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## **Procedure / Guidance**

### **Title: Fostering for Adoption, Concurrent Planning and Temporary Approval as Foster Carers of Approved Prospective Adopters**

#### **1 Purpose**

- 1.1 This procedure deals with placement of a child with carers who are dually approved, i.e. approved both as prospective adopters and as local authority foster carers.

#### **2 Scope**

- 2.1 This procedure relates to all those involved in the adoption process in Barnsley.
- 2.2 This procedure relates to all children for whom adoption is being considered as a plan for permanence and to all individuals or couples who seek to be approved as prospective adopters through Barnsley MBC Adoption Agency.

#### **3 References**

- 3.1 Early Permanence Placements and Approval of Prospective Adopters as Foster Carers – Yorkshire and Humber Consortium Guidance
- 3.2 Statutory Guidance for Local Authorities and Adoption Agencies
- 3.3 Fostering For Adoption: Practice Guidance (Coram, BAAF)

#### **4 Introduction**

- 4.1 These types of placement are made where a child is placed with foster carers who, subject to a Placement Order being made, or parental consent, are

expected to go on to become the child's adoptive family. The child therefore benefits from an early placement with their eventual permanent carers. Delay in finding a permanent family for young children who have already experienced neglect early on in their lives can have a profoundly damaging effect on their development. This type of placement has the potential to significantly reduce this delay and the damage caused. The placement will be with currently approved adopters who have been determined by the Adoption Agency Decision Maker to also be appropriate Early Permanence Carers.

- 4.2 These placements are foster placements. During this period the Agency Decision Maker (ADM) will decide whether or not the child should be placed for adoption and either a Placement Order will be made, parental consent to the child's adoption will be given or the Court/Relinquishing Parent will decide against pursuing adoption as the plan.
- 4.3 The placement will only become an adoptive placement after the case has been taken to Matching Panel and the ADM has approved the Panel's recommendation.
- 4.4 It is possible that such a placement may not lead to adoption, for example because the child's plan changes where rehabilitation with the birth family is successful, because suitable family or friends come forward or because the court does not agree to make a Placement Order. This may mean that the child returns home or is moved to another permanence arrangement. But, for the vast majority of children in such placements, progression towards adoption will be the anticipated outcome.
- 4.5 The Child's Social Worker and Adoption Social Worker will need to ensure that people who are willing to care for a child in this way are fully aware that the placement may not lead to adoption, and that they have been given appropriate information and training so that they understand their role and legal responsibilities as foster carers and ongoing support once the placement has been made.
- 4.6 Concurrent planning is an established practice for placing children with dually approved carers. As these placements are foster placements, rather than placements for adoption, they could be made under existing legislation. The law has, however, developed to make the situation more explicit.

## **5 Actions**

Prior to the commencement of this work the Adoption Service will have assessed adopters and sought approval for them as both Prospective Adoptive Parents and Early Permanence Placement Adopters. Should there be no appropriate adopters in-house then the Adoption Service will search for EPP Approved Adopters in neighbouring Local Authorities.

Action	Person Responsible
<p>5.1 Under the Children and Families Act 2014, where the local authority are considering adoption for a child (see Section 8.0, Considering Adoption for a Child) or are satisfied that the child ought to be placed for adoption but is not yet authorised (either by consent or by Placement Order) to place the child for adoption, the authority <b>MUST</b> consider placing the child with a relative, friend or other connected person who is also a local authority foster carer or, where they decide that such a placement is not the most appropriate placement, then they <b>MUST</b> consider placing the child with a local authority foster carer who has been approved as a prospective adopter.</p>	<p>Child's Social Worker Child's Social Worker's Team manager</p>
<p>5.2 In such a situation, the requirements under section 22 of the Children Act 1989 to ensure that placements allow the child to live near the parents' home, be placed within the local authority area, remain at the same school and to be placed together with sibling(s), do not apply.</p>	
<p>5.3 The carers may be dually approved by being fully approved adopters and foster carers for any child, or they might be approved prospective adopters who have been temporarily approved as foster carers for a named child under regulation 25A of the Care Planning, Placement and Case Review (England) Regulations 2010 – see Section 10, Temporary Approval as Foster Carers of Approved Prospective Adopters.</p>	
<p>5.4 Such a placement must be approved by the Agency Decision-Maker who must be satisfied that:</p> <ul style="list-style-type: none"> <li>• The placement is the most appropriate placement available for the child and will safeguard and promote his/her welfare</li> <li>• The child's wishes and feelings have been ascertained and given due consideration.</li> </ul>	<p>Adoption Agency Decision Maker</p>
<p>5.5 The IRO must be informed</p>	<p>Child's Social Worker</p>
<p>5.6 If their whereabouts are known the child's parent(s)/guardian must be notified of the proposed placement.</p>	<p>Child's Social Worker</p>
<p>5.7 The Nominated Officer must be a social worker with a good understanding of care planning, including adoption and fostering. In Barnsley the Nominated Officer will be the Adoption Agency Decision Maker.</p>	
<p><b>5.8 Notifications</b></p>	

5.10 Where the child is voluntarily accommodated under section 20 of the Children Act, the notification should remind the birth parents of their right to remove the child from the local authority's care and should provide advice on access to legal advice and appropriate advisory bodies.	Child's Social Worker
5.11 The parents should be informed that the local authority cannot pre-judge the outcome of Care Proceedings and only the court can authorise a placement for adoption if the parents do not consent to their child being placed for adoption.	Child's Social Worker

## 6 Documentation

- 6.1 Regulation 25A Assessment Report
- 6.2 EPP Matching Report
- 6.3 EPP Decision Confirmation
- 6.4 PAR
- 6.5 EPP Placement Agreement
- 6.6 EPP Foster Care Agreement

## Guidance

In 2013, the Care Planning, Placement and Case Review (England) Regulations 2010 were amended to allow approved prospective adopters to be given temporary approval as foster carers for a named child.

In July 2014, the Children and Families Act 2014 imposed a **duty** upon local authorities to consider placement with dually approved carers whenever it is considering adoption or where the decision has been made that the child ought to be placed for adoption, but where the agency does not yet have authority to place the child for adoption through either a Placement Order or parental consent.

## Considering an EPP placement for a child

Examples of when a local authority may be considering adoption include:

- Where the local authority is trying to rehabilitate the child with the birth parents, there are no suitable family or friends carers and adoption is the best option for the child if rehabilitation does not succeed;
- Where the local authority has decided at the permanence planning stage that adoption should be the plan for the child. The local authority must be able to demonstrate to the ADM and the court why the child cannot return home, why the child has not been placed with family or friends, why no other permanence plan is appropriate for the child and why adoption is the right plan for the child;
- In cases where the birth parents have indicated that they are likely to consent to the child being placed for adoption, but have not yet consented;

- A Fostering for Adoption placement can also be made after the ADM has made the decision that the child should be placed for adoption, but does not yet have authority to place the child for adoption.

Examples of where a local authority will not be considering adoption include:

- The child is likely to return home;
- They are aware that there are family or friends who can care for the child;
- A permanence placement other than adoption is more appropriate for the child.

### **Examples of Situations Where Placements with Dually-Approved Carers May be Appropriate**

Where parents have had one or more child/ren previously placed for adoption or other forms of permanent placement and the evidence strongly suggests that their circumstances have not changed and they pose the same risks as they did to the previous child/ren.

The local authority does not have a proactive plan to rehabilitate the child as the circumstances of the parents are such to pose a serious on-going risk.

Where this is the first child, the circumstances of the parents and the risks to the child are such that there is no proactive plan to return the child to the birth parents or to other family members.

Where parents have indicated that they may want their child adopted, but have not formally consented.

The local authority should not consider such a placement where the child is accommodated under section 20 Children Act 1989 and there is a reasonable likelihood that the child will be able to return to his or her birth parents or to family or friends.

### **Concurrent Planning**

Concurrent planning is usually used in cases where rehabilitation with the birth family is still being attempted, but it is expected that adoption will become the plan for the child should the rehabilitation not be successful.

Concurrent planning requires the identification and delivery of a detailed rehabilitation plan while the child is placed with carers who are approved for both fostering and adoption and who support that plan. If the rehabilitation plan proves to be unsuccessful, the foster carers can go on to adopt the child once Care Proceedings and the Placement Order application are completed.

It involves placing a looked after child with approved foster carers who, as well as providing temporary care for the child, bring them to regular supervised contact sessions with their parents and other relatives. In addition, the carer may spend time with the parents at both ends of contact sessions to update them on the child's

progress. This enables a relationship to develop which is supportive to the parents. The agency provides focused support via a contact supervisor whose role is to advise the parents to help them to change their lifestyle and improve their parenting skills with the aim of enabling their child to return home to them. If this is the outcome, the child will have maintained contact with their parents and have sustained their attachment because of the regular contact visits. But the carers are also approved as adopters so that if the parents' rehabilitation plan is not successful, the child may be placed with the carers for adoption, ensuring a continuity of attachment.