



ADDENDUM TO THE ADOPTION AND PERMANENCE PROCEDURES

Amendments following the Adoption National Minimum Standards 2011

Following changes to the Adoption National Minimum Standards, April 2011, the following policies, procedures and guidance have been written to meet and exceed the requirements expected within the standards, and should be read alongside the relevant, highlighted chapters within the following documents

- Derbyshire County Council's Adoption and Permanence Procedures (Version 2.0); and
- Derbyshire County Council's Adoption Procedures for Prospective Adopters (Version 1.4).

The highlighted sections indicate new legislation, post April 2011.

Placement for Adoption (cf. Adoption and Permanence Procedures Section 5 and 6)

1. Obtaining Agency Approval for the Adoption Plan

As soon as adoption is the **Permanence Plan** for the child, the child's social worker must:

Contact the Panel Administrator for a date to be arranged for presentation of the case to the Adoption Panel. The Panel date must be a maximum of 2 months from the date when the adoption plan was agreed at the child's Looked After Review. **Where this timescale is not met, the Adoption Panel should record the reason.**

Once adoption has been identified as the permanence plan for the child at his or her Looked After Review or, where a child has been relinquished for adoption, as soon as the parent's request for adoption has been made an adoption case record must be created.

Where the plan relates to a group of siblings, there must be a separate Adoption Case Record for each child. The child's social worker will ensure that an adoption record is established within Frameworki. All adoption documents must be recorded as such and all case records where adoption is discussed will be recorded as an 'Adoption Case Record'. The child's social worker will also refer the child to the family finder, based in the adoption service; the family finder will open a separate file, which will be combined with the Adoption Case Record when the case is closed.

2. The Child's Permanence Report

The following areas must be included or addressed in the Report:

- Profile of the child, i.e. information about the child's family history, personality, nationality, racial origin, religious persuasion, legal status and relationship with his/her birth family - this will be used for family finding for the child and should include the child's placement needs.
- **The child's wishes in relation to the adoption plan and his or her preferred method of communication**
- A chronology of significant events in the child's life since birth (including the actions and decisions of the local authority)

- A family tree
- The preparation work with the child, both undertaken and planned, and the views of the child in relation to the adoption plan and future contact with his or her birth family
- The views of the **Children's Guardian** (where possible)
- The views of the birth family and significant others in relation to the adoption plan and contact **and their opportunity to receive and comment on the report before the report is presented to Adoption Panel.**
- The wishes and feelings of the child, which should be ascertained in a timely manner and in an age-appropriate way. In doing this it is important that the child understands that the outcome will not be determined purely by what they say.
- A report of the child's educational history and current needs, including the **Personal Education Plan (PEP)**, where appropriate
- Any other relevant information arising from any specialist reports on the child
- An assessment of the child's emotional and behavioural development and related needs, together with any racial, religious and cultural needs
- An assessment of the child's needs for post-placement and post-adoption contact, including with siblings, and the child's and birth relatives' needs for adoption support services and a proposed Contact Plan
- An analysis of the options for the child's future care and the alternatives to adoption considered
- Where the child has siblings, whether the decision is to place siblings separately or together and the rationale for the decision

The report must be read, signed and dated by the social worker's team manager, who is responsible for the quality and content of the report. N.B. the Child's Permanence Report is an important part of the explanation for the adopted person if he or she seeks access to information as to their own history.

3. Preparing the Child for Adoption

As part of the above, the child will be given a Children's Guide to Adoption (or other appropriate information) as soon as adoption is part of the child's **Care Plan**. Any information given to the child should be confirmed in writing and any discussions with the child should be fully recorded. ***The child's preferred method of communication should be known and there should be no assumption that a child is unable to communicate.*** An interpreter should be arranged where necessary to ensure that there is effective communication with the child.

Once an adoptive placement has been identified and approved, the child's social worker is responsible for ensuring the child understands the plan and what adoption is. The social worker will also ensure the child is properly prepared for the first meeting with the prospective adoptive family and is appropriately counselled during the period of introductions. ***As part of the preparation of the child for the adoptive placement, information will be provided to ensure that s/he has a proper understanding about the accommodation and others living at the prospective adoptive home, the contact arrangements with the birth family and how to contact his or her social worker.*** It is the social worker's role during the introductions to keep in touch with the child and to assess how the child feels about what is happening. This should continue after the placement throughout the monitoring and supervision of the placement.

The child should have a Life Story Book ready by the time of the child's adoptive placement and the social worker will encourage the birth parents to write a letter for the child to have when they are older. The birth parents will work with a member of the birth family support team; that worker is probably the most appropriate person to help the birth parent write that letter. They (or the child's social worker) should also encourage the birth parent to provide information for the child's life story book and later life letter. The child's social worker will write a 'Later Life' letter for the child ***and give it to the adopters within 10 working days of the ceremony to celebrate the making of the adoption order.***

4. Identification of Potential Adopters

Ethnicity must not be placed above everything else when identifying potential adopters for children. It is unacceptable for a child to be denied adoptive parents solely on the grounds that the child and prospective adopter do not share the same racial or cultural background. If a prospective adopter can meet most of the

child's needs, but, they do not share the child's racial or cultural background, the core issue is what qualities, experiences and attributes the prospective adopter can draw on and their level of understanding of the discrimination and racism the child may be confronted with when growing up.

5. Adoption Placement Report

The child's social worker, in conjunction with the prospective adopter's social worker will then prepare the **Adoption Placement Report** incorporating the Adoption Support Plan - see **Adoption Support Services Procedure**.

This should give details of the family recommended, evaluating how this family may meet the child's needs and setting out the proposed adoption support services to be offered to the child, adoptive family and birth family.

The Adoption Placement Report must be written by a qualified social worker with suitable experience.

The Adoption Placement Report will include:

- the reasons for proposing the placement
- ***the views of the child***
- the proposed contact arrangements and proposed arrangement for the exercise of Parental Responsibility by the prospective adopters and the birth parents, ***including how to deal with unauthorised or unmediated contact through online social networking sites.***
- the prospective adopter's views about the proposed placement, contact arrangements (including meeting the birth parents) and any proposed restrictions on their exercise of Parental Responsibility after the placement
- ***support to be provided to the prospective adopters to:***
 - ***promote the child's educational achievements***
 - ***participation in leisure activities***
 - ***help the child develop positive relationships***

- **manage any challenging behaviour which the child may display**
- **the support plan will also include arrangements for contact.**

6. The Adoption Placement Plan

The Adoption Placement Plan includes

- **Whether the placement is to be made under a Placement Order or with parental consent**
- **The proposed date of the placement and who will be present when the placement takes place**
- **The Adoption Support Plan including the support to be provided to the prospective adopters to promote the child's educational achievements and participation in leisure activities; to help the child develop positive relationships; and to manage any challenging behaviour which the child may display**
- **Whether and how the exercise of Parental Responsibility by the prospective adopters and/or the birth parents is to be restricted, including the delegation of decision making to the prospective adopters about the child's health needs and under what circumstances consent to medical treatment needs to be obtained**
- **The arrangements for the monitoring and supervision of the placement (including contact details of key support staff during office hours and out of hours),**
- **The date when the life story book and any Later Life letters will be passed to the prospective adopters (usually within 10 working days of the making of the adoption order),**
- **The date and arrangements for the first Adoption Review,**
- **Any post-placement contact between the child and members of his or her birth family and/or the child and the foster carers, and**
- **Clarification of who will make the necessary notifications of the placement.**

It will also set out the introductory programme to the child's placement with the prospective adopters, including the first meeting between the child and the prospective adoptive family, the programme of and detailed arrangements for their introductions (dates, times, venues, transport and accommodation), the reimbursement of any expenses of the introductions, any other financial assistance to enable the placement to occur and, where appropriate, a meeting between the parents and the prospective adopters.

As part of the preparation of the child for the adoptive placement, information will be provided to ensure that s/he has a proper understanding about the accommodation and others living at the prospective adoptive home, the contact arrangements with the birth family and how to contact his or her social worker.

The Adoption Placement Plan will also address when the prospective adopters will be supplied with the outstanding relevant written information and documentation about the child and who will provide it (for a full list of information to be supplied).

Where contact is part of the adoption plan, the social worker will discuss and agree the plan with all parties (adoptive parents, birth parents and any other relatives involved). From these discussions and agreements, the social worker will write a contact plan which will be confirmed and ratified by their service manager. The contact plan will specify the form and timing of the contact and the arrangements for putting the contact in place. ***It will also include how the prospective adopters/adoptive parents should deal with any unauthorised or unmediated contact through online social networking sites.*** The plan should specify that the arrangements may change, dependant on the child. All parties must receive a copy of the plan (via the letterbox scheme). The birth parents/relatives copy should not reveal any identifying information about the placement. The agreements must also specify that the arrangements may change dependent upon the wishes of the child. All parties must sign and retain copies of the agreement. The parent's copy should not reveal any identifying information about the placement.

7. Children Approved for Adoption for whom no Placement has been identified

The child's details should be passed to the Adoption Register if no locally identified match is being actively pursued at the latest by 3

months after the decision by the Agency Decision Maker that the child should be placed for adoption.

Adoption Support (cf. Adoption and Permanence Procedures Section 8)

1. Adoption Support Services

Adoption support is defined as including:

- Financial support to adopters
- Services to enable groups of adoptive children, adoptive parents and birth parents to discuss matters relating to adoption
- Assistance, including mediation, with contact arrangements between adopted children and their birth parents or others with whom they share a significant relationship.
- Therapeutic services for adoptive children.
- Assistance to adoptive parents and children to support the adoptive placement and enable it to continue, including respite care.
- Assistance to adoptive parents and children where a placement disrupts or is at risk of disruption, including convening a Disruption Meeting chaired by an independent person if appropriate.
- Counselling, advice and information.
- ***Assistance with cross boundary matters.***
- Intermediary Services - see Intermediary Services Procedure
- Training.

2. Adoption Support Plan

The Adoption Support Plan will be completed after consultation with the appropriate Health Primary Care Trust, CAMHS or education service where any special arrangements are necessary. Where the child is placed in the area of another local authority, the agencies in that authority's area will need to be consulted as to what services may be available for the adopters and the adopted children. ***In these circumstances, the prospective adopters should be assisted with any cross-boundary issues that may arise.***

3. Financial Support

Financial support is intended to supplement existing means of support available to adoptive parents and the child or children being adopted. Adopters must be given advice of entitlements to **employees' rights to leave and pay**, benefits, tax credits and allowances, and these should be taken into account when considering amounts of financial support.

Adoption Reviews (cf. Adoption Procedures for Prospective Adopters Section 9.1)

1. Arrangements for Adoption Reviews

Once a decision has been made that a child should be placed for adoption, there is a requirement to review their case under the Adoption Agencies Regulations 2005. **Until the child is placed for adoption, this runs alongside the requirement to hold a Looked After Review in relation to the child.**

The child's social worker should provide written information about the intended arrangements for **Adoption Reviews**, to the child (depending on age and understanding), to the prospective adopters (usually this will be part of the **Adoption Placement Plan**), and to any other person considered relevant, such as the child's parents.

2. Role of the Independent Reviewing Officer

The Independent Reviewing Officer must ensure that the views of the child are properly understood by the Review and taken into account. Where the child wishes to take proceedings on their own account, for example to apply for the revocation of a **Placement Order**, the Independent Reviewing Officer must assist the child to obtain legal advice or establish whether an appropriate adult is able and willing to provide legal advice and/or bring the proceedings on the child's behalf.

The IRO should advise the child about his or her right to appoint an advocate where they have problems or concerns.

Inter Country Adoption (cf. Information About Adopting a Child from Overseas)

1. Enquiries

Enquirers will be sent an Information Pack within 5 working days of their initial enquiry, which will include information about the nature and

implications of adoption, the procedures involved in adopting a child domestically and from overseas, the assessment and post-approval process and charges, the checks required in relation to the prospective adopters and members of the household, and the likely time-scale involved.

2. Matching

The matching part of the process may be the subject of considerable delay depending on the waiting list of the chosen country.

If the authorities in the relevant country approve the application, when a suitable child is available for placement, they should send the papers to the Department for Education, who will in turn send them to the adoption agency and the prospective adopters.

Occasionally, the country will inform the prospective adopters directly; they should be advised during the home study to inform the adoption social worker immediately if this happens.

The adoption social worker should then arrange to discuss the child with the prospective adopters at a face-to-face meeting to be held within 10 working days of receipt of the information, before the prospective adopters make a decision or make any plans to travel to meet the child.

The preparation of the prospective adopters for the adoptive placement should include the adoption social worker assisting the prospective adopters to gain full information about the child, arranging access to a specialist advice as appropriate and stressing the importance of post-adoption reports consistent with any undertakings given to the child's state of origin.

Before accepting a child, the prospective adopters must travel to meet the child. Where a couple are applying to adopt, both applicants must travel.

As soon as the prospective adopters have accepted the match, the adoption social worker should advise them to apply for entry clearance for the child, by sending the child's details to the Entry Clearance Officer at the UK Embassy or High Commission closest to the country where the child is living.

Where there are no suitable children to match with the prospective adopters, the overseas authority will notify the Department for

Education, and they will notify the adoption agency. An adoption worker will be allocated to inform the prospective adopters and assist them to decide what further action to take, including a further report to the Adoption Panel seeking approval for a different country.

Access to Birth Records and Adoption Case Records (cf. Adoption and Permanence Procedures Section 8)

1. Access by others to Adoption Case Records

Any other request for access to Adoption Case Records must be referred to the Adoption Team Manager. In some circumstances, the Adoption Team Manager may decide to seek the authority of the Head of Service before giving consent, for example a request from a researcher authorised by the Secretary of State.

Members of staff within [the Children and Younger Adults Dept.](#) who are involved in adoption matters regularly, will be asked on appointment to their post to sign an agreement to maintain the confidentiality of all adoption information.

In all other cases, the person making the request will be asked to sign a form of declaration relating to confidentiality before access can be agreed.

Access to information contained in Adoption Case Records is normally limited to:

- **OFSTED** (mandatory)
- The Ombudsman (mandatory)
- Any person undertaking a Statutory Inquiry under section 81 of the Children Act 1989 (mandatory)
- **CAFCASS** Officers (mandatory)
- The Court and officers of the Court (mandatory)
- Any person appointed to deal with a complaint or representation in respect of which access to the Adoption Case Record is required in order to carry out the responsibilities of his or her appointment (mandatory)
- An Independent Review Panel **convened to consider a Qualifying Determination of an adoption agency, e.g. where**

an adoptive applicant has exercised his or her right to challenge a decision of the adoption agency as to their suitability to adopt or where a decision has been made in relation to the disclosure of protected information(mandatory)

- The Secretary of State or persons authorised on his/her behalf (usually mandatory unless for research purposes)
- Social workers and other professional/administrative staff directly concerned with the case who establish a genuine 'need to know' (discretionary)
- Legal and Medical Advisers (discretionary)
- Other adoption agencies or specialists taking part in the adoption (discretionary)
- Adoption agencies or local authorities undertaking birth records counselling (discretionary)
- Any person undertaking a **Serious Case Review** in relation to a child (discretionary).

Disclosure of information is also mandatory where a child is to be or has been placed for adoption when the placing authority must notify the child, parents, prospective adopters and their GP, the local authority, health trust and education authority for the area where the prospective adopters live.

Intermediary Services

Intermediary services are defined as:

- Assistance to an adopted person aged 18 or over, whose adoption order was made before 30 December 2005, to obtain information in relation to his or her adoption; and
- Facilitating contact between such persons and their relatives

Local authorities do not have a statutory duty to provide such a service but where they do so, **OFSTED** should be notified.

Intermediary agencies and those involved in providing information to such agencies may charge a fee.

In all cases, the provision of an intermediary service involves:

1. Establishing that both the applicant and the subject are 18 or over.
2. Undertaking preparatory work with the applicant, **including the provision of information about the available services and the possible impact of using them, including the Adoption Contact Register and qualified and absolute vetoes (as set out in Section 5, Registration of Vetoes)**
3. Obtaining information from a range of sources (adoption agencies, the Registrar General, the Courts)
4. Using the information to trace and contact individuals
5. Obtaining the informed consent of the subject to disclose identifying information
6. If consent has been obtained, disclosing to the applicant in appropriate cases any identifying information obtained by the intermediary agency about the subject.
7. Acting as an intermediary between the applicant and the subject and facilitating contact between them
8. Providing counselling, support and advice to both the applicant and the subject about the process.

Allegations against Prospective Adopters and in Relation to Children Placed for Adoption or already Adopted (cf. Adoption and Permanence Procedures Section 9.5)

Policy

All children are entitled to the same level and standard of protection from harm including those receiving services from statutory or other agencies. For this reason, enquiries and investigations relating to children in receipt of such services must be dealt with under the principles, policies and procedures laid down by the Derbyshire Safeguarding Children Board or, in relation to children placed outside Derbyshire, in accordance with the principles, policies and procedures of the relevant Local Safeguarding Children Board.

Allegations or suspicions that a prospective adopter has caused Significant Harm **or that a child placed for adoption or already adopted and in receipt of adoption support services has suffered Significant Harm** will be investigated thoroughly, speedily and

sensitively under those procedures and will involve open and honest communication with, and support to all those affected.

Historical allegations by children placed for adoption or already adopted and in receipt of adoption support services should be responded to in the same way as contemporary concerns. It will be important to ascertain if the person about whom the allegation is made is currently working with children and if that is the case, to consider whether the current employer should be informed.

Clear timescales will be integral to the procedure and those involved must avoid delay unless there is good reason. There will be clarity regarding access to reports and documents relating to the investigation.

Where allegations are made in relation to prospective adopters, the welfare and safety of all children in the prospective adopters' household, and children with whom the prospective adopters may have contact, must also be considered during any Section 47 Enquiry.

In relation to any allegations made, it is important to note that, although there may be insufficient evidence to support a Police prosecution, this does not mean that action cannot be taken to protect a child nor, for example, that the termination of a prospective adopter's approval cannot be considered.

The welfare and safety of all children in the prospective adopters' household, and children with whom the prospective adopters may have contact, must also be considered during any **Section 47 Enquiry**.

1. Introduction

The expectation is that:

- a. At the time of a child's placement, prospective adopters will be provided with detailed information as to the child's background and in particular the context of any abusive experiences of and/or previous allegations made by the child - see Placement for Adoption Procedure.
- b. All prospective adopters will receive preparation and guidance to help them provide a safe environment for the child and all members of the adoptive family and are able to access relevant safeguarding procedures.

- ***The Adoption Manager is the designated allegations manager who liaises with the LADO in all cases to which this procedure applies and manages the allegations process.***
- ***All staff within the Adoption Service are aware of the requirements of this procedure.***

2 Initial Action

Consideration must be given to the immediate safety of the child. Where removal is being considered, legal advice must be sought. If the child is removed or no longer in the placement, then no further placements with the prospective adopters must be made until the investigation is resolved.

While recognising the practical difficulties, there should be no discussion about the allegations with the prospective adopters prior to the Strategy Meeting.

The prospective adopter's social worker will:

- ***Inform the Adoption Manager and:***
- Inform the social workers for any other child in the placement
- Inform any other local authority with an interest in the adoptive placement
- Provide support to the prospective adopter

Where it is appropriate to treat the allegation/suspicion as a child protection concern, the LADO will convene a Strategy Meeting as soon as possible and within a maximum of one working day of receiving information about the concern or allegation. The LADO will chair the Strategy Meeting.

Where the prospective adopter lives outside the district, the referral will be made to the relevant local authority and that local authority will be responsible for implementing their own local Safeguarding Children Procedures and inviting the child's social worker and adopters' social worker to the Strategy Meeting.

Any action to protect the child in question or any other children in need of protection must not be delayed because of the Strategy Meeting.

Prior to the Strategy Meeting, the prospective adopter's social worker should notify **OFSTED** of the allegation/suspicion and invite them to be represented at the Strategy Meeting.

NB Where a child who has already been adopted but is still in receipt of adoption support services makes an allegation of abuse, including where the allegation is of historical abuse, this must be referred to the child's social worker/adoption support worker, who will take the action set out below or, as appropriate, make a referral to Children's Social Care Services for the area where the child lives in order that the relevant LSCB procedures can be followed.

3 Strategy Meeting

The Strategy Meeting will be chaired by the Local Authority Designated Officer.

The purpose of the meeting will be to plan the investigation of the allegation/suspicion.

The following people will be invited:

- a. The child's social worker and his or her Service Manager
- b. Independent social worker, if appointed to carry out the investigation
- c. The prospective adopter's social worker and Service Manager ***(who will liaise as necessary with the Adoption manager - see Section 2, Introduction)***
- d. The Police Child and Public Protection Unit
- e. Any other agency significantly involved with the child or adoptive family
- f. A representative of OFSTED
- g. A minute taker
- h. The child's Independent Reviewing Officer
- i. Legal representative

4 Concluding the Investigation

The investigation must be concluded as speedily as is commensurate with ensuring that it is thorough.

At the end of any investigation, the Local Authority Designated Officer (LADO) will convene a Post Investigation Meeting to agree on the outcome of the investigation and responsibilities for any further action, including the need to call an urgent review of the adoptive placement - see **Adoption Reviews Procedure** and reporting on the matter to the Adoption Panel - **and the need to make a referral to the Independent Safeguarding Authority for inclusion of the person on the Children's Barred List.**

The meeting should determine who will write to the prospective adopters, informing them of the outcome of the investigation.

The child, the parents, other relevant agencies and OFSTED (if not in attendance) will also be informed of the decisions made at the meeting. The LADO and the child's social worker will agree the most appropriate way of informing the child and parents, and also who will notify the other agencies and OFSTED.

A report should be presented to the next available Adoption Panel. As well as the investigation, the report should address the ability of the approved adopters to help come to terms with past events and to handle future behaviour, and whether the proposed placement or placement continues to be suitable. The procedure to be followed will be the same as for reviews of prospective adopter's approval.

The social worker preparing the report should consult with the **Panel Adviser** and the Chair of the Adoption Panel who will advise on who should attend the Panel meeting (usually the child's social worker and the prospective adopter's social worker) and whether or not a special Panel meeting should be convened.

Any allegation made against a prospective adopter or a member of the household and how it was dealt with and decisions made should be recorded on the prospective adopters' file and retained for 100 years after the adoption order is made or if no adoption order is made in accordance with local policy: adoption support agencies should have written procedures for dealing with allegations of historical abuse which may be made by service users during the course of service provision.

All relevant documents in relation to the investigation, whatever the outcome, must be retained on the child's file and the prospective adopter's file, and their respective **Adoption Case Records**. Consideration should be given to holding a debriefing meeting for all involved as to the impact of the allegations and the investigation, whatever the outcome, and any necessary assistance should be made available as necessary.

Adoption and Permanence Planning for Sibling Groups (cf. Adoption and Permanence Procedures Section 6)

Siblings who are Looked After by Derbyshire County Council will be placed together in an adoptive or other permanent home unless a sibling assessment or some other circumstance suggest they should be placed separately.

Sibling groups, whether or not placed together, should have the same Independent Reviewing Officer, except where conflict of interest between siblings makes this inappropriate or the size of the sibling group makes this unmanageable.

Adoption Plans and Contact Arrangements (cf. Adoption and Permanence Procedures Section 12)

1. Practice Principles

Adoption Plans will include details of arrangements for maintaining links (including contact) with birth parents, wider birth family members and others who are significant to the child – and also how and when these arrangements will be reviewed.

There is no general duty on the local authority to promote contact in adoption and no presumption for or against contact. Each child's individual needs and relationships should be considered, bearing in mind these will change over time.

Children know that their views, wishes and feelings should be taken into account and they should be helped to understand why it may be not be possible to do what they want. If the contact plan does not reflect their wishes, they should be told how they can obtain support and/or make a complaint (Standard 1, Adoption National Minimum Standards, 2011.)

2.1

- The child's needs, wishes and feelings, and their welfare and safety are the most important concerns when considering links or contact with birth parents, wider birth family members and others who are significant to the child
- The type of contact arranged for the child should best meet the child's needs taking into account his or her ongoing welfare and safety. This will involve assessment of whether face-to-face (direct) contact or other forms of contact (e.g. letterbox scheme, telephone etc.) is most appropriate for each individual child.
- Adoptive parents will be involved in discussions as to how they can best maintain any links, including contact with birth relatives and significant others identified in the adoption plan, including how to deal with unauthorised or unmediated contact through online social networking sites.
- Prospective adopters will be involved in discussions about contact arrangements for each child and consideration will be given to the individual contact needs for each child when choosing a "match" with prospective adopters.
- Adopters will be expected to work within the child's plan, understanding the importance of maintaining links for children with their past, and having the ability to facilitate links when this is in the child's interests.
- Adoptive parents will be encouraged to keep safe any information provided by birth families via agencies and to provide this to the adopted child on request, or as they feel appropriate.

2. Choosing the Right Form of Contact

Contact after adoption can take a variety of forms, although letter is the most common form. Direct contact is one option to be considered in an assessment of what best meets a particular child's needs in a particular situation. It should not be assumed that letterbox contact is any easier or less challenging.

N.B. The adoptive parents need to be supported to know how to deal with unauthorised or unmediated contact with the child through online social networking sites.

Life Story Work and Later Life Letters

Later Life Letters are written by the child's social worker and are given to prospective **adopters within 10 days of the ceremony to celebrate the making of the Adoption Order**. The timing of the passing of the letter to the adoptive parent will be considered at the placement planning stage and at subsequent **Adoption Reviews**.

N.B. The life story book should be given to the child and prospective adopters in stages: at the latest by the second statutory review of the child's placement with the prospective adopters; and the completed life story book at the latest within ten working days of the adoption ceremony.

Appendix 1; Whistle Blowing Procedure (Adoption Confidential Reporting Procedure)

The National Minimum Standards for Adoption Services requires that all adoption agencies must have a confidential reporting procedure (more commonly known as 'whistle blowing' policy) that is made known to all staff members, adopters and any staff, co worker, co professional or service user involved within the adoption process.

There is a separate policy for Derbyshire County Council's employees (http://dnet/policies_and_procedures/human_resources/confidential_reporting_code/default.asp), which the Adoption Confidential Reporting Procedure reflects and takes guidance from and which carers are to refer to, should they wish to proceed further. A copy can be obtained from the CAYA Quality Assurance department (Complaints and Representations Procedure).

The Adoption Confidential Reporting Procedure is distinct from a Complaints and Representation Procedure (see Adoption statement of purpose), which provides guidance for people who wish to formally complain, following dissatisfaction with the service. The Adoption Confidential Reporting procedure is to be followed where an individual wishes to report malpractice or raise concerns in confidence, and, where necessary, bypass their normal line management.

Duty of Care

Individuals within the adoption process are bound by the same common law 'duty of care' as our salaried staff members.

This duty of care means that the authority, the authorities' employees and adopters have a responsibility to report any incidents where, in their considered opinion, they believe misconduct, negligence and/or unprofessional behaviour to be taking place, such as;

- A child is being abused
- A child's rights and dignity have been compromised or overlooked, either deliberately or unintentionally
- A child is put at risk of abuse, exploitation or discrimination through decisions which are contrary to their best interests
- Circumstances arise regarding the environment, employment conditions or the authorities practice which could put children in care, members of the public, carers and staff members at risk or harm
- Conduct which is, or is perceived by the carer to be, an offence or breach of the law
- Disclosures related to miscarriages of justice
- The unauthorised use of public funds
- Suspected fraud and corruption
- Conduct which is unethical or contrary to the working practices stipulated by Derbyshire County Council

It is expected that an adopter, should they have any concerns, would be able to speak directly to their social worker, their adoption team manager or through the authorities' Complaints Procedure.

However, there may be occasions when an individual may have concerns which go beyond these processes. Whichever way that person chooses to contact the authority, they can do so knowing that they will be treated with the utmost confidentiality, without fear of recrimination and that they will be assured a swift, thorough and fair response. It should be remembered that, in some cases, following an investigation, whereby disciplinary proceedings or court actions are instigated against those people who have been reported, carers may be required to come forward as a witness.

Any concerns made must be done so in good faith; if the allegation is proved to unsubstantiated but the allegation was made without any harmful intent, no further action will be taken against the carer. However, where an allegation is found to be wilfully malicious, the authority will take an appropriate and commensurate response.

Procedure

While we understand that an individual may not be able to provide proof, beyond reasonable doubt, with regards their allegation, it is expected that they should be able to establish that their concerns are not unfounded.

Wherever possible, they should direct their concerns to their social worker or relevant team manager, where this is appropriate and depending upon the seriousness and complexity of the claim. If someone is unwilling to discuss these issues with staff members, with whom they are directly involved, they can contact either of the following, through Call Derbyshire (08456 058 058);

Adoption Manager
Assistant Director (Safeguarding and Specialist Services)
Head of Quality Assurance

Once an appropriate member of staff has been contacted and the concerns raised are such, that action will be taken, the caller will be contacted within 10 working days with a written acknowledgement. This letter will outline the response that will be taken in dealing with the matter, how long the process may last and provide information, as to where to access independent support. Following this letter, a position statement will be made within 28 working days, if the matter has not been resolved.

Depending upon the nature of the allegation, and where there are considered, reasonable grounds for action to be taken which, it is felt, can be dealt with through existing procedures, the authority will conduct an investigation.

Should the allegation fall beyond the scope of the authorities' procedures, it may be referred to an external auditor, the police or an independent inquiry.

Resolution

It may be that the person making the confidential report is dissatisfied with the findings of the authority. If they have contacted their supervising social worker and/or team manager, and feel that their concerns have still not been addressed in a manner they consider appropriate or satisfactory, they are advised to contact the Quality

Assurance team, who will liaise with the relevant service managers and may recommend that they go through the Complaints procedure.

If, following this process, the person feels that the issue is still unresolved, and if that view is shared by the Quality Assurance team, they may formally present their concerns to the Assistant Director (Safeguarding and Specialist Services).

The Assistant Director will recommend that either a senior manager, where appropriate, or an independent investigation will review the case. A report will be prepared, by the person reviewing the case, within 21 working days of the registration of concerns being presented and he/she will then contact them, with his/her findings, in writing, within 28 working days.

Whilst the authority will make every effort to resolve any concerns through its own channels, if the final findings are still not acceptable and the carer feels the incident has not been fully investigated, they can contact the Local Government Ombudsman (<http://www.lgo.org.uk> , tel; 0300 061 0614).

The authority has taken great care to ensure that any and all concerns will be dealt with in a robust, impartial and fair manner, through its' internal procedures and that anyone making a confidential report will not need recourse in contacting Members, Members of Parliament or the media, and it is advised that the authority remains their first point of contact. However, in all cases, anyone involved within the adoption process retains the right to refer to independent bodies.