

**Date:** 18 October 2001

**Venue:** Committee Room 1, National Assembly for Wales

**Title:** White Paper: Adoption - A New Approach  
National Assembly Response to Key Proposals

### **Purpose**

1. In December 2000 the Government published a White Paper; Adoption - A New Approach. The White Paper proposed a new approach to the adoption process, putting the needs of children first and providing for a permanent family based alternative if a child cannot continue to live with its birth family.
2. This paper therefore summarises:
  - a) by subject area, the main proposals and policy initiatives contained in the White Paper;
  - b) action proposed or taken in relation to adoption policy in Wales in that area; and
  - c) where appropriate, the responses received in the consultation exercise on the PIU report.

### **Summary**

3. In March 2000, the Cabinet Office's Performance and Innovation Unit (PIU) was asked to review adoption policy and practice. The PIU assessed evidence and explored options, publishing its report and recommendations in July 2000. A consultation period followed as the PIU's recommendations had significant implications for children and their families, the courts and local authorities, and for public spending. Although the review was directed at adoption in England, it clearly had relevance to Wales and the Assembly therefore extended the consultation exercise to adoption interests in Wales.
4. A paper ([HSS-02-01 \(p.5\)](#)) outlining in greater detail the responses to the consultation exercise in Wales was submitted to the Committee on 24 January 2001.
5. The Government published the White Paper in December 2000 and at the same time also committed itself to updating and modernising adoption legislation through a new Adoption and Children Bill. The Assembly is considering the impact of the proposed Bill on Wales and will be seeking to ensure that the

provisions of the Bill reflect the Assembly's devolved powers on adoption.

## **Action**

6. The Committee is invited to note the contents of this paper.

**Jane Hutt**

**Minister for Health & Social Services**

## **Contact**

The contact on this subject is Mr Mike Burns, Child Protection and Placements Team, Children and Families Division.

## **ACTION TAKEN OR PLANNED IN WALES FOLLOWING THE PUBLICATION OF THE ADOPTION WHITE PAPER**

### **Quality Protects**

#### **a) White Paper proposal/statement:**

The Quality Protects programme in England has been extended to 5 years.

#### **b) Action taken or planned in Wales:**

The Children First programme in Wales has also been extended to 5 years.

One of the objectives of Children First is to maximise the contribution adoption can make to providing permanent families for children in appropriate cases. This is backed by a performance indicator which will allow us to measure the percentage of children looked after who are adopted each year.

### **Increased funding**

#### **a) White Paper proposal/statement:**

The Government proposes spending of £66.5 million over and above current spend on

adoption, over the next 3 years.

**b) Action taken or planned in Wales:**

The National Assembly has received a consequential increase as a result of increases in Department of Health programmes.

In 2000-01, £3 million was made available from the centrally held Services for Children budget to support Children First in local authorities. Additional resources for social services of £48m were made available through the local government settlement and local authorities were urged to devote one third of that to services for children. Over the next three years, provision of £12.2m, £16.4m and £18.6m has been made in the centrally held budget for Children First. All but about £0.5m annually will be made available to local authorities as Children First grant.

Further work will be needed to cost any measures proposed in response to the Adoption White Paper.

## **National Adoption Standards**

**a) White Paper proposal/statement:**

The Government plans to consult on new Adoption Standards that will set out clearly what children, prospective adopters, adoptive parents and birth families can expect,

**b) Action taken or planned in Wales:**

The National Adoption Standards (for England, Wales and Scotland) were put out to consultation in January. The intention is to publish the Standards along with Good Practice Guidance later this year.

**c) Response to consultation exercise:**

There was strong support for the development of Standards and for the incorporation of the proposed Standards into the statutory regime by means of appropriate regulations, and for the issuing of supplementary statutory guidance to assist adoption agencies in delivering these Standards.

## **Recruiting and Training**

**a) White Paper proposal/statement:**

The Government will commit £41 million over 3 years to support social work training and will issue guidance on the use of the additional monies.

Local Authorities will be able to use funding to support employees of voluntary organisations or independent sector organisations that provide statutory services under contract.

The conclusions of the recent consultation exercise on the reform of social work training will be announced during 2001.

**b) Action taken or planned in Wales:**

Implementation of the White Paper includes a training strategy for Wales to be developed by July 2002 in partnership with employers and training providers.

Funding for the Training Support Programme has increased by 30% since 1998/99. It includes specific targets in respect of managers and other grades of staff in children's services and it is intended that this will continue.

The review of social work training in Wales is ongoing and proposals are being considered by the Task and Finish Group set up by the Minister for Health and Social Services earlier this year to consider workforce issues. The Minister will be reporting to the Health and Social Services Committee later this year.

**Public Service Agreement**

**a) White Paper proposal/statement:**

The following targets will be incorporated into the Department of Health's Public Service Agreement:

- By 2004-05 to increase by 40% the number of looked after children adopted;
- A target will be developed to cut out drift and unnecessary delay for children.

**b) Action taken or planned in Wales:**

Planning drift and unnecessary delay in implementing plans for individual children will, given their likely detrimental effects, be tackled robustly. At the same time the decision about whether a child should be adopted or freed for adoption has far reaching consequences for the individuals concerned and constructive well managed delay is sometimes a necessary part of the process. It is also important that policy and practice

developments in adoption take proper account of the role of the court in determining whether a child should be adopted or freed for adoption.

Local authority performance on adoption will not be controlled by targets but instead will be subject to:

- Performance levels set out in the proposed National Standards;
- Monitoring of performance against these standards and against the standards to be set under the Care Standards Act; and
- Monitoring of activity in key areas, through collection of statistical data.

**c) Response to consultation exercise:**

Whilst there was some agreement with the recommendation that the Government should set a target for increasing the use of adoption to provide successful permanent placements for children, such agreement was also qualified. In particular there was a view that adoption is only one of a number of alternatives for children.

There was a general feeling that there was some merit in seeking to increase the use of adoption, but that it needed to be related to a number of issues, including:

- The needs of the individual child;
- The suitability of adoption as a means of achieving permanency for a child;
- The ability of small local authorities to meet new targets or standards;
- The needs and problems of individual authorities;
- The need for effective planning for secure placements for children and effective support services; and
- Other permanency options.

**Monitoring success of placements**

**a) White Paper proposal/statement:**

The Government proposes to develop appropriate ways to get regular information on the success of permanent placements. Using this information, they will develop and set targets that focus on the success and stability of all permanent placements.

**b) Action taken or planned in Wales:**

Currently, there is no centrally collected data upon which to identify the success or otherwise of placements and therefore research will be commissioned to identify how such information should be gathered and the nature of the data needed.

## **Timescales for Adoption**

### **a) White Paper proposal/statement:**

Timescales for adoption are addressed in the draft National Standards. The proposed standards include that:

- A plan for permanency will be made 6 months after becoming looked after;
- Where adoption is the plan, a best interest decision will be made within 6 weeks;
- Suitable prospective adopters will be identified within 6 months of agreeing adoption as being in the best interest of the child, or, in care proceedings, within 6 months of a court decision to agree to adoption.

### **b) Action taken or planned in Wales:**

Consideration will be given to the appropriateness of the proposed timescales for the Standards to be issued in Wales.

## **Assessment**

### **a) White Paper proposal/statement:**

The Government will clarify and change the assessment process in line with the National Standards.

In 2001 the Government will carry out a fundamental review of the assessment process and the operation of adoption panels, including consideration of streamlining the assessment of "second time around" adopters – with a view to implementing changes during 2002.

### **b) Action taken or planned in Wales:**

As England and Wales are likely to be working to similar standards the Assembly will seek to conduct a joint review with the Department of Health.

### **c) Response to consultation exercise:**

- Whilst a review of the assessment of adopters is needed, we must ensure that this remains a stringent process.
- Relaxing procedures for foster carers who wish to adopt needs to be carefully

thought through, as the implications are wide in terms of training etc.

- Need to separate out recruitment activities from assessments.
- The new competency-based framework in respect of assessments, introduced by BAAF, is providing a more focused, evidence-based model for potential adopters but does need some refinement.

## **Adoption Allowances**

### **a) White Paper proposal/statement:**

Legislation will be introduced to set out a new legal framework for adoption allowances.

Regulations will be amended to enable allowances to be paid :

- As a one-off payment, as a time limited payment or as an ongoing payment;
- To help families to meet needs that emerge after an adoption order has been made.

There will be a review into how adoption allowances should be treated within the tax and benefits system.

### **b) Action taken or planned in Wales:**

Any primary legislation introduced as a result of the White Paper will cover both England and Wales although regulation making powers on allowances are devolved to the Assembly.

The Assembly will liaise with the Department of Health over the proposed review of adoption allowances to ensure that Assembly requirements are reflected in any proposed primary legislation.

### **c) Response to consultation exercise:**

There was wholehearted agreement to a review of allowances.

## **Financial Planning**

### **a) White Paper proposal/statement:**

The Department of Health will issue statutory guidance on financial planning for adoption services in local authorities.

## **b) Action taken or planned in Wales:**

The Assembly will liaise with the Department of Health on the scope and content of the proposed guidance and will consider the need for similar guidance in Wales.

## **Services for Permanence**

### **a) White Paper proposal/statement:**

The Government will encourage local authorities to reorganise their adoption services.

### **b) Action taken or planned in Wales:**

The National Assembly has established a Task Group on "Improving Placement Choice and Stability" chaired by Adrienne Jones. . The group includes representatives from the National Assembly, Social Services Departments, Education, Health and the Voluntary and Independent Sectors and its aim is to raise the quality of life for children and young people in public care in Wales through improved placement choice and quality.

The work of the Group covers a number of issues raised in the White Paper and it will therefore be invited to consider this aspect of the White Paper and how the Assembly might respond.

## **Recruitment of Adopters**

### **a) White Paper proposal/statement:**

Quality Protects will be used to support recruitment activity and the Government will continue to support National Adoption Week

### **b) Action taken or planned in Wales:**

The Task Group will be asked to consider and advise on what support is required in Wales for recruitment activity.

### **c) Response to consultation exercise:**

Responses to the consultation exercise included the following:

- Welcome any initiative to enhance the recruitment of adopters but caution against the allocation of resources for a high profile national campaign until there has been



an opportunity to evaluate the success of the fostering campaign.

- It would be helpful to collate and disseminate evidence of good and innovative practice in adoption recruitment.
- Support for National Adoption Week is to be welcomed, but for there to be a real impact, it needs to be substantial.
- Support actions, which increase the range of adoptive parents and ensure a good quality adoption service.

## **Local Authority Information Systems**

### **a) White Paper proposal/statement:**

Changes will be made to information systems to help the Government monitor performance.

### **b) Action taken or planned in Wales:**

The Performance Management Development Fund will enable authorities to update and upgrade current IT systems. Work is underway to better define a set of performance indicators and effective and accurate reporting of these.

The development of the Integrated Children's System, together with the development of a core data set for children's services will also lay the foundation for improving data collection and reporting.

## **Adoption and Permanence Taskforce**

### **a) White Paper proposal/statement:**

The Government has appointed a Taskforce in England made up of 33 part-time members who will work with individual authorities in teams of 5 or 6.

### **b) Action taken or planned in Wales:**

Further consideration will be given as to how authorities might be supported in achieving permanence for children. This will be linked to the work of the Task Group.

### **c) Response to consultation exercise:**

A range of comments were received, including:

- Need for consistent standards across England and Wales.
- The development of a Task Force could be seen as inspectorial and punitive.
- Current review offers an opportunity for Wales to develop a more collaborative approach to developing and improving adoption services throughout Wales.
- Independent scrutiny of an authority's work could be very helpful but it needs to be constructive and supportive rather than blaming.
- Would not want a 'blaming' culture to develop which could lead to authorities working less collaboratively (i.e. by keeping their own placement families to themselves to meet targets), when a corporate and 'consortia' approach holds out the best hope for co-ordinating adoptions across Wales.
- No indication of who should be on it, or what its relationship with the Social Services Inspectorate for Wales would be.
- Danger of creating yet another layer, which may confuse rather than improve.
- Concern at prospect of "naming and shaming": counter-productive and could lead to unhelpful competition rather than co-operation.
- Prefer an advisory, enabling body incorporating members from adoption agencies, SSIW and specialist voluntary sector organisations.
- Role should include disseminating good practice and enabling innovative approaches.
- Purpose should be clear - to assist in national parity in adoption standards, to facilitate a mechanism to pass on best practice and primarily to offer a level of expertise that will engender structure in action planning.

## **Beacon Scheme, Poor Performance and Performance Management**

### **a) White Paper proposal/statement:**

The National Care Standards Commission will inspect adoption services and report any problems with LA services to the Secretary of State.

The options for action include:

- Emergency inspection;
- Asking the Adoption and Permanence Taskforce to work with specified authorities;
- Placing an authority on enhanced monitoring or "special measures";
- Intervention powers – in the worst cases the Secretary of State for Health may take responsibility for a failing adoption service away from the local authority and require them to give it to another authority or an approved adoption agency.

### **b) Action taken or planned in Wales:**

The Care Standards Inspectorate for Wales will inspect adoption services and advise the

Minister on the outcome of inspections

In Wales, the options for action include:

- Development work with authorities
- Monitoring of performance
- Additional or emergency inspection

## **Consortia**

### **a) White Paper proposal/statement:**

The Government will encourage co-operation between local authorities.

### **b) Action taken or planned in Wales:**

Some local authorities and voluntary adoption agencies in Wales have already established consortia whilst others are seeking to develop consortia. We will continue to encourage their development.

### **c) Response to consultation exercise:**

There was general overall support for the establishment of consortia arrangements.

## **Local Authority local Public Service Agreements**

### **a) White Paper proposal/statement:**

The Government will encourage local authorities to include adoption in their local Public Service Agreements

### **b) Action taken or planned in Wales:**

We will consider the development of appropriate performance targets for inclusion in Children First guidance for 2002-03

## **Research**

### **a) White Paper proposal/statement:**

Further research will be undertaken by Government to underpin the development of policy

on adoption.

The Department of Health is considering a number of areas for research:

- Identifying successful models for post-placement support;
- Comparisons between long-term foster care and adoption in terms of success, stability and life outcomes for children;
- Models of consortia arrangements;
- What motivates people to apply to adopt and what works in attracting them;
- Best practice in assessment of prospective adopters.

**b) Action taken or planned in Wales:**

The proposed research is of relevance to Wales and therefore, subject to resources being available, the National Assembly will seek to "buy-in" to appropriate research undertaken by or on behalf of the Department of Health. Where appropriate separate research in respect of Wales will be commissioned.