

WIRRAL COUNCIL

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY

11 SEPTEMBER 2012

SUBJECT:	ADOPTION SCORECARD
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING DIRECTOR OF CHILDREN'S SERVICES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to outline the Government's approach to addressing delays in the adoption system which is detailed in *An Action Plan for Adoption: Tackling Delay* (published by the Department for Education in March 2012).
- 1.2 One of the government's measures is the publication of the Adoption Scorecards for each local authority. The report shows Wirral Council's performance for the Adoption Scorecard for the 3 year average (2008-09 to 2010-11) as published in May 2012, and specifies the steps that are being taken to improve performance.
- 1.3 In addition this report details the action being taken by Wirral in response to the measures relating to reducing delays in the court process and the implementation of the Adoption Agencies (Panel and Consequential Amendments) Regulations 2012 which prohibits adoption agencies from referring cases to an adoption panel before making a decision whether a child should be placed for adoption where they intend to apply to court for a Placement Order.
- 1.4 The report outlines the importance of using additional contextual information to make comparisons of local authorities' performance as the time taken for adoption can be longer for some children and may be dependent on other agencies such as the family court justice system.
- 1.5 It should be noted that previous Inspections of Adoption Services have not specifically focused on delay and Wirral's performance in relation to the Adoption Standards and Regulations was assessed by Ofsted in 2011 as 'Good' with 'Outstanding features'.

2.0 BACKGROUND AND KEY ISSUES

The Adoption Scorecard

- 2.1 The purpose of the Adoption Scorecard is to publish the minimum expectations on local authorities for timeliness in the adoption
- 2.2 The Department for Education published in May 2012 the adoption scorecard for the 3 year average period April 2008 to March 2011 which measures all local authority's performance against three key indicators:

- A1 Average time between a child entering care and moving in with its adoptive family, for children who have been adopted. The national threshold set by government for 2010 to 2013 is 21 months (639 days).
- A2 Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family. The national threshold set by government for 2010 to 2013 is 7 months (213 days).
- A3 Children who wait less than 21 months between entering care and moving in with their adoptive family (number and %). There was no national threshold set by government in May 2012 for this indicator.

- 2.3 The first key indicator A1 relates to the overall experience of a child who is adopted. It will measure the average time it takes for a child who goes on to be adopted from entering care to moving in with his or her adoptive family. The local authority leads this process, working with the child, the birth parents and the prospective adopters, but they share the responsibility for parts of this process with the other agencies in the family justice system, including the courts and Children and Family |Court Advisory and Support Service (Cafcass).
- 2.4 The second key indicator A2 tests the speed and effectiveness of family-finding. Family-finding is a part of the adoption process which is the sole responsibility of the local authority so this indicator will always give an undiluted picture of their performance. Family-finding should begin as soon as a child is identified as needing adoption, and runs in parallel with other parts of the adoption process. In many cases, prospective adopters should be ready and waiting for the child when the placement order is made.
- 2.5 The third key indicator A3 looks at the same period as A1, but identifies the proportion of children who wait longer for adoption than 21 months. It will help ensure the scorecard takes account of children still waiting, as well as those who have already been adopted. The government has said they will intervene if a large number of children seem to be waiting too long in a particular local area.
- 2.6 The national performance thresholds will be changed by government incrementally over the next four years until they reflect the levels set out in statutory guidance. This means that the threshold in 2013-16 will be 426 days for A1 and 121 days for A2.
- 2.7 To aid effective comparison between local authority areas, and give a more contextualised and rounded picture of a local authority's performance, additional information is included in the Adoption Scorecard, such as the timeliness of the local family justice system, and the numbers of older children being adopted.
- 2.8 The current data within the scorecard are based on a three year rolling average (2008-09 to 2010-11). The government have stated that the key indicators will be updated in late 2012 with data for 2011-12.
- 2.10 The government will use the Adoption Scorecard along with other performance information, including whether poor performance against the indicators reflects the complex needs of the children being placed for adoption, to determine if intervention is necessary. The government has acknowledged in [An Action Plan for Adoption: Tackling Delay](#) that indicators alone do not give a full and authoritative picture of local authority performance.

Wirral's Adoption Scorecard

A1. Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)

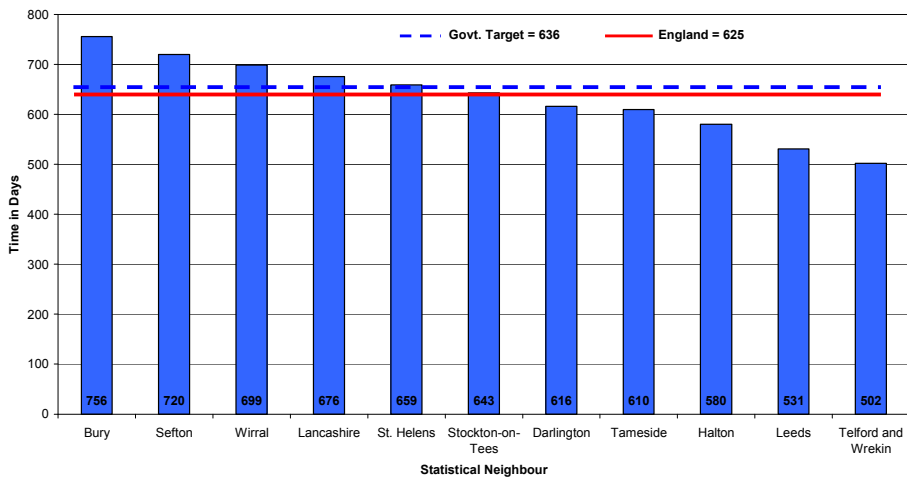


Chart 1 – lower is better

A2. Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)

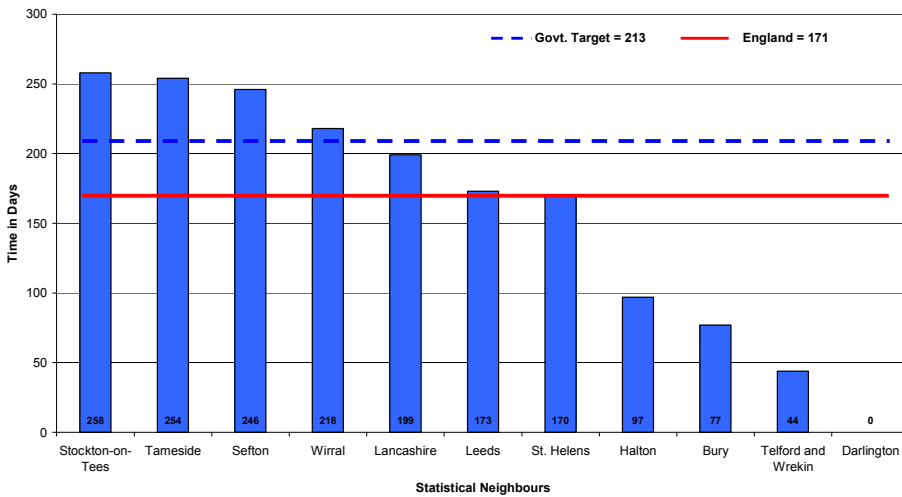


Chart 2 - Lower is better (note information from Darlington is not recorded)

A3 Children who wait less than 21 months between entering care and moving in with their adoptive family (%)

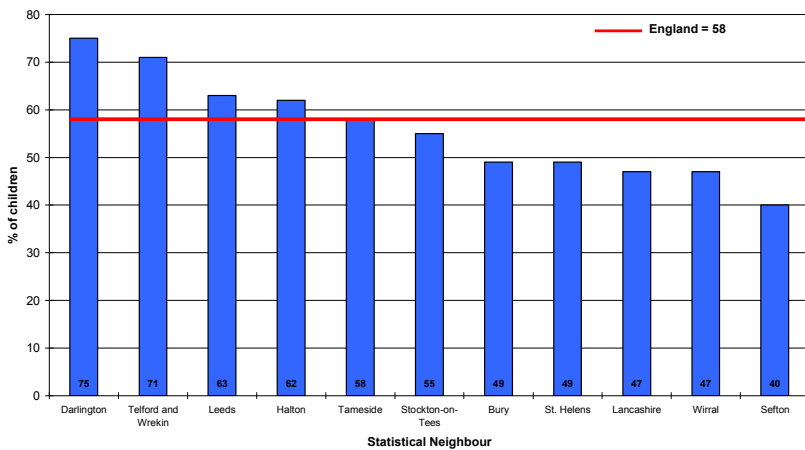


Chart 3 - higher is better

- 2.11 Chart's 1 to 3 illustrate that Wirral does not perform as well as the England average for all 3 indicators. In addition for indicators A1 and A2 Wirral does not meet the government set threshold/target for 2010-13. In Wirral on average it takes 60 days longer between a child entering care and moving in with its adoptive family than the government set threshold, and on average 5 days longer than the threshold for the local authority to receive court authority to place a child and for the child to be matched with a family. According to the Adoption Scorecard Wirral's performance is "very close" to the performance of Wirral's statistical neighbours. This is also illustrated in Charts 1 to 3.
- 2.12 Whilst the Adoption Scorecard does provide some further contextual information relating to older children and the timeliness of the court process it is important that the focus is not purely on timeliness. Local authorities such as Wirral will continue to plan for adoption for older children, large sibling groups and children with complex needs which may result in delay for adoption for a small number of children and consequent underperformance in the Adoption Scorecard.
- 2.13 Improvements in timescales are not dependent on the Adoption Service alone but will require the joint intervention of the field social workers, the courts, Cafcass, Legal Services, and expert advisors such as Child and Adolescent Mental Health Services (CAMHS), and other medical advisors.
- 2.14 An adoption task force made up of key stakeholders from the service areas that can influence change in practice relating to adoption have carried out a review of the Adoption Scorecard and the implications of the changes following the Family Justice Review (see below) and have put in place a model of practice to make improvements to timescales of key stages in the adoption process (see Appendix for action plan).

Children in Care and Adoption Performance tables (league tables)

- 2.15 In addition to the scorecard the Department for Education publishes Children in Care and Adoption Performance tables which show how each local authority is performing, against 15 key indicators with ranking. The 2 key indicators for adoption are the percentage of looked after children adopted during the year who were placed for adoption within 12 months of the decision and the percentage of children who ceased to be looked after who were adopted. These performance tables were updated in May 2012.
- 2.16 Wirral's average performance as reported in May 12 for the three year period 2009, 2010, 2011 is that 74% of looked after children who were adopted during the year were placed for adoption within 12 months of the decision. Wirral is ranked 76th out of 152 local authorities. The percentage of children who ceased to be looked after who were adopted was 14% (rank 50 out of 152).

Implementing the Family Justice Review recommendations

- 2.17 The government is also addressing delay in adoption by removing the requirement for Adoption Panels to advise local authorities on the decision as to whether adoption is the best option for a particular child before applying to the family court for a placement order. This is a response to the Family Justice Review recommendation that it was unnecessary for the adoption panel to duplicate the court's role in providing independent scrutiny of the evidence in each individual case. From 1st September as a

result of the implementation of the Adoption Agencies (Panel and Consequential Amendments) Regulations 2012 the adoption agency is prohibited from referring cases to an adoption panel before making a decision whether a child should be placed for adoption where they intend to apply to court for a Placement Order. Where the court is not involved, the function of the adoption panel will remain in place.

- 2.18 In addition to the above the Family Justice Review recommended a reduction in the time taken for care proceedings. Cheshire and Merseyside local authorities and Family Courts have agreed a [pre-court proceedings protocol](#) which sets a time for completing proceedings within 26 weeks.
- 2.19 The Children and Young People's Department together with colleagues from legal services have developed a model of practice to address delay and implement revised arrangements for decision making in relation to children having a plan for adoption.
- 2.20 The model of practice is based on the court timescales being set at 26 weeks for care proceedings to conclude. There will be much greater emphasis on the period before instigating care proceedings to assess families and put the plans in place that can support them to meet their children's needs. This will have much closer monitoring of each stage of the child's journey through care, with closer management oversight. Issues and risks have been identified at each stage and a plan to address them. Staff briefings have been organised, but for cases imminently requiring a decision there are arrangements in place to respond to them. Social workers have attended training in relation to the new pre-court proceedings protocol, training that was led by a partnership between Merseyside Family Justice Council and Wirral Children and Young People's Department. The objective of the Pre-Court Proceedings Protocol is to reduce delay and achieve a conclusion to care proceedings within 26 weeks.
- 2.21 The implementation of the relevant parts of the model of practice is detailed in the action plan in the Appendix.

3.0 RELEVANT RISKS

- 3.1 The implementation of the Family Justice Review to reduce delay in court proceedings and adoption requires change in social work practice and the implementation of new processes within a short timescale. The Adoption Team Manager Post is currently vacant which reduces the resources available to manage the required changes. However other managers and key staff have been involved in developing the local authority's response to the changes and social workers and managers have been briefed about the new requirements before September.
- 3.2 Retention and stability of social work staff will also impact on improving the time taken for adoption as continual changes in social worker for an individual child can delay some of the processes.
- 3.3 The number of children adopted each year are relatively small (20-25) compared to the number of looked after children. This means that a small number of cases that go outside the threshold timescale can significantly affect Wirral's performance. The government have acknowledged this within [An Action Plan for Adoption: Tackling Delay](#) and will take account of other factors such as the number of children being adopted that are 5 and over (for Wirral this was 7% for 2008 to 2011, compared to the average for England of 5%) and the average length of care proceedings (for Wirral this is 57 weeks, compared to the England average of 52 weeks).

- 3.4 In order to minimise the above risks key stages of the process from instigation of care proceedings to adoption will be monitored closely over the next 3 months and a report produced to review the implications of the changes and any further work required.
- 3.5 The risks for children in not addressing delay is that adoption may not be achieved for some children where it is the plan or that children experience drift and delay causing further emotional harm to them.
- 3.6 The risk to the Authority is that the Department for Education may intervene if performance falls below the threshold. Wirral will learn from other local authorities in the region that have been subject to intervention.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 There are no other options to consider at this stage. Wirral will take account of the lessons learnt from local authorities where government intervention takes place.

5.0 CONSULTATION

- 5.1 Consultation has taken place with, the Safeguarding Unit, Social Work Managers, colleagues in legal services, other Authorities in the region and with the Merseyside Family Justice Council.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 There are implications for wider community support for children post adoption.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 There are no resource implications arising at this stage from these changes.

8.0 LEGAL IMPLICATIONS

- 8.1 There is a clear expectation that the Authority works to the new Cheshire and Merseyside Local Authority Pre-Court Proceedings Protocol and Adoption Agencies (Panel and Consequential Amendments) Regulations 2012.

9.0 EQUALITIES IMPLICATIONS

- 9.1 An equality assessment has been completed for the impact of these changes.

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/children-young-people>

10.0 CARBON REDUCTION IMPLICATIONS

- 10.1 None.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There is a need to have a clear strategy to recruit sufficient adopters for the children who need an adoptive family.

12.0 RECOMMENDATION/S

12.1 Members of the Overview and Scrutiny Committee note the report and accept the proposed actions.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 To inform members of the government approach to addressing delays in the adoption system and the local authority's response to the changes.

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APPENDICES

Appendix 1 - Implementation of new models of practice for decision making for adoption action plan

REFERENCE MATERIAL

[An Action Plan for Adoption: Tackling Delay](#) (published in March 2012), Department for Education

[Adoption Scorecards](#), Department for Education, May 2012

[Children in care and adoption performance tables](#) Department for Education, May 2012

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Children and Young People Overview and Scrutiny	6 th June 2012
Children and Young People Overview and Scrutiny	21 st March 2012
Children and Young People Overview and Scrutiny	20 th September 2011
Children and Young People Overview and Scrutiny	26 th January 2011
Children and Young People Overview and Scrutiny	2 nd June 2010
Children and Young People Overview and Scrutiny	17 September 2009

Appendix 1 Implementation of new models of practice for decision making for adoption action plan

Objective	Change required	Actions	Start date	Lead	Perform measure	RAG
Reduce time taken from a child entering care to being adopted	New process for decision making for adoption	Review current process and develop new process with clear timescales	1/7/12	SG		G
		Process and timescales agreed with key stakeholders	1/8/12	SG		G
		Staff are briefed about the new model process	1/9/12	SG		G
	Permanency plan to be identified before proceedings instigated	Child Permanence Report introduced for all children entering care	1/10/12	TC	A1/A3	A
		Implement new process for Independent Reviewing Officers confirming permanency plan	1/9/12	CMcK	A1/A3	G
	Agency Decision Maker (ADM) makes a decision that child should be placed for adoption within 15 weeks of instigation of care proceedings	Children's social care staff implement the Cheshire and Merseyside local authorities and Family Courts pre-proceedings protocol	1/9/12	TC	A1/A3	G
		New process from core assessment to placement order (including timescales) are disseminated to all relevant staff	1/9/12	SG	A1	G
	Preparation for family finding starts prior to Placement Order	Social workers from adoption team to work alongside child's social worker in all cases where the plan is adoption	1/9/12	SG	A2	G
	Revised quality assurance and monitoring system introduced to ensure timescales are met.	New process introduced for the Agency Advisor, and all practice and principal managers to quality assure all documentation required for decision making	1/9/12	SG	A1/A2/A3	G
		New tracking system is introduced to monitor timescales at key stages of the process	1/9/12	SG	A1/A2/A3	G
		Performance is reported quarterly.	1/12/12	SG	A1/A2/A3	A

Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer: Ann Bannister

Email address: annbannister@wirral.gov.uk

Head of Section: Simon Garner

Chief Officer: Julia Hassall

Department: Children and Young People

Date: 23rd August 2012

Section 2: What Council proposal is being assessed?

Addressing delay in Adoption – the Adoption Scorecard and implementation of a new process for deciding if a child should be placed for adoption

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes Children and Young People's Overview and Scrutiny Committee 11th September 2012

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/children-young-people>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- Services**
- The workforce**
- Communities**
- Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

- None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity
- Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

- No** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications
Race, religion and belief	The intention is to find families quicker for children from black and minority communities. However this could lead to unsuitable matches and later disruption of the adoption.	Wirral will continue to find families that best meet the needs of individual children	SG	Current practice continues	None
Race, religion and belief	By focusing on reducing delay in adoption children may be matched with carers from different cultures, religions and traditions from the children's background which may lead to children and young people losing their cultural identities	Potential adopters will be provided with information about the child's heritage and encouraged to support children to explore their culture and do life journey work.	SG	Current practice continues	None
Race	The Adoption Scorecard records "Adoptions of children from ethnic minority backgrounds (number adopted and % of BME children leaving care who are adopted)" as related information to provide a context to the performance data.				
Disability	The focus on timeliness for adoption could mean that children with complex needs would not be considered for adoption	Wirral will continue to propose children with complex needs for adoption if it is in the best	SG	Current practice continues	None

		interest of individual children even if it means it will affect the performance indicators in a negative way.			
Disability	The requirement for all medical and other expert assessments to be completed prior to instigating court proceedings will ensure that the individual needs of children will be better met	The new model of practice will be briefed to staff to ensure this is embedded in social work practice	SG	1 st October 2012	
Age	It is more difficult to find suitable adopters for older children which could influence decisions about placing older children for adoption	Wirral will continue to propose older children for adoption if it is in the best interest of individual children even if it means it will affect the performance indicators in a negative way.	SG	Current practice continues	
All protected characteristics	In order to find suitable families within the required timescales Wirral will need to have a diverse pool of adopters.	Recruitment campaign for adopters that targets people from black and minority communities, single carers, same sex couples, older people.	SG	1 st December 2012	To be part of corporate marketing campaign within identified resources.

Section 5a: Where and how will the above actions be monitored?

Through a CYPD adoption task force of key stakeholders

Section 5b: If you think there is no negative impact, what is your reasoning behind this?

Section 6: What research / data / information have you used in support of this process?

National publications and performance data.

[An Action Plan for Adoption: Tackling Delay](#) (published in March 12), Department for Education

[Adoption Scorecards](#), Department for Education, May 12

[Children in care and adoption performance tables](#) Department for Education, May 2012

Section 7: Are you intending to carry out any consultation with regard to this Council proposal?

Yes

If 'yes' please continue to section 8.

If 'no' please state your reason(s) why:

(please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 8: How will consultation take place and by when?

Consultation has taken place with, the Safeguarding Unit, Social Work Managers, colleagues in legal services, other Authorities in the region and with the Merseyside Family Justice Council.

The timescale for implementation set by government has not given time for further local consultation with adopters, potential adopters, children in care or children and young people that have been adopted. However the government carried out extensive consultation prior to implementation

Before you complete your consultation, please email your preliminary EIA to equalitywatch@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal requirements. The EIA will be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for re-publishing.