



**Adoption UK welcomes the opportunity to respond to the Northern Ireland Assembly Committee for Health invitation to share our views on the Adoption and Children Bill.
8th October 2021**

About Adoption UK

Adoption UK is the leading charity providing support, awareness and understanding for those parenting children who cannot live with their birth parents. Many adopted children will have experienced multiple moves through the care system before being placed with their adoptive families. Adoptive parents are parenting some of society's most vulnerable and disadvantaged children with complex and lasting needs. Our research shows that most adoptive families face a constant battle for support for their children.¹

With a national membership of over 6,000 Adoption UK provides a strong, supportive community and are the largest voice of adopters in the UK. Adoption UK was established in Northern Ireland to give Northern Irish adopters a voice, and to provide a local peer support service for fellow adopters. It currently has nearly 800 local family members. We offer regional peer support groups, family events, training courses, advice and advocacy. We work in partnership with local adoption agencies and other stakeholders to promote adoption and support collaborative practice impacting on adoption.

Summary of Adoption UK response to Adoption and Children Bill

Adoption UK welcomes the Adoption and Children Bill and its direction. We believe this is an opportunity to bring Northern Ireland legislation in line with the rest of the UK, and to reflect the complex realities of adoption today.

In forming our response, in September 2021 Adoption UK consulted with adopters across Northern Ireland. Adopters were unanimous in their support for legislation that is child-centred, and which recognises the need for post adoption support services. The adoption community is optimistic the Bill signals a real commitment to major change and are determined to ensure that adopted children are enabled to thrive and get the future they deserve.

There are areas where we believe the Bill needs to be strengthened. In summary:

- Clause 5: While we welcome the new right to assessment of need for adoption support services, there is no duty on the authority to provide an assessment unless it is requested which risks missing the needs of vulnerable children.
- Clause 5: We welcome the requirement for adoption support services to meet the needs identified in an assessment. However, there is no statutory obligation for authorities to

¹ Adoption UK Barometer Report 2021

<https://www.adoptionuk.org/Handlers/Download.ashx?IDMF=a5226daa-dc16-4d9f-a498-0f9ff7ab0d9e>

commit to provide services to meet that need, which risks inconsistent provision of support across Northern Ireland.

- Clause 6: We welcome the duty on Trusts to provide information to prospective adopters and adopters. However, there must also be a duty on Trusts to provide a rounded package of universal support, including training and support groups.
- Clause 49: We are concerned about the requirement to allow a child to visit or 'stay with' the person named in contact arrangements with birth family. This would appear to undermine the adoptive parents' authority to decide what is in the best interests of their child, raising questions of parental responsibility.
- Clause 122: The new requirement for authorities to promote a child's educational achievement must be extended to formerly Looked After Children and include measures to support their wellbeing and attainment in school.
- Clause 143: In the interests of transparency and accountability, the requirement to produce an Annual Children's Order report should be amended rather than removed.

Response to specific clauses in the Bill

1. Clause 1: Considerations applying to the exercise of powers

1.1 We support this clause bringing into law the principle that the paramount consideration of the court or adoption agency in any decision is the child's welfare, together with the provision that the court or adoption agency must consider the child's welfare throughout his life, in recognition of the lifelong implications of adoption.

1.2 Trauma experienced in early life is not erased by an adoption order and can have lasting impacts on a person's learning, employment and mental health, well into adulthood. We support court decisions being made which help provide the child with a stable and harmonious family unit, the importance of which was articulated by young adopted people who contributed to Adoption UK's most recent Barometer report.²

2. Clause 4: The adoption service

2.1 We welcome the provisions within this clause, which helps set out the framework for the provision of adoption support services. This will build a service designed to meet the needs of children, prospective adopters and adopted people, adopters and birth parents. The recognition of the range of beneficiaries is welcome and acknowledges the lifelong impact on everyone affected by the adoption process.

3. Clause 5: Assessments etc for adoption services

3.1 Adoption UK has long called for proposals which focus on the provision of well-planned, long-term support - we therefore wish to focus our evidence on this clause.

² Adoption UK Barometer Report 2021

3.2 Adoption UK's research shows that 30% of established adoptive families in the UK are facing severe difficulties.³ Challenging or violent behaviour, problems with learning, relationships and mental health all put significant strains on family life. And yet 71% of parents feel that they face a continual struggle to get the support they need - a figure that has remained unchanged across three years of AUK research.

3.4 The adopters we surveyed in September described adoption support services as their core priority for the Adoption and Children Bill and welcomed the developments being proposed. The provisions laid out in this clause, and subsequent regulations relating to the provision of a planned and co-ordinated support package for adopted people and their families, offers the greatest potential to positively transform the adoption experience in Northern Ireland.

3.5 Right to an assessment of need

The new right to assessment of need for adoption support services is welcome and could ensure that children have better access to support services. However, as currently drafted, there is no duty on the authority to provide an assessment unless it is requested. We believe this risks delaying vital support to vulnerable young people or missing vital support altogether.

3.6 Provision of support services

Adoption UK welcomes the provision of adoption support services to meet the identified need following an assessment. However, if an assessment identifies a need for support, then it is our position that Trusts must be under a statutory obligation to commit to provide services to meet that need, and ring-fenced post-adoption support must be secured. Transparency and right to appeal any decision on the provision of services must be embedded and provided for in the regulations.

3.7 Much of the detail on adoption support services will be provided for in the regulations, including carrying out assessments, preparing and reviewing plans, the provision of services in accordance with plans; and reviewing the provision of adoption support services. As a minimum, we would expect the detail of these regulations to be in line with that of other UK nations.

3.8 Adoption UK believe it should be mandatory for all service providers to deliver multi-disciplinary assessments and support plans for every child, to be agreed with adopters before placement and reviewed annually. Plans must be linked to a commitment to provide the support that is needed.

3.9 (i) Research carried out by Adoption UK shows the majority of families surveyed reported they 'fell off a cliff' in terms of adoption support after the adoption order. Multi-disciplinary assessments, leading to long term support plans created alongside adoptive parents, would normalise the need for ongoing support and would enable professionals to plan properly and avoid costly crisis intervention. Where service providers have been using such a system in other nations it is already reporting reductions in disrupted placements.

3.9 (ii) We are concerned that the Bill only provides for a support plan where a child has more than one need. While it is unlikely that any child who has experienced early trauma will have only one need, it does risk some children falling through the net. In addition, given the lifelong impacts of trauma, and the fact that these impacts evolve over time, it is highly likely that a child found to have only one need at the point of assessment will develop multiple needs in the future.

3.9 (iii) Collaborative support

³ The Adoption Barometer June 2021

Adoption UK warmly welcomes the proposal for collaborative support for the provision of direct services by multiple public bodies, including other health services and the Education Authority. Many adopted children have complex needs requiring support from several different public services. Joined up working is essential to ensure a child gets the rounded support they need to thrive.

4. Clause 6: Adoption Support Services: duty to provide information

4.1 Adoption UK welcomes the duty placed on Trusts to provide information to prospective adopters and adopters about their support services. As well as information, there should be a duty for Trusts to provide a rounded package of universal support including training and support groups.

4.2 Raising awareness of adoption support services is essential to parenting an adopted child. Increased awareness will encourage prospective adopters to be prepared and realistic about their parenting expectations. It will ensure that early interventions to support children and reduce the risk of adoption disruptions through the provision of information if it is supported by the provision of the services as identified to meet need.

4.3 Linking to Clause 10 of the Bill, adopters we surveyed emphasised the importance of ensuring that the staff who deliver universal services have the skills and experience to properly support families.

5. Clause 49: Post-adoption contact

5.1 This Clause provides a duty on the court to consider arrangements in relation to contact with birth families. The majority of adopters support contact when it is in the best interest of the child. This clause will move contact arrangements onto a statutory basis which is intended to provide the foundation for clearer negotiations to amend contact to accommodate any change in the best interests or wishes of a child.

5.2 However, many adopters raised concerns about the provision to allow a child to visit or 'stay with' a person who is named in the adoption order. This provision would appear to undermine the adoptive parents' authority to decide what is in the best interest of their child, raising the issue of parental responsibility.

5.3 Adopters in Northern Ireland currently accommodate contact on a voluntary basis and have significantly higher levels of direct contact with their children's birth family than in other nations across the UK – likely due to the high number of early permanence arrangements. This reflects a high level of adopters' commitment to facilitate contact and understanding of the benefits of contact to adopted children.

5.4 Adopters we surveyed welcomed the invitation for all parties to any adoption proceedings to comment on contact arrangements, to establish the quality of contact in the future for the benefit of the child and ensure the provision of safe and meaningful involvement.

6. Clause 113: Avoiding delay

6.1 In the considerations applying to the exercise of powers, it is recognised that any delay in coming to a decision is likely to prejudice the child's welfare and that the court or adoption agency must always bear this in mind.

6.2 Adoption UK supports the introduction of timescales to resolve adoption cases without delay and secure a stable family life for a child when adoption is in their best interest. Delay in the adoption process means that children who have typically suffered early life trauma experience uncertainty and instability which can impact on their ability to form relationships throughout their life. Delay can exacerbate existing behavioural and emotional issues. Delays can also significantly affect a child's chances of adoption. Research shows that the chances of being adopted reduce by nearly a half for every year of delay.⁴

7. Clause 122: Duty of authorities to promote educational achievement and prevent disruption of education and training.

7.1 Adoption UK welcomes the additional duty on authorities to promote a child's educational achievement through Article 26 of the Children Order.

7.2 However, the new requirement for Authorities to promote a child's education achievement currently only relates to children who are Looked After. A child's trauma is not wiped out by an Adoption Order and they have the same needs in school as children still in Care. Therefore, the duty on Authorities to promote a child's educational achievement must be extended to formerly Looked After children.

7.3 It is well-established that adopted children face significant challenges throughout their school lives. The Education Authority in Northern Ireland do not track academic attainment of adopted young people, but research carried out by Adoption UK shows that last year, 80% of adopters in the UK felt that their child needed more support in school than their peers as early trauma impacted on their ability to learn. Adopted children are 20 times more likely to be permanently excluded from school and adopted young people were more than twice as likely not to be in employment, education or training in 2020, compared to their peers.

8. Clause 136: Persons authorised to act as Children's Court Guardian

8.1 We endorse the clarity provided by the new name of 'Children's Court Guardian', to replace the term 'Guardian ad Litem'.

9. Clause 143: Annual report

9.1 We are concerned about the provision removing the requirement for the production of an Annual Children's Order report. This is not in the interests of transparency or accountability. Instead of removing this requirement, it should be amended to include standards to reflect the delivery of proposed timescales, quality & consistency of support services, the collection of data on progress and exclusions of care experienced children in school.

⁴ Selwyn J, Frazer L and Quinton D (2006) 'Paved with Good Intentions: The pathway to adoption and the costs of delay' British Journal of Social Work 36 (4) 561-576

Conclusion

We welcome the intention of the Adoption and Children Bill to implement effective policy to support the adoption community. We urge the Committee to consider the six specific recommendations we have put forward to ensure the Bill fulfils its potential in bringing about significant positive change in the lives of adopted people and their families.

We extend an invitation to the members of the Committee for Health to meet with members of the local adoption community to hear their views and experiences and the positive impact this legislation could have on their children.

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