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Wiltshire Council

Children's Select Committee

5 September

Cabinet

8 October 2024

**Subject: Wiltshire Council Annual Adoption Service: 2023-2024
Year End Report**

**Cabinet Member: Councillor Laura Mayes - Cabinet Member for Children's
Services, Education, and Skills**

Key Decision: Non-Key

Executive Summary

It is a statutory requirement that Wiltshire Council's Adoption Service provides a year-end report to the Council in relation to the child's journey to adoption. It describes the management arrangements, outcomes, priorities, and finances for the period 01 April 2023 to 31 March 2024.

The Regional Adoption Agency (RAA), Adoption West (AW), is commissioned to provide defined adoption services, and has responsibility for recruiting, assessing and approving adopters for our children. Adoption West is registered with Ofsted and has a separate inspection.

In this reporting period, 59 adopters were approved, this is a reduction on the previous year where 80 adopters were approved and reflects a comparable picture nationally where fewer people came forward to adopt. An increased level of assessment activity in the second half of 2023/24, converting to approvals is forecast to reach 40 approvals for the six months January-June 2024 and if the level of activity is maintained, approval rates should return to around 80-80+ in 2024/25.

Nationally over the last ten years there has been a gradual decline in adoption being the outcome for children leaving care. In Wiltshire, the rate has remained relatively stable, ranging between 11-14%. Where adoption is the right permanence plan for a child, this is pursued by the Council and predominantly endorsed by the Court.

Comparative performance for local authorities was previously available via the National Adoption Scorecard however this has not been published since July 2021 and the DfE indicated in February 2024 that it will no longer be publishing this data in future. Instead, comparator data is now available from the quarterly Adoption & Special Guardianship Leadership Board data collection, overseen by Coram-i. Historically score card indicators were based over a 3-year period,

whereas Coram-i is based on the latest years data. Coram-i data below is provisional as they are yet to publish 2023/24 Quarter 4 data.

The three key scorecard measures each local authority Adoption Agency uses to measure timeliness are as follows:

- **A10: the average time between a child entering care and moving in with its adoptive family:**

The estimated figure for 2023-24 is 326 days, an improvement on 2022-23 when the same figure was 491 days. The target is 300-380 days. National, regional, statistical neighbour and other Adoption West LA performance (provisional) is 485, 418, 399 and 358 days respectively.

Wiltshire performs better than all comparators and has improved performance significantly on last year.

- **A2: the average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family:**

The estimated figure for 2023-24 is 155 days, less than the 162 days it was in 2022-23. The target is 140-160 days. National, regional, statistical neighbour and other Adoption West LA performance (provisional) is 196, 203, 204 and 210 days respectively.

Wiltshire performs better than all comparators and has improved performance on last year.

- **A20: the average time between a child entering care and a local authority receiving court authority to place a child:**

The estimated figure for 2023-24 is 245 days, less than the 283 days it was in 2022-23. The target is 210-230 days. National, regional, statistical neighbour and other Adoption West LA performance (provisional) is 361, 291, 291 and 290 days respectively.

This data reflects an improvement on how we performed in 2022-23 and is particularly strong when compared to the performance of other local authorities. The children outside of target continue to be regularly reviewed to ensure the reason for delays are reasonable, and to determine whether there are practice improvements required to increase timeliness.

For all children outside of targets, all delays were purposeful and, in the child's best interests, or outside of the Local Authorities control. Where improvements could be made via the performance of courts, these are highlighted at the Wiltshire Family Justice Board. Nine children representing 40% of the total cohort, which included 3 sibling groups, older children and a child with significant health needs, were outside of timescale for reasons relating to their best interests; and five children representing 22% of the total cohort were outside for reasons not within the Local Authority's control.

Wiltshire continues to perform well nationally and has robust quality assurance mechanisms in place to analyse practice outside of target ranges. Adoption performance remains strong, as evidenced within the data and quality review of individual children's experiences through routine audit. Annual target setting takes place to ensure targets remain appropriate.

Adoption performance is reported quarterly to the Director of Families and Children's Services and to the Performance and Outcomes Board, chaired by the Corporate Director for People (DCS) and attended by the Cabinet Member.

Proposal

It is requested that this report is approved and the contents of it are considered against the Corporate Parenting Strategic Priorities for children in care to have a loving home, good relationships, and be respected.

Reason for Proposal

Wiltshire Council is an Adoption Agency registered with Ofsted. The 2014 Adoption Minimum Standards (25.6) and 2013 Statutory Guidance (3.93 and 5.39) describe the information that is required to be reported to the executive side of the local authority, on a six-monthly basis, to provide assurance that the adoption agency is complying with the conditions of registration whilst being effective and achieving good outcomes for children. A report to Cabinet is prepared annually.

Adoption West is subject to separate scrutiny arrangements through its own Scrutiny Board.

Lucy Townsend
Chief Executive

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Purpose of Report

1. This report provides a year-end report to Cabinet regarding the performance of Wiltshire Council's Adoption Service, alongside a consideration of the effectiveness of Adoption West. It is a requirement of the condition of registration, as described in the 2014 Adoption Minimum Standards and 2013 Statutory Guidance, that Cabinet is satisfied the Adoption Agency complies with the conditions of registration, is effective and is achieving good outcomes for children.
2. Cabinet received an Annual Report regarding the Adoption Service in October 2023, covering the period from 1 April 2022 to 31 March 2023. This report relates to the full year 2023/24 reporting period.
3. This report includes information regarding the management and performance of Wiltshire Council's Adoption Service, relating to children who require adoptive families and those who are placed, the disruption of placements and children where the plan for adoption changes. It also includes summary information about the recruitment and approval of adopters by Adoption West and the work of the Adoption West Panel. It should be noted that details of the performance of Adoption West as an organisation can be accessed in that organisation's annual report.
4. It is recommended that the contents of this report are approved.

Relevance to the Council's Business Plan

5. Wiltshire Council's Adoption Service contributes to a central priority as set out in Council's Business Plan 2022-2032; namely to protect those who are most vulnerable and provide permanent homes for children in care.

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6. Wiltshire Council remains an adoption agency because it retains responsibility for children requiring adoption. Adoption West has responsibility for the recruitment, assessment and approval of adoptive families, family finding and adoption support.

Background

7. Adoption is a route to provide permanence for children who are no longer able to live safely with their parents or other family members. This is achieved through the provision of quality adoptive placements for Wiltshire's children where a decision has been made that adoption is in their best interest.
8. The fundamental requirement is that children are placed with families who have been assessed as being suitable to adopt. A recommendation of suitability is made by the Adoption West Panel, and this is ratified as a decision by that organisation's Agency Decision Maker (ADM). Through this process, there is rigorous assurance that approved adopters can provide safe, secure and enduring family placements for this vulnerable group of children. In turn, this allows them to grow, develop and thrive in a nurturing, supportive and loving family environment, removed from the stigma of being a child in care by the local authority. To do this, there must be an appropriate range of enduring adoption placements to meet the assessed needs of children who need permanent adoptive families. These families must promote stability, safety and positive outcomes for children by working in partnership with all agencies, as required.
9. The legislative basis of this work is the Adoption and Children Act 2002 and the accompanying 2005 Regulations.
10. The Local Authority, through reporting to Cabinet, must be assured of regulatory compliance and effectiveness through performance monitoring, challenge and improvement planning.
11. Adoption West has the responsibility to recruit, assess and approve adopters for children. This includes those who can provide permanence for children who may be considered 'harder to place'. This group includes older children, sibling groups, and children with additional needs and disabilities.
12. Adoption West is a Regional Adoption Agency: a partnership of six local authorities. It provides adoption services in line with government requirements, from the point of expression of interest to adopt, through to assessment and approval at panel and beyond, to Adoption Support.

Main Considerations for the Council

13. The main consideration for the Council is to be assured about statutory compliance and the effectiveness of the Adoption Service.
14. Wiltshire has set local performance targets in addition the national scorecard data. In Wiltshire 22 children were made subject to adoption orders in 2023-24, an increase on the 16 adopted in 2022-23.

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15. A10: 50% (11/22) children adopted moved in with their adopters in less than 380 days from entering care. An increase and improvement on 32% (5/16) in 2022/23.
16. A2: 86% (19/22) children adopted were matched with an adoptive family within 160 days of the Local Authority receiving authority to place a child. An increase and improvement on 69% (11/16) children in 2022/23.
17. A20: 50% (11/22) children adopted were made subject to a placement order below 230 days from the date of coming into care. An increase and improvement on 44% (7/16) children in 2022/23.
18. These children's journeys have all been reviewed and the reasons for delays are not practice related or generally within our control. They relate to protracted care proceedings, the impact of additional assessments being ordered within the court arena, family members coming forward to be assessed at a late stage, and positively assessed family members withdrawing prior to final orders and/or placement. Given the significance of adoption for birth families, it is understandable that when family members present late in proceedings the Court and all those involved will want to make every effort to ensure families are assessed and considered as a kinship carer for a child. For some children the delays relate to the longer period of time taken to find a suitable match, potentially needing to search beyond Adoption West these children tend to be older, sibling groups and/or have additional needs.
19. There remain challenges with care proceedings concluding within the 26-week timescale, due to several factors outside of the Local Authority's control as described above. These challenges are subject to continued scrutiny via the Wiltshire Family Justice Board and nationally informed by research findings, National reviews and DfE innovations which Wiltshire is at the forefront of.
20. Wiltshire Head of Service (HoS) for Support and Safeguarding is now the chair of the Wiltshire Family Justice Board Performance and Data subgroup, which is working to The National Family Justice Board targets to reduce delays in timeliness of care proceedings with a focus on understanding barriers and looking at how to improve practice across the judiciary and Local Authority operational Social Care services. Adoption West are now represented at the Wiltshire Family Justice Board and have recently undertaken presentations at the Wiltshire Family Justice conference on Early Permanence and maintaining contact post Adoption orders.
21. Wiltshire have also in the last year worked with the DfE pilot to involve the Children's Guardians (CAFCASS) prior to the first Case Management hearing in a care proceedings case, with the overall aim to seek to reduce the use of experts in proceedings and the overall length of proceedings. The shortening of care proceedings will have a direct impact on the timeliness of adoptions. Following an original proof of concept this work is being rolled out nationally and Wiltshire have supported learning events for other Local Authorities developing these ways of working.

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22. Overall, this demonstrates continued commitment to secure permanent arrangements for all children where adoption is in their best interests, even though it could take longer to find an adoptive match. To ensure continued progress and improvement, careful attention will be given to all aspects of adoption work that remain the responsibility of Wiltshire Council Adoption Service, whilst ensuring, through governance arrangements and challenge, the effectiveness of Adoption West.
23. Management arrangements and staffing within the Council are compliant with regulation in terms of qualification and experience. The Director of Children's Services (DCS) has overall responsibility for aspects of adoption retained by the Council. Reporting to the DCS is the Director with responsibility for the Families and Children's Service. The Head of Service for Support and Safeguarding and one of their Service Managers ensure the effectiveness of overall adoption provision; this Service Manager is the designated link with Adoption West. The Service Director for Adoption West came into post in July 2018, this provides strength and clear accountability with an opportunity to develop and enhance the strategy for improvement and ensure best outcomes for children.
24. The Director of Families and Children is the Adoption West company Director and sits on the Board of Directors. Adoption West is subject to a Scrutiny Committee that reports into Children's Select Committee. The last panel was held on 9th July and AW Scrutiny Panel presented to Children's Select Committee on the 18th July 2024. This noted overall that adoption has increased but the numbers of adopters coming forward have not, causing a strain.
25. Six children were placed outside of the Adoption West area, in 2 cases these were sibling groups with children aged over 5yrs, a single child aged 5yrs and a child aged 3yrs with significant health needs. This is an increase from 2022/23 when only 3 children were placed external to Adoption West. Decisions to look for external placements are robustly oversighted by the Support and Safeguarding Service Manager with responsibility for adoption and Head of Service, and include balancing the needs and ages of individual children, impact of delay in placing for adoption and understanding the availability and matching wishes of prospective adopters coming through Adoption West for assessment in the forthcoming 6 month period.
26. In 2023/24, there were no rescissions post Placement Order of ADM decisions that children should be placed for adoption. For three children the ADM decision was rescinded as the plan moved away from adoption due to family members coming forward during the Care Proceedings.
27. During 2023-2024 there have been no adoption placement disruptions and no placement breakdowns. This demonstrates strong matching.
28. Early Permanence (EP) is one of the DfE's aims in the 2021 National strategy: Achieving Excellence Everywhere. Adoption West has taken the lead in the Southwest. Early Permanence is an umbrella term we use when talking about certain types of adoption placements for babies or toddlers. It includes placements also referred to as Fostering for Adoption (FfA) and Concurrent Planning. Early Permanence placements allow babies and young children who

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may need adopting to be placed with a potential permanent family earlier than a conventional adoption. Of the 59 household approvals in 2023/24, 46% of these adopters will consider Early Permanence. Increasing EP carers should see a positive improvement for children in the timeliness of their adoption journey and achieving permanence. In 2023/24 seven Wiltshire children have been placed in EP placements compared to five children in the previous year.

29. Adoption West are involved in a new project implemented in June 2023 'The Southwest Project for children with disabilities' working with Oxford University. The aim of this project to look at bespoke models of recruitment for children with a disability. Family finding for a sibling group of three Wiltshire children are being considered under this new project.
30. The Adoption West Adoption Panel complies with Regulation. This is important assurance as children who are the responsibility of Wiltshire Council are matched with adopters at these panels. The panel is chaired by a suitably skilled and experienced Independent Chair who ensures that the functions of panel are delivered effectively. There are Agency Panel Advisers from Adoption West to ensure that the panel is always adequately supported. To ensure that panels are quorate, there is an Adoption West central list of panel members established which includes members with direct experience of adoption, including adopters, and those who have been adopted.
31. To comply with regulation, all Panel members, including the Chair, receive annual appraisals which consider their effectiveness as panel members and any areas for development. There is an annual training day and Chairs meet regularly with the Panel Advisors to discuss operational and developmental matters relating to the panels' work and consistency, making any changes and improvements as required. There are quarterly meetings between the Panel Chairs with their Panel Adviser and Agency Decision Makers from Wiltshire. These meetings provide an opportunity for two way communication between Adoption West and the local authority sharing feedback from panels about the work undertaken by us in matching children and potential adopters. Panels also provide feedback on each case presented to them on the quality of reports, whether they have met the regulatory requirements for the qualifications of the workers writing reports. For the 2023/24 Wiltshire's Child Permanence Reports were graded as 15% Satisfactory, 65% Good and 19% Excellent. Adoption Placement Reports completed by the child's social worker and the adoption social worker were graded as 12% Satisfactory, 56% Good and 32% Excellent evidencing strong performance in the region and reflects the training undertaken in the region and within local authorities to ensure social workers understand the importance of these documents for the child and the appropriate style of writing is used.
32. The average duration of Care Proceedings for Wiltshire 2023/24 was 33 weeks, this remains the same as 2022/23. Wiltshire are currently in the second year of a national pilot of the Family Drug and Alcohol Court (FDAC) which works on the principle that parents with addiction issues often need in excess of 26 weeks to evidence sustained change, before final decisions can be made. These cases are recognised as taking longer due to the therapeutic interventions and agreed approach with the courts. If we remove these cases from our figures, the average

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for 2023/24 would be 31 weeks, significantly lower than the national CAFCASS figure for 2023/24 which is 45 weeks. Through robust tracking, we know that there are key factors beyond the control of the Local authority impacting on timeliness. The Care Proceedings Case Manager (CPCM) has specific oversight of adoption from pre-proceedings. Delays beyond 26 weeks are due to a mixture of reasons from court availability, expert assessments causing delay, assessment of parents and kinship carers and cases where international elements and Non-Accidental Injuries cause delays.

Safeguarding Implications

33. This service is delivered in accordance with Wiltshire Children's Services Policy and Procedures. The local authority has clear and effective safeguarding procedures in place for children and vulnerable adults. The partnership with Adoption West is regulated and Adoption West has the appropriate safeguarding policies and procedures in place.

Public Health Implications

34. The risk of poor health and wellbeing outcomes is known to be greater for children in care. Safe and high-quality environments provided by adoption placements are, therefore, an opportunity to mitigate these risks and improve long term outcomes for these children and young people.

Procurement Implications

35. There are no procurement implications arising from this report.

Equalities Impact of the Proposal

36. Throughout the adoption process due regard is had to the Public Sector equalities duties but as this report is for noting there are no specific equalities issues raised by this report.

Environmental and Climate Change Considerations

37. There are no implications arising from this report.

Overview and Scrutiny Engagement

38. The report will be presented to Children's Select Committee on 5th September 2024 and then due to timetabling, will be presented at Performance and Outcomes Board on the 11th of September 2024. Adoption West Annual Report was presented to the Adoption West Scrutiny Panel on the 9th of July 2024.

Risks that may arise if the proposed decision and related work is not taken.

38. This report is for approval; no specific decisions are being requested.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks.

39. This report is for approval; no specific decisions are being requested.

Financial Implications

40. The final outturn position for 2023/24 was £447,796 broken down as follows

Adoption Report	Actuals £	Budget £	Variance £	Actual FTE	Budgeted FTE	Variance FTE
Adoption Allowance	268,926	252,600	16,326	1,311	1,144	167
Adoption Support	54,019	50,000	4,019			
Residence Order	26,520	38,200	-11,680	150	208	-58
Inter Agency Fee Expenditure	123,097	49,900	73,197			
Inter Agency Fee Income	-24,766		-24,766			
	447,796	390,700	57,096			

The budgeted number of children & young people supported by adoption allowances was 1,144 but, in the event, the number in receipt of support was higher, at 1,311 this led to the overspend of £16,326 representing, 6.4% of budget. We have seen an increase in external placements from 3 to 6 children (reasons already in report) and an increase in children receiving allowances from 22 to 25, positively for 3 children they have been adopted by their foster carers which involves a transitional 2year payment of fostering allowance. Residence Orders are now used less frequently by the Courts and therefore the number of children & young people supported was less than planned by 58 and this led to the underspend of £11,680 representing, 30.6% of budget.

Inter-agency income and expenditure is challenging to predict because it is driven purely by adoption matches between counties and for this reason we do not budget for income. Budgets are reviewed annually as part of the MTFS update.

Legal Implications

41. It is a requirement of registration as an Adoption Agency that the Executive of the Council receive regular written reports regarding the effectiveness, compliance and management of the Agency. It is agreed that this is in the form of an annual report, ensuring that legal requirements are met. There are no additional legal implications arising.

Options Considered

42. This report is for approval; no specific decisions are being requested.

Conclusion

43. Recent years have seen considerable change within the sphere of adoption with the introduction of RAAs and a focus on improving adoption performance nationally. At the heart of this is the belief that, for some children, adoption is the

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best route to legal permanence, security and the opportunity to achieve their potential. Wiltshire Council is committed to monitoring and improving service delivery where necessary for these children, with robust local measures in place to oversight practice.

44. Adoption practice in Wiltshire is strong, as evidenced within this report; and where timeliness is impacted, the reason for this is known and scrutinised.

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Appendices

None.

Background Papers

None.

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