

EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE: 18 MAY 2006

REPORT ON THE ANALYSIS OF THE CONSULTATION ON THE ADOPTION BILL

Report by the Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update committee members on the Analysis of the consultation paper 'Secure and Safe Homes for Our Most Vulnerable Children' and how the recommendations will impact upon East Ayrshire Council.

2. BACKGROUND

- 2.1 On 4th April 2002, the Scottish Executive launched its review of Adoption Policy. The review was separated into 2 phases;

Phase 1 considered:

- The place of adoption services within the spectrum of services for children and young people.
- The quality of recruitment, selection and assessment procedures for prospective adopters.
- The extent and quality of post Adoption Support.
- The case for Scotland joining the UK National Adoption Register.

Phase 2 considered:

- The rights of the birth parent.
- Arrangements for contact.
- Timescales for Court procedures.
- The role of the Children's Hearing.
- Legal process relating to adoption.

- 2.2 From the Consultation, 107 recommendations were presented to the Scottish Executive. The majority of these are now being taken forward and will formulate the basis for future permanency planning for children and young people.

3. ANALYSIS OF THE CONSULTATION

- 3.1 In summary, the analysis indicated that there were no obvious gaps in the consultation process, stating that a wide range of stakeholders, total of 496 responses, were received from organisations and individuals.
- 3.2 The following subheadings highlight the main changes to be recommended, most of which have been agreed by the Scottish Executive.

3.2.1 Introduction of Legislation to allow same sex couples and unmarried couples to adopt.

In analysing the data, it would seem that the majority of professionals/organisations were in agreement with this recommendation as it allowed for the range of adopters to be extended.

3.2.2 Introduction of Permanency Orders

General feedback from the Consultation was that the process of permanency planning was too lengthy and caused distress to individuals involved in the process. The concept of a more flexible and simplified process was welcomed by the Scottish Executive. It is proposed that this will be achieved with the introduction of the Permanency Order. The Freeing for Adoption and Assumption of Parental Responsibilities Order will be phased out.

3.2.3 Improved interface between the Children's Hearing and the Permanency Process

Most respondents noted that the Children's Hearing should continue to be involved in the adoption process, however it was stressed that there was a need for clear procedures, guidance and training on the issue of permanency planning.

3.2.4 Training

There was an overall request and subsequent acknowledgement that training for professionals and permanent carers was an integral part of improving services, particularly in the area of post adoption support. The Consultation went one step further and highlighted the need for a 'nationalised system to appoint and train curators, reporting officers and safe-guarders'. As yet this recommendation has not been supported by the Scottish Executive.

3.2.5 Resources

There were requests for a wider range of resources for counselling and therapeutic approaches to be made available including a greater degree of funding across Scotland.

3.2.6 Communication

Respondents commented that there needed to be improved communication and consistency in approaches to adoption and fostering across the country.

3.2.7 Links with Other Consultations

The overwhelming view for this Consultation to be linked to the Children's Hearing Evaluation and the 21st Century Social Work Review was made.

4. **POLICY/LEGAL IMPLICATIONS**

4.1 East Ayrshire Council Educational and Social Services, Legal Section have been fully involved in the Consultation process and have commented where appropriate. A further briefing will be provided once the final legislation has been produced and the implications of this will be detailed.

5. FINANCIAL IMPLICATIONS

- 5.1 Further consideration needs to be given to the cost implications of the recommendations arising from the Consultation and any issues will be presented to Committee in due course.

6. COMMUNITY PLANNING IMPLICATIONS

- 6.1 Issues of adoption are closely related to Community Planning themes particularly in relation to Improving Opportunities.

7. RECOMMENDATIONS

- 7.1 Social Work Committee is asked to:-

- (i) ask the Executive Director of Educational and Social Services to report to Committee on the implications of the Act when it is produced; and
- (ii) otherwise note the contents of the report.

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LIST OF BACKGROUND PAPERS

1. Safe and Secure Homes for Our Most Vulnerable Children – Analysis of the consultation on the Adoption Bill; Scottish Executive (Education), Social Research.

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