

THE MORAY ADOPTION AND FOSTERING PANELS

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INTRODUCTION

The information contained in this document aims to provide an outline of the composition, functions and general operation of the Moray Adoption and Fostering Panels.

Permanency issues must first of all be considered by a Looked After Child (LAC) Review. The LAC Review, after ruling out rehabilitation with the natural parent(s), will make a recommendation that a child is in need of permanent alternative care and deliberate on the route to achieving this. The LAC Review will then refer the child's case, together with its recommendation, to the Adoption and Fostering Panel. Referral should be made within 14 weeks of the LAC Review.

Panels also receive assessments on prospective adoptive and foster carers and consider matches between children approved for permanent care away from home and identified carers.

The Panels cannot make decisions, only recommendations. Following full discussion of each case, the Panel's recommendations are passed to the Council's Decision-Maker. The Decision-Maker is not a member of the Panels and, therefore, an independent assessment of each case is undertaken. The Decision-Maker will ratify and endorse, or otherwise, the recommendations received from the Panels.

The Regulations require the Decision Maker to make a decision within 14 days of the date of the recommendation of the Panel. The Decision-Maker is required to record in writing the reasons for any decision that is contrary to the recommendation of the Panel. The Decision-Maker is then required to notify all the relevant parties in each case within 7 days of the date of a decision being made. Consequently, there will be a maximum period of 21 days from the date of a Panel recommendation to notification of the decision.

COMPOSITION OF THE MORAY ADOPTION AND FOSTERING PANELS

The Fostering Panel and the Adoption Panel are constituted in terms of, and operate in line with the Fostering of Children (Scotland) Regulations 1996 (“Fostering Regulations”) and the Adoption Agency (Scotland) Regulations 1996 (“Adoption Regulations”), respectively. The Regulations state that the Moray Council is required to have a Fostering Panel, and an Adoption Panel. The two Panels can have the same membership, and in Moray they do, but they are distinct bodies and their proceedings must be minuted separately.

The composition of the Panels should provide a wide range of knowledge and experience necessary to assess prospective foster or adoptive carers or consider the needs of children requiring permanent care away from home. There must be a minimum of 6 members in an Adoption Panel and men and women must both be represented.

As agreed by the Council’s Community Services Committee on 10 August 2005 the membership of the Panels will be as follows:

1. Up to 6 “professional” members holding a professional qualification in a relevant discipline.
2. Up to 3 “Lay” members of the local community to provide a more independent, non-professional perspective.
3. One Medical Adviser to advise on medical issues in relation to individual children and prospective foster and adoptive carers.
4. One Legal Adviser to be provided by the Moray Council to ensure that the rights of parents and children are fully addressed and that the appropriate legal procedures are followed.
5. A Panel Secretary to undertake the administrative tasks associated with the operation of the Panel including taking Minutes and keeping records of proceedings.

The Council’s Chief Social Work Officer will make appointments to the Panel. Written terms of appointment will be issued to all members. The Council’s Chief Social Work Officer will also appoint a chairperson from the professional membership. The members will appoint a Depute Chairperson to act on behalf of the Chairperson in his/her absence.

Lay and Professional Members will be appointed for a period of two years and will be eligible for re-selection. The period of appointment provides an opportunity for the Panel to develop a consistent approach and clear standards based on good practice. It allows time for members to develop a working knowledge or resources in Moray enabling maximum consideration in matching the needs of particular children with appropriate carers.

The Medical and Legal Advisers are standing appointments until rescinded or they resign. There is therefore no requirement to consider reselection.

All members will sign a Confidentiality Statement (see **Appendix 2**)

See **Appendix 1** for current Panel members.

PANEL MEMBERS: APPOINTMENT PROCESS

(a) Professional Members

Nominations will be called for from relevant agencies and replies will include basic information relating to:

1. specific knowledge and experience in the field of adoption and fostering
2. any additional attributes the applicant may bring to the Adoption and Fostering Panels
3. previous experience in participating in group processes and decision making

Nominations will be considered by the Chair and Depute Chair of the Panel who will recommend the successful applicant(s) to the Chief Social Work Officer.

A short interview with candidates may precede the recommendation and will bear in mind the existing balance of knowledge and experience within the Panels. Unsuccessful candidates will be thanked for their interest and advised in writing.

Prior to appointment prospective members will undergo Local Authority and Police checks.

(b) Lay Members

Nominations will be called for from:

- Area Teams and Fostering and Adoption team (and other teams and establishments as required)
- from Panel members
- Chief Social Work Officer
- By other mechanisms

The call for nominations will be accompanied by a statement from the Panel as to the particular background and experience being sought at that time.

Potential lay members will be interviewed by the Chair or Depute Chair of the Panels in line with items (a) 1-3 above (ref. Selection processes – Professional Members) and the expectations and responsibilities of Panel membership explained to them. Recommendations of appointment will be made to the Chief Social Work Officer. Unsuccessful candidates will be thanked for their interest and advised in writing.

Prior to appointment prospective members will undergo Local Authority and Police checks.

FUNCTIONS OF THE MORAY FOSTERING PANEL

- (a) To consider applications by people for approval to become foster carers.
- (b) If recommending approval, the applicant being considered suitable, the Panel shall state whether its recommendation is in respect of:
 - (1) any child; or
 - (2) certain categories of children; or
 - (3) a particular child or children.
- (c) To consider requests for permanent placements for children through foster care.
- (d) To consider permanent placement of particular children with approved foster carers.
- (e) To receive and consider all written and verbal reports submitted to the Panel from Social Work Staff, Foster Carers, prospective Foster Carers and advisers and any other information that may be provided to it on request.
- (f) To have regard to the duties imposed upon the Council by section 17(1) of the Children (Scotland) Act 1995 (duties to looked after children)
- (g) To submit the minutes of each meeting including the recommendations of the Panel to the Decision Maker who will make decisions on behalf of the Moray Council in relation to each application, child or issue arising.
- (h) The Panel can also be asked to advise and make recommendations in relation to any other matter relevant to the performance of functions under the Children (Scotland) Act 1995 and the Fostering Regulations. These might include decisions in connection with reviews of foster carers, or specific concerns relating to an ongoing fostering assessment.
- (i) To hold business meetings to progress the effective functioning of the Panel and to conduct an annual review of it's operation.
- (j) To prepare an annual report for the Moray Council.

FUNCTIONS OF THE MORAY ADOPTION PANEL

1. To consider whether adoption is in the best interests of a particular child and, if so, whether a freeing application should be made under Section 18 of the Adoption (Scotland) Act 1978.
2. To provide a written report on consideration given by the Panel to alternatives to adoption and, in circumstances where adoption with parental contact is recommended, the reasons why adoption is recommended rather than an alternative course of action. The responsibility for the provision of this report falls to the Chair of the Panel and the basis of the report will be the Panel minute.
3. To consider applications by people for approval as prospective adoptive parents and whether they are suitable but only where the Panel have the opportunity to meet with the prospective adoptive parents and the opportunity to discuss the matter with them.
4. To consider the placement of particular children with approved prospective adoptive parents.
5. To consider applications for the adoption of looked after children by their carers.
6. To review annually all approved prospective adoptive parents.
7. To recommend the eligibility of individual children for the payment of approved adoption allowances in accordance with the Adoption Allowance (Scotland) Regs 1996 and in terms of any scheme approved by the Moray Council.
8. To receive and consider all written and verbal reports on all applications to the Panel from Social Work staff, advisers and any other information that may be provided to it on request.
9. To consider interim reports on cases which have raised concerns on social, medical or legal grounds and offer advice on how or whether to proceed.
10. To submit the minutes of each meeting, including the recommendations of the Panel, to the Decision Maker, who will make a decision on behalf of the Council as Adoption Agency in relation to each child, application or issue arising.
11. To hold business meeting to progress the effective functioning of the Panel and to conduct an annual review of the operation of the Panel.
12. To prepare an annual report for the Moray Council.
13. To have regard to the duties imposed upon the Council by sections 6, 6A and 7 of the Adoption (Scotland) Act 1978 (duty to promote welfare of the child, consider alternatives to adoption and religious upbringing of adopted child) and the views of the child.

14. The Panel can also be asked to advise and make recommendations in relation to any other matter relevant to the performance of functions under the Children (Scotland) Act 1999 and the Adoption Regulations. These might include decisions in connection with specific concerns relating to an ongoing adoption assessment.

OPERATION OF THE MORAY ADOPTION AND FOSTERING PANELS

GENERAL

Quorum

The Legal Adviser's attendance at every Panel meeting will be left to his/her discretion, following consultation with the Panel Chair, although s/he must be in attendance or have provided written advice where the Panel is considering whether adoption is in the best interests of a child and permanence through freeing for adoption is being considered. The Legal Adviser's role is to provide advice and s/he will not take part in decision making.

The Medical Adviser's attendance at every Panel meeting will be left to his/her discretion, following consultation with the Panel Chair, although s/he must have provided written advice. S/he must be in attendance if medical issues are to be central to the decision making. The Medical Adviser shall be a full voting member of the panels.

The Panel may only make recommendations within the terms of the Fostering and Adoption Regulations and three members excluding advisers will constitute a quorum. Ideally there should be a mix of male and female members at every Fostering Panel meeting and there must be at least one man and at least one woman at each Adoption Panel meeting.

Submission of Items/Papers

Social Workers can arrange to submit items for the agenda or request an appointment to attend the Panel by contacting the Panel Secretary.

Reports must reach the secretary two weeks in advance of a Panel meeting. On receipt of the appropriate reports a Panel agenda will be formed. The Secretary will liaise with the referring social worker to offer an agenda appointment. Only exceptionally, at the discretion of the Chairperson, will late agenda items be accepted. This time-scale allows the circulation of all reports to Panel Members well in advance of Panel meetings.

Panels will sit on the first Wednesday of every month, excepting January. Mid cycle Panels may be held in accordance with priorities and demands.

Agenda Setting

This is scheduled to occur on the second Monday preceding Panel. In setting the agenda the following are considered:

- (i) the appropriateness of referral to the Panel
- (ii) prioritise items for over-full agendas
- (iii) outstanding issues from previous Panels

Form and Conduct of Meetings

Each meeting will commence with agreeing the previous Minutes and any matters arising from these and then proceed to agenda items followed by any other competent business. Professional members will take turns in leading discussions.

Business Meetings

Panel meetings are often busy with a number of items to consider. It is important, however, to allow time occasionally for business issues to be discussed. Specific twice yearly meetings will be devoted to business items. These may include agreeing areas of concern to be fed back to the agency or discussing specific Panel matters eg training, the need to fill any vacancies or reviewing formal structures. It can be helpful to involve the Decision Maker in some of these. Business meetings should also consider the annual reports to be submitted to the Council.

Declaring an Interest

There can be situations where a Panel member knows or has worked with the applicant, carers or child to be considered by the Panel. It is important that the Panel member should declare an interest in such a situation. The Panel member should say whether he or she thinks this knowledge will prejudice their consideration of the case. If he or she thinks so, they should not participate in that case and it is best if they leave the room. If the Panel member does think their knowledge will affect their consideration of the case, it will be the responsibility of the chair, taking advice from the legal adviser, to make the final decision. It is important for Panel members to alert the chair as early as possible to avoid a possible problem over quoracy.

Security of Adoption/Fostering papers

Papers should be held by panel members in a secure place and on a confidential basis at all times. The minimum amount of information should be held and papers destroyed at the point at which they are no longer required (the Community Services Department can shred documents as required).

The following guidance applies:

1. Papers are held by Panel members throughout the period of consideration of the case by the Panel
2. for carers offering permanent foster placements papers can be held until the resource is no longer available
3. papers should not be held, and therefore destroyed for
 - (a) children for whom permanency has been agreed and placement made
 - (b) foster carers offering only temporary placements
 - (c) permanent foster carers who are no longer offering resource.

4. The minutes of Panels can be held throughout a person's membership of the Panel.

Papers should be issued by the secretary to Panel members by

- (a) internal mail within the Council or
- (b) recorded delivery mail or
- (c) by collection from the Community Services Department.

Minutes

Minutes shall record a summary of the discussion of the Panel as well as a record of any decisions made. The chair is responsible for ensuring that Panel Minutes are accurate and for submitting these to the next Panel meeting for approval. Once approved, Minutes shall be consigned to the Panel records.

Observers

Occasionally Social Workers, new Panel members and allied professionals or inspectors may attend to observe the Panel. Ideally observers should be restricted to a maximum of two at any one time and the agreement of the Chair should be obtained prior to them attending Panel. Observers should sign a confidentiality statement and the agreement of applicants whose cases are being heard by the Panel should be sought. Further, there may be occasions when the issues being considered are so sensitive that observers should not attend eg where a termination of approval is being considered in a case where there are serious concerns in respect of a carer.

Training

A new member will participate for the first three Panel meetings as follows:

- | | |
|---------|--|
| Panel 1 | - as an observer |
| Panel 2 | - as an observer having received and read Panel papers |
| Panel 3 | - as a full participating member |

Induction training between Panel 1 and Panel 3 will cover:-

- (a) the work of the Adoption and Fostering Panel (including copies of the procedures documents); and
- (b) the legal basis of adoption and fostering, medical considerations and child care and Children's Hearing System, and assessment and approval processes for prospective foster and adoptive carers.

Ongoing training of Panel members will be discussed and agreed at Business Meetings.

CHILDREN FOR PERMANENT PLACEMENT THROUGH FOSTERING

These cases will be submitted to the Panel on the recommendation of a Looked After Child Review. The Social Worker is required to attend the Panel to speak to his/her report. There should be a detailed case history and description of the child in a specified format - BAAF E. The report should include an outline of the alternatives and why it is considered that these alternatives will not meet the child's needs.

The Panel will also require to consider:

- the report prepared giving legal advice regarding permanency
- the minute of the LAC Review that recommended that permanency should be considered
- any other relevant reports pertinent to the case, e.g. report from carers, psychiatric, psychological or school reports
- photographs of the child should be made available.

The Panel must consider the views of the child about any plan for his/her future e.g. it may be appropriate for the child to write something for the Panel. Social workers should contact the Panel Chair to discuss how a child can be helped to feel an inclusive part of the Panel process.

A child aged 12 years or over is required to agree to permanency through fostering or adoption and so consideration of their views is essential. Consequently, it may be appropriate for an older child to attend the Moray Fostering Panel so that he or she can represent his or her views. In this event the social worker must contact the Chairperson to intimate the child's wish to attend. This will allow the opportunity to discuss the merits of attendance in advance.

The child's current carers should be invited to attend the Panel meeting and/or provide a report on their observations during the placement. The carers link worker also should be invited to attend in order to support the carer if required.

APPLICATIONS TO FOSTER – STEP BY STEP GUIDE

Foster Carers - Basic Requirements/Criteria

1. Carers must be over 21 years of age and may be either a single person or a couple (NB Couples of the same sex cannot be considered as this contravenes the Fostering Regulations).
2. If a couple, carers must have been married or living together for at least two years.
3. Ideally, one partner should not normally be in full time employment.
4. Carers must have suitable accommodation for the proposed number of children/young people. At least one spare bedroom is required.
5. Carers must be willing to attend preparation training groups.
6. Carers should be able to attend relevant reviews, planning meetings, etc, relating to any child placed with them, and contribute to reports concerning the child in their care.
7. Carers should be able to work in partnership to meet the needs of children in placement, and liaise with social workers and other relevant people.
8. Carers must be able to respond appropriately to parental contact, and be actively involved in promoting such contact as required within the child's care plan.
9. Carers should demonstrate sensitivity to the needs of children and young people requiring foster placement. They should be aware of their and their family strengths and weaknesses and how these will be affected by the fostering task.
10. Applicants must agree to all relevant checks and references being undertaken.
11. Applicants must be prepared to participate in ongoing training and supervision.

Recruitment

1. Recruitment and assessment of prospective foster carers will be the responsibility of the Moray Fostering and Adoption Team.
2. Any person interested in fostering should be advised to contact the Moray Fostering and Adoption Team. An information pack will be sent within two working days, outlining general criteria employed when considering whether applicants will be accepted for assessment as prospective foster carers, and details of the assessment process.

A member of the Fostering and Adoption Team will contact the enquirer within twenty-eight days, to discuss their interest in fostering and decide if the enquiry will progress to an initial assessment visit.

3. The initial assessment visit/s will provide information, as to whether or not the applicants meet the criteria to progress to preparation training and full assessment or not. Those who meet the criteria will be offered the opportunity to participate in the first available "Skills to Foster" training. Applicants who are unsuccessful will be notified in writing with reasons outlined, together with information on requesting reconsideration and appeal.

Assessment

1. The Fostering Assessment will normally be completed within six months of the application to foster being accepted.
2. Prospective foster carers should participate in fostering preparation group at the earliest opportunity, ideally prior to or at the same time as the assessment being undertaken
3. The final assessment report or Home Study will be written in a specific format BAAF Form F. Self assessment should be emphasised and applicants should be encouraged to contribute written information for inclusion in their report. Recent photographs should be provided.
4. The following official checks must be undertaken
 - Police checks on all adult members of the household
 - Local Authority records checks for all areas where the applicants have resided since reaching 16 years of age.
 - Up to six references who must not be close relatives, including current employers and other relevant professionals, as well as personal referees. At least one referee will be interviewed in person.
 - Full Health & Safety inspection.
 - Full Medical Assessment (see medical section).
5. The assessment report must provide comprehensive information on each applicant's personal history and current circumstances, including their motivation in applying to be foster carers. Applicants' children should be consulted, with their views incorporated within the assessment report.

For further information on what should be included, please refer to Guidance Notes in BAAF Form F and Schedule 1 of the Fostering Regs.

6. On completion of the assessment report, the social worker arranges to present the case to the Moray Fostering Panel. The Panel secretary is contacted and the applicants are placed on the agenda for the next available meeting. The applicants are invited to attend the Panel when their suitability as prospective foster carers is being considered. The social worker for the applicant(s) will be responsible for preparing them in advance of the meeting. The applicant(s) will be present during part of the discussion to provide

information or clarification on points raised in the assessment report or Panel consideration. The Social Worker is required to attend the entire Panel to speak to his/her report.

Approval

Further to recommendation from the panel, the Decision Maker should notify the applicants as to whether or not they have been approved as prospective foster carers in writing within 21 days. The approval letter will outline the terms of approval.

If the applicants are not approved they should be told why (except where a breach of confidence would occur) and if they wish to request reconsideration, they must follow the procedures in Section 7.

Foster Carer Agreement

On approval a link social worker from the Fostering Team will be confirmed, and the approved foster carers will be sent the standard Moray Foster Carer Agreement per Reg 8 and Schedule 2, Fostering Regs which they will be required to sign and return before they begin fostering.

CHILDREN FOR PERMANENT PLACEMENT THROUGH ADOPTION

These cases will be submitted to the Panel on the recommendation of a Looked After Child (LAC) Review. The social worker is required to attend the Panel speak to his/her report. There should be detailed case history description of the child in specified format - BAAF Form E. The report should include an outline of the alternatives to adoption and it is considered that these alternatives will not meet the child's needs. If it is proposed that contact with birth parents will continue after adoption, the report should highlight why adoption is recommended rather than an alternative course of action.

The Panel will also require to consider:

- the report prepared giving legal advice regarding adoption
- in the case of a looked after child, the minute of the LAC Review which recommended that adoption should be considered. The LAC Review minute should reflect the discussion that took place and the conclusions reached as to:-
 - (i) why adoption should be considered
 - (ii) the consideration given to alternatives to adoption
 - (iii) why adoption is recommended rather than any alternative course of action if it is proposed contact with both parents will continue after adoption
- any other relevant reports pertinent to the case, e.g. report from carers, psychiatric, psychological or school reports
- photographs of the child should be made available.

The Panel must consider the views of the child about any plan for his/her future. It may be appropriate for the child to write something for the Panel.

A child aged 12 years or over is required to agree to adoption and so consideration of their views is essential. Consequently it may be appropriate for older child to attend the Moray Adoption Panel so that he or she can represent his or her views. In this event the social worker must contact the Chairperson to intimate the child's wish to attend. This will allow the opportunity to discuss the merits of attendance in advance.

The child's current carers should be invited to attend the Panel meeting and/or provide a report on their observations during the placement. The carers link worker also should be invited to attend in order to support the carer if required.

APPLICATIONS TO ADOPT- STEP BY STEP GUIDE

1. Recruitment

Recruitment assessment of prospective adopters will be the responsibility of the Fostering and Adoption Team. The number of 'healthy baby' placements has greatly reduced over the years, hence the requirement to recruit a wide range of prospective adopters in the attempt to meet the often complex needs of children now being placed for adoption.

Any person interested in the adoption of a child should be advised to refer themselves to the Moray Fostering and Adoption Team. An information pack will be sent within two working days, providing written information about adoption in Moray, a statement on the general criteria employed when considering whether applicants will be accepted for assessment as adoptive parents, and details of the assessment process. A member of the Fostering and Adoption Team will contact the enquirer within twenty-eight days, and a decision will be made whether or not an initial assessment visit will follow depending on basic criteria being met. The initial assessment visit/s will provide information on whether or not the applicants meet the criteria to progress to preparation training and full assessment. Those who meet the criteria will be offered a place on the "Adoption Preparation Training".

On completion of the "Adoption Preparation Training" a decision is jointly made between the Fostering and Adoption Team and prospective carers if an assessment is to be progressed. On acceptance, assessment will be completed within six months. Again applicants who are unsuccessful will be notified, in writing, with reasons outlined, together with information on requesting reconsideration through appeal.

2. Assessment

If there is to be delay in commencing assessment, applicants should be given reasons for the delay and advised of a likely start-date for the assessment.

The assessment report or Home Study will be recorded in a specified format - BAAF Form F. Self-assessment should be emphasised and applicants should be encouraged to contribute written information for inclusion in their report.

The following official checks must be undertaken:

- Police checks on all adult members of the household.
- Local Authority checks for all areas in which applicants have lived since being 16 years of age.
- Up to six references who are not close relatives. Referees should be interviewed in person, where possible.
- Full Health & Safety inspection.
- Full Medical Assessment (see medical section).

The assessment reports must provide comprehensive information on each applicant's personal history and current circumstances, including their motivation in applying to be adoptive parents. For further information on what should be included, please refer to the Guidance notes in BAAF Form F and Annex 1.

On completion of the assessment report, the social worker arranges to present the case to the Moray Adoption Panel. The Panel secretary is contacted and the applicants are placed on the agenda for the next available meeting.

The social worker is required to attend the Panel to speak to his/her report. The Home Study report should be recorded in a specified format – BAAF Form F. Recent photograph should be provided.

The prospective adoptive parents must be invited to attend the Moray Adoption Panel when their suitability as adopters is being considered. The social worker for the applicant(s) will be responsible for preparing them in advance of the meeting. The applicant(s) will be present during part of the discussion, but the Panel will require periods for introductory and concluding discussion prior to and following their attendance.

Approval

Further to the recommendation from the Panel the Decision Maker should notify the applicants as to whether or not they have been approved as prospective adopters in writing within 21 days.

If the applicants are not approved, and they wish to appeal or request reconsideration, they must follow the procedures set out in section 7.

Following the applicants acceptance as prospective adoptive parents, post approval support should be provided on a regular basis by the social worker. The focus of these contacts should be to continue to discuss with the applicants the resource they are offering, to consider any potential links with a child and for them to provide information about any changes in personal circumstances.

An annual review of all prospective adopters will be undertaken by the Moray Adoption Panel.

It should always be stressed the aim of the agency is to provide suitable families for children placed for adoption, as opposed to finding children for prospective adopters. However, if the prospective adopters are offering very specific resource, not readily required by The Moray Council, then the possibility of referral to resource exchange, such as North of Scotland Consortium or BAAF, should be discussed with them after consultation with the Fostering and Adoption Team Manager.

Families with whom a child been placed for adoption can apply, if still resident in Moray, for second or subsequent placement after minimum of one year. The Home Study process and the formal checks will require to be undertaken again, but in practical terms, the majority of the background information will be contained the original report. The new assessment should focus on updating the family

circumstances and include sections on the child placed with them and how the applicants have adjusted to the parental role.

The decision maker will make a decision on behalf of the Agency under the Adoption Agencies (Scotland) Regulations 1996 within 14 days from the date of the recommendation of the Panel.

The decision maker will record in writing the reasons for any decision which is contrary to the recommendation of the Panel.

The Decision maker will notify the relevant parties in each case within 7 days from the date of decision.

Requests for re consideration or complaints regarding practice or the assessment process should be dealt with in line with the procedures set out in Section 7.

LINKING

The Moray Fostering and Adoption Team are responsible for finding adoptive and foster carers for children in need of permanent alternative families. This is achieved by matching children's needs with approved families within Moray, through the North of Scotland Placement Consortium, or through other national networks or adoption agencies. Once potential families are identified procedure is as follows:-

- i. The child/ren's social worker is sent a BAAF Form F for each family to be considered for matching consideration with their senior social worker.
- ii. At the same time the linkworker (fostering social worker) for the foster carers caring for the child receives the same information, and presents general information to the carer for comment, before discussing the potential matches with their senior social worker.
- iii. An initial Linking Meeting is convened by the Fostering and Adoption senior social worker. The child/ren's social worker and senior social worker meet with the linkworker and their senior social worker to consider the potential carers and assess their suitability to meet the child/ren's specific needs. A decision is then made on which families will be visited, together with key matching issues to be addressed clearly identified. No more than three families will be visited.
- iv. The prospective carers linkworker, having received a copy of the child/ren's BAAF E Form will meet with their carers and decide if the family wish to be considered, as potential carers for the child/ren. If they wish to progress, the necessary home visits are agreed.
- v. The child's social worker and their senior social worker, or the current foster carers' linkworker visit each prospective family, and meet with the carers and their linkworker. During these visits the child's needs will be explored in detail, together with how they would be appropriately met by each family.
- vi. After each visit the child/ren's social worker and their colleague will complete a detailed assessment of how the child's needs might be met by the particular family.
- vii. After all the visits are complete a second Linking Meeting is convened to consider the outcome of the visits. A decision is then made on which family is most likely to meet the child/ren's needs and, therefore, be recommended to the Moray Adoption or Fostering Panel as an appropriate match.
- viii. The child/ren's social worker then completes/arranges the following for submission to the Panel:-
 - A brief report outlining the process of selecting prospective families, how many were considered, and giving limited details on those families visited, and giving reasons for not being recommended.

- A full matching report on the child/ren's needs and how they are likely to be met by the recommended family.
- The prospective family's linkworker's completed matching report on how the family are likely to meet the child's needs.

N.B. the two reports above can be combined into a composite report if practical and appropriate.

- The child/ren's BAAF E Form and approval minute, together with any relevant update information.
- The chosen prospective carers BAAF Form F and approval minute.

The child/ren's social worker and the linkworker for the prospective carers attend the Panel, to talk about their report and answer any questions.

It should be noted that for children in need of permanent foster care they may already be placed in prospective permanent placements prior to these being brought to panel and in such circumstance the arrangements referred to above will be modified in an appropriate manner.

MEDICAL PROCEDURES – FOSTERING PANEL

The Medical Adviser is required to consider and advise on aspects of health affecting prospective foster carers and their family's ability undertake the fostering task. She/he will also advise on specific medical issues relating to children whose permanence is being sought through foster care.

Prospective foster carers must undergo a full medical examination by their GP. The step by step procedures which social workers should follow are as follows:

A. **Prospective Foster Carers**

1. Medical Reports (Form AH – Adult Health Report)

- (a) Social worker sends to medical adviser letter (AM1) giving details of prospective foster carers along with blank medical forms (Form AH), which have been signed by the prospective foster carers.
- (b) Medical Adviser sends forms to relevant family doctor(s) with accompanying letter (AM2) and claim form and sends letter to applicants advising them to make appointments with the doctor (AM14).
- (c) GP returns completed medical report to medical adviser, along with claim form for payment of fee.
- (d) Medical Adviser considers information on medical reports and makes appropriate recommendation. Medical report forms returned to Social worker with copy retained by medical adviser.
- (e) Medical Adviser sends GP's claim form to primary Care Section for payment of fee.

2. Interval Certificates (Adult Form 2)

Same procedure as under Section A1 above, except that copies of previously completed medical reports (Form AH) should accompany the initial medical report forms (Adult Form 2) at each stage. The appropriate covering letters are, for stage 1 (AM3) and for stage 2 (AM4)

B **Children**

For children to be placed in permanent foster placement a consultant medical should be carried out on children under 8 years of age, and on older children if there are medical problems. Children who are over 8 years of age and have no medical problems can have their medical done by their own GP on the admission to foster care medical forms. (Form IHA)

The procedures for obtaining medicals are as follows:

Medical Report on Child (Form C)

- (a) Social worker delivers letter (AM12) along with Form C, completed Forms PH, M and B, and claim form to the doctor who carries out the examination on the child.
- (b) Examining doctor sends completed Forms C,PH , M and B, along with claim for fee forms to the medical adviser.
- (c) Medical adviser considers information on medical reports and makes appropriate recommendations on final page of Form C. Medical reports returned to Social Worker, with copies retained by medical adviser.
- (d) Medical adviser passes examining doctors claim form for payment.
- (e) For older children, steps should be taken to identify as many relevant sources of information as possible, e.g. hospital notes, developmental assessments.

MEDICAL PROCEDURES –ADOPTION PANEL

The Medical Adviser is required to consider and advise on any aspects of the health of the child, his or her birth family and prospective adopters. All children placed for adoption must have a medical examination completed by a consultant paediatrician. It is important to gather as much information as possible about the health of birth parents and the wider family as this may have significant implications for the child's future health and development.

Prospective adopters must undergo a full medical examination by their family G.P. The step by step procedures which social workers should follow are as follows:

A. **Prospective Adopters**

Medical Reports (Form AH – Adult Health Report)

- (a) Social Worker sends to medical adviser letter (AM1) giving details of prospective adopters along with blank medical forms (Form AH), which have been signed by the prospective adopters.
- (b) Medical Adviser sends forms to relevant family doctor(s) with accompanying letter (AM2) and claim form and sends letter to applicants advising them to make appointments with the doctor (AM14)
- (c) GP returns completed medical report to medical adviser, along with claim form for payment of fee.
- (d) Medical Adviser considers information on medical reports and makes appropriate recommendation. Medical report forms returned to Social Worker with copy retained by medical adviser.
- (e) Medical Adviser sends GP's claim form to Primary Care Section for payment of fee.

2. Interval Certificates (Adult Form 2)

Same procedure as under Section A1 above, except that copies of previously completed medical reports (Form AH) should accompany the initial medical report forms (Adult Form 2) at each stage. The appropriate covering letters are, for stage 1 (AM3I and for stage 2 (AM4).

B **Natural Parents**

Form PH - Report on Health of Birth Parent, and Consent Form.

Form PH should be completed by both natural parents where possible, along with the social worker (1 form for each parent) and sent to the Medical Adviser. The Medical Adviser keeps a copy of Form PH and sends the original back to the Social Worker.

If the natural parent is not available, the form should be completed by the social worker on the basis of information from a close relative of the child .

The birth parents or a child or young person who is able to consent should also sign the relevant parts of the Consent Form. This enables the Medical Adviser to obtain and share health information. The Consent Form should be sent to the Medical Adviser who keeps a copy and sends the original back to the social worker. Forms PH and Consent Form are available on the Moray Council Intranet.

C. Children

All children going for adoption should have a medical done by a consultant paediatrician on Form C, D or YP.

The procedures for obtaining medicals are as follows:

1. Obstetric and Neonatal Reports (Forms M and B)

- (a) If the child was born in Dr. Gray's, the Medical Adviser completes Forms M and B from obstetric and neonatal hospital notes. If the child was born out with Moray the Medical Adviser arranges for Forms M and B to be sent to the relevant areas for completion .
- (b) The social worker notifies the Medical Adviser of the name and address of the foster parents with whom the child is placed and their GP, and also the name and date of birth of his birth mother.
- (c) Medical Adviser arranges for appointment with appropriate paediatric consultant for medical examination of child to be sent to Social worker named on Form AM8.
- (d) Doctors completing Forms M and B return forms to medical adviser, along with claim for payment of fee.
- (e) Medical Adviser completes Forms M and B with appropriate Recommendation takes copies and returns originals to Social worker along with covering letter Social Worker AM11 and consultant paediatrician AM12
- (f) Medical Adviser sends on claim form for payment as appropriate.

2. Medical Report on Child (Form C)

- (a) Social Worker delivers letter (AM12) along with Form C, completed Consent Form ,Forms PH, M and B, and claim form the doctor who carries out the examination on the child.
- (b) Examining doctor sends completed Forms C, Consent, PH, M and B, along with claim-for-fee forms to the medical adviser.
- (c) Medical Adviser considers information on medical reports and makes appropriate recommendations on final page of Form C. Medical reports returned to Social Worker, with copies retained by Medical Adviser.
- (d) Medical Adviser passes examining Doctor's claim form for payment.

- (e) For older children, steps should be taken to identify as many relevant sources of information as possible, e.g. hospital notes, developmental assessments.

D. Placement

1. Notification of Placement

When the baby is placed for adoption, Social Worker sends to medical adviser letter (AM13I giving details of adoptive couple, including name and address of family doctor and the baby's new name.

2. Information to Parents and Family Doctor

Medical Adviser sends to adoptive parents and their family doctor information about the baby's perinatal and subsequent medical history, and any relevant history of the natural parents and their families.

3. Notification of Finalisation of Adoption

Social Worker notifies Medical Adviser when the adoption has been finalised.

LEGAL PROCEDURES

A LAC Review must obtain legal advice on the permanency plan prior to an item being placed on the agenda of the Adoption and Fostering Panel. The Panel will require a copy of the legal advice to be submitted together with the other reports.

Legal advice should be sought at an early stage and in any event as soon as a LAC Review has determined that rehabilitation is not an option or that parallel planning is appropriate. This should be done by the case social worker completing the Legal Services Referral Form 1.

Upon receipt of this, the Legal Adviser or another solicitor from Legal Services will then make contact to arrange a First Legal Meeting to discuss the case. This will be a preliminary meeting to familiarise the Legal Adviser/solicitor with the case and to look at work done towards rehabilitation/why rehabilitation is being ruled out.

Once a LAC Review has determined the need for and a route to alternative permanent care, then Legal Services Referral Form 2 should be completed. Comprehensive information, including a draft court report (where applicable), should be provided.

Upon receipt of this, the Legal Adviser or another solicitor from Legal Services will again make contact to arrange a Second Legal Meeting to discuss the proposed route to permanency. Note that legal advice is sought as to whether or not there are legal grounds and sufficient evidence to pursue the proposed legal route or whether additional evidence needs to be obtained e.g. through a further attempt at rehabilitation or through expert opinion. After the Second Legal Meeting a written permanency opinion will be provided.

Legal advice is not sought for a decision or recommendation as to what action should be taken. Social Workers should be clear about the proposed legal route and the reasons for choosing this before seeking legal advice.

If legal advice is to the effect that legal grounds do not exist and/or there is insufficient evidence then a LAC Review should consider whether or not to proceed to the Adoption and Fostering Panel or adopt an alternative course.

ADOPTION ALLOWANCES

The Adoption Panel should make recommendation to the Moray Council over eligibility of children to attract an Adoption Allowance in accordance with the Adoption Allowance (Scotland) Regulations 1996 and the approved Moray Adoption Allowance Scheme. This recommendation will be in relation to children referred to the panel as in need of adoption.

COMPLAINT AND APPEALS

Complaints

Complaints regarding practice or the assessment/approval process should be dealt with via the Council's normal complaints procedure for Social Work matters. Contact should be made with the Council's Corporate Complaints Officer (tel 01343 563003) or Chief Social Work Officer (address below).

The Moray Council
High Street
Elgin
IV30 6JB

Contact regarding a complaint can also be made with:

The Care Commission
Compass House
11 Riverside Drive
Dundee
DD1 4NY

Tel 01382 207100
Enquiries 0845 6060890

Appeals

Requests for re-consideration of decisions made through the Moray Fostering and Adoption Panels should be made in writing to the Chief Social Work Officer, Council Offices, High Street, Elgin. The Chief Social Worker will then consider such appeals and as required re-refer the matter to the Panel who will hear the matter anew in light of any additional information applicants may wish to provide. The Panel will then make a fresh recommendation to the Decision-Maker who will then make a final decision.

MORAY ADOPTION & FOSTERING PANEL

Membership – April 2008

<u>CHAIRPERSON</u>	John Carney, Head of Children & Families & Criminal Justice, The Moray Council, Council Headquarters, High Street, Elgin
<u>DEPUTE CHAIRPERSON</u>	Ann Brown
<u>LAY MEMBERS</u>	Jim Rodwell Jacky Smyton Irene Davidson
<u>PROFESSIONAL MEMBERS</u>	Dave Cameron, The Moray Council Debbie Jones/ Cleo Hart, The Rowan Centre, Elgin Kirsty MacLennan, The Moray Council
<u>MEDICAL ADVISER</u>	Helen Green, Community Child Health Dept, Dr. Gray's Hospital, Elgin
<u>LEGAL ADVISER</u>	Margaret Forrest, Senior Solicitor, The Moray Council, Council Headquarters, High Street, Elgin
<u>PANEL SECRETARY</u>	Lori McQuaker, Secretary/PA, The Moray Council, Council Headquarters, High Street, Elgin

CONFIDENTIALITY STATEMENT – NEW PANEL MEMBERS

Dear Panel Member

Appointment as a member of the Moray Adoption & Fostering Panels

I am pleased to advise you that I have accepted a recommendation from the Chair of the Moray Fostering and Adoption Panels that you be appointed as a professional/lay member.

The appointment is initially for a period of two years but may be extended in agreement with the Panel Chair. Panel members are expected to prepare fully for the discussion that occurs at panel meetings and to participate purposefully during the meetings.

The information and papers about children and families made available to panel members is provided in the strictest confidence to enable you to fulfil your role as a panel member.

You should keep the information confidential and not disclose this to anyone else. You should keep the panel papers safe and secure and stored in lockfast facilities. Any breach of such confidence could result in your appointment as panel member being terminated.

You are asked to sign the declaration below and return to the Chair of the Moray Adoption and Fostering Panels indicating your acceptance of the post, the confidentiality expectations and that you have lockfast facilities to store panel papers.

Thank you for your interest in serving on the Moray Panels and I wish you a productive time in your new role.

Appointment as a lay/professional member of the Moray Fostering & Adoption Panels

I(Name) accept the appointment from(Date) for a period of two years. I will abide by the strict confidentiality expectations of the post as detailed above and will return them to the Panel Secretary for destruction once I have no further use of them for panel purposes. I understand that this confidentiality undertaking will subsist indefinitely.

Name of Panel Member.....

Date.....

CONFIDENTIALITY STATEMENT – LEGAL/MEDICAL ADVISER

Dear Panel Member

Appointment as Legal/Medical Adviser to the Moray Adoption & Fostering Panels

I am pleased to note that you have been put forward for appointment as Legal/Medical Adviser to the Moray Fostering and Adoption Panels.

The appointment shall subsist indefinitely until either it is rescinded or you resign.

Panel members are expected to prepare fully for the discussion that occurs at panel meetings and to participate purposefully during the meetings.

The information and papers about children and families made available to panel members is provided in the strictest confidence to enable you to fulfil your role as adviser.

You should keep the information confidential and not disclose this to anyone else. You should keep the panel papers safe and secure and stored in lockfast facilities. Any breach of such confidence could result in your appointment as panel member being terminated.

You are asked to sign the declaration below and return to the Chair of the Moray Adoption and Fostering Panels indicating your acceptance of the appointment, the confidentiality expectations and that you have lockfast facilities to store panel papers.

Thank you for your interest in serving on the Moray Panels and I wish you a productive time in your new role.

Appointment as a Legal/Medical Adviser to the Moray Fostering & Adoption Panels

I(Name) accept the appointment as Legal/Medical Adviser. I will abide by the strict confidentiality expectations of the post as detailed above and will return papers to the Panel Secretary for destruction once I have no further use of them for panel purposes. I understand that this confidentiality undertaking will subsist indefinitely.

Name of Legal/Medical Adviser.....

Date.....