

CALL FOR EVIDENCE: ADOPTION AND CHILDREN BILL: WESTERN HEALTH AND SOCIAL CARE TRUST RESPONSE

OPENING REMARKS:

The Western Health and Social Care Trust acknowledges that the pending Adoption and Children Bill will align Adoption law with relevant provisions of the Children (NI) Order 1995. It has long been recognised that current adoption legislation, as currently stipulated in Adoption (NI) Order, 1987 is in need of reform to recognise societal changes, the promotion of a culture of openness and transparency and to ensure process and practice is consistent and uniform across the region. Adopt the Future, which was formally launched by the Department in 2006, highlighted the need for such reform.

Notwithstanding the need for reform, the Trust notes the linkage within the Bill to Foster Care, Going the Extra Mile (GEM) and Permanence Planning for Looked After Children.

The Trust welcomes the pending implementation of the Adoption and Children Bill as it will build upon existing good practice which, in turn, will strengthen the governance around the planning and delivery of services.

From the outset, the Trust has been involved in extensive consultation with the Department on the roll out of the Adoption and Children Bill with the focus on operational planning for implementation and the concomitant financial costs associated with implementation. This consultation process commenced in 2017. As such, the Trust is aware of the detail contained in the clauses underpinning key provisions of the Bill and linkage to the Trust's commitment of enhancing outcomes for children, specifically children/ young people in need of being Looked After.

KEY CLAUSES: Implications for statutory process and practice.

Having engaged in an extensive consultation process and having accessed the “Adoption and Children Bill: Explanatory and Financial Memorandum, the Western Trust, as a delegated statutory authority, notes specifically the following key provisions contained within the Bill and linkage to promoting uniformity across the region. The Trust wishes to comment on the following clauses/ provisions:

- **Provisions of a regulatory right for adopted children and adoptive parents to request an assessment of their needs and to avail of adoption support services.**

Trust comment

The Trust welcomes this development which has statutory underpinning. Given that children are being adopted at a later age stage and enter the adoption arena with a history of pre and post-natal trauma, Post Adoption support is critical to enhancing parental attunement and awareness of need as it emerges along the developmental continuum. This provision in the Bill will strengthen current provision in post adoption support practice which has been the focus of the transformation agenda across all of the Trusts. From a Trust perspective evolving adoption support will require a recurrent resource input to effect this provision and to build and sustain best practice in this key area.

- **The provision of financial support within Adoption**

Trust Comment:

Timely and long overdue. The Trust welcomes the focus on this area and clarity about application to need.

- **This disclosure of information held by the Trust to adopted adults in respect of their adoption and particular, access to**

their birth records. Trust's going forward will replace the Registrar General as a single point of access for such information

- **Placing concurrent and dual approval foster care for an adoption on a statutory footing**
- **Affording greater protection of children subject to Inter-country Adoption. The Bill will result in the repeal of the Inter-Country Adoption (NI) Act, 2001**

Trust Comment:

Part of the alignment process. The above are important developments and combine current regulatory frameworks.

- **Introduction of an alternative legal route to permanence for children looked after by the Trust, other than through the route of adoption. This will result on changes to Residence orders and will introduce "special Guardianship".**

Trust Comment:

To be welcomed. Assessment will be key to identifying and accessing supports to sustain permanence. Particularly welcome the introduction of "Special Guardianship".

- **Care planning to be put on a statutory footing and presentation to court when seeking a care order**

Trust Comment:

Build in to training for implementation.

- **Placing, Going the Extra Mile (GEM) on a statutory basis.**

Trust comment:

Timely and reinforces good practice which the Trust has developed in relation to GEM.

- **Fostering panels to be placed on a statutory footing and make up of such panels will be outlined in regulation.**

Trust comment

This is a positive development and addresses a deficit area in current regulation

- **Creating an independent Review mechanism for Adoption and Fostering Panels re: decision making.**
- **Introduction of corporate parent principles linked to the Trust Statutory responsibility for Looked After Children, essentially what it means to be a good statutory parent.**

Trust Comment

Welcome development as it gives meaning to 'Corporate Parent' for Looked after Children from Chief Executive down

- **Extension of the complaints process. A process shift linked to awareness training**
- **Provision of short breaks without need to implement looked After Children status**

Trust Comment

Timely and to be welcomed.

- **Enhancing the provision available to care leaver up to the age of 25 years**

Trust Comment

While a positive development, this will have training and resource implications to assess and monitor needs of former Looked After Children into adulthood.

Conclusion

The Adoption and Children Bill will introduce reforms that will streamline process and practice for vulnerable children, particularly Looked After Children, across the region. This will strengthen current practice with the

focus on outcomes for children in need. The Trust stresses the importance of a collective focus on:

- (a) Mapping operational implications for process and practice to develop an implementation plan;
- (b) Linked to (a) above the development of a training plan for Trust managers and staff to effect implementation:
- (c) Importantly the Bill will have resource implications for the Trust. Given governance and accountability, additional resource will be required going forward. To this end, the Trust acknowledges and welcomes the Finance Minister's endorsement of a recurrent costings plan to implement the Bill.

While welcoming the direction of travel inked to the Adoption Children Bill. The Trust nevertheless, support the Financial Memorandum proposal to provide resource costing's to effect the implantation of the Bill going forward