

Together for Children Sunderland Adoption
ADOPTION PANEL
CONSTITUTION AND TERMS OF REFERENCE

August 2017



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Adoption Agency
Constitution and Terms of Reference**

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**TOGETHER FOR CHILDREN SUNDERLAND ADOPTION
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1. INTRODUCTION

Together for Children Sunderland's Adoption Service is a Voluntary Adoption Agency set up registered with Ofsted from 1 April 2017.

All Adoption Agencies are legally required to have Adoption Panels.

The Regulations ensure that Adoption Panels have an independent role separate from the agency.

The duties of an Adoption Agency for establishing and operating an Adoption Panel are set out in the Adoption Agency Regulations 2005 (as amended). Guidance is provided in the First revision of the Adoption and Children Act 2002: February 2011. Further detailed guidance and best practice advice is also available in the BAAF publication Effective Panels.

Together for Children Sunderland Adoption Panel considers the approvals of applicants as suitable to adopt (adopter approvals, reviews of adopter approval with a negative recommendation, recommendations for termination of adopter approval, approval as concurrent foster Adopters) placements (matches) for Adoption and within the terms of the Together for Children Sunderland's Permanence Policy.

This constitution and terms of reference provides the framework for the operation of the Adoption and this document is reviewed annually or earlier if required by changes in regulations or the updating of the legislative framework in which Adoption Agencies function.

2. AIMS AND OBJECTIVES

- 2.1 The aim of the Together for Children Sunderland Adoption Panel is to ensure the provision of a high quality Adoption service that safeguards and promotes the welfare of children looked after by Together for Children Sunderland.
- 2.2 The Adoption Panel will carry out its responsibilities in accordance with the, Adoption and Children Act 2002, Adoption Agency Regulations 2005 and other associated Adoption Guidance and Regulations, The Children and Families Act 2014 and departmental policy and procedure
- 2.3 The Adoption Panel is committed to practice that promotes inclusion and diversity. It will not discriminate on the grounds of gender, race, religion, sexuality, age or disability in its provision of a service that meets the needs of children in need of Adoption.
- 2.4 In all matters the Adoption Panel will hold the welfare of children to be paramount. The welfare checklist provided in section 1(4) of the ACA 2002 will be considered when any recommendation in relation to Adoption is being made.

3. ROLE AND RESPONSIBILITIES

3.1 The role of the Adoption Panel is to consider;

- Whether an individual child with a plan for Adoption should be placed for Adoption with particular Adopters. At the same time Panel is required to consider:
 - a) Together for Children proposals for the provision for Adoption Support Services.
 - b) The arrangements the agency proposes to make for allowing any person contact with the child and
 - c) Whether the parental responsibility of any parent or Guardian or the prospective Adopters should be restricted and if so, the extent of any such restriction.
- Whether applicants are suitable as prospective Adopters. This includes the suitability of prospective Adopters as prospective Adopters wishing to adopt via Inter Country Adoption. When the Panel recommends that the prospective adopter is suitable to adopt a child the Panel may also give advice about the number of children the prospective adopter may be suitable to adopt, their age range, gender, likely needs and background.

- Whether applicants are suitable as prospective Adopters / foster carers for the purposes of concurrent planning and placement of children.
- Whether applicants are suitable to adopt the child they have been fostering as part of a concurrent plan or as part of a foster to adopt plan.
- Reports regarding reviews of Adopters approved and waiting for matching with a child where the Agency considers that there have been significant changes to the lives of the Adopters since their approval.
- Recommendations by the Agency for termination of approved adopter status for Adopters where the review process indicates to the Agency that this is the appropriate plan.

In addition to the above the Adoption Panel should participate in the preparation and the review of agency procedures and policies in relation to Adoption.

- 3.2 The Adoption Panels role is to provide thorough and critical consideration of all cases presented to it and to make sound and appropriate recommendations to the Agency Decision Maker. The Panel will not make any conditional ('in principle') recommendations in relation to recommendations subject to Adoption Agency Regulations, but may defer a recommendation (see section 16) where more work is indicated.
- 3.3 The Panel will monitor the standards and quality of assessments and reports and give feedback to the appropriate Managers via the Panel Adviser. The Panel will be rigorous in their approach to quality assurance and will contribute to the development of good practice.
- 3.5 The Panel is committed to inclusive practice that promotes diversity and will be transparent in its process of arriving at a recommendation. The Panel will welcome comments and suggestions, which will improve both its practice and operation. Questionnaires are sent to all those who have attended Panel to assist in gathering the views of the different service users.

The Panel will make use of service user feedback in its annual appraisal processes in order to inform service and individual member development. This process will include the Agency Decision Maker.

The Panel provides quality assurance feedback to the Agency Decision Maker via a formal meeting with the Chair, the Agency Decision Maker and the Panel Advisers for Adoption (Adoption National Minimum Standard 17.2)

4 MEMBERSHIP

- 4.1 As an Adoption Panel, the membership must satisfy regulations related to both Adoption and Fostering Panels.
- 4.2 Membership of Adoption Panels is prescribed by The Adoption Agencies and Independent Review of Determinations (Amendment) Regulations 2011.
- 4.3 The membership of the Together for Children Sunderland Adoption Panel will be drawn from “the central list”.
- 4.4 The central list is a list of persons whom the Agency considers have the appropriate qualifications and /or experience to consider the cases submitted to the Adoption Panel for its consideration. There is no limit to the number of people on the central list and the same people do not have to be appointed to every Panel meeting.
- 4.5 The central list is compliant with Adoption Agency Regulations in its composition and includes;
 - Adoption Social Workers with at least three years’ relevant post qualifying experience in child care social work, including direct experience in Adoption work. The Adoption Social Workers do not need to be employed by the agency.
 - The Medical Adviser to the Adoption Agency.
 - Other persons. These are persons whom the agency considers suitable including Social Workers for the Agency and those not employed by the Agency to reflect the independent nature of the Panel. These include people with personal experience of Adoption as adopted people and adoptive parents, formerly looked after people, education and health professionals, and elected members.

The Adoption Panel currently has a core membership of seven members, and can be supplemented by other members from the central list in order to ensure Panel meetings are quorate. This core membership comprises;

- the Chair who is independent of the Agency
- the Vice Chair who is independent of the Agency
- an adopted person
- an adoptive parent
- an education professional
- an elected member
- social worker 3 years qualified with experience of adoption

Regulation 4(1)(b) requires the agency to appoint one or two people from the central list to be Vice-chairs. There is no requirement for the Vice chairs to be independent of the agency 'though this would be preferable where feasible'. Both Vice-chairs on the Adoption Panel are independent of the Agency.

A quorate Panel Meetings is achieved with five members being present at the meeting. These five members must include the Chair or Vice Chair and the Adoption Social Worker. Where the second Vice Chair has to Chair the meeting. If the Vice Chair is not an independent member then at least one independent member will also need to be present.

- 4.6 The Panel endeavours to reflect the composition of the community that the Agency serves whilst ensuring a broad range of relevant experience and skill remains available to the Panel process.
- 4.7 All Panel Members have suitable qualifications and/or experience and are expected to comply with the Panel protocol.
- 4.8 There is no fixed term of office for Panel Members and tenure will be reviewed with Panel Members as part of their annual appraisal with the Chair and the Panel Adviser.

Panel Members will be recruited, by the Panel Adviser, and for the Independent Chair Person, The Agency Decision Maker. Recruitment will be via advertisements either within the agency (for agency nominated representatives) or via relevant publications (for independent members). The exception to this is the agency medical adviser who will be nominated by the Primary Care Trust.

Applicants will be required to submit a completed application form and attend an interview with the Panel Adviser and Independent Chair. Verbal and written references and an enhanced Disclosure and Barring Service enquiry and a home LA check will be obtained for each Panel Member prior to their being appointed.

5. PROTOCOL FOR MEMBERS

- 5.1 All Panel Members are required to sign a Panel Members Agreement
- 5.2 All Panel Members are required to arrive on time for all Panel meetings. Members unable to attend a Panel meeting must ensure that apologies are sent in advance to the Panel Adviser and Panel Administrators.
- 5.3 Panel Members will be committed to inclusive practice that promotes diversity and will consider each case on its own merits.

- 5.4 Each Panel Member has a duty to maintain the confidentiality of the information to which they have access. The agreement that Panel Members sign includes a section on confidentiality.
- 5.5 Panel Members will have read all Panel papers carefully before Panel and will come prepared to contribute to Panel discussions.
- 5.6 Panel Members are expected to keep up to date with developments in Adoption and to avail themselves of training opportunities. The Panel Adviser will offer advice and support on this.
- 5.7 Panel Members will be kept informed about current practice, issues and legislation in relation to Adoption by means of updates from the Panel Adviser and consultations.
- 5.8 A minimum of 2 annual training events is offered. There is an expectation that Panel Members will attend 50% of the training events. During the process of annual appraisals of members by the Chair and the Panel Adviser panel Members will be consulted on the content and format of the training offered.
- 5.9 Panel Members must declare any personal or professional interest in any matter for consideration by the Panel.
- 5.10 All Panel Members will have a current enhanced disclosure from the Disclosure and Barring Service, which will be updated every three years. Panel Members must inform the Panel Advisor and/or the LAC Service Manager immediately if they are convicted or cautioned for any criminal offence.
- 5.12 Each Panel Member will have a file held by Together for Children Sunderland Adoption Agency with details of recruitment, references, full name, date of birth, home address, proof of identity, photograph, qualifications and experience and any complaints and allegations made against the Panel Member including details of any investigation and its outcome.
- 5.13 All new Panel Members will be expected to observe at least one Panel and to shadow at least one Panel prior to full membership. Where new members have previous Panel Membership, it may be agreed that they need only to observe one Panel prior to membership.
- 5.14 All new Panel Members will receive a comprehensive induction pack and will have an induction programme. The Panel Adviser will offer support regularly to independent members in a way agreed with individual members.
- 5.15 All Panel Members will take part in the annual review of their performance.

- 5.16 A Panel Member may resign at any time by giving 28 days notice in writing to the Panel Chair or Panel Adviser. If is of the opinion that a member is unfit or unable to hold office, the agency may terminate his or her office by giving him or her notice in writing of the reasons.
- 5.17 The Panel Adviser, in consultation with the Panel Chair, will informally approach any Panel Member whose behaviour is considered inappropriate or their contribution is ineffective. If the matter cannot be resolved at the informal stage by further individual training and/or advice and guidance, a letter addressing the issue will be sent to the Panel Member with a copy to the Agency Decision Maker and Panel Chair. If there are no substantive changes and difficulties persist then consideration will be given to terminating their membership. If this course of action was to be undertaken and the Panel Member was dissatisfied then appeal could be made in writing to the Agency Decision Maker whose decision is final.
- 5.18 Panel Members who do not attend Panel as part of their employment will receive an expense payment of £120 per full day Panel attended, or £60 for a half-day attendance (full day is 6.5 hours and over/half a day being 3.5 hours and anything in between being calculated on a pro rota basis). Claim forms should be completed by the Panel Member and submitted to the Panel Advisor for authorisation. This payment will cover all childcare and other costs associated with Panel preparation and attendance. Reasonable transport costs are reimbursed by agreement with the Panel Adviser, but should not exceed 30 miles each way.

6 PANEL CHAIRPERSON

- 6.1 The Chair of the Adoption Panel is independent of the Agency. The most significant qualities that the independent Panel Chair must demonstrate are;
- The authority and competence to Chair a Panel
 - The ability to analyse and explain complex information
 - The ability to identify key issues, problems and solutions
 - Excellent interpersonal, oral and written communication skills.

The Chair should have a sound understanding of the adoption process and significant experience of working at a senior management level and the necessary skills to Chair lengthy complex meetings and to ensure that the Panel's work is carried out efficiently and sensitively.

The Agency Decision Maker will be responsible for the recruitment of the Panel Chair in liaison with the Panel Adviser. When a vacancy arises for a Panel Chair, advertisements will be placed in relevant publications.

- 6.2 The Chair will ensure that Panel meetings are conducted in a professional and proper manner and that all items of business are covered and to assume responsibility for co-ordination of discussion and time keeping. The Chair will ensure that all applicants, Social Workers and Managers attending Panel will be treated with respect and courtesy.
- 6.3 The responsibilities of the Chair include:
- Deciding who will attend Panel in addition to Panel Members
 - Ensuring that all Panel Members contribute fully to the Panel's recommendation and to ensure that where Panel Members have serious reservations these are recorded in the minutes of the Panel's meetings.
 - Ensuring that all Panel minutes are accurate
 - Involvement when a Panel Member appears unfit, unwilling or unable to continue
 - Involvement in deciding when a matter is urgent and when an additional Panel meeting may need to be convened.
 - That there is clarity concerning the reasons for Panel's recommendation and accurate recording of such.
 - The promotion of good practice and consistency of approach and fairness by Panel Members in conducting Panel business.
- 6.4 The Chair of the Panel will be responsible for producing a report of the Panel's work for Together for Children Sunderland Adoption Agency Adoption Panel every six months in accordance with Adoption National Minimum Standard 25.6.
- 6.5 The Agency Decision Maker undertakes an annual performance review of the Panel Chair. The views of Panel Members and those attending Panel will be asked to contribute to this process by completing attendance questionnaires and the time of attendance and by the Panel Adviser canvassing their views at the time of the performance review.

6 PANEL VICE CHAIR

- 6.1 The Vice Chair should have the skills and experience necessary to deputise for the chair. These should be similar to the qualities for the Panel Chair.
- 6.2 The Vice-Chair will be another independent Panel member, reflecting the requirement for an Independent chair.
- 6.3 There may be a second Vice Chair appointed; the second Vice Chair is not required to be independent of the Agency but, if they Chair the Panel meeting, there must be an independent member present to ensure that the panel meeting is quorate.

7 INDEPENDENT MEMBERS

- 7.1 A member of Together for Children Sunderland Adoption Panel may not be considered independent if:

They or a relative have been employed within the last year within the Agency's Children's Services. This includes elected membership.

An adoptive parent cannot be considered independent of the Agency if they have been approved by the Agency or had a child placed with them by the Agency unless at least 12 months has passed since the making of the Adoption Order. They are also not considered independent if they are receiving Adoption support through the Agency.

- 7.2 Independent members will have personal or associated professional experience of Adoption.

8 MEDICAL ADVISER

- 8.1 The medical adviser is a member of the Central List and is therefore required to make a recommendation in relation to each of the cases considered. He/she is not confined to commenting solely on medical issues and is encouraged to make an active contribution on all matters.
- 8.2 The Medical Adviser will be a senior member of the community child health service and will have an in-depth knowledge of child health and development and the consequences of abuse and neglect.
- 8.3 The Medical Adviser is available, where appropriate, to children, Social Workers, Foster Carers, Adopters and birth family members. The Medical Adviser will provide a written report to the Panel on Adopters, Foster Carers and children presented and will be available to discuss resulting issues. Where appropriate he/she will also be available for consultation and advice on emerging medical issues post placement.

9 LEGAL ADVISER

- 9.1 The Legal Adviser is a lawyer employed by Together for Children Sunderland and is experienced in family and childcare law and in Adoption work.
- 9.2 The Legal Adviser will give specific legal advice to Panel Members on each individual case presented to the Panel.

- 9.3 The Legal Adviser will give general advice to Panel Members on the legal functions and duties of the Panel.
- 9.4 If the Legal Adviser is unable to attend Panel they will ensure that alternative arrangements are made in order that the Panel can have legal advice.
- 9.5 The Legal Adviser can be contacted by Social Workers for advice.

10.0 PANEL ADVISER

- 10.1 The Panel Adviser to Panel must be a senior member of staff with at least five years post qualifying experience and relevant management experience. The Panel Adviser does not have line management responsibility for social work staff within the fieldwork service and plays a key quality assurance, advisory and developmental role within the department.
- 10.2 The Panel Adviser will advise the Chair and Panel as required on matters relating to Together for Children Sunderland Children's Services practice, policy and procedure.

The Panel Adviser is responsible for ensuring that paperwork submitted to Panel by the Agency is compliant with the relevant legislative and regulatory framework, and that it is of sufficient quality and detail to enable the Panel to reach a recommendation and the Agency Decision Maker to make an Agency Decision.

- 10.3 The Panel Adviser is responsible for ensuring comprehensive and appropriate papers are sent to Panel Members at least five working days before the Panel meeting and for reporting back to the agency any concerns or issues raised by Panel Members.
- 10.4 The Panel Adviser is responsible for ensuring that accurate and timely minutes of Panel are produced and that verbal and written notifications of the Agency Decision are forwarded within the agreed timescales.
- 10.5 The Panel Adviser will assist the Agency in the appointment, termination and review of Panel Members. The Panel Adviser is responsible for the induction and training of Panel Members and for monitoring the performance of Panel Members and Panel administration.
- 10.6 The Panel Adviser is available for consultation and advice on matters relating to the Panel and permanence practice, and attends a briefing meeting with the Agency Decision Maker after every Panel meeting. If the Panel Adviser is unavailable alternative arrangements will be made to ensure that Panel has agency advice.

- 10.7 The Panel Adviser will provide Panel Members with specialist advice and access to appropriate training materials as necessary.

11 OTHER ADVISERS

- 11.1 If other specialist advice is required for any other reason the Panel Adviser to Panel will source this appropriately.

12. CONFIDENTIALITY

- 12.1 All information presented to the Adoption Panel is confidential and Panel Members must respect this.
- 12.2 All Panel Members (and **all** observers) will be required to sign a confidentiality agreement. For Panel Members this is included in the Panel member's agreement.
- 12.3 All Panel Members must be able to indicate what arrangements they have for ensuring that confidential papers sent to them are kept in a secure place.
- 12.4 All documentation and reports must be returned to the Panel Administrator at the end of each Panel meeting. If a Panel Member is unable to attend a Panel meeting it is their responsibility to ensure that the papers are returned safely to the Panel Adviser.
- 12.5 Any breach of confidentiality by a Panel Member will be considered as serious and will be taken up by the Panel Adviser and the Chair of the Panel.

13. CONFLICT OF INTEREST

- 13.1 It is possible for a Panel Member to have some knowledge, either in a professional or personal capacity, of a case under consideration.
- 13.2 If a Panel Member believes they may have personal knowledge they should not read the papers before seeking advice from the Panel Adviser or Panel Chair.
- 13.3 Professional knowledge should be declared at the Panel meeting.
- 13.4 The Chair will decide whether a declared interest in a case is such as to debar the Panel Member from the discussion relating to that case and/or participation in the Panel recommendation.

- 13.5 Declaration of an interest, personal or professional, may not of itself preclude a Panel Member from being involved in considering the item. Any declaration of interest will be recorded in the Panel minutes.

14. ADMINISTRATION OF THE PANEL

- 14.1 An experienced Administrator will support the work of the Panel.
- 14.2 Cases will be booked to Panel agendas in good time by Social Workers to ensure that the requirements of the Panel processes do not cause delay to decision making and planning for children and their families.
- 14.3 Cases will be confirmed on the Agenda once the relevant paperwork has been received and it is agreed by the Panel Adviser that they meet the required standards. If Social Workers require particular times for their Panel appointment they must submit this request at the time of submitting their paperwork.
- 14.4 Panel Papers will be collated, indexed and sent to Panel Members at least five working days before the Panel meeting.
- 14.5 Late submissions will be tabled further to discussion with the Panel Adviser and Panel Chair
- 14.6 The Panel must keep minutes of its meetings and a written record of its recommendations and reasons. The minutes must accurately reflect the discussion and cover the key issues, rather than be a verbatim record of the meeting. The Panel Chair is responsible for ensuring the accuracy of the Panel's minutes in terms of the recommendations made and reasons for them before they are shared with the Agency Decision Maker.
- 14.7 The Adoption Panel Administrator will minute Panel meetings. The minutes will record:
- Date of Panel
 - Attendance at Panel
 - Name of applicants/Adopters/child
 - Purpose of presentation to Panel
 - The paperwork submitted to Panel
 - Issues raised by Panel Members
 - Areas discussed with Social Workers and applicants
 - The positive factors and potential difficulties/risk factors
 - Any legal advice given
 - The Agency's compliance within each case presented with National Minimum Standards
 - Recommendation reached together with the reasons for the recommendation including detailing the reports read by Panel

- Any advice to the agency from the Panel
- Any reasons and reservations of those not able to support the recommendation.
- Any request from Panel for further information, amendments to reports or reporting back to Panel
- Any practice issues formally identified by Panel to be feedback to the Agency.
- Any business for discussion

14.8 The Chair will ensure the accuracy of Panel minutes before they have been through the Agency Decision Making Process and these will be shared with the Panel at the next Panel meeting when Panel Members are able to comment on the minutes as matters arising.

14.9 The Panel minutes and the Record of the Agency Decision, made when the plan for a child is considered, and in respect of matching a child with Adopters, will be placed in the child's Adoption Case Record to be available to him or her. The child will only have access to the parts of the minutes relating to them, not to the Adopters.

14.10 The Panel minutes and recommendation relating to the approval or review of approval of Adopters will be placed on the Adopters file. Adopters do not have the right to see Panel minutes, however they will receive the list of the positive factors and areas of vulnerability identified by Panel with their letter informing them of the Agency Decision.

14.11 A central record of all minutes of the Adoption Panel is kept electronically by the Agency.

14.12 The Panel Administrator will collate relevant statistical data within the Adoption service.

14.13 The tabling of reports and agenda items is co-ordinated by the Panel Administrator in consultation with the Panel Adviser. Panel Members will receive copies of the agenda and all reports/papers at least one week in advance of the meeting. An agenda is sent to all Panel attendees.

14.14 The Panel Administrator will be responsible for the booking of rooms for Panel meetings and all practical arrangements relating to Panel business.

15. PANEL MEETINGS

15.1 The Panel meet every 2 weeks usually from 09.30 – 16.30 (Schedule of panel dates is collated by the Panel Administrator and circulated to panel members)

15.2 The Panel will consider cases with the following minimum timings:

- Approval of prospective Adopters: 45 minutes
 - Placement of children with particular Adopters: 60 minutes (at the discretion of the Panel Advisor in discussion with the Chair)
 - Termination of approval and negative recommendations at discretion of Panel Adviser
- 15.3 Panel Members are expected to read the Panel papers in advance of the Panel meeting and come prepared to contribute to the discussion. All Panel Members have an equal role in reaching a recommendation. However the Chair does hold the casting vote.
- 15.4 Panel Members will provide questions via SharePoint portal by 12 Noon the Sunday before Panel Meeting is to be held. The Chair will coordinate this and the Panel Administrator will facilitate the printing off of question sheets for applicants on the morning of the panel.
- 15.5 The Chair will ensure that the questions cover all areas of concern and are assigned to Panel Members at the beginning of the Panel Meeting.
- 15.6 Applicants and Social Workers will have copies provided of the questions to be asked prior to their entering the Panel meeting. The Chair will meet with applicants prior to them coming into the meeting to provide them with information about the running of the Panel meeting.
- 15.7 Where there are questions to be answered about confidential references, third parties, or particular practice issues, the Chair will invite the Social Workers into the Panel meeting without the applicants present. Once those issues are dealt with, if the matter can proceed the applicants will be invited in, and if the matter is deferred, the Chair and the Panel Adviser will explain this to the applicants with the relevant Social Workers for the case.
- 15.8 The Chair will ensure that the Social Workers and applicants have the opportunity to present any other relevant information when they are invited in to the Panel meeting.
- 15.9 Panel Members will endeavour to reach a consensus and the Chair will ensure that all members have the opportunity to express their views. Every Panel Member must express a view about whether or not they support the recommendation.
- 15.10 If a consensus cannot be reached then a majority view will prevail with the dissenting member's views being recorded and attributed in the minutes. The view of those not able to support the recommendation will be communicated to the Agency Decision Maker. The Chair will make the final decision on the recommendation and may seek advice from the Legal Adviser and the Panel Adviser. The Chair holds the casting vote.

15.11 If there is insufficient information available for Panel to reach a recommendation, they will defer the case (see section 16) until the additional information is provided by the relevant Social Worker/s.

15.12 At the end of each case the Chair will summarise the recommendation made and the reasons for it, detailing strengths and areas for additional support. The Chair will also advise all attendees of the decision making process and when the agency's decision will be made.

16. PROCEDURES FOR DEFERMENT OF CASES

16.1 Guiding principles

16.1.1 All cases presented to the Adoption Panel should comply with National Minimum Standards. Panel minutes will note where this has not been the case and the reasons for those standards not being met.

16.1.2 The responsibility of the Panel is to ensure that all available pertinent information is taken into account when considering its recommendation to the Agency Decision Maker. The responsibility for ensuring "readiness" for Panel rests with the Team Manager for the Social Worker for the child. In work being completed under the Adoption Agency Regulations 2005, where a worker has been qualified for fewer than three years, or has not had three years practice experience of Adoption placement work, the Team Manager is additionally responsible for the submission and "ownership" of all written reports to the Panel.

16.1.3 The relevant Team Manager should work to meet the National Minimum Standards and all regulatory requirements of the work, whilst maintaining a focus on the primacy of the welfare of the child and the principle of no delay as set out in the Children Act 1989.

16.1.4 The Panel Adviser is responsible for providing advice and consultation to Team Managers and their Social Work staff to ensure that they have the best opportunity to work in a timely way. The Panel Adviser is also responsible to ensure through careful scrutiny that the reports submitted to the Panel is of the required standard and that the care planning reflected in those reports is also sufficiently robust for the Panel and the Agency Decision Maker to complete their respective processes.

16.1.5 Any decision to defer a case prior to the Panel meeting must be made in consultation with the relevant Team Manager for the case. Cases should only be deferred as a very last resort in order to ensure minimal delay for children. Panel administration processes will remain as flexible as

possible within the available resources to ensure that deferment of a case is the last resort.

16.1.6 Once Panel papers have been circulated to Panel Members, any decision to defer a case before the Panel meeting should be made as early as possible by the Chair and/or Panel Adviser. The Chair will liaise with the Panel Adviser before they make a decision to defer a case in order to ensure that the opportunity to gather any missing information is offered to the Social Workers.

16.1.7 Deferring a case at a Panel meeting should be avoided if at all possible as this leads to additional delay in legal proceedings and causes much distress to applicants/carers. Deferring at the Panel meeting also prevents time being available for other cases.

16.1.8 The Adoption Team Manager, the Panel Adviser and the Chair have the power to defer a case before Panel. However consideration at a Panel meeting may reveal a significant gap in information, evidence or analysis that was not clear before an individual contribution is made or a pattern or theme emerges from collective discussion. This could lead to a case being deferred at a Panel meeting. This underlines the value and purpose of an Adoption Panel with its different professional and lay perspectives carrying out a quality assurance role.

16.1.9 If a regular pattern of deferment were to occur this would be a matter of serious concern. Panel would need to arrange urgent discussions with the Team Managers of the Adoption and Permanence Teams and the Agency Decision Maker and scrutinise its own performance.

16.2 Deferment before a Panel meeting

16.2.1 Once papers have been circulated to Panel Members, if the Chair considers a report has significant gaps in information, evidence or analysis or is of a poor quality he/she will contact the Panel Adviser (or Panel Administrator in the Panel Adviser's absence) to discuss the concerns. The Chair should either:

- 1) ask for the case to be deferred or
- 2) if there is sufficient time available ask the Panel Adviser to ask the responsible Social Workers, in consultation with their Manager, to write a supplementary report for tabling at the Panel meeting. It is understood that the latter will not normally be a feasible option because of time constraints.

16.2.2 Normally the decision to defer a case before a Panel meeting will be made by the Chair in consultation with the Panel Adviser or the Panel Adviser in consultation with the Chair and relevant Manager. If a Panel Member has concerns about the adequacy of a report prior to a Panel meeting and

considers the item should be deferred He/she should contact the Panel Adviser to discuss their concerns. If, after discussion, serious concerns are maintained the Panel Adviser should contact the Chair to recommend the case is deferred prior to the Panel meeting. The Chair will decide whether to accept or reject the recommendation. It is understood that because of members' time constraints this option would be rarely used.

16.2.3 When the Chair or Panel Adviser has made a decision to defer a case prior to a Panel meeting the Panel Adviser should contact the Social Worker/s and their Manager/s immediately so as the applicant's attendance at Panel can be postponed and explanations and future plans discussed with them.

16.2.4 At the Panel meeting, after minutes and matters arising, the Chair will inform Members that the case has been deferred and, where the Panel Adviser and the Chair agree that this will not prejudice the later hearing of the case, give the reasons for the deferment. The Chair will clarify any questions or queries members may have and in consultation with the Panel Adviser inform Panel, if known, when the deferred item will be presented to Panel.

16.2.5 The Panel Adviser will inform the Agency Decision Maker that the case has been deferred to ensure that the Agency Decision Maker does not read the case prior to the required additional information being obtained.

16.3 Deferment at a Panel meeting

16.3.1 If during the Panel's initial consideration of case serious concerns arise about the adequacy of a report in terms of insufficient information, evidence or analysis the Chair, in consultation with the Panel Adviser, should either:

- a) clarify through questions and discussion with members whether they wish to recommend deferment or
- b) on the basis of the concerns expressed make a decision to defer consideration of the case and give the reasons for the decision.

16.3.3. There may be some occasions when, prior to the Panel deciding to defer an item, members may wish to try to clarify certain queries or issues with the Social Workers and their Manager within the Panel meeting. Panel may consider that further clarification could confirm that the case should be deferred or that queries can be answered sufficiently and clarify that the assessment work was carried out satisfactorily but not fully recorded in the report. On such rare occasions, prior to this discussion, the Chair or Panel Adviser will leave the meeting and ask the Social Workers and Manager to join the meeting and leave the applicants in the waiting room explaining to them that a number of points in reports need to be clarified

before the Panel decides to invite them in. If the verbal responses the Social Workers and Manager give to the Panel's queries are sufficient to fully answer the concerns raised the Panel will ask for the assessment report to be amended and the application can be considered fully and not deferred. If the responses clarify that there is still significant assessment work to be carried out the Panel will confirm the item is deferred until the outstanding work is completed. The Chair and Panel Adviser will leave the meeting and with the Social Worker/s and their Manager explain to the applicants that the item has been deferred for further information to be obtained.

16.3.2. Once the Panel has made a decision to defer considering the case and has clarified their reasons for doing so, the Chair and Panel Adviser will leave the meeting and explain briefly to the applicants and Social Workers and Manager (if present) that the item has been deferred for further information to be obtained.

The Chair and Panel Adviser will then meet the Social Workers and Manager separately in a confidential setting and explain the reasons for the deferment and clarify what further information the Panel will require. It will also be clarified with the Social Workers and their Manager which future Panel the item has been deferred to; normally the deferred item will be considered at the next Panel meeting.

16.3.4 After the Panel meeting the Agency Decision Maker should be informed.

16.4 Review of deferment procedures.

16.4.1 These procedures will be reviewed by the Panel in March of each year as part of the Adoption Agency annual report process or when necessary. Numbers of deferments at the Panel meeting will be included with the reasons for these.

17. REPORTS FOR PANEL

17.1 The Panel will require the following reports

- **Approval of prospective Adopters:** Prospective Adopters' Report, and other supporting documents.
- **Approval of concurrent carers / Foster to Adopt:** Prospective Adopters' Report and other supporting documents.
- **Placement of a child with particular prospective Adopters:** Child's Permanence Report (updated to within six weeks of the Panel date), Record of Agency Decision Making, Child', a completed Adoption Placement Report, all relevant Panel minutes and the Adoption Support Plan, Prospective Adopter's Report (PAR), any subsequent adopter review reports.

- **Review of approved Adopters awaiting placement where the Agency is recommending termination of approval:** a completed Adopters Review Report, all supporting documentation, the Adopters' written response to the Review report, the original Prospective Adopters Report and all relevant Panel minutes.

17.2 The Panel Adviser to the Panel will be available to offer advice to Social Workers on the completion of reports and the standards required by Panel.

17.3 Reports to the Adoption Panel in relation to Adoption matters upon which the Panel are asked to make recommendations must be prepared by qualified Social Workers with at least 3 years post-qualification experience. This must include direct experience of Adoption work whether in assessing prospective Adoptive parents or implementing an Adoption plan for a Looked After Child. Where the author of the report does not have the requisite qualifications and experience, he or she must have either a qualification in Social Work or be a Social Worker in training and supervised by a qualified Social Worker with 3 years' relevant experience who will be held responsible for the report.

17.4 Where those preparing reports are not employed by the Adoption agency, they must always be suitably qualified and experienced and supervised by a member of staff with the suitable qualifications and experience.

The same qualifications and experience are required for Social Workers undertaking visits of children placed for Adoption.

18. ATTENDANCE BY SOCIAL WORK STAFF

18.1. All Social Workers must attend with their Managers if the case entails Adoption and they have been qualified less than three years. Where the Social Worker does meet the qualification requirements, Managers may attend. Social Workers present their cases to Panel as follows, this expectation also applies to Social Workers attending from other Adoption agencies and Independent Social Workers commissioned within Legal Proceedings where they have undertaken an assessment in place of Together for Children Sunderland Social Workers.

- Approval of prospective Adopters: Social Worker.
- Placement of a child with adopter: child's Social Workers and the prospective Adopters Social Workers, family finder and consideration for the Foster Carer to attend with children over the age of three.
- Disruption reports: attendance not required unless requested by Panel Adviser or Chair.
- Review/re-approval/termination of adopter's approval: Social Worker.

- 18.2. The Panel Adviser must be notified as soon as possible regarding any problems with staff attending Panel. The Panel Adviser, in liaison with the Chair, will then decide whether it is appropriate for the case to be considered by Panel.
- 18.3. Staff attending Panel will be asked to complete a feedback form regarding their experience of the Panel process.

19. ATTENDANCE OF APPLICANTS AND ADOPTERS

- 19.1. Together for Children Sunderland Adoption is committed to user involvement and transparent decision-making. Prospective Adopters are strongly encouraged to attend Panel when their initial application is being considered and when their suitability for a specific child is being considered. However, there is no obligation for the prospective adopter to meet with the Panel; if they decline to do so this in itself will never be considered as a reason for recommending that they are not suitable.
- 19.2. Attendees will be given a leaflet explaining the Panel process and what to expect when they attend. Attendees will also be given a feedback form so that their views on their experience at Panel can be gained and fed back on a regular basis to Panel Members.
- 19.3. All applicants will be given sufficient notice to enable them to attend. The responsibility for this lies with the Social Worker who should not book the case to a Panel that the applicants cannot attend.
- 19.4. A letter of invitation will be sent to applicants by the Panel administrator confirming the date and time of the Panel meeting at least one week beforehand.
- 19.5. When applicants attend they will be invited into the Panel meeting with the Social Work staff after the Panel has decided upon the areas it needs further discussion or clarification on. The applicants will be introduced to the Panel, and will also have the opportunity to ask any questions they may have of Panel, give any further information they may want Panel to be aware of or make a statement to Panel.
- 19.6. The applicants may remain in the Panel meeting with the Social Work staff whilst the Panel asks its questions and will then be asked to briefly leave the meeting whilst Panel asks the Social Workers any additional questions and reaches its recommendation.
- 19.7. When the recommendation is made, the Chair of the Panel will confirm with the Panel what he/she is to share with the applicants. The Chair and the Panel Adviser will meet privately with the applicants and the Social Workers in order to inform them of the recommendation. The Chair will

- report back to Panel the outcome of this private meeting and this information will be included in the minutes of the Panel.
- 19.8. When the recommendation relates to a match then the Panel recommendation will be shared by the Chair with the applicants in the privacy of the waiting room.
 - 19.9. If the recommendation is not unanimous this information will not be shared with the adopters, but will be shared with the Social Worker, to ensure any additional identified support can be provided.
 - 19.10. Birth parents are encouraged to make written or recorded representation to Panel and their opportunity to do so is contained within the child permanence report. They should in any event be shown and be fully aware of the information about them which is presented to Panel.
 - 19.11. Usually no more than two people at a time will be allowed to observe at Panel. Panel attendees will be informed that observers are often at Panel; if they have any objection to this they must notify the Panel Adviser in advance of the Panel meeting. Observers are required to sign an undertaking regarding confidentiality.

20. DECISION MAKING PROCESS AND NOTIFICATIONS

- 20.1. The Chair will provide immediate feedback to all attendees of the Panel's recommendation.
- 20.2. The Social Workers will verbally convey the Panel recommendations to children, birth parents and applicants (if they did not attend) within two working days. However, applicants, children and birth parents must be clear that whilst Panel make a recommendation, it is the role of the Agency Decision Maker to make the decision.
- 20.3. The Director has responsibility for making the decision on behalf of Together for Children Sunderland Children's Services and is the designated Agency Decision Maker.
- 20.4. The Agency Decision Maker must take into account the Panel recommendation when making the decision. However, the local authority cannot delegate the decision making to the Panel and no Panel Member can take part in any decision made by the agency.
- 20.5. The Agency Decision Maker will be sent a copy of all the papers presented to Panel. He/she will be notified of all recommendations made by the Adoption Panel via Panel minutes which have been agreed by the Chair of the Panel and if required, a verbal briefing session with the Panel Adviser within five working days of the Panel meeting and no more than seven working days of the Panel meeting.

- 20.6. Where the Agency Decision Maker is minded to disagree with a Panel recommendation, before making a final decision he or she may consult with a senior colleague with the relevant experience and record the discussion and outcome; a copy of the record must be passed to the Panel Adviser for placing on the child's or prospective Adopter's Adoption Case Record.
- 20.7. The Panel Adviser will notify the Social Workers of the agency decision within one working day of the decision being made. Social Workers will orally inform Adopters, birth families and children of the agency decision within two working days of the decision being made. The Agency Decision Maker will write to the applicants, and birth family confirming his/her decision within 7 working days. The Agency Decision Maker will include the reasons for the decision and, where the agency decision is different from the recommendation of the Panel, information about the Panel's recommendation. Letters to birth parents will be sent via the child's Social Worker who **will** either forward the letters by recorded delivery or hand deliver them.

22. **PROTOCOLS FOR EMERGENCY AND ADDITIONAL MEETINGS**

- 22.1 Additional or longer meetings may be required when there is sufficient pressure of business and the organisation of any additional/longer meetings will be undertaken after consultation with Panel Members.
- 22.2 An emergency Adoption Panel meeting is not for use as an extra or additional meeting and will only be used in exceptional circumstances. Where the next scheduled Panel date would incur unacceptable delays for a child and/or proposed placement consideration will be given to amending the agenda of an earlier meeting if possible before an emergency Panel is arranged.
- 22.3 The normal Panel procedures will apply to emergency Panels. Panel Members will, whenever possible, receive the papers at least 24 hours in advance of the Panel meeting. If this is not possible reading time will be given at Panel before the case is discussed. Panel Members will be contacted by telephone or email to ascertain their availability and the Panel Adviser will liaise with the Chair to arrange the meeting.

23. **MONITORING ROLE /FEEDBACK TO AGENCY**

- 23.1. The Panel Adviser will take responsibility for reporting back to the local authority any concerns or issues raised by Panel Members and will meet with the Agency Decision Maker after each Panel meeting. Examples of good practice will similarly be fed back. The Agency Decision Maker will take forward practice issues as necessary within the agency.

- 23.2. An annual report on the work of the Adoption Agency will be published in April of each year and presented to the Together for Children Sunderland Board of Trustees. This report will include the annual Panel report prepared by the Chair and the updated Adoption Agency Statement of Purpose for endorsement by Together for Children Sunderland Board of Trustees. In September of each year the Panel Adviser will prepare an interim report for Together for Children Sunderland Board of Trustees. Both of these reports will include statistical information about the work of the Panel. Summaries of these reports will be available to prospective Adopters and birth parents as required.
- 23.3. The Agency Decision Maker will be invited to the Panel Business Meeting for an agenda item on an annual basis. This will enable a dialogue to take place between Panel Members and the Agency Decision maker on general practice and quality assurance issues. The Agency Decision Maker will also be invited to take part in at least one of the two annual Adoption Panel training days.
- 23.4. The Panel will be consulted on any proposed changes to permanence policy and practice guidance to enable them to contribute

24. DISRUPTIONS

- 24.1 A disruption can occur at any time over the course of an adoptive placement. However, in terms of the remit of the Panel, the term is used to describe a placement that ends after the match has been recommended by the Panel; before placement, after placement up to the point of the Adoption order.
- 24.2 Copies of the Disruption meeting minutes will be shared with the panel, following the Disruption meeting.

25 COMPLAINTS AND REPRESENTATIONS

- 25.1. Any complaint specifically about the Adoption Panel should be directed to the Panel Adviser or Chair in the first instance to assist resolution. If the matter cannot be resolved at stage one then the usual complaints procedure for Together for Children Sunderland will be used.
- 25.2. Where an applicant is not in agreement with the decision made regarding their suitability as an Adopter, and/or the Adoption Panel's recommendation, the following representation procedure will be followed.
- The prospective adopter(s) may choose to make a representation directly to Together for Children Sunderland Adoption **or** to the Panel of the Independent Review Mechanism (IRM). If a representation is made directly to Together for Children Sunderland Adoption the

prospective Adopters must write directly to the Agency Decision Maker within 40 working days. The Agency Decision Maker may meet with them to discuss their concerns. If the applicant makes a representation to the IRM he/she should directly notify the IRM of his/her wish to do so within 40 working days from the date of the qualifying determination. Together for Children Sunderland Adoption will forward all relevant information to the IRM within 10 working days of being informed of the need to do so. The IRM will determine the relevance of information and may require additional information to that presented to the Together for Children Sunderland Adoption Panel. The IRM will review the matter and notify the Together for Children Sunderland Agency Decision Maker of its recommendation and the reasons for it. The Together for Children Sunderland Agency Decision Maker will make the final decision.

- 25.3 Where a practitioner is not in agreement with a recommendation made by the Adoption Panel and wishes to pursue the matter, he/she should do so directly through their line Manager and the Panel Adviser (who will inform the Chair of the Panel).
- 25.4 A Prospective Adopter cannot make use of the IRM or make any formal representation in relation to the agency decision regarding the proposal to place a particular child with him/her.

26. ANNUAL AND BIENNIAL REPORTS

- 26.1. The Panel Chair will produce an annual and biennial report on the work of the Adoption Panel (see point 23.2).
- 26.2. The reports should include:
- number of children approved for Adoption and permanence, age, gender, ethnicity
 - number of adoptive applicants approved, ethnicity, family structure, geographical location
 - number of matches of children with families approved
 - compliance with the National Minimum Standards governing Adoption work
 - work of the Panel and the service
 - strengths and weaknesses of current provision
 - quality of work presented to Panel
 - specific issues arising for Panel over the past year
 - any recommendations regarding the operation of Panel and the provision of Adoption and permanence services in Sunderland.
- 26.3. The annual and half annual report will be presented to Panel.

26.4. The annual report will be presented to the Together for Children Sunderland Board of Trustees as part of the Annual Adoption Agency Report.

27. REVIEW

27.1. The function, role, policy, procedure and operation of the Adoption Panel will be formally reviewed annually by the Together for Children Sunderland Board of Trustees.

27.2. After each Panel a questionnaire will be sent to all attendees (applicants, Adopters and Social Workers seeking their views and feedback. The outcome of these questionnaires will be presented on an annual basis to Panel Members within the formal process of appraisal. The Chair or the Panel Advisor will provide feedback to Panel members from the questionnaires throughout the year. A summary of this feedback will be incorporated into the annual report.