

Children's Social Care

Permanence Policy and Procedures

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PERMANENCE POLICY

1. Introduction

- 1.1 This document sets out the principles, guidance and procedures relating to permanence planning for children and young people from the beginning of their involvement with children's social care services through to permanence being established. This document as well as the other documents and processes highlighted can be found in Tri-X children social care procedures: <http://bradfordchildcare.proceduresonline.com/index.html>

2. The Bradford Vision

- 2.1. That all children and young people are provided with permanence.
- 2.2 Establishing permanence is understood as the means by which children and young people have a secure, stable and loving 'family' to support them through childhood and beyond, and that this is secured without unnecessary delay.
- 2.3. All staff working with children and young people will understand the importance of permanence and incorporate these principles and values into their work from the outset.
- 2.4. Signs of Safety is our agreed approach to making plans for children and young people. The priority is for us to find naturally connected people from our first conversation with families onwards. We know that the best outcomes for children can be achieved if we find a safe home with naturally connected people.
- 2.5 If we need to find an alternative permanent placement then our focus is on ensuring signs of stability; finding carers who understand the impact trauma and loss has upon children, are matched well and can care for the child into adulthood.
- 2.6 High quality plans are intrinsic to the prevention of drift and delay in order to effect permanence placement as early as possible for children.
- 2.7. Children and young people are, from the earliest stages of involvement with social care, provided with information and supported to make sense of their life story and journey to permanence. Bradford's Pledge to all Children Looked after can be found via <https://www.bradford.gov.uk/media/3687/pledge-for-children-in-care.pdf>

3. Defining Permanence

- 3.1. Permanence is defined as a framework of emotional, physical and legal conditions that gives a child a sense of security, continuity, commitment and identity.
- 3.2. Permanence for children and young people has three particular aspects:
 - a) Legal permanence (ensuring whoever is caring for the child has **Parental Responsibility** or that there is somebody in a position to effectively exercise Parental Responsibility);
 - b) Psychological permanence (when the child feels attached to an adult who provides a stable, loving and secure relationship.);
 - c) Physical or environmental permanence (involves a stable home environment within a familiar neighbourhood and community which meets the child's identity needs).

4. Roles and Responsibilities

- 4.1. The Lead Member; as a member of the Council Executive, has political responsibility for the leadership, strategy and effectiveness of Local Authority children's services. The Lead Member Children's Services (LMCS) is also democratically accountable to local communities and has a key role in defining the local vision and setting political priorities for children's services with the broader political context of the Council. (Ref: Statutory guidance on Roles and Responsibilities of DCS and LMCS).
- 4.2. The Strategic Director Children's Services; has professional responsibility for the leadership, strategy and effectiveness of Local Authority children's services. The Director Children's Services (DCS) is responsible for securing the provision of services which address the needs of all children and young people, including the most disadvantaged and vulnerable, and their families and carers. (Ref: Statutory guidance on Roles and Responsibilities of DCS and LMCS).
- 4.3. The Deputy Director of Children's Specialist Services is responsible for overseeing the implementation of this policy across Children's Social Care, Targeted Services and with relevant partners.
- 4.4. Head of Service – Social Work, Targeted Early Help, Through and After Care are responsible for monitoring and ensuring the effectiveness of Permanence planning within the scope of the policy.
- 4.5. Service Managers across Children's Social Care; have responsibility for ensuring high standards of practice and timeliness in the implementation of this policy in practice.

- 4.6. Team Managers across Children's Social Care; oversee the effectiveness of care planning for individual children taking into account relevant research and current best practice including ensuring timely Permanence planning.
- 4.7. Social Workers; lead on care planning for children, obtaining the views of the child and family members and taking these into account when proactively implementing the Permanence plan.
- 4.8. The child's Independent Reviewing Officer; has a key role in providing independent review, advice and challenge to the plan and advocacy for the child in line with the IRO handbook.
- 4.9 The Permanence Improvement Board will provide a strategic overview of the implementation and review of the policy. It will focus on the improvement in measuring and tracking performance at a strategic level, practice improvements and development from good work elsewhere, reviewing processes, procedures and tools.
- 4.10 Children will be presented to the Legal Gateway Panel for a decision to implement the PLO process, to commence care proceedings, to make a request for Section 20 accommodation and for all children who have become subject to Police Protection Orders. Legal advice will be given in relation to threshold and when the representative believes this is necessary.
- 4.11 The Permanence Panel will match and approve all long term matches to foster carers and residential placements. It will agree any discharge of care orders and exception Reports will be presented to the panel for Children who have been on a Placement Order more than 12 months, 26 weeks if adoption is still the plan, adoption placements where the adoption application has not been lodged after 26 weeks and children placed with Parents (PWP) after 12 months.
- 4.12 Tracking arrangements are in place for children on the journey to permanence and these are coordinated through the Permanence Tracker Meetings and outlined in detail in Appendix 1.
- 4.13 The Permanence Planning meeting is a professionals meeting attended by Allocated Child's Social Worker, Fostering or Adoption teams and Legal Services where appropriate see 7.1.

5. Key principles

- 5.1. Wherever possible, care should be provided within the extended family network unless clearly identified as unsafe. Where it is necessary for a child to leave his or her family and become looked after, contact with the family and extended family should be facilitated unless it is deemed harmful.
- 5.2. Where possible, care should be provided locally unless it is clearly

identified as against the child's best interests.

- 5.3. Placement decisions for children and young people looked after should be for as short a period as needed to secure a safe supported return home or, if they cannot return home plans must be made for permanent care with birth family members or within the network of family and friends. Where this is not in the child's best interests, permanent placements outside the family including different legal options such as adoption or long term foster care should be considered depending on the child's needs. This will usually mean running a number of contingency plans alongside each other at any one time.
- 5.4 Residential group living, in a children's home or supported lodgings placement types, should be provided when a need for this is identified within the **Care Plan** and when substitute family care is not appropriate.
- 5.5. The professionals involved including the child's foster carer will work in partnership with parents/families to meet the above objectives. The wishes and feelings of the child will be taken into account. The older and more mature the child, the greater the weight should be given to his or her wishes.
- 5.6. When undertaking permanence planning, all workers have a duty to promote the child's links with his or her racial, cultural and religious heritage by promoting placements wherever possible that allows the child to be brought up within the same racial, cultural and religious environment as his or her birth family.
- 5.7. Where this is not possible, ensuring a placement is identified which can promote links for the child with his or her race, culture and religion.
- 5.8. The professionals involved support children and young people to understand their origins and their life journey to date with life story work.

6. Options for Permanence

Permanence can be achieved in the following ways:

- Staying with or returning to birth parent(s)
- Placements with Relatives, Friends or other Connected Person
- Adoption
- Fostering (Matched)
- Residential Care
- Supported Independent Living

With the following Orders:

- Child Arrangement Order
- Special Guardianship Order
- Care Order
- Adoption Order
- No Order

6.1. Staying with Birth Parent(s)

6.1.1. The first stage within permanence planning is work with children and young people in need and their families to support them staying together. Staying with birth parents offers the best chance of stability. This of course has to be balanced against the risk of harm to the child.

6.1.2. Permanence planning is based on sound assessments of the child's needs that are focused on our strategic aims and, outcomes. The assessment and subsequent Permanence Plan will include consideration of:

- Stability issues;
- The child's current and future needs;
- Implications of permanence for the child and their birth family particularly with regard to contact and identity;
- Current and likely support needs for the child's and the placement.

6.1.3. In all cases, full consultation with all family and community support networks must be considered as a possible method of engaging those who know the child best, or who the child is most attached to, in considering the child's long term needs.

6.1.4. Family Group Conference/Signs of Safety Family meeting should be used from the onset of the case or as early as possible, so that the child (if appropriate), and family members can be involved in the decision-making process and identify potential carers for children within the family.

In all cases, the child's own wishes and feelings must be ascertained where possible and taken into account.

6.2. Placement with Relatives, Friends or other Connected Persons

6.2.1. As part of contingency planning every effort must be made to identify potential placements with relatives, friends or **Connected Persons**. This will be either as part of the plan working towards a return home or - if a return home is clearly not in the child's best interests - as the preferred permanence option. Where relatives and friends are being considered as a possible permanence placement it is important that they have an understanding of the tasks involved in meeting the current and likely long term needs of the child. This

includes the exercise of Parental Responsibility. This can be acquired by relatives and friends carers through either a **Child Arrangement Order** or **Special Guardianship**. Any plans for contact will need to support the stability of such placements.

- 6.2.2. Special Guardians of children and young people who were previously looked after may be supported by the Local Authority if the child is eligible. They will have the right to request an assessment for support services at any time during the application process or after the Order is made. **See Special Guardianship Order Procedures.** http://bradfordchildcare.proceduresonline.com/p_app_spec_guard.html?zoom_highlight=special+guardianship
- 6.2.3. A number of children and young people who are looked after by the Local Authority have been placed with relatives and friends carers on a short-term basis. This may not be the most appropriate permanence placement. Consideration must be given as to whether the permanence needs of children and young people in such placements can be effectively met with the Local Authority holding Parental Responsibility through a Care Order. There is an expectation that where a child is placed with family and friends carers 'permanently' the outcome of any legal process will be that the carer acquires Parental Responsibility. Practice must be in line with **Guidance on Section 20 arrangements.** http://bradfordchildcare.proceduresonline.com/p_dec_look_aft.html
- 6.2.4. If it becomes clear that this placement is not going to meet the child's long term Permanence needs there is a mechanism for the matter to be considered at the Permanence Panel.

6.3 Adoption

- 6.3.1. An Adoption Order transfers Parental Responsibility for the child from the birth parents and others who had Parental Responsibility, including the Local Authority, permanently and solely to the adopter(s).
- 6.3.2. The child is deemed to be the child of the adopter(s) as if he or she had been born to them. The child's birth certificate is changed to an adoption certificate showing the adopter(s) to be the child's parent(s). A child who is not already a citizen of the UK acquires British citizenship if adopted in the UK by a citizen of the UK.
- 6.3.3. Adopters may be supported including financially by the Local Authority if the child is eligible. They will have the right to request an assessment for support services at any time after the Order is made. See Adoption Support Procedures. http://bradfordchildcare.proceduresonline.com/p_adop_support.html
- 6.3.4. If an existing foster carer makes a request to adopt the child living with them, the request should be discussed urgently between the social work service responsible for the child, the One Adoption West Yorkshire

Family Finding Team Manager and the Fostering Service Team Manager/SSW in line with Procedures [http://bradfordchildcare.proceduresonline.com/p_assess_approval.html#ast track](http://bradfordchildcare.proceduresonline.com/p_assess_approval.html#fast_track)

Early Permanence Planning

- 6.3.5.** The Children and Families Act 2014 imposed a duty upon local authorities to consider placement with dually approved carers whenever it is considering adoption or where the decision has been made that the child ought to be placed for adoption, but where the agency does not yet have authority to place the child for adoption through either a placement order or parental consent. These are called Early Permanence Placements (EPP) and are made either with concurrent carers who have dual approval as foster and adoptive carers or with prospective adopters who have been given temporary approval as foster carers (foster to adopt carers). This can be where the child's plan is likely to become adoption, but other options have not yet been ruled out for that child.
- 6.3.6** Situations where an Early Permanence Placement may be considered include;
- Where parents have had one or more child/ren previously placed for adoption or other forms of permanent placement and the evidence strongly suggests that their circumstances have not changed and they pose the same risks as they did to the previous child/ren;
 - The local authority does not have a proactive plan to rehabilitate the child as the circumstances of the parents are such to pose a serious on-going risk;
 - Where this is the first child, the circumstances of the parents and the risks to the child are such that there is no proactive plan to return the child to the birth parents or to other family members;
 - Where parents have indicated that they may want their child adopted, but have not formally consented.
- 6.3.7** The local authority should not consider such a placement where the child is accommodated under section 20 Children Act 1989 and there is a reasonable likelihood that the child will be able to return to his or her birth parents or to family or friends.
- 6.3.8** The decision to make an EPP must be endorsed by the Fostering Agency Decision Maker.
- 6.3.9** Approved prospective adopters may be given temporary approval as foster carers under 25A of the **Care Planning, Placement and Case Review (England) Regulations 2010**. This temporary foster carer approval process must be carried out by Bradford fostering agency decision maker. This

temporary approval can be given for a **named** Looked After child, where the local authority considers that this is in the child's best interests. Before giving such approval, the responsible authority must:

Assess the suitability of that person to care for the child as a foster carer; and Consider whether, in all the circumstances and taking into account the services to be provided by the responsible authority, the proposed arrangements will safeguard and promote the child's welfare and meet the child's needs as set out in the Care Plan.
http://bradfordchildcare.proceduresonline.com/p_foster_for_adopt.html

6.4. Fostering

- 6.4.1.** This permanence option allows a child to live within a family setting until they have reached adulthood and is ready to assume independence. Fostering can meet the needs for psychological and environmental permanence. It has proved to be particularly useful for older children and young people who retain strong links to their birth families – see [Statutory Guidance for Local Authorities on Permanence, Long Term Foster Placements and Ceasing to Look After a Child \(2015\)](#)
- 6.4.2.** A permanent fostering placement must be formally matched and approved by the Permanence Panel.
- 6.4.3.** It is expected that consideration will be given at each statutory CLA Review to Permanence being secured via either reunification to birth family, connected person, a Child Arrangement Order, a Special Guardianship Order or Adoption. This should be formally reviewed at least annually in line with the Care Planning Regulations.
- 6.4.4** Young People who are in a foster placement prior to their 18th birthday and are in education have the opportunity to remain in their foster placement until they have completed their education course – this permanence option is called Post Fostering Lodgings. Foster Cares will be recognised as continuing to foster and care for the young person in their care.
- 6.4.5** Young people who are in a foster placement who have finished their studies that they had started prior to 18 have the opportunity to stay in their current foster placement through a Staying Put arrangement, until 21. Support needs for the young person are identified through a Living Together agreement; young people are expected to be living more independently, with the care element of the foster placement ceasing.

6.5. Residential Care

- 6.5.1.** Residential care, of over 12 months or more, may provide the best permanence option for some older children and young people who either

have a preference not to live in a family setting or who have been assessed as having needs best provided in a residential setting.

- 6.5.2.** A long term residential placement must be formally approved by the Permanence Panel.

6.6 Supported Independent Living

6.6.1 Supported Lodgings placements are where young people from 16 to 21 have the opportunity to 'lodge' in a family environment. Young people are matched via an assessment process to a 'host', their care is based around a Living Together agreement which identifies support needs for the young persons. Young People will be expected to transition from a supported lodging's placement to their own independent tenancy. Supported lodgings are beneficial for young people who need a low needs transition placement prior to independence.

6.6.2 Supported Tenancies for Young People aged 16 to 21 have the opportunity to prepare for their own permanent tenancy through an accredited pre tenancy program of work – within this they will also be afforded the opportunity for a taster flat experience. During the pre tenancy stage young people will be supported in sourcing a tenancy, move in and support for up to 3 months after. Young People are supported in making the transition from young person to functioning adult within a community, encouragement to make their tenancy into their home through, practical, emotional and financial support.

6.6.3 Leaving Care Group Living: Through Care have 2 medium term, (up to 18 months) group living communities where young people aged 16 to 19 can be supported to make the transition from high need residential care towards independence. Referrals are via the White Rose Referral direct to Through Care. Young People will learn key skills with the aim to be able to function as a successful adult in the community.

6.7 Private Fostering Arrangements

For Private Fostering [Private Fostering Arrangements](http://bradfordchildcare.proceduresonline.com/p_private_fost.html?zoom_highlights=private+fostering) – please follow the hyperlink:

http://bradfordchildcare.proceduresonline.com/p_private_fost.html?zoom_highlights=private+fostering

7. Assessing and Planning for Permanence

The Permanence Policy seeks to provide a set of common processes when planning permanence for children and young people who have differing needs and for whom a range of different placement and legal outcomes are required. All Permanence Planning feeds into the Care Plan.

The following process will apply until a final placement and legal permanence is achieved for a child but may be used at other key points in a child's life.

The process of Permanence Planning will be informed by an up to date Child and Family Single Assessment and other specialist assessments where appropriate at four key points;

- Permanence Planning Meeting (Tm lead)
- Permanence Panel
- 2nd Statutory LAC review
- Permanence Tracker Meeting

7.1 Permanence Planning Meeting: The Initial Permanence Planning Meeting will take place within 10 working days of the decision either at LGP or by HOS in urgent cases that the threshold for child entering the Public Law Outline has been met. Subsequent Permanence Planning Meetings will take place at least every 6 weeks, following consideration of:

- The assessment of the child's current and future needs;
- Whether such needs can be met on a permanent basis by a return home or through an alternative substitute;
- Where an alternative to a return home is considered:
- The viability of any possible connected carer placements;
- The most appropriate placement type that will meet the child's permanence needs;
- The most appropriate legal outcome to ensure permanence in the proposed placement type
- Whether an appropriate range of contingency plans are in place
- Who will do what and when to achieve the plan without delay
- How parents will be kept informed.

For guidance see "**Identifying the Best Option**" - See Appendix 2

7.1.1. The Permanence Planning meeting is a professionals meeting attended by Allocated Child's Social Worker, Fostering or Adoption teams and Legal Services where appropriate so that:

- Timely planning takes place avoiding drift;
- Contingency options are actively being pursued
- Previous actions have been carried out
- Placement planning is realistic;
- Likely placement needs are identified early on so that placement commissioning/finding activity is informed;
- Placement support needs are identified early on.

7.1.2. Typically the meeting will include the case holder, their Team Manager and the most appropriate representative from Fostering and Adoption

given the known needs. Other services with significant input such as the Virtual School should be invited as required. Consideration should be given to the child's emotional needs and whether a representative from CAMHS should attend. Please see template for Permanence Planning Meeting. (Appendix 3).

7.1.3. Where children are accommodated under Section 20 of the Children Act 1989 consideration will need to be given to how Permanence will be achieved within the existing partnership arrangements and with the current holders of Parental Responsibility in line with the latest Section 20 guidance [http://adcs.org.uk/assets/documentation/S20 Practice Guidance final Apr16.pdf](http://adcs.org.uk/assets/documentation/S20_Practice_Guidance_final_Apr16.pdf)

7.1.4. The Permanence Planning Meeting will produce a Permanence Plan (incorporated into the Care Plan or Child Protection Plan if Not Looked After reviewed within Core Groups) that is presented to the Child's first or at the latest the second Child Looked After Review. It is an expectation that the Permanence Plan includes one or more contingency plans. The social worker must ensure that the parents are informed of the reasons why more than one plan is being made to meet the child's needs and prevent unnecessary delay.

The Permanence Plan must be updated, following a Permanence Planning Meeting where clarity is reached around which option is most likely for a child. This needs to be reflected in the Care Plan.

7.2. 2nd Statutory CLA Review

7.2.1. A Permanence Plan should be presented to the child's first Statutory CLA Review. By the time of the second Child Looked After Review, at the latest, a child must have a Permanence Plan (incorporated into the Care Plan), which must be presented for consideration at the review. The review will consider the Permanence Plan as part of the Care Plan and ensure that this can meet the child's needs for permanence within realistic timescales.

7.2.2. If assessments have not been completed in time for the second Review, or another option for the care of the child emerges at a later stage of the planning process, a further Review should be convened by the child's Independent, Reviewing Officer (IRO) once the outcome is known, in order that the plan may be ratified as appropriate.

7.3. Achieving Permanence Outcomes

7.3.1. Tracking arrangements are in place for children on the journey to permanence and these are coordinated through the Permanence Tracker Meetings and outlined in detail in Appendix 1.

7.3.2. Where permanent placement disrupts, a meeting should be held. See Bradford Children's Social Care Procedures.

http://bradfordchildcare.proceduresonline.com/p_disrup_adopt_plac.html

Appendix 1

Arrangements for tracking children and their permanence plans are overseen at the monthly Permanence Tracking Meetings. Due to the large numbers of children this involves the trackers have been separated and the lead responsibility named in brackets.

- A) Children in pre-adoptive placements (Social Work Service Manager)
- B) Children with Placement Orders (Social Work Service Manager)
- C) Children pre-SHOBPA (Social Work Service Manager)

Arrangements for other children are as follows:

- D) Children subject to Placement Orders but no adoption plan are tracked (Social Work Service Manager)
- E) Children under 16 with a fostering plan and not matched (Through Care and After Care Service Manager)
- F) Children accommodated under Section 20 (Social Work, Through Care and After Care and Resources Service Manager)
- G) Children subject to PLO (Care Proceedings Case Manager).
- H) Children in residential care (Service Manager for Through and Aftercare)
- I) Children in Connected Carer placements (Social Work Service Manager)
- J) Children who are Placed with Parents.(Social Work Service Manager)

For children in the categories D to J, the lead officer will feed back their analysis and any concerns to the Senior Leadership Group on a **bi-monthly** basis

The Permanence Tracker Meeting will ensure that children are being considered under the appropriate section and transfer if necessary.

2. Arrangements for moving children onto and between sections of the Permanence Tracker

- 2.1 When a decision is first made for a child to become looked after at Legal Gateway Panel, the child is added to the relevant section by the person with lead responsibility for that section, informed by their representative at Legal Gateway Panel, this will usually be the Care proceedings Case Manager.
- 2.2 For children where fostering is the plan will join section E following either a Permanence Panel or at the point of a referral being made to the

Placement Coordination for family finding.

2.3 Children whose circumstances have changed and who need to move sections will be reported to the Permanence Tracker Meeting and either assigned to a new cohort or archived if permanence has been achieved.

2.4 Cross referencing exercises will take place to ensure data accuracy.

3. Checkpoints

In order to avoid drift checkpoints have been introduced as follows:

1. **Exception Reports** are produced and presented to the Permanence Panel. They must be produced in the following circumstances:

- a) Children who have been on a Placement Order and not in an adoptive placement more than 26 weeks if adoption is still the plan.
- b) Children who are in their prospective adoptive placement over 26 weeks with no lodged application for adoption.
- c) PLO how to avoid proceedings 4 months after letter sent.
- d) Children placed with Parents (PWP) after 12 months.

4. Other arrangements

- a) A specific permanence review meeting should be arranged **annually** in preparation for the statutory CLA review for long term fostering arrangements and a discussion held with the foster carer and child about the viability of **SGO, Adoption or a Child Arrangement Order**.
- b) Children in **residential** placements of more than **6 months** duration should discuss establishing the placement as a permanent one. This will be reviewed at the established Challenge Panel and presented to the Permanence Panel for approval if appropriate.

Appendix 2

Identifying the Best Option

It is the duty of the local authority to rehabilitate children within the family wherever possible. Where this is not possible, the local authority must try to ensure that permanence is achieved in the child's best interests and in the child and young person's timescales. Drift and delay has a negative impact on the child's outcomes.

Robust multi tracking planning requires that assessments are done at the earliest opportunity and in the majority of cases that will be during the PLO. There will be occasions where children are looked after under S20. The actions in both scenarios will include the following:

- Referral for a Family Group Conference/ SOS Family Network Meeting
- A comprehensive parenting assessment
- Sibling assessments
- Identification of alternative family/connected carers and undertake viability assessments
- Risk assessments where appropriate.

Clearly communicating the Permanence Plan

It is important that a Permanence Plan is communicated clearly and effectively. It informs the care planning process. Any changes or additions to the Permanence Plan should be ratified by the Permanence Planning meeting.

- Communicating a Permanence Plan effectively involves setting it out clearly and concisely as part of the **Care Plan**, in a way that acts as a useful reference to all involved during the Review process;
- Good quality Care Plans set out clear, concise statements about intended outcomes. Although a sense of 'permanence' can in itself be stated as an outcome, it can also be presented as a means to achieving particular developmental outcomes;
- Make timescales clear. These are about "having regard to the child's age and circumstances, achieving a balance between a framework for an action plan to provide a sense of stability for the child and flexibility to allow for adequate changes in the parents or birth families circumstances" (Family Rights Group 1998).

THINGS TO CONSIDER

Consultation

Consultation of all relevant parties, including relevant professionals, carers, parents and the child is an integral part of the permanence planning process and should be clearly evidenced throughout the process.

Hearing the child

The importance of carefully listening to what children and young people want from the placement, helping the relationship between carer and child to develop, making thorough plans around contact with family, providing vigorous support during crisis times and taking a sufficiently flexible attitude to adoption by carers.

Family finding

- The older a child is then the less likely it is that the child will secure a permanent family through adoption;
- The larger the family group of siblings, then the harder it is to secure a single placement that will meet all the needs of all the children.

Contact

- Promoting stability of the placement is the prime aim of permanence planning;
- Contact can play an important part in promoting a child's sense of identity and may in some circumstances promote placement stability;
- Planning for contact should consider:
 - ✓ Impact of contact arrangements on the stability of a placement- this is of particular importance in family placements when the carer holds Parental Responsibility;
 - ✓ Sustainability of contact;
 - ✓ Provision to support parties in contact;
 - ✓ Direct contact may be indicated when the child has a positive and ongoing attachment to a parent or significant other;
 - ✓ Direct contact is more likely to be meaningful and sustained when the child's parent supports the permanence plan and there is an existing relationship between parents and carer;
 - ✓ There may be a need for ongoing agency involvement through a Care Order where contact issues remain challenging or contentious;
- Indirect contact can provide a means for an exchange of information when the parent does not support the Permanence Plan or where the placement is with a "stranger". Such contact needs to be carefully planned for and may need to be supported through an intermediary.

Placement/Contact with Siblings

- It is important to assess the extent and quality of relationships in a sibling group and for this work to be undertaken early in order to inform the Permanence plan for the children. Usually, and especially where there is a pre-existing and meaningful relationship, it will be important to seek to maintain sibling relationships within any Permanence Plan, including those where an alternative family placement is sought;
- The impact on separated siblings of losing vital support, a shared history and continuity affects stability in the placement;
- The importance of identifying strengths and difficulties in sibling relationships in order to make appropriate permanent placement decisions. It is important to ascertain the perceptions and wishes of the child and their family, to assess the shared experience of siblings and the children's individual permanence needs. This involves thorough consideration of issues of gender, race, disability and identity;
- More successful outcomes occur for children and young people placed together with their siblings. Children and young people should therefore be placed with their siblings unless there are exceptional circumstances, such as dynamics that are likely to significantly undermine either stability of the placement or its ability to meet the needs of one or more child;
- It is important to recognise that children who have suffered severe abuse and neglect may have bonds based on a shared trauma rather than a mutually supportive sibling relationship, and that in the longer term; their individual needs may mean separation allows for emotional recovery.
- Difficulties in finding a suitable placement for a sibling group may lead to drift. The immediate non-availability of a suitable placement should not prevent rigorous home-finding efforts, **within an agreed time frame**, based on balancing the potential for success against the risk of undue delay;
- Placement Planning should include arrangements for contact when siblings cannot be placed together. Planning should consider the child's need for contact, the ability of the placement to support contact and the impact of contact on the stability of the placement.

Geographical considerations in terms of placement stability/risk

This is important when considering whether current carers can become the child's permanent carer. Is the proximity of birth family members likely to destabilise or support a placement?

KEY POINTS OF DIFFERENT LEGAL OUTCOMES ADOPTION

- The child severs Legal ties with the birth family
- Adoption certificate is issued in place of birth certificate and is equal in every respect to a birth child of the adopter.
- The child's surname is usually changed to that of the adoptive family, exceptional cases forenames may be changes.
- The child can sometimes trace birth parents via the adoption register when an adult or earlier with the permission of the adoptive parents.
- Provision of financial support may be considered, if the needs of the child is over and above what could reasonably be expected.

SPECIAL GUARDIANSHIP

- Birth parents retain Parental Responsibility but Special Guardian(s) have "super PR" and can overrule them, although they are still entitled to consultation
- The child retains their name and relationships and does not automatically receive the benefits, e.g., inheritance, of adoption.
- Special Guardian is entitled to services and often finance under a support plan.

SUPERVISION ORDER

- The Local Authority "befriend" the child, has the benefits of reviews and social work involvement and may have agreements with parents, breach of which will mean a return to Court.
- Time limited.
- Difficult to enforce.

CHILD ARRANGEMENT ORDER

- Clarifies whom child should reside with, etc. Enforceable by the parties (parents, grandparents, connected carers, etc).
- No direct role for the Local Authority.

Advantages and disadvantages of different legal outcomes

ADOPTION

ADVANTAGES

- Adoptive parents gain PR and the child has legal rights equal to that of a birth child
- Child has permanence within a new adoptive home, hopefully for life.
- Child has security, emotional stability in their 'forever family'
- Child is protected from damaging influences from birth parents/family.
- Child becomes a child of the adoptive family and is treated as such for inheritance purposes.
- Finality and certainty after potentially periods of disruption and disarray within the birth family.
- The outcomes for children in adoption are consistently better across a range of measures including lower rates of disruption than long term fostering.
- CSC involvement ceases (no statutory ongoing responsibility) on the making of an adoption order, family may wish to request adoption support involvement.

DISADVANTAGES

- Possibility of breakdown with consequential emotional harm/loss.
- The basis of adoption under constant challenge on human rights grounds.
- Parental responsibility is extinguished permanently for birth parents.
- The child is denied the advantage of growing up within their birth family, family ties being severed permanently.
- The parents are likely to have restricted contact, often letter box on very few occasions per year. Contact is usually limited to indirect exchange of information or direct with siblings adopted elsewhere

SPECIAL GUARDIANSHIP ORDER

ADVANTAGES

- Special Guardians have enhanced parental responsibility (PR) to enable them to safeguard the child against potentially damaging parental influences.
- The child has permanence within the new family.
- The child may retain contact with the birth parents/family; it may be possible to have direct contact.
- Damaging contact can be limited, assessment of risks of contact can be made and a judgement made to restrict contact with which the parents cannot interfere.
- If the placement breaks down, it may be possible for reunification to the birth family if the parents' circumstances have changed.

- Child may be able to retain, maintain and develop cultural identity.
- Parents retain parental responsibility for the child, albeit that it is superseded by the special guardians who have enhanced PR.
- The order is a lesser order in nature than a care or placement order.
- Child is not classed as a Child Looked After.

DISADVANTAGES

- Parents have reduced PR and contact may not be promoted as they would wish.
- SGO holders may abuse their position, and deny contact/act unfairly towards parents.
- The child is denied the opportunity to grow up with their parents.
- The parents are denied the opportunity to bring up their own children.
- The parents can seek leave to revoke the order.

CHILD ARRANGEMENT ORDER

Child Arrangement Orders were introduced in April 2014 by the Children and Families Act 2014 (which amended section 8 Children Act 1989). They replace what were formerly known as **Contact Orders and Residence Orders**. The Local Authority is not a party as they are private law orders.

ADVANTAGES

- Parents retain parental responsibility.
- Less interventionist than the above orders.
- Allows the child to retain contact with the parents/birth family.
- Child may be able to live with both parents, 'shared care arrangement'
- Contact can be defined within the Order, which may prevent disputes and allow certainty to child and all parties.

DISADVANTAGES

- One or both parents may not be able to obtain legal aid; this could lead to an unfair advantage by the wealthier parent who can fund the court process.
- A relative, such as a grandparent, may be able to fund the court process, leaving the parent or parents unrepresented and therefore at a disadvantage.
- Child may 'slip through the net' and the Local Authority may be denied the opportunity to intervene in the child's life.

SUPERVISION ORDERS

ADVANTAGES

- The Local Authority remains involved for the duration of the Order, in a supervisory and monitoring capacity.

- The child maintains a link with a social worker and the protection this affords them.
- The child and family will receive support and services.
- The Order is a lesser order than the above orders.
- The Order is time limited, (usually 12 months), so they can see the possibility of the Local Authority releasing control and returning to having a normal life without Local Authority intervention.

DISADVANTAGES

- The Local Authority cannot enforce the order.

LONG TERM FOSTERING

ADVANTAGES

1. The Local Authority retains a role in negotiating between the foster carers and the birth family over issues, such as continuing direct contact.
2. There is continuing social worker support to the child and foster family in a placement which is regularly reviewed to ensure that the child's needs are met.
3. It maintains legal links to the birth family who can still play a part in the decision making for the child.

DISADVANTAGES

1. Lack of Parental Responsibility for the carers.
2. Continuing social work involvement.
3. Regular reviews, which are statutorily required, to ask if rehabilitation to the parent is to be considered. This may be regarded as destabilising to the placement.
4. Stigma attached to the child through being Looked After.
5. The child is not a legal member of the family. If difficulties arise there may be less willingness to persevere and seek resolution.
6. Higher disruption rates compared to SGO and adoption.

Comparison of legal outcomes and family placement type

The table outlined below compares key needs associated with permanence and benefits differing legal orders bring.

Permanence Need	Child Arrangement Order/Special guardianship Order	Adoption	Long Term Fostering
Security and Identity	Child Needs the security of a legally defined placement with alternative carers', but does not require a lifelong commitment involving a change of identity.	Child's primary need is to belong to a family who will make a lifelong commitment. Have good outcomes in terms of stability.	Primary needs is for a stable, loving family environment whilst there is still a significant level of continued involvement with the birth family.
Exercise of Parental Responsibility	Child's relation, foster or other carer needs to exercise day to day parental responsibility and is prepared to do so as a lifelong commitment.	Child's birth parents are not able or not willing to share parental responsibility in order to meet their child's needs.	Child has a clear sense of identity and involvement with the birth family, whilst needing to be cared for away from home.
Contact	There is no need for continuing monitoring and review by the local authority, although support services may still need to be arranged.	Child needs an opportunity to develop a new sense of identity whilst being supported to maintain or develop a healthy understanding of their past.	Ongoing need for continued monitoring and support by the Local Authority.
Support	Special Guardianship Support Services or Child Arrangement allowance.	Adoption Support services	There is a need for continuing over-site and monitoring of the child's developmental progress.
Attachment	Child may have a strong attachment to the alternative carers and legally defined permanence is assessed as a positive contribution to their sense of belonging and security. Could support the maintenance of links to the child's birth family.	Child expresses a wish to be adopted if old enough. Enables a child to have legal and emotional permanence through childhood and beyond.	Birth parents may be able and willing to exercise a degree of parental responsibility.

Key features that will impact upon the route to permanence are:

- Age and view of child;
- Availability of possible relative /friend placement;
- The needs of the child, particularly in respect to attachment and ability to function in a family placement.

The scenarios set out below describe different routes to permanence – the scenarios outline as most likely options, but are not exclusive and adoption should always be a possible option for children regardless of age:

Scenarios

1. Children under 7 - no connected people available

Permanence Meetings	Permanence Planning in panels	Permanence outcomes
<p>Permanence meeting considers multi track including Early Permanence Planning unless it is clear return is not possible.</p> <p>Attended by Team Manager, Social Worker, One Adoption.</p>	<p>Agency decision maker considers 'should be placed for adoption' and match/adoption support.</p>	<p>Early Permanence Placement</p> <p>Adoption</p> <p>SGO with current carers</p> <p>Long term fostering</p>

2. Children under 7- connected people available

Permanence Meetings	Permanence Planning in panels	Permanence outcomes
<p>Permanence meeting considers multi track unless it is clear return is not possible. This meeting should be informed by feedback from a Family Group Conference to consider connected carers options. Attended by: Team manager, Social worker, Connected Carer supervising social worker.</p>	<p>Fostering Panel considers</p> <p>Need for permanence</p> <p>Approval of connected carers</p> <p>Match and support</p>	<p>Priority order of outcomes:</p> <p>Special guardianship</p> <p>Child arrangement order</p> <p>Care order – active consideration of/possibility of move to SGO/CAO</p>

3. Children and young people 8 – 16 - no connected people

Permanence Meetings	Permanence Planning in panels	Permanence outcomes
Permanence meeting to include Team manager Social worker Fostering team Residential Service	Panel consideration of Need for permanence Best placement type Approval of carers Evaluation of support issues and plan Match placement to child	Hierarchy of desired outcomes SGO CAO LT fostering with Care order (possible resumption of PR by carers through SGO/CAO) Residential with Care order Assumes that an assessment indicates that child's needs can best be met in family setting.

4. Children and young people 8 - 16 – connected people available

Permanence Meetings	Permanence Planning in panels	Permanence outcomes
This meeting possibly informed by a Family Group conference/SOS network meeting to consider the connected carers options. Attended by Team Manager, Social Worker, Connected Carers/SGO team	A panel considers Need for Permanence Approval of connected carers Match and support	Priority order of outcomes SGO CAO Care order – possibility of move to SGO/CAO

INITIAL PERMANENCE PLANNING MEETING (PPM)

Child Details

Name of Child	LCS Number	Initial or Review PPM	Date of Meeting
Legal Status of Child			

Present (and apologies)

Name	Present Relation	Attended

Background

Brief background history outlining the reasons the child/ren became looked after and any historical concerns

Any extended family/friends, connected carers that have or that require assessment

Name of potential carer	Relationship to child	Do they want to be assessed? (Confirm they have been contacted directly and given this opportunity)	Date viability completed; and whether positive or negative	If negative, opposing LA decision? (Confirm they have been advised in writing and sent copy of assessment)	Date full assessment to be completed. What type of assessment and who completing	Date of panel (if required)	Comments (include brief reason if negative assessment or if they have chosen not to be assessed)

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Life Story Work and Preparation for Change

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Sibling Group?

Number of Siblings placed apart from child

Were these children originally assessed to be placed apart?

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Sibling Assessment

--

Contact current and future plans

--

Child's Wishes, Feelings and Understanding

--

Parent's wishes, feelings and understanding

--

Other Professional Views

IRO Name

Current View

--	--

Guardian Name

Current View

--	--

Legal Planning and Court Timetable

--

Where referral needs to be made

--

Permanence Planning Options

	Yes / No	Comment	
Early Permanence			
Reunification			
Placement with family/friends CAO/SGO			
Long term fostering			
Adoption			
		SHOBPA Target Date	SHOBPA Date Booked

Permanent plan selected	Comment

Has the child now achieved permanence and permanence planning meetings are no longer required?

--

PPM Recommendations and Actions Required

Recommendations/Actions	By Whom	Target Date	Completed (For reviews add completed/updated)

If not completed, carry forward – or if completed, remove from list on future reviews			
Contingency Plan			

Date of Next Meeting

Appendix 4

Permanence for children and young people - Exception Report

This should be completed by the social worker on a **quarterly** basis in respect of all children in the circumstances described below:

- Children who have been on a Placement Order and not in an adoptive placement more than 26 weeks if adoption is still the plan.
- Children who are in their prospective adoptive placement over 26 weeks with no lodged application for adoption.
- PLO how to avoid proceedings 4 months after letter sent.
- Children placed with Parents (PWP) after 12 months.

Following completion this should be signed off by the team manager and copies sent to the next Permanence Panel Meeting.

This does not replace the discussion that should be held at every CLA review and Permanence Planning Meeting. Its purpose is to collate information across the service about the progress of permanence planning, identify and unblock any systemic or resource issues in order to promote learning and improvement.

Name of child	Tick as appropriate	CASS number
Placement Order over 26 weeks		Date
Placement with Parents over 12 months		Date
PLO over 4 months		
Adoptive placement over 26 weeks		

Reasons for lack of progress

Reason	Actions taken to mitigate	Target date
e.g. serious medical concerns		

Signed: Social worker

Date

Signed: Team manager

Date



Bradford Permanence Panel - Terms of Reference

Overview

Early permanency planning is essential for all looked after children and young people to avoid drift and to progress plans for security and facilitate attachment. The objective of planning for permanence is to ensure children and young people have a secure, stable and loving 'family' to support them through childhood and beyond, and that this is secured without unnecessary delay. To achieve this, senior management oversight ensures plans are robust, scrutinised, timely and meet the needs of the child/young person.

Permanence for children and young people has three particular aspects:

- i) Legal permanence (ensuring whoever is caring for the child has Parental Responsibility or that there is somebody in a position to effectively exercise Parental Responsibility);
- ii) Psychological permanence (when the child feels attached to an adult who provides a stable, loving and secure relationship).
- iii) Physical or environmental permanence (involves a stable home environment within a familiar neighbourhood and community which meets the child's identity needs).

Permanency should always be the guiding principle for all our services working with children/young people and their families. It applies to all looked after children/young people and care leavers.

Purpose

The Permanence Panel will ascertain how the child's permanence needs are going to be met and ensure that permanence is achieved through a number of routes – return to family, adoption, special guardianship, connected person placement, Child Arrangement Order and long term fostering.

All of these will be duly considered by the Panel and ensure these options are considered for each child/young person as appropriate.

The issues to be considered by the Permanence Panel include;

- To offer advice and make recommendations in respect of care planning and ensure that case planning is effective.
- To quality assure final care plans within public law proceedings prior to the decision making CLA review.
- To approve long term fostering matches
- To agree the Special Guardianship support plan and financial support package.
- To approve decisions to discharge Care Orders and provide legal advice in relation to the threshold.
- To resolve any presenting issues/obstacles and seek senior manager decisions/view if required and ensure that there is effective communication between the professionals involved.
- To escalate concerns with senior management, as required, where particular cases highlight drift or difficulties that will hinder implementation of agreed plans.
- To consider exception reports for;
 - Children who have been on a Placement Order more than 12 months, 40 weeks if adoption is still the plan.
 - Adoption placements where the adoption application has not been lodged after 40 weeks.
 - Children placed with Parents (PWP) after 12 months.

Membership

The Permanence Panel will have the following representatives:

- Chairperson – Head of Service, Through Care and Resources
- Deputy Chairperson –Through Care Service Manager
- IRO Team Manager
- Social Work Service Manager
- Court Consultant
- Placement Finding Hub
- Connected Persons Team Manager

PANEL SUPPORT

- Local Authority Lawyer
- Panel Administrator

Legal Advice

- Legal advice should be given at the meeting for cases involving a request to discharge a Care Order, and in exceptional circumstances would be provided remotely. It may be required for other matters.

Role of the Lawyer / Panel Legal Advisor

It is the role of the lawyer to give legal advice to the panel on all cases before panel requesting a discharge of Care Order, unless in the view of the lawyer, no legal advice is required.

Frequency

The Permanence Panel will take place weekly. The frequency of these panels will be subject to review.

The allocated social worker and team manager will be asked to present an update in reference to any identified cases. Information presented to the panel will be both verbal and written.

The minutes from the Permanence Panel will be available within 3 working days of the panel and be uploaded to the child/young person's Liquid LCS file.

Attendance

The meeting must be quorate. A minimum of three members must be present, which must include a Head of Service and Service Manager.

In the event that a Head of Service is not available then the role of chair can be delegated to a Service Manager (Through Care Service Manager). In these circumstances there must be two Service Managers in attendance (one of whom will assume the role of chair).

The social work Team Manager and the allocated Social Worker must attend to discuss the case.

The Team Manager who attends the panel must have sufficient knowledge of the case to present information to the panel.

Documentation

The following documentation may be required for the panel to inform discussion and decision making and if required must be completed by the social worker and approved by the Team Manager. The Service Manager is required to approve the discharge Care Order referral form and Final Care Plan.

- The Discharge Care Order Referral Form
- Exception Reports
- Final Care Plans
- SGO Support and Contact Plans and Financial Assessment
- Long Term Fostering Matching Reports

All paperwork submitted will need to be evidenced in a Signs of Safety format including child's involvement, danger and safety statements.

Failure to provide the required paperwork in accordance to the agreed timescales may require the case to be deferred from the panel.

(This should be 1pm Thursday for Panel on Tuesday afternoon).

Administrative Arrangements

The Permanence Panel will meet on a weekly basis on a Tuesday afternoon.

The administrative support for the Panel will be provided by a designated Administration Officer. Duties of the Panel Administrator will include drawing up the agenda, arranging venues, scheduling cases, collating, circulating paperwork and taking the minutes of the meetings. The Court Consultant will also maintain a tracking system to monitor adherence to the decisions of the Panel within agreed timescales.

Decision Making and Recording of Decisions

Decisions about final care plans will remain within the social work service. For all other decisions will be made taking account of the views of the panel members. However, if there is no consensus decision, then the final decision rests with the chair of the panel following full consideration of the information shared and views expressed by the panel members. Decisions are expected to be complied with save for exceptional circumstances. Change of plans and non-compliance should be discussed by the Service Manager with the Head of Service who had chaired the panel. The Panel Administrator should also be notified.

The Court Consultant will record a summary of the decisions on the children's files immediately after each panel and will record all decisions on the panel tracking spread-sheet.

The legal representative will at the end of meeting confirm with the Panel Administrator any legal advice given. The Panel Administrator will circulate the minutes and written legal advice to the allocated social worker, the social work Team Manager, the relevant Service Manager within 3 working days of the panel. Legally privileged advice or discussions should be recorded on the restricted section of the CIVICA) on [LCS](#) by the allocated social worker.

Actions following the panel will be the responsibility of the Team Manager and will be reported to the Service Manager in Performance Meetings.

All cases which progress into discharge legal proceedings should go through the panel.

The Court Consultant will report any issues, progress and development to the monthly performance meeting.

Confidentiality

The Minutes of Panel are private and confidential and contain legally privileged information. They should not be disclosed to any third party without legal advice and the consent of the panel chair.