

Triangle Project

Early Permanence: Fostering for Adoption – Becoming a Carer

Could you foster a baby or child with the possibility of adoption?

Early Permanence or 'Fostering for Adoption' is used for babies and children who are in the care of local authorities where their care plan is likely to be adoption, but who still have a chance of being reunited with their birth family. These children are usually still in care proceedings, and so there is a possibility that the court may conclude they need to return to their birth family. However, the majority of children go on to be adopted. Early permanence is a child-centred solution as most people who are interested in adoption recognise that all children need a loving and secure home as quickly as possible, and this protects children from experiencing multiple moves within the care system. It provides children with good quality, uninterrupted and consistent care whilst detailed assessments of their birth family are completed and the court decides on the plan for the child. Consistent care for the child reduces possible future harm and it supports the child in developing healthy attachments.



What is early permanence?

During the period of temporary local authority care, early permanence places a child with approved adopters who are also approved under fostering regulations - they are therefore dually approved carers. The carers will provide the day-to-day care for the child and will continue to work with the child's social worker to ensure that the child has all of their needs met.

At the same time, the child's social worker will continue working with and assessing the child's birth parents to see if they have made the changes needed to have the child returned to their care. The court will make the final decision on the care plan for the child. If the decision is that the child should be adopted then the foster to adopt carers can go to an adoption matching panel and if the panel agree, will become the adopters for the child. Alternatively, if the court decides that the child should be returned to their birth family, then the child is returned.

Another route Local Authority adoption agencies can use is to approve adopters as temporary foster carers for a particular named child and they will pay the carers a fostering fee. If the court agrees the care plan that the child should be adopted and the adoption agency approves the 'match' between the carers as adopters and the child, the placement becomes an adoption placement and the fee will cease to be paid.

Triangle Project

So is being a foster carer and an adopter the same thing?

The best answer to this is no. When a child is placed in foster care, this means that the foster carers have day-to-day responsibility for the care of the child. However, if a court has made an Interim Care Order, the local authority has what is called parental responsibility for the child. The parents also continue to have parental responsibility, but this is limited by the court order in the way they can use this. In some circumstances, the child is placed with foster carers under a voluntary agreement between the local authority and the parents without a court order.

In practice, foster carers are acting on behalf of the local authority. The local authority will have many legal duties and obligations and they will expect you to work with them in making sure that these obligations are fulfilled. They will review the child's care on a regular basis. Social workers and other professionals will visit you and the child, you will be expected to attend meetings and keep records about the child and your care of them. Although you will need to make decisions about the day-to-day care of the child, these will fall within the agreed local authority plan. There may be some limitations on what information the local authority can share with you, but anything that will enable you to care for the child properly should be given to you.

Adoption is quite different. When the Adoption Order is made, the child's legal relationship with their birth parents is terminated, the child becomes legally a member of their adopted family and the child leaves the care of the local authority. In effect, the child becomes a full member of the adoptive family.

There are therefore significant differences and it is important to understand these. However, from a child's perspective, the care they need and what they expect the adults to do are not defined by these different legal, procedural and status issues. It is important that adults find ways of directly recognising this in the loving care they give to the child and that they are supported to do so.



What are the advantages of early permanence for children?

- The child is placed with carers who may become their adopters at an early stage and it avoids multiple placements for the child
- It will avoid the stressful upheaval caused by terminating temporary foster care relationships, which they will have experienced as their primary parenting relationship
- It allows the early months and years of the child's life to be what all children need and expect and they can form an attachment to the new family sooner

Triangle Project

It may be that some birth parents will understand these advantages for their child as well, even if their intention is to prove that they can take care of the child themselves. It must be remembered that until the court decides that adoption is right for the child, the parents' case remains to be decided.

Do early permanence carers have a different type of adopters' assessment?

Early permanence carers are approved adopters who have the skills, emotional resilience and willingness to be able to offer a child a loving and nurturing home whilst living with the uncertainty that the child may be returned to their birth family. Following additional training specifically covering early permanence, your social worker will discuss during your assessment if you and your family have the special qualities needed to offer an early permanence placement for a child. The social worker will record the information gathered, and their recommendations in your prospective adopters report (PAR), for presentation to the respective panel for recommendation and subsequent approval by the agency decision maker. Early permanence may not be suitable for everybody.

What are the benefits for the carer/s?

- Early permanence carers have the immense satisfaction of providing stability and security for the child at their early stage of development, with the possibility that the infant may become their legally adopted child, if agreed by the court
- Being specifically trained and assessed as early permanence carers, they are able to make a strong commitment to the child, even though there is uncertainty about the child's future
- Normally adopters have to wait 10 weeks after an adoption placement is made before applying for an Adoption Order- this 10 week timescale starts from the point the early permanence placement is made, so shortens the length of time post care proceedings, concluding that adopters can apply for the final order.



Why not place the new child directly for adoption?

The child can be placed directly with adopters if the parents give their legally authorised consent and no other family member has expressed interest in caring for the child. However, in most situations consent is not given. It is then for the court, and only the court, to decide whether the child can be placed for adoption. The local authority cannot act in any way that predicts the outcome of the court's decision and that includes finding and agreeing an adoption placement. The local authority must place the child with foster carers until the court's decision is made.

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Why does this process take so long if children might be harmed by the delay?

Whilst children are everybody's primary interest, there are other important people that need to be considered when determining what the correct plan should be for the child. Firstly, there are the birth parents - local authorities will place a high priority in working with them to see if the problems they face as parents can be resolved so they can resume the care of their child. There may be other family members who may want to offer the child a home because they are 'family'. There will be a number of options in deciding what the best alternative placement might be and these will need to be thoroughly tested. All of this takes time to be done in a way that is fair, lawful and evidence-based.

As evidence is gathered and solutions explored, the child will usually be placed with temporary foster carers and sometimes that can mean with a number of foster carers. Adults and professionals will know this is temporary but young children will not. They will quickly adjust to their foster carers as though they are 'forever parents' and this might last for some time. Slightly older children may get to understand that this is not a 'forever family' and this realisation may cause anxiety and distress. This will only be made more difficult when a 'forever family' is finally found and the relationship the child has made with their foster carers comes to an abrupt end.



In what circumstances does early permanence apply?

An early permanence placement will only be made where there is clear evidence to the local authority that there is very little likelihood that the birth parents can resolve their problems or that other family members can take care of the child. This evidence will need to be substantial and this usually means that the parents have had other children placed for adoption and their circumstances have not changed for the birth of the new child. There may be other circumstances where early permanence might apply, but the evidence will still need to be substantial.

Is early permanence right for me?

As an early permanence carer, it is highly likely that you would go on to adopt the child, but you will have to deal with the uncertainty before the court reaches a final decision. If the child does return home to their birth family, you would need to work, together with the local authority, to manage

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this in the most sensitive way for the child. It can be a very distressing time for early permanence carers, even though it is judged as the right thing to do by the court. Although distressing for you – the carer(s) – you would have given the child the experience of a loving, caring and stable home during an uncertain time in their young lives before a final decision was reached by the court.

The Triangle Project run preparation groups for people considering early permanence where issues are carefully discussed to help you consider if this route to adoption is right for you. You would also have the opportunity to discuss this further with your social worker during the course of the adoption assessment so that you can be clear about the task you would be undertaking. It is highly likely that many early permanence placements will be made with adopters who have already adopted a sibling of the child, but local authorities are also identifying other circumstances in which they can consider early permanence placements for babies and young children who are unlikely to return to their birth families.

Won't the courts think the local authority has placed the child for adoption?

The local authority must be transparent and open in what it is doing when it makes an early permanence placement. It must inform the court, the birth parents and all those who have a direct interest in the child about its plan. It must explain why it is making the placement and that must include acknowledging that the court may not approve adoption as the plan and the child may in the end return to the parents or be placed elsewhere.

Will the child still have contact with their birth family?

Yes, contact can be very important for the parents and the child, but any arrangements for contact must be centred on the child's needs and welfare. The frequency and other arrangements for contact depends on how far decision-making about the child's future has got to in the courts and with the local authority. However, above all, the child's welfare and needs are the most important things that the local authority must take into account when making any plan for contact.

In some situations, you will be expected to participate in the arrangements for the child to have contact with the parents or other family members. The specific arrangements for this will be discussed with you.

In some circumstances, you may get to meet the birth parents but the details and implications of this will be discussed with you. Your views about this will be an important part of this decision.

Will carers be paid?

Yes, early permanence carers will receive a weekly fostering allowance for the child/ren and will be entitled to adoption leave. The child remains a 'child in care', so carers will not be able to claim child benefit. Early permanence carers should always talk to their employer to ensure their full entitlements. Fostering allowances will cease once the placement has been agreed at the adoption matching panel or if the child returns to their birth family or is placed in an alternative placement with family, friends etc.

What support is available for early permanence carers?

When a child is placed in an early permanence placement carers will be supported by their Triangle project link worker who will provide advice and support. The carers will receive a fostering

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handbook and details regarding fostering requirements but also information about any training courses and support groups. The link worker will continue to offer support up until the point an adoption order is granted. If the child leaves the placement, the carers will continue to be supported to help them come to terms with the ending of the placement.

It is also important to think about the impact of an early permanence placement on other people. If you already have a child or children in your family – adopted or birth children – you will need to pay particular attention to their views, wishes and feelings. You would do this anyway if you were planning to adopt another child but there are specific issues about preparing a child for that period of uncertainty in the fostering phase. There are also a range of other people that will need to be consulted – other family members and close family friends. They may have questions and views themselves but they should also be a source of important support.

Some things to be mindful of...

- There is a slight risk that at the point of Placement Order, when full detailed information regarding the child becomes available, that carers may feel they cannot proceed to adoption. The reason for lack of information may be due to court directives, confidentiality issues or gaps in the child's background history
- Some adopters have found that the period of caring for a child under the fostering regulations is stressful, as they are waiting for the care proceedings to be concluded and do not know if the child will go back to their birth family. Other adopters have been able to "switch" into fostering mode and not think about the longer term plan until the placement becomes an adoption one
- Managing a high level of contact for the child is very tiring for all concerned and can create high anxiety and emotion for the carers
- Having a child at a very young age may mean that the effects of any drug/alcohol misuse by the birth mother, or early stage neglect will not necessarily be evident at first
- The placement is subject to the fostering regulations, and early permanence carers are considered as foster carers so can be instructed to do certain things by the court (e.g. contact plan changes, feeding a baby certain foods the birth mother has requested etc.)
- Carers have to feel that if the child returns to their birth family it is a positive thing for the child - carers essentially take the risk on behalf of the child
- Carers/adopters who already have a birth or adopted child within the family may feel that the emotional impact on that child of a looked after child moving back to their birth family is too high

