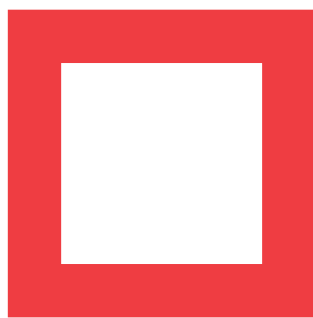


Appendix C:



Feedback form

Consultation on Adoption Agency Regulations and Adopter Assessment Regulations

CONSULTATION RESPONSE FORM

The closing date for this consultation is 01/05/2004

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual consultation responses. This will extend to your comments unless you inform us that you wish them to remain confidential.

Please tick if you want us to keep your response confidential

Name _____

Organisation and job title (if applicable) _____

Address _____

Return completed forms to: Placement, Permanence and Child Protection Division

Area 121 Wellington House

133-155 Waterloo Road

London

SE1 8UG

Telephone: 020 7972 2000

Fax: 020 7972 4179

email: adoptionagencies.consultation@dfes.gsi.gov.uk

Please indicate whether you are responding:

As an individual On behalf of an organisation

Please tick one box from the following list of options that best describes you as a respondent. This enables views to be presented by group type.

Local Authority Voluntary Adoption Agency Representative Group

Social Worker Adopter Prospective Adopter

Academic Other (please specify) _____

A. ADOPTION AGENCIES REGULATIONS & GUIDANCE

Question One – Independence of adoption panel chairs

(a) Regulation 3(2) requires agencies to appoint a person as the chair of the adoption panel who is independent of the agency. Is this feasible?

Yes No No view

If not, please comment on why this would not be feasible:

Comment:

Question Two – Tenure of panel members

(a) The draft Regulations provide that a panel member may not be appointed to a panel for more than two consecutive terms of five years. Is this the right length of time?

Yes No No view

(b) If no, what would be a more appropriate length of time?

Maximum of two terms of three years

Maximum of two terms of four years

Other (please specify) _____

Comment:

Question Three – Social worker panel members

(a) Reflecting current requirements, draft Regulation 3(3)(a) provides that the two social workers appointed to the panel should be in the employment of the adoption agency. Should this be relaxed?

- Yes No No view

(b) If yes, should we:	Yes	No
Require that only one of the two social workers be in the employment of the agency	<input type="checkbox"/>	<input type="checkbox"/>
Allow the agency discretion as to whether the two social workers should be in its employment	<input type="checkbox"/>	<input type="checkbox"/>
Adopt an alternative approach (please specify in the comments box below)	<input type="checkbox"/>	<input type="checkbox"/>

Comment:

Question Four – Restrictions on independent panel members

(a) Where the adoption agency is a local authority Regulation 3(6)(a) prevents a person being appointed as an independent member of the adoption panel if they are in the employment of the social services department. Does this sufficiently protect the panel’s independent element?

- Yes No No view

(b) If no, should the Regulation be amended to reflect the current restriction that prohibits the appointment of any person in the employment of the local authority?

- Yes No No view

Comment:

Question Five – Targets for baby placements

(a) Should the guidance set targets or benchmarks where the agency is considering adoption for a relinquished baby aged 6 weeks or less?

Yes No No view

(b) If yes, should these cover:

	No	Yes	If yes, do you have a suggested target?
--	----	-----	---

Preparing a report for panel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
------------------------------	--------------------------	--------------------------	--------------------------

The panel's consideration and recommendation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	--------------------------

The time for the agency decision maker to make a decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	--------------------------

Matching with prospective adopters once decision made	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	--------------------------

Placement with prospective adopters once match made	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	--------------------------

(please specify) _____

(please specify) _____

Comment:

Question Six – Legal advice to panels

(a) Regulation 17(2)(c) states that the adoption panel may obtain legal advice as it considers necessary in relation to the case. Is this sufficient?

Yes

No

No view

(b) If No, should there be a requirement for the panel to obtain legal advice in every case?

Yes

No

No view

Comment:

Question Seven – Preparation of prospective adopters

(a) Is it sufficient to set out an expectation in guidance that all prospective adopters should receive preparation?

Yes No No view

(b) If no, should there be a requirement in Regulations that stipulates that an adoption agency may not proceed with an application unless the prospective adopters participate in preparation sessions?

Yes No No view

(c) Should there be a standard form for trainers and prospective adopters to complete together during the preparation sessions and share with the social worker undertaking the home study?

Yes No No view

(d) If yes, should it cover:

	Yes	No
Issues that should be followed up in the home study	<input type="checkbox"/>	<input type="checkbox"/>
The prospective adopter's evaluation of the preparation they have received	<input type="checkbox"/>	<input type="checkbox"/>
Areas requiring further preparation/training	<input type="checkbox"/>	<input type="checkbox"/>

Other (please specify) _____

Comment:

Question Eight – Checks with local authorities

- (a) Adoption agencies are required to obtain a report from the local authority where the adoption agency is not the local authority in the area where the adopters have their home, or where the agency is the local authority, a report from its social services department. Should this requirement be extended to include other parts of the local authority?

Yes No No view

- (b) If yes, which parts?

Education department Housing department Other (please specify)

Comment:

Question Nine – Checks on prospective adopters

- (a) Should prospective adopters be checked against the Child Protection Register of the Local Authority where they live?

Yes No No view

- (b) If yes, should this be covered in:

Regulations Guidance

- (c) The draft guidance asks agencies to write to adult children and ex-partners of prospective adopters to ask about any child protection concerns. Are agencies given appropriate discretion on this issue?

Yes No No view

Comment:

Question Ten – Referees

(a) Regulation 23(2) and Schedule 4 of the draft Regulations require personal references to be provided by three referees, not more than one of whom may be a relative. The agency will also be expected to write to the current employer of prospective adopters who are in work. Should this be amended?

Yes No No view

(b) If yes, how should it be changed?

Require two referees

Require four referees

Remove restriction on the number of referees
who may be relatives

Prevent any relatives from being referees

Other (please specify) _____

(c) Should referees be checked against the Child Protection Register of the Local Authority where they live?

Yes, recommended in guidance Yes, required in Regulations

No No view

Comment:

Question Eleven – Sending prospective adopters a copy of the report to panel

(b) Does the requirement in regulation 23(6) to allow 14 days for the applicants to comment on the agency's report allow the prospective adopters sufficient time to read and respond to the report?

Yes

No

No view

Comment:

Question Twelve – Referring cases back to panel when the agency is minded not to approve prospective adopters

(a) As most applicants that agencies are minded not to approve as prospective adopters are likely to choose to go to the independent review panel is it necessary to also retain the option for them to submit representations to the adoption agency rather than seek an independent review in Regulation 25?

Yes

No

No view

(b) If yes, can you offer examples of when would it be helpful for prospective adopters to have their case re-considered by the agency rather than the independent review panel?

Comment:

Question Thirteen – Restricted approval of prospective adopters

The draft Regulations do not provide for the approval of adopters to specify the characteristics, number, or age range of children they would be able to care for. However, it is considered good practice for the agency to indicate the number and age range that the prospective adopter would be qualified to care for.

(a) Should restricted approvals be left to the agency's discretion as now?

Yes No No view

(b) Should restricted approvals be recommended in the guidance?

Yes No No view

(c) Should restricted approvals be required in the Regulations?

Yes No No view

Comment:

Question Fourteen – Reviews of approved adopters

(a) Where prospective adopters have not had a child placed with them or where their circumstances have changed should the Regulations impose an obligation on the adoption agency to review the adopters' approval?

Yes No No view

(b) Should the approval be reviewed at a particular point in time?

Yes, after one year Yes, after two years Yes, after three years
 Yes, after a different time No No view
(please specify) _____

(c) Should the approval be reviewed when the agency becomes aware of a change in the circumstances of the prospective adopters?

Yes (please give examples below) No No view

(d) Should the review include:

	Yes	No
Making further enquiries	<input type="checkbox"/>	<input type="checkbox"/>
Obtaining further information	<input type="checkbox"/>	<input type="checkbox"/>
Preparing a report for the adoption panel	<input type="checkbox"/>	<input type="checkbox"/>
A chance for prospective adopters to comment on the report	<input type="checkbox"/>	<input type="checkbox"/>
Panel consideration and recommendation	<input type="checkbox"/>	<input type="checkbox"/>
Making a decision	<input type="checkbox"/>	<input type="checkbox"/>
Notifying prospective adopters of the decision	<input type="checkbox"/>	<input type="checkbox"/>

(please specify) _____

(please specify) _____

Comment:

Question Fifteen – The placement plan

(a) Regulation 27(3) requires the agency to ascertain the views of the prospective adopter about the proposed placement. Regulation 30(2) requires that the agency must provide the prospective adopter with the placement plan at least 7 days before the child is placed with them. Is this appropriate?

Yes No No view

(b) If no, when should the agency be required to share the plan with the prospective adopters?

- Before it is completed
- On the day of the placement (with the agreement of the prospective adopters)
- Other (please specify) _____

(c) Should the requirement for placement plans be treated differently if the child is a baby aged under 6 weeks?

Yes No No view

(d) If yes, how should it be different?

Comment:

Question Sixteen – Visits

(a) Regulation 31(5) stipulates that the agency must visit the child and the prospective adopter within one week of the placement and on such other occasions as the agency considers necessary. Is this sufficient?

Yes No No view

(b) Should the Regulations specify that the agency must carry out further visits at a specified frequency?

Yes No No view

(c) If yes, should we require: Yes No

Weekly for the first four weeks

Fortnightly for the following four weeks

And then monthly until such a time as the adoption order is made

Plus such other occasions as the agency considers necessary

Weekly for the first eight weeks

Fortnightly for the following eight weeks

And then monthly until such a time as the adoption order is made

Plus such other occasions as the agency considers necessary.

Other (please specify) _____

Comment:

Question Seventeen – Complaints

Section 117 of the Adoption and Children Act 2002 extends the Children Act 1989 complaints procedure, which is more child focused, to all complaints and representations about the exercise of functions under the Adoption and Children Act 2002. Which child focused functions carried out by adoption agencies under the Adoption and Children Act should be subject to the Children Act complaints procedure?

Comment:

Question Eighteen – Informing the adopted person of his adoption

Should the Regulations require adoption agencies to ask prospective adopters to give a written undertaking to inform the child (at a time and manner considered appropriate by the adopter) of his adoption before he reaches 18?

Yes

No

No view

Comment:

Question Nineteen – Arrangements Required

To what extent do the Regulations and guidance together make clear what arrangements adoption agencies must put into place (such as establishing an adoption panel and formulating policies and procedures)?

Very clear

Largely clear

Not very clear

Not at all clear

How could this be improved?

Comment:

Question Twenty – Adoption Agency Duties

Do the Regulations and guidance together make clear what duties adoption agencies have and the actions they must take to implement these?

Yes

No

No view

In relation to:

Are the Regulations and guidance:

Very clear	Largely clear	Not very clear	Not at all clear
------------	---------------	----------------	------------------

Considering a child for adoption

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Considering applicants as prospective adopters

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Matching children with approved adopters

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Reviewing placements

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Recording, storing, safeguarding, accessing and transferring confidential adoption case records

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Contact

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Handling parental responsibility

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

How could they be improved?

Coverage of:

Suggested improvements:

Considering a child for adoption

Considering applicants as prospective adopters

Matching children with approved adopters

Reviewing placements

Recording, storing, safeguarding, accessing and transferring confidential adoption case records

Contact

Handling parental responsibility

Question Twenty One – Transitional Issues

What arrangements need to be put into place to ensure the transition between the old and the new systems work effectively?

What are the key issues needing to be addressed?

Question Twenty Two – Overall Detail

Overall, is the level of detail provided by the Regulations and guidance:

- Too much About right Too little

Comment:

What additional issues need to be covered and where?

Additional Issues (please list)	Regulations (please tick)	Guidance (please tick)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comment:

Question Twenty Three – Overall View of the Guidance

Overall, in assisting you in interpreting the requirements set out in the Regulations do you find the guidance

Very helpful Helpful Not very helpful Not at all helpful

Comment:

How could we make the guidance more helpful and accessible?

Comment:

B. SUITABILITY OF ADOPTERS REGULATIONS & GUIDANCE

Overall, do you find the guidance

Very helpful Helpful Not very helpful Not at all helpful

Do you have any general comments about the best way to make the guidance more helpful and accessible?

Comment:

Question One – The assessment

(a) Should it be a requirement that all children being placed for adoption should have their own bedroom in the adoptive home?

- Yes, recommended in guidance Yes, required in Regulations
 No No view

(b) Some agencies are using “Adult Attachment Interviews” to explore the extent of unresolved attachment issues in the history of prospective adopters. In your experience are these currently used:

- Extensively A reasonable amount Occasionally
 Not used No view

(c) In your experience, when they are used are they:

- Very effective Effective Occasionally effective
 Rarely effective Ineffective

Comment:

Question Two – Standard documents and tools to assist local implementation

(a) Should the Department provide standards of the following documents to assist with local implementation:

	Yes, using existing documents (please give details)	Yes, commission new documents	No
Application form to ensure that everyone is collecting the same information in the same way	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Letter to referees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Letter to adult children of prospective adopters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Letter to ex-partners of prospective adopters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prospective adopter preparation/ training review form to record key issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify) _____			

(b) The guidance quotes the tools produced to accompany the Framework for the Assessment of Children in Need and their Families. Please list below other tools that would be helpful to social workers assessing prospective social workers:

Tools already in existence that should be disseminated (please provide details of where these can be obtained from)	New tools that the Department should commission
_____	_____
_____	_____
_____	_____

Comment:

Question Three – Status of guidance

Should the guidance be:

Statutory guidance

Good practice guidance

Comment:

Question Four – Overall Detail

(a) Overall, is the level of detail provided by the Regulations and guidance:

Too much

About right

Too little

Comment:

(b) What additional issues need to be covered and where?

Additional Issues
(please list)

Regulations
(please tick)

Guidance
(please tick)

Comment:

Question Five – Overall View of the Guidance

Overall, do you find the guidance

Very helpful Helpful Not very helpful Not at all helpful

Do you have any general comments about the best way to make the guidance more helpful and accessible?

Comment:

C. PARTIAL REGULATORY IMPACT ASSESSMENT

Question One – Impact of the Regulations

(a) Do you agree with the assessment made on the likely impact of the draft Regulations?

- Yes No, assessment too high No, assessment too low No view

(b) When compared to the level of work required under the Adoption Act 1976 will the Regulations and their accompanying guidance require:

- Less work for adoption agencies
 About the same amount of work for adoption agencies
 More work for adoption agencies
 Significantly more work for adoption agencies

(c) Where are the key differences?

Comment:

Question Two – Costs

Is the assessment of the costs of the draft Regulations:

- Too high About right Too low

Comment:

Question Three – Benefits

Is the assessment of the benefits of the Regulations

Too positive About right Too negative

Comment:

Please use this space for any general comments that you may have, comments on the layout of this consultation would also be welcomed.

Comments:

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you tick the box below.

Please acknowledge this reply

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes No