

**Bedford Borough Council**

**Looked After Children Strategy**

**May 2015**

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## **Executive Summary**

This strategy sets out how Bedford Borough Council together with partner agencies, will meet the needs of all children who are in the Councils' care and ensure that permanence provides an underpinning framework for all social work with children and families from family support through to adoption in order to ensure that children have every opportunity to enjoy a secure, stable and loving family through childhood and beyond.

Achieving permanence for every child must be a key consideration underpinning all social work practice with children and their families.

Our strategic approach for looked after children is aligned with our Corporate Parenting Strategy, our Sufficiency Strategy and other national and local drivers.

One of the best ways to ensure that we can deliver high quality services to children in care is to ensure that we have the right children in care, namely those most vulnerable and at risk, whilst ensuring that we support those children who can safely remain at home. To this end we are developing our "Early Help Offer" to ensure children and young people receive the best possible help before there is any need to refer to social care.

We are establishing a strong and consistent approach to managing our 'front door', which is critical to ensure that we look after the right children at the right time. This will ensure that children who meet our threshold of intervention receive a timely assessment of their needs and the most effective services and support from our front line teams.

The demand on Children's Services has been increasing year on year and Bedford Borough Council has responded by investing in additional social work capacity and it commissions a range of targeted support services to meet assessed need. To support improvements in the quality of service delivery models of intervention will be reshaped using a systemic approach designed to support child centred practice and to promote the engagement of children and young people.

We will ensure that there is a 'golden thread' of permanency planning running through our decision making, starting at the point of first contact. This requires us to make decisions that reflect the long-term needs of each individual child at every point in their journey.

In line with our need to deliver permanent solutions for the children and families we serve we are updating and developing associated practice guidance. Our Participation Strategy is based on our need to understand and consider the views of the children and families. Our 'Pledge' to children in care is reflective of this aspiration and serves as our statement of commitment to change the way services for looked after children are delivered.

Effective management information and performance management systems will be developed to underpin our strategic approach.

In order to care for our children well, we need a good supply of high quality placements. Our response to the Government's 'Sufficiency Duty' will ensure we have the right provision in the right place for all our children in care.

We will continue to deliver a mixed market of placement provision including foster care and residential children's homes for children with disabilities provided by Bedford Borough Council as well as a wide range of placements commissioned from the private and voluntary sector.

We will also continue to innovate and look for new types of placements to meet the individual needs of children and young people. Specifically, this will include expanding our range of supported housing options for older young people.

For those children and young people who become looked after we are developing recruitment strategies and mechanisms designed to ensure Bedford Borough Council is the first choice agency for prospective foster carers and adopters. We will support our carers to provide high quality placements via a comprehensive training and support programme.

We will give priority to achieving timely, accessible and high quality service provision in order to improve health outcomes, support educational attainment, maximise life chances and promote placement stability.

We will develop a range of policies and procedures that will support our ability to provide alternative care for those children whose needs are best met away from their home and our overarching “Friends and Family Policy” will be designed to offer a range of support to those children and young people whose needs can be met by their family and wider personal networks.

We know that outcomes for children are better when they are able to form long-term relationships with carer’s. To that end we will develop a “Placement Stability Policy” and associated practice guidance that will ensure that we secure permanent long term care arrangements for children.

Working closely with our virtual school we will ensure that services and strategies to promote the educational attainment of our looked after children and young people are prioritised in order to narrow the gap between the achievements of children who are not in care and those who are looked after by Bedford Borough Council.

In partnership with health services we are ensuring that the health needs of the children and young people we have responsibility for are identified in an appropriate and timely manner with a focus on prevention. Evidence shows that children and young people in care have some of the poorest health outcomes in comparison to their peers.

We recognise that young people in placement should remain with their carer’s beyond 18 if that is the best decision for them. We have introduced a ‘Staying Put Policy’ that enables young people to remain with their carer’s beyond their 18th birthday.

Bedford Borough Council are committed to a range of activities designed to ensure that all our children in care are able to access education, employment or training as the move towards adulthood. As one of the Borough’s largest employers we have

more to do towards ensuring that there are work-based opportunities for young people leaving care.

We will monitor the progress of our strategy by carefully testing progress against our desired outcomes. A continuous process of audit, feedback and progress checking is being implemented in order to drive improvement.

# **1: Introduction**

## **1.1 Definition of Permanence**

Permanence, in the context of children's social work, is defined as a framework of emotional permanence (attachment), physical permanence (stability) and legal permanence (in respect of who discharges parental responsibility for the child) which gives a child a sense of security, continuity, commitment and identity.

The objective of planning for permanence is to seek to ensure that children have a secure, stable and loving family to support them through childhood and beyond.

## **1.2 Principles of Permanency**

In accordance with the principles set out in the Children Act 1989, the Borough's services for children are premised upon the belief that in most circumstances children and young people are best looked after within their own families. However, there will always be some children and young people, for reasons of abuse, neglect or for other reasons, for whom being in the care of Bedford Borough Council will be in their best interests.

These children and young people deserve the highest quality service if we are to begin to redress the disadvantages that they may already have suffered prior to coming into care. All Children in Need and Looked After Children will have Care Plans that reflect the Authority's commitment to securing their permanence.

Every child requires a happy, stable home life if they are to achieve their potential. Children in care are no exception and care planning will focus on achieving enduring, stable, caring and nurturing home lives for each individual young person in accordance with their circumstances. For children who cannot live with their birth parents, first consideration will be given to the possibility of safely securing their permanent care with a family member or another person connected to their family.

Bedford Borough Council will ensure that a permanence philosophy is embedded within the authority and that children are at the centre of the planning process. The need to secure permanence for a child without undue delay will be considered from the day the child is referred for assessment.

Children will be sensitively and age appropriately consulted in the care planning process but will be assured that the burden of decision-making does not fall upon them.

Siblings can provide one another with a degree of mutual support and help to maintain a positive sense of identity and knowledge of cultural, personal and family histories. Wherever possible and consistent with the children's welfare we will always aim to keep siblings together. Plans to place siblings separately will only ever be considered in exceptional circumstances, where there is clearly assessed evidence that the combined demands, needs, behaviour and role of each child can be identified as being so overwhelming that successful integration and attachment to a permanent family would be seriously hampered. Wherever siblings have to be placed separately as a result of a clear and balanced assessment of their individual and collective needs significant levels of good quality contact will be promoted by their caregivers for so long as it is in the child's best interests.

We will ensure that systems for assessment, planning intervention and review are robust, legally compliant and informed by best practice, and research.

Permanency planning will be child focused and where conflict arises between the wishes of the parent and the needs of the child then the child's needs will be paramount.

Decisions about the placement of children will respect their ethnic origin, cultural background, religion and language.

We will ensure that the requirements of children with additional needs and disabilities will be properly taken into account as part of the planning and matching process.

Every looked after child will have support and services available to meet their assessed needs and have readily available assistance in the event of difficulties and or issues that present a risk of placement disruption.

Every looked after child will receive information about how to make complaints or representations if required and how to access advocacy services.

At the latest, every child will have an agreed written permanence plan in place by the time of their second looked after review.

## **2: Options for Permanence**

Most children will have their need for stability and nurturing met by their birth parents and will not require support from, or come to the attention of, Local Authority Children's Services departments.

Where families do require support, the Local Authority will aim to support families to maintain care of their children whenever it is in their child's best interests.

Where children become looked after by the Local Authority the following three options for legal permanence must be fully considered:

- Remain with or return to birth parent(s) without a legal order, with appropriate support to maintain this.
- Live with a relative or person close to the child by virtue of a Special Guardianship Order or Child Arrangements Order (previously a Residence Order)
- Adoption into an alternative family

For a variety of reasons it may not be possible for some looked after children to secure any of the above three legal outcomes. The specific reasons for this may be complex and varied and will only be agreed following careful assessment,

management endorsement and rigorous review, each of which must place the child's best interests at the centre.

In such circumstances case planning will be driven by the pursuit of achieving enduring stability through one of the following two options:

- Living with long-term foster carers as a looked after child;
- Living in a stable placement in a children's home.

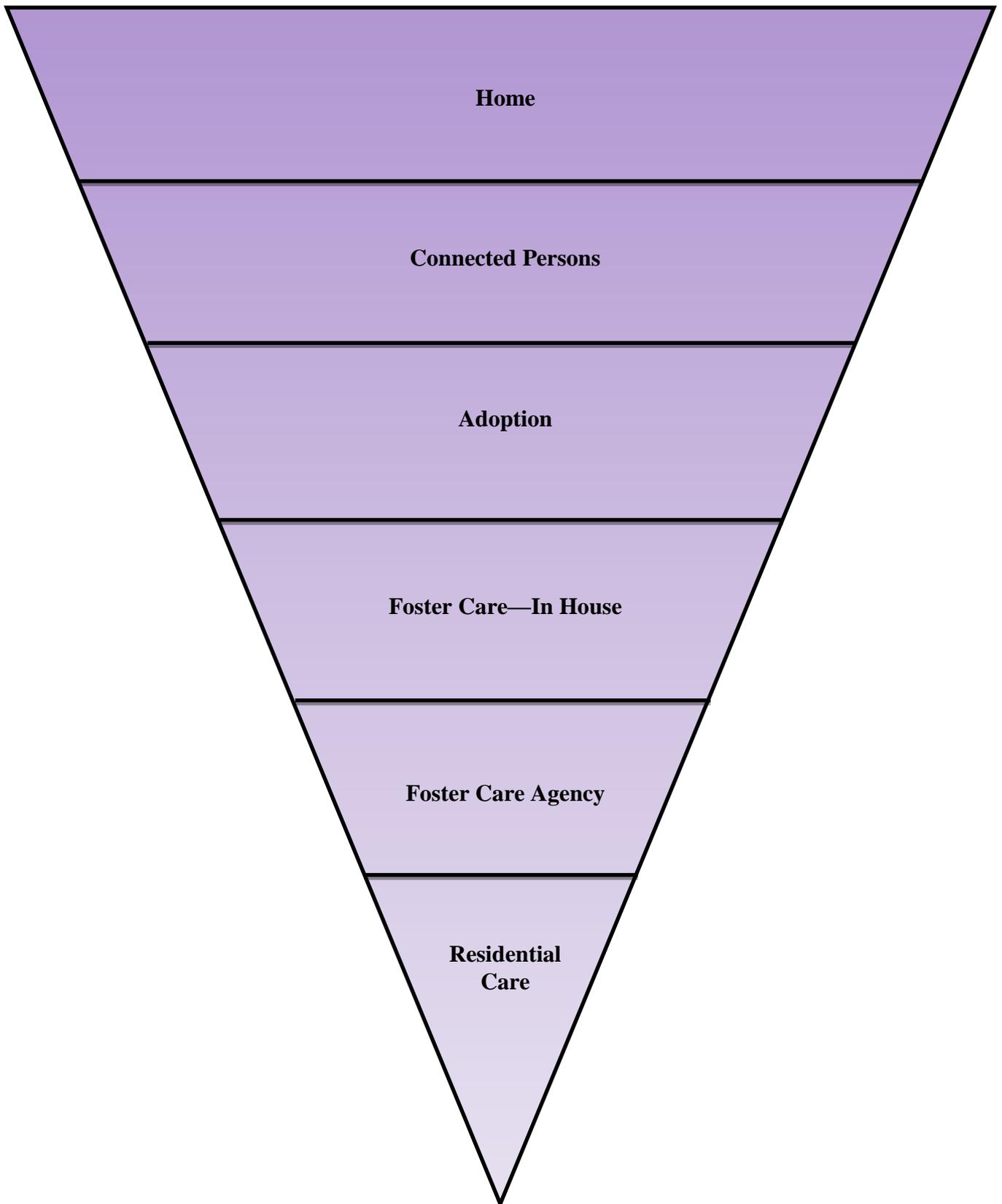
A long term fostering placement is defined as one where the child has a clear sense of stability and belonging and the carers expect the child to be part of their family into adulthood. The child's primary attachments will be within the foster family, despite the potential for ongoing contact with birth family members.

A long term fostering arrangement will be formally matched at a 'Best Interest Panel' and agreed by all parties, with input from the relevant professionals involved with the child and their carers. In all cases the child, the carers, the birth family and the authority will share an expectation about the permanence of the situation and provide a commitment to support and maintain an enduring, nurturing and caring home environment.

In many cases the plan for children in long- term fostering placements will be made with a view to securing their legal permanency by virtue of a Special Guardianship Order, but in some cases this will not be possible.

These options will be explored sequentially in the order set out in the diagram overleaf.

# Placement Strategy



### 3: Assessing for Permanency and Stability

Bedford Borough Council has developed a Single Child and Family Assessment process in accordance with the freedoms for local authorities set out in statutory guidance (Working Together to Safeguard Children 2013).

A single assessment will commence at the point of a referral to Children's Social Care or in the following circumstances:

- Following a strategy discussion when section 47 enquiries are initiated
- When a child or young person is requested to be looked after or becomes looked after in an unplanned way
- Prior to a looked after child or young person returning to their families in planned situations
- When new information is obtained on an open case which indicates a further assessment should be undertaken
- When further consideration is required of a child or young person's individual needs, as to what services should be provided and actions to be taken
- When a specialist assessment is required
- To provide the social work report to a child protection review conference.

The assessment will also inform;

- A Child / Young person's plan when a child is living with their family
- A Care Plan when the child or young person needs to be looked after
- A Child Protection Plan where a child or young person has been subject of section 47 inquiries and has become subject of a child protection plan
- A Care Plan lodged with the court as part of care proceedings

Every assessment will be focused on the child's journey and deciding which services and support to provide to deliver improved welfare outcomes for the child. The long-term focus of each of these statutory planning processes should always be to achieve permanence for all children within a safe, caring and nurturing home

A good quality assessment must provide a clear evidential basis for addressing the health, educational, ethnic, cultural, religious and linguistic needs of each child.

Where an assessment indicates that a child or young person may need to come into care the case is presented at an 'Edge of Care Panel' in order to ensure that becoming looked after is in their best interests and that every realistic alternative has been fully explored.

## **5 Planning for Permanence and Stability**

For all looked after children, it is a legal requirement to have an up-to-date Care Plan. The Care Planning, Placement and Case Review (England) Regulations 2010 set down minimum requirements for the review of care planning for Looked after Children.

The first looked after review should take place within 20 working days of the child coming into care. The second review should take place no later than three months after the first and then at intervals of no more than six months so long as the child remains looked after.

In addition the Care Planning Regulations 2010 and the Adoption and Children Act 2002 require there to be a written permanence plan presented to the second statutory review (i.e. within 4 months of becoming looked after).

The permanence plan will identify the appropriate option (or options depending upon the stage reached in any care proceedings) for the child and will be formally endorsed at this second statutory review. Responsibilities for implementing this plan and actions contained within it will be clearly attributed along with timescales being set for outcomes to be delivered. There must also be evidence of contingency planning.

The plan will be made available, and updated, at each subsequent review. The Independent Reviewing Officer (IRO) will be informed by the social worker of any

changes to the care plan and any significant events in the child's life between reviews.

Particular attention will need to be paid at the first and second review to children accommodated under Section 20 of the Children Act 1989 given that the local authority will not hold parental responsibility. In these circumstances legal advice should be considered prior to the second review.

Where a looked after child is placed back with a birth parent under part IV of the Children Act 1989, then every effort should be made to secure legal permanence through a clear exit plan which supports the discharge of the Care Order within a clear timescale (usually a maximum of 12 months). In some cases a Supervision Order may be appropriate.

In a small minority of cases, it may be appropriate to retain a Care Order in respect of a child placed with parents for longer than 12 months due to episodic lapses (e.g. recurring mental health issues or alcohol related relapses). This will mean that parental responsibility for the child will continue to be shared.

In cases where it is determined at the second statutory review that permanence cannot be achieved by the return of a looked after child to birth parents or friends or relatives then alternative permanency options including adoption must be considered, having clearly evidenced why all other options are not suitable.

Where the plan for the child is adoption, there will be robust evidence addressing all realistic options for securing permanence and security for the child via other options. The evidence must contain an analysis of the arguments for and against all of these options. Before deciding to grant an Adoption Order the court must be satisfied that adoption is the only option available to secure the long-term welfare of the child.

There may be some older looked after children who are settled and placed with long term foster carers who, for whatever reason, are reluctant to pursue legal permanence for the child/children through Special Guardianship or Adoption. In such cases, so long as such a plan is agreed as being in the child's best interests, such arrangements should be supported to achieve stability. This will require the approval

of the Permanency Panel however; the possibility of securing legal permanence in the future must be kept under review.

For a small minority of looked after children, placement within a small children's home or specialist educational setting will be the appropriate provision to ensure their best needs are met. The arrangements for every child living in these settings will be kept under careful review through the care planning and review process and we will ensure where ever appropriate that children have the opportunity to return to a family based care setting.

## **5: Family and Friends and Connected Persons**

Over the last decade there has been increasing recognition, both at a local and national policy level, of the role played by relatives and friends in raising children who are unable to live with their parents.

Family and Friends care will often provide an important alternative route to permanence for a child, particularly where this can be supported by a Child Arrangement Order (previously a Residence order) a Special Guardianship Order or through adoption. Family and friends often start to care for other people's children in a crisis or emergency situation. Sometimes the care will begin as a short-term measure, but gradually or subsequently become open-ended or permanent.

Our policies and practice will be guided by the principle that support will be based on the needs of the child rather than merely their legal status in order to ensure that family and friends carers are provided with support to avert the need for children to come into care or for them to remain in care for longer than is needed.

The placement of a child on a temporary basis with family and friends and connected persons does not imply this is a suitable permanence solution. When children are placed on a temporary basis we must be satisfied that this is the most suitable immediate means to safeguard and promote the children's welfare and that the circumstances are such that the arrangement cannot wait until the full fostering approval process can be completed.

In these circumstances a separate assessment carefully considering the long-term implications for permanence must be undertaken. Where there is reasonable doubt from the start that the proposed carer will not be able to meet the expectations required to meet approval under the fostering regulations, preference will be given to an existing approved carer while the assessment of suitability is undertaken.

Where this is not possible before a placement takes place, family, friends and connected persons may be temporarily approved under Regulation 24 of the Care Planning Placement and Case Review (England) Regulations 2010 pending a full foster carer assessment (within 16 weeks).

Where it is the plan that children remain with a relative, friend or a connected person, to independence, their legal permanence will be achieved if and when the friend or relative secures a Child Arrangements Order or Special Guardianship Order. Plans should seek to actively discourage families 'placing' children for extended periods without consideration of these options for legal security.

Similarly, in cases involving children who are privately fostered the assessment and planning process should also keep the issue of legal permanence at the centre of planning. Since, by definition, the arrangements are known to be of a temporary duration, the plan must identify the reasons with details of the long term aims for legal permanence along with associated timescales.

Where informal arrangements have been agreed it is recognised that families may require local authority support in order for a child's permanence to be secured. This support may take the form of advice, guidance, or in exceptional circumstances provision of financial support as a single or recurring payment.

## **6: Multi-Track Planning**

The Children Act 1989 requires the local authority to make reasonable efforts to rehabilitate looked after children with their families wherever possible.

Where care proceedings have been initiated, and there are concerns regarding the viability of the child being able to return to his/her birth family, contingency plans will be put in place to avoid delay and to provide the court with a clear plan.

Multi-track planning in this context refers to a situation where two or more plans run in parallel. In such cases the main focus will be upon rehabilitation home but, at the same time, a parallel plan or plans (e.g. placement with family/friends and/or adoption) will be established in order to achieve an alternative permanent placement if rehabilitation is unsuccessful.

Birth parents must be informed from the outset that two or more options are under consideration within a strictly controlled timescale and that the primacy of the rehabilitation plan must also be stressed.

Foster to Adopt is an example of twin track planning. It is particularly useful where recent care proceedings have resulted in a child from a family being adopted. When we are clear that that we have robust and recent evidence to show that all alternatives other than adoption are not suitable to meet the child's long-term permanence needs the law allows for approved adopters to also be approved as temporary foster carers for a named child from the outset. On entering care the child will be placed with the prospective adopters as a temporary fostering arrangement, in advance of the court deciding whether to make a Placement Order. The usual legal and adoption panel processes still need to be pursued.

Multi-track planning does not pre-empt the Court decision but does prevent delay when reunification is very unlikely to be feasible.

## **7: Adoption**

Adoption is the most secure and permanent way of providing a new family for children who cannot be brought up by their own parents. An Adoption Order transfers parental responsibility for the child from birth parents and others who had

parental responsibility, including the local authority, permanently and solely to the adopter.

An Adoption Order is irrevocable and except in rare circumstances no future legal challenge is possible, the child is a permanent family member into adulthood.

An adopted child therefore loses all legal ties with their birth family

Children will either be relinquished for adoption or a Placement Order will be secured through the court at the conclusion of care proceedings. The court will seek clear evidence that all other options to secure the child's legal permanence have been considered and why they have been ruled out. Every child whose plan is for adoption must have this confirmed by the 'Agency Decision Maker'.

The process for becoming an adopter starts with an in depth assessment that will usually take a maximum of 26 weeks. The assessment report is presented to the independent adoption panel, where a judgement will be made on suitability to be an adoptive parent and a recommendation to the agency. The approval rests with the adoption 'Agency Decision Maker'.

Research strongly supports adoption as a primary consideration and as a main factor contributing to the stability of children, especially for those less than four years of age who cannot be reunified with their birth or extended family. This does not mean that adoption should not be actively considered for older children, but the search for adoptive parents needs to be pro-active and resolute where adoption is considered to be the right route to permanence for an older child.

Careful consideration will be given to matching of appropriate children with approved adopters, based on the child's level of assessed needs and the skills and attributes of the adoptive parents to meet these needs. Matches are also presented to the adoption panel for a recommendation and the final decision rests with the Agency Decision Maker.

Introductions of the child and family will be carefully planned at an appropriate place for the child. The child must live with the adopters for a minimum of 10 weeks before

an application for an Adoption Order can be made to the court. Birth Parents can refuse to give consent to the making of the Adoption order and courts have powers to dispense with consent at this stage.

It is common for there to be an exchange of written information between the adoptive family and the child's birth family maybe once or twice a year via the adoption agency. There may also be arrangements in place for direct contact with various members of the birth family including grand parents and siblings. Sometimes there will also be direct contact with birth parents if this is best for the child.

## **8: Next Steps**

Improving outcomes is at the heart of this strategy. We intend to transform the lives of our children through a combination of high quality professional practice and new innovative ways of working which make a difference.

Our ambition is to be excellent parents for children and young people in care and care leavers. Effective reform and improvement is therefore essential to us achieving this and requires a renewed emphasis and a change in culture across Bedford Borough to ensure all our children in care achieve good permanency outcomes in order that all our children can;

- Enjoy good physical and emotional health.
- Feel safe.
- Have fun.
- Do well at school, college or work.
- Stay out of trouble.
- Contribute to their communities.
- Achieve well as adults.

A targeted review of key procedures is currently underway that will support the implementation of this strategy and any requirements for further audit and training

will also be considered as part of this process, alongside a timetable for the progression of related implementation plans.

Work is currently underway to realise a 'golden thread' of permanency throughout our decision-making that provides an underpinning framework for all social work with children and families from family support through to adoption, to ensure that children have a secure, stable and loving family to support them through childhood and beyond. Developments planned include:

- Strengthening early help and targeted prevention services
- Implementation of a multi agency safeguarding hub
- Edge of Care arrangements
- Commissioning needs analysis
- Revised Sufficiency Strategy