

A Guide for Adopters Early Permanence through Fostering for Adoption



Information for Prospective Adopters

What is Early Permanence?

Early permanence planning for children can involve either *concurrent planning* or *Fostering for Adoption*. These are arrangements which enable Local Authorities to place babies and young children with their potential future family at the earliest stage. Adopt Thames Valley provide preparation and training specifically to prospective adopters for children in need of *Fostering for Adoption*.

The role of Fostering for Adoption in achieving early permanence is to provide *'the child with a temporary foster placement but with the potential for this to become their permanent home if they need to be adopted'* (Fostering for Adoption: A child-centred solution. A guide for prospective FfA carers, CoramBAAF, 2017).

Fostering for Adoption was formalised under Section 22C of the 1989 Children Act (as amended by the Children and Families Act 2014), which places a duty on local Authorities to identify children in need of early permanence. Regulation 25A of the Care Planning, Placement and Case Review (England) Regulations 2010 enables Local Authorities to place a child with prospective adopters who are temporarily approved as foster carers for that specific child, while the child is subject to care proceedings and decisions have not yet been made. These two functions are only utilised where adoption is very likely to be the outcome for a child. The child's temporary foster placement can later become an adoption placement once the relevant court orders are obtained. This means that children can be placed with their future adoptive family at the earliest possible stage and the risk of delay achieving permanency is minimised.

Common scenarios for children requiring Fostering for Adoption include when a birth mother has had previous children removed and her situation has not changed, or where this is a first child but the risks are so great that there is no plan to return the child to birth family, or for a child who has been relinquished for adoption by birth parents.

Fostering for Adoption is not the same as traditionally approved foster carers wishing to adopt a child who is Looked After, for whom they have been caring. Concurrent planning is a different arrangement insofar as there tends to be more uncertainty around the potential for adoption to be the outcome for a child for children in these placements.

What are the advantages for the child?

- The child is placed with their potential adopter(s) as early as possible, providing stability and consistency of care at an early stage, which enhances the likelihood of them developing a secure attachment.
- It allows the early months of the child's life to be as settled and secure as possible at a time in their development that this is vital
- The potential damage and disruption to the child, caused by having to separate from their foster carer(s) to whom they have become attached, is minimised.

What are the advantages for the potential adopter(s)?

- The child will be placed at the youngest possible age thus maximising the chance of developing secure attachments.
- The carer(s) will have the opportunity to provide stability and security for the child from an early stage of his/her development.
- The carer(s) will be part of the child's early life experiences and will have a deeper understanding of their life story.

What are the risks for the potential adopter(s)?

- The child is very likely to be placed before all the assessments of the birth parent(s) have been fully completed and before therefore the final care plan formalised.
- The child may be placed before all the possibilities for the child to be cared for within the birth family and connected network, have been fully eliminated.
- In the case of children subject to care proceedings in Court, the child may be placed early on in the legal process, before the relevant court orders are made to enable the Local Authority to place a child for adoption. At this point the Local Authority cannot predict the final decision of the Court.
- The information available about the child at the point of placement is likely to be limited and will not be as full as the information that is available for children being traditionally 'matched' for adoption. In most cases a completed Child Permanence Report and full medical information will not be available.
- As the child's individual needs may not be fully known at this stage, a full and specific adoption support plan will be difficult to produce.
- The child is likely to continue to have ongoing contact with their birth parent(s) and possibly with wider birth family members up until the final court hearing. Arrangements will then be made for contact to be reduced over an agreed period, in line with the Adoption Plan, rather than the child experiencing an abrupt end to contact.
- While placing a child in a Fostering for Adoption placement is intended to avoid the disruption of the child's attachment to their primary carer, until the Court authorises the child's placement for adoption, the placement remains temporary.

- Fostering for Adoption carers have no legal rights over the child if their care plan changes and the child needs to be moved to an alternative placement.

What is the process of making a Fostering for Adoption placement?

If you feel able to provide early permanence through Fostering for Adoption, this would have been discussed with you over the course of your home study and will be reflected in your Prospective Adopter Report and advice from Panel regarding your approval.

Fostering for Adoption plans are only applicable for children who do not yet have a Placement Order (as this order enables the Local Authority to place the child for adoption) or where the birth parent has relinquished the child. However, once approved as adopters, you can be considered for any child/children, whether their plan is Fostering for Adoption or care proceedings have concluded. Your link worker will talk to you about the different children needing adoption and their care plans; you will be supported in deciding which child is right for you.

If a child is identified that you may be suitable for and their plan is Fostering for Adoption, you will be provided with information the agency has about that child although this may be limited. You will be visited by the child's social worker and family finder for the child; your adoption link worker should also be present at this meeting to support you. During this visit professionals will determine whether you are the right "match" for the child and accordingly whether you can meet their long and short-term needs.

Once the proposed Fostering for Adoption placement has been formally agreed by the Agency Decision Maker (ADM), alongside your temporary approval as foster carers, the child can then be placed with you. The child may be in another foster placement prior to this or a

mother and baby placement; it is possible they will be discharged straight from hospital into your care, following their birth. Usually, a plan of introductions with the child will be shared with you before the child is placed.

Will I be entitled to adoption leave and pay from my employer?

Since April 2015, prospective adopters who foster their child prior to adopting them are eligible for adoption leave and pay¹. A letter can be provided to your employers, on request, to confirm that a child will be placed in your care with the proposed dates this will happen. It is likely you will be required to leave work at short notice and therefore you will need to have supportive employers and to have shared your wishes to adopt a child through Fostering for Adoption.



Once the placement becomes one of adoption then a matching certificate will be provided allowing you to access adoption leave, which you can give to your employers.

As a foster carer, you will be entitled to a fostering allowance from the Local Authority responsible for placing the child and you may be reimbursed for additional equipment and expenses, required in your care of the child. This varies according to each Local Authority's fostering payments and allowances policy. The fostering allowance will end once the placement becomes adoption, although the child may be

¹ Department for Business Innovation and Skills (2015), Adoption leave and pay: Technical Guidance for Employers, page 8 - Dual Approved prospective Adopters.

entitled to an adoption allowance, about which you will have been made aware.

What are the expectations of me as a temporary foster carer?

Initially the placement will be formalised (regulated) under Fostering Regulations and, as a temporary foster carer, you will be looking after the child on behalf of the Local Authority and will not therefore hold Parental Responsibility. The Local Authority and birth parents will share Parental Responsibility for the child and although the Local Authority have the ultimate say over the child's care, they have a duty to consult with birth parents and take into consideration their views and wishes and feelings with regards to the child's care.

You will be responsible for the day-to-day care of the child but you will need to consult with the Local Authority about any important decisions, such as medical care, parental contact and taking the child on holiday.

The child's birth name cannot legally be changed and you also need to be mindful of how you refer to yourselves, for example you should not encourage the child to call you "mummy or daddy" or refer to your children as the child's "brother" or "sister". A fostering agreement and placement plan will set out the expectations and boundaries of the care that you provide as foster carers to the child. This will include:

Contact with birth family

The Local Authority will have a specific plan to try to return the child to his/her birth family and you will be expected to support this plan even if you do not agree with it.

Contact between the child, their birth parents and significant family members will be promoted during the care proceedings. As well as serving to retain the relationship between the child and their birth

family, it also provides an opportunity to assess the quality of the relationships and the birth parents' parenting skills. The contact, sometimes referred to as 'family time' will be supervised and a risk assessment should be undertaken. You may be required to transport the child to contact if deemed low risk or it may be arranged for a contact supervisor to transport the child to and from contact, depending on the child's needs. A contact book is often used for foster carers to communicate with birth family and vice versa and for you to provide updates on how the child is progressing in your care.

Contact can also be facilitated for the child virtually. This typically takes place in your home with support from a Local Authority contact supervisor. You will be expected to be available to the child and confidentiality will be considered as part of planning contact.

Meeting with birth parents

Often it is appropriate for the Fostering for Adoption carers to meet with the birth parents in a planned and supported way to discuss care of their child. This can be of benefit to the child as well as the birth parents and carers. This would only be recommended after a risk assessment has been completed.

Keeping records and providing information

Foster carers are required to keep ongoing records regarding the care of the child and these should be sent to the social worker regularly, as agreed. As a foster carer, you will also be required to complete other paperwork, such as consultation papers for Child Looked After Reviews, and for medical assessments. You may also be asked to provide information on the child's progress to other professionals who are undertaking assessments.

Training and support

As a temporary foster carer you will have plenty of support and will be visited on a regular basis by your adoption social worker and the child's social worker. Where you are temporarily approved as a foster carer, the Local Authority may also provide you with a social worker from their Fostering service. However, to avoid too many social workers visiting you, this role is often delegated to your adoption worker if appropriate and agreed by everyone.

The agency supporting you as a foster carer should provide you with training that is appropriate for your role as Fostering to Adopt carers and you will also be invited to their support groups. Additionally, you can attend any adoption training and support groups that are relevant, and you may also have been allocated an experienced mentor/buddy who can offer support during this time.

Meetings, visits and reviews

You will be required to attend meetings in relation to the child, such as Child Looked After Reviews, which occur within the first month of placement and then after a further three months, following which you will attend at least six-monthly intervals. An Independent Reviewing Officer (IRO) is tasked with ensuring that the placement is meeting the needs of the child and that the care plan is on track. These meetings continue to take place in the form of Adoption Reviews once the placement becomes one of adoption, and until the Adoption Order is granted.

What are the timescales?

Courts are required to conclude care proceedings within 26 weeks, although they can sometimes take longer, particularly if they are complex. Once a Placement Order is granted, the adoption 'match'

between you and the child can be presented to the Adoption Panel for a recommendation. The recommendation will be presented to an ADM and if they agree the match, the placement will become subject to Adoption Regulations. This will mean that you will have some limited, delegated, Parental Responsibility and can make more decisions about the child, although the child's care is still legally the responsibility of the Local Authority until an Adoption Order is granted.

An application for an Adoption Order cannot be made until 10 weeks after the placement has become one of adoption, although for Fostering for Adoption placements it can be sooner if agreed by all Parties as part of the Adoption Review. Once the Adoption Order is granted the Local Authority and birth parents will lose their Parental Responsibility and you will be the only individuals with Parental Responsibility for the child. This means you will have the same legal rights as any birth parent.

Is Fostering for Adoption right for me/us?

There will be a number of things you will need to think about with regards to Fostering for Adoption. Initially, as a foster carer, you are caring for the child under the direct supervision of the Local Authority so you will need to consider whether this is something with which you are comfortable. In effect, you will not be able to regard the child as your own whilst you are providing a fostering placement for them.

It is very likely you will go on to adopt the child, but you will need to be able to manage the uncertainty of the potential outcomes. You will need to think about the possibility of the Court not agreeing the adoption plan and the child leaving your care. You will need to be able to accept that the child moving or returning to birth family is positive for the child. If you already have a child, whether they are a birth or adopted child, you will need to consider the impact on them as well as yourselves if the

child does not remain in your care. Preparation and support for any other children in the home is essential.

It is important for you to consider what support you might need, what access you have to support, and how you typically deal with stressful, upsetting or painful situations. You would do this anyway if you were planning to adopt a child but there are specific issues about preparing for that period of uncertainty, in the fostering phase of a Fostering for Adoption placement, and you should try to identify what this might mean for you and your family. You then need to discuss this with your family members and close friends. Members of your network may have questions and views themselves, but they also need to be a reliable source of support for you.

As there will be ongoing social work visits, and possible birth family contact, the geographical location of the placement will need to be taken into consideration and balanced against the risk of proximity to birth family. The child's needs will be central to decision making around placement location.

Please discuss all of the implications very carefully with your assessing social worker during your home study. It can be arranged for you to talk to other adopters who have provided Fostering for Adoption placements, to give you more of an idea of how this type of placement may impact on you and your family. You will also be able to attend a specific one-day training event on Fostering for Adoption.

Organisations that you can contact for further advice and information:

CoramBAAF

Tel: 020 7520 0300

First4Adoption

Tel: 0300 222 0022

Adopt Thames Valley Tel: 0800 731 0171

