



# Swindon Borough Council Children in Care Permanence Planning Guidance

**(Revised February 2023)**

## Contents

1. INTRODUCTION/ Defining Permanence.....	4
Why does it matter so much? .....	4
2. Objectives in Permanency Planning .....	6
2.1. Key Objectives.....	6
2.2. Permanence and Legal Tracking Meetings .....	9
2.3. Life Journey work .....	9
3. Options for Permanence.....	10
3.1. Placement with Parents.....	10
3.2. Placement with a Connected Person.....	11
3.3. Placement with a Private Foster Carer .....	11
3.4. Adoption .....	13
3.5. Long Term Fostering .....	15
3.6. Child Arrangements Orders.....	17
3.7. Special Guardianship Orders .....	19
3.8. Residential Placements .....	22
3.9. Staying Put Arrangements.....	22
4. Permanence and Local Placement.....	24
5. Negotiating and Monitoring IFA Placements .....	25
6. Assessing the child/Young Person's Permanency Needs and Planning for Permanency .....	26
7. Procedural Guidance.....	29

7.1.	Management Responsibility.....	29
7.2.	Decision Making Processes .....	29
7.3.	Avoidance of Delay .....	30
7.4.	Family Group Conferencing.....	31
7.5.	Permanency Planning Meetings.....	31
	The Constitution of the Meeting.....	32
7.6.	Approval of permanent carers .....	33
	Special Guardians .....	33
	Placement with Relative and Friends Carers.....	34
	Permanent Fostering (unrelated carers).....	34
	Adoption .....	35
7.7.	Reports for the Fostering or Adoption Panel and/or the Agency Decision Maker.....	35
	Reports required.....	35
7.8.	Family Finding and 'Matching' .....	37
7.9.	Placement of a Child/Young Person in Care with Prospective Adopters or other Permanent/Long-Term Carers .....	37
	Adoption .....	37
	Adoption Support.....	37
	Special Guardianship .....	38
	Special Guardianship Support.....	38
	Fostering .....	38
	Placement to Independence (Task Centred Care) .....	39
7.10.	Timescales .....	39
	Re-unification to Parents.....	39
	Adoption .....	40
	Permanent Fostering.....	40
8.	Good Practice Guidance .....	42
8.1.	Supporting reunification with birth or extended family.....	42
8.2.	Identifying the best permanency option .....	42
8.3.	Parallel Planning .....	43
8.4.	Placement/Contact with Siblings - Issues to Consider .....	43

8.5. Direct contact with birth family members and others .....	45
8.6. Indirect contact with birth family members and others .....	46
8.7. Clearly communicating the Permanence Plan .....	47
8.8. Legal routes to permanence .....	47
Appendix 1 - The Role of the Family Finder.....	48
Appendix 2 - Permanency Planning Meetings .....	50
a. Action prior to the first Permanency Planning Meeting.....	50
b. Matters for Discussion and Agreement .....	50
General .....	50
Where the overarching plan is re-unification to Parental Care.....	50
Where the overarching plan is not re-unification to Parental Care or Concurrent Planning is being progressed .....	51
c. Permanency Planning Meeting format .....	52

## 1. Introduction/Defining Permanence

This Framework outline how the Local Authority will ensure that children and young people achieve permanence within their timeframes. This policy was updated in September 2022 to reflect the change in frequency of permanence planning meeting from every twelve weeks to every four

The Department for Education (DfE) guidance within the Children Act 1989 sets out the following definition of what permanence should offer a child:

*‘a sense of security, continuity, commitment and identity ... a secure, stable and loving family to support them through childhood and beyond’.*

Put simply, permanence means an enduring long-term commitment and stable family experience that enables the child to put down roots and creates a foundation for belonging. Permanence can be provided by the child’s parents or other relatives, other connected people, foster carers, Special Guardians or adopters.

When children and young people experience permanence, they have one or more ‘family’<sup>1</sup> members, including at least one parenting adult, who intend to always be there for them. If children /young people experience permanence they are more likely to then also maintain other important connections to the people around them such as their siblings and extended family members. Research evidence shows that children who grow up experiencing a sense of permanence are more successful in building and maintaining friendships and social connections.

Research tells us that when children come into care, the damage caused by separation from their birth family members can affect them for a long time. This may then create additional emotional and behavioural issues for the child as he/she is growing up<sup>2</sup>, in some cases resulting in the child requiring expert therapeutic support to help overcome these issues.

Permanence for children/young people has three particular aspects;

1. **Legal** - e.g. staying with birth parents who have parental responsibility; Adoption; or court orders such as a Child Arrangements Order or Special Guardianship Order;
2. **Psychological** - when the child/young person feels attached to an adult who provides a consistent, loving and secure relationship;
3. **Physical or environmental** - a stable home environment within a familiar neighbourhood and community where the child/young person's identity needs are met.

### Why does it matter so much?

Disruption of a child’s meaningful attachments to parents, siblings and other significant adults can create potential trust issues and relationship difficulties. Without a sense of

permanence, children cannot settle and anxiety can develop which sometimes manifests

---

<sup>1</sup> This may be a member of his/her substitute family e.g. his/her foster or adoptive family member(s) rather than a birth relative.

<sup>2</sup> The emotional and behavioural issues often exhibited by Children in Care are generally primarily the result of earlier experiences of neglect, abuse or inconsistent or inappropriate parenting, however depending on the nature of the child/young person's emotional attachments, subsequent experiences of separation can serve to amplify and add to already established difficulties.

through behavioural and/or psychological issues later on in life. Children who experience fractured attachments often struggle to form and maintain trusting relationships in later life; however a positive experience within a permanent substitute family, where the child experiences a consistent, secure and caring relationship(s) can go a long way in helping to reduce the long-term impact of previous experiences, enabling the child to develop a sense of trust and increasing self-esteem.

## 2. Objectives in Permanency Planning

### 2.1. Key Objectives

The objective of permanency planning is to ensure that all children/young people are provided with care arrangements that deliver continuity, consistency and security of care and support which positively promotes their individual sense of security, self-esteem, identity and other positive outcomes throughout and beyond the period of their childhood.

It is important to remember that older children/young people also need to achieve permanence in their lives, although they may not wish (for a variety of reasons) to be in a foster home, or to be adopted. For example, an older child/young person may prefer to live in a children's home where he or she can also achieve a sense of security and belonging. In Swindon it is our belief that every child/young person should be given the opportunity to develop lifelong relationships.

The question *"how are the child/young person's permanency needs being met?"* must be at the core of everything we do.

Swindon Borough Council's Children's Services believes that all children have the right to experience family life, and that wherever it is consistent with their health and wellbeing, this should be within their own birth families.

Where it is necessary for a child/young person to leave his/her family, this should be for as short a time as needed to secure a safe, supported return home, or, if the child/young person cannot be safely returned home, plans must be made for alternate permanent care.

In some cases, a child cannot be cared for by either of his/her birth parents because this would not be consistent with the child's safety and wellbeing, or because neither of the child's parents are able to look after him/her. Where this is the case, whether on a temporary or a permanent basis, the Authority must first look to place the child with a member(s) of his/her extended family (a 'Connected Person'), provided that this is assessed as being consistent with the child's welfare, with permanency then being secured through the appropriate legal order to meet the child/young person's needs.

Where it is not in the child's best interests to live within the family network, it will usually be in the interests of the child for alternative permanent carers to be identified and the placement secured through adoption, long term foster care, a Child Arrangements Order or a Special Guardianship Order;

Residential group living should only ever be considered if there is clear evidence to suggest that placement within a family is not appropriate to the child/young person's individual needs. In this situation the need for a residential placement must be clearly identified within the Care Plan; after consultation and agreement with the Assistant Director of Children and Families at the Care and Placement Panel.

For older children/young people the possibility of independent living must be considered.

Where it is clear that a child/young person cannot appropriately remain in the care of his/her birth parent(s) or with a Connected Person, planning must be swift and clear to identify an appropriate permanent placement outside of the birth family network. Priority consideration should be given to forms of placement which will facilitate the child/young person's early discharge from public care provided that this is consistent with his/her welfare.

Wherever possible, care must be provided locally unless this is clearly identified as being inappropriate<sup>3</sup>.

Contact between the child/young person and his/her significant relatives should be facilitated (unless clearly identified as not being in the child's best interests).

The professionals involved must work in partnership with parents/families to meet the above objectives. The wishes and feelings of the child/young person must be taken into account. The older and more mature the child/young person, the greater the weight that should be given to his/her wishes.

Wherever possible siblings should be placed together provided that this is in keeping with the assessed needs of each child/young person; when this is not possible or appropriate the reasons for placing them separately should be carefully explained to the children/young people (if of an age and understanding) and the birth relatives, and recorded.

In order to avoid drift and children remaining for any longer than is necessary in placements which are deemed to be short term or bridging arrangements, every child in the care of the Authority should have a clear Permanency Plan or parallel plan in place by the time of his/her second LAC review. Where a return to parental care is not achieved this will support the child being able to move to a long term placement appropriate to his/her individual needs with the minimum of delay. Good planning will also:

- enable the child to achieve a placement that is well suited to his/her individual long term care and parenting needs;
- enable the child to move in a planned, knowledge driven and child focused manner, which will give him/her the best chance to settle and remain settled in his/her permanent home.

While there is no longer a requirement that local authorities have to give due consideration to a child's religious persuasion, racial origin and cultural and linguistic background when matching a child and prospective carers [including adopters], it remains best practice for these considerations to be given due weight, provided that this does not unduly delay achieving a permanent placement for the child. Given this, when undertaking permanency

---

<sup>3</sup> Statutory Guidance on securing sufficient accommodation for Looked After Children (2010), requires local authorities to take steps that secure, so far as reasonably practicable, sufficient accommodation within the authority's area which meets the needs of children who the local authority are looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area; Swindon's Sufficiency Strategy is in-line with this.



planning, the Authority will firstly seek to achieve culturally appropriate placements for children needing long term care, thus enabling the child/young person to be brought up within the same racial, cultural and religious environment as he/she would have experienced within his/her birth family; however no child/young person should be denied a permanent placement solely on the grounds that no prospective family is available which shares the child/young person's racial heritage, culture or religion. Where a positive racial, cultural and religious match is not achievable within a timescale appropriate to the individual child/young person, priority will be given to identifying a placement which will promote links with the child/young person's race, culture and religion of heritage. (The child's Permanency Plan must evidence due consideration being given to the child's cultural, religious and linguistic needs).

The Permanency Plan for a child needs to be developed carefully around the child, taking into account the child's age, experiences, abilities and wishes. The plan should cover all aspects of moving the child on (or if appropriate confirming his/her short term placement as his/her permanent placement) and where the child is subject to Care Proceedings, planning should begin before the Final Hearing as part of a twin tracking process. The earlier permanency planning starts the better the outcome for the child is likely to be, as information can be collected over a longer period and time can be given to gaining a full understanding of the child, his/her earlier life experiences and his/her birth family and relationships.

Conversations about the child's long term care and parenting needs need to evolve over time with the child's social worker initiating discussions from an early stage with the child (if of an appropriate age and understanding), the significant birth family members, the foster carer(s) and any other professionals involved with the child and his/her birth parent(s), including those employed within health and education services. Discussions should be ongoing and actively encourage all of those with knowledge of the child to share their views so that as full an understanding as possible of the child's experiences and needs can inform the future planning process.

It is generally accepted that Children in Care do best when they feel informed and understand (at a level appropriate to each child's stage of development) why different decisions are made about their care and education. Given this, time needs to be committed to facilitating children to talk with their social workers and their carers and to helping them to consider and understand the decisions made on their behalf.

For any child who is not yet in his/her permanent placement it is very important that his/her allocated social worker develops a relationship with the child and the child's carer(s) which will facilitate the child's active engagement in discussions and/or play sessions that will inform the Authority's planning and decision making. A full understanding of the child's needs will best enable a well-informed 'match' to be achieved.

The younger the child is when permanence is established the more likely the child is to develop secure attachments and to develop resilience and coping mechanisms that will protect him/her from future harm.

If Swindon Children's Services is to provide the best possible care for Swindon Children in Care, all kinship carers, foster carers and potential Special Guardians who the Authority recommends as being potentially suitable to care for a child/young person must have the capacity to provide permanence for the child(ren)/young people they are caring for or proposing to care for, including those who are Relatives and Friends or Connected Person Carers. This needs to be a fundamental aspect of all assessments, however the importance of familial ties and relationships with siblings must not be overlooked. The significance of each child/young person's previous and existing relationships with his/her parent(s), siblings, and other significant adults and carers must be understood; the way in which the child/young person may be attached to a particular person will be different to the attachment that he/she has to another.

Children tend to be placed with short-term foster carers at short notice during a crisis with placements being largely dictated by availability rather than any child specific matching process. Given this the short-term foster carer(s) who a child is placed with are unlikely to be the best long term or permanent carer(s) for the child unless a significant attachment has developed between the child and the carer(s) and the child has come to regard the carer(s) as his/her psychological parent(s).

## **2.2. Permanence and Legal Tracking Meetings**

This meeting is held monthly. Meetings are attended by Team and Service Managers in Children's Services (including a representative from the Placements Team) and members of Swindon's Legal Team. Meetings also include an IRO representative. The purpose of the meeting is to ensure regular management oversight of all children who are subject to permanency planning and through this to ensure that undue delay is avoided and Care Planning is both timely and effective; the process will include discussion of cases that are not seemingly responding to the interventions put in place and those that are or are likely to be progressing through Legal Planning Meetings, PLO and/or Care Proceedings.

Responsible Team and Service Managers are invited to attend the meeting to discuss identified cases. A permanence tracker tool is used to establish/monitor the progress of each child

## **2.3. Life Journey work**

All Children in Care need to develop an understanding of their individual life journey and the reasons as to why they may not be living with their birth parents or relatives. It is the role of each child's social worker to incorporate this into his/her work with the child and to plan with others how best to achieve a record of the child's life.

### 3. Options for Permanence

Regulations require that a Permanency Plan is in place for every child/young person who is in local authority care by the time of his/her second Child in Care review (i.e. within 16 weeks of reception into care). Given this Swindon Children's Services aims to ensure that a draft Permanency Plan is drawn up prior to each child's second Child in Care review and confirmed at the Review Meeting.

The Permanency Plan will take into account all assessments completed to date. If the child is subject to court proceedings it may need to be a parallel plan subject to the outcome of the proceedings.

The second and all subsequent Child in Care reviews will consider and amend/confirm the child's Permanency Plan. All elements and steps within the Plan (all those aspects which will need to be managed to achieve the final agreed outcome) will be identified, and timescales set against each.

The options for permanence are:

- **Placement with Parents (staying or returning home)**
- **Placement with a Connected Person (a relative or family friend)**
- **Private Fostering**
- **Adoption (including Fostering for Adoption)**
- **Long Term Fostering**
- **Child Arrangements Orders**
- **Special Guardianship Orders**
- **Residential Placements**
- **Staying Put Arrangements**

#### 3.1. Placement with Parents

The first stage within permanency planning is to undertake work with children/young people in need and their families to support them staying together. Staying at home will in most instances offer the child/young person the best chance of stability. Research shows that family preservation has a higher success rate than reunification. This must of course always be balanced against the risk of harm to the child/young person.

Swindon Children's Services does not advocate children being placed in parental care under the auspices of a Care Order; however where the court deems this to be the most appropriate placement option the Authority will work within the regulations to best support any such placement.

Where it is proposed that any young person aged 16+ will leave Care to return home, the placement must be agreed at the young person's Child in Care review and the Care Plan then signed off by the Service Manager in line with the Placement with Parents Regulations. Where a young person elects to return home without this process having been completed in

advance the process will need to be completed retrospectively. A written Support Plan must be in place before the child moves placement; this will usually be incorporated in the young person's Pathway Plan.

### 3.2. Placement with a Connected Person

[See [Swindon's connected Persons Procedure](#) for full details of the procedures].

If the conclusion of a Single Assessment is that the child/young person cannot safely remain at home, every effort must be made to secure placement with a Connected Person. This will be either as part of the plan to work towards a return home or - if a return home is clearly not in the child/young person's best interests - as the preferred permanency option. It is very important to establish at an early stage which of the child/young person's relatives or family friends may be available to care for the child/young person, in order to avoid the kind of delays that can otherwise occur during court proceedings where this work has not been done.

Relative carers may need extra support to care for a child and, given this, there must be an active and coordinated Placement Plan to support the process regardless of whether the child is subject to a Child Protection or Child in Need Plan or is placed under the auspices of a Care Order:

- Where the child is subject to a Child Protection or Child in Need Plan a written agreement should be in place detailing how the different agencies and services that are involved with the child will support him/her and his/her carer(s) and family members.
- Where the child is subject to a Care Order the carers must be approved as connected carers and receive ongoing support as such. The case will be monitored through the usual Child in Care review processes.

Where a placement with a relative or friend is being sought or has been achieved but has yet to be confirmed as being the child's permanent placement option Swindon Children's Services Permanence and Legal Tracker Meeting will track the progress of the case in order to ensure that there is no unnecessary delay which might impact on the welfare of the child concerned (see section 2.2 above).

### 3.3. Private Fostering

**[see the Private Fostering procedures for full details of the procedures]**

[https://swindonchildcare.proceduresonline.com/chapters/p\\_private\\_fost.html](https://swindonchildcare.proceduresonline.com/chapters/p_private_fost.html)

The Children Act 1989 (section 66) defines private fostering as occurring when a child under 16 (or under 18 if disabled) is cared for and provided with accommodation, for 28 days or more by somebody other than a close relative, legal guardian or someone with parental responsibility. Close relatives are defined in the Act as step parents, siblings, brothers or sisters of the parents and grandparents. A private fostering

arrangement is one which is made privately that is to say, without the involvement of the Local Authority.

Private foster carers may be within the extended family such as cousins or great grandparents, or they may be a friend of the family or other non-relative such as the parents of a boyfriend or girlfriend of the child in question.

For the purposes of the Act, parent includes unmarried or putative father. Relative means, as stated above, whether by full, half-blood or by affinity or step-parent. Affinity refers to the relationship resulting from marriage, between the husband and the blood relations of the wife and also between the wife and the blood relations of the husband.

Examples of private fostering arrangements are;

- Children sent from abroad to stay with another family, usually to improve their English or for other educational purposes;
- Asylum seeking and refugee children placed with an adult known to them, their family or their community;
- Teenagers who, having problematic relationships with their parents, are staying in short term arrangements with friends or other non-relatives;
- Local children living apart from their families;
- Young people who have wanted to remain in this country to continue their education but whose parents have returned to their country of origin;
- Young children whose birth families are struggling to cope and turn to a friend or distant relative to care for the child.

When notification or information is received from any source that a child is privately fostered, this information must be passed to the MASH where immediate checks will establish if there are any safeguarding concerns who will pass to the social work team for a single assessment to establish if this is a private fostering arrangement, if it meets the child's needs and is safe. They will also notify the private fostering social worker. Single Assessments of need of the child, will be undertaken in the respective community teams, depending on the carer's location. In cases where the child is an open case the allocated social worker will retain accountability for completing the Single Assessment before passing to the private fostering worker. Swindon has a dedicated social worker with responsibility for private fostering located in the Fostering Service who will take responsibility for assessing private foster carers. This social worker will undertake the carer's assessment only.

The private fostering social worker and the child's social worker will undertake a joint visit within one week of the notification to check and assess the suitability of the arrangements and that the child is receiving appropriate standards of care which meets their needs

### 3.4. Adoption

[See [Adopt Thames Valley<sup>4</sup> Practice Guidance – Children for whom adoption is the Plan](#) for full details of the procedures].

The granting of an Adoption Order legally transfers parental responsibility for the child/young person from the birth parent(s) and any other(s) who had parental responsibility, including the local authority, permanently and solely to the adopter(s). Once legally adopted the child/young person is deemed to be the child of the adopter(s) as if he/she had been born to them. The child/young person's birth certificate is changed to an adoption certificate showing the adopter(s) to be the child/young person's parent(s). A child/young person who is not already a citizen of the UK acquires British citizenship if adopted in the UK by a UK citizen.

Research strongly supports adoption as a primary consideration and as a main factor contributing to the stability of children/young people, especially for those aged under four years who cannot be reunified with their birth parent(s) or provided with permanent care by a member of their extended family.

Swindon Children's Services is ambitious in its pursuit of adoptive placements for children in need of permanent families away from their birth parents and extended family networks. To this end, adoption should always be considered for children aged eight and under who cannot return to the permanent care of their parents or their wider family/friends network. Adoption will also in some cases be the appropriate placement plan for older children. All care planning must be fully compliant with relevant case law and guidance including Re BS.

Adopters may be supported, including financially, by the Authority, and will have the right to request an assessment of need for support services at any time after the Adoption Order is made.

Adoption has the following potential advantages as a Permanency Plan:

- a. Parental responsibility for the child/young person is held exclusively by the adopter(s) once the Adoption Order is granted;
- b. The child/young person is no longer Looked After;
- c. No future legal challenge to overturn the Adoption Order is possible;
- d. Decisions about continuing contact will usually be made by the new parents (on the child/young person's behalf) who are likely to be most in touch with the child/young person's needs, although this will be subject to any Contact/Child Arrangements Order made by the court at the time of the Adoption Order;

---

<sup>4</sup> Adopt Thames Valley is the Regional Adoption Agency of which Swindon Borough Council is a member and as such undertakes family finding for all Swindon Borough Children in Care for whom adoption is the Care Plan.

- e. The child/young person is a permanent member of his/her adoptive family into adulthood.

Adoption has the following potential disadvantages as a Permanency Plan:

- a. It involves a complete and permanent legal separation from the family of origin;
- b. There is no review process following the granting of the Adoption Order.

As soon as adoption is under consideration (whether as the 'Placement of Choice' or as part of parallel planning) the allocated social worker must complete a number of tasks:

- Discuss the adoption plan or parallel plan with the child (if of an appropriate age and understanding), the birth parent(s) (including any putative father) and any other adult(s) who hold parental responsibility for the child;
- Provide the birth parent(s) and any other adult(s) who hold parental responsibility for the child with written information about adoption [[Attach link to ATV Adoption Memorandum](#)];
- Arrange for the child to have a permanency medical (if not already completed);
- Make a referral to Adopt Thames Valley (ATV) in order for a family finder to be allocated and family finding actioned [[Attach link to ATV referral form](#)];

Once adoption is the local authority's Care Plan for the child, the allocated social worker must also:

- Seek a Placement Order through the ongoing Care Proceedings process [unless the child is being voluntarily relinquished for adoption by the birth parent(s) and there are no concerns that would warrant the Authority opposing the child returning to parental care should they in the future change their mind/s];
- Confirm the Care Plan with ATV;
- Advise the child's parents (and any other relatives who may benefit from referral to the service) of the ATV Birth Relatives Service (which is able to provide advice and support to the relatives of any child(ren) who are subject of an adoption plan; this advice and support is provided by a Social Worker who is independent of the child's placing authority);
- Work closely with the allocated family finder within Adopt Thames Valley in order to achieve a timely placement for the child.

Depending on the child's age and understanding he/she should also be supported to understand his/her situation and what adoption will mean for him/her. ATV have produced a written guide for children about adoption and this can be used to discuss adoption with the child if appropriate. [[Attach link to ATV Child's Guide to Adoption](#)] Alternatively a range of children's story books are available via CoramBAAF (and other suppliers) which are suitable to be used with children of different ages.

When a potentially suitable prospective adoptive family is identified, they must be provided with full information about the child and his/her family background and circumstances, in

order to facilitate them reaching an informed decision about whether or not they are likely to be able to provide appropriate care and parenting for the child.

Where the child is of an appropriate age and understanding life work must be undertaken with the child to prepare him/her for his/her new placement. This should where-ever possible be undertaken by the child's social worker. The Child in Care review process will consider how this might best be achieved and will monitor that this is being/has been done.

**Note:** For full details of the adoption family finding process please see '[Adopt Thames Valley Practice Guidance – Children for Whom Adoption is the Plan](#)'.

Swindon Children's Services Permanency and Legal Tracker Meeting will track the progress of all cases where the Placement Order has been granted but no placement has been identified within three months (see [section 2.2](#) above).

### 3.5. Long Term Fostering

[See [Swindon's procedures around Placement in Foster Care and Long-term Fostering and the Long-term Fostering flow chart](#) for full details of the procedures].

Long term/permanent foster care can offer stability and security for children and young people in care. It is often the most suitable placement option for older children who have strong and well established relationships with their birth parents and/or wider family members. It is also sometimes a positive placement option for younger children whose emotional and practical care needs (often arising from a disability or assessed emotional difficulties) require significant input from partner agencies and whose foster carer(s), whilst wishing to provide permanent care for the child, have concerns about losing the corporate parenting role and associated support from the local authority. Long term/permanent foster carers can help children to manage and negotiate what can be complex relationships with their birth families.

Long-term fostering has the following potential advantages as a Permanency Plan:

- a. The local authority retains a role in negotiating between the foster carer(s) and the birth family over issues such as contact;
- b. There is continuing social work support to the child/young person and the foster family in a placement that is regularly reviewed to ensure that the child/young person's needs are being appropriately met;
- c. It maintains the legal relationship between the child/young person and his/her birth family members who can still play a part in the decision making for the child/young person<sup>5</sup>.

Long-term fostering has the following potential disadvantages as a Permanency Plan:

- a. Lack of parental responsibility for the carer(s);

---

<sup>5</sup> A child/young person's birth family members may be able to provide a sense of permanence for the child/young person without caring directly for him/her.



- b. Continuing social work involvement in both the child/young person's and his/her carer(s)' lives;
- c. Regular Looked After Reviews, which may be destabilising to the placement;
- d. Possible stigma attached to the child/young person due to him/her being in local authority care;
- e. The child/young person is not a legal member of his/her foster family. If difficulties arise there may be less willingness on both sides to persevere and seek a resolution;
- f. Post 18 (or post-21 if a 'Staying Put' arrangement is agreed) the carer(s) will have no responsibilities towards the young person (although this will not prevent an ongoing relationship if both parties choose to maintain one).

Where a child/young person's specific individual needs mean that adoption or Special Guardianship is not the appropriate Care Plan, the Authority will always endeavour to secure a long term/permanent foster placement specifically for the young person. This will be done at the earliest possible stage in order to ensure that the child/young person does not experience 'drift' in respect of his/her placement. This may be achieved through converting the child/young person's short-term foster placement to a long-term placement or by identifying a new placement for the child/young person. Either way this will entail an assessment and matching process.

The Authority recognises that where a child is to be placed for adoption the target timescale around achieving a positive 'match' is 121 days from the date of the Placement Order being granted. In order to achieve parity for children/young people with a long term fostering plan, the Authority aims to identify a positive 'match' for each child/young person within 121 days of the Care Order being granted.

Prior to the second Child in Care review, if the Permanency Plan for the child/young person is likely to be long term fostering, the allocated social worker should:

- Discuss with the current foster carer(s) whether they wish to care permanently for the child/young person. If the child/young person is placed in an IFA placement these discussions should in the first instance take place with the foster carer(s)' supervising social worker.

**Note:** Any such discussions with the carer(s) should not take place in the main Child in Care review where the child/young person may be present;

and / or

- Discuss wider family finding with the Placement Team including the creation of a profile and matching criteria. The Placements Team will then be charged with undertaking any publicity and searches necessary to recruit a suitable carer(s).

While the Placements Team will hold responsibility for identifying potentially suitable long term foster carers for the child/young person, the child's social worker must remain actively

involved in the selection of the 'Family of Choice' as it will be him/her who knows the child best and who is charged with ascertaining and representing the child's wishes and views regarding his/her future placement.

### **3.6. Child Arrangements Orders**

Child Arrangements Orders were introduced in April 2014 by the Children and Families Act 2014 (which amended section 8 Children Act 1989). They replace Contact Orders and Residence Orders.

A Child Arrangements Order is a court order regulating arrangements relating to any of the following:

- a. Who the child/young person (who is the subject to the order) is to live with, spend time with or otherwise have contact with;

and

- b. When the child/young person is to live with spend time with or otherwise have contact with a particular person.

The 'residence' aspects of a Child Arrangements Order (i.e. who the child/young person is to live with/when the child/young person is to live with the person) can last until the child/young person reaches 18 years unless discharged earlier by the court or by the making of a Care Order.

The 'contact' aspects of a Child Arrangements Order (who the child/young person is to spend time with or otherwise have contact with and when) will cease to have effect when the child/young person reaches 16 years, unless the court is satisfied that the circumstances of the case are exceptional.

Any person named in the order as a person with whom the child/young person is to live, will have parental responsibility for the child/young person while the order remains in force. Where a person is named in the order as a person with whom the child/young person is to spend time or otherwise have contact, but is not named in the order as a person with whom the child/young person is to live, the court may provide in the order for that person to have parental responsibility for the child/young person while the order remains in force, but this will not otherwise be the case.

Child Arrangements Orders are private law orders, and cannot be made in favour of a local authority.

Any court which is considering making, varying, or discharging a Child Arrangements Order, including making any directions or conditions which may be attached to such an order, must have regard to the paramountcy principle, the 'no order' principle and the welfare checklist under the Children Act 1989. Interim Child Arrangements Orders can be made.

Where a child would otherwise have to be placed with strangers, a placement with family or friends/Connected Persons may be identified as a preferred option and the carers may be

encouraged and supported to apply for a Child Arrangements Orders where this will be in the best interests of the child.

The holder of a Child Arrangements Order does not have the right to consent to the child's adoption nor to appoint a guardian; in addition, he/she may not change the child's name nor arrange for the child's emigration without the consent of all those with parental responsibility or the leave of the court.

Whilst support may continue for as long as the Child Arrangements Order remains in force, the aim will be to make arrangements which are likely to be self-sustaining in the long-term.

As was the case with Contact and Residence Orders, any person can apply for a Child Arrangements Order. The following can apply for a Child Arrangements Order without needing the leave of the court. In addition, any person who is not automatically entitled to apply for a Child Arrangements Order may seek leave of the court to do so:

- Any parent (whether or not they have parental responsibility for the child), guardian or Special Guardian of the child;
- Any person named, in a Child Arrangements Order that is in force with respect to the child, as a person with whom the child is to live;
- Any party to a marriage (whether or not subsisting) in relation to whom the child is a child of the family - this allows step-parents (including those in a civil partnership) and former step-parents who fulfil this criteria to apply as of right;
- Any person with whom the child has lived for a period of at least three years - this period need not be continuous but must not have begun more than five years before, or ended more than three months before, the making of the application; or
- Any person:
  - Who has the consent of each of the persons named in a Child Arrangements Order as a person with whom the child is to live;
  - Who where there is an existing order for care in force, has the consent of each person in whose favour the order was made;
  - In any case where the child is in the care of a local authority, who has the consent of that authority;
  - In whose favour a Child Arrangements Order has been made in relation to the 'contact' aspects and who has been awarded parental responsibility by the court (i.e. they would be able to apply for a Child Arrangements Order in relation to the 'residence' aspects);
  - Who in any other case, has the consent of everyone with parental responsibility for the child.
- A local authority foster carer is entitled to apply for a Child Arrangements Order relating to who the child is to live with, and/or when the child is to live with any person, if the child has lived with him/her for a period of at least one year immediately preceding the application;

- A relative of a child is entitled to apply for a Child Arrangements Order relating to who the child is to live with, and/or when the child is to live with any person, if the child has lived with the relative for a period of at least one year immediately preceding the application. (A relative is a child's grandparent, brother, sister, uncle or aunt (by full or half-blood), or by marriage or civil partnership.)

A Child Arrangements Order specifying with whom the child is to live has the following advantages:

- a. It gives parental responsibility to the carer whilst maintaining the parents' parental responsibility;
- b. The child will no longer be Looked After and there therefore needs to be no social work involvement, unless this is identified as necessary;
- c. There is no review process;
- d. The child will not be Looked After and so less stigma is attached to the placement.

A Child Arrangements Order has the following disadvantages:

- a. It is less secure than Adoption or Special Guardianship in that an application can be made to revoke the Order (however, the court making the order can be asked to attach a condition refusing a parent's right to seek revocation without leave of the court);
- b. There is no formal continuing support to the family after the Order is made (although in some instances, a Child Arrangements Order Allowance may be payable by the local authority);
- c. There is no professional reviewing of the arrangements after the Order unless a new application to court is made, for example by the parents for contact or revocation.  
(**Note:** New applications to court may be expensive to defend, and the carers would have to bear the cost if not entitled to assistance with legal costs.)

### 3.7. Special Guardianship Orders

[See [Swindon Applications for Special Guardianship Orders Procedure](#) for full details of the procedures].

Special Guardianship addresses the needs of a significant group of children/young people, who need a sense of stability and security within a placement away from their birth parent(s) (and sometimes other relatives) but not the absolute legal break with their birth family that is associated with adoption. It can also provide an alternative way of achieving permanence in families where adoption, for cultural or religious reasons, is not an option.

Special Guardianship Orders (SGOs) are usually granted in one of two situations:

- Where the child/young person is subject to Care Proceedings and a relative/s or other adult/s (already significant to the child) commits to caring for the child, subject to a return to parental care not being achieved. In this scenario, the prospective carer(s) will

be assessed within the proceedings, either before or after the child is placed in their care.

- Where the child/young person has previously been placed with a foster carer(s) on either a short or long term basis and the carer(s) have established an attachment to the child and want/s to commit to the child becoming a permanent and legally recognised member of their family, with the intention of the child remaining as a permanent member of the family through-out the remainder of his/her childhood.

**Note:** A Special Guardianship Order will expire when the child reaches his/her 18<sup>th</sup> birthday, however any assessment should explore the carer's longer-term commitment to supporting the child post-eighteen as he/she moves on into his/her adult life.

A child may be of any age up to his/her 18<sup>th</sup> birthday when a Special Guardianship application is considered.

**Note:** Special Guardianship Orders in favour of a relative are often the court's preferred permanency option for children who are subject to Care Proceedings but unable to be safely returned to parental care, and during Care Proceedings the local authority is often required to consider and assess a wide range of family members to ensure that all possible options for legal permanency within the extended family network have been considered. Generally completing an in-depth Viability Assessment in the first instance will confirm whether a full assessment should be progressed.

The following persons may apply for a Special Guardianship Order:

- a. Any guardian of the child/young person;
- b. A local authority foster carer with whom the child/young person has lived for at least one year immediately preceding the application;
- c. Anyone who is named in a Child Arrangements Order as a person with whom the child is to live;
- d. Anyone with whom the child/young person has lived for 3 out of the last 5 years;
- e. Where the child/young person is subject of a Care Order, any person who has the consent of the local authority;
- f. Anyone who has the consent of all those who hold parental responsibility for the child/young person e.g. anyone, including the child/young person, who has the leave of the court to apply.

The parent(s) of a child/young person may not become the child/young person's Special Guardian(s).

A Special Guardianship Order offers greater stability and security to a placement than a Child Arrangements Order in that, whilst it is revocable, there are restrictions on those who may apply to discharge the order and the leave of the court, if required, will only be granted where circumstances have changed since the Special Guardianship Order was made.

Special Guardians acquire parental responsibility for the child/young person and although this will be shared with the child/young person's birth parent(s), the Special Guardian(s) will have the legal right to make all day to day arrangements for the child/young person. The parent(s) will still have to be consulted and their consent required to the child/young person's change of name, adoption, placement abroad for more than 3 months and any other such fundamental issues.

A Special Guardianship Order made in relation to a child/young person who is the subject of a Care Order will automatically discharge the Care Order and the local authority will no longer have parental responsibility.

Special Guardians may be supported financially or otherwise by the local authority and, as with adoptive parents, will have the right to request an assessment of need for support services at any time after the Order is made.

Special Guardianship has the following potential advantages as a Permanency Plan:

- a. The Special Guardian(s) have parental responsibility and clear authority to make decisions on day to day issues regarding the child/young person's care;
- b. There is added legal security to the Order in that leave is required for the birth parent(s) to apply to discharge the Order and will only be granted if a change of circumstances can be established since the original Order was made;
- c. It maintains the child/young person's legal links with his/her birth parent(s) and wider family members;
- d. The child/young person will no longer be in care and there need be no social worker involvement unless this is identified as necessary, in which case an assessment of need for support services must be undertaken by the relevant local authority.

Special Guardianship has the following potential disadvantages as a Permanency Plan:

- a. The Order only lasts until the child/young person is 18 and does not necessarily bring with it the same sense of belonging to the Special Guardian(s)' family as an Adoption Order does;
- b. As the child/young person is not a legal member of the family, if difficulties arise there may be less willingness on both sides to persevere and seek resolution;
- c. Although there are restrictions on applications to discharge the Order, such an application is possible and may be perceived as a threat to the child/young person's stability. Defending any application may also prove very expensive for the Special Guardian(s).

Where a SGO is being sought the Swindon Children's Services Permanency and Legal Tracker Meeting will monitor the progress of the case in order to ensure that there is no unnecessary delay which might impact on the welfare of the child/young person concerned.

### 3.8. Residential Placements

Young people who are aged 13 and over will usually be placed in residential placement for one of two reasons:

- The young person is presenting a level of emotional and/or behavioural difficulties that suggests that a family based placement, even with very experienced carers, is unlikely to be able to contain and safely manage his/her presenting behaviours (i.e. the young person's presenting behaviours pose a significant level of risk to him/herself and/or his/her carer(s) and/or any other child(ren) within a placement);
- The young person is actively requesting to be placed in residential care, as he/she does not feel ready to or feels unable to live within a family.

No young person aged under 13 should be placed as a long term/permanent placement in residential accommodation unless the unit is an established therapeutic one that has been visited prior to placement by the social worker and a member of the Placements Team to assess its suitability for that individual young person.

Such placements should typically only be made where there is agreed joint/tri-partite funding and where an up-to-date assessment identifies that residential care is the most suitable placement option for a young person and this has been confirmed at the Child in Care review. Any placement agreed should be able to work intensively with the young person to prepare him/her for a return to family based care in the longer-term, whether this is with one or both of his/her birth parents, with an extended family member(s) or with a foster carer(s). All residential placements will be monitored through the Child in Care review process to ensure that all services are working collaboratively to achieve the longer-term placement of the young person back in a family setting.

The funding for all proposed residential placements will need to be agreed by the Care and Placement Panel before the proposed placement is agreed, regardless of the anticipated length of the placement. If this is not possible due to the decision being made by the court, the details of the placement and the anticipated costs must be presented to the next Care and Placement Panel for information and to enable budget monitoring.

### 3.9. Staying Put Arrangements

Under the Care Leavers (England) Regulations 2010, Planning Transition into Adulthood for Care Leavers Guidance and Government Staying Put Guidance (2013), the Authority must provide information about extending placements beyond the age of 18. These are known as Staying Put arrangements. The Authority has an up to date Staying Put policy and actively encourages and supports young people to remain with their carers beyond the age of 18.

Discussion should start with the young person and his/her foster carer(s) regarding the option of staying put as early as possible, ideally before the young person reaches the age of 16. Where a child/young person is formally matched with his/her foster carer(s) on a long term/permanent fostering basis, the potential for a Staying Put arrangement should be

discussed as part of the matching and Panel process regardless of the age of the child/young person on placement.

If this has not already been done, the first Child in Care review following the child's 16<sup>th</sup> birthday must consider whether a Staying Put arrangement should be an option. This will entail assessing the implications for both the young person and the foster carer(s).



## 4. Permanence and Local Placement

Where a child/young person is placed with long term carers other than adopters, it is generally important that the child/young person continues to have access to the family, friends or community within which he/she was previously brought up and which form part of his/her identity and his/her likely long term support network. For these reasons children/young people should be placed in local provision wherever possible.

Any decision to place a child/young person away from his/her community should be based on the particular needs of the child/young person, and considered within the context of a Permanency Plan (see [Out of Authority Placements for Swindon Borough Council Children Procedure](#)). Where an alternative family placement is sought in the area of another local authority, the likely availability and cost of suitable local resources to support the placement must be explored. In the case of an adoptive placement, this will be required as part of the assessment of need for adoption support services (see [Adopt Thames Valley Adoption Support Procedure](#)), but a full exploration of available resources should be carried out in relation to any permanent placement.

## 5. Negotiating and Monitoring IFA Placements

All contracts relating to placements with carers approved via Independent Fostering Agencies (IFAs) are negotiated via the Placements Team.

The funding for all proposed IFA Placements will need to be agreed by the Care and Placement Panel prior to the Foster Panel being asked to recommend the proposed 'match'. This includes placements for children who are already in placement with the same carer(s) on a short term basis.

It is the joint responsibility of the child's social worker and the permanency social worker to complete the required report for the Care and Placement Panel and to present the report to the Panel.

The contract issued in respect of each placement must detail the expectation that:

- The supervising social worker for the carer/s will forward a copy of his/her case recording to the child's social worker on at least a monthly basis in order to enable Swindon Borough to fulfil its safeguarding responsibilities;
- The IFA will provide opportunity for the child's social worker to comment on the care provided to the child prior to the carer(s)' annual carer(s)' review and to raise any points of concern;
- The IFA will provide the child's social worker and the Placements Team Manager with a copy of the carer(s)' annual carer(s) review as soon as it is available.

Where a child is placed in an IFA placement on a long term basis the Team Manager of the Placements Team will monitor the progress of the placement. The Team Manager of the Placements Team will review each case after the carer(s)' annual review (and any associated Panel minute) is received, and will contact both the carer(s)' supervising social worker and the child's social worker to ascertain their views on the stability of the placement and whether the existing support plan is adequate or requires review. Where a review of the Support Plan is required this will be actioned. A summary will then be provided to the child's Independent Reviewing Officer and presented to the Care and Placement Review Panel, which will review every out of borough placement on an annual basis.

## 6. Assessing the child/Young Person’s Permanency Needs and Planning for Permanency

Assessments of a child/young person's needs in relation to his/her Permanency Plan must:

- a. Focus on outcomes;
- b. Consider stability issues, including:
  - The child/young person and his/her family's needs for long-term support;
  - The child/young person's needs for links, including contact, with his/her parent(s), siblings, and wider family network.

Social workers must ensure that the child/young person's Permanency Plan is clearly linked to previous and ongoing assessments of the child/young person's needs. The following table presents a brief, research-based checklist of considerations about, Long-term Fostering, Child Arrangements Orders, Special Guardianship Orders and Adoption.

Child Arrangements/Special Guardianship Orders	Adoption	Long Term Fostering
Child/young person needs the security of a legally defined placement with alternative carers, but does not require a lifelong commitment involving a change of identity	Child/young person's primary need is to belong to a family who will make a lifelong commitment to him/her	Primary need is for a stable, loving family environment whilst there is still a significant level of continued involvement with the birth family
Child/young person's relative foster or other carer needs to exercise day to day parental responsibility and is prepared to do so as a lifelong commitment	Child/young person's birth parents are not able or not willing to share parental responsibility in order to meet their child's needs, even though there may be contact	Child/young person has a clear sense of identity with the birth family, whilst needing to be looked after away from home
There is no need for continuing monitoring and review by the local authority, although support services may still need to be arranged	Child/young person needs an opportunity to develop a new sense of identity whilst being supported to maintain or develop a healthy	There is need for continuing oversight and monitoring of the child/young person's developmental progress

	understanding of his/her past	
Child/young person has a strong attachment to the alternative carers and legally defined permanence is assessed as a positive contribution to his/her sense of belonging and security	Child/young person expresses a wish to be adopted	Birth parents are able and willing to exercise a degree of parental responsibility

In considering the child/young person's permanency needs, full consultation with family and community networks should be undertaken to establish the child/young person's attachments and supports.

In all cases, the child/young person's own wishes and feelings must be ascertained and taken into account (whilst recognising the child's age and level of understanding of his/her situation).

As detailed above, by the time of the second Looked After Review, the child/young person must have a Permanence Plan (incorporated into the Care Plan), and this must be considered at the review.

If it seems unlikely that rehabilitation to either of the child's parents will succeed all other possible alternatives must be considered, including placement options within the extended family and the possibility of fostering, Special Guardianship and adoption (including Fostering for Adoption in order to facilitate early placement in the child's potential adoptive placement).

Where the plan is to attempt rehabilitation to one or both of the birth parents or a wider family member(s) but the outcome is uncertain, parallel planning should be pursued. This could mean that a plan for long term fostering or adoption runs alongside the plan for rehabilitation and/or exploration of the extended family. If this is the case then some preparatory work in relation to fostering or adoption can begin, thus potentially avoiding later delay in achieving a permanent placement for the child.

If the chances of the child ultimately being placed for adoption are high the possible merits of Fostering for Adoption should be considered. Until assessments have been completed an adoption plan for the child cannot be finalised, however Fostering for Adoption can be pursued with the child being placed with his/her prospective adopter(s) on a fostering basis until a Placement Order is granted – see [Adopt Thames Valley Practice Guidance – Fostering for Adoption](#).

Where the Permanence Plan includes a Parallel Plan, the social worker must ensure that the parent(s) are informed of the reasons why two plans are being made; i.e. to meet the child/young person's needs and prevent possible future delay.

Swindon Children's Services Permanency and Legal Tracker Meeting will track the permanency planning for all children who are not yet in their permanent placements, in order to ensure that timely decisions are made on their behalves (see [section 2.2](#) above).

## 7. Procedural Guidance

### 7.1. Management Responsibility

The Permanency Planning process for all Looked After children is managed by the Fieldwork Team Manager with overall responsibility for the child/young person, with support from the Manager of the Placements Service.

### 7.2. Decision Making Processes

An "**overarching plan**" for permanence must be formally agreed at the child/young person's 4 month statutory review meeting. Given this, unless rehabilitation to one or both of the birth parents is the identified and clearly achievable plan, the Team Manager of the Fostering Team should be notified in advance of the review in order to ensure that a member of the fostering team is able to attend. While the Manager of the Placements Service will not be directly responsible for managing the permanency planning process if the young person is aged 14 or over, any decisions around permanence made at the review are likely to have implications for the work of both the Placements and Fostering Teams.

The development of this "overarching permanency plan" requires the review meeting to reach conclusions as to whether the child/young person's need for permanency is likely to be best met by:

- Future re-unification with one or both of his/her parents;
- Placement with a Connected Person (under fostering regulations or under a Child Arrangements Order or a Special Guardianship Order);
- Placement with long-term foster carers;
- Placement with prospective adopters;
- Placement in residential care.

The needs of older children/young people may be best met by placement with carers who are able to offer them 'placement to independence' whilst accepting that the child/young person's primary attachments will remain elsewhere.

The decision making process will be informed by the child/young person's social worker presenting the findings of the Statutory Assessment (and other relevant reports) and outlining their recommendations to the review meeting.

When planning for permanency one needs to consider, amongst other factors:

- What type of placement will best meet the child/young person's needs?
- The implications for siblings of being placed together or separately;
- What level and type of contact (with both the child/young person's parent(s) and wider family members) will best meet the child/young person's needs?
- What legal arrangements will best promote the child/young person's welfare?

- What other inputs/actions are needed to promote the child/young person's self-esteem and identity?
- What other actions are required to facilitate best outcomes?

Where re-unification to one or both parents is not an option, priority consideration should be given to forms of placement which will facilitate the child/young person's early discharge from public care - so long as this is consistent with his/her welfare.

Adoption can provide some unique advantages for some children/young people who are unable to return to parental care. The option of adoption should always be considered when children/young people cannot return home (see [Adopt Thames Valley Adoption Agency Policy](#) for further details).

### 7.3. Avoidance of Delay

Delay is generally detrimental to children/young people and should be avoided where possible. If a decision is needed before the 4 month review would normally take place, the review should be convened early. Likewise, action to explore options within the child/young person's kinship network should begin from an early stage even if the plan is time-limited assessment.

In some instances, where at the 4 month review stage there is a need for further assessments to be completed or the outcome of court proceedings is awaited, the review meeting should consider pursuing "parallel planning", progressing work to identify possible long-term permanent carers whilst also continuing to work to promote the child/young person's return to parental care. When this occurs, particular care should be taken in explaining the planning process to the parent(s) with emphasis being placed on the department's wish to achieve re-unification provided this is consistent with promoting the child/young person's welfare.

In situations where the plan is for future re-unification with one or both parents, but the outcome is uncertain, a parallel plan should be developed to reduce any future delay in placing the child/young person in an alternative long-term placement should re-unification not prove to be appropriate/achievable.

The review meeting should also consider and agree:

- The timescales for achieving the overarching plan;
- Whether a family group conference should be convened;
- Which other professionals should be asked to contribute to future planning for the child/young person e.g., health, education etc.;
- Whether a formal permanency planning meeting should be convened;
- What arrangements need to be made to ensure that the child/young person, the parent(s) and other relevant parties are fully informed and consulted about the plan;
- Who will be responsible for implementing any of the above;
- The process for monitoring the agreed timescales for implementation of the plan.

## 7.4. Family Group Conferencing

The possibility of holding a family group conference should be considered in all cases where a child/young person cannot return to the care of one or both of his/her parent(s), however if the case is in Care Proceedings the role of the birth family in the planning and/or placement process may have already been defined. A family group conference can also be a helpful way of identifying additional supports when plans are made for a child/young person to return to parental care (see [Swindon procedures on Family Group Conferencing for further details](#)).

## 7.5. Permanency Planning Meetings

A permanency planning meeting should be held prior to the 2 Children Looked After statutory review meeting in order to identify the "overarching permanency plan"<sup>6</sup> which should then be discussed and recommended at the review. In cases where early confirmation of the permanence plan is required e.g. baby relinquished at birth for adoption, a permanency planning meeting should be convened at the earliest opportunity and the first statutory review meeting can then confirm the plan.

Swindon Borough is a member of the Adopt Thames Valley Regional Adoption Agency (ATV); given this, where the permanency plan is for adoption, responsibility for permanence planning will still rest with the Authority, however in terms of progressing the adoption plan (once agreed) the [Adopt Thames Valley Practice Guidance – Children for whom adoption is the Plan](#) should be followed.

Regardless of whether the permanency plan is for<sup>7</sup>:

- Re-unification with parent(s);
- Placement with relative or friend carers (under fostering regulations or under a Child Arrangements Order or Special Guardianship Order);
- Placement with long-term/permanent foster carers;
- Placement with unrelated adopters;

the permanency planning meeting should:

- Confirm the assessed needs of the child/young person (including any needs relating to his/her culture, religion, health, education, contact with significant relatives etc.);
- Agree the detailed arrangements that will underpin the "overarching plan", e.g. type of placement required, geographical location preferred, future contact arrangements, court processes, legal orders and any requirement to seek legal advice or to present the

---

<sup>6</sup> **Note:** the regulations require that a Permanency Plan is in place for every child/young person who is in local authority care by the time of his/her four month statutory review

<sup>7</sup> **Note:** No permanency plan should have residential care, as its final outcome; only as an avenue to achieving one of the permanency options outlined above.



child/young person and/or his/her future proposed placement to the fostering or adoption panel etc.;

- Identify the competencies that will be required of future carers;
- Agree the specific actions that need to be taken to progress the permanency plan, e.g. family finding or referral to ATV for family finding<sup>8</sup>, completion of permanence medical, presentation to panel, achieving ADM decision, making an application for a Placement Order etc.;
- Agree who is responsible for taking specific actions;
- Agree timescales;
- Consider what action should be taken if some aspects of the permanency plan cannot be achieved within reasonable timescales.

The Initial Permanency Planning Meeting should follow an agreed agenda (although this is intended to be a tool to steer discussion and should not be seen as being prescriptive) – See [Appendix 2 - Agenda for Permanency Planning Meetings and separate Pro-forma documents for Initial and Second and Subsequent Permanency Planning Meetings](#).

The chair is responsible for ensuring that the meeting is appropriately recorded and the agreed actions recorded, and that a date for a further meeting is set as appropriate. It is important that the Permanency Planning Process is kept 'on track' to avoid undue delay in achieving permanency for the child/young person if a return to parental care is not achievable - for this reason Permanency Planning Meetings should be held at least six weekly unless there are significant delays within the court process which suggest that it would be inappropriate for permanency planning to be being actively pursued. In these instances the decision will rest with the nominated Chair who should consult with the child(ren)'s IRO. A Case Note should be entered on the child(ren)'s case file/s detailing any such decision.

### **The Constitution of the Meeting**

The Permanency Planning Meeting should be set up by the child/young person's social worker and the following individuals should be invited to attend:

- The identified Chairperson;
- The Fieldwork Manager/Assistant Team Manager (with responsibility for the child/young person);
- The child/young person's Family Finder (if identified);
- The child/young person's Independent Reviewing Officer (IRO);
- The Children's Guardian (if appropriate);
- Relevant professionals involved with the child/young person through, Health, Education, CAMHS, Probation or other services (if appropriate).

---

<sup>8</sup> Once adoption becomes the parallel or sole plan for a child a referral must be made to ATV for family finding, in order to avoid any later undue delay in achieving permanence for the child if a Placement Order is granted or parental consent given.

Where it is not possible or appropriate to involve the above listed parties directly in at least part of the meeting, then alternative arrangements should be made to ensure that their views can be properly and fully considered. (Any decisions not to involve the above parties should be agreed by the Chair of the meeting and the reasons recorded).

Considerations should be given to whether, how, and to what extent it may be appropriate to involve the following individuals directly in the meeting:

- The child/young person;
- The current carer(s);
- Any significant others, e.g. the child/young person's Key Worker.

## **7.6. Approval of permanent carers**

### **Special Guardians**

Assessments of prospective relatives and friends as prospective Special Guardians for a Child in Care are usually completed within the Care Proceedings – see [Swindon Special Guardianship Procedures](#).

Viability assessments of one or more relatives will usually be required prior to a decision being made as to which will progress to full assessments. The Team Manager who holds responsibility for the child will confirm which relatives are to be subject to viability assessments. Good practice indicates that these assessments should be jointly completed by the child's social worker and a social worker from the Fostering Service. Viability assessments may be completed at the point that the child/young person is placed, but good practice is that they should ideally be completed in advance (in order to reduce the risk of the child/young person having to be removed if the assessment proves to be negative). Any viability assessments completed should be signed off by the Team Manager who holds responsibility for the child/young person and it will be his/her social worker and his/her line-manager who will decide whether a positive viability assessment should progress to a Family and Friends Fostering assessment or a Special Guardianship assessment.

Where the plan for the child/young person is placement with a relative or family friend with a view to Special Guardianship the Team Manager who holds responsibility for the child/young person will manage all aspects of the permanency planning and the placement planning processes until permanency is achieved.

SGO applications are not considered by either the Fostering or the Adoption Panel or the Agency Decision Maker, however the carer(s)' assessment must be signed off by the Service Manager for Looked After Children and Leaving Care and the Court Care Plan for the child signed off by the Service Manager for the Locality Teams.

If a child's current foster carer(s) decides to progress a Special Guardianship application, the application will be made directly to the court; again the application is not considered by either the Fostering or the Adoption Panel or the Agency Decision Maker, however the

carer(s)' assessment must be signed off by the Service Manager for Looked After Children and Leaving Care.

### **Placement with Relative and Friends Carers**

Assessments of prospective relatives and friends as Regulation 24 foster carers for a Child in Care are usually completed within the Care Proceedings – see [Swindon Regulation 24 Procedure and Family and Friends Fostering Procedure](#). In the case of children who are to be placed with their prospective carer(s) whilst assessments are ongoing, the prospective carer(s) must have been subject to a Viability Assessment with a positive recommendation and a police check must have been obtained on all adults living in the proposed carer(s)' household. The Fostering Panel will not be involved in the initial approval process but ADM approval to the placement must be obtained.

Where the Plan for the child is placement with a relative or friend as a Regulation 24 placement or under a Family and Friends Fostering arrangement, the Team Manager who holds responsibility for the child/young person will manage both the permanency planning and the placement planning processes until permanency is achieved. Any Regulation 24 placement will need to be approved by the Nominated Officer – see [Regulation 24 Procedure and Family and Friends Fostering Procedure](#).

If the placement is to continue for more than 16 weeks the placement will then need to be considered by the Swindon Fostering Panel and the ADM (Fostering) for approval. An eight week extension is then permitted if statutory checks remain outstanding or for any other reason the assessment has not been able to be fully completed. If full approval is not achieved within 24 weeks of placement the placement will become 'unregulated'.

If the outcome of the Care Proceeding is a decision that the child should remain with his/her relative or friend carer(s) long-term the change of placement status does not need to be considered by the Fostering Panel and/or the ADM (Fostering), as when considering the carer(s)' application at 16 weeks (and possibly again prior to 24 weeks), the Panel and ADM will have considered the possibility of the placement continuing longer-term (see [Swindon Fostering Procedures](#) for full details).

### **Permanent Fostering (unrelated carers)**

All unrelated foster carers with whom a Swindon Child in Care is to be placed (whether on a short or long-term basis) must already be approved as foster carers and the approval must be current, including DBS checks being up-to-date. In order for this to be the case all carers must have previously been considered by their approving agency's Fostering Panel and have achieved ADM approval.

Swindon Children's Services is keen to avoid undue delay in achieving permanence for its Children in Care, whilst also exercising due diligence. Give this the process for approving long-term foster placements is different depending on the age of the child and whether the child/young person is already settled within the placement and has an established

relationship with his/her proposed long-term carer(s) or whether approval is being sought for a new or an as yet relatively untested fostering arrangement.

Where a child/young person is aged 15 or older his/her placement will be deemed to be a Placement until Independence (usually providing task centred care focused on preparation for independence) and will not require approval as a long-term fostering arrangement.

Where a child is:

- aged 14 years or under;

the required paperwork for both the decision as to whether permanent fostering is in the best interests of the child/young person concerned and the proposed 'match' should be prepared and presented to the Fostering Panel prior to consideration by the ADM (Fostering), who will then have responsibility for making the agency decision (see [Swindon Fostering Procedures](#) for full details).

Where long-term fostering plan is being pursued for a sibling pair or group of mixed ages, the matching process (detailed above) that should relate to the youngest of the children should be followed for all the children involved.

### **Adoption**

All Children in Care for whom adoption is the Care Plan will be placed in accordance with the Adoption Agencies' Regulations. All such children will require an ADM 'Should be placed for Adoption' decision (SHOBPA) and the proposed 'match' will then need to be considered by one of the ATV adoption panels prior to being considered by the Swindon Adoption Agency Decision Maker who will have the ultimate responsibility for approving or refusing the proposed 'match' – see [Adopt Thames Valley Practice Guidance – Children for whom adoption is the Plan](#).

**Note:** If Care Proceedings are in process legal advice should always be sought regarding the timescale for Panel consideration and/or ADM approval. The legal timeline is likely to dictate the timescale around completion of assessments of SGO carers and kinship foster carers and for achieving ADM approval for children requiring placement for adoption. Where adoption is the plan an application for a Placement Order will be required unless the birth parent(s) are voluntarily relinquishing the child.

## **7.7. Reports for the Fostering or Adoption Panel and/or the Agency Decision Maker**

**Reports required:**

### *Adoption*

Report:

Author:

Child Permanence Report (CPR)

Social worker for the child

Adoption Support Plan	Family Finder for the child
Matching Criteria	Social worker for the child/Family Finder
Placement Plan	Social worker for the child/Family Finder
Linking Report	Social worker for the child/Family Finder

(See [Adopt Thames Valley Adoption Agency Policy](#))

### *Fostering*

Report:	Author:
Form E on each child/young person to be matched	Social worker for the child/young person
An up to date assessment of the child/young person's care and placement needs	Social worker for the child/young person
Placement Plan (including the Support Plan)	Social worker for the child/young person
Child's Care Plan	Social worker for the child/young person
Child/young person's most recent child in Care Review IRO Report	Child/young person's Independent Reviewing Officer
Matching Report	Social worker for the child/young person + Family Finder
Carer(s) Assessment and any more recent Annual Reviews	Family Finder

(See the [Swindon Fostering Procedures](#))

### *Kinship Care*

- Connected Persons' Assessment (Fostering Network)
- Placement Plan (including Support Plan).

(See the [Swindon Connected Persons Procedures](#)).

## 7.8. Family Finding and 'Matching'

For guidance on family finding and matching please refer to the relevant section of the [Adopt Thames Valley Practice Guidance – Children for whom adoption is the Plan](#) or the [Swindon Borough Council Fostering Procedures](#).

## 7.9. Placement of a Child/Young Person in Care with Prospective Adopters or other Permanent/Long-Term Carers

### Adoption

For guidance on the placement of children and young people with prospective adopters please refer to the [Adopt Thames Valley Practice Guidance – Children for whom adoption is the Plan](#).

A child/young person cannot be placed with prospective adopters under the Adoption Regulations until the match has been formally agreed by the Adoption Agency Decision Maker (ADM Adoption)<sup>9</sup>.

A Placement Order or Parental Consent to Placement will be required depending on the circumstances of the case – see [Adopt Thames Valley Practice Guidance – Children for whom adoption is the Plan](#)).

### Adoption Support

Swindon Borough Council has a contract in place with Adopt Thames Valley to provide its post adoption support services. Given this, while permanency planning for Children in Care and the social work role for Children in Care who are placed for adoption remains with the Authority pre-order, all adoption support services provided after a child's legal adoption are provided via the Regional Agency.

If it is agreed that a Life Appreciation Day will be hosted for the child in order to facilitate the prospective adopter/s' understanding of the child's earlier life experiences and of any resulting behaviours, responsibility for arranging and funding the day rests with Swindon Children's Services, however Adopt Thames Valley will provide a facilitator who will have the responsibility of running the actual day.

The child's social worker holds responsibility for the completion of both the child's Later Life Letter and the child's Life Book, both of which should be provided within a week of the Adoption Order being granted (if not earlier).

All children placed for adoption by the Authority will have a written Adoption Support Plan compiled by the child's social worker and allocated family finder prior to the child being 'matched' to his/her prospective adopters; post placement support will be provided to the

---

<sup>9</sup> **Note:** There are some circumstances where a child can be placed with his/her proposed adopters on a Fostering for Adoption basis in advance of the Placement Order being granted or the ADM agreeing the proposed 'match' as a prospective adoptive placement – see [Adopt Thames Valley Adoption Procedures](#)

child/placement in accordance with this plan. The support plan will be kept under review through the Child in Care review process up until the point of legal adoption.

Birth parents and other significant relatives of children who have a Care Plan for adoption, will be offered the support of a social worker who is not connected with the removal of or the planning for the child concerned. This service will be provided via the Birth Relative Service based at the Adopt Thames Valley Oxford office. Referral to the Service is the responsibility of the child's social worker, however is dependent on the agreement of the relative concerned.

Swindon Borough Council legally holds responsibility for providing post adoption support to all children placed for adoption by the Authority up until three years after their adoption orders are granted. From the point of the child's legal adoption this service is provided via the Adopt Thames Valley Adoption and Special Guardianship Support Service.

All support specific to the needs of the prospective and legal adopters with whom Swindon Children in Care are placed is provided either by the Adopt Thames Valley Service or via an inter-agency arrangement set up between Adopt Thames Valley and the adopter/s approving agency.

There is an expectation that prior to the Adoption Order being granted, the child's social worker will maintain regular contact with both the prospective adopter/s and their supervising social worker and will undertake joint visits as and when requested to do so.

### **Special Guardianship**

**For guidance on the placement of children and young people with Special Guardians see section 3.6 (above) and [Swindon's Special Guardianship Order Procedure](#).**

### **Special Guardianship Support**

Swindon Borough Council has responsibility for providing Special Guardianship support to all children placed in such arrangements by the Authority up until three years after the Special Guardianship Order is granted. Swindon Borough Council has a contract in place with Adopt Thames Valley to provide its Special Guardianship support services. Given this, while the social work role for Children in Care who are placed with their prospective Special Guardians remains with the Authority up until the Special Guardianship Order is granted, all support services provided to either the child/young person or the Special Guardian(s) after the order is granted are provided via the Regional Agency.

### **Fostering**

For guidance on the placement of children and young people with kinship carers or foster carers see the [Swindon Fostering Procedures and Connected Persons Procedures](#).

A child/young person should not normally be placed with his/her permanent or long-term foster carers until the match has been considered by the Fostering Panel and/or agreed by the Senior Manager who acts as the Agency Decision Maker for Fostering. However, it may

be appropriate to place a child/young person needing long-term "permanent placement" with foster carers who have dual approval as short and long-term carers for a trial period prior to formalising the arrangement; in this case if the child/young person is aged 11 or over and the existing placement has been ongoing for 12 months or more the Fostering Panel will not usually be involved in considering the proposed long-term 'match', unless the proposed long-term 'match' is being proposed by the child /young person's social worker but the IRO is unable to endorse the worker's recommendation (see section 7.6 above). When making such a placement care should be taken to avoid unnecessary delay and prolonged uncertainty for the child/young person.

### **Placement to Independence (Task Centred Care)**

[See [Swindon Leaving Care Procedure](#) for full details of the procedures].

While consideration of a young person's age may have a bearing on placement type it does not diminish the need for longer term planning nor for consideration of what arrangements will:

- Provide consistency of care;
- Best promote the young person's long-term welfare;
- Provide the young person with support into adult life;
- Promote the young person's sense of self-esteem and identity;
- Facilitate the young person's early discharge from public care (where this is consistent with promoting his/her welfare).

While some older young people may appropriately be placed with carers "until independence," when such placements are made, careful considerations should still be given to what additional services need to be provided or actions taken to ensure that the young person has a sense of security and continuity of care during and beyond the period of being looked after, e.g. arranging for an individual from the young person's wider kinship network to have contact in the short-term with a view to him/her then being available to support/befriend the young person after his/her discharge from local authority care and into adult life. Where a young person has been in a stable foster placement whether with a relative or an unrelated carer a 'Staying Put' arrangement should always be considered if appropriate to the young person's needs (see section 3.8 above).

Other services that will be involved in supporting the young person's transition into adult life must be fully consulted and appropriately involved in planning services for the young person.

## **7.10. Timescales**

### **Re-unification to Parents**

Delay is detrimental to children and young people. If a plan is made for a child/ young person to return to the care of one or both of his/her parents and this is not achieved within



6 months, the reasons for the delay should be carefully considered and documented and the viability of the original plan should be subject to further scrutiny at the next Statutory Review. An early review should be convened if necessary.

### **Adoption**

The Adoption Regulations set clear expected timescales around matching and placing children for adoption:

- Time between Placement Order being granted and ADM approval of a proposed 'match': 121 days;
- Time between the child entering local authority care and being placed for adoption: 487 days (using FfA date if applicable).

(See [Adopt Thames Valley Practice Guidance – Children for whom adoption is the Plan](#) for further details).

Note: While Adopt Thames Valley is responsible for all family finding for Swindon Children in Care who have a Care Plan for adoption, it remains the responsibility of the Authority to monitor the timescales around this and to ensure that where-ever possible timely matching is achieved (unless the individual needs and circumstances of the child suggest that this is not in the child's best interests). Responsibility for monitoring this rests with the Team Manager who holds overall responsibility for the child (via Permanency Planning Meetings) and with the child's IRO (through the usual Child in Care Review process).

It should also be noted that Adopt Thames Valley will also hold their own Permanency Planning Meetings which will concentrate on their family finding processes; these serve a different function and it is important that the Authority continues to hold its own meetings (to which the family Finder should be invited).

### **Permanent Fostering**

The Permanency Planning Meeting should identify the child/young person's placement needs and how the criteria for matching, the placement plan and the progress of family finding are to be monitored and kept under review. The purpose of contact must be clearly defined and a decision made as to whether the contact is to provide the child/young person with knowledge and information about the birth family or whether it is to support and maintain an existing relationship.

The social worker for the child/young person and the allocated family finder should keep each other updated on their actions on the case and regularly review together the progress of family finding, consulting their managers if a change to the agreed plan appears appropriate.

If no suitable family is identified within 6 months of the start of the family finding process a Permanency Planning Meeting should be called to specifically consider the proposed placement plan and to decide whether placement options need to be broadened or

whether a change of Care Plan is necessary, e.g. separation of siblings (if so this change will need to be made at a subsequent review).

## 8. Good Practice Guidance

The following practice guidance is not exhaustive It is drawn from research and consultation with young people, parents, carers and practitioners.

### 8.1. Supporting reunification with birth or extended family

Research points to:

- The importance of clearly communicating to the child/young person's parents and other significant relatives what needs to happen to enable the child/young person to return home, and within what timescales;
- The importance of exploring family ties and long term relationships with the child/young person's significant relatives, school and community;
- The use of Family Group Conferences as an effective way of facilitating both of the above.

### 8.2. Identifying the best permanency option

The permanency planning process, informed by multi-agency contributions, will identify which permanence option is most likely to meet the needs of any individual child, taking into account his/her wishes and feelings. Issues to consider:

- The assessment process must ask how stability for this child/young person will be best achieved;
- Long term stability means the sense of a permanent home with the same family or group of people, as part of the same community and culture, and with long-term continuity of relationships and identity;
- Short or medium term stability or continuity will be important for children/young people who are going to stay in care for a brief period before going home and for children/young people who are going to need new permanent arrangements. The quality of a child/young person's attachments and life will be detrimentally affected by uncertainties, separations from who/what is known and changes of school and placement;
- Educational experiences, links with extended family members, hobbies and friendships and support to carers, contribute to guarding against disruption and placement breakdown;
- The importance of carefully listening to what each child/young person wants from his/her placement, supporting the relationship between the carer(s) and child/young person to build, making thorough plans around the child/young person's contact with his/her family members, providing vigorous support during crisis times and taking a flexible and child-centred approach to the possibility of adoption by the child/young person's carer(s);
- The older a child/young person is, the less likely it is that the child/young person will secure a permanent family through adoption;

- Depending on the children's individual and shared experiences and the individual needs of each child, it may not be in the best interests of siblings to be placed in the same substitute family (whether with a view to adoption or permanent fostering). A sibling assessment must always be completed if one or more of the children is aged 3 years or older or any of the children are already identified as having additional care and parenting needs or there are any presenting reasons for concern about the benefits for one or more of the children of them living together;
- The larger the family group of children/young people, the harder it will be to secure a single placement that will meet all the needs of each of them;
- A number of other factors can also mitigate against achieving the positive placement of brothers and sisters together: they may have entered care at different times and/or have very different needs related to past experiences, current emotional and behavioural development and age, especially where there are significant age differences. In some circumstances a child may have been abused by a brother or sister. An understanding of family functioning and family history, providing appropriate support to all parties, as well as listening to the wishes and feelings of the children are key to informing judgements regarding placement.

### **8.3. Parallel Planning**

Social workers are expected to work to this model; working towards a child/young person's return home whilst at the same time developing an alternative Permanency Plan, within strictly limited timescales.

Where children's cases are before the court in Care Proceedings, the court will require parallel planning to be reflected in the Care Plan - see also: [Swindon Care and Supervision Proceedings and the Public Law Outline Procedure and Fostering for Adoption, Concurrent Planning and Temporary Approval as Foster Carers of Approved Prospective Adopters Procedure](#).

Consideration/assessment about what contact with the birth family will be appropriate for the child/young person when adopted or permanently placed outside of his/her birth family, needs to start as soon as permanency is being considered. Experts usually distinguish between contact that gives a child/young person knowledge of the birth family and contact which encourages a relationship. What is appropriate will be different for every child/young person and likely to vary over time. The purpose of future contact should be clearly established in every case. Contact is more likely to be successful if all parties accept plans and have a positive attitude.

### **8.4. Placement/Contact with Siblings - Issues to Consider**

It is important to assess the extent and quality of relationships in a sibling group.

Usually, and especially where there is a pre-existing and meaningful relationship, it will be important to try to maintain a child's sibling relationships within any Permanency Plan,

including those where an alternative family placement is sought; however, the demands that this may place on the children themselves and their respective carers should not be underestimated. The merits of maintaining an active relationship between children who have a history of controlling or conflictual relationships or significant additional needs and/or attachment difficulties needs to be carefully evaluated. A lower level of contact which is maintained over time will likely be of more value to a child than a higher level of contact that is not sustained long-term.

Issues from research:

- The most enduring relationships that people have are likely to be with their siblings;
- The impact of losing previous sibling support, a shared history and continuity, where siblings are separated, may affect the stability of future placements;
- Positive sibling relationships can provide support both in childhood and in adulthood and can be particularly valuable during periods of change in a young person's life;
- More successful outcomes occur for children/young people placed together with one or more of their siblings<sup>10</sup>. Children/young people should therefore be placed with their siblings unless there are particular circumstances (such as dysfunctional interaction that cannot be remedied) or incompatible needs or a lack of appropriate/available placements would lead to unacceptable drift. The immediate non-availability of a suitable placement should not prevent rigorous family-finding efforts being pursued within an agreed time frame, based on balancing the potential for success against the risk of undue delay;
- It is crucially important to identify the strengths and difficulties in any sibling relationship in order to make appropriate permanent placement decisions; this will usually be achieved by completing a thorough sibling assessment. It is important to ascertain the perceptions and wishes of the children/young people themselves (taking into account their level of understanding) and those of their other significant relatives, to assess the shared experience of the siblings and their individual permanency needs. This involves thorough consideration of issues of gender, race, disability, identity, behaviour and attachment.

The importance of wherever it is reasonably possible supporting a level of contact between siblings who cannot appropriately be placed together, must be addressed within the Permanency Plan.

There will always be circumstances in which it is not possible to place siblings together and where this is the case the children should be supported to understand why they cannot live

---

<sup>10</sup> It needs to be borne in mind that it is generally children with a lower level of emotional and behavioural difficulties who are successfully placed together. When a child has a high level of individual needs, living with a sibling, particularly one close in age, can exacerbate the child's difficulties, particularly if earlier life experiences were of having to compete for adult attention.

with their brother(s) and/or sister(s). In these circumstances, where it is in the best interests of each individual child, sibling contact should be proactively promoted and maintained.

Where the plan is for adoption, in order to reduce delay, an early decision should be taken as to whether it is in the best interests of each child to be placed together or separately and the likely impact on each child of that decision. The decision should be based on a balanced assessment of the individual needs of each child in the group, and the likely or possible consequences of each option for each child.

## **8.5. Direct contact with birth family members and others**

[\[Attach link to Research in Practice papers regarding birth family contact\]](#)

Contact must always be planned for the benefit of the child/young person, not the parent(s) or other relatives.

Depending on the legal basis of the child/young person's placement and the nature of his/her contact with his /her birth family members, contact may serve one or all of the following functions:

- To maintain a child/young person's identity, consolidating the new with the old;
- To provide reassurance for the child/young person;
- To provide an ongoing source of information for the child/young person;
- To give the child/young person continuing permission to live with his/her foster carer(s), Child Arrangements Order carers(s), Special Guardian(s) or adoptive family;
- To minimise the sense of loss;
- To assist with the process of tracing.

Direct contact will generally work best if all parties accept/agree to:

- The plan for permanence;
- The parental role of the permanent carer(s);
- The benefit of any agreed contact arrangement(s)
- If the child is adopted, the adoptive parent(s) being present.

Direct contact is not likely to be successful in situations where a birth parent:

- Disagrees with the plan for permanence;
- Does not accept the parental role of the permanent carer(s) and his/her own much reduced or minimal role with the child/young person;
- Has proved to be unreliable in his/her commitment to contact in the past;
- Does not have a significant attachment with the child/young person;
- Is prone to erratic, controlling, manipulative and/or violent behaviour.

The wishes of the child/young person to join a new family without direct contact, must be considered and given considerable weight at any age.

If direct contact is a part of the Permanency Plan, a formal agreement setting out how contact will take place, who with, where and how frequently must be negotiated before placement, and reviewed regularly throughout the child/young person's life.

In planning an adoptive placement for a child/young person the potential risks involved in setting up/maintaining any level of direct contact between the child/young person and his/her birth parent(s) or other significant adults connected to the birth family must be given due weight in decision making - see [Adopt Thames Valley Adoption Agency Policy](#).

## **8.6. Indirect contact with birth family members and others**

We do not all share the same sense of family - it means different things to different people. It is helpful to a child/young person to understand to whom he/she is related, especially if he/she has a complicated family tree including half-brothers or sisters and/or step-brothers or sisters living in different places. Identity is built on solid information.

Wherever possible a level of indirect contact between a child/young person and his/her new family and the child/young person's significant birth relatives should be facilitated;

- a. To leave open channels of communication in case more contact is in the child/young person's interests in the future;
- b. To provide information (preferably two-way) to help the child/young person maintain and enhance his/her identity and to provide the birth relative with some comfort by knowing about the child/young person's progress.

However the level of contact that may be appropriate will vary depending on:

- The age of the child/young person on placement;
- The experience that the child/young person had whilst with his/her birth family;
- The nature of the attachment that the child/young person has experienced with his/her significant relatives;
- The legal basis of the child/young person's permanent placement;
- The wishes of all the parties involved.

Any plans for indirect contact must be negotiated prior to placement, and all parties should be asked to enter into an agreement with one another about the form and frequency that the contact will take.

All parties to the agreement will need to accept that as the child/young person becomes older and therefore more aware of both his/her earlier life experiences and the arrangements for indirect contact, the child/young person will have a view regarding its continuation. No contact arrangements can be promised to remain unaltered through-out the child/young person's childhood. Those involved need to accept that contact may cease if it is no longer in the child/young person's interests or the child/young person asks for it not to continue. Alternatively, as a child/young person grows older, it may be appropriate for an indirect contact arrangement to be changed to include a one off or a level of ongoing direct

contact. Renegotiation of any agreed contact arrangement should always be driven by the child/young person's needs, not those of his/her birth family members.

### **8.7. Clearly communicating the Permanence Plan**

Communicating a Permanence Plan effectively involves setting it out clearly and concisely as part of the Care Plan, in a way that acts as a useful reference to all involved during the Review process;

Good quality Permanence Plans set out clear, concise statements about intended outcomes and timescales.

### **8.8. Legal routes to permanence**

For younger children unable to be returned home where adoption is the plan, a Care Order and Placement Order are likely to be necessary unless the birth parent(s) are clearly relinquishing the child and are in agreement with the plan and the placement choice.

For children/young people for whom adoption is not appropriate, each case will need to be considered on its merits. The decision between Special Guardianship Order, Child Arrangements Order and Long Term Fostering under a Care Order will depend on the individual needs of the child/young person set alongside the advantages and disadvantages of each legal route. Legal advice should always be sought.



## Appendix 1 - The Role of the Family Finder

- To in co-operation with the child/young person's social worker:
  - Identify the child/young person's placement needs and draw up the written matching criteria (consulting other relevant professionals as necessary e.g., Health, Education, CAMHS, Probation etc.); ensuring that separate criteria are drawn up for each child/young person in a sibling group even if being placed together;
  - Assess the child/young person's readiness for family life in a permanent substitute family;
  - Draw up a profile to be used for family finding;
  - Arrange for professional photos to be taken and a dvd produced (suitable to be used for family finding);
- To pursue a wide range of family finding initiatives, aimed at identifying suitable permanent foster carers or prospective adopters for the child within a timescale appropriate to the needs of the child.

Where the Care Plan for the child is permanent fostering this will include the allocated family finder firstly exploring the availability of suitable carers within the Authority's pool of approved carers.

Where the Care Plan for the child is adoption this will include the Adopt Themes Valley family finder firstly considering the prospective adopters available within the Regional Adoption Agency.

Specific family finding initiatives may include:

- featuring children at national family finding forums and on specific family finding websites;
  - the child and his/her carer(s) and social worker attending an Adoption Activity Day;
  - specific child focussed family finding initiatives using the local and/or national press.
- To undertake preliminary analysis of the assessment reports (PARs) on families available for consideration and discuss possible matching issues with the relevant linkworkers and the child/young person's social worker;
  - To in co-operation with the child/young person's social worker:
    - Draw up a shortlist of families who appear able to meet the placement needs of the child/young person;
    - Share appropriate information with the linkworkers to the prospective foster carers/adopters who are being considered;

- To arrange for him/herself and the child/young person's social worker to visit the family of first choice, or more than one family if appropriate.
- To arrange and attend the linking meeting. (The linking meeting for a child for whom adoption is the plan will usually be chaired by the Adopt Thames Valley Team Manager or Assistant Team Manager (Berkshire office). The linking meeting for any other child/young person will usually be chaired by the Manager of the Fostering Service but may be chaired by an appropriate Fieldwork Team Manager);
- To formulate a post placement support plan including consideration of appropriate allowances and communication with the local authority in whose area the prospective adopter(s)/foster carer(s) reside. If the child is to be placed for adoption, consultation should also take place with the ATV Adoption Support Service;
- Where presentation to the Adoption or Fostering Panel has been agreed, to:
  - Write the Adoption Placement Report for the Panel;
  - Ensure timely submission of all the necessary reports to the appropriate Panel (ensuring that DBS and medical reports are current).
- To in co-operation with the child/young person's social worker:
  - Prepare a plan for introductions and the preparation of all concerned (including other children/young people in the prospective adoptive or foster home etc.) for placement;
  - Arrange an inter-agency meeting where needed;
  - Arrange and attend the placement planning meeting;
  - Arrange and attend a life appreciation day (if required).

## Appendix 2 - Permanency Planning Meetings

### a. Action prior to the first Permanency Planning Meeting

A copy of the reports that were presented to the review meeting that made decision about "the overarching permanency plan" should be circulated to participants prior to the permanency planning meeting to facilitate understanding and initial discussion of the following:

- Background history and current situation of birth family;
- The legal context;
- The outcome of the initial and other assessments (if appropriate);
- The overarching plan as agreed by the last statutory review;
- Developments since the statutory review;
- The outcome of any family group conference (if applicable);
- The child/young person's wishes and feelings;
- The child/young person's needs;
- The parent(s) wishes and feelings;
- The wishes and feelings of significant others;
- The current carer(s)' observations;
- The views of the child/young person's social worker and his/her supervisor;
- The views of the child/young person's Guardian - if relevant.

### b. Matters for Discussion and Agreement

#### General

- What further assessments, if any, are required?
- What therapeutic input is needed - in the short/long term? How will this be provided?
- What additional work is needed to prepare the child/young person and promote his/her understanding? Who will undertake this work?
- What other work is required to promote the child/young person's self-esteem and identity? Who will undertake this?
- What additional work is needed to prepare/support the parent(s) and promote their understanding? Who will undertake this work?
- What additional work is needed to prepare the individuals within the extended family or wider kinship network and otherwise promote their understanding? Who will undertake this work?
- What immediate legal order(s)/outcome, if any, would best promote the child/young person's long-term welfare? Is any further legal advice required?

#### Where the overarching plan is re-unification to Parental Care

- Is any further legal advice required?
- What legal order(s)/outcome needs to be agreed prior to re-unification?

- Does the re-unification plan and/or the legal recommendations need to be agreed by a Senior Manager? Who will deal with this? When?
- If the placement is to be made under the Placement with Parents Regulations, who is responsible for completing the required paperwork and securing management sign-off?
- What additional support, interventions or services, are likely to be needed prior to and following re-unification? How will this be provided? Does additional funding need to be agreed? Who will deal with this?
- Does a child protection case conference need to be convened prior to re-unification? Who will deal with this?
- Do any other professionals, agencies or authorities need to be informed of or involved in the plans? Who will deal with this? When?

**Where the overarching plan is not re-unification to Parental Care or Concurrent Planning is being progressed**

- What type of placement will best meet the child/young person's long-term needs - including where possible/appropriate the child/young person's early discharge from public care?
- What further action, if any, is needed to identify/assess possible kinship carers? Who will deal with this?
- Does a family group conference need to be convened?
- Does the plan for the child need to be considered by the Authority's fostering panel or the Adopt Thames Valley adoption panel (relinquished child)? Who will deal with this? Timescales?
- Does a referral need to be made to the Fostering Service or Adopt Thames Valley for family finding? Who will deal with this? Timescales?
- Arrangements for gathering medical information and completing medical assessments? Who will deal with this? Timescales?
- Do the current short-term foster carer(s) wish to be considered as long-term carers? How will this be explored and/or taken forward? (See [Swindon Fostering Procedures](#))
- What specific action(s) need to be taken to identify/find possible long-term permanent carers? Who will take this forward? Timescales?
- What criteria will be used to match the child/young person with possible carers or a particular residential placement? Who will deal with this? Timescales?
- What contact arrangements are best likely to promote the child/young person's welfare in the short/medium term and the long term? Should contact be promoted to an individual(s) in the child/young person's social network, who could have a continuing positive role as the young person reaches adulthood?
- What legal action is required to facilitate the attainment of a suitable long-term placement and appropriate contact arrangements? Who will take this forward? Timescales?

### **c. Permanency Planning Meeting format**

See pro-forma documents for:

- Initial Permanency Planning Meetings
- Second and subsequent Permanency Planning Meetings