

Senedd Cymru | Welsh Parliament

Y Pwyllgor Plant, Pobl Ifanc ac Addysg | Children, Young People and Education Committee

Gwasanaethau i blant sydd wedi bod mewn gofal: archwilio diwygio radical | Services for care experienced children: exploring radical reform

Ymateb gan Gwasanaeth Mabwysiadu Cenedlaethol Cymru | Evidence from National Adoption Service for Wales

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## Before care: Safely reducing the number of children in the care system

Please outline a maximum of three top priorities for radical reform of services for safely reducing the number of children in the care system.

### Priority 1

Reduce the number of adopted children/young people who might re-enter the care system following breakdown of family relationships by further enhancing the provision of adoption support services in Wales as well as the entitlement and access to these services.

- Consider ways of enhancing entitlement and access to adoption support e.g., there is currently a discrepancy in entitlement between that which is offered under the Adoption & Children Act, 2014 and the SS&WB (Wales) Act, 2014 and the regulatory framework current restricts increasing providers and choice. Welsh Government are aware of this issue and may already be considering it.
- This will require continuing development of good multi-agency adoption support through increased adoption awareness and good joint working by a range of services across different sectors. Whilst the numbers of children/young people re-entering care from adoption are relatively small, their needs are typically extremely complex and at a very high level, thus preventative services would be more cost effective and lead to better outcomes for those children and young people. [See Beyond the Adoption Order: challenges, interventions, and adoption disruption. Research report. [Final Report - 3rd April 2014v2.pdf](#) (publishing.service.gov.uk); and [beyond-the-adoption-order-wales-discord-and-disruption-in-adoptive-families.pdf](#) (gov.wales)]. There are examples of good practice, such as MYST in Gwent which considers adopted children; others however do not. It should also be noted that all 'Edge of Care' services should become more adoption aware.
- Extend current third sector services, such as PATHWAYS (formerly TESSA) and First 1000 days provided by AUK Cymru, which provide specialist adoption input, including high quality peer support, reducing independence on professional input.
- Full implementation and continuing training for all new social care staff on the National Adoption Services Good Practice Guides National Adoption Service - Good Practice Guides (adoptcymru.com). These outline a range of approaches, based on research evidence to increase resilience and reduce fragility in adoptive families including those situations where they begin to come under strain. A core part of good practice recommendations in relation to adoption support is the use of 'voluntary annual check-ins' for adoptive families post Adoption Order to highlight issues

at an early stage and thus reduce the need for high level or crisis intervention with the associated risk of placement disruption. There is a need to consider a change to legislation and guidance to enhance the offer of this 'check in' for those families that wish to receive it. A system needs to be established and resourced that sets this up in an appropriate way to ensure the offer is available but does not create a burdensome and intrusive monitoring system – see section 3.

- There is evidence that the placements of some children leaving care through kinship/connected persons arrangements do not last. There should be research commissioned into the many issues that this raises including the level of later disruption/re-entry back into care and impact on children concerned subsequently finding permanence. Alongside this consideration should also be given to research into the data which informs the reduction in adoption plans for children since 2014 [there has been a decline from the peak of 385 children in 2014-2015 to 283 children in 2021-2022]
- A similar level of support or arrangements to those being developed for adopted children may need to be available to children whose permanence is achieved in other ways e.g., through SGO or return home. A model developed in Monmouthshire outlines a service aimed to deliver bespoke, targeted support to families in line with the child's care plan <https://www.barnardos.org.uk/what-we-do/services/monmouthshire-families-together> .

## Priority 2

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Review the way in which permanence planning and the Public Law Outline are working currently in Wales to see if there is full and sufficient exploration of options and their longer-term implications prior to parallel planning and proceedings.

- There are emerging concerns that timescales for removal of children who are assessed to be at risk are sometimes too long, resulting in children being left in risky situations which increase levels of need/complexity. This has implications for the longer-term outcomes for these children and, on occasions, for the placement options available to them. There is emerging evidence that when the other options within the birth family and community fail long term foster care is the most likely option for these children rather than a form of permanence.
- Sibling attachment assessments can be poorly assessed, which can often result in the courts making requests for further assessments needing to take place which are then issued to experts who have no relationship with the children, and as such the quality of their observations are therefore compromised.
- If children remain in long term foster care (where the original plan was adoption) Local Authorities have to rely on capacity and resources that then impact on fostering sufficiency. This can often result in LA's also having to resort to IFAs as an alternative resource for other placements.
- Encourage whole system models and partnership working with birth parents of children who have been adopted or subject to SGO. This should include full implementation and continuing training for new staff around the National Adoption Service Good Practice guides for "Working with Birth Parents" and "Contact" so this practice is embedded and encouraged across all children's services. Changes to legislation or guidance may also be necessary to achieve the levels of practice envisaged and supported by the research evidence and Good Practice Guides. Consideration should also be given to reviewing how Reflect services are organised across Wales and how they work with adoption services through closer liaison with Reflect Services, to reduce the likelihood of subsequent children born to these parents entering the care system. A well-resourced birth family support

service across Wales able to deliver and to promote positive relationships with adopted children, for all members of children's birth families should be developed.

- Welsh Early Permanence provides a new option in Wales, for children to be placed directly with prospective adopters on a fostering basis, reducing delay and minimising the number of different primary carers that they experience before permanence is achieved. A change in legislation would ensure that the concurrency model of placement currently being rolled out in Wales could become a 'pure' Foster for Adoption model as it is in England. This would reduce the level of resource needed by regions and local authorities as a result of the current system requiring separate approvals at both a fostering and adoption panel.
- There is a need to consider the key messages from the recently published Sonnet Advisory and Impact Report [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://cva.org.uk/wp-content/uploads/2022/12/CVAA-The-value-of-adoption-report-final-Nov-22.pdf](https://cva.org.uk/wp-content/uploads/2022/12/CVAA-The-value-of-adoption-report-final-Nov-22.pdf) which compared the outcomes of children who were adopted with those in other permanent placements and found that the value created for adopted children, families and society is at least £1.3million for every child adopted.
- Consideration must be given to ensuring a robust permanence planning framework is re-established for all children and young people who cannot return to their birth families or communities. Included within this is a requirement to strengthen the need for research into long term outcome of SGOs; alongside the need for the judiciary to set realistic timescales to conduct robust family finding before care and support plans for children with an adoption plan is changed to a less permanent option.

### Priority 3

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A more balanced and positive view of adoption and the role it plays in a modern social welfare system must be developed.

- How adoption is viewed and used has been affected by a hardening of attitudes towards it in our modern society, in part fuelled by understandable reactions to scandals about its historical use and format e.g. the recent 'Joint Committee on Human Rights, Inquiry into adoption of the children of unmarried mothers 1949-1976' as well as the voices of some adult adoptees who feel their needs and rights were not met nor respected. An active anti adoption lobby has also developed from groups of birth parents involved in the more contemporary processes of children being removed by the courts through family proceedings. It is important that these views and experiences are both heard and inform our modern systems and process but equally for the foreseeable future there are likely to be some children for whom a return to their birth family and community remains unsafe or unable to meet their needs during their childhood. These children have the right to prompt access to alternative permanence within a family to meet their long terms needs.
- Research conducted by NAS through an Omnibus survey in 2022 demonstrates that generally the public attitude to adoption is relatively benign but there are also indicators that less favourable attitudes to adoption exist within the groups of professionals who work within the social welfare systems where planning for children occurs. Adoption can be presented to families as an undesirable outcome to their lack of ability to change or co-operate with safeguarding services and to wider family members who may be unsure about assuming a direct care giving role for children. Once an adoption plan is agreed arbitrary timeframes can be imposed on the length of time allowed to find an adoptive family and there can be pressure to continue to consider other options. There is

currently a decline in the number of children being placed for adoption against an increase in plans for long-term fostering. Whilst long-term fostering can be a positive outcome for some it does not provide legal security and such arrangements can and often do come to an end at a time when young people need additional support. Long-term foster carers are not expected to be committed to a child in the same way that adoptive parents are and as a result children do not attain the same and enduring sense of belonging within a family that an adopted child does. Recent research (New research findings reveal abused children who were adopted did 'significantly better' than those brought up in care — ([ox.ac.uk](http://ox.ac.uk))) indicates that the outcomes of adopted children are better.

- Whilst accepting that adoption is not an appropriate plan for all children due to the development of an improved range of services across Wales designed to support birth families to stay together and / or to support kinship and wider family arrangements for the care of children such as Special Guardianship Orders within an explicit Welsh Government policy direction aimed at reducing the number of children 'looked after' in Wales, the number of children being considered for adoption has fallen. The services developed are working very well for many children and families enabling more to remain within their birth families and communities which is right and proper where they meet the long term needs of children. However, it is similarly right and proper that children who cannot return to or remain within their birth families and communities are afforded the option of an adoptive placement that is viewed in a positive and balanced way.
- Practice in adoption is now different to the traditional concept; it no longer has to offer the complete and lifelong severance of ties with birth family and in many cases offers something much more flexible and contemporary. The modernisation that has taken place should be extended, in law if needs be, and resourced.

## In care: Quality services and support for children in care

Please outline a maximum of three top priorities for radical reform of services for children in care.

### Priority 1

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All services must be required to present a sense of continuity of relationships for children who are looked after (CLA) which will enable them to have a coherent narrative and sense of identity.

- Children and young people must be supported to make sense of the transitions or care they experience which will assist to promote resilience and thus better outcomes in terms of long-term health and wellbeing. A key tool in this is Life Journey Work (LJW).
- The National Adoption Service LJW framework emphasises the need for this to start as soon as possible for all CLA, whether they are ultimately adopted or go on to another form of permanence, including reunification with birth family. It also makes clear that that LJW is a process, not an event and for children who are adopted or in long-term foster care, there is a crucial need for support for parents or carers to continue and develop this throughout childhood into adulthood.
- Identifying a mechanism to extend this framework to all CLA should be considered including the need to better improve relationships between birth parents/birth families, foster carers and adopters. A critical outcome of better relationships between these groups includes the 'free flow' of narrative and information which is crucial to the child/young person's growing sense of identity.

### Priority 2

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Agencies must be supported and enabled to provide services that will support good quality contact for children and young people.

- Research is clear that well supported contact arrangements are critical to maintaining a sense of continuity and integration of multiple aspects of a child's identity. There is a need for transitions of care e.g., from foster placement to adoptive family to be seen as requiring changes in the patterns of contact arrangements, rather than a complete cessation in contact with the family of origin and others from the child's past, including siblings placed separately as well as some members of the foster family.
- More coherent contact arrangements between children, their parents, wider family or adults important to them may encourage key professionals and the judiciary to view adoption as a favourable option for children and dispel the archaic view of adoption as severing child's relationships which is inherent in the application of the principle that 'nothing else will do'.
- There is a need for the principles of the NAS Good Practice Guide on Contact to be fully implemented across Wales including a more positive and resourced offer regarding individual and reviewable contact plans for all children who are adopted.
- A similar framework should be developed and implemented for all looked after children.

### Priority 3

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Ensure all services working with care experienced children are trauma-informed and adoption aware

- All those involved need to have a trauma informed approach, especially during periods of transition for children and their families. Adoption awareness, as well as a trauma informed approach across a range of organisations, will help to ensure the appreciation of the needs of adopted children, both those which are shared with CLA and those which are particular to those placed for adoption.
- Support must be provided to ensure appropriate levels of therapeutic support for children in care, particularly through transitions from one care setting to another e.g., from foster placement to adoptive family. These interventions should be proactive to promote resilience, rather than reactive to crisis situations. Such support also needs good communication and liaison between different organisations and sectors involved with a child and their family to be most effective. An ideal way of providing, responsive, well integrated specialist services for CLA and adopted children, would be the establishment of multidisciplinary teams, including specialist workers from social care, health and education.

### After care: On-going support when young people leave care

Please outline a maximum of three top priorities for radical reform of the on-going support provided when young people leave care.

### Priority 1

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There is a need for the regulations to be revisited to strengthen them in terms of duty to provide support services to adopted children and their parents as well as to assess for them and to broaden this to include connected people as well as adoptees themselves.

- The adoption support regulations place a statutory duty on agencies to assess need for post adoption support, but not for provision of services. This is out of step with the Social Services and Well-being (Wales) Act 2014.
- There are also barriers to accessing some forms of support, due to the restriction on provision of adoption support services to those organisations that are Adoption Agencies or registered Adoption Support Agencies (ASA) with Care Inspectorate Wales or who are commissioned to provide services by these organisations. The Department of Education, England are currently consulting on this issue.
- The availability of supportive and therapeutic work with adult adoptees should no longer be restricted to those counsellors and therapists working as on behalf of, or within an adoption agency/registered adoption support agency. Counsellors and therapists work to high professional standards regulated by their professional bodies, in all other areas their capacity to work with any presenting client will be a matter for their professional judgment; they will recognize the need to refer on to specialist services if presenting issues, or those that later arise are found to be outside their own area of competence. It is important to trust the judgment of these professionals and provide adopted adults and birth relatives with the right to choose a counsellor or therapist with whom they have the confidence to address their support and therapeutic needs without prejudging that suitability dependent upon the work setting. It must also be acknowledged that whilst adoption is a significant factor in the life of everyone affected, it is not the only factor. The choice of service providers for those whose lives have been touched by adoption must not be restricted by statutory regulation linked solely to the adoption.

## Priority 2

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Transitional arrangements for care experienced children and young people at the point at which they reach 18 years and their ability to access adult services needs careful consideration.

- There is a systemic issue for care experienced children and young people at the point at which they reach 18 and become adults and therefore transition from being able to access services for children to adult services, even though their development in various areas, such as emotional, social and cognition, is highly likely to be delayed, relative to their chronological age.
- This is particularly acute for care experienced young people who have been adopted as they lack the same legal entitlement afforded to those who are subject to a Special Guardianship Order or leaving long-term fostering or residential care. There are lifelong implications for care experienced young people, but access to appropriate specialised services becomes much more problematic as they get older.

## Priority 3

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There are crucial differences in the legal frameworks surrounding care experienced young adults, needing to access both their care and adoption records. This is often dependent on which of these they are seeking to access, even though the nature and content are likely to have considerable overlap.

- Access to care records via Subject Access Requests are subject to strict timescales but are often not accompanied by the level of support that those accessing adoption records have.
- At the same time the capacity of adoption agencies to respond to requests for access to adoption records is severely limited, sometimes resulting in long waiting times.

- In cases where reunification is sought alongside access to records, adoption agencies must prioritise both historical requests, where the subject of the enquiry may be approaching the end of life and requests from vulnerable young adults, who have complex high-level needs and where there may be significant risks associated with reunification.
- To address this shortfall, there is a need for a national service, with the capacity and expertise to provide a consistent service across the whole of Wales and to cater to the different needs of those adopted historically and those adopted from care more recently.

## Anything else

Whilst we are conscious that this inquiry relates to the experience of the care system for children and young people in the broadest sense, we have focussed this submission on the role that adoption plays in planning and permanence outcomes for children.

Streamlining and parity between social care, health and education for the support available to adopted children and their families is needed. There is currently disparity in legislative and policy arrangements for these different statutory services:

- Social care in terms of adoption support is subject to a 3-year post order arrangement. Other generic/statutory services would be picked up by the receiving Local Authority area straight away.
- Health - primary care responsibility transfers immediately the child is placed assuming that once the Adoption Order is made then responsibility for secondary care would also transfer, unlike for CLA where some responsibility remains with the placing area.
- Education- responsibility transfers immediately with the child. The new ALN bill is clear that the child will continue with the additional support if they are in receipt of an IDP due to their identified additional learning needs in Wales. The IDP can be reviewed and updated, good practice would indicate that if the child moves areas, a PCP meeting between areas would be held. The LAC PDG funding is unclear, documentation states it should support adopted children, yet education departments across Wales do not hold this information and when Welsh Government allocates the funding, they allocate on CLA numbers which do not include adopted children. Due to this, concerns are raised that the funding has little impact on adopted children. There is a wide variation on how this funding is used to support CLA, some areas, it follows the child, in other areas it is used as clusters of schools to support training and initiatives.

Streamlining of service planning foot prints may be advantageous

- There are various 'footprints' used across statutory services which can be problematic. In particular for adoption, the of interface with the Social Services and Well Being (Wales) Act Regional Partnership Boards creates a lack of visibility of the needs of this groups of children and young people in planning and resourcing discussions and decisions.