adopters and birth family, but can also sometimes include direct contact. Where these arrangements work well, whether indirect or direct, they can help to promote a child's sense of self esteem and identity. Arrangements are set up to focus on what is in the child's best interests, not to meet the needs of the adults involved. All arrangements are very carefully managed and reviewed over time as an individual child's needs change.

2.8 What are the statutory duties of local authorities in respect of adoption?

All local authorities have a statutory duty under the Adoption and Children Act 2002 to provide an adoption service for all of those affected by adoption living in

their area. These include adopters and prospective adopters, adoptive families, children in need of adoptive homes and those already adopted, adopted adults, and birth relatives of those who are being or have been adopted.

## 2.9 How are adoption services organised in Torbay?

In Torbay, these services are provided within Children's Services. Until April 2011 the child care teams took responsibility for care planning for those children for whom adoption is the plan, including direct work with the birth family and the lead in the court process until an adoption order is granted. The Adoption team took responsibility for the recruitment of prospective adopters, family finding alongside the childcare worker and the provision of adoption support services. The Adoption team members, all of whom have built up expertise in this specialist area of work, also had a role in offering advice, guidance, and support to child care social workers as needed. The Adoption team also advised on the preparation of children being placed for adoption, and helped with the preparation of life story books and direct life story work with individual children where appropriate.

The adoption team also recruit, assess and support prospective adopters, provide adoption support services to all parties affected by adoption, including counselling services for adopted adults. They are responsible for all contact arrangements. The team have also recently taken on the responsibility for Special Guardianship Orders once the order has been made and provide all the statutory support services for these.

2.10 In April 2011, two posts were transferred from the permanency planning service to the adoption team. This was to enable these two adoption childcare workers to concentrate on the adoption plans for children and finding placements for them, without the distraction of other ongoing court proceedings. The plan was for the adoption worker to become involved at the point where adoption was identified as the plan, working alongside the permanency childcare worker, who would focus on the court proceedings, allowing the adoption worker to get to know and work with the child and to prepare and take the plan to adoption panel. The adoption worker would then take over once the court proceedings had concluded and the local authority on obtaining a Placement Order, had the authority to place the child. The adoption worker would by then know the child well and could concentrate on finding an appropriate placement.

2.11 At the time of this change, there were a large number of children for whom placements were being sought and the reality has been that cases so far have not been able to be jointly worked early on, but are being transferred at the conclusion of proceedings. This was also due to staffing issues with the two new posts. Efforts to find placements for children have been strenuous but not easy, as the majority of these children are considered more difficult to place because they are older, part of a sibling group, or have particular special needs.

2.12 The proposed new structure will consolidate this new way of working and it is anticipated that this will further help to minimise delays for children.

2.13 Further information on the organisation and delivery of adoption services in Torbay can be obtained from the Adoption Service Statement of Purpose, which is reviewed annually.

## 2.14 The inspection framework

Local authority adoption services are regulated and inspected by Ofsted, under the Care Standards Act 2000, on a 3 yearly cycle. All local authority adoption services are required to meet the National Minimum Standards for Adoption Services. These were initially published in 2003, amended in 2005 and new standards were implemented in April 2011. As part of these standards, this report covers specific information which must be reported to the executive side of the Council every six months. The last inspection of the Torbay Council Adoption Service was in November 2009.

## 2.15 Adoption in the media

Adoption has had a high profile in recent months, though much of the coverage has had negative overtones. The Times newspaper ran a campaign to highlight the fall in the numbers of children adopted from care nationally in recent years, after an increase at the end of the last and beginning of this century. The Times campaign also highlighted poor adoption practices in some local authorities. They ran a series of articles suggesting that adoption had fallen out of favour in some local authorities, that where adoption plans are made there were too many delays in the process, that ethnic minority children waited longer than white youngsters to be adopted, and that prospective adoptive parents were being turned away because they are 'too white or middle class to adopt'.

2.16 The Times campaign culminated in the newspaper commissioning Martin Narey, former chief executive of Barnardos, to draw up a report to appraise the adoption system nationally, and to offer advice. Mr Narey's report was published in The Times on 5<sup>th</sup> July 2011. He came up with 20 recommendations, which can be accessed at The Times website.

2.17 Following the publication of Mr Narey's report, the Government appointed Mr Narey as the new Ministerial Adviser on Adoption on 12<sup>th</sup> July 2011. However, the Children's Minister, Tim Loughton, has so far given only a guarded welcome to Mr Narey's report, disregarding some of his proposals and stating it would not become the government 'blueprint' for adoption reform, as the newspaper had suggested.

2.18 Recently there has been more media attention regarding the length of time taken before children are adopted and the publication of league tables for local authorities showing timescales. There is a suggestion that the government may look at introducing measures to transfer the functions of failing local authorities to other local authorities or voluntary agencies.

2.19 Unfortunately, statistics alone do not always present an accurate picture as they do not take into account all the factors. The timescales reported are from the date where the adoption agency has decided following adoption panel, that a child should be placed for adoption to the date the actual adoption order is made. There is often a considerable period of time between the first date and the making of a Placement Order in the court process, until which time the local authority has no authority to place the child. This length of time is out of the control of the local authority. When a child is placed, an application cannot be made for ten weeks, a further six weeks are allowed by the court for the writing

of the reports, then a court date is identified. Again, there is no recognition within these statistics of delays which are not within the power of the agency to control. The statistics will also be heavily influenced by the age and type of children placements are being sought for at any particular time. For example, a sibling group of three will be more difficult to find a place for and where the numbers of children are small this will adversely affect their statistics.

- 2.20 The recent publicity has also been negative about local authorities turning away potential prospective adopters, which is unhelpful at a time when all agencies are struggling to recruit.
- 2.21 The negative comments about adoption practice in local authorities made by Mr Narey are not a picture we recognise in Torbay. Adoption remains a high priority for the Council and child care social workers are not ignoring adoption as an option for permanence for Torbay children. Social work staff within Children's Services look upon adoption positively if it is considered the right option for an individual child. This is evidenced in the fact that out of the 58 children under the age of 9 (those for whom adoption is more likely to be an appropriate option) who were in care on 30<sup>th</sup> September 2011, 36 of these children had plans for adoption. This includes children placed but not yet adopted and those where we await the outcome of Court proceedings before being able to progress the plans.
- 2.22 There is also no evidence locally to support Mr Narey's view that children from backgrounds other than white British are left waiting indefinitely whilst a search is made for a family who are a 'perfect' ethnic and cultural match. A child's ethnic and cultural heritage is just one of many factors which are taken into consideration in looking for a family who can best meet their needs. A child's need to be settled permanently with a loving family at as young an age as possible has to be the priority and the priority is to find a family who can meet all of their needs and can also promote their heritage positively. Where it has taken longer to place children, it is usually because of their age, the number of children in a sibling group who need to be placed together or because they are children with significant developmental delay, often as a result of exposure to drugs and alcohol in pregnancy, and abuse or neglect in these children's early lives.
- 2.23 Nor is there any evidence that prospective adopters are being turned away by Torbay adoption social workers for spurious reasons, for example, for being 'too white or middle class', criticisms made in The Times campaign. Those approaching the Torbay Adoption team to enquire about adoption or for advice on adoption related matters are welcomed and treated with courtesy and respect. Many enquiries from prospective adopters are by word of mouth from recommendations from families already assessed and approved by Torbay.

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**Appendices**  
N/A

**Documents available in members' rooms**  
N/A

**Background Papers:**

The following documents/files were used to compile this report:

N/A

## 1. Plans for children

- 1.1 During the six month period there were 15 children who the adoption panel recommended should be placed for adoption, and the agency decision maker agreed all these plans. This figure is the same number as the whole of the previous year and almost as many as two other years. Three of these children have already had placements identified, there is active family finding for two pairs of siblings and the remaining eight are all still awaiting the outcome of legal proceedings. A sibling group of four in this category do not have a final court hearing until January 2012, so with the plan being agreed in August, there will already be a timescale of 5 months before Torbay will be in a position to place them, should the court agree.
- 1.2 Plans for 5 children, including a sibling group of 4, were changed to a plan for long term fostering. The older children in the sibling group were able to clearly state their wish not to be adopted, but to remain with their current carers. The other child had had a previous adoption breakdown some years ago and also wished to remain with her current carer.

**Table 1**  
**Plans for children**

<b>Adoption Plans Approved</b>	06/07	07/08	08/09	09/10	10/11	<b>1/4/11-30/9/11</b>
Children for whom a formal decision has been made that they should be placed for adoption						
White British	20	15	12	9	13	<b>10</b>
Other ethnicity	1	1		7	2	<b>5</b>
Aged 0 to 2 years	10	8	12	8	6	<b>9</b>
Aged 3 to 5 years	7	5		4	6	<b>6</b>
Aged 6 to 10 years	3	3		4	3	
Aged 11 years plus	1					
<b>Total</b>	<b>21</b>	<b>16</b>	<b>12</b>	<b>16</b>	<b>15</b>	<b>15</b>

## 2. Placements

- 2.1 Six placements were approved following the adoption panel recommendation. The adoption panel did not recommend one of these placements, and the decision maker initially did not agree the placement, but later reversed this decision on receipt of further information. Three of these children have now been placed and one has already been adopted.
- 2.2 Unfortunately the other three children, who included a sibling pair, did not proceed to placement, the adopters withdrawing during the introductions. Placements are again being sought for these children.
- 2.3 On the 30<sup>th</sup> September 2011, there were 21 children for whom adoption placements were being sought. This is the highest number there has ever been

in Torbay. 13 of these are girls and 8 boys. There are 4 sibling pairs and one sibling group of 3. Most of the sibling groups included at least one school aged child. A number of these children had been waiting a long time for a placement, mainly because of age and particular special needs. With an increased emphasis on family finding when the cases were transferred to the adoption team, by the time of writing this report, families had been identified for 6 of these children. Unfortunately, 3 of these were also the ones where the adopters withdrew during introductions. Plans have also since been changed for 2 of the children.

- 2.4 Strenuous efforts are being made to identify placements for these children using local and national resources. This includes the use of the south west adoption consortium, the national register, advertising in adoption publications and attending family finding exchange days.
- 2.5 There have been no disruptions of placements during this period.

**Table 2**  
**Number of children placed from 1/4/11-30/9/11, by age and the agency providing the placement**

<b>Age of child</b>	<b>Torbay</b>	<b>Reciprocal arrangement (no cost)</b>	<b>Other L.A/Voluntary agency</b>	<b>Total</b>
0-2 years	<b>1</b>		<b>1</b>	
3-5 years				
6-10 years				
11+ years				
<b>All</b>	<b>1</b>		<b>1</b>	<b>2</b>

### **3. Adoption Orders**

- 3.1 There have been 3 children who have been adopted in this 6 month period. There are a further 4 children who are currently placed, but are not yet adopted.
- 3.2 The percentage of children adopted from local authority care is based on the number of children adopted during the year from the number of children looked after (for over 6 months). As the number of children looked after has increased and more than two thirds of these are over the age of 9 (for whom adoption is unlikely to be a realistic option), the small number adopted so far this year, even counting those who are placed but not adopted, is likely to result in a very small percentage of approximately 4% next year. This will show as badly performing. However, there is likely to be a dramatic increase again the following year, when the children for whom there are currently plans for adoption are placed and adopted.

**Table 3  
Percentages of children adopted from care**

<b>Date</b>	<b>Total number of children looked after</b>	<b>Percentage of all children adopted from care</b>	<b>Children aged 0-9 years</b>	<b>Percentage of children aged 0-9 years adopted from care</b>
31/3/07	151	6.6%	61	16.39%
31/3/08	164	6.1%	69	13.0%
31/3/09	156	7.69%	62	19.35%
31/3/10	149	10.06%	50	33.55%
31/3/11	167	6.58%	61	18.03%
<b>30/9/11</b>	<b>189</b>	<b>1.58%</b>	<b>58</b>	<b>5.17%</b>

**Performance regarding this percentage figure can be translated according to the following table**

<b>Under 3%</b>	<b>3%-6%</b>	<b>6%-7%</b>	<b>7-8%</b>	<b>8-25%</b>
	Ask questions about performance	Acceptable, but possible room for improvement	Good	Very good

#### **4. Prospective adopters**

- 4.1 The number of prospective adopters coming forward in the last eighteen months has sharply declined in most local authorities and voluntary adoption agencies. The reasons for this are unclear, but are thought to be linked to the financial crisis and peoples uncertainties about this. All agencies report a decline in the number of prospective adopters being approved to take more than one child, which is having an adverse affect on the ability to place sibling groups. The placement of all children is affected by this, with the National register reporting that as prospective adopters are able to have more choice of children, the children with complex needs are less likely to be considered.
- 4.2 The year 2010 to 2011 Torbay Council approved 7 prospective adopters, its lowest number since the agency began its own assessments (These were previously undertaken by a voluntary agency on its behalf). 4 prospective adopters have been approved in the first 6 months, but the current number of assessments is low and the total number who will be approved for the year will also be low. Having placed children with 11 prospective adopters in the year 2010 to 2011, some of whom were approved the previous year, there is now a limited pool of available prospective adopters. 4 of these adopters were matched with Torbay children, and 7 had children placed with them from other local authorities, which generated income from the placement fees each local authority makes when placing a child with another agency.
- 4.3 Where an agency is minded to turn down an application, following a recommendation from the adoption panel, applicants have the right to ask that their application is considered by an independent panel – the Independent review Mechanism (IRM). There have been no cases during this period which



have not been approved.

- 4.4 In response to the fall in numbers, Torbay Adoption Team have been running a recruitment campaign and have had regular events throughout Devon promoting adoption. These have been held at venues in town centres, garden centres and leisure centres.
- 4.5 Other recruitment measures, such as sending out posters to be displayed in communities, adverts on payslips and in other media, have also continued. The team have updated the information and format on the Council website. A recent enquirer gave very positive feedback on this in comparison to other agencies that they had looked at.
- 4.6 The effects of this campaign are not likely to be felt in the immediate future as most people, having received some information, take some time to think about adoption before progressing to a more formal enquiry.
- 4.7 The adoption team will continue to actively encourage enquiries and promote itself positively in order to encourage potential prospective adopters to choose to become adopters for Torbay Council, rather than one of the other three agencies operating in the same area.
- 4.8 The timescales for sending out information and inviting potential adopters to information sessions are all being met. Timescales for completing assessments are being met, unless there are specific reasons, such as an agreed delay because of circumstances of prospective adopters, e.g. sickness, family bereavement.

**Table 4**  
**Prospective adopters approved**

<b>Age of child</b>	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011	<b>1/4/11-30/9/11</b>
<b>0-2 years</b>	7	2	7	7	1	
<b>3-5 years</b>	5	4	1	4	3	<b>2</b>
<b>6 to 10 years</b>	4	3	2	3	3	<b>2</b>
<b>11 years plus</b>						
<b>Total</b>	16	9	10	14	7	<b>4</b>

Families are counted in the age range corresponding to the maximum age of children for whom they can be considered. All applicants were male/female couples. All applicants only wished to be considered for single placements.

Of the four applicants approved, three are actively being considered, two for children from Torbay, one from another local authority. One of the applicants has withdrawn. This further indicates the difficulties for placing children, when approved adopters are being matched so quickly.

**Table 4a**  
**Prospective adopters matched 1/4/1-30/9/11**

<b>Age of child</b>	<b>Torbay</b>	<b>Reciprocal arrangement (no cost)</b>	<b>Other L.A/voluntary agency</b>	<b>Total</b>
0-2 years	2			
3-5 years			1	
6-10 years				
11+ years				
<b>Total</b>	<b>2</b>		<b>1</b>	<b>3</b>

All placements were for one child. There have been no disruptions of children placed with Torbay adopters.

## **5. Intercountry adoptions**

5.1 Enquiries and assessments of people wishing to adopt from abroad, continues to be contracted out to a voluntary agency, Parents and Children together (PACT). Torbay pay PACT an annual fee for this service. PACT deal regularly with these cases and can therefore provide applicants with more up to date specialist advice than could be given if these assessments were undertaken in house. This is the only area of work which can be charged for, and PACT charge the applicants directly. Work following placement, which cannot be charged for, is dealt with by Torbay Adoption Team. There is also one remaining couple, previously assessed by Torbay Council, still awaiting a placement (of a relative).

## **6. Adoption Support work**

6.1 The Adoption support services regulations, effective from November 2003, place duties on adoption agencies to provide counselling, advice and information, support groups for adoptive families, financial support, assistance with contact arrangements, therapeutic services for adopted children and services to ensure the continuity of adoptive relationships. The adoption support service has undertaken all these requirements and with the complexity of needs of children being placed for adoption, this places a strain on these services.

6.2 Services for Special Guardianship Orders, which have just been taken on by the adoption team, are very similar, but cannot always be met with the same resource. e.g. groups for adopters cannot be combined with groups for those who hold Special Guardianship Orders as their needs are not always the same.

6.3 The adoption support service provides a service for birth relatives, independent from the child's social worker, and this has included a birth parent group.

6.4 Therapeutic services are provided by two part time social workers, whose direct work with children is aimed at preparation for moving on to adoption, attachment work and increased placement stability. The demand for this work is high and increasing.

6.5 The majority of placements of children for adoption now involves some contact with birth family members in the form of either letterbox contact (the exchanging

of information via a third party) or face to face contact, usually once or twice a year. The letterbox exchanges are dealt with by adoption support services and include the monitoring and exchange of all information as well as help and advice to all involved on the appropriateness of the content. As can be seen from the following table, the number of these exchanges has risen dramatically over the years, and continues to rise. Face to face, or direct contact, arrangements have remained more static as whilst more of these commence, some end. This is due to the changing needs of the child, and the ongoing arrangement no longer being appropriate. Each contact is time consuming, averaging over 15 hours work (even though the actual contact may only be for 2 hours), as it includes the preparation and debrief of all involved, as well as the organisation of the practical arrangements and the supervision of the contact itself. A lot of the contacts involve school age children and cannot all be done during school holidays, so take place at weekends, to avoid disruption for the child. (See table 6)

- 6.6 Work with adoptive families include social events 3 times a year, training sessions on topics such as attachment, the safe use of social networking sites, trauma and loss. Individual work is also undertaken with adoptive families, following an assessment of need for support services. Groups are also run for adopted young people. Torbay Adoption Team also set up and run a group for siblings of adopted children. There was an identified need for such a group, even though this is not required under the regulations.
- 6.7 Work with adults who have been adopted to provide counselling, information and help in tracing and sharing their records, is undertaken by workers who have had specific training in this area. Whilst a number of additional workers undertook training to do this, the reality is that because of the volume of their other work, these cases are not able to be prioritised. However, in the last 6 months, the waiting list has been greatly reduced. This work does not include the tracing of relatives and acting as an intermediary service. This is not a statutory requirement, and Torbay chose not to register as an intermediary service in December 2005 when this was introduced, as the time and resources available for this work would not enable Torbay Council to provide the level of services people are entitled to and require.

**Table 6**  
**Contact arrangements**

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Letterbox-number of exchanges</b>	380	421	473	657
<b>Letterbox-number of people involved</b>			290	343
<b>Direct contacts</b>	32	39	45	35

## **Addendum to Adoption Activity Report**

**8<sup>th</sup> December 2011**

### **Introduction**

The Adoption Activity Report contains information relating to the statutory duties under taken by Torbay Council Adoption Agency. The report describes the performance relating to children placed for Adoption.

In common with other local authorities Torbay Children's Social Care consider a number of options to achieve permanence for a child unable to remain with their birth parent. Adoption is not always the preferred option and cannot always meet the child or young person's assessed or expressed need. Other forms of permanence should not be considered inferior to adoption and indeed Special Guardianship Orders infer upon local authorities similar post placement requirements for support to both the young person and their special guardian. For this reason many local authorities including Torbay Council locate their Special Guardianship services within their adoption teams.

Torbay Adoption Panel will be becoming a Permanence Panel to consider the plans for placement of all children requiring permanent arrangements under an order. It is anticipated this panel will be operational by April 2012 and the panel will include some new members to enhance this new function.

The table below illustrates the number of Torbay Children who have permanent status achieved by orders other than adoption.

<b>Residence Order</b>	<b>Special Guardianship Order</b>	<b>Kinship Care (Friend or Family Member)</b>
<b>34</b>	<b>15</b>	<b>9</b>

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