

# Fostering for Adoption

BECOMING A CARER



“Children need a loving and secure home that they experience as their ‘forever family’.”

### **Fostering for Adoption – a child centred solution**

Most people who are interested in adoption readily recognise that children need a loving and secure home that they experience as their ‘forever family’ as quickly as possible. When a child cannot live with their birth parents or other family members, it is the responsibility of local authorities and the courts to ensure that a new family is found with the minimum of delay. Children are not in a position to wait.

There has been great concern over recent years that waiting is exactly what children have to do – it takes far too long for the adults that have responsibility to make their plans and decisions. A lot of effort is being put into reforming local authorities children’s services, the courts and other parts of the system to ensure that as a whole it operates in a more timely way. As this happens, children will get what they need – to become a member of a loving family that will be their family for the rest of their life. Fostering for Adoption is one part of that solution.

### **So what is Fostering for Adoption?**

Fostering for Adoption places a child during the period of temporary local authority care with foster carers who

are also approved as adopters. If the court agrees that the child should be adopted and the adoption agency approves the ‘match’ between the carers as adopters and the child, the placement becomes an adoption placement.

Fostering for Adoption has obvious advantages for the child:

- They are placed with carers who may become their adopters
- It avoids the damage caused by terminating temporary foster care relationships which they will have experienced as their primary parenting relationship
- It allows the early months and years of the child’s life to be what most children need and expect

Each of these advantages is true for the adopters as well. It may be that some birth parents will understand these advantages for their child as well, even if their intention is to prove that they can take care of the child themselves. It must be remembered that until the court decides that adoption is right for the child, the parents’ case remains to be decided.

### **Why not place the new child directly for adoption?**

The child can be placed directly with adopters if the parents give their

legally authorised consent and no other family member has expressed interest in caring for the child. However, in most situations consent is not given. It is then for the court, and only the court, to decide whether the child can be placed for adoption. The local authority cannot act in any way that predicts the outcome of the court’s decision and that includes finding and agreeing an adoption placement. The local authority must place the child with foster carers until the court’s decision is made.

### **Why does this process take so long if children might be harmed by the delay?**

While the needs of children must be everybody’s primary interest, there are other important people that need to be thought about in determining what the right plan should be. Firstly, there are the birth parents, and local authorities will place a high priority in working with them to see if the problems they face as parents can be resolved so they can resume the care of their child. There may be other family members who may want to offer the child a home because they are ‘family’. There will be a number of options in deciding what the best alternative placement might be and these will need to be thoroughly



tested. All of this takes time to be done in a way that is fair, lawful and evidence based.

As evidence is gathered and solutions explored, the child will usually be placed with temporary foster carers and sometimes that can mean with a number of foster carers. Adults and professionals will know this is temporary but young children will not. They will quickly adjust to their foster carers as though they are 'forever parents' and this might last for some time. Slightly older children may get to understand that this is not a 'forever family' and this realisation may cause anxiety and distress. This will only be made more difficult when a 'forever family' is finally found and the relationship the child has made with their foster carers comes to an abrupt end.

Finding child centred solutions to this has not been and is not easy. Adoption is a profound legal, emotional and life long issue. It is a process that needs to be conducted fairly, justly and in a way that ensures there is confidence that while it is very painful, it is the right thing for the child. Fostering for Adoption is one solution for some children in certain circumstances. It combines the temporary placement with the

potential for it to become the permanent placement.

### **In what circumstances does Fostering for Adoption apply?**

A Fostering for Adoption placement will only be made where there is clear evidence to the local authority that there is very little likelihood that the birth parents can resolve their problems or that other family members can take care of the child. This evidence will need to be substantial and this usually means that the parents have had other children placed for adoption and their circumstances have not changed for the birth of the new child. There may be other circumstances where Fostering for Adoption might apply but the evidence will still need to be substantial.

### **Won't the courts think the local authority has placed the child for adoption?**

The local authority must be transparent and open in what it is doing when it makes a Fostering for Adoption placement. It must inform the court, the birth parents and all those who have a direct interest in the child about its plan. It must explain why it is making the placement and that must include acknowledging that the court may not approve adoption as the plan and the

child may in the end return to the parent or be placed elsewhere.

### **This all sounds very complicated – is it worth it?**

Where it is the right thing to do, a Fostering for Adoption placement has very definite advantages for the child in placing them with carers who can become their adopters, if that becomes the approved plan by the court. It has significant advantages for the foster carers/adopters in enabling them to establish a relationship with the child at an early stage with all that this can mean in terms of establishing a loving family life for the child. But it does mean living for a time with uncertainty about the final outcome and it may mean, very occasionally, that the child will move back home or to another placement and that can be very distressing for the Fostering for Adoption carers and the child, even though it is judged to be the right thing to do.

### **Are there many children available for Fostering for Adoption?**

It is difficult to answer this question. No information is collected nationally. There has been some uncertainty about the legal, ethical and practical issues in relation to Fostering for Adoption which has



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made local authorities wary about making such placements. But such placements are made – although currently on a small scale. But there is interest in expanding the use of such placements with a stronger legal, policy and practice framework being put in place to enable this.

It is likely that many Fostering for Adoption placements will be made with adopters who have already adopted a sibling of the child. But it may be that local authorities and voluntary adoption agencies will have identified the potential for such placements in other circumstances. You will need to ask what possibilities there are in the agencies you make contact with. You can also approach First4Adoption for more information about Fostering for Adoption at:

[www.first4adoption.org.uk](http://www.first4adoption.org.uk)

However, because of the nature of Fostering for Adoption placements, it is very likely that geographical considerations will be important in identifying suitable placements.

### **What if my local authority hasn't identified any children for Fostering for Adoption, can I still be approved as a Fostering for Adoption carer?**

A new process has been designed to allow adopters to be approved as

foster carers for a named child without going through the full foster carer approval process. This applies where a child has already been identified as needing a placement with dually approved carers.

There are other circumstances where your adoption agency might consider recruiting you to a specific early permanence project – usually called concurrent planning. In concurrent planning you are assessed for approval as a foster carer under the Fostering Regulations as well as an adopter. On dual approval, you then join a pool of carers and wait for a child where the agreed and appropriate plan for them is to be placed in foster care until the court makes its decision about adoption. During the fostering phase, the local authority will have an explicit plan to try to return the child to their parents and you would be expected to support that plan. However, the likelihood of that plan being successful is usually low. You should ask your social worker for information about the availability of concurrent projects in their agency or locally. Alternatively, contact First4Adoption for information.

Your assessing social worker should note your interest in Fostering for

Adoption in the report they complete on your suitability to adopt.

### **So is being a foster carer and an adopter the same thing?**

The best answer to this is no. When a child is placed in foster care, this means that the foster carers have day-to-day responsibility for the care of the child. But if a court has made an Interim Care Order, it is the local authority that has what is called parental responsibility for the child. The parents also continue to have parental responsibility, but this is limited by the court order in the way they can use this. In some circumstances the child is placed under a voluntary agreement between the local authority and the parents without a court order.

In practice, foster carers are acting on behalf of the local authority. The local authority will have many legal duties and obligations and they will expect you to work with them in making sure that these obligations are fulfilled. They will review the child's care on a regular basis. Social workers and other professionals will visit you and the child, you will be expected to attend meetings and keep records about the child and your care of them. Although you will need to make decisions about the day-to-day care of the child, these

will fall within the agreed local authority plan. There may be some limitations on what information the local authority can share with you, but anything that will enable you to care for the child properly should be given to you.

Adoption is quite different. When the Adoption Order is made, the child's legal relationship with their birth parents is terminated, the child becomes legally a member of their adopted family and the child leaves the care of the local authority. In effect the child becomes a full member of the adoptive family.

There are therefore significant differences and it is important to understand these. But from a child's perspective, the care they need and what they expect the adults to do are not defined by these different legal, procedural and status issues. It is important that adults find ways of directly recognising this in the loving care they give to the child and that they are supported to do so.

### **I understand that children in care have lots of contact with their parents. Is that right?**

Contact can be very important for the parents and the child, but any arrangements for contact must be centred on the child's needs and

welfare. The frequency and other arrangements for contact depends on how far decision-making about the child's future has got to in the courts and with the local authority. However, above all, the child's welfare and needs are the most important things that the local authority must take into account when making any plan for contact.

In some situations you will be expected to participate in the arrangements for the child to have contact with the parents or other family members. The specific arrangements for this will be discussed with you.

In some circumstances you may get to meet the birth parents but the details and implications of this will be discussed with you. Your views about this will be an important part of this decision.

### **Is Fostering for Adoption the right thing for me?**

You will have thought long and hard about what it means for you to become an adopter. You may be at an early stage in the process or you may already have adopted a child or children. There are many factors to take into account when thinking about adoption. Becoming dually

approved may in many agencies only be considered in relation to a specific child when that placement is being actively considered as a Fostering for Adoption type placement. New regulations are being introduced soon which will make approving already approved adopters as foster carers more straightforward for agencies.

There will be a number of things that you will need to think about. Some of these relate to the advantages, uncertainties and demands of the fostering phase. This is a different role as you are fostering under the direct supervision of the local authority. There is also the experience of living with the uncertainty of the outcome of the application to court to authorise the child being placed for adoption. This impacts on people in different kinds of ways and you will need to think about how you might deal with this in a helpful and positive way. This should include thinking about the possibility of the court not agreeing the adoption plan and the child leaving your care.

It is important for anybody thinking about adoption to consider what support they might need, what access they have to support and

how they typically deal with stressful, upsetting or painful situations. There will be specific issues to be thought about in Fostering for Adoption placements and you should try to identify what this might mean for you and then discuss this with people who you trust and respect.

It is also important to think about the impact of a Fostering for Adoption placement on other people. If you already have a child or children in your family – adopted or birth children – you will need to pay particular attention to their views, wishes and feelings. You would do this anyway if you were planning to adopt another child but there are specific issues about preparing a child for that period of uncertainty in the fostering phase. There are also a range of other people that will need to be consulted – other family members and close family friends. They may have questions and views themselves but they should also be a source of important support.

### **Will I get any financial and practical support?**

There will be a number of practical and financial considerations. You will already have thought about these in relation to adoption. But the arrangements that apply in adoption

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do not apply to fostering. For example, at present, you are not entitled to adoption pay or leave during the fostering phase. The Government is bringing forward changes to legislation to allow people who undertake a Fostering for Adoption placement to be eligible for adoption pay and leave when they start to foster the child.

The proposed changes are part of the Children and Families Bill 2013 which is currently going through Parliament and, subject to its approval, will be implemented in 2015 as part of the new system for shared parental leave and pay.

Until then, you will be entitled to a fostering allowance and you will have access to other resources and services that are part of what the local authority makes available to children in care and foster carers. The local authority will discuss the specific arrangements that will apply in your circumstances. It is very important that you understand the practical arrangements to ensure that these are manageable for you.

When the court authorises the adoption, then you will be assessed for adoption support by your agency and a plan will be made depending on that assessment.

While much of this may appear as hurdles, it is important not to forget the very significant advantages to the child and yourself of an early placement, with the real potential for it to be the basis of a life long family relationship. It is for the adults to overcome the hurdles when they can and not to expect that the burden of uncertainty and waiting and more waiting is carried by the child.

#### **What is the process to be approved as a Fostering for Adoption carer and how long will it take?**

Fostering for Adoption carers will usually already be approved adopters and will have completed all parts of the preparation and approval process. There will be an additional approval process that enables approved adopters, whether approved by a local authority or a voluntary adoption agency, to be temporarily approved as foster carers for a named child. If you are approved by a voluntary adoption agency, the local authority responsible for the child will make this temporary approval. It is expected that this process will be undertaken in a timely way to ensure the child is not left waiting.

The approval will be based on the evidence of your strengths, capacities and resources to take on the foster care role. It is very important that you fully understand what this means on a day-to-day basis. It is clearly very important that you can manage the period of uncertainty until the court makes its decision. You will need to have support available to enable this. But what it does not mean is re-visiting the whole approval process.

If you are already approved as a foster carer under Fostering Regulations, then this temporary process will not apply.

#### **Where next?**

There are a lot of things to think about in Fostering for Adoption and they need to be considered specifically in relation to you and your circumstances. If you think this is right for you, you will need to discuss this with your social worker and maybe others in the agency who have approved you. It must be remembered that Fostering for Adoption is still in its infancy and it may not be available locally because the systems are not in place or there are no children to whom it might apply. But that is expected to change quickly with more opportunities for children to benefit from the very obvious advantages it will bring.



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Coram, the UK's first children's charity, has been providing better chances for children since 1739. The charity runs one of the UK's leading voluntary adoption agencies and pioneered, and continues to develop, concurrent planning in the UK.

Coram shares its expertise by working closely with local authorities to help improve adoption services through evidence based decision making. The Coram Centre for Early Permanence leads through innovation and partnership, with the aim of ensuring more children can live with their potential permanent carers at the earliest possible stage of the care process.

[www.coram.org.uk](http://www.coram.org.uk)

The British Association for Adoption & Fostering (BAAF) is the UK's leading charity for children separated from their birth families. We provide services to meet the needs of some of the UK's most vulnerable children and young people and were awarded an overall grade of 'Outstanding' in our Ofsted inspection in 2011 (England).

[www.baaf.org.uk](http://www.baaf.org.uk)