

Welsh Government Response to The Children and Young People Committee Inquiry into Adoption

January 2013

Executive Summary

This document sets out the Government's response to the report and recommendations published by the National Assembly for Wales' Children and Young People Committee on 8 November following its Inquiry into Adoption.

In February 2011, Welsh Government published *Sustainable Social Services: A Framework for Action*. This made clear that some services could be more effectively delivered nationally and we wanted to pioneer this approach in exploring with stakeholders the remit and functions of a National Adoption Service.

We have been clear from the outset that radical reform of adoption services is needed to deliver improvements to prevent unnecessary delay and duplication which we know has such a negative impact on our looked after children. Local authorities have to act sooner, more efficiently and more effectively to find permanency for those children for whom a return home is not in their interests, to enhance promotion of adoptions and increase the pool of adopters.

The low numbers of adoptions and highly specialist and complex nature of adoption services, which are also impacted by the non-devolved Family Justice Reform, requires a far more focussed and consistent service. Welsh Government believes that a National Adoption Service will reap greater benefits enabling the concentration of such specialised skilled persons which will enhance the efficiency and quality of the assessment process, provide equity in the arrangements for adoption.

In accepting the majority of the recommendations, I am pleased to be able to indicate that work on implementation of many of the recommendations is well underway, with local government currently developing an operational model for the National Adoption Service.

I conclude by thanking the Committee on behalf of the Welsh Government for their excellent inquiry, one that cements our findings and will help us to focus on the major changes required to prevent children languishing in care. Important progress is being made through the contribution of the Expert Advisory Group on Adoption.

A detailed response to the 16 recommendations and detailed actions identified by the Committee is set out below.

Recommendation 1 – National Adoption Service

The direct service delivery role of the National Adoption Service should be significantly strengthened from that currently set out in the Social Services (Wales) Bill consultation document. The service should have a central delivery role and employ staff to work on a range of adoption. It should not be owned by local authorities as set out in current proposals. The lead role within the Service should be a senior independent role, reporting to a multi-agency board, and ultimately accountable to the relevant Welsh Government Minister.

Response: Accept in principle

I accept this recommendation in principle. In March of this year as part of the consultation on the Social Services (Wales) Bill I set out draft outline plans for a National Adoption Service, of course I agree that significant strengthening was needed from that first work. And indeed, significant developments and progress has been made since then, much of which I articulated to Committee in my evidence session in July.

I agree wholeheartedly with the Committee that a “step change in the provision of adoption services” is needed. Permanency planning and improving life opportunities and choice for children and young people is a central priority for this Government. And the current arrangements are limited in both choice and opportunity to offer many children loving and stable futures.

We believe that this ambitious agenda for change which delivers for children is best achieved through strong, effective partnership and collaborative working with local authorities, independent and the voluntary sector; consistently delivering a quality service that values and maximises collective action, building on the existing experiences of excellent practices that your report refers to. And I have been clear in my expectation that my officials, the WLGA, Adoption Agencies, voluntary sector and the whole family justice system including those from the Children and Family Court Advisory and Support Service – Cymru work together in developing a framework through which our National Adoption Service will operate. I will hold to account any of these key players who fail to co-operate in the establishment of our National model.

As I outlined to Committee in my evidence session in July – I agree that the National Adoption Service must be led by a senior post, with the autonomy to make independent decisions and ensure continued, consistent delivery of improvements across Wales. I believe that it is important this remains the responsibility of local authorities in order to maintain the vital local links, and knowledge of the child, which are paramount aspects of adoption services. It is vital that we do not disconnect adoption and other options for permanence that should be part of the local authorities’ consideration for every looked after

child as their corporate parent. The new service must address current concerns, but without losing the strengths of the existing system – achieving change without detriment.

New powers in the Social Services and Wellbeing (Wales) Bill, will enable Welsh Government to direct local authorities to discharge adoption functions in a specified way, to come together to form a National Adoption Service, in order to tackle current inconsistencies in service delivery.

A National Adoption Service must ensure consistent delivery across Wales with clear accountability and connections locally to allow individual adoption agencies to concentrate their area of expertise on permanency planning for the child, including: placement arrangements; preparation and maintenance of the adoption plan; and to build the expertise required by the courts for child reports and assessments, when applying for a placement/adoption order.

The National Service will concentrate on the adopter, providing a framework for adoption approvals, establishing a resource hub, providing a clear focus on improvement, enhancing the efficiency, consistency and quality of the assessment process.

The aim and objective of the National Adoption Service is to achieve excellence for adoption through securing high quality, forever family placements for looked after children for whom adoption is in their best interests.

I am not ruling out the Committee's recommendation for a more independently run service, but such an arrangement would require the removal of adoption services currently run by the 22 local authority adoption agencies in Wales; with the new service having to be registered in its own right as an adoption agency. Whilst this is possible there is a significant risk of having disconnected services, which could actually be detrimental to the current level of provision.

I have, therefore, decided to pursue my intentions as detailed in evidence that I have provided to Committee, that working with local authorities, independent and the voluntary sector; through strong, effective partnership and collaboration and to consider the operational model currently being developed by the Association of Directors of Social Services and the Welsh Local Government Association which I look forward to receiving in the New Year. I will then inform the National Assembly for Wales of my decision.

In the New Year, I will consider the viability of this model. If I am not sufficiently satisfied that the proposed model will enable the National Adoption Service to tackle current inconsistencies in service delivery, I will direct local authorities to do it in a different way, in accordance with new powers in the Social Services and Well-being (Wales) Bill.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Recommendation 2 – Permanency planning for children

The Welsh Government should work with the WLGA to establish a pilot voluntary sector partnership in one Welsh local authority (modelled on the partnership between Coram and Harrow Council) where a voluntary organisation works alongside the local authority and has early involvement in care planning with the aim of improving care management decision-making.

Response: Accept in principle

I accept this recommendation in principle. I have been clear that this ambitious agenda for change, which delivers for children, is best achieved through strong, effective partnership and collaborative working with local authorities, independent and the voluntary sector and I welcome the contribution of the voluntary sector to this important agenda. And whilst such an arrangement between a local authority and the voluntary sector would not be a matter for the Welsh Government, I would be very interested in any findings and subsequent report.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Actions: Permanency planning for children

- *the Welsh Government should require local authorities to have robust permanency planning systems in place which oblige senior managers and local authority members to scrutinise and monitor progress against individual plans;*
- *whilst the current performance indicator on permanency planning remains in place, the Welsh Government should require local authorities to issue an explanation outlining the reasons against any variation in the performance indicator target when the indicators are published.*

The Welsh Government, in partnership with the Welsh Local Government Association and Association of Directors of Social Services, set performance targets to encourage continuous improvement. Local authorities are encouraged to improve their performance, measuring themselves against other authorities in Wales and aspiring to realistic improvements within a specified time. In this way, there have been substantial improvements in the permanency planning target over the last 10 years, with the majority of local authorities having a placement plan in place by second review in over 80% of cases.

However, there is room for further improvement, especially in the quality of plans for permanency. The adoption and permanency planning inspections conducted between 2009 and 2011 revealed that, at present, good quality permanency planning is not fully embedded in practice across Wales. The

Care and Social Services Inspectorate Wales (CSSIW) evaluates local authority performance in the annual review and evaluation of performance reports. The reports set out the key areas of progress and areas for improvement in local authority social services department for the year; and adoption and permanency planning are evaluated against existing performance indicators. The Annual Review of Performance reports for 2011-12, are currently published on the CSSIW website.

Detailed Actions: Concurrent planning

- the Welsh Government should establish a time limited review, working with the key stakeholders, to identify the current barriers to concurrent planning and set out a strategy to resolve them. The review should also identify any legal issues which need clarification.

I was interested to read the Committee's evidence, as noted, I have stated my reservations that such planning might lead to disappointment for those trying to adopt, because the courts may eventually decide to return the child to its birth parents. As in most circumstances, children are moved from foster carers to adoptive parents once the courts have decided that the child should be adopted.

The Adoption Expert Advisory Group will consider this issue and provide specific advice on whether and in what circumstances this should be pursued. If the evidence makes clear the case for increased provisions in Wales I will seek to introduce this at the second stage Amendments of the Social Services and Well-being (Wales) Bill.

Detailed Actions: Financial issues

- the Welsh Government should work with the WLGA to support local authorities to review their adoption and fostering budget structures and identify any potential impact these have in securing timely permanency for children;*
- the Welsh Government should, with reference to the WLGA, commission a review of the full costs of providing adoption services within local authorities with a view to identifying budgets which, in the medium term, could be used to finance the sustainability of a National Adoption Service;*
- the Welsh Government should enable local authorities to introduce charging for step-parent adoptions.*

The foundation for the Sustainable Social Services Programme of changes has been made through the protection of Social Services budgets and an investment of over £32 million over the next three years. We will continue to work with local government on the discharge of functions and incorporate developments within existing resources.

The National Adoption Service will benefit from effective financial governance, the development of pooled budgets and interrelation between budgets will provide for smarter working and lead to long term savings.

I note later action identified in your Report was that *the Welsh Government should consider how work in respect of step-parent adoptions can best be taken forward within the context of the creation of a National Adoption Service.* The Adoption Expert Advisory Group will be considering step-parent

and intercountry adoptions in the context of the development of the National Adoption Service. The operational model currently being developed by the Association of Directors of Social Services and the Welsh Local Government Association will also contribute to this consideration.

Recommendation 3 – Adopter initial enquiries

The proposed National Adoption Service should be the first point of contact for inquiries about adoption including the responsibility for delivering (or commissioning) a telephone helpline and website aimed at attracting prospective adopters.

Response: Accept

I accept this recommendation. The National Adoption Service will establish consistency of access for all prospective adopters. The new service will offer a resource hub, providing information, advice and signposting for potential adopters. To include a national recruitment and awareness raising campaign and the development of standardised tools and resources to support the adoption process. It will have the potential to host a national gateway website with links to Councils and voluntary sector. The hub would adopt a dual role of acting as the ‘adoption’ brand for Wales. As stated earlier a National Adoption Service will provide a clear focus on improvement, securing both efficiency and consistency, whilst having the capacity to oversee the development of national policies and procedures.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Actions: Advertising campaigns

- *the National Adoption Service should work with key stakeholders to develop a national advertising campaign. This should include distinct strategies to target adopters for difficult to place children.*
- *the National Adoption Service should develop (in conjunction with experienced adopters) a range of suitable materials aimed at prospective adopters in order to support a national advertising campaign.*

I refer the Committee to the response given above in response to recommendation 3.

Recommendation 4 – Assessment

The National Adoption Service should be responsible for the assessment of prospective adopters, delivering this via regionally based staff employed by the Service.

Response: Accept

I accept this recommendation. The Association of Directors of Social Services and the Welsh Local Government Association are currently developing an operational model for the delivery of a National Adoption Service across Wales. Current services under consideration for delivery under the umbrella of a National Adoption Service include:

- Regional contact point for prospective adopters
- Commission/ deliver recruitment activity to complement national campaigns
- Undertake assessments of prospective adopters
- Post approval training opportunities
- Support for the adopter to arrange and attend adoption medicals, education provision, engagement of support and therapeutic services such as CAMHS
- Support reviews with Social Workers
- Post placement support (contact issues, supporting letter box arrangements, direct contact etc.)
- Post adoption services and support
- Birth records counselling
- Family Finding

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Recommendation 5 – Adopter training and preparation

The National Adoption Service should be responsible for the training and preparation of adopters, delivering this via regionally based staff employed by the Service. In collaboration with key stakeholders, including adopter parents, the Service should review the existing arrangements across Wales develop a comprehensive programme building on current good practice.

Response: Accept

I accept this recommendation. I refer the Committee to the response given at recommendation 4.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Recommendation 6 – Matching

The Welsh Government should establish a National Adoption Register for Wales and all prospective adopters and children with an adoption plan should be immediately placed on the register to be available for matching.

Response: Accept

I accept this recommendation. I have already gained agreement from BAAF who run the Adoption Register for England & Wales to identify matches across Wales separately to other matches.

I will ensure that any new Adoption Register for Wales will have a full and comprehensive list of children, young people and prospective adopters who are waiting to be matched, from both local authorities and voluntary agencies. To avoid any unintended consequences I will also ensure that we retain defined links into other registers operating across the UK to ensure that we do not reduce the pool of adopters for children in Wales.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Action:

- the National Adoption Service should work with key stakeholders with a view to increasing the adopter pool for 'difficult to place children' taking into consideration both ways in which recruitment could be improved and also examining issues relating to increased practical support which could be provided.

I refer the Committee to the response given at recommendation 1.

Detailed Action: Preparation support for children

- foster carers should receive mandatory training on 'supporting children to move on for adoption'. Any specific foster carer support needs should be identified at the time a decision is made on moving a child placed with them on to an adoptive placement. The Welsh Government should work with the WLGA to ensure this happens.

Where adoption is the plan, foster carers should receive the necessary support and training to ensure that children are supported to move on. Statutory guidance to the Children Act 1989, acknowledges that foster carers have an important role in preparing and reassuring children when the placement comes to an end, whether that be moving onto to a new placement (including adoption) or returning home. How this is to be managed will be written into the foster carer agreement. As your Inquiry identified "foster carers had provided invaluable support to both the child and adopters." The National Adoption Service must ensure consistent delivery across Wales.

Recommendation 7 – Children and young people’s participation

The Welsh Government should establish a mechanism for adopted young people to participate in the on-going development and delivery of the National Adoption Service.

Response: Accept

I accept this recommendation. As the Committee will be aware Welsh Government incorporated the UNCRC into Welsh domestic law last year with the Rights of Children and Young Persons (Wales) Measure 2011 and I am committed to ensuring that children and young people have a say in the design of the services that support them. That is why I ensured that children and young people including looked after children, young carers and disabled children were consulted as part of a discrete piece of work during the consultation phase of the Bill. They unanimously supported proposals and looked after children were particularly positive about the concept of developing a National Adoption Service.

I am committed to ensuring the views of children and young people continue to be represented and have established a variety of mechanisms to ensure this. The organisations represented on the Adoption Expert Advisory Group have, as part of their role, a responsibility to engage children and young people as the work has progressed. In addition my officials will make use of the established National Reference Group, a research and consultation group set up to represent the interests of looked after children and care leavers collectively, to actively understand and engage children and young people in the development of the National Adoption Service as this work progresses.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Action: listening to children and young people’s ‘wishes and feelings’

- the remit of the National Adoption Service should include the promotion of existing information for children and young people and developing accessible materials to meet any gaps in the current available resources. The Service should also have a broader role in promoting training and good practice in respect of listening to children’s wishes and feelings during the adoption process.

I refer the Committee to the response given at recommendation 1.

Recommendation 8 – Life-story work

Every adopted child should be offered quality life-story work. The Welsh Government and local authorities must, as a matter of urgency, review the extent of gaps in the provision and put a strategy in place to ensure that all children have access to quality information.

Response: Accept in principle

I accept this recommendation in principle. I agree that life-story work is crucial to the child's journey through the adoption process, as identified in our first proposals. The Welsh Government's approach to life story work is already underpinned within the legislative framework¹. Any shortfall in delivery of this important service has to be addressed.

A National Adoption Service will ensure individual adoption agencies concentrate and grow their area of expertise, ensuring consistent delivery of good quality permanence planning including placement arrangements, preparation and maintenance of the adoption plan. This will of course include life story work as children and young people are unique and in life story work, as with all other areas of work, individuality is respected and diversity is valued.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Action: Contact

- where it has been decided that contact with their birth family is in the child's best interest, the Welsh Government should require local authorities to identify ways of improving practical support to sustain and better monitor such arrangements

Existing legislative provision² requires that once a care order has been granted, a local authority in pursuit of its duty to the child, promote contact. The local authority must allow a child who is the subject of a care order to have reasonable contact, unless directed otherwise by a court order, or the local authority temporarily decides to refuse contact in urgent circumstances.

Where a decision has been made to place a child for adoption, the court may make an order³ requiring the person with whom the child lives, or is to live, to allow the child to visit, stay with or have contact with the persons specified in

¹ the Children Act 1989, the Adoption and Children Act 2002, the Leaving Care Act 2002, the Foster Care Regulations 2003 and Adoption Agency Regulations 2005

² Section 34 of the Children Act 1989

³ Section 26 of the Adoption and Children Act 2002 – an application for an order to be made under this section may be made by the child, the agency, any parent, guardian or relative or in fact any person whose favour there was provision for contact under the 1989 Act which ceased to have effect once the agency was authorised to place the child for adoption

the order.

Arrangements for meeting the prescribed contact order will be written into the child's care plan; resources are provided by the agency in both monetary and physical resources to ensure that the arrangements are adhered to⁴.

⁴ <http://wales.gov.uk/topics/childrenyoungpeople/publications/fostercareallowances/?lang=en>

Recommendation 9 – Post-adoption support

The Welsh Government, in conjunction with the UK Government, should explore the feasibility of the responsibility for the provision of post-adoption support remaining with the placing authority until the child's 18th birthday.

Recommendation 10 – Entitlement to adoption support services.

The Welsh Government should amend current regulations to create a statutory entitlement to adoption support services, not limited to the entitlement of an assessment of need.

Response: Accept in principle

I accept these recommendations in principle. I can understand what the Committee is seeking to achieve and in that respect we are in agreement, that is, that the best possible and most consistent delivery of post adoption support services are vital. As your Inquiry identified, not all families need or want support, some may wish to be left to get on with their new life together and we must respect that.

For those families who need support, I agree that current inconsistencies are not acceptable. I believe that a National Adoption Service will reap greater benefits enabling the concentration of such specialised skilled persons which will enhance the efficiency and provide equity in the arrangements for adoption.

As stated during my evidence session in July, the provision of adoption support services must be dependent on an 'assessment of need', as is the case in the provision of all services provided by a local authority. This will also include the availability of services over and above those specified in specific regulations; as opposed to an individual having an "entitlement" to a particular service or level of service which could be enforced in the courts by way of judicial review.

Each family may face distinctly unique problems that are best addressed via an assessment of need. In the current financial climate resources have to be prioritised on the basis of those identified needs.

Whilst we have our own distinct Welsh agenda in relation to Social Services and particularly in relation to adoption, we will not rule out anything that will improve adoption services and outcomes for our looked after children. And we continue to take a keen interest in developments in England,

Matters around assessment and eligibility to services are also being considered in my Social Services and Wellbeing (Wales) Bill.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Recommendation 11 – CAMHS and therapeutic service

The Welsh Government should, as a matter of urgency, work with the Welsh NHS Confederation in respect of provision to adopted children to audit current provision and identify gaps, considering the issues highlighted in our evidence with specific attention to access to specialist therapeutic services. They should subsequently set out a plan which outlines the specific actions which will be taken to address the current shortcomings in provision for adopted children. As part of this approach, the Welsh Government should also compel local authorities and local health boards to work jointly. Further evidence should be sought from all interested parties including adoptive families. The plan should outline whether therapeutic services will be delivered via the development of a new specialist service or make it clear how they can be delivered in a timely way within CAMHS.

The Children and Young People Committee will specifically revisit the progress which has been made in delivering this recommendation in 12 months' time. We commit to undertake any further scrutiny we regard as necessary to review progress and secure the changes needed in delivering these important services.

Response: Accept in Principle

I accept this recommendation in principle. Young people who have been adopted and their families have always been regular service users within CAMHS. CAMHS professionals are experienced in dealing with children and young people who are both adopted or looked after and CAMHS psychotherapists provide therapy around attachment disorder. Specialist CAMHS services assess each child on their needs and try and ensure equity of access for all, including children in special circumstances such as those in those in the youth justice system, looked after and adopted children, learning disabled and those whose parents have mental health problems. Successful, evidence based support and treatment of children with attachment disorder requires a collaborative package of care targeted at social and psychological health care. Trauma focussed care without the necessary social care support of a young person and their carers is known to destabilise the young person's emotional wellbeing further, hence successful packages of care require integrated packages of care from health, social care and frequently Third Sector services. Post adoption support services (provided by adoption agencies) also have an important role to play, providing support at any time following adoption and throughout the adopted person's childhood.

In relation to the recommendation that the Welsh Government audits provision for adopted children and sets out a plan to address shortcomings which fosters joint working. The NHS Delivery Support Unit is currently in the process of undertaking a review of CAMHS as part of compliance with the Mental Health (Wales) Measure 2010. A report on the key findings and

recommendations will be published early in 2013. The review will consider, among other things, the referral management process; multi-disciplinary team meetings; and compliance with Care and Treatment Planning (which takes a holistic multiagency approach to the needs of the individual). Relationships are an area specifically considered in the Care and Treatment Plan alongside the need for therapeutic interventions. Whilst not limited to adoption, these are all areas which will improve services to adopted children. The implementation of the Measure during 2012 will also see the introduction of Local Primary Mental Health Services, from October 2012, these are available to people of all ages and are joint scheme agreements between LAs and LHBs. We have a duty to review the Measure and are currently developing our proposals which must be reported within four years of implementation.

Our New all-ages Mental Health Strategy, *Together for Mental Health*, seeks to ensure joint working is embedded across agencies by ensuring that there are strong links between the social care and health workforces and that there is a common understanding of mental health issues which contributes to a coherent and consistent approach. LHBs, LAs and other partner agencies need to ensure that joint working arrangements provide the framework for holistic mental health services. In addition the CAMHS National Expert Reference Group, which exists to translate policy and strategy into practical and workable improvements in CAMHS service delivery, is currently developing guidance for service planners on the role of specialist child & adolescent mental health services. This includes guidance on delivering services to children in special circumstances, which will include adopted children. LHBs are also in the process of considering new planning and commissioning arrangements for CAMHS to further strengthen service delivery to its core and non core client groups. The new arrangements are due to be announced by the LHBs shortly and measuring the effectiveness of the proposed new networks will be the role of the Multiagency CAMHS Delivery Assurance Group, which the Welsh Government has convened to promote improvements and consistency of CAMHS provision.

Together for Mental Health, also provides a commitment to develop a minimum Mental Health Core Dataset which will capture data to allow us to measure the impact and outcomes of our Strategy. This will improve awareness of the diversity of mental health needs and ensure that different needs are embedded in the design of future services and national policies. It will enable us to understand the needs of children and young people. We will ask the Group which is being established to consider the data set to consider whether data should be captured in relation to the needs and requirements of adopted children, if appropriate.

Improving Access to Psychological Therapies and Services is decided at a local level and prioritised according to their determination of local need. The Welsh Government understands the importance and benefits of psychological therapies as a treatment option and reviewing access to therapies is a key mental health commitment in our *Programme for Government*. We have commissioned a study of current provision across Wales. The review will directly inform our approach to expanding access to psychological therapies

and we expect findings to be made available early in the new year. We have also issued guidance to LHBs designed to outline the steps they have to take to improve access, this guidance sets out the service philosophy and establishes a set of quality standards for psychological interventions

Taken together these developments will improve the service provided by CAMHS to adopted children and we will ask the Delivery Assurance Group to keep this issue under review and report periodically specifically in relation to services for adoptive and other children in special circumstances, as part of the reporting requirements for the new Strategy.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Recommendation 12 – School Admissions Code

Adopted children should be given the same priority as looked after children within the School Admissions Code.

Response: Accept in principle

I accept this recommendation in principle. Consultation on the revised School Admissions Code opened on 28 September 2012 and will close on 4 January 2013. The revised Code has amended references to 'looked after children' to include 'previously looked after children' thereby giving adopted children the same status as that of looked after children. If after consultation this wording is retained regulations will be amended to reflect the change.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Recommendation 13 – Remit of Looked After Children’s Education Co-ordinators

The Welsh Government should extend the remit of Looked After Children’s Education Co-ordinators to include adopted children.

Response: Reject

I reject this recommendation. In discharging their duties under the Children Act, 1989 and 2004, responsible authorities are required to designate a specialist practitioner (the LAC Education Co-ordinator) to ensure every child looked after by them has an effective and high quality Personal Education Plan; co-ordinate the child’s education plan and address the education needs of looked after children and care leavers in the local authority area. The responsibility to provide support to adopted children is currently set out in the Adoption Support Service (Wales) Regulations 2005, which apply not just to Children’s Social Services but to Health and Education. All relevant organisations should be responsive to the life long needs of children who have been adopted. Multi Agency training should be provided for all agencies with a responsibility to provide services for adopted children.

Adoptive families have an ongoing entitlement to an assessment of support need whenever they feel it would be helpful. However, we need to be clear regarding appropriate support an adopted child may require, compared to the needs of a looked after child who does not have the same parental support as other children. Foster carers go a long way to provide some parental support, but this is on a temporary basis or long term permanency plan. It is important to recognise that adopted children have the stability of their adoptive parents and may not want to continue to be considered as looked after children. It is also essential to normalise the life of adopted children so that they do not feel any different to their peers. Adopted children can access the same support that is additional to or different from that provided as part of universal service provision or a normal school curriculum. However, it is recognised that practitioners and therapists play a vital role in supporting looked after children and adopted children who may require ongoing therapeutic support to deal with trauma they have suffered in their lives.

Financial Implications: None.

Detailed Actions: Education

- the Welsh Government should ensure that forthcoming changes to the framework for the assessment and planning of provision for children and young people with special educational needs include specific reference to the potential needs of adopted children;

The Welsh Government is proposing to replace the framework of provision for Special Educational Needs (SEN) with a process of integrated assessment

and planning for children and young people identified as having additional needs.

The term additional needs is intended to cover children and young people who need support that is additional to or different from that provided as part of universal service provision or a normal school curriculum. Adopted children might be included as a group of children and young people who it is suggested may have additional needs. The way in which the legislation will affect adopted children will, however, depend on their individual assessed need.

It is intended that SEN statements are replaced with Individual Development Plans (IDPs) for which the format will be standardised across Wales. The IDP will be developed from a flexible person-centred approach, an overview of a child or young person's needs and the actions that have been agreed to address them.

One of the key principles of the Reforms is that those children and young people who currently have a statement of SEN would continue to have a right to an integrated IDP which could be the subject of an appeal to the SENTW. While there will be a single format for the plan, these IDPs would provide 'entitlement protection'. A child or young person aged 0–18 child diagnosed with severe and/or complex needs would therefore need to have an IDP with entitlement protection, which would involve the agreement of a multi-agency Support Panel to assess and agree the package of services that will be provided from education, health and social services.

We also intend to replace the current statutory systems of time limits and appeals relating to 'statements of SEN' with a simpler system of dealing with disagreements and complaints and shorter timescales relating to the IDP processes for those with the greatest additional need.

The pre-legislative consultation on the proposals for reform of the legislative framework for special educational needs ended on 19 October 2012. Responses have been received from a wide range of stakeholders including professional groups and service providers from healthcare, social services, education, the third sector as well as parents/carers and children and young people. These responses and the issues raised at the three consultation events and family focus groups held by SNAP Cymru and Children in Wales across Wales are currently being considered by Officials and a consultation response document will be published early in the new year.

The Minister for Education and Skills' decision not to include SEN reforms as part of the Education (Wales) Bill 2013 will provide the opportunity for the implications of the proposals to be worked through in more detail with key partners and for further for feedback and consultation.

- training on attachment disorders and the effects of early trauma on children within the school system should be incorporated within initial teacher training qualifications, as well as being part of the continuing professional development of teachers, school counsellors and other school based staff;

Trainee teachers are required to meet the Qualified Teacher Status (QTS), a set of outcome statements which set out what trainees must know,

understand and be able to do at the end of an Initial Teacher training (ITT) course or employment based programme to gain QTS and require all trainees to demonstrate that they know and understand the requirements and entitlements set out in the “Including all Learners” statement included in each National Curriculum subject order and framework and work within the United Nations Convention on the Rights of the Child (UNCRC).

The QTS Standards contain general standards that trainee teachers have to meet and these are linked to other publications and statutory requirements as appropriate. For example, all trainees are required to demonstrate that they understand the diverse learning needs of learners and endeavour to provide the best possible education for them to maximise their potential, whatever their individual aspirations, personal circumstances or social, cultural, linguistic, religious and ethnic backgrounds and that trainees must be able to evidence that they establish a purposeful learning environment where diversity is valued and where learners feel secure and confident.

Trainees are also required to demonstrate the professionalism to ensure that relationships with learners are built on mutual trust and respect and to recognise that this will help maximise their learning potential. We expect trainees to evidence this standard by being able to demonstrate a knowledge and awareness of the UNCRC and specific areas including issues relating to looked after children, and matters affecting adopted and foster children by gaining an understanding and knowledge of the rights and entitlements of all learners, as laid out in the UNCRC and key Welsh Government policies. These themes also flow through the Practising Teacher Standards, the standards all teachers once qualified must meet and maintain throughout their careers, and are referenced in the standards for Higher Level Teaching Assistants.

Training for school staff on handling traumatised children who may also have attachment difficulties is already included under the role and requirements for designated staff in schools with responsibility for looked after children.

It is expected that all counsellors working as part of the Welsh Government’s School Based Counselling in Schools National Strategy will adhere to an ethical code, underpinned by guiding principles as set out in our School-based Counselling Operating Toolkit. School counsellors have a personal responsibility to ensure that they work ethically, and competently, and are professionally equipped for their role in the school environment. They are responsible for ensuring that their initial training, ongoing supervision, continuing professional development and self management (both within and outside of school) are appropriate in order to offer the best possible services for young people.

- the Masters in Educational Practice, introduced by the Welsh Government from September 2012, should, in the academic year 2013/14, include a focus on attachment issues as part of its core teaching on additional learning needs;

From September 2012, practising Newly Qualified Teachers (NQT) had the opportunity to follow the Masters in Educational Practice (MEP) programme alongside their Induction and Early Professional Development (EPD).

The Masters will cover key professional areas, identified as priorities for NQTs: behaviour management, additional learning needs and Inclusion, reflective practice and action enquiry. It will also focus on child and adolescent development and learning and leadership.

- the Welsh Government should work jointly with ADEW to develop written materials for adoptive parents to give to school staff in Wales highlighting the particular needs of adopted children.

The Welsh Government in conjunction with ADEW will engage with Adoption UK Cymru to explore the development of written materials for adoptive parents to give to school staff highlighting the particular needs of adopted children.

Recommendation 14 – Parenting support

The National Adoption Service, in conjunction with key providers, should be responsible for developing a wide ranging set of parenting support programmes which: meet the varying needs of families across the spectrum; focus on evidence based models; and promote opportunities for adopters be involved in designing and delivering content.

Response: Accept in principle

I accept this recommendation in principle. I refer the Committee to the response given at recommendation 4.

More broadly, Welsh Government is committed to supporting families and recognises that a positive relationship between any parent and their child is an important one that will help shape positive outcomes for children.

A wide range of support for families in all their forms is provided through some of our flagship programmes including Families First, Communities First, Flying Start and Integrated Family Support Service. Parental support is offered in groups, or on a one to one basis, with a mix of formal and informal support depending on the varying needs of families.

In addition, the Welsh Government funds a number of all-Wales voluntary organisations providing services that contribute to the delivery of the Welsh Government’s policies for children, young people and their families.

Local authorities are responsible for considering the needs of families and for providing appropriate parenting support. Existing provision accommodates a wide range of requirements and tailored support is delivered on the basis of identified need.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Action:

- the National Adoption Service should support adoption agencies and voluntary organisations to develop local peer support groups and develop national groups where there is an identified need, for example for single adopters.

I refer the Committee to the response given at Recommendation 4.

Detailed Action: Adoption disruption

- the Welsh Government should work with adoption agencies in Wales to review the way data is currently recorded and should establish a new tracking and recording mechanism for the disruption and family breakdown

rates for children placed for adoption from the care system.

The Welsh Government's intention is to introduce a National Outcomes Framework for Social Services that will set out the direction of travel for the transformation of social services in Wales. We will start by looking at looked after children this year as this is a priority area for Welsh Government. This will also give us an opportunity to check out our method for developing the framework in 2013-14. We are currently consulting on the high level concepts in the framework so that we get that right before developing the detail over the next year.

The Welsh Government has already commissioned research in order to identify reasons behind adoption disruption. This will report next year. We will also deliver a Standardised Performance Framework for adoption services, which will be rolled out across local authority adoption agencies. Further information on this work is detailed later in my response. I refer the Committee to the response given to recommendation 16 and the subsequent detailed actions.

Detailed Action: Financial support

- the Welsh Government should make representation to relevant Ministers at a UK level, calling for a review of the tax and benefits systems to ensure that adopted families are supported and encouraged and that specifically there is parity between maternity and adoption pay.*
- the Welsh Government should consult on the standardisation of financial adoption allowances.*

I refer to the Committee to the response given at recommendation 9. The provision of support should consistently meet the assessed needs of adoptive families rather than providing universal standardised support. As your Inquiry identified, not all families need or want support and the privacy of families must be respected.

Recommendation 15 Workforce issues

The Welsh Government should work with the Care Council for Wales and the WLGA to review the social work 'workforce strategy' as relevant to adoption, specifically identifying and addressing gaps in respect of knowledge of child development and attachment theory. The review should look at the needs of staff within a National Adoption Service and, of equal importance, the needs of social workers within local authorities undertaking permanency assessment and planning work with children. The proposed National Adoption Service should have a lead role in the training and continuous professional workforce development in respect of adoption issues.

Response: Accept in Principle

I accept this recommendation in principle. Work to develop the workforce has already been commenced in order to take forward the Family Justice Review recommendations. The Care Council for Wales is currently gathering information on teaching in relation to child development on the social work programmes in Wales. This will be assessed to determine whether further guidance for the programmes on these areas is required and what that guidance should consist of.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Action:

- the Welsh Government and the Care Council for Wales should work with universities providing qualifying and post-qualifying social work programmes to identify, and if necessary, address gaps in the field of adoption including child development and attachment theory, law, policy and evidence based practice.

The Care Council for Wales is implementing the Continuing Professional Education and Learning (CPEL) framework for social workers. This is designed to address the needs of social workers generally in Wales as well as the specific needs of social workers working in particular specialisms or specialist services. Therefore there will be discussions regarding how the CPEL framework can address the needs of social workers in a National Adoption Service as well as generally increasing the competence of local authority social workers in these areas.

Recommendation 16 – National Adoption Service

The Welsh Government Expert Working Group should explore the model for a National Adoption Service based on the Committee's recommendations. The Deputy Minister should return and brief the Committee regarding the detail of the model, once changes to her proposals are more developed.

Response: Accept in principle

I accept this recommendation in principle. I refer the Committee to the response given at recommendation 1. I will be happy to return and brief the Committee in the New Year as a considerable amount of progress has been achieved since my last evidence session in July. I am sure local government would like the opportunity to update you on their proposals as detailed within the WLGA and ADSS Joint Implementation Plan.

Financial Implications: None. Any additional costs will be drawn from existing programme budgets.

Detailed Action:

- *the Welsh Government should explore and take forward a management and accountability model for a National Adoption Service based on the framework recommended by the Children and Young People Committee (as outlined in paragraph 357 of this report).*
- *the development of the National Adoption Service should be informed by the views of adopter parents. The Welsh Government should ensure that there are meaningful systems in place for adopters to participate in the on-going development and delivery of the National Adoption Service.*
- *the Welsh Government should consider how work in respect of step-parent adoptions can best be taken forward within the context of the creation of a National Adoption Service.*

Detailed Action: Data collection and monitoring

- *the proposed National Adoption Service should have a specific role in collecting, monitoring and publishing a full range of adoption data (including qualitative data where relevant) in order to inform service delivery and identify trends with a focus on delivering improved outcomes for children.*

In the New Year I will lay before the National Assembly for Wales the Social Services and Well-being (Wales) Bill. The Bill will include new powers that will enable Welsh Ministers to direct local authorities (adoption agencies) to come together to form a National Adoption Service, in order to tackle current inconsistencies in service delivery.

To achieve this we need a step change in the way adoption services are delivered through the establishment of a National Service, which has the power to deliver services across Wales. The committee recognises and

accepts that some services are best delivered on a regional approach. I support this statement, as the key to change is not the location of the service, but rather the delivery of a national framework for the recruitment, training and approval of prospective adopters. The focus of the National Adoption Service will be on promoting excellence and driving continued improvements.

We will also deliver a Standardised Performance Framework for adoption services, which will be rolled out across local authority adoption agencies. The Framework will, subject to effective implementation, lead to a more efficient, transparent system which matches the supply of potential adopters more effectively with the needs of children which drive the demand for adoption. It will also enable greater information and scrutiny on the level of service on offer through the use of an all Wales framework. The framework will allow adoption agencies to focus explicitly on the child and the adopters and be justifiable in ensuring that maximum focus is maintained on the safe and effective placement, of a child in a loving, stable family for life.