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Leicestershire Procedure for PERMANENCE POLICY

Applies to- Looked after Children

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LEICESTERSHIRE COUNTY COUNCIL

PERMANENCE POLICY

1. Purpose

- 1.1 This Permanence Policy updates Leicestershire County Council's response to the requirement of the Children Act 1989 that local authorities secure permanent care arrangements for the children in their care, whether they are subject to a Care order or Section 20 arrangement. This requirement was strengthened by revised regulations in 2015 to ensure that a long-term plan is in place for the upbringing of a child in local authority care to which everyone is working, including the team around the child, the child, and, where appropriate, the family.
- 1.2 In July 2013, changes were made to the statutory framework to say, for specified areas of decision-making, who has the authority to take the decision about a child's placement. This also required local authorities to have a published policy on delegation of authority to foster carers and registered managers of children's homes.
- 1.3 This Policy was developed to consider the Statutory Guidance that came into force in 2014 regarding strengthening the team around the looked after child; securing permanence for looked after children; improving the status, security and stability of long-term foster care and strengthening the requirements for returning children home from care. In March 2015, Statutory Guidance: "Permanence, long term foster placements and ceasing to look after a child" was published along with Care Planning and Fostering (Misc. Amendments) Regulations. The Children Act 1989 guidance and regulations Volume 2: care planning, placement and case review June 2015 followed and included:
- 1.4 Children Act 1989 Guidance and Regulations, Volume 2: Care Planning, Placement and Case Review documents published in March 2010. It now includes information contained in the following updates and supplements:
 - Delegation of Authority: Amendments to the Children Act 1989 Guidance and Regulations – July 2013
 - Looked-after children: contact with siblings – February 2014



- Looked-after children and youth justice: Application of the Care Planning, Placement and Case Review (England) Regulations 2010 to looked-after children in contact with youth justice services – April 2014
- Early permanence placements and approval of prospective adopters as foster carers: Statutory guidance for local authorities and adoption agencies – July 2014
- Out of authority placements of looked-after children – July 2014
- Permanence, long-term foster placements and ceasing to look after a child – March 2015

1.5 Leicestershire County Council's permanence policy was therefore updated to take this guidance into account and to clarify the decision-making process when permanence is to be achieved via long term foster care. The establishment of the Permanence Panel in February 2016 was the Department's response to ensure a robust decision-making pathway for agreeing, following a clear assessment process, permanence with long term foster carers.

1.1 This Policy should be read in conjunction with:

- a) Placement Sufficiency Statement and Market Position Statement 2021 -23
- b) Leicestershire County Council's Corporate Parenting Strategy.
- c) Our Promise – To children in care and care leavers
- d) 'Fostering Better Outcomes – Government response to the Education Select Committee into fostering and Foster Care in England

2. Aims, Ambition and Outcomes

2.1 The aim of this Policy is to outline Leicestershire County Council's commitment to the children in their care and our ambition to secure emotional attachment, physical stability and long-term commitment for the children and young people that become looked after by the local authority. Throughout this Policy we refer to this as 'permanence'. The objective of planning for permanence is to ensure that children have a secure, stable and loving family to support them to acquire a strong sense of identity and belonging throughout their childhood and beyond.

Progress will be monitored through the relevant local authority governance systems that will:

- Monitor the individual progress of each child and young person;
- Proactively seek the views and experiences of children, young people and their families and carers' and use this information to improve and shape services;
- Monitor the effectiveness of regular file audits to ensure the quality and timeliness of assessment and planning and the effectiveness of case management;
- Capture, analyse and disseminate performance management information² to improve and shape services;
- Ensure that performance management information is embedded into business

- planning and regularly reviewed by the business;
- Ensure that regular reports are made to the Lead Member for Children's Services and the Director of Children's Services and, when appropriate, the relevant County Council Scrutiny arrangement;
 - Receive the annual report of the Independent Reviewing Officers.
 - Engage in peer review opportunities and analysis of statistical neighbors and best performing authorities to enhance permanence.

3. Principles

There are a variety of possible pathways to permanence that are equally valued and that share common principles in planning to meet a child's lifetime needs. Some of these principles are specific to the child, others to the family and yet others to the carers as set out below:

For children

- Children and young people have the right, whenever possible, to be brought up within their own family, either with their parents, relatives or people they already have a relationship with.
- We value families that provide love, security and stability for their children and young people. When families cannot achieve this on their own, we will provide them with help.
- Where this is not possible, and children are unable to live with their birth family or extended family or friends our intention is that they will almost always be looked after in safe, stable and loving family-based care.
- Decisions about permanence will respect the child's identity including ethnic origin, cultural background, language, religion, disability, and sexuality.
- Children and young people will be encouraged and supported to express their 'voice' and 'choice' (wishes and feelings) and say what they think about anything that affects them. They have a right to participate in decision-making about where they should live on a permanent basis and the degree of contact they should maintain with their family although it may not always be possible for their wishes to be given absolute precedence.
- Children and young people will be helped to understand and make sense of their past experiences and relationships through direct work and life story work led by the child's social worker.
- Every child and young person should have appropriate support to meet their assessed needs and achieve the desired outcomes.
- Every child and young person must have information about how to make a complaint or representations, and how to access advocacy services.

For Families

- Every effort will be made to enable, support and promote the child's own birth family to provide a permanent home for the child where it is safe to do so.
- In promoting this right, services will be provided in partnership with parents, other significant people in children's and young people's lives, and with other agencies to

assist and support children's and young people's needs within the family, where that

is safe and appropriate.

- The voice and choice of families will be considered in the development and shaping of services
- Support for families will respect their identity including ethnic origin, cultural background, language, religion, disability, and sexuality

For Carers

- The carer will be recognised as a member of the team around the child and family/placement.
- The role of the carer is paramount in helping the child to feel a sense of belonging, security and identity.
- All known information about the child will be shared fully with carers.
- The permanence plan for the child, including timeframe, intended outcomes for the child, and support needs, will involve the carer at all stages of decision making and review.

4. Planning For, Assessing & Securing Permanence

4.1 Permanence can be achieved for children and young people through:

- Developing a sense of belonging to someone who is parenting them on a day to day basis and a mutual connectedness and continuity between past, present and future;
- Maintaining and supporting a stable placement and secure base;
- Helping children to feel loved and valued as a permanent member of a family;
- Nurturing positive long-lasting relationships into adulthood;
- Recognising the diversity and individuality of the child, considering their characteristics and needs and their varied pathways and experiences in the care system from the point of entry through childhood and into adult life;
- Acknowledging past relationships and instilling a positive acceptance, where possible, of their birth family when promoting contact;
- Early consideration of sibling relationships and their significance for each individual child whether siblings should be placed together or apart. (see Sibling assessment Planning Aid)
- Ensuring that there are positive relationships with other adults and key agencies that the child has contact with;
- Promoting emotional well-being and resilience through participation in hobbies and with the wider community;
- Promoting and supporting friendships and extended family relationships that last into adulthood;
- Ensuring that placements are made with a long-term view to what the right permanence solution is for the child;
- Listening to the views of the child (giving them a voice) and giving them choice.
- The assessment should specifically address the match between the child's individual needs and carer's capacity to meet them in the longer term.

• Schools and other education providers are key strategic partners in ensuring that children in care achieve success and attain well. The local authority will work closely



with schools when planning for permanence for the benefit of all children and young people in care.

4.2 The National Health Service and the Clinical Commissioning Groups are important partners in securing good health outcomes for children and young people and the local authority will work with health providers when planning for permanence for the benefit of all children and young people in care.

Assessment of permanence

4.4. Where there has been a decision, based on an assessment that it is not in child's interests to return home to their parent, and where it is not possible for the child to be cared for safely by family and friends, Leicestershire County Council will aim to provide an alternative permanent home. This may require court oversight. The placement of choice will be a permanent family unless a child's assessed needs clearly indicate an alternative type of placement is required. This will be in exceptional cases and will be dependent on individual circumstances.

4.5 The second Review of Arrangements of children in care (at four months) will be the time at which the Permanence Plan is ratified. This will consider all the assessment activity undertaken to date and will identify all elements and steps within the Plan that will need to be managed to achieve the final agreed outcome. It may need to be a provisional plan (if the child is subject to Court proceedings) or there may need to be a Parallel Plan with identified timescales. All subsequent reviews of children in care will similarly consider the child's Permanence Plan.

Securing permanence

4.6 Family-based care will support children and young people achieving good educational, health and well-being outcomes and will provide positive transitions to adulthood, employment and training, and will enable children and young people to be part of their community and to succeed in independence. The options and support for permanence that will be delivered through this Permanence Policy are detailed in Appendix 1. The national 'Signs of Safety' methodology is used

4.7 Where a child is placed with long term carers it is important that the child has access to the friends, family or community with which they are already familiar and which form part of their identity and their long-term support network. For these reasons children should be placed in local provision wherever possible, dependent on the assessment of the child's needs. Alternative families should be resident in Leicestershire where possible and sufficiently local to the child or young person's family and community so that they can maintain their networks and relationships and minimize disruption to their lives.

4.8 Any decision to place a child away from their community should be based on the needs of the child and considered within the context of a Permanence Plan. Families or residential homes outside of Leicestershire will only be considered in exceptional circumstances, usually to reduce high risks.

4.9 Where possible, an adoption opportunity will be considered as a priority for children and young people requiring permanence. If an adoption opportunity is not available, we will



secure permanence by carefully matching the needs of the child or young person with permanent Foster Carers provided either by the County Council or by another provider if possible.

5. Voice and Choice

5.6 Leicestershire County Council considers that permanence planning for children is done best with their involvement, and with the involvement of their birth parents and other family members. Working closely with the child's parents embodies family-centred practice and can facilitate permanence more quickly than if parents are not engaged. Our clear message to children and their families is that their contribution to assessment, planning and review is valued.



Appendix 1

OPTIONS AND SUPPORT FOR PERMANENCE

Living with Birth Family

Leicestershire County Council believes that all children have the right to experience family life, and that wherever it is consistent with their health and welfare, this should be with their own families. The child and the child’s family should have a voice/choice and be included in all early stages of considering alternative living arrangements.

Research evidence indicates that ‘preservation’ of the family has a higher rate of success than ‘reunification’ so the emphasis of family support is to work with families to keep them together (taking account of any risk of significant harm). This is particularly relevant for disabled children and those with complex needs where on-going or intermittent practical and financial support may be required to sustain a child remaining within the family.

Where the home situation has been considered unsafe such that pre-proceedings or care proceedings have been initiated, children identified through Signs of Safety methodology may still live at home through a ‘Safety Plan’.³ This outlines the changes necessary to ensure that the child can safely remain with their family and is carefully monitored to ensure risks are managed. If it is successful, the need for court proceedings could be prevented or care orders can be discharged, and the level of intervention reduced.

Where there are significant safeguarding concerns at that point it is essential that wider family is engaged through Safety Meetings for Family and Friends using the Growing Safety approach to enable the extended family to carefully consider how it could care on a temporary (or permanent basis) for a child at risk. This may require the need for a child to be in care but not necessarily.

All forms of permanence require the right support at the right time for the child and family/carer based on assessed needs, effective planning and review. There will be a rigorous support plan for each permanence option. This is essential to achieve the desired outcomes for the child throughout their childhood. The local authority, in partnership with other agencies, will ensure that the right support is available and successful. The support provided to the child and family/carer will match the level and complexity of need at the given time.

Supporting Birth Family Permanence

The local authority co-ordinates support services and multi-agency input to secure ‘permanence’ for the child with their birth families. The social worker will lead on achieving change and improvement in the issues that led to the child becoming looked after and support relationships between children and their birth families during placement and after return home. The CFS social work teams deliver an assessed programme of support to help prevent disruption of a long-term placement within the family network under Child in Need Plans or through the Family and Wellbeing Service. ‘Edge of care’ support is provided where required. Additional advice, guidance and information to birth families to access targeted or universal services will also be provided. For disabled children the Disabled Children’s Service will act as the ‘Edge of Care’ service. The use of ‘Safety Family and Friends Meetings’ using the Growing Safety approach is instrumental in facilitating this option.











Core Values and Behaviours – the foundation for practice

Core Values	Aspirational Achieving the best outcomes for children and families	Being Curious Digging for detail using purposeful practice	Collaboration Building relationships built on the Signs of Safety approach	Behaviours	Professional Kindness Understanding trauma for children, parents and colleagues	Active Listening Listening to build robust solutions	Outcome Focused Creating measurable improvements for children and families	Being Accountable Everyone is responsible for high quality practice
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Living in Connected Persons Care (Family and Friends Care)

Research shows clearly the importance of thinking beyond legal permanence in finding solutions to match individual children’s needs. The first priority in planning services, and in reaching any decision about a child’s needs, will be to ensure the child’s safety and welfare.

In some cases, children may not be cared for by their birth parents because it is not consistent with their safety and welfare, or because their parents are unable to look after them. Where this is the case, either on a temporary or on a permanent basis, Leicestershire County Council will first look to place children with members of the extended family, wherever this is assessed as being consistent with their welfare.

Connected Persons (Family and Friends) arrangements can play a unique role in enabling children and young people to remain with people they know. The majority of relatives who provide care are grandparents, aunts and uncles or sometimes older siblings. Where children cannot be cared for within their own extended family, Leicestershire County Council will then ascertain if there is anyone deemed suitable within their friends and support network with whom it would be appropriate for the child to stay.

This will need to be specifically discussed and agreed. If the child does need to be looked after with foster carers, or exceptionally in a children’s home, the social worker will work with the child looked after and his/her family as well as his/her alternative carers, with the aim of making it possible for the child to be returned home or to family members, providing this is consistent with his/her safety and well-being. This includes providing help and support to parents or other relatives. Such help and support will be linked to specifically agreed objectives and outcomes for staff and parents, to which time scales will also be attached.

In support of the aim to return children to their parents or families wherever possible, there will be a plan to maintain contact between children, parents, and other important relatives. Planning for children includes a responsibility to discuss plans with them and establish their voice and choice, as well as making a judgement about their needs. Their voice and choice must be recorded and as far as possible taken account of in any decision-making and must be carefully considered in each review meeting.

Connected Persons (Family and Friends) Support

For each option of ‘Connected Persons Care’ permanence, the authority provides a range of support services if it is required, based on assessed needs of the child and the circumstances of the family. Likewise, the Disabled Children’s Service will look at family and friends to secure permanence for disabled children who are in care

Informal family arrangements

A child’s parents (or a child with the consent of its parents) may choose to live informally with a person to whom they have a close relationship. The child’s birth parents remain responsible for their child, including ensuring that they are safe and that their needs are met. If the child is not assessed as a Child in Need (Section 17 Children Act) the Council will not intervene or be informed of such arrangements. If the child is assessed as a child in need, the authority may provide a range of support services.¹

¹ Further details can be accessed via the link to Leicester City, Leicestershire and Rutland Children and Young People’s Service Procedures Manual:

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Children in Need 2.1.1 and 2.1.2 <http://lrcchildcare.proceduresonline.com>

Private Fostering

If the child, aged 16 or under, lives with any person who is not a close relative (by blood, marriage or civil partnership) for 28 days or more, the child is privately fostered. The child's birth parents remain responsible for their child, including ensuring that they are safe and that their needs are met. However, it is the duty of local authorities to satisfy themselves that the welfare of children who are, or will be, privately fostered within their area is being, or will be, satisfactorily safeguarded and promoted. It is the local authority in whose area the privately fostered child resides which has legal duties in respect of that child.

There is a duty on parents of a child who is, or will be privately fostered to advise the Council of such arrangements. The Council may provide a range of support services.²

Child Arrangements Orders

Child Arrangement Orders were introduced with The Children and Families Act 2014 and replace Residence Orders and Contact Orders which were brought in by the Children Act 1989. A 'child arrangements order' decides:

- where a child lives
- when a child spends time with each parent
- when and what other types of contact take place (phone calls, for example)

A child may be subject to a Child Arrangement Order either through a private law application or as the outcome of Care Proceedings. If the Order is made as a result of private application, Leicestershire County Council may not be involved. If the child or family is known to the Council, they may be asked to provide a report to court.

Child Arrangement Orders can be used to secure legal permanence for a child with their extended family, others within their kinship network or their current foster carers where any one of these has been identified as the preferred option. A person named in the order as a person with whom the child is to live, **will** have [Parental Responsibility](#) for the child while the order remains in force. Where a person is named in the order as a person with whom the child is to spend time or otherwise have contact but is not named in the order as a person with whom the child is to live, the court **may** provide in the order for that person to have Parental Responsibility for the child while the order remains in force.

The order gives Parental Responsibility (PR) to the person who obtains the order but does not take it away from parents or others who already have it. The order means that the child does not need to be looked after by the Local Authority and that parents and others originally holding Parental Responsibility continue to have a role and are likely to have on going face-to-face contact. Where a Child Arrangement Order is made because a child might otherwise have been looked after by the local authority, or where existing foster parents obtain an order, the County Council may pay a Child Arrangement Order Allowance.³

² Further details can be accessed via the link to Leicester City, Leicestershire and Rutland Children and Young People's Service Procedures Manual links for further details:

[Private Fostering 1.5.1 http://lrcchildcare.proceduresonline.com](http://lrcchildcare.proceduresonline.com)

³ Further details can be accessed via the link to Leicester City, Leicestershire and Rutland Children and Young People's



Service Procedures Manual links for further details:
Residence Orders 1.1.7 /ROs and Foster Carers 3.9.8 <http://lrchildcare.proceduresonline.com>

Special Guardianship Order (SGO)

Special Guardianship was introduced within the Adoption and Children Act 2002.⁴ A child may become subject of a SGO through a private law application or as the outcome of Care Proceedings. The person in whose favour the SGO is made has parental responsibility (subject to any other order in force with respect to the child under this Act), a special guardian is entitled to exercise parental responsibility to the exclusion of others with parental responsibility and is responsible for ensuring the child is safe and their care needs are met.

Special Guardians can apply for on-going or one-off financial support and at any stage request an assessment of need. The Local Authority has a duty to undertake this where the child has previously been looked after. Before the making of an SGO, an assessment must be undertaken if requested by a parent, child, or special guardian or prospective special guardian. Once an SGO is granted, these parties as well as any person whom the local authority considers having a significant and ongoing relationship with a child may request an assessment of need for SGO support services.

Permanent foster care is different from a foster placement that lasts a long time. It is ensuring, through a careful matching process, that the right family is identified and supported to care for a child through childhood and into adulthood.

Permanent Foster Care and Long-Term Foster Care

Finding permanent carers for looked after children is a key role of the Local Authority. For all types of carer the Local Authority must assess, train, approve, supervise and support carers and they must be annually reviewed against Fostering National Minimum Standards. All potential foster carers have to be recommended by a statutory panel that is legally constituted with a proportion of independent members and approved by the Agency Decision Maker.

Where a relative or family friend (Connected Persons carer) does not come forward to permanently care for a child the process of 'family finding' needs to be undertaken. This is a joint activity between those professionals responsible for the child and those responsible for assessing and approving carers and service commissioners.

In Leicestershire, all proposed matches of a child with a permanent foster carer will be considered at the Permanence Panel.

Long-term fostering as an option for long term care will be considered only where there is a clear assessment and Panel find that the child's needs can be appropriately met in this way. *The suitability of long term fostering as a plan depends on the future involvement of the parents and the child's individual needs, and whether there is a clear indication that the carer will be able to meet those needs now and in the future as the child develops.*

Consideration should be given to the carers support needs, training, experience in meeting children's needs, the needs of others living in the household (particularly if they have care needs) and any history of concerns.⁵

⁴ Further

Leicestershire County Council | STRONGER Together | Family Hubs | FAMILY ADOPTION LINKS | Fostering Leicestershire.com | FOSTERING FRIENDLY EMPLOYER | we care strategy

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details can be accessed via the link to Leicester City, Leicestershire and Rutland Children and Young People's Service Procedures Manual links for further details:

Special Guardianship Order 4.2.2 lrchildcare.proceduresonline.com

⁵ *Italic* – amendment added on review in May 2020

Permanent and long-term fostering support

All approved foster carers will have an allocated, suitably qualified supervising social worker. The allocated supervising social worker is responsible for supervising and supporting carers, ensuring that they have the necessary guidance, support and direction to maintain a quality service, including safe caring practices. This will include an understanding that they must work within the **National Minimum Standards for Fostering Services** and the agency's policies, procedures and guidance.⁶

However, it is the social worker of the child or children in the foster placement who hold responsibility for specific advice or support in relation to the child and his or her Care Plan and Placement Plan.

The supervising social worker must also ensure that the foster carers' training and development needs are identified, and that newly approved carers work towards meeting the training, support and development standards and complete their core training within the first 12 months of approval. This principle also applies to all commissioned placements and will be part of the annual review of the service being provided as well as monitoring and contract compliance by Placements and Commissioning service.

Adoption

Adoption remains the most legally secure permanence option, often for younger children, who cannot remain with their parents. All parental rights and responsibilities for a child are permanently transferred to an adoptive parent by a court order. As a result, the child legally becomes part of an adoptive family. Adoption plans will need to identify all relevant time scales throughout the process. Birth parents will be offered the support of another social worker who is independent of the team who are planning for the child.

All children looked after for whom adoption is the plan will have a named social worker who will work with them through the planning and placement process up until the time that the Adoption Order is made. Information about the adoption process, including written information, will be given to the child by the child's allocated social worker. The social worker will ensure that life story work is done with the child to prepare him or her for a new placement. This may be done by the child's social worker or by another suitable worker or carer.

Where a prospective adoptive family is identified, they will be provided with full social, medical, and legal information about the child and his/her circumstances, in order that they might reach an informed decision about whether they feel able to parent the child appropriately. Adopters will be provided with advice and training on how to keep relevant information about their adopted child safe, and how to share it appropriately in due course.

⁶ Further details can be accessed via the link to Leicester City, Leicestershire and Rutland Children and Young People's Service Procedures Manual links for further details: Support to Foster Carers 3.2.11 and 3.9.5 lrchildcare.proceduresonline.com and Support to Disabled Children 2.2.1 lrchildcare.proceduresonline.com



Adoption Support

The Adoption Agency will be able to financially support adopters where such support is assessed as being necessary to support the child’s adoption, and where he/she would otherwise be denied the opportunity. Eligibility for such financial support will therefore be assessed based on adopters’ financial circumstances, where a judgement has already been reached that the adopters could meet the child’s needs. Leicestershire County Council offers support to all adopters pre and post-adoption to provide help in sustaining placements and in managing contact issues.⁷ Where there are difficulties within an adoption placement, either before or after an Adoption Order is made, lifelong support will be made available to the child and the adopters.

Should the placement break down the Council will ensure that any learning from the disruption be disseminated to key groups to improve service delivery for other children and families.

⁷ Further details can be accessed via the link to Leicester City, Leicestershire and Rutland Children and Young People’s Service Procedures Manual links for further details: Adoption Support 4.1.5
lrchildcare.proceduresonline.com