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Dear Colm

### **Adoption and Children Bill**

I wish to express my thanks to the Committee for the opportunity to provide evidence in relation to the Adoption and Children Bill at the Committee's meeting on 16 December 2021.

There was obviously limited time and I wanted to follow up to emphasise a couple of points, particularly as I was able to hear most of the session before.

Colin McGrath's final question to the panel in the session I attended went to the heart of the matter. No one would want to support or encourage poorly drafted legislation, but this is a time when we must not let the perfect be the enemy of the good. The adoption part of the Bill has been widely consulted on previously, and both discussed and anticipated for years. It is hugely overdue. Equally, the measures in the second half of the Bill are no surprise, are widely supported and are for the most part enabling – there will be ample opportunity to work in less haste through regulations, standards, guidance and progressive implementation in the next mandate. Subject to some minor amendments, for example around domestic abuse and harm as pointed out by other organisations, the Bill should proceed with a view to getting it through in this mandate. As I said in response to the question from Colin McGrath, if there are things that can't be resolved and removing them does not unravel the whole Bill, then the decision should be to remove or park them until the next mandate. Not getting the Bill through would continue to hold up further essential and long overdue work on regulations, standards, guidance and the resourcing of services in a range of areas.

As we said in our submission, we think it would be a grave mistake to revoke Article 181 of the Children Order, but we would support a three-year reporting cycle that would be cross-departmental and potentially align with reporting for the UN Convention on the Rights of the Child. The scope of this Bill and its own progressive implementation, allied to the

resource crisis in children's services strengthens the argument for retaining a robust reporting mechanism on children and young people for the Assembly.

We clearly do not expect the legislation to be amended at this stage to place the Children and Young People's Strategic Partnership on a statutory footing, but with this Bill and the Health and Social Care Bill it does feel like two opportunities have slipped by again on an issue that has widespread support in the sector and which would underpin and complement other reforms in the system e.g. standing down of HSC Board; Integrated Care System; reform of children's services.

The Bill has a necessary focus on children in care and adoption. There was considerable discussion of and reference to the resource issues facing children's services which appear to have intensified over the Christmas period. This is the long tail of austerity magnified by a pandemic and, as BASW NI pointed out, serious, long-term underlying structural problems in the social work and social care workforce. While there is a need for more resource and support in adoption, fostering and for children in care, in the long run the problems we are facing with increasing numbers of children in care will not be solved by more adoptions, foster carers, kinship carers or residential homes. The crisis we are experiencing is the entirely predicted result of a decade of austerity. Yes, we need to take some emergency action to deal with the crisis at hand, but we need to retain the vision and resolution to revitalise early years and family support services, and address poverty.

This is the beginning of what is likely to be a very challenging month for health and social care and public services in general with the rise of Omicron numbers on the back of managing a pandemic for nearly two years. The Chief Social Services Officer wrote to all registered social workers before Christmas asking for direct help in delivering key services if sickness levels in public sector health and social care agencies rise as anticipated. Similarly, the independent fostering agencies were asked if they had any additional capacity prior to Christmas. There is clearly a willingness in the voluntary and community sector to help out but once again the perfect storm of austerity and pandemic presents itself. The voluntary and community sector entered the pandemic at its leanest and has to make its own contingencies for the impact of COVID on staffing levels. We are currently reaping the harvest of narrow commissioning arrangements over the last decade where the voluntary and community sector has no additional capacity to draw on. It is also the unfortunate consequence of viewing voluntary and community sector organisations as suppliers rather than as partners. We need structured and resourced strategic spaces in which Health and Social Care and the voluntary and community sector can work together in partnership to make the best use of finite resources. This is critical now in terms of the impact of COVID but applies equally to the long term implementation of the Bill and is one of the resourcing and commissioning questions that will need to be addressed. It must be remembered that voluntary and community organisations are providers of 'statutory services', by contract or through their own volition, in the sense that these services are covered by statute i.e. Articles 17 and 18 of The Children (NI) Order 1995.

We remain happy to assist the Committee in any way we can both with this Bill and any other area relating to children, young people and families that is within our competence.

We wish the Committee well in its important work and appreciate the detailed attention that is being given by members and officials against a very tight timescale.

Yours sincerely,



**Avery Bowser**  
Fostering Services Manager