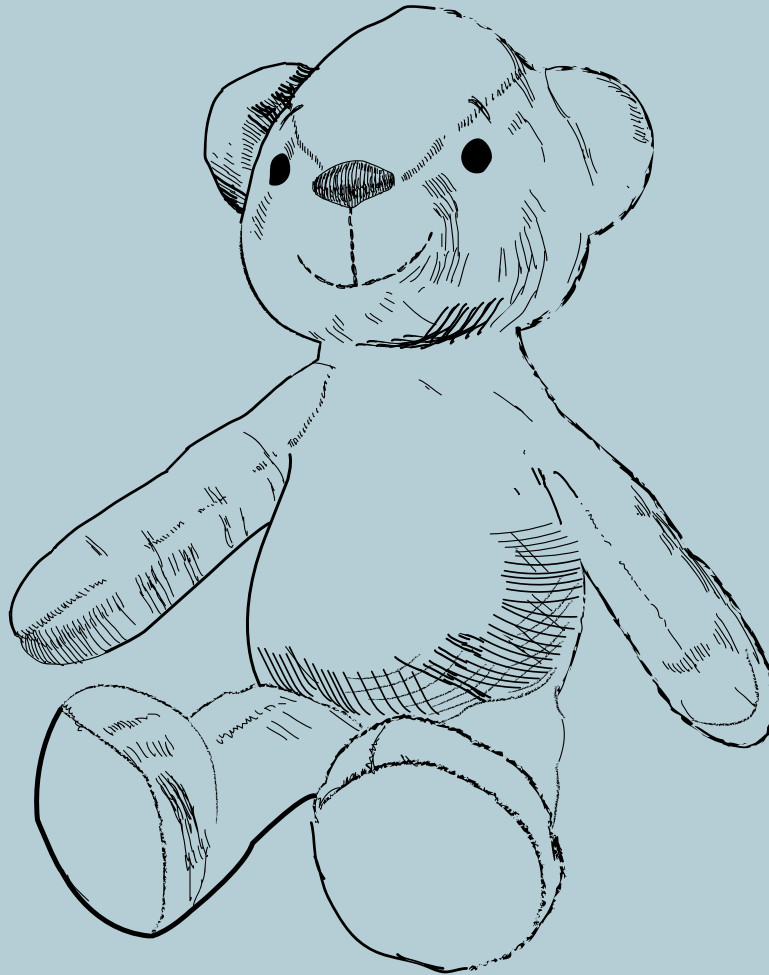


Permanency resource pack



Helping children and young people to fulfil their potential is a key ambition of all councils, but our children's services are under increasing pressure.

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Foreword

Every child and young person deserves stability – somewhere safe that they can come home to every day, relationships that are nurtured and developed over time, and a sense of security and belonging. We know that this stability is one of the things that helps children to achieve good outcomes, and for those who come into the care of local councils, it is why working towards permanency from the very start is so important.

For some, permanency will mean returning home to their birth family after a period of time. For other children, adoption may be the best option, or perhaps living with a relative or someone else known to them under a special guardianship order. Similarly, long term fostering arrangements can offer a stable home without cutting links to the birth family. A very small number of young people might not want to live with another family, or may not be suited to it, and so will stay in residential care until adulthood.

Every councillor is a corporate parent to the children in the council's care, so should be playing their part in making sure we get the very best for each child. This resource pack is designed to help councillors understand what permanency is, the factors that can have an impact and the questions that will help to understand what's working well and what could be improved.

Support for children and their families – both their birth families and carers – shouldn't stop when a placement is made. Some children will have been through very difficult, potentially traumatic experiences before coming into care, and will need extra help to come to terms with that and go on to fulfil their potential. Councils need to make sure not only that families know what to expect when a child joins their family, but that support is available when they need it and not only at crisis point.

Every plan for permanency should revolve around the child's needs, and that means listening to their wishes and feelings too. We have a duty to make sure that children not only understand what's going on, but are fully involved in the decisions that will have such a fundamental impact on their lives.

As corporate parents, it is incumbent on all of us to strive for the very best for the children and families in our care. Permanence can make such a difference to a child's life, and it is our job to make sure that all children have the chance to find the loving, stable environment they deserve.

Councillor Antoinette Bramble

Chair, LGA Children and Young People Board

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Permanency an introduction

What is permanence?

The Children Act 1989 regulations state that 'permanence is the long term plan for the child's upbringing...to ensure that children have a secure, stable and loving family to support them through childhood and beyond and to give them a sense of security, continuity, commitment, identity and belonging'.¹

While some children can move into permanence arrangements such as special guardianship without first coming into the care system, this resource pack will focus on permanence for children who are looked after by their council.

It is important to note that for some routes to permanence, such as adoption and special guardianship, local authorities can only recommend that option for a child; it is for the court to approve or reject the proposed course of action. This resource pack will focus on areas that councillors are most able to influence and is therefore primarily concerned with council practice, but the role and influence of the courts and judiciary should not be underestimated.

Types of permanency

Permanence arrangements vary for different children, according to what their needs are and what is in their best interests.

Return to birth parents

For many children, a return to their birth family is possible after those issues that led to a period in care have been dealt with. In 2016-/17, this accounted for around a third of children who left care.²

Kinship (family and friends) care

Kinship care is where a child lives with a relative, friend or other 'connected' person. Many children in kinship care are in informal arrangements, which do not involve the local authority (for example, where a parent asks the child's grandparents to take on full-time caring responsibilities).³

If a council places a child with a kinship foster carer, the child will have looked-after status but the local authority will not necessarily share parental responsibility. Councils can only place looked after children with kinship foster carers who are registered foster carers. Registered foster carers will receive a fostering allowance to help support the child. The financial support should be equal to the allowances/fees provided to other foster carers within that local authority (National Minimum Standard 28.7⁴).

1 The Children Act 1989 guidance and regulations volume 2: care planning, placement and case review (June 2015) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441643/Children_Act_Guidance_2015.pdf

2 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

3 Buttle UK (2013) 'Kinship Care' https://www.buttleuk.org/static_cache/1/areas-of-focus/kinship-care/index.html

4 <https://www.gov.uk/government/publications/fostering-services-national-minimum-standards>

Adoption

For a minority of children (around six per cent of all looked-after children in 2016/17⁵), permanence is achieved through adoption, in which full parental responsibility is legally transferred to the adoptive parents.

This is most likely to happen for younger children; in 2016/17, 78 per cent of children who were adopted were under five years old. Just one per cent were aged ten or over.⁶ But adoption can be an excellent route to permanence for children of all ages, and should not be discounted purely on the basis of age.

Adoption rates have varied significantly in recent years, peaking in 2015 with 5,360 adoptions before falling to 4,350 in 2017, though there are large regional variations.⁷

Where adoption is considered the best option for a child, avoiding delay is key. Research has shown that a child's chances of being adopted reduce by half for every year of delay, while the age at which the child comes into their adoptive family has a significant impact on adoption outcomes.⁸

Special guardianship

Special guardianship provides an alternative form of legal permanence to adoption and can be used, for example, in cases where children, social workers or the courts feel it would be beneficial to retain links with their birth families. It should:

- Give the carer parental responsibility for all aspects of caring for the child and for taking the decisions to do with their upbringing. The child will no longer be looked after by a local authority.
- Provide a firm foundation on which to build a lifelong permanent relationship between the child and their carer.
- Be legally secure.
- Preserve the basic link between the child and their birth family.
- Be accompanied by access to a full range of support services, including, where appropriate, financial support.⁹
- The Adoption and Children Act 2002 outlines who can apply to become a special guardian for a child, including relatives and foster parents.

Long-term foster care

Children living in stable, long-term foster care can have similar outcomes to adopted children,¹⁰ and this is a positive permanency option for those children who still identify with, and wish to maintain links to, their birth families. It can also be a positive option for children with complex care needs or who are harder to place for adoption, such as sibling groups or older children, providing them with long-term stability and ongoing care and support.

5 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

6 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

7 Department for Education (2017) 'Children looked-after in England including adoption' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

8 Research in Practice (2014) 'Impacts of delayed decision-making' <http://fosteringandadoption.rip.org.uk/topics/decision-making/>

9 Department for Education (2017) 'Special guardianship statutory guidance' <https://www.gov.uk/government/publications/special-guardianship-guidance>

10 Research in Practice (2014) 'Placement stability and permanence' <https://fosteringandadoption.rip.org.uk/topics/placement/>

If long-term foster care is the plan for a child, it is important that work begins early to prepare the child for this, and to ensure that the 'match' between the child and the foster family is right, along with putting in place long-term support for the placement.

Residential placements

Living within a family setting will be the preferred permanency option for most children, including those for whom residential care is a positive short-term option. However, for a small number of children and young people a long-term residential placement could equally be the best option. In particular, this can be useful for older children who are unable or unwilling to participate in family life due to previous experiences or the emotional demands of family living.

Fostering for adoption

Where the preferred form of permanency for a child is adoption, they may be placed with approved adopters who are also approved foster carers while social workers continue to investigate all options for the child. Where the court decides that the child can be placed for adoption, the foster family will then be granted an adoption order, provided social workers and the court are satisfied the child's needs will be met in that placement.

Fostering for adoption can limit the number of placement moves for a child, and allows them to begin building a relationship with potential adoptive parents from an early stage.

Permanency planning

Every child in care, including those accommodated under Section 20 arrangements, will have a care plan, and by the second statutory review (the four-month review), this should outline plans for permanence.¹¹

Legislation and guidance are clear that if a child cannot return home, family members and friends should always be considered

as the first option for permanence. Where this is not possible or not in the child's best interests, alternative permanent carers should be identified. Where alternate family living is not appropriate, long term residential care can be considered, and for older children, options for independent living should also be investigated.

As part of permanency planning, contact and links with extended family, friends and other connected adults should be looked at to facilitate a wider network of support for the young person wherever possible, and where this is in the child's best interests and in line with their wishes. This can help a child to cope better with transitions, manage contact with birth parents and provide stability.

Every permanency plan must focus on an assessment of the child's needs with a focus on outcomes and stability, while the child's wishes and feelings should be sought and taken into account along with the views of the child's carers.

Statistics

The Adoption and Special Guardianship Leadership Board publishes quarterly data reports: www.gov.uk/government/collections/adoption-system-performance

These include local authority-level data on the amount of time children wait to be placed with adoptive families, adopter recruitment and the characteristics of children waiting for adoption.

Cafcass reports monthly on the number of care order applications made by councils: www.cafcass.gov.uk/about-cafcass/research-and-data/public-law-data

The Department for Education (DfE) publishes annual statistics about looked-after children, including information about the reasons for children leaving care: www.gov.uk/government/collections/statistics-looked-after-children (broken down to local authority-level).

¹¹ Department for Education (2013) 'Statutory guidance on adoption' <https://www.gov.uk/government/publications/adoption-statutory-guidance-2013>

Definitions

Adoption order

An adoption order is made by the court, and transfers parental responsibility for the child permanently and exclusively to the adopter(s). The child must have been living with the adoptive applicants for at least 10 weeks before an adoption application can be made.

Adoption panels

Adoption panels contribute to the running and quality assurance of the local authority's adoption service, including making recommendations on the suitability of prospective adoptive applicants to adopt, advising on adoption support, and in some cases, recommending on whether adoption is suitable for a particular child.

Adoption panels should have an independent chair, and membership should be drawn from people experienced in matters relevant to adoption, for example social workers, mental health workers and education specialists.

Cafcass

Children and Family Court Advisory and Support Service. Cafcass represents children in family court cases in England, with a duty to safeguard and promote the welfare of children going through the family justice system including care proceedings and adoption.

Care order

A care order issued under Section 31(1)(a) of the Children Act 1989 places a child in the care of their local authority. To issue the care order, the court must be satisfied that it is in the best interests of the child, and that a suitable care plan (including permanence planning) is in place.

A care order can last as long as the court believes it is necessary, until a young person is 18 years old, or until an adoption, special guardianship or child arrangements order is put in place.

Child arrangements order (previously 'residence and contact orders')

A child arrangements order is issued by the court and outlines who a child is to live with, who they will spend time or have contact with, when that contact will take place and what it will look like (for example, visits or phone calls). The order can remain in place until the child is 18.

The person named within the order as the person with whom the child will live shares parental responsibility for the child with the birth parents while the order remains in force. The child is not looked after by the local authority, and there is no social work involvement unless this is deemed necessary.

A child arrangements order may not offer the same degree of long-term security as adoption or special guardianship as an application can be made to revoke the order.

Inter-agency fee

Sometimes a local authority will need to place a child for adoption with an adopter who has been assessed, trained and approved by another council or a voluntary adoption agency. In these cases, the placing authority pays an inter-agency fee, which is a set fee to cover the costs of recruitment and training by the other agency.

Special guardianship order

Special guardianship was introduced by the Adoption and Children Act 2002. A special guardianship order (SGO) is an

order appointing one or more individuals to be a child's 'special guardian'. The order offers more long-term security than a child arrangements order, as a parent cannot apply for the order to be discharged without the permission of the court, but it does not end the legal relationship between the child and their birth parents as in the case of an adoption order.

The use of SGOs has increased significantly in the years since its introduction. In 2011, 4,288 children (including those who had not previously been looked after) were cared for through an SGO, increasing by 67 per cent to 7,153 in 2017.¹²

The use of SGOs for looked after children has also increased. In 2017, 3,690 (12 per cent of those leaving care) ceased to be looked after due to a special guardianship order, an increase of 33 per cent from 2,770 in 2013.¹³

Supervision order

A supervision order allows a council to monitor a child's needs and progress. A social worker will advise and help the child and the family that they are living with.

Placement order

A placement order is an order allowing the local authority to place a child for adoption where there is no parental consent.

A placement order has the effect of suspending a care order. If the placement order is subsequently revoked, the care order is reinstated.

Parallel plan (or twin track)

Parallel planning involves drawing up a contingency plan for a looked-after child at the same time as pursuing the main plan for permanency for the child. This means that if the preferred permanency option cannot be achieved, an alternative plan is immediately available to avoid drift in the child's case.

Section 20 accommodation

Section 20 accommodation is where a child or young person is accommodated by their local authority and has looked-after status, but with the agreement of their parents – a care order from the court is not involved. Section 20 does not give the council parental responsibility over the child, and someone with parental responsibility can remove the child from care at any time.

Voluntary adoption agency

A voluntary adoption agency (VAA) recruits and assesses prospective adopters who can then be matched with children who are in the care of a council. That authority then pays the VAA to cover their costs (no profit is allowed).

All VAAs must be registered with Ofsted.

¹² Ministry of Justice (2018) Family Court Statistics <https://www.gov.uk/government/statistics/family-court-statistics-quarterly-october-to-december-2017>

¹³ Department for Education (2017) 'Children looked after including adoption 2016/17' <https://www.gov.uk/government/statistics/children-looked-after-in-england-including-adoption-2016-to-2017>

Legislation and practice

Children Act 1989

The Children Act 1989 is the main piece of legislation governing child protection procedures. The Act allows for local authorities to take children into their care in two circumstances.

Section 20 allows for children to be looked after at the request of, or by agreement with, their parents. No court proceedings are required to accommodate children under Section 20.

Section 44 refers to orders for the emergency protection of children, where the court is satisfied that the child is suffering, or is likely to suffer, significant harm if they are not removed to alternative accommodation.

In addition, Section 47 outlines that where a child has been placed in police protection, the council has a duty to carry out enquiries to establish whether action needs to be taken to safeguard the child. The council does not have parental responsibility for children under police protection.

Adoption and Children Act 2002

This Act outlines the legislative framework for domestic and inter-country adoption, and introduced special guardianship. The Act's guiding principle is that the needs and welfare of the child should always be at the centre of decision-making.

The Act requires councils and adoption agencies to consider the lifelong requirements of a child and any support

needs that the child and their adoptive family might have.

The Act also allowed unmarried couples, including same-sex couples, to apply for joint adoption.

Children and Adoption Act 2006

The 2006 Act gave courts more flexible powers to facilitate child contact and enforce contact orders when separated parents are in dispute.

Children and Families Act 2014

This Act places a duty on every children's services authority in England to appoint a virtual school head (VSH) – an officer employed to make sure that the council's duty to promote the educational achievement of its looked-after children is properly discharged.

The Act encourages 'fostering for adoption' which allows approved adopters to foster children while they wait for court approval to adopt, and introduced 'staying put' arrangements which allow young people in care to stay with their foster families until the age of 21 years. The Act established a requirement for councils in England to facilitate, monitor and support these arrangements where this is what the young people and their carers want, unless the council considered these arrangements to be inconsistent with the welfare of the young person.

The Act also introduced a 26 week time limit for the courts to decide whether or not to grant a care order for a child.

Children and Social Work Act 2017

This Act defined, for the first time in law, the role of corporate parents, in addition to expanding and extending support for care leavers, for example through the publication of a 'local offer for care leavers' and making personal advisers available for care leavers up to the age of 25.

The VSH role was also extended to previously looked-after children, including those in special guardianship arrangements or who have been adopted.

National quality standards for children's homes

The Children's Homes (England) Regulations 2015 set out nine quality standards which outline the aspirational and positive outcomes that all children's homes are expected to deliver.

These quality standards are:

- quality and purpose of care
- children's views, wishes and feelings
- education
- enjoyment and achievement
- health and wellbeing
- positive relationships
- protection of children
- leadership and management
- care planning.

Further information on each standard is outlined in the DfE's Guide to the Children's Homes Regulations.

Regional adoption agencies

In 2015, the Government announced its intention to require councils to create regional adoption agencies (RAAs) with the aim of speeding up matching, improving adopter recruitment and support, reducing costs and improving outcomes for adopted children. It has ambitions for all local authorities to be in regional adoption arrangements by 2020. Provisions were made in the Education and Adoption Act 2016 allowing the Secretary of State for Education to direct councils to join these arrangements where they have not already done so.

Regional adoption agencies are expected to deliver all adopter recruitment, matching and support functions, other than in exceptional circumstances. Government was also keen that voluntary and statutory adoption agencies worked closely together in RAAs to make the most of the strengths of both. RAAs do not have to follow regional lines, with many councils opting to partner in sub-regional arrangements according to need and business cases.

At the time of publication, Ofsted's intention was to inspect RAAs as part of individual council children's services inspections, rather than inspect the RAA separately.

Adoption and Special Guardianship Leadership Board

The Adoption and Special Guardianship Leadership Board (ASGLB) was established by the Department for Education in 2014 to provide leadership to the adoption system and drive improvements in performance.

The ASGLB is made up of senior officials from key organisations in the adoption system in England, including local authorities, voluntary adoption agencies and independent experts.

In 2018, the board extended its focus to include special guardianship, recognising the importance of different types of permanence for different children.

Regional adoption boards

Regional adoption boards are regional subsidiaries of the Adoption and Special Guardianship Leadership Board. These are made up of a range of partners including council adoption leads, VAAs and an ASGLB sponsor, and they focus on regional adoption data which is reported into the ASGLB.

United Nations Convention on the Rights of the Child (UNCRC)

Article 7 of the UNCRC states that every child has the right, as far as possible, to know and be cared for by their parents. Permanency with the birth family should always be the preferred option wherever possible, however this must be considered alongside Article 9 which states that children must not be separated from their parents against their will unless it is in their best interests, for example if a parent is hurting or neglecting the child.

Further articles that should be considered in all cases include Article 3 (best interests of the child) and Article 12 (respect for the views of the child).

Special Guardianship (Amendment) Regulations 2016

These regulations strengthened the assessment of prospective special guardians, including a consideration of their ability to fully meet the needs of the child through to adulthood. Particular consideration must be given to meeting any needs arising from harm suffered by the child, and protecting the child from potential harm caused by contact with the child's parents or relatives.

New statutory guidance was issued in January 2017 covering the new regulations.

Adoption Support Fund

The Adoption Support Fund (ASF) was established by the Department for Education to help pay for therapy services for adoptive families both during and after adoption. The ASF is available for adopted children up to and including the age of 21 (or 25 with an education, health and care plan) who are living in England, and for special guardians who care for children who were looked after immediately prior to the special guardianship order.

Adoptive parents have the right to an assessment of their adoption support needs – this should be carried out by the placing authority for three years after the adoption order is complete, and the council where the family lives (if different) after that. If support needs are identified, the assessing social worker can apply to the ASF on the family's behalf, with money released to the local authority to commission the approved services.

Sir Martin Narey's Independent Review of Residential Care

Sir Martin Narey was commissioned by the Prime Minister in 2015 to carry out an independent review of children's residential care.

The final report was published in July 2016 and contained 34 recommendations. These included ways to improve commissioning of places in children's homes, and to encourage development of the right sort of provision where it is needed.

The review also recommended the piloting, and then full roll out, of 'Staying Close', a version of Staying Put in which young people leaving residential care can live nearby in supported accommodation to enable them

to receive help and maintain links with staff in the care home as they move towards independence.

Fostering Stocktake

In 2017, Sir Martin Narey and Mark Owers were commissioned by the DfE to carry out an independent review of foster care in England. The final report considered a range of issues around foster care, and included a section on permanence.

The report found that fostering could be hugely successful for children, but noted that the emotional and financial support received by many children living with their birth parents throughout their lives ended for foster children at their 18th birthday. Despite acknowledging the benefits of the Staying Put policy the report argued that more children in foster placements should leave the care system via special guardianship arrangements or adoption, with longer term guarantees of financial support, thereby achieving what they term 'genuine permanence'.¹⁴

The report also recommended the establishment of a 'permanence board' to oversee the Adoption and Special Guardianship Leadership Board and the Residential Care Board, with the purpose 'to deliver to more looked-after children permanence in their care, and a sense of belonging which lasts well beyond the age of majority'.

Finally, the report recommended that statutory guidance be reinforced to make sure that all children know of their right to advocacy, and how to access an advocate.

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.¹⁵

Family Justice Board

The Family Justice Board was set up to improve the performance of the family justice system and to ensure the best possible outcomes for children who come into contact with it. It is jointly chaired by Ministers from the Ministry of Justice and Department for Education and includes senior stakeholders from across the family justice system.

Local family justice boards (LFJB) support the work of the Family Justice Board by bringing together the key local agencies, including decision makers and front-line staff, to improve the performance of the family justice system in their local areas.

14 Sir Martin Narey and Mark Owers (2018) 'Foster Care in England' page 16 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679320/Foster_Care_in_England_Review.pdf

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

Key lines of enquiry for all councillors

How are we giving children and young people the chance to express their views, wishes and feelings? How do we know these are being acted on?

Children should be involved in developing their care plans, including having an input into permanency planning, and should be provided with advocates to help them do this wherever necessary. Social workers make the necessary arrangements for this to happen, and independent reviewing officers (IROs) should ensure children and young people are listened to and their views taken seriously. IROs should provide feedback on how well this is happening.

Consider in particular how your council engages with children with special educational needs and disabilities, those who may face cultural or language barriers to engaging in feedback processes, or very young children who may find it harder to explain their wishes and feelings. In some cases, there may be safeguarding concerns about children with particularly complex needs being asked to take part in certain ways of giving feedback. There should be sensitive discussion between the children's carers, advocates, the complex needs team and any other relevant professionals to find the best ways of engaging these children, who should still have the opportunity to say how they feel about their care.

It's also important to ensure that children are still able to influence ongoing plans when permanence has been established, for example requesting changes to contact with birth relatives.

You should also ensure that a child's carers, who spend the most amount of time with the child and can advocate on their behalf where necessary, have the opportunity to input into care plans and permanency planning on an ongoing basis.

What support is provided to families while children are in care to improve their chances of returning home?

A key principle of the Children Act 1989 is that children are 'best looked after within their families, with their parents playing a full part in their lives', while Article 7 of the UNCRC states that every child has the right, as far as possible, to be cared for by their parents.

Councils have a responsibility to provide support to families to address issues that have led to children being taken into care where there is a chance that this could lead to a safe, successful return home.

Councillors will want to know what support services are provided for different issues, such as help to address family conflict, housing issues, drug and alcohol abuse or mental health issues. How long are the waiting lists for these services? How has this changed in recent years? Are both children and adults able to access the specialist

services that they need, including those that support their health and wellbeing?

Supporting families to address often complex issues requires significant time from dedicated officers. Are social worker caseloads manageable, enabling them to spend the necessary time with children and families? Has the Troubled Families programme been used where appropriate to support families where there is a risk of children being taken into care, or who are already looked after?

Most councils have seen family support and public health services affected by increased demand and falling funding. Have any services been cut recently, and what impact has this had on children and families? What work takes place with partner agencies such as the police and NHS to identify demand and fund and commission services?

Support for families when a child returns home is also vital. The return home itself must be carefully managed, and arrangements for ongoing monitoring and support set out prior to the child's return. Is this happening in every case? What proportion of children who return home end up returning to care? If this is increasing, what are the reasons behind this and how is it being addressed?

How do we recruit adopters and foster carers?

Matching children to the right adoptive or foster family is key if the placement is to be a success, and this will naturally be easier to achieve with access to a varied pool of adopters and foster carers.

It is useful to know whether adopter recruitment is currently effective or needs to be improved, whether this is currently done locally or as part of a regional arrangement. How long do children in your care wait for a match, and what plans are in place to ensure future sufficiency of adoptive placements?

For foster care, how many placements do children have before a suitable long-term placement is found? How many children are placed out of area? If your council is placing a higher proportion of children out of area than its statistical neighbours, or than it was two years ago, for example, it is important to ask why. Is this because children need very specialist placements that can only be found elsewhere, or because there are not enough placements locally?

Are some children harder to find a match for than others, and how are those 'gaps' in recruitment being addressed? Sibling groups or children with higher needs, for example, can be harder to place, particularly for adoption, so specific recruitment strategies may need to be put in place.

Consider how prospective adopters and foster carers are treated. What channels can people use to express an interest, and are enquiries always followed up in a timely manner? Are people encouraged to apply, or are there barriers? How are applicants supported through the process?

You may also wish to look at how foster parents can be supported to adopt or move into long-term arrangements, if this is what they wish. The interests and wishes of the child should always be paramount, including where this means considering adoption from outside the existing pool of approved adopters.

How do we match children with potential long-term carers?

Any child approved for adoption for whom an active match with an approved adopter is not being pursued after 90 days must be referred to Adoption Match, the statutory matching service for England, though they can be referred sooner. This is an online database containing details of children waiting to be adopted, and information about approved adopters. What proportion of children approved for adoption are referred to

Adoption Match, and does your authority wait the full 90 days to do so? If so, why is this? Do any children wait longer than 90 days to be referred?

Authorities may also wish to consider using a service which supports the matching of children with approved adopters and foster carers.

Does your council take part in activities such as adoption activity days or child appreciation days to support the matching of children? Adoption activity days provide the chance for prospective adopters to meet a number of children, while child appreciation days are an opportunity for prospective permanent carers to get to know the child better by speaking to those involved in their care, and to understand their background more fully. Events such as these can be particularly helpful for children who are harder to place.

It's important to take into account the views and wishes of a child or young person wherever possible when matching them with a long-term carer. This is easier where a child has a positive relationship with their social worker and other professionals working with them; if children trust the adults around them, they are more likely to confide in them and share their opinions. Are children given the opportunity to do this wherever possible, ahead of a move to a permanent carer? And are children able to visit placements before a final decision is made?

It is also useful to receive feedback from your adoption panel to see whether improvements could be made to how placements are made. In addition, what training do adoption panel members receive, and how regularly is this refreshed to ensure they are in a position to make the best possible decisions for children?

How do we avoid drift?

Drift is where children remain in placements that are not part of their permanency plan for longer than necessary. Evidence shows that delays can reduce the chances of permanency, result in a need for more intensive interventions later on, and could leave children in unsafe or unsuitable placements.¹⁶

All care plans should, by the four month review, outline how permanence will be achieved for the child, and it is important to work to the timescales in that plan to avoid delay and uncertainty for the child.

The Children and Families Act 2014 introduced a 26 week time limit for care proceedings, though extensions are available in complex cases. When care proceedings are issued – that is, the council asks the court to look at a child's situation and decide if a legal order is needed to keep them safe – the council has 26 weeks to investigate the child's situation further and produce a care plan. The court will then decide whether to issue a legal order. How many of your council's cases meet the 26 week deadline, and how has performance changed over time? For those cases where the deadline has been missed, why did this happen and are you satisfied that this was in the best interests of the child?

Drift can occur for a number of reasons, including high social worker caseloads, difficulty finding a suitable permanent match for a child or sibling group, or disagreement between professionals and others involved in the child's care on the best approach. Parallel, or twin track, planning can help to avoid drift by investigating two different permanency options at once to ensure that if one option becomes unavailable, a suitable alternative can immediately be used.

It is important to consider whether social worker caseloads within your council are manageable, and if the average caseload is above target, find out what is being done

¹⁶ Research in Practice (2014) 'Impacts of Delayed Decision Making' <https://fosteringandadoption.rip.org.uk/topics/decision-making/>

to address this. How long do children in care wait before moving into permanent arrangements? The Adoption and Special Guardianship Leadership Board collects and publishes quarterly data for all local authority areas outlining information about children placed for adoption and timescales.

What support is provided to permanent carers pre-placement?

To improve the chances of a successful, long-term match, it is important that carers are fully prepared for both the challenges and the rewards that they can expect.

When a match is made, carers should receive as much relevant information as possible about the child, including possible physical, mental or emotional health problems. Similarly, children should be provided with as much information as possible about their future carers.

It is useful to understand the support package available to permanent carers before placement. For example, are counselling services or financial support available? How are they signposted to additional help, and when a placement is made, is it clear how to access support from day one?

An adoption support plan should be prepared with an assessment of the needs for adoption support services for the child, the prospective adopters and any children of the prospective adopters to ensure that support can be put in place before a child goes to live with their new family.

Is the same pre-placement support available to long-term foster carers and special guardians as to adopters? If not, has this appeared to have had an impact, such as higher rates of placement breakdowns or increased requests for support post-placement?

What training is provided for permanent carers?

Children and young people who are no longer able to live with their parents may need additional, and sometimes significant, support throughout their lives. While many will adjust to their new families well in time, others will need help to cope with previous trauma, and all permanent carers will need to understand the potential issues that children can face as a result of separation from their birth families.

Councils and fostering and adoption agencies will already have training plans in place for foster carers, residential staff and adoptive parents. Is this training also available for kinship carers and special guardians, and is it available on an ongoing basis to keep carers' knowledge and skills up-to-date, as well as ensuring they can access support when needed? How are the different support needs of different types of permanent carers identified and addressed? It's important that assumptions aren't made about permanent carers' abilities to care effectively for children and to ensure support is available for all – for example, having an existing connection to a child may not equip a kinship carer to address the specific needs of a child. Help to improve and develop relationships to support placement stability and permanence is key.

It is also helpful to know how frequently training plans and provision are updated, and what information is used to inform the training offer. How is feedback from existing and potential carers incorporated? Can the council work with other fostering and adoption agencies to enable a breadth of training opportunities for a range of carers?

What support is provided for children and families in permanent arrangements?

Regardless of the form that permanence arrangements take, children and families may need support to maintain that arrangement and to help achieve positive outcomes, and to protect their health and wellbeing.

Adoptive families and special guardians have access to the Adoption Support Fund (see page 12), which can fund therapeutic support. Make sure that families in your area know about the fund, and are receiving assessments in a reasonable time frame where these are requested. Find out also what analysis is done of those services that are required, and how services are commissioned. If some services are more specialist, are there opportunities to achieve better value for money through joint-commissioning with other authorities? How many times (if any) has the council been asked to match fund more intensive support? Were any of these applications refused, and if so, what was the reason for this?

All children should be able to take part in life story work, which can help them to understand their life journey and identity, including a sensitive explanation of the reasons that they cannot live with their birth family. Are foster carers, special guardians and other permanent carers given training and support to carry out life story work with the child(ren) in their care?

Children who are looked after by their local authority receive support from the virtual school head (VSH) to help them to reach their potential at school. The Children and Social Work Act 2017 extended this support to any child previously looked after by an authority in England or Wales, including those who have been adopted or are living in special guardianship arrangements. Is information on this service easy to find for those families who may want it?

Due to the trauma that some children may have experienced prior to entering permanent

arrangements, issues may develop many months or even years after the arrangement begins. Ongoing help should be available to all children and families, not just those who are still looked after, to support the placement and increase the chances of the arrangement lasting. Make sure that special guardians, adoptive parents and others involved in permanency arrangements know what support is available on an ongoing basis, and check whether this is suitable for their needs. Providing assistance only at a crisis point may be too late; early help for families can be key in helping them to tackle issues and remain together.

Peer support for both parents and children can be highly effective, providing an opportunity to share experiences and develop strategies for dealing with different issues. Are support groups, mentors or other methods of peer support available for permanent carers, birth parents and children? Are these accessible for all, for example including those with disabilities or from more remote areas?

For those families who adopt or care for a child with complex needs, respite care can be a vital support mechanism that gives carers a break from significant caring responsibilities, allowing them the chance to rest and focus on other relationships while providing an enriching experience for the child. Find out whether respite is offered to permanent carers, and how much of this is planned or emergency. Has demand increased in recent years, and if so, has supply kept up? How are respite carers recruited?

How are special guardians supported?

Special guardians may have different support needs to other permanent carers for a range of reasons. Many special guardianship orders (SGOs) may be unplanned, for example as a result of an unexpected change in birth family circumstances, therefore special guardians may not have had as much training or time to prepare as foster carers or adoptive parents.

Most special guardians will already have a relationship with the birth parents, for example through being a relative or existing foster carer. This can result in an expectation of increased contact when the SGO is implemented, as the child is no longer 'in care' and the legal link with the child has not been severed as in adoption. All parties may need additional support to understand the SGO and manage expectations and ongoing contact.

In determining the amount of ongoing financial support for special guardians, the Special Guardianship Regulations 2005 require councils to 'have regard to' the amount of fostering allowance which would have been payable if the child had been fostered.

While this does not require councils to pay special guardians the same allowances as are paid to foster carers, a number of recent court cases have found that special guardianship allowances should be in line with fostering allowances. Find out what allowances are currently being paid and, if lower than for foster carers in any cases, are you satisfied that the reason for this discrepancy is fair and in line with regulations?

How is contact with a child's birth family managed?

Whichever permanency arrangement a child is in, if it is outside the birth family then the issue of contact must be carefully considered. In some cases, contact can be beneficial for children, allowing them to maintain links with their family and helping them to understand their identity and history. For others, contact can be damaging and even potentially threaten their placement. The Children Act 1989 requires that local authorities promote and support contact between children who are looked after and their families unless it is not in the best interests of the child's welfare, while the

Children and Families Act 2014 allows for the court to make orders around contact between an adopted child and their birth family.

Arrangements for contact must always be in the best interests of the child, and this may change over time – both in terms of the regularity of contact (if any) and the type of contact – so regular reviews are important, and the voices of the child and their carers or adoptive parents should always be clearly heard in these reviews. Different arrangements may be required for different relatives – for example, where contact with birth parents may not be appropriate, contact with siblings in different placements could be very positive. How frequently are arrangements reviewed, and how are the child's wishes factored into this planning? What support does the child and their carers or adoptive parents have to cope with contact and to request changes? Children may benefit from the support of an advocate to help them explain what they want and need from contact with their birth relatives.

Consider also the impact of social media on contact. Even where contact is not considered appropriate or beneficial, birth relatives are often able to find and contact young people on social media with relative ease if they so wish. Young people and their carers or adoptive parents must be prepared for this possibility. How are young people (whether looked after by the council or in other permanency arrangements) taught about privacy settings on social media, what are they taught about their birth families and what emotional support are they given to prepare for, or deal with, contact?

Contact arrangements may look very different for those in SGO arrangements rather than adoption. Often SGOs are arranged with relatives or others close to the birth family. Depending on the circumstances leading to the arrangement, this can sometimes result in contact arrangements that are difficult to manage for special guardians, and birth parents may need additional support to understand the importance of adhering to them. Is additional support such as

mediation available where required for special guardians, children and birth parents?

In addition to contact with birth families, also consider how contact with previous carers and friends is managed. These can be important relationships for children and young people, and play an important role in identity and developing a sense of self. In the case of former carers, these may also be able to provide valuable information and advice to those providing permanent placements.

Do all of our councillors understand their corporate parenting responsibilities?

All councillors in a local authority that has responsibility for looked after children are corporate parents. This means they have a responsibility to ensure that children in the council's care get the same opportunities as other children.

Detailed information on the corporate parenting duty for all councillors is available in our Corporate Parenting Resource Pack: www.local.gov.uk/publications

How productive are your relationships with partners to support permanence arrangements?

The council should be working closely with local partners – schools and the NHS in particular – to support permanence arrangements. Schools should be engaged through the virtual school head, while the council and NHS can work together through the health and wellbeing board.

How are schools engaging with the VSH to ensure that pupil premium money is spent appropriately to enhance children's experiences at school? What mechanisms are in place to ensure that, if there is a concern about a child that could require more intensive support, this is passed on to

the appropriate team? This may not be as clear for adopted children or those in special guardianship arrangements as for those in long-term foster care.

Children who are, or who have been, in care are more likely to experience mental health problems than their peers, while mental health support services such as talking therapies can be helpful not only for children but for families in permanence arrangements. How does the council work with NHS partners, in particular CAMHS (child and adolescent mental health services) to make sure that this support is available when it is needed? Where children have physical, mental or learning disabilities, how is support commissioned to help children and their families to cope with these and thrive?

Does your council have a good relationship with your family court?

The proportion of adoption orders granted varies across the country, so it can be helpful to understand your council's relationship with the local family court to identify whether any changes need to be made to improve outcomes for children.

Information on the numbers of adoption orders granted are available in adoption scorecards.¹⁷ If you are seeing a discrepancy, high or low, in adoption orders granted for your council or region compared to the national average, or if a high proportion of care proceedings are taking longer than 26 weeks, are the reasons for this clear? What discussions have been held with your family court to make sure proceedings run smoothly and avoid delays for children and families.

Does someone from your authority sit on the Local Family Justice Board? These exist to examine local processes and report to the national Family Justice Board to improve performance at national and local level. This can be a useful forum to raise any issues

¹⁷ www.gov.uk/government/publications/adoption-scorecards

and find ways to make sure that all relevant agencies locally are working well together.

Do you have a positive relationship with voluntary adoption agencies in your area?

How many VAAs are in your area, and how proactively does your adoption service work with them to find matches for children? What feedback do you get from VAAs on how your service operates? As regional adoption agencies become more established, VAAs will play an important role, so check how they are being engaged, and ensure their role in the RAA is clear.

How has our performance changed over time, and how does it compare with our statistical neighbours?

If your adoption rates are significantly lower than those of your statistical neighbours, or if children are waiting longer to be matched with adoptive families, find out what the reasons for this are. Sometimes one or two cases can affect the average for good reason, for example if your council has placed a sibling group or child with complex needs, however if there are delays with the family court or broader problems finding matches, you will want to look into this more closely. If your adoption rates are significantly **higher** than those of your statistical neighbours, consider why this might be and whether alternatives are being adequately investigated where appropriate.

If your council's performance on adoption has changed recently, for example a shift towards more special guardianship arrangements, it is helpful to look at the reasons for this to understand why this change has taken place and be confident that this is delivering the best outcomes for children.

What proportion of adoptions, SGOs and other permanent arrangements break down, and what work is undertaken to avoid this? Has an increase in SGOs been accompanied by an increase in the proportion of SGOs issued with supervision orders? What assurance do you have that this is still the best approach?

Key resources and further reading

Regional Adoption Agencies

<https://www.gov.uk/government/publications/regional-adoption-agencies-programme>

Department for Education (2017)

'Special guardianship statutory guidance'

<https://www.gov.uk/government/publications/special-guardianship-guidance>

Department for Education (2013)

'Statutory guidance on adoption'

<https://www.gov.uk/government/publications/adoption-statutory-guidance-2013>

Fostering Stocktake

<https://www.gov.uk/government/publications/foster-care-in-england>

Independent review of children's residential care (2016)

<https://www.gov.uk/government/publications/childrens-residential-care-in-england>

Research in Practice (2013) 'Fostering and Adoption Learning Resources'

<https://fosteringandadoption.rip.org.uk>

Case studies

Peterborough and TACT

The TACT Peterborough Permanency service grew out of a realisation by Peterborough City Council that they needed to do something radical to improve their fostering services and a determination by TACT that they wanted to assist a local authority in doing just that.

Peterborough understood that care services would always be subsumed to the needs of child protection services in terms of senior management time, and after considering a range of options, concluded that having an expert partner delivering these services under contract would allow them to concentrate on improving child protection services and make the improvements that they desired to see.

The shared overarching vision was to improve outcomes for children through better recruitment, support and training of local foster carers, improving local placement choice for children in care and helping to maintain their connection with their home communities. This will also reduce overall unit costs by reducing reliance on higher cost independent fostering agencies and residential placements.

Implementation

The involvement, encouragement and support of councillors in Peterborough was crucial to this service being created, without councillor agreement it simply would not have happened. The Peterborough cabinet member for children's services sits on the governance board and plays a crucial role in overseeing the new service and helping to overcome any issues that come up along the way.

Political support at all stages is crucial and councillors must be bought into the concept and the process.

Challenges and solutions

Public sector procurement processes are often cumbersome and so it took quite a long time to create the service as it had to be tendered and bids judged. However, the council undertook this diligently and awarded the service to TACT in the autumn of 2016. Peterborough also expertly ensured that affected staff were informed and consulted with throughout the process and staff and foster carers were involved with interviewing potential providers and had a say in the final award.

The TUPE process is crucial as is involving foster carers at the earliest possible opportunity. Each staff member had the opportunity of a one-to-one with TACT managers, so all had their questions answered, fear allayed and were fully informed about the vision for the new service before signing up to join. All staff volunteered to transfer over as did all foster carers.

Sustainability

The contract is for 10 years with a 10-year extension. Both sides have to be committed to this service for the long term in order for it to be effective. The children's care placement budget is large and sensitive to increases in numbers. Difficult decisions still need to be made about financial support if numbers of children in care rise. However, the council has clear targets for TACT about increasing in-house fostering capacity and promoting the use of special guardianship orders (SGOs). TACT is responsible for family group conferences and ongoing SGO support. The

improvement in this has been a key feature of the new permanence service.

Successes

In August 2018 Peterborough City Council's children's services received its first 'Good' across all areas rating from Ofsted since its formation as a unitary authority in 1998. Inspectors singled out both the significant and impressive improvements Peterborough had made to child protection and family support services and the contribution of TACT's permanency service. Ofsted also noted that this service was 'seamless', a real compliment to the close working relationship between TACT and the council.

Key learning points

- Cross party buy in to doing this, especially in councils where political control is marginal.
- The permanence service could be contracted out to a charity like TACT but could equally be created as a 'spin out' community interest company wholly owned by the council or a number of councils.
- The key is that the entity, whether contracted partner or spin out, is wholly focused on fostering, adoption and SGO/kinship families. It is this focus that allows the improvement in quality, the increase in capacity and the attendant improvement in outcomes for the children that the council are the corporate parent for.
- It is worth considering retaining procurement services in-house so outside placements, such as residential or 16+ services, are procured by council officers. There are VAT issues and other budget management issues that make this an attractive and prudent option. All placement costs relating to in-house foster, adoptive or kinship care should be devolved to the new entity

Aspire Adoption Agency

Aspire Adoption Agency was one of England's first regional adoption agencies (RAAs) to open its doors following two years of development work by the councils involved and their local voluntary adoption agency (VAA).

Bournemouth, Dorset and Poole councils were already joining up work effectively across a range of areas, and agreed that coming together in an RAA, with their local VAA 'Families for Children', was an opportunity worth exploring. The councils established a project team with significant involvement from the lead member and director for children's services from each authority, coming up with plans that were developed and approved through the scrutiny and cabinet process in each.

A successful bid to the DfE for early adopter funding meant that a project manager with a business change background could be employed from the end of 2015 to take the process forward. Managers from each of the adoption teams worked on developing operational arrangements, however carrying out the work on top of existing roles proved challenging and it was agreed in November 2016 that an existing adoption team manager should be seconded to the project team as an operational manager.

Between the award of the early adopter funding in October 2015 and the presentation of final business cases to each cabinet in early 2017, the project team faced a number of hurdles, including common partnership working issues such as finance, IT and data sharing protocols. However, a strong commitment at a senior officer and political level in all councils, and experience of working closely on other issues, proved invaluable in reaching agreements.

Key issues to be negotiated were around the organisational structure, governance and where the agency would be based, and managers took the opportunity to involve staff in shaping and building a more effective

service. It was agreed that bringing specialist workers together would help to improve timescales and lead to better outcomes for children, and the opportunity for new roles and more innovative ways of working was a selling point for staff.

The DfE commissioned external agencies to help project teams across the country when considering governance models to ensure independent and comprehensive analysis of the options, opting in the end for a 'hosted' model in which Bournemouth would host the RAA on behalf of all partners. The trustees of the VAA agreed that it would remain separate to the RAA to retain its identity, but would work in close partnership with it, and it is now commissioned by the RAA to provide certain adoption support services. The RAA and VAA work together in partnership to provide training and support to approved and prospective adopters from both agencies across the region.

While multiple sites for the RAA were considered, partners agreed that establishing a joint culture for the agency was vital and a single site with good transport links was set up. 'Touch down points' were also established in several council buildings further afield from the main base that allowed social workers to work elsewhere if it suited them on particular days. Home working is also an option. This flexibility meant that most workers moved over to the new organisation despite it being based out of the home authority for some.

The RAA began operation in July 2017, with staff bringing their existing caseloads with them to maintain stability. Managers have focussed on stabilising the service and establishing the Aspire culture, with staff now starting to look for where improvements can be made. The agency is overseen by two management bodies, one looking at operational issues and one a strategic partnership board. Both bodies feature representation from all councils involved to ensure ongoing discussion, involvement and buy-in.

Key learning points

- IT is vital. Outstanding support from the IT departments at the authorities involved and particularly the host local authority made the move over to the RAA seamless.
- Additional business support is also vital, both pre and post go live, to set up systems and to deal with the increased volume of activity.
- Commitment for the project at a senior level – both officer and political – is essential for efficient decision-making and to work through potential blocks.
- Dedicated staff whose focus is solely on establishing the RAA can keep the work on track and ensure the process receives the attention to detail that's vital to make it a success.
- The support of staff for the new service is key, so regular and meaningful engagement should be a strong feature of any project plan.

Stockport

Stockport's recent Ofsted inspection was quick to applaud its work to ensure an adequate supply of suitable carers, noting that 'fostering recruitment is sharply targeted and based on a well-informed understanding of children's needs and gaps in resources'.

Such effective targeted recruitment in the fostering service has been refined by the team over the last ten years, and is carefully informed not only by close working with the wider Stockport Family service to recruit the carers needed, but by the Fostering Network's market research and feedback from existing foster carers and care leavers. A dedicated recruitment marketing officer develops the team's recruitment strategy and drives this forward to ensure that its aims are met.

Stockport identified an urgent need to recruit foster carers who could offer fostering placements to older children and teenagers, so concentrated on using adverts with images of older children in their publicity and advertising materials. This targeted

advertising helped the service increase the number of foster carers recruited to foster teenagers and older children.

In addition to informing recruitment strategies, existing foster carers and care leavers are also involved in all of Stockport's recruitment activity, from speaking at open evenings and giving radio interviews to allowing their stories to feature in case studies and press features. This brings the service to life, highlighting to potential carers both the realities of the role, and the enormous difference that they could make to a young person's life.

The service has worked hard to make sure that where recruitment activity brings potential foster carers to its door, they are immediately supported and welcomed. Live chats are held online for those looking for initial information, Twitter and Facebook channels are regularly updated to encourage engagement, and open evenings provide informal opportunities for people to find out more.

Regional working has also made a big difference. Stockport has been actively involved in the North West 'You Can Foster' consortium of 22 councils since 2013. The consortium runs local and regional campaigns, simplifying and strengthening messages about the support and training available while fostering through each local authority. You Can Foster now accounts for 16 per cent of all enquiries received by the fostering team.

Aberdeenshire

When Aberdeenshire started PACE (Permanence and Excellence in Care) in 2014, the obvious thing to look at was our procedure for giving legal advice in respect of a child's plan; it is one of the biggest areas of work for the solicitors in our team.

At the time, the procedure was that all the relevant papers were sent to legal services five weeks before the Options Appraisal Looked-After Child Review – that's where a child's plan is considered. We immediately looked at the five-week period to see if there was anything we could improve there. The

opinion was returned seven days before the review, so the process itself was adding four weeks of delay, and the social workers' reports were already five weeks out of date before they got to the point of the meeting where key permanence decisions were made.

The paperwork includes the legal referral form, which is around seven pages long; the report and minutes of the last looked-after child review; the options appraisal document from the social worker; and on top of all of that, a parenting capacity assessment, contact assessment and possibly a sibling assessment. The period of reviewing all of this material is very intense, and on average it took one to two days of solicitor time to go through the papers and prepare the opinion.

Was time being wasted?

I decided to find out if there was wasted time where the reports were just sitting with legal services. Did they really need to be with our team for the full four weeks?

Using a Plan Do Study Act cycle to test what could be done – you plan it, try it, observe the results and act on what is learned – I discussed with colleagues and social work staff how the time could be minimised.

It became apparent that four weeks was not needed to prepare a legal opinion: that using the full four weeks just boiled down to competing diary commitments. Often, when the papers landed with us, four weeks was the timescale it took for us to find a solicitor with time to look at them.

We came up with a change idea where social workers working with a family would give us the heads up at least five weeks before the planned review so that we could set aside solicitor time to deal with the reports. They could then carry on working on their reports for at least three weeks and give us everything fourteen days before the review meeting. We would then, as before, return the paperwork seven days before the review. A final tweak of the process involved the solicitor getting the papers a few days earlier so that the opinion could be returned ten days before the review in order to give the social

worker time to look at it before it is lodged along with all the other papers for the review.

The key change was social workers giving us that notice period of at least five weeks. In practice, I am encouraging social workers to contact us to book in the opinion when the review date is fixed. As a result, I am now getting calls saying that there's a review in three or four months' time, so it's easy to find a solicitor who is available two weeks before that, and they can mark off their diary and set enough time aside.

The key is timescales, on both sides: social workers getting the work booked in and ensuring they have got the papers to us, and us making sure we have the time blocked out in the diary to deal with it.

Questioning assumptions

Previously we had just worked the way we had always worked, and we said we needed the papers a month in advance to make sure we had enough time to get things done. What we had to do was question the assumption. It's not really changed the work we do, it's just more focused now.

Before, we could get that daunting stack of papers and know we had four weeks to deal with it, so it could be put off, but we have found that solicitors like the new way of working because having a deadline focuses them on the job.

Social workers also like being given a strict deadline, and they very much value being given an early point of contact: they know the lawyer who is going to be working with them in advance and they can be a bit more relaxed knowing they can pick up the phone and discuss issues informally.

The upshot of all this is that three weeks have been cut off the process. That might not seem a lot but if everyone involved does something similar it will have a major impact.

Strengthening relationships

The other major benefit is that the reports should only be about two weeks out of date by the time the meeting takes place for the child's plan. It has also helped build

relationships with social workers so that they feel that we're there for support, and ultimately it helps improve things for the children.

With a view to further strengthening working relationships, the legal team, who are based at the council headquarters, will be visiting social work offices and teams so they can get to know us and put names to faces, and that makes communications better. We are also developing some better general guidance and hints and tips for social workers over things such as parental rights and contact, giving them more training and guidance.

What we'll do next

The next area we want to look at is possible drift and delay in applications to sheriff courts for permanence orders. My initial research has shown that our court timescales weren't as bad as we thought: the majority of cases were being resolved in about four months.

But, we have had a few issues recently so I've made up a table to look at what delays there are. If they are at our end, then we can do something about it; if it's to do with the court process itself then the data will help with us talking to the sheriff courts and asking if there could be a different or quicker way of doing this.

Our motivation in all this is twofold: we are committed to delivering a first-class legal service, so that means taking a lead in the permanence process, and looking for ways to support our colleagues. It's also down to a commitment to the ideas behind PACE: we all really want to get the best outcomes for the children we work with.

With thanks to the Centre for Excellence for Looked After Children in Scotland for the use of this case study, which was first published at www.celcis.org

East Renfrewshire

As a social worker for East Renfrewshire's intensive family support services team, I work with and support the most vulnerable children, and along with multi-agency colleagues, I'm involved in making difficult decisions about permanence for children.

These decisions can be really tough to make, so I'm very focused on the importance of evidence-based practice when making them.

Drift and delay is a huge issue

Over recent years, before getting involved in PACE (Permanence and Excellence in Care), we were aware drift and delay was a huge issue for children, and we know it can have a very serious detrimental impact on them.

Sometimes as a social worker, you feel you are compounding that difficulty when you are trying to get children through various parts of the wider system towards a permanent destination, so drift and delay is something which is always at the forefront of a social worker's mind: sometimes you feel quite disempowered in effecting the right change.

Our role is about eliminating oppression and disadvantage for children, so it has been great that the CELCIS (Centre for Excellence for Looked After Children in Scotland) team has come on board to work with us and help us think about the big decisions we're making. From working with social workers right through to going to court, children should have the same life opportunities as our own children; they should know their permanent destinations and who's going to love and care for them.

We need to explicitly put children at the heart of things

I think all too often we've been living in a culture where we haven't been explicitly putting children at the heart of things, but now it really feels like a time for change.

CELCIS has come into East Renfrewshire Council to enable and support social workers front-line and on the ground level, to ask about our experiences and to talk about the

strengths and barriers to permanence.

They helped us to start a compulsory supervision order sub-group, where we are looking at permanence decisions for children that in some instances, due to various sources of drift and delay, have gone on living in uncertain conditions for more than five years.

We were encouraged to speak to all of our colleagues and ask them what's in the way, what are the barriers, and how can we change things?

We support each other

One thing that came up is that social workers aren't feeling very confident, or particularly competent at times to manage the extremely complex set of tasks and decisions in the permanence process and to get it right, especially for those most vulnerable children.

We decided peer supervision and supporting each other could be a way forward. Formal supervision by managers is crucial but we have found sitting with colleagues, the informal side of supervision, is invaluable to reflect on decision making, so we have started a peer-mentoring support group. It's to support each other with making timely decisions, having robust assessments and defensible decisions that we can take to children's hearings, feeling competent and confident about them. You can sit with your legal framework and know that you are putting forward a case in the best interest of the child, using evidence-based practice.

So in a peer supervision session, we identify a hearing that's due, or a big report, especially for the most difficult and complex cases, and we sit with a colleague to get their view.

We have check lists that let us focus on issues such as why we have a compulsory supervision order, what the legal remit is, is there anything else we have to do, what decisions are we making, and do we have to make other ones, and also to consider why has this child been in this situation for a while. And, it's back to that old "but why?" question – we are all trying to encourage each other to sit with that wee parrot on the shoulder that keeps asking "but why?".

Learning from each other

It's been really inspirational, we are all learning from each other. We critically reflect, we critically analyse, we write reports that are defensible and robust so that critical actions and decisions can be made in the best interest of children, and this is giving us an opportunity to do that.

It's early days but we're seeing a few real results from this – social workers have been into children's hearings and felt empowered, they have achieved permanence decisions quicker and they've felt it's gone really well.

Workers are saying it's great to strip things back to the bare bones to get them to think about why they are doing things and what it will mean for a child's life.

Working with the children's hearing system

One specific part of the system a lot of social workers were worried about is the children's hearing system. It seems to be an area where we are not always feeling so confident in getting decisions which match our recommendations.

Because of that, CELCIS facilitated a working group where social workers and members of the children's hearing panel get together to go through some of the issues we face, and some of the dilemmas which are presented at children's hearings. We talk about issues and barriers and about reducing their impact to make a real difference in children's lives, and this helps provide a good environment and culture for everyone who is working in the best interests of children. It can be such an adversarial process that we have to remember that children have to be right at the centre of any decisions made.

With increasing confidence, we're on the right track

We've had quite a few good decisions and some feedback from workers that they are feeling more confident. It doesn't always work, but it's about growing and learning and chipping away, and trying to make a difference to the children and young people we work with.

It's been a really enabling process where workers feel empowered to do the job and fulfil that definition of social work; to have the capacity to eradicate disadvantage, enlighten families, and make a difference to children's lives through the GIRFEC (Getting it right for every child) agenda.

We're very hopeful that, through all the work that CELCIS is supporting us with, the PACE agenda has grown in momentum. I'm not sure what the future holds but it feels like we're on the right track.

With thanks to the Centre for Excellence for Looked After Children in Scotland for the use of this case study, which was first published at www.celcis.org



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REF 15.40