

BRIDGEND COUNTY BOROUGH COUNCIL
CORPORATE PARENTING CABINET COMMITTEE

28 October 2013

REPORT OF THE HEAD OF SERVICE- SAFEGURDING AND FAMILY SUPPORT
CHILDREN'S DIRECTORATE

DEVELOPMENT OF THE PERMANENCE SERVICE
WITH BRIDGEND'S ADOPTION TEAM

1. Purpose of Report

- 1.1 To raise awareness about the development of the Permanence Service which is to be embedded within the current Adoption team.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The report links to the following corporate priorities:

- Working together to raise ambitions and to drive up educational achievements
- Working with children and families to tackle problems early
- Working together to help vulnerable people to stay independent
- Working together to tackle health issues and encourage healthy lifestyles

3. Background

- 3.1 Planning placements and permanence for Looked After Children is encompassed within an integrated system of services for meeting children's needs and promoting their well-being.

- 3.2 There is a clear requirement that children in care must have robust permanence plans in place which consider the full range of permanence options and which are put into place in a timely and effective manner. The permanence options available include Adoption, Special Guardianship Orders (SGO's), Residence Orders (RO's), Long Term Foster Care and for children subjected to care orders, placements at home under placements with parents regulations. Definitions of RO and SGO are detailed in Appendix 1.

- 3.3 Cabinet Committee will be aware that Bridgend Adoption Services provides a well-established and effective provision to a wide range of service users from very young children who are being placed for adoption to older adults, adopted as children, who are seeking to be re-united with their birth families. As a proactive provision, that has anticipated and responded to local and national trends, the service has, year on year, increased the number of children from care being adopted and the number of adopters being approved. Adoption is a significant method of securing permanence for children and contributes to the reduction of the Looked After Children population.

- 3.4 Together with adoption, SGO's and RO's offer the local authority, families and carers a mechanism by which they can secure legal permanence arrangements for

children. SGO's and RO's are regularly used where adoption is not seen to be in a child's best interests, for example

- where they have a secure relationship with a family member which needs to be maintained and secured by a legal order;
- they are older and where adoption would not be feasible or viable;
- where substitute carers have expressed a wish to care for the child permanently outside of the LAC provision.

3.5 Residence Orders were established in the Children Act 1989 and Special Guardianship Orders were established in their current form in the Adoption and Children Act 2002 with the latter coming into force in 2005. The use of SGO's and the already established RO's have remained distributed amongst the Safeguarding teams, usually remaining in the team where the arrangement was originally generated. At the time of writing this report there is a combined figure of around 100 SGO and RO cases located across the Safeguarding and Permanence teams. This figure is increasing monthly at the conclusion of care proceedings where the court is granting SGO's and RO's in favour of Care Orders and through targeted work by the Permanence Team to reduce the number of children looked after.

3.6 Over the last year or so proposals to expand the Adoption Service provision to an Adoption and Permanence Service to accommodate two distinct teams has gathered momentum and merit. This is in the context of building on the success of the adoption provision, recognising the need to invest renewed focus on a range of permanence options and tackling the growing LAC population. The two teams, Adoption and Permanence will be co-located in Sunnyside and be managed by the existing Adoption Manager.

4. Current situation / proposal

4.1 In April 2013 additional funding was secured for two additional permanent staff, one qualified social worker and one assistant social worker to be employed within the Adoption and Permanence Team. The recruitment process commenced and by 1st July 2013 both staff are now in post.

4.2 The creation of any new service will take some time to become fully established and to reach its full potential. However, the need to be responsive to capacity issues in Safeguarding and the rising LAC population has been a primary focus of the new team, whilst not losing sight of longer and more aspirational objectives. Creation of broad short, medium and long term objectives of the service has enabled targeted work to commence immediately (Appendix 2).

Short Term Aims

4.3 For the Permanence team to take over responsibility for as many of the existing RO's and SGO's as capacity permits within a clear eligibility framework. The Permanence team is not a Safeguarding team and as such is not equipped to manage cases where there are existing concerns or court specified additional provisions. These cases remain appropriately managed within the five Safeguarding teams at this time. To date over 60 cases have transferred in their entirety to the Permanence team and a further 8 are due to transfer in the coming weeks.

- 4.4 Review all financial provision and assistance to SGO and RO carers. This includes those cases held by Safeguarding teams and creates uniformity of approach to the assessment, provision and review of permanence allowances. This activity was referred to in the Cabinet report on Adoption Allowances provided to Cabinet Committee for information on 17th September. This review and audit activity recognises that while some carers may be eligible for assessments and financial support a central source of managing this activity would ensure equity, efficiency and appropriateness of provision and where possible identify where further savings could be made.
- 4.5 Commence a targeted approach to reduce the LAC population. This is to be achieved in three ways:

Short Term

- Firstly, examine all cases where children are looked after under the auspices of a Care Order but where they are placed at home with their parents under the auspices of the placement with parent's regulations (PWP). Currently, there are 39 children subjected to Care Orders who are placed at home. Examination of these cases undertaken by the Permanence team has identified 17 children who can safely have their Care Orders revoked. This process will involve an updated assessment of the case, completion of a court report and instigating court proceedings to discharge the Care Order. If successfully endorsed by the courts this will in turn reduce the current LAC population by 17. The remaining children subject to PWP Regulations will continue to be monitored in partnership by the Permanence team, Independent Reviewing Officers and the supervising social workers. Where it is identified that further discharges of Care Orders can be achieved this activity will be actioned in a timely manner.
- Secondly, by exploring the viability and feasibility of children subjected to Care Orders currently placed with approved relative foster carers having their Care Orders superseded by either SGO's or RO's. At present approximately 70 children are placed with relative carers under Fostering Regulations. Effecting change in this area has proved, to be an extremely challenging task as most relative foster carers are supported financially through fostering payments which continue for the duration of their role as relative carers. In addition, the child has an allocated Safeguarding Social Worker who supports and often supervises contact where there are fractured or hostile relationships between adult family members. Allocated social workers are also pivotal to the provision and management of a range of other support services, such as education, health and community resources. Relative foster carers are understandably anxious about losing this support and in turn do not readily embrace the prospect of care orders being discharged in favour of RO's or SGO's. Notwithstanding this, there are some cases where relative carers are more receptive. Currently work is underway in respect of 17 children living with relative carers whose carers are receptive to proposed plans for care orders to be discharged in favour of SGO's or RO's.

Lastly, the Permanence team will, by its existence and activities, help to forge a culture that will enhance improved working relationships between the

Permanence team and all other teams and services, such as Fostering and the IRO service. This culture change will afford improved permanence planning ensuring greater focus and clarity of purpose. For example, when a child becomes looked after and is placed with relatives, a permanence team worker will visit the relative carers to discuss all permanence options early in the placement. This will enable and empower carers to consider all options at the start of their involvement with the local authority. The creation of a Permanence team where continued support is available is already having a positive impact on relative carers perceptions of SGO and RO's and it is anticipated that this will lead to a reduction in the number of children subject to Care Orders and therefore looked after by the local authority.

Medium Term

- 4.6 Whilst in the short term the focus is on alleviating pressure in Safeguarding teams through permanency team workers undertaking care order discharge work, a limit exists on the capacity of the two workers to hold the SGO and RO cases with around 60 being held at present between the two workers.

In the medium term however, as discharge work becomes core business, it is envisaged that work on developing a range of support services for those affected by SGO's and to some extent RO's will be proposed. This will fulfil a number of statutory functions. Firstly, to ensure compliance with the Special Guardianship Support Regulations 2005 which requires a range of support services to be provided, bringing Special Guardianship support more in line with the support offered to adoptive families. Secondly, by providing a range of targeted family support services, this will alleviate some of the anxieties of potential Special Guardians as they will continue to feel supported in their care of the child(ren).

Long Term

- 4.7 The provision of a Permanence Service primarily is for children in the initial stages of their care. However, the maintenance of RO and SGO cases and the culture within which permanence is developed and implemented requires recognition that the carers are responsible for the day to day care of the child while the carers themselves are service users. This provision more closely resembles that of the Fostering and Adoption Services. With this in mind, when the substantial discharge work is completed, it is envisaged that like Fostering and Adoption, the Permanence team will undertake all relative assessments (for SGO and RO's) thus considerably alleviating pressures on the Safeguarding teams. The aim of the Permanency team in the long term will be to offer a range of support services to carers within a proactive rather than reactive service.
- 4.8 The current capacity of the Permanence team to effect aspirational changes is limited by size but not by ambition. Aspirational targets have been set for the work of the service in the first 12 months of existence (July 2013 to June 2014). It is anticipated that in the first 12 months the Permanence team will endeavour to reduce current LAC numbers by approximately 35 through discharges of care through revocation of Care Orders and other Care Orders being superseded by the Courts granting of SGO's and RO's. With this ambitious target come some challenges as the capacity within the permanency team is limited. At present there is scope to manage the 60+ allocated maintenance cases (SGO and RO's)

currently held by the assistant social worker. The qualified social worker will hold a small number of maintenance cases but will continue to prioritise the discharging of existing care orders, thereby reducing Bridgend's LAC population. As the discharge work gathers momentum and more SGO's and RO's are granted these will also need to be managed in the Permanence Team.

5. Effect upon Policy Framework and Procedure Rules

5.1 Care Orders, Special Guardianship Orders and Adoption are governed by a number of detailed Statutory Regulations. The changes proposed in the continued development of the Permanence team do not contravene any of these arrangements but show a proactive and measured response to local and national pressures.

5.2 Existing policy and procedures will need to be developed and reviewed to incorporate the impact of the Permanence Service.

6. Equality Impact Assessment

6.1 There are no equal opportunities issues arising from this report.

7. Financial Implications

7.1 At present there are no identified adverse financial implications for the creation and further development of the Permanence Service. Whilst there will be savings made by reducing the LAC population there may not necessarily be monetary savings as permanence allowances to carers will need to be paid to the majority. However, these are likely to be significantly lower per child than the current cost of maintaining a child in the care system.

8. Recommendation

Corporate Parenting Committee:

- Notes the contents of this report; and
- Endorses the proposals for the short, medium and long term general aims of the service.

The recommendations above are made in order to assure Corporate Parenting Committee that the Council's statutory functions in relation to providing a range of permanence options are being met. In addition, a focus and commitment is in place to contribute significantly to the reduction of the numbers of children looked after where it is safe and appropriate to do so.

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Background documents

Appendix 1 Definition of Special Guardianship Orders and Residence Orders

Appendix 2 Short, Medium and Long Term Aims of the Permanence Team

Appendix 1

Residence Order

These orders decide where the child is to live and with whom. The granting of a Residence Order to someone automatically gives him or her parental responsibility for the child if they do not already have it. Parental Responsibility obtained as a result of a Residence Order will continue until the order ceases. Parental Responsibility is not removed from the parents but they are limited as to how they exercise this.

A Residence Order lasts until the child is 16, or 18 if the circumstances of the case are exceptional and the court has ordered that it continue for longer.

A Residence Order can be granted to more than one person and can be made jointly to an unmarried couple.

A Residence Order removes a Care Order where one exists.

A Residence Order prevents –

- changing the surname of the child
- removing the child from the UK (for more than 1 month)
- consenting to the child's adoption

without the agreement of everyone with Parental Responsibility.

Special Guardianship Order

A Special Guardianship Order is an order made in court for the applicants to care for the child and have day to day Parental Responsibility for that child. The parents are still legally the child's parents but their parental responsibility is limited.

The purpose of the order is to give the child the security of a permanent home until the age of 18 and beyond.

It differs from adoption in that it is expected that the child will keep links with his/her parents

A Special Guardian can make all the day to day decisions about the child apart from –

- consenting to the child being adopted
- letting the child be known by another surname (unless the Special Guardian has the parents' written consent or the court's permission to do so)
- removing the child from the UK for more than three months (unless with the permission of the court).

without the agreement of everyone with Parental Responsibility.

Appendix 2

Broad details of the short, medium and longer term Permanence Team (PT) objectives.

Short Term

- Address backlog of discharges / RO / SGO assessments
- Take on RO / SGO (not those with Contact, additional orders or CIN plans)
- Provide advice, guidance and support on a case by case basis on possible discharge / RO/SGO work and support plans
- Continue to hold financial responsibility for cases referred back where there is CP or CIN issues
- Audit all transferred cases to ensure sufficient paperwork / consent to payments in place
- Identify financial savings to be made such as over payments and address these
- Visit all teams to promote consideration of RO/SGO / discharges
- Twin tracked cases remain in Safeguarding – possibly PT undertaking all financial work?
- TM to attend legal surgeries on cases where SGO/RO or discharge has been identified (monthly)

Medium Term

- Further develop streamlined financial process for all SGO / RO payments to reflect regulations and case law
- Further develop the range of family support services to support SGO's and encourage more take up
- Complete a review of permanence / SGO / RO policy to include new case law issues
- Complete a guide for workers on processes / Good practice guides etc
- All cases in care proceedings to be brought to twin tracking / permanence meetings to consider early permanence options
- Permanence social worker to visit all new relative carers within 48 hours of placement to discuss permanence options

Long Term

- All SGO / RO maintenance cases held by Permanence Team
- All financial assessments and reviews to be undertaken by the Permanence Team
- All LAC to be routinely reviewed to identify potential discharge / SGO / RO cases. This will require closer working relationships between Bridgend Foster Care and the Independent Reviewing service.
- All cases in care proceedings will be referred to the permanency team to undertake SGO/RO assessments.