

National Minimum Standards for Local Authority Adoption Services for Wales

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Introduction

This document sets out national minimum standards for local authority adoption services issued by the Assembly under section 49 of the Care Standards Act 2000. These standards must be taken into account by CSSIW in determining whether the local authority adoption service is meeting the relevant regulatory requirements (as defined in section 46(7)).

These are 'minimum' standards, and must be taken into account by CSSIW when inspecting the local authority adoption services. Some local authorities' adoption services will more than meet the standards and will aspire to exceed them in many ways. Minimum standards do not mean standardisation of provision.

Although the standards are issued for use by CSSIW in regulating local authorities' adoption services, they will also have other important practical uses. Local authorities' adoption services and their staff may use the standards in the self-assessment of their services and to provide a basis for the induction and training of staff. Those involved with adoption in any way are encouraged to make full use of these standards.

The national minimum standards form the basis for judgements made by CSSIW regarding enforcement of compliance with the 2002 Act and associated regulations. CSSIW must take the standards into account when determining whether to take any action for breach of regulations.

Structure and Approach

The standards for adoption focus on achievable outcomes for children and young people, prospective/approved adopters and birth families – that is, the impact on the individual of the services provided.

The standards are grouped under a series of key topics:

- statement of purpose and children's guide;
- safeguarding and promoting welfare;
- prospective and approved adopters;
- birth parents and birth families;
- adoption panels and agency decisions;
- fitness to manage an adoption agency;
- provision and management of the adoption agency;
- employment and management of staff;
- records;
- fitness of premises.

A statement of the outcome precedes each standard or group of standards, which is to be achieved by the local authority's adoption services. The standards themselves are numbered and the full set of numbered paragraphs must be met in order to achieve compliance with the standards. The standards are intended to be qualitative, in that they provide a tool for judging the quality of life experienced by services users, but they are also designed to be measurable.

In inspecting against these standards, CSSIW will follow a consistent inspection methodology and reporting format in Wales.

It is intended that the standards will be used by local authorities' adoption services and by CSSIW, to focus on securing positive outcomes for children and young people requiring adoptive families. All local authorities' adoption services and their staff should aim to provide the best service possible for the children for whom adoptive parents are being sought, and observing the standards is an essential part, but only a part, of the overall responsibility to safeguard and promote the welfare of each individual child.

Context and Purpose

These standards, and the regulatory framework within which they operate, are part of a broader Assembly policy to improve the quality of care received by children and young people looked after by local authorities.

Statement of purpose

OUTCOME

There is a clear written statement, referred to in regulations as a Statement of Purpose, of the aims and objectives of the local authority's adoption service and the local authority ensures that it meets those aims and objectives.

Standard 1: Statement of purpose

1.1 There is a clear written statement of the aims and objectives of the adoption agency that describes accurately what facilities and services they provide.

1.2 The adoption agency formally approves the statement of purpose, and reviews, updates and modifies it where necessary at least annually. A copy of the statement of purpose, children's guide and any subsequent changes or modifications is sent to the National Assembly for Wales.

1.3 The statement includes details in respect of the adoption agency of:

- its aims and objectives in relation to the adoption service, including cases involving inter-country adoption;
- the arrangements that the local authority has put in place to assess and make provision for adoption support services;
- name and address of the manager;
- relevant qualifications and experience of the manager;
- number, relevant qualifications and relevant experience of staff employed by the authority for the purposes of the authority's adoption service;
- organisational structure of the adoption service;
- the system in place to monitor and evaluate the provision of services to ensure that services provided by the agency are effective and the quality of those services of an appropriate standard;
- the procedures for recruiting, preparing, assessing, approving, and supporting prospective adoptive;
- Details of the adoption support service advisor and the procedures for the assessment for and provision of adoption support services;
- A summary of the complaints procedure;
- The name, address and telephone number of the registration authority;

1.4 The adoption agency's policies, procedures and any written guidance to staff accurately reflect the statement of purpose.

1.5 All those working in the agency are aware of the contents of the statement of purpose and a copy is easily available.

Standard 2: Written guide to the adoption service for children

2.1 There is a written guide to the adoption service for children.

2.2 The children's guide to adoption is suitable for all children for whom adoption is the plan. It is given to the child as soon as that decision has been taken. It includes a summary of what happens at each stage (including at court), and the time scales laid out for each stage. If necessary the guide is to be in different formats to meet the needs of different groups of children.

2.3 The children's guide contains information on how a child can secure access to an independent advocate, how to make a complaint and how to contact the Children's Commissioner for Wales.

2.4 Oral or written communications are to be available, when necessary, in a format which is appropriate to the physical, sensory and learning impairments, communication difficulties and language of children, birth parents/guardians, prospective adopters and staff. Arrangements must be made for those who are unable to understand the document to have it read, translated or explained to them.

2.5 The Children's Guide includes the following information:

- A summary of statement of purpose;
- A summary of the procedures where adoption is identified as the appropriate plan for the child;
- Information about the role of the adoption support services advisor and a summary of the procedures for seeking an assessment for the provision of adoption support services;
- The agencies complaints procedure;
- Details of how the child may access an independent advocate who will assist him in bringing a complaint;
- Address and telephone number of the appropriate office of National Assembly for Wales;
- The name, address and telephone number of the Children's Commissioner for Wales.

Safeguarding Children

OUTCOME

The needs and wishes, welfare and safety of the child are at the centre of the adoption process. The adoption agency safeguards and promotes the physical, mental and emotional welfare of children, and young people placed for adoption by the agency or who may receive or is receiving adoption support services from the authority.

Standard 3: Safeguarding Children

3.1 Adoption Agencies have written policies in line with their Local Safeguarding Children Boards procedures which:

- safeguard from abuse or neglect every child placed for adoption or who may receive or is receiving adoption support services from the authority and;
- sets out the procedure to be followed in the event of any allegation of abuse or neglect.

3.2 Adoption Agencies will ensure all staff employed are informed, understand and adhere to the policies and procedures relating to abuse or neglect.

3.3 All allegations and incidents of abuse in relation to the agency's staff or volunteers are followed up promptly and the details and action taken are recorded on a file, kept especially for the purpose, and on the service user's record.

Prospective and Approved Adopters

OUTCOME

Adoption agencies will recruit and support sufficient adopters from a variety of backgrounds, who can offer children a stable and permanent home to achieve a successful and lasting placement

Standard 4: Recruitment plans

4.1 Adoption agencies have written plans for the implementation and evaluation of effective strategies to recruit sufficient adopters to meet the needs of the range of children waiting for adoption locally.

4.2 Plans for recruitment will specify that people who are interested in becoming adoptive parents will be:

- welcomed without prejudice;
- will be given clear written information about the preparation, assessment and approval procedure;
- treated fairly, openly and with respect throughout the adoption process;
- given information about the Adoption register for England and Wales and local consortia arrangements.

4.3 A copy of the written eligibility criteria, information on becoming an adoptive parent and what is expected of adopters is provided on request.

4.4 Those wishing to adopt from another country are also given information about any law or criteria for adoption that the overseas country has in place that they must operate within.

4.4 Applicants are given information about the preparation and support services available to adopters.

Standard 5: Assessment and preparation

5.1 Adoption Agency has comprehensive plans for formal, thorough and comprehensive assessment, preparation and approval process in its policies and procedures.

5.2 There is a clearly set out preparation programme made available to all prospective adopters. Where applicable this also takes into account the particular needs of those who intend to adopt from another country.

5.3 All preparation fits within a framework of equal opportunities.

5.4 The effectiveness of plans for preparation and approval is evaluated and reviewed annually.

5.5 Policy and procedures ensure that applicants are considered in terms of their capacity to look after children in a safe and responsible way that meets their development needs.

5.6 Policy and procedures require that prospective adopters are prepared to become adopters in a sensitive way which addresses the issues they are likely to encounter and identifies the competencies and strengths they have or will need to develop.

5.7 Policy and procedures require that prospective adopters take status, health checks and enhanced Criminal Records Bureau (CRB) checks. Personal references and enquiries are undertaken about prospective adopters and enhanced CRB checks are undertaken on members of their household aged 18 or over. An explanation is given to prospective adopters as to why the checks are undertaken.

Standard 6: Adoptive Parents – support

6.1 The adoption agency has written information of adoption support services available and how adopters/eligible applicants may request an assessment.

6.2 The adoption agency has a clear strategy for working with and supporting adopters.

6.3 The adoption support service plans must contain arrangements for when the placement or adoption disrupts and provide support for those effected.

Birth Parents and Birth Families

OUTCOME

Birth parents are entitled to support. They will be treated fairly, openly and with respect throughout the adoption process.

Standard 7: Support

7.1 The adoption agency has a clear strategy for working with and supporting birth parents and birth families (including siblings) both before and after adoption. This includes providing information about local and national support groups and services and helping birth parents to fulfil agreed plans for contact.

7.2 The agency has written information available for birth parents on support services available to support them.

Adoption Panels and Agency Decisions

OUTCOME

Each adoption agency has an adoption panel that is organised efficiently and operates effectively.

Standard 8: Functions of adoption panels

8.1 Adoption panels have clear written policies and procedures about the handling of their functions and ensure that they are implemented.

8.2 The policies and procedures should include the following though this is not an exhaustive list:

- The recruitment and appointment of panel members;
- performance management;
- meet with sufficient regularity;
- a training strategy for panel members;
- obtaining advice in relation to adoptions with a foreign element.

Standard 9: Constitution and membership

9.1 The adoption agency will provide each new panel member with an opportunity of observing an adoption panel.

9.2 No panel member is allowed to begin work until they have signed a confidentiality agreement and agreed performance objectives and minimum attendance at panel meetings in a year.

9.3 The adoption agency training strategy for panel members should include:

- each panel member is given induction training which is completed within 10 weeks of becoming a panel member;
- joint training with the agency's adoption staff is undertaken as appropriate;
- members have access to appropriate training and skills development;
- members are kept abreast of relevant changes to legislation, regulation and guidance;
- members receive training in the basic principles of the law and eligibility criteria for adoptions with a foreign element.

Fitness to Manage a Local Authority's Adoption Service

OUTCOME

The local authority's adoption service is provided and managed by those with the appropriate skills and experience to do so efficiently and effectively and by those who are suitable to work with children.

Standard 10: Skills to carry on or manage

10.1 The people involved in managing the adoption agency:

- possess the necessary knowledge and experience of child care and adoption law and practice; and
- have management skills and financial expertise to manage the work efficiently and effectively; and
- ensure that it is run on a sound financial basis and in a professional manner.

10.2 The manager:

- Is a social worker; and
- has a qualification at level 4 NVQ in management or another qualification which matches the competencies required by the NVQ Level 4; and
- at least two years' experience of working in a child care setting, which may include managing a voluntary adoption agency or a local authority adoption service within the past five years.

10.3 The manager has a clear written job description which sets out the duties, responsibilities and level of delegation of the manager in managing the local authority's adoption service. The job description should state the person to whom the manager is accountable and who is responsible for ensuring that the manager carries out their duties and responsibilities. Any change in the person to whom they are accountable must be notified in writing to the manager.

Standard 11: Criminal Records Bureau Checks

11.1 The manager must have a satisfactory enhanced disclosure from the Criminal Records Bureau (CRB) and CRB checks are renewed every three years.

Provision and Management of the Local Authority's Adoption Service

OUTCOME

The adoption agency is organised and managed efficiently, delivering a good quality service

Standard 12: Managing effectively and efficiently

12.1 The adoption agency is managed in accordance with its Statement of Purpose, and written policies and procedures.

12.2 Clear arrangements are in place to identify the person in charge when the manager is absent.

12.3 There are clear roles for managers and staff and well-established lines of communication and of accountability between manager and staff.

12.4 The adoption agency informs managers and staff of their responsibility to declare any possible conflicts of interest.

12.5 The adoption agency has clear and concise written procedures that cover arrangements for the use of services provided by the Adoption Register for England and Wales.

Employment and management of staff

OUTCOME

The people who work in the adoption agency are suitable to work with children and young people and they are managed, trained and supported in such a way as to ensure the best possible outcomes for children waiting to be adopted or who have been adopted. The number of staff and their range of qualifications and experience are sufficient to achieve the purposes and functions of the adoption agency.

Standard 13: Suitability to work with children

13.1 Anyone working in or for the adoption agency is a person fit to work for the purposes of an adoption service are suitable people to work with children and young people and to safeguard and promote their welfare.

13.2 There are clear written recruitment and selection procedures for appointing staff.

13.3 All personnel responsible for recruitment and selection of staff are trained in, understand best practice in safeguarding children and young people and operate these.

13.4 All people working in or for the adoption agency are interviewed as part of the selection process and have at least two written references checked to assess suitability before taking up their duties. Telephone enquiries are made to each referee to verify the written references.

13.5 All people working for the adoption agency, including those who wish to work on a temporary, sessional or voluntary basis, have a satisfactory standard or enhanced disclosure, as appropriate, from the Criminal Records Bureau (CRB).

13.6 No person is allowed to begin work until written confirmation has been received that the outcomes of all status, CRB and reference checks are satisfactory.

Social Workers

13.7 Social workers have appropriate knowledge and skills. These include:

- Training in relevant, current legislation and guidance.
- Have been trained or are being trained in assessing prospective adopters.
- Have been trained or are being trained in knowledge of the growth and development of children and the effect of neglect, abuse and loss.
- Have been trained or are being trained in how to communicate with children and young people.
- be aware of the agency's complaints procedure.

Other staff

13.8 Where unqualified staff carry out social work functions they do so under the direct supervision of qualified social workers, who are accountable for, and check, all their work.

13.9 Any support workers involved with birth parents have knowledge and understanding of the adoption process and whose work is supervised by a social worker.

Standard 14: Organisation and management of staff

OUTCOME

Staff are organised and managed in a way that delivers an efficient and effective service.

14.1 The level of management delegation and responsibility are clearly defined.

14.2 All employees, sessional workers and consultants are provided with appropriate written contracts, job descriptions and conditions of service.

14.3 Staff have a copy of the:

- statement of purpose;
- policies and working practices in respect of grievances and disciplinary matters
- services offered;
- equal opportunities policy;
- health and safety procedures;
- complaint procedure;
- Codes of Conduct produced by the Care Council for Wales.

Standard 15: Sufficient staff with the right skills/experience

15.1 There is an adequate number of sufficiently experienced and qualified staff to meet the needs of the adoption agency and they are appropriately supported and assisted in providing a service.

15.2 The full time equivalent staffing complement, in terms of numbers, grades, experience and qualifications, is adequate to meet, at all times, the needs of the adoption agency and is in line with the Statement of Purpose.

15.3 Where a shortfall in staffing levels occurs, there are contingency plans to resolve the situation in the short and long term.

Standard 16: Training

16.1 There is a good quality training programme to enhance individual skills and to keep staff up-to-date with professional and legal developments.

16.2 There is a clear plan for the on-going training and appropriate professional and skills development of all staff involved in child care and adoption work through induction, NVQ training for non-social workers, post-qualifying and in-service training.

16.3 All new staff are given induction training commencing within seven days of starting their employment and completed as soon as possible.

16.4 There is an appraisal or joint review scheme that identifies the training and development needs of all staff involved in adoption work.

16.5 Individual programmes of training are available, outcomes are monitored and linked to assessment of staff needs, and relate to the tasks assigned to them.

16.6 Training programmes for all staff should cover changes in legislation, guidance and case law relevant to their job. The adoption agency keeps all staff abreast of any changes in legislation, guidance and case law relevant to their job and gives them the opportunity to attend. There are regular staff and team meetings to discuss current practice.

16.7 The effectiveness of training programmes for staff is routinely evaluated and training programmes are reviewed and updated at least annually.

Records

In meeting these standards in relation to record keeping, it may well be that local authority adoption services maintain some of the records elsewhere within the social services department eg, personnel records for members of staff. Nothing in these standards requires two separate parts of the social services department to maintain duplicate sets of records as long as all appropriate personnel have access to the records.

<i>OUTCOME</i>

All appropriate records are stored securely, maintained in good condition and are accessible.

Standard 17: Case records for children and prospective/ approved adopters

17.1 The adoption agency ensures comprehensive and accurate case records are maintained for each child, prospective and approved adopters with whom the adoption agency has worked.

17.2 The adoption agency has written policy and procedural instructions to:

- cover arrangements for maintaining the confidentiality of adoption information and the adoption case records and their indexes; and
- ensure manual/computerised indexes and case records for children and prospective/approved adopters are securely stored to minimise the risk of damage from.

Standard 18: Administrative records

18.1 There is a written policy on case recording which establishes the purpose, format, confidentiality and contents of files, including secure storage and access to case files in line with regulations.

18.2 Separate records are kept for:

- staff, employed and independent/sessional, and students;
- complaints;
- allegations.

18.3 Confidential records are stored securely at all times and there is a clear written policy on access.

Standard 19: Personnel files for members of staff

19.1 Up-to-date, comprehensive personnel files are maintained for each member of staff and member of the adoption panel.

19.2 Records to be kept as stated in schedule 4 of the Local Authority Adoption Services Regulations

Fitness of Premises

<i>OUTCOME</i>

The premises used by the adoption agency are suitable for the purpose.
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Standard 20: Premises

20.1 Premises used as offices by the adoption agency are appropriate for the purpose.

20.2 There are identifiable office premises to which staff and others with a legitimate interest have access during normal office hours.

20.3 There are efficient and robust administrative systems, including IT and communication systems. Premises have:

- facilities for the secure retention of records in a lockable room;
- appropriate measures to safeguard IT systems; and
- an appropriate security system.