

**Meeting:** Policy Development and Decision Group    **Date:** 21 February 2017  
(Joint Commissioning Team)

**Wards Affected:** All

**Report Title:** Private Fostering and Adoption Overview Report

**Is the decision a key decision?** No

**When does the decision need to be implemented?** N/A

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## **1. Proposal and Introduction**

- 1.1 The purpose of this report is to update Members on two important areas of social care activity – private fostering and adoption.
- 1.2 The Ofsted report published in January 2016 identified serious weaknesses in the oversight of children's social care service provision by leaders and Managers. This report forms part of a series of reports now embedded within the Council's forward planning cycle to ensure Elected Members are well informed on key aspects of service delivery and able to challenge areas of underperformance, in the interests of improving outcomes for children, young people and families.

## **2. Reason for Proposal**

- 2.1 A child is privately fostered if under 16 (18 if disabled) and cared for and accommodated by someone other than a parent, someone with parental responsibility, or a close relative. The essence of a private fostering arrangement is that it is made privately, without the involvement of the local authority.
- 2.2 Private fostering arrangements have been described as 'amongst the least controlled and most open to abuse of all the environments in which children live away from home'. Following the death of Victoria Climbié, who was privately fostered, sections 44 – 47 Children Act 2004 and the Children (Private Arrangements for Fostering) Regulation 2005 amended the law on private fostering arrangements. The role of the local authority was clarified by practice guidance, underpinned by national standards, issued by the Department for Education and Skills (DfES) in 2005.

- 2.3 At the time of the most recent inspection, Ofsted concluded that arrangements to identify and monitor children in private fostering placements were 'not sufficiently robust' and that 'only a quarter of children received initial visits within timescales'. Within Torbay there are a large number of foreign language schools which is a significant factor driving the numbers of local private fostering arrangements, which are greater than in many local authority areas. This also impacts on timeliness of initial visits as a good proportion of notifications are received in July/August for a September start.
- 2.4 The DfES Guidance issued in 2005 sets out minimum standards for private fostering including how arrangements should be monitored by the local authority. Attached at Appendix 1 is the Private Fostering Annual Report for 2015 – 16 which provides an overview of activity for the period 1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016. Although further work needs to be done, it does provide evidence of improvement particularly in meeting National Minimum Standards for placement visits:
- **52%** of initial visits were completed within 7 days from notification compared to **26%** in 2014/15
  - **93%** of children in existing arrangements were seen within timescales compared to **69%** in 2015/15
- 2.5 Work to improve our monitoring and oversight arrangements for Private Fostering will continue as part of the improvement work now underway to address the outcome of the Ofsted inspection. An 'end to end' review of the children's social care structure has recently commenced and the private fostering function will be reviewed as part of that process. A session is also planned with the Children Safeguarding Board to bring together language school safeguarding leads to discuss all aspects of child safeguarding and welfare, including private foster care.
- 2.6 Adoption has been a key element within the Government's children's social care reform programme, with a range of measures introduced in recent years to increase the scale and pace of adoption. Ofsted identified a number of weaknesses in Torbay's adoption arrangements recommending that our policy towards permanence (of which adoption forms part), concurrent planning and foster to adopt arrangements be improved.
- 2.7 Attached at Appendix 2 is the annual report for adoption activity summarising activity between 1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016. Although our performance on timeliness remains behind the increasingly challenging thresholds set out in the Government's Adoption Scorecard, it has improved considerably. Performance on timeliness between a child entering care and moving in with an adoptive family (A1 Indicator) has improved from 647 to 516 days. Timeliness between a placement order and match with an adoptive family (Indicator A2) has improved from 245 to 211 days. Both areas of performance now compare favourably with national and statistical comparators.
- 2.8 Nationally the numbers of adoptions have reduced over the past two years by around 12.5% and it has been argued this is due to a number of judgements

reinforcing the principle that adoption should be a measure of 'last resort', to be used when all other options for the child have been exhausted.

- 2.9 As a small authority, Torbay has struggled to recruit adopters and it is hoped that the work underway to further develop a regional approach will provide a greater pool of adoptive families, to meet the needs of particular cohorts of children, from which Torbay can draw and enable the service to share resources around common areas of activity such as recruitment and marketing. At a local level, key areas for development include increasing the numbers of foster to adopt placements and ensuring that planning for adoption commences at the earliest opportunity, particularly for unborn or newly born children where this represents a positive option.

### **3. Recommendation(s) / Proposed Decision**

3.1 The Policy Development and Decision Group is recommended to:

- note the Private Fostering Report 2015/16;
- note the Adoption Activity Report 2015/16;and,
- agree to receive updates on progress to a future meeting as part of Member oversight of the improvement journey

### **Appendices**

Appendix 1: Private Fostering Report 2015/16

Appendix 2: Adoption Activity Report 2015/16