



Childrens Plans and Agency Decision Maker Process

Policy and Procedure

1.0 Purpose:

- 1.1 Adoption, unlike any other permanence option, involves the ending of a child's legal relationship with their parents and family and the creation of a lifelong relationship with new parents. The relevant legislation, regulation and guidance sets out very specific procedures to be followed and therefore this policy sets out these procedures that constitute a safeguard for both the child and the parents.
- 1.2 The below sets out the Agency Decision Maker's process for children with a plan of adoption (and where a plan changes away from adoption) is well considered, fully informed, and timely.

2.0 Underpinning Legislation and Guidance:

The following underpin this policy:

- Children Act (1989)
- Adoption and Children Act (2002)
- Children and Adoption Act 2006
- Adoption and Children Act (2002) Guidance Chapter 6
- General Data Protection Regulation (2016)
- Data Protection Act (2018)
- Adoption Agencies Regulations (2005)
- Adoption Agencies and Independent Review of Determinations (Amendment) Regulations (2011)
- Adoption Agencies (Panel and Consequential Amendments) Regulations (2012)
- Adoption Agencies (Miscellaneous Amendments) Regulations (2013)
- Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations (2013)
- Statutory Guidance on Adoption (2013)
- National Minimum Standards for Adoption (2014)
- The Adoption and Care Planning (Miscellaneous Amendments) Regulations (2018)

3.0 Role of the Agency Decision Maker (ADM):

- 3.1 The Adoption Agency Regulations (2005) requires the ADM to decide whether a child should be placed for adoption after the procedures set out in the Statutory Adoption Regulations have been complied with.
- 3.2 For Together4Children (T4C) the ADM role is undertaken by the Strategic Leads for Looked After Children and Safeguarding Services (in accordance with Adoption National Minimum Standards 2014).

3.3 The ADM for Children’s plans across the partnership will be:

Shropshire Children: Interim Assistant Director–Children’s Social Care & Safeguarding

Staffordshire Children- Assistant Director, Looked After & Disability Services

Telford & Wrekin Children: Interim Director: Children’s Safeguarding & Family Support/ Child Protection & Family Support (Assessment & CATE) Service Delivery Manager.

Stoke-on-Trent Children-Assistant Director for Childrens Services

3.4 The court cannot make a Placement Order before the Local Authority’s Agency Decision Maker has decided that the child should be placed for adoption. The ADM decision is therefore the formal ratification of the child’s plan for adoption.

4.0 Role of the Regional Adoption Agency Adviser:

4.1 The Regional Adoption Agency Adviser will maintain an overview of the quality of the agency’s reports to the ADM and liaise with the relevant Social Worker and/or Team Managers to quality assure the Child’s Permanence Report.

4.2 The Regional Adoption Agency Adviser will provide advice to the ADM in relation to children with a plan of adoption.

4.3 The Regional Adoption Agency Adviser will respond to request for additional information and/or clarifications from the ADM once a plan for adoption has been submitted for their consideration.

5.0 Timescales of ADM Processes:

5.1 Decision making for plans of adoption require the highest level of consideration and steps should be taken to ensure that sufficient time is available for the ADM.

5.2 It is essential that the Child’s Social Worker, the Regional Adoption Agency Adviser and legal advisers work closely together to ensure that each is kept aware of the progress of the case.

5.3 Each social work team should be prepared to act quickly and to prepare as much of the documentation for Court as possible before the case goes to the Agency’s Decision-Maker. This is so that the report can be finalised and lodged with the Court promptly if the decision is made that the child should be placed for adoption and the Placement Order application is issued.

5.4 Overview of timescales for Final Evidence paperwork to be submitted to Court:

No.of Days*:	Activity:
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Day 16	Children's Team Manager has 2 working days to have oversight and finalisation of Care Plan for the Child.
Day 14	Paperwork is submitted to Regional Adoption Agency Adviser and has 5 working days to quality assure and preparation of agency advice.
Day 9	Paperwork is submitted to ADM and has 7 working days to consider and make a decision regarding a plan of adoption.
Day 2	2 working days are then given for sign-off regarding Care Plan and collation of evidence/submission of Court documents.
Day 0	Final Evidence Paperwork submitted to Court.

*This is the number of working days prior to submission of Final Evidence to Court.

6.0 Notification to Regional Adoption Agency Adviser:

- 6.1 The Permanency Coordinators/Family Finding Practitioners will be responsible for updating the ISL system regarding all information relating to children where there is a plan of adoption.
- 6.2 The Regional Administration Officer will then review on a weekly basis the Child Tracker on the Information Sharing Log IT System (ISL) to ascertain which children are to be considered for a plan of adoption imminently.
- 6.3 Regional Administration Officer will gather this information by filtering the ISL relating to:
- Name of child
 - Date of birth
 - Child's Social Worker
 - Final Evidence Date
 - Date of submission of Papers to Regional Administration Officer
- 6.4 Five working days before the date of submission of papers relating to a particular child the Regional Administration Officer will then send an email to the Child's Social Worker asking them to confirm whether they will still require the ADM to consider a plan of adoption for the child.
- 6.5 Where a child's plan changes away from adoption, the Regional Administration Officer must be informed at the earliest opportunity. This information will be reflected and stored within the ISL system.
- 6.6 Where the timescales for an agency adoption decision change, i.e. where a family member has come forward late in proceedings, the Child's Social Worker must inform the Regional Administration Officer at the earliest opportunity and again this information will be reflected and stored in the ISL system.
- 6.7 Any changes affecting the timescales for the agency decision for a child must be reported to the Regional Administration Officer at the earliest opportunity.

7.0 Statutory Review and Adoption Plans:

- 7.1 A Looked After Child Statutory Review must have been held prior to the submission of documents to the Regional Administration Officer. The date of the review decision where the plan for adoption was ratified must be recorded in the Child Permanence Report (CPR).
- 7.2 In exceptional circumstances, where it has not been possible to hold the review prior to the submission date, the date for the review must be made available to the Regional Administration Officer and must be held prior to the Agency Decision-Maker (ADM) making their decision. The outcome of the Statutory Review must be conveyed to the Regional Adoption Agency Adviser before an adoption decision can be made.
- 7.3 If there are differences so significant that they impact on the review decision being made; for example, the Reviewing Officer does not support the agency's plan, then the reasons must be clearly recorded, and the outcome of the review communicated to the Regional Adoption Agency Adviser without delay.

8.0 View of the Child's Guardian:

- 8.1 The view of the Guardian must be obtained and recorded in the CPR prior to the submission of the documents to panel.
- 8.2 The Guardian's view should clearly articulate their position in relation to the plan for adoption. However, if the Guardian's views cannot be sourced for this to be clearly documented that attempts have been made.

9.0 Submission of documents required for ADM Consideration:

- 9.1 All essential documents must be presented to the Regional Administration Officer by the agreed submission date which is 14 days before Final Evidence is submitted to Court.
- 9.2 In exceptional circumstances, where this will not be possible (i.e. because of the late submission of an expert report), the Regional Administration Officer must be notified without delay.
- 9.3 Essential Information:
- Child Permanency Report
 - All Social Work and Specialist Assessments that are referenced in the CPR
 - All Expert Witness Reports that the Court have commissioned (Adoption Statutory Guidance – Section 2.68).

- Adoption Medical Report endorsed/signed off by the Adoption Agency Medical Adviser.
 - Up to date sibling assessment if appropriate
 - Any other Assessments that add significant context to the case, for example, Viability/Fostering Assessment of a connected person, Social Work Evidence Template etc.
- 9.4 To note, once the Regional Administration Officer have received the information to be considered by the Regional Adoption Agency Adviser there should be no direct communication between the ADM considering the case and the Child's Social Work Team.
- 9.5 Each Locality Permanency Hub has different Case Management Systems. Hence, the process of submission within each Locality Permanency Hub will remain the same.
- 9.6 For the Joint Adoption Service (JAS) and Stoke-on-Trent Locality Permanency Hubs; adoption paperwork will continue to be submitted via the LCS Case Management System.
- 9.7 For Staffordshire Locality Permanency Hub- this will come to the adoption panel email inbox.
- 9.8 Regional Administration Officers then send the papers to the Regional Adoption Agency Adviser.
- 9.9 For papers coming from Stoke-on-Trent and Staffordshire Locality Permanency Hubs for these to be uploaded to SharePoint for Regional Adoption Agency Advisers to access.
- 9.10 For papers coming from JAS Locality Permanency Hub this will be work flowed through LCS Case Management System to the Regional Adoption Agency Adviser.
- 9.11 Papers are then quality assured by the Regional Adoption Agency Adviser and completes a Quality Assurance Form.
- 9.12 Regional Adoption Agency Adviser will make contact with Child Social Workers and/or Team Manager for updates and amendments if needed.
- 9.13 For papers that have come from JAS Locality Permanency Hub request for amendments would be requested through the LCS Case Management System workflow.
- 9.14 For papers coming from Stoke-on-Trent and Staffordshire Locality Permanency Hubs amendments would be requested within the document and this document emailed and sent back to the Social Worker to amend.

- 9.15 Once the papers are quality assured and amendments have been made the Regional Adoption Agency Adviser informs the Regional Administration Officer via email.
- 9.16 These papers are now ready to be passed onto the ADM by the Regional Administration Officer.
- 9.17 The ADM accesses and reviews the paperwork:
- For Stoke-on-Trent a SharePoint email link is sent to the ADM.
- For Staffordshire County Council a SharePoint email link is sent to the ADM.
- For Telford & Wrekin and Shropshire ADM's, this is work flowed direct to them via LCS Case Management System.
- 9.18 Where the ADM requires additional information or advice on considering a child's plan for adoption, they can request this from:
- The Regional Adoption Agency Adviser
 - The Legal Adviser
 - The Medical Adviser
- 9.19 The ADM may have peer discussion with another Senior Officer who undertakes the role of ADM for the Local Authority (however, the ADM cannot delegate the final decision).
- 9.20 The ADM has 7 working days from receipt of paperwork to make a decision for a plan of adoption.
- 9.21 The ADM for Staffordshire County Council and Stoke-on-Trent will then email the Regional Administration Officer the ADM Decision Sheet. The ADM Decision Sheet is uploaded to the correct Case Management System.
- 9.22 For JAS this ADM Decision Sheet is work flowed via LCS to the Regional Administration Officer.
- 10.0 Following ADM Decision where the Plan of Adoption is Agreed:**
- 10.1 The ADM decision will be communicated (via the Regional Administration Officer) to Legal Services, the Child's Social Worker and the relevant Team Manager via email.
- 10.2 The outcome of the ADM decision should be verbally communicated to child's Birth Parents within 2 working days by the Child's Social Worker.

10.3 Written confirmation of the ADM decision should be provided for birth parents within 5 working days by the Regional Administration Officer and this letter uploaded to the correct Case Management System.

11.0 Following ADM Decision where the Plan of Adoption is Not Agreed:

11.1 Where the ADM does not agree the plan of adoption for the child this will be communicated to (via the Regional Administration Officer) to Legal Services, the Child's Social Worker and the relevant Team Manager and Children's Social Work Service Lead immediately via email.

11.2 The Children's Social Work team should immediately inform the relevant Independent Reviewing Officer and arrangements must be made to convene an urgent review to consider alternative plans.

12.0 Following a Placement Order application where the Court have not made the Order:

12.1 Legal Services and the Children's Social Work team should provide the Regional Administration Officer with the following information:

- The reason/s for the Court's decisions
- Name of the Judge who made the decision
- The date of the hearing
- The Court where the case was heard

12.2 The Regional Administration Officer will share this information with the ADM and Regional Adoption Agency Adviser information without delay.

12.3 The information will be recorded by the Regional Administration Officer to inform learning for the Adoption Agency.

13.0 Where a Placement Order was made but the agency has not been able to achieve the plan of adoption:

13.1 Where a child's plan is changed away from adoption, the Child's Social Worker must notify the ADM via the Regional Administration Officer, providing a summary of the reasons why the plan has changed, and the date that this decision was made.

14.0 Roles and Responsibilities:

- 14.1
- All staff are responsible for following the guidance within this policy.
 - Managers are responsible for enforcing this policy.