

# People Group – Children’s Social Care

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Adoption Reports must be completed by social workers who have at least 3 years’ post qualifying experience in child care social work, including direct experience of adoption work and/or is supervised by a person with this level of experience

## ADOPTION PANEL PROCEDURES

Type: Guidance and Procedure

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## 1. LEGISLATION, ROLE AND FUNCTION

1.1 The Adoption Agencies Regulations 2005 provide the legal basis for the establishment of a local authority Adoption Panel from January 2006. The Adoption Panel is required to consider the case of every child, prospective adopter and proposed placement referred to it by the Adoption Agency and make considered recommendations as to:

- Whether a child should be placed for adoption, where there is parental consent.
- Whether a prospective adopter is suitable to be an adoptive parent; paperwork should be presented to panel within six months of the prospective adopter’s Registration of Interest.

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- Whether a prospective adopter would be a suitable parent for a particular child (matching). Paperwork should be presented within six months from agency decision of the adoption plan for a child.
- Where these timescales have not been met, the panel records the reason in the written minutes.

1.2. The Warwickshire County Council Adoption Panel has wider interests including:

- regular consideration of the circumstances of children and adoptive applicants awaiting placement;
- providing feedback to the agency on aspects of policy and practice arising from its role and functions; this should include 6 monthly feedback to the agency on the quality of reports being presented;
- to provide a quality assurance feedback to the agency every 6 months on the quality of reports being presented to the panel (standard 17.2)
- consideration of those factors that have contributed towards placement disruptions and their implications for practice;
- consideration of those children where there is a change of plan for a child who was previously approved for adoption;
- whether the suitability of an applicant to adopt is no longer appropriate;
- the production of an Annual Report of Adoption Panel activity compiled by the Chair and Advisor to the Adoption Panel.

1.3 The Panel requires:

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- Six monthly Progress Reports on children who have not been matched with adopters;
- The Annual Reviews completed on prospective adopters 2 years after their approval;
- If required, progress reports of children placed for adoption for further consideration of any issues arising due to the particular nature of the placement match.

1.4 Where three years have elapsed since the original assessment on prospective adopters was presented to the Adoption Panel, an updated Prospective Adopters Report is required for reconsideration of the applicants’ suitability to adopt and their continued approval as prospective adopters.

1.5 Prospective adopters have had the opportunity to attend the Adoption Panel meeting since October 2002. This is now a requirement under the 2005 Regulations.

1.6 Panel members and the adoption agency receive an Annual Report of the work of the Panel incorporating wider adoption issues, which is produced by the Adoption Panel Advisor and Chair.

1.7 The Adoption Panel will not consider children, adopters or placements in the absence of the social worker for the child. Both social workers should attend when the placement of a child with adopters is to be considered, or, in their absence, their line managers.

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### **2. MEMBERSHIP AND CONDUCT OF ADOPTION PANEL MEMBERS**

- 2.1 The membership of Warwickshire County Council Adoption Panel is in accordance with the Adoption Agency Regulations 2005, and the Adoption Statutory Guidance 2013.
- 2.2 Warwickshire County Council has a central list of appropriately qualified and experienced persons who are suitable to be members of an Adoption Panel. (standard 17.2)
- 2.3 The Adoption Panel will not exceed 10 members and in addition to the Independent Chair the Panel membership includes:
- two social workers who have at least three years’ relevant post qualifying experience;
  - one elected member;
  - three independent members including an adoptive parent and related professionals e.g. psychologist, (who have not been employed by the local authority within the previous 12 months, or are related to an employee, or in respect of an adopter where less than 12 months has elapsed since the adoption of child placed);
  - one medical advisor.
- 2.3 The Panel is supported by a Legal Advisor and an Agency Advisor.
- 2.4 Appointment to the Adoption Panel is either through nomination or an application process when a vacancy arises. A ‘Job Purpose - Duties

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- 2.5 Adoption panel members apart from the medical advisor can serve a term of three years on the Panel, with a maximum of up to three concurrent terms. For panel members who served prior to 30 December 2005 specific arrangements apply in accordance with the regulations.
- 2.6 Membership on the Adoption Panel is confirmed in writing and Adoption Panel members are required to sign a Confidentiality Agreement and be prepared for an enhanced Criminal Records Bureau (CRB) disclosure check.
- 2.7 An Induction Programme is determined on an individual basis following discussion with the Adoption Panel Advisor. This will include the opportunity to observe an Adoption Panel meeting. All Adoption Panel members are issued with a copy of the British Association for Adoption and Fostering (BAAF) Publication ‘Effective Panels’ and other relevant procedures as appropriate. Induction training should be completed in 10 weeks of becoming a member.
- 2.8 An annual Adoption Panel training event is arranged with staff employed in the Adoption Services Team and Children’s Teams. Additional training that is topic related or that has legal bearing on matters referred to the Panel will be addressed by the Adoption Panel Advisor or Legal Advisor as required or be part of an ordinary Panel meeting.

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### 3. ARRANGEMENTS FOR ADOPTION PANEL MEETINGS

- 3.1 The Adoption Panel meets approximately 15 times a year and this is usually the first Monday of each month. There is at least one panel meeting every month. The meetings run from 9.30am to 3.00pm and, in exceptional circumstances, following discussion with the Adoption Panel Advisor, an extraordinary meeting will be arranged.
- 3.2 A quorate Panel consists of five members, include the chair or vice chair, a social worker with at least three years' post qualifying evidence and an independent member.
- 3.3 Papers and reports required by the Adoption Panel are collated and distributed by the Adoption Panel Administrator who is based at the Fostering and Adoption Development Team. Papers are required 10 days before the Panel meeting and are sent to Panel members one week in advance of the Panel meeting.
- 3.4 All papers related to Adoption Panel business are delivered or posted in secure, sealed envelopes and marked confidential.
- 3.5 The Adoption Panel welcomes observers to attend Panel and arrangements to attend can be made through the Adoption Panel Administrator.
- 3.6 Panel members and observers are required to adhere to strict rules of maintaining confidentiality that surrounds adoption decision-making.

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### 3.7 The Adoption Panel Administrator:

- sets the agenda and allocates each item a timed slot (the Panel agenda is confirmed by the Advisor to the Adoption Panel);
- circulates the papers to Adoption Panel members;
- arranges for the recommendations of the Panel to be ratified by the Head of Service – Children in Need, within 7 working days of receipt of the recommendation and final set of panel minutes
- distributes the minutes, notices of ratification decision and letters to social workers and prospective adopters as appropriate. Panel minutes are sent to all panel members to agree the content before the minutes are sent to the Decision Maker. The Panel Chair ensures the minutes are accurate, cover key issues expressed by panel members and record the reasons for its recommendation.

3.8 The Advisor to the Adoption Panel meets with the Head of Service – Children In Need within 7 working days of the Panel meeting to discuss the Panel’s deliberations and recommendations. Following this discussion and having read the papers s/he signs the ‘Adoption Panel Ratification Form’ as a record that the Panel recommendations have been agreed by the agency. The child’s birth parents and prospective adopters are informed orally of the decision maker’s decision within two working days and written confirmation within five working days

3.9 At the onset of the next panel meeting, matters arising are progressed. In addition any comments from the Decision Maker are raised.

## 4. OPERATION AND DECISION MAKING OF THE ADOPTION PANEL

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4.1 In exercising their duties and responsibilities adoption panel members will:

- consider the child’s needs and welfare as paramount and will ensure that recommendations are reached that are child centred and underpinned by a clear decision making processes based upon the required and appropriate information;
- treat attendees to the panel with respect and courtesy with regard to their position and circumstances, acknowledging professional skills and judgements.

4.2 At the outset of any item for discussion Adoption Panel members are required to declare either an interest or knowledge of any matter referred to the Panel for consideration. The Chair will then make a judgement whether the Panel member should be excused for a particular item.

4.3 Wherever possible Panel recommendations are reached by consensus and the Chair should aim to create an informal atmosphere that will facilitate the fullest debate of the issues.

4.4 Having read the papers, the Chair will identify key issues requiring further information or clarification and questions will be assigned to Panel members to ask. Supplementary questions may be asked by any Panel member that are related to the key questions identified. The attending social workers will at the end of the questions be asked to summarise for the Panel the reasons why they are asking for the Adoption Panel to support the recommendation proposed in the

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- 4.5 The social worker may be asked to leave the Panel meeting where there is a particularly complex issue, or if the Chair feels that there is a divergence of views from within Panel that requires further discussion. Prospective adopters may also be asked to leave the Panel meeting so that Panel members can confirm amongst themselves their recommendation.
- 4.6 Where Panel is not able to reach an agreed view on any matter the following actions may be taken:
- the matter is deferred for further information;
  - the recommendation is not made and an updated report is requested for a future Panel;
  - in exceptional circumstances Panel members may be asked by the chair to indicate their view, and this is recorded accordingly in the minutes.
- 4.7 Any matters concerning the behaviour or attitudes of an Adoption Panel member will be addressed with the individual concerned by the Chair and the Agency Advisor. Agreement reached following this discussion will be conveyed orally and in writing and monitored through the annual review of Adoption Panel members.
- 4.8 The annual review of Adoption Panel members' performance is conducted by the Agency Advisor and Chair and follows an agreed

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format. This will include Panel members having the opportunity to comment on the performance of the Chair.

### 5. CHILDREN – RECOMMENDATION THAT A CHILD SHOULD BE PLACED FOR ADOPTION

5.1 The Agency Decision Maker is guided by the Adoption and Children Act 2002 principles that assert that the paramount consideration is the child’s welfare and that delay in reaching a decision is likely to be prejudicial to the child welfare. Regard is also given to the child’s religious, racial and cultural and linguistic background, and in relation to each case the Adoption Panel will consider:

- the child’s ascertainable wishes and feelings regarding the decision;
- the child’s particular needs;
- the likely effect on the child throughout his life of having ceased to be a member of the original family and become an adopted person;
- the child’s age, sex, background and any of the child’s characteristics considered relevant;
- any harm which the child has suffered or is at risk of suffering;
- the relationship which the child has with relatives and any other relevant person including:
  - (i) the likelihood of any such relationship continuing and the value to the child of its doing so;
  - (ii) the ability and willingness of any of the child’s relatives, or of any such person to provide the child with a secure environment in which the child can develop and otherwise meet the child’s needs;

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- (iii) the wishes and feelings of any of the child’s relatives, or any such person, regarding the child.

5.2 The Agency Decision Maker will not consider an adoption recommendation until all assessments and reports, relied upon by the Local Authority as part of the legal process, have been concluded, including full consideration of any extended family member.

5.3 Children are required to have an adoption medical prior to their case being presented to the Agency Decision Maker. A Health Report in accordance with Regulation 15 (2) is produced by the assessing medical practitioner that is seen and commented upon by the Medical Advisor to the Adoption Panel. This allows the Medical Advisor to report on any health and developmental issues that may be relevant to the adoption plan. Where parental consent has been forthcoming the report will also highlight any relevant health information in respect of the birth parents, extended family or siblings.

5.4 The Agency Decision Maker will require from the social worker for the child the following information:

- completed BAAF Child’s Permanence Report signed by the birth parent/s and child where appropriate, the social worker and countersigned by the supervising manager where the social worker does not have the required adoption experience;
- Child’s Health Report;
- Health Report relating to the parents/siblings (at the discretion of the Medical Advisor if available and appropriate);

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- completed Statement of Facts approved by Law and Governance Services in circumstances where a Placement Order is required;
- Carers' Report;
- provisional Adoption Support Plan;
- Any 'expert' assessment (e.g. psychological, psychiatric reports) either included in full within the papers or a summary of the assessment but this will need to have been confirmed as an acceptable summary by all parties (e.g. parents' legal representative, guardian etc).
- School/Nursery Reports
- Guardians' views

5.5 Where the birth parent/s have not signed or completed the relevant section in the Child's Permanence Report a written explanation will be required on the report. The Agency Decision Maker will need to be satisfied that efforts have been made to ascertain the parents' comments on the information provided.

5.6 Where the recommendation relates to a sibling group only one Statement of Facts is required.

5.7 The Agency Decision Maker will clarify the legal advice obtained and will seek further legal advice from the legal advisor as required. At the end of the discussion the Agency Decision Maker will summarise the reasons for their recommendations which will be provided to the Children's Social Worker.

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The Agency Decision Maker in their meeting with the Advisor to the Adoption Panel will retain his/her own minutes of this meeting and the reasons for their decision.

5.11 Recommendations from Adoption Panel and the Agency Decision Maker can be conveyed orally to children and birth parents within 24 hours of the Panel meeting and must be conveyed in writing within five working days of the agency ratification. This will include the recommendation that a Placement Order is to be sought where applicable.

5.12 Social workers should then make the necessary amendments on Care First, the computerised client record system.

5.13 If the plan for child is subsequently changed at a Looked After Review, the reviewing officer will recommend that the child’s social worker attend the next available Agency Decision Maker’s meeting with a written report outlining the new plan, the reasons why adoption is no

longer in the child’s best interests and the legal implications arising from the change of plan. The Agency Decision Maker will also require a family finder’s report, as it will need to be satisfied that sufficient efforts to locate an adoptive family for the child have been made.

5.14 At six monthly intervals the Agency Advisor will request progress reports where an adoption plan for a child has been recommended and a placement match has not been made within the six month timescale.

## 6. SUITABILITY AND APPROVAL TO ADOPT

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6.1 Adoption Panel’s consideration as to the suitability of an applicant to adopt is governed by the following principles.

- The Panel will remain child-focused in its considerations;
- The Panel will treat and respect prospective adopters as they would wish to be treated themselves;
- The Panel will adhere to its established way of working and reaching decisions, irrespective of whether prospective adopters are in attendance;
- The Panel will respect diversity arising from the circumstances of prospective adopters, and their different lifestyles and experiences.

6.2 The Panel will receive brief reports where the assessing social worker is seeking advice from the Panel as to whether an application to adopt should be progressed further. The Prospective Adopters’ Report should be signed by the applicants and made available to the Adoption Panel with the following accompaniments:

- separate representation from applicants if available;
- completed questionnaire from related personal referee;
- reports of visits to two non-related personal referees;
- completed Pet Questionnaire if relevant.

6.3 Prospective adopters are invited to attend all Adoption Panel meetings which discuss their brief or full prospective adopters report prepared on their suitability to adopt a child, or termination of their approval. In advance of the Adoption Panel meeting they will be sent a letter of

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invitation to the Adoption Panel and the leaflet 'Information for prospective adopters on attending Adoption Panel'.

- 6.4 Whether prospective adopters attend the Panel meeting is a matter of choice; this will in no way affect how the Adoption Panel will deal with the application.
- 6.5 Adoption Panel members will have considered the assessment report in advance of the assessing Social Worker joining the Panel to clarify any issues relating to the references.
- 6.6 Prospective adopters are invited into the Panel meeting and will be asked questions directly. The assessing social worker will be asked to summarise the reasons for their recommendation to the Adoption Panel and the applicants will also have the opportunity to ask questions to the Panel and/or comment on the service they have received.
- 6.7 The prospective adopters will be asked to leave the meeting so that Panel members can confirm their recommendation after having listened to the answers given by the applicants.
- 6.8 Where the Adoption Panel is minded to approve the applicants to adopt, following ratification, prospective adopters will have their suitability to adopt confirmed in writing. They will also receive the 'Adopter's Comment Form' seeking feedback on the adoption enquiry, preparation, assessment and approval process.
- 6.9 Where the Adoption Panel does not recommend that the applicants should adopt, the reasons for this will be explained to the applicants by the Chair and Panel Advisor, where the applicants have been in

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- 6.10 Adoption Panel will receive an updated Prospective Adopters Report on prospective adopters who have not had a child placed with them within three years of their approval. Adoption Panel will be required to consider whether the prospective adopters are still suitable to adopt or not. In these situations the prospective adopters are also invited to the Adoption Panel meeting.
- 6.11 Where the Adoption Panel is being asked to consider the deregistration of prospective adopters it will require copies of the:
- Prospective Adopters’ Report;
  - panel minutes;
  - copies of any annual reviews completed;
  - a covering report outlining key events since the approval recommendation and an updated assessment against the adoption competencies with a clear recommendation with reasons as to why deregistration is recommended.
- 6.12 The prospective adopter(s) will be invited to respond in writing to the covering report and attend the Adoption Panel meeting
- 6.13 Where the Panel and agency decision maker support the recommendation to deregister, the applicants will be advised of the Independent Review Mechanism and Representation and Complaints procedure.

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- 6.14 If approved adopters are matched with a child in their first year of approval and the child is outside their recommended approval category. a report from an adoption team manager must be submitted with the matching paperwork, detailing reasons for the change. Changes to the recommended approval category after the first year will be presented to panel through a formal review. These changes must also have been investigated and agreed by an adoption team manager.

### 7. CHILDREN – DECIDING TO PROCEED WITH A PROPOSED PLACEMENT (matching)

- 7.1 Social workers are required to present one proposed match to the Adoption Panel. For the matching recommendation the Adoption Panel requires the following:

- Child’s Permanence Report;
- Minute from the Panel’s recommendation that the child should be placed for adoption;
- Prospective Adopters’ Report;
- Minute from the Panel’s recommendation regarding the prospective adopters suitability to adopt;
- Adoption Placement Report incorporating prospective adopters’ views of the report;
- Placement Risk and Vulnerabilities Assessment;
- Adoption Support Plan;
- Contact Plan and Arrangements (where direct contact is planned);
- Updated Carers’ Report - completed within the previous 3 months;
- Matching Matrix detailing child’s specific needs;
- School/Nursery Report.

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7.2 In circumstances where the Children’s Guardian is involved as the legal process has not be concluded, the social worker for the child will send the Children’s Guardian notification of the proposed match. They

will be asked for their views and whether they wish to attend the Adoption Panel meeting to give their views and be party to the discussion.

7.3 Both the social worker for the child and the social worker for the prospective adopter/s are required to attend, prospective adopters are also invited. Adoption Panel members will identify questions in advance that will be directed to the respective social workers. The adopters’ social worker should remind the Panel if the prospective adopters have previously withdrawn from accepting a placement after the matching stage, and the reasons for their decision. The social worker will be asked to summarise the reasons why they feel that the proposed placement match will meet the child’s needs.

7.4 In reaching its recommendation regarding matching, the Panel will give regard, as far as it can, to the wishes of the child’s parent or guardian about the child’s religious upbringing and consideration as to the child’s continuing need for contact with birth family and other significant people. The Adoption Panel will also advise on:

- the proposals for Adoption Support;
- arrangements for contact;
- whether parental responsibility of any parent or prospective adopter should be restricted and to what extent.

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7.5 Regard is also to be given to the child’s ethnic origin, culture and language spoken and religion. Whilst the Panel needs to be satisfied that efforts have been made to try to identify an adoptive family that matches the child’s racial and cultural background, this will not be an overriding consideration as Panel will require information about the other qualities and experiences that the prospective adopters possess in meeting the child’s long term needs.

7.6 Prospective adopters and children to be placed can be informed verbally of the Panel’s recommendation within 24 hours of the meeting. This will be confirmed in writing once ratification has been received from the agency.

7.7 Where it is subsequently decided that the proposed placement match should not proceed, this matter should be brought back to the Adoption Panel at the earliest possible opportunity. This will be for consideration of the reasons as to why the proposed match did not proceed and any learning that can be shared as a consequence.

### 8. PLACEMENT DISRUPTIONS

8.1 In circumstances where the proposed placement of a child/ren with prospective adopters disrupts prior to the granting of the adoption order, the Adoption Panel should be notified through the Advisor to the Adoption Panel.

8.2 The notification should be followed with the report from the Disruption Review Meeting. This will be discussed at an Adoption Panel meeting with the social worker for the child , the adopters’ social worker and the

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independent chair of the Disruption Review meeting where an inter-agency placement has disrupted.

- 8.3 The purpose of the discussion is to identify the opportunity for learning and developing practice in light of the findings.
- 8.4 The Adoption Panel will also consider the disruption reports from interagency placement where Warwickshire approved adopters have had a child placed from another agency.
- 8.5 If the proposed placement breaks down at the introduction stage the Adoption Panel will be informed by the Advisor.

Updated October 2011