

# Rutland County Council

## Agency Decision Maker (ADM) Process

**ADM:**

The Agency Decision Maker (ADM) is the person within a fostering service (oversight of) and an adoption agency who makes decisions on the basis of recommendations made by the Fostering Panel (in relation to a fostering service) and the Adoption Panel (in relation to an adoption agency). The Agency Decision Maker will take account of the Panel's recommendation before proceeding to make a decision.

The Agency Decision Maker can choose to make a different decision.

The National Minimum Standards for Fostering 2011 provide that the Agency Decision Maker for a fostering service should be a senior person within the fostering service, who is a social worker with at least 3 years post-qualifying experience in childcare social work and has knowledge of childcare law and practice (Standard 23).

**Rutland County Council ADM:** Rebecca Wilshire

**Placement with Family and Friends (Connected Persons)**

**1.** **Introduction**

The following procedure covers immediate placements of children looked after with a Connected Person i.e. where the carers are not already approved as foster carers. As with any placement the responsible Authority must be satisfied that the placement is the most suitable means to safeguard and promote the child’s welfare, not withstanding the Connected Person is not yet approved as a foster carer. The Authority must be satisfied that it is necessary for the child to be placed with the Connected Person before the Connected Person’s suitability to be a foster carer has been assessed in accordance with the Regulations. These provisions are to be used only in exceptional circumstances and where there are clearly defined reasons why a full foster carer assessment cannot be undertaken before a placement is made. There is a risk that if a child is placed before the full approval of the carer as a local authority foster carer they may not be approved at the end of the process resulting in a further move for the child.

A Connected Person is defined as "A relative, friend or other person connected with a child. The latter is someone who would not fit the term 'relative or friend', but who has a pre-existing relationship with the child. It could be someone who knows the child in a more professional capacity such as (for example) a child-minder, a teacher or a youth worker."

Relative is defined as "a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent."

The procedure sets out the checks that need to be made before such a placement can be made.

It also covers the procedure to be followed to carry out the required assessment and approval of the Connected Person as foster carers if the placement is to last longer than 16 weeks.

 **2.** **Situations Where these Procedures do not Apply**

These procedures do not apply where a child (under 16 yrs) goes to live with a relative or friend and this is a private arrangement between the parent/person with Parental Responsibility and carer.

If this placement continues for 28 days or more, the child may come within the definition of a Privately Fostered child, in which case the local authority's duties in relation to the placement are set out in the Private Fostering Procedure.

The local authority in which the child is residing will be responsible for the private fostering arrangement.

 **3.** **Approval of Immediate Placements of Looked After Children with Connected Persons**

Before any placement with a Connected Person who is not already approved as a foster carer is made, the approval of the **Agency Decision Maker** is required.

Any such approval can only be given for **16 weeks** from the date of the placement. After that period of time, further assessment must be carried out and further approval sought.

Matters to be taken into account when assessing the suitability of a Connected Person to care for the child are:

1. The nature and quality of any existing relationship with the child;
2. Their capacity to care for children and, in particular in relation to the child (or children) concerned, to provide for his/her physical needs and appropriate medical and dental care; to protect the child adequately from harm or danger including from any person who presents a risk of harm to the child; to ensure that the accommodation and home environment is suitable including, where relevant, an initial risk assessment of any pets, together with the environment in which the pet is kept; in relation to the child's age and developmental stage, to promote his/her learning and development; to provide a stable family environment which will promote secure attachments for the child, including promoting positive contact with parents and other connected persons, unless this is not consistent with the child's welfare;
3. State of health (physical, emotional and mental), and medical history including current or past issues of domestic violence, substance misuse or mental health problems;
4. Family relationships and the composition of the household, including the identity of all other members of the household, their age and the nature of any relationship with the connected person and each other including any sexual relationship; any relationship with the parents; any relationship between the child and other members of the household; other adults (not members of the household) likely to have regular contact with the child; any current or previous domestic violence between members of the household, including the connected person;
5. Their family history, including their childhood and upbringing, and the strengths and difficulties of their parents or others who cared for them; their relationship with parents and siblings and each other; educational achievement and any learning difficulty/disability; chronology of significant life events; particulars of other relatives and their relationships with the child and the connected person;
6. Any criminal offences of which they have been convicted or in respect of which they have been cautioned;
7. Past and present employment and other sources of income;
8. Nature of the neighbourhood and resources available in the community to support the child and the Connected Person.

The home must be visited by the social worker as part of the assessment of the suitability of arrangements. An Initial Viability Assessment must be completed to evidence the above. (Appendix 1 Initial Viability Assessment)

The child's wishes and feelings (subject to age and understanding) must be ascertained and recorded and wherever possible, an opportunity must be provided for the child to visit the home before the decision is finalised.

The views of parents/ those with Parental Responsibility must also be obtained.

The proposed carer should be given information about the assessment process which will follow if the placement is to last longer than 16 weeks, including the need for DBS checks and other agency enquiries on all members of the household aged 16 and over, as well as interviews with referees, adult children and ex-partners, which will be part of any such fostering assessment.

Where the social worker is in any doubt as to the suitability of the placement, s/he should consult the Fostering Service for advice before the placement is agreed.

The Initial Viability Assessment should be jointly completed with the Supervising Social Worker who will be completing the Connected Person Assessment, this will allow for their expertise to be used within the viability assessment as well as preventing delay of the full kinship assessment being completed.

**Section 4 – Regulation 24 approval**

# Where the placement appears suitable the Request for Regulation 24 temporary kinship foster placement (Appendix 2) checklist should be completed by the social worker completing the initial viability assessment. Both the initial viability assessment and the Request for Reg 24 forms should then be sent to the Team Manager for agreement who will then send both to the Agency Decision Maker who will decide whether or not to approve this request.

Once approval is given by the Agency Decision Maker, a referral should be made immediately to the Fostering Team to notify that payments should begin, as well as a full assessment. A written Placement Plan should be completed by the child's social worker with the proposed carer, within 5 days of placement; a clear safety plan should also be completed to explore any issues of risk or concern.

The prospective carers need to be made aware that any approval is only temporary and does not imply continued approval beyond the 16 (sixteen) weeks.

The placement may only continue after sixteen weeks if the carer is approved as a foster carer or in exceptional circumstances where the temporary approval is extended by the ADM.

This temporary approval can be extended for a further period of up to 8 weeks (if it is likely to expire before the assessment is completed) or until the outcome of an Independent Review (if the outcome of the assessment is that the Connected Person is not approved and seeks a review of the decision). The IRO must also be informed. A decision to extend the temporary approval must be approved by the Agency Decision Maker.

As the [Connected Person](http://trixresources.proceduresonline.com/nat_key/keywords/connect_pers.html) will be temporarily approval as a foster carer, the Connected Person will be required to sign a foster carer agreement. A Connected Person approved under these regulations will be entitled to the same support, allocation of social worker and allowances for children as a foster carer.

Before deciding whether to extend the approval, the Local Authority must consider if the placement is still the most appropriate placement available, and it must be considered by the Fostering Panel, and ratified by the Agency Decision Maker, before the above approval is given.

Appendix 1: Viability Assessment Template



Appendix 2: Request for Regulation 24 Temporary

