

Essex County Council Permanence Policy

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About This Document

Title	Essex County Council Permanence Policy
Purpose	This document sets out Essex County Council's permanence policy statement, and the council's approach to achieving permanence for children and young people in need of help and protection
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Essex County Council

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1. Introduction

1.1 Permanence Policy Statement

1.1.1 Every child and young person has a right to a safe and secure future. Essex County Council is committed to achieving the stability and security of permanence for every child in its care. This policy underlines that commitment and sets out how we assess, plan and deliver permanence to achieve the best possible outcome for each individual child.

1.2 Our Vision and Values

1.2.1 The Children & Families Service's purpose is to protect children and young people from neglect and abuse, and to promote their development and wellbeing. We work with our partners to provide a wide range of early help, family support and social work interventions, to help families improve their lives and support children to overcome early childhood trauma, look forward to a brighter future and achieve their aspirations. In our role as Corporate Parents we will do our best to see that this happens for children in care and care leavers.

1.2.2 We work with families to build on their strengths, find creative, sustainable solutions to the problems they face and support them to make the changes needed to enable the development, well-being and safety of their children. By building resilience and managing risk in this way, we aim to reduce the need for state intervention in family life and the need for children to come into local authority care.

1.2.3 When children are in care we continue to work with their parents and wider family to enable them to return home where possible, or if this is not possible to enable positive family relationships to be maintained.

1.2.4 When working with children or young people, at home or in care, we work alongside them to explore how to improve their outcomes. When a child in care cannot return to their family, we actively seek a suitable alternative placement that will provide them with security, stability and a where possible route to permanence.

2. What is Permanence?

'It's blending in, feeling like part of the family, like you belong'

Essex Care Leaver

- 2.1 In its broadest sense permanence is an experience of security, stability and belonging.
- 2.2 In social work practice the **permanence plan** is the long-term plan for the child's upbringing and provides an underpinning objective for all social work with children and their families from family support through to adoption. It aims to ensure a framework of emotional, physical and legal conditions that will give a child a sense of security, continuity, commitment, identity and belonging, throughout their childhood and into adulthood.
- 2.3 **Permanency planning** is based on the principle that every child has the right to a permanent and stable home, preferably with their own family. The primary focus of permanency planning is to prevent children staying in care for longer than is necessary, with no sense of belonging or stability.
- 2.4 The question "how are the child's permanence needs being met?" should be at the core of everything we do.

2.5 Our Commitment

- 2.5.1 Where it is necessary for a child to leave their family the routes to permanence will be different for the circumstances of each child. We are committed to considering the range of options available depending on the age and individual needs of the child and young person, taking into account the following principles:
- Children and young people should be in care for as short a time as is required to secure a safe, supported return home; or
 - If a child cannot return home, plans must be made for alternative permanent care
 - Family members and friends should always be considered in the first instance with permanence secured through the appropriate legal order to meet the child's needs; usually a Special Guardianship or Child Arrangement Order
 - Where it is not in the child's best interests to live within the family network, it will usually be in the interests of the child for alternative permanent carers to be identified and the placement secured through adoption, Special Guardianship or long-term foster care
 - Residential group living is provided only when a need for this is identified within the child's Life Plan, and when substitute family care is not appropriate

- Children must be supported to gain a full understanding of their identity
- Consideration must always be given to the child or young person's ongoing relationship with their birth family, and this should be supported in accordance with the child's needs and Life Plan
- For older children and young people, arranging for their independent living, in appropriate accommodation with adequate support, is a means of supporting a sense of permanence, as is Staying Put with long term foster carers.

3. Delivering Permanence

3.1 The service will strive to deliver the commitments outlined in this policy by providing the following:

- High quality and timely identification and assessment of a child or young person's needs;
- Clear plans, with identifiable expectations and service provision to meet those needs; to best help the child or young person achieve as strong a sense of permanence as possible;
- Multi-agency commitment, and effective joint working processes, to ensure that the services necessary to support children in permanent family placements and/or prevent their breakdown are prioritised and delivered;
- Where there are concerns that a child may not be able to remain with their birth parents without statutory intervention a family group conference will be held at the earliest opportunity to fully explore the options for the child to remain safely within the extended family network;
- Robust review arrangements for the early identification of the need for permanent arrangements and to prevent delay in achieving permanence;
- An understanding of the lived experience of the child or young person and opportunity for their voice to be heard and reflected in the plan, and to include their views, wishes and feelings;
- Effective communication pathways to ensure that family, carers and other individuals that the child considers to be an important part of their life are aware of the plans for the child, and their role in these plans is clear;
- Policies and services that support all children and young people placed within the range of permanence options.

4. Routes to Permanence

4.1 Essex County Council considers that there are five main routes to permanence for children. These are:

- Staying at home and re-unification
- Connected Persons, or kinship care
- Long-term foster care
- Special Guardianship and Child Arrangement Order
- Adoption, including through Early Permanence

4.2 Detailed policies and procedures are in place for each of these routes to permanence, and a helpful comparison of the options available when children cannot stay or return home can be found at Appendix One.

4.3 While determining the most appropriate plan for the child must be based on an individual and holistic assessment, rather than any one factor such as age, we recognise that:

4.4 Staying at Home and Re-unification may be appropriate where:

- Primary need is for existing relationships with birth family to be stabilised and strengthened to support the child's well-being, identity and sense of belonging.
- Child has a clear sense of identity with the birth family, whilst needing some support to remain safe and secure.
- With skilled intervention the family can achieve positive and sustained change within functioning and family dynamics
- Birth parents are able and willing to exercise parental responsibility in the best interests of the child or young person

4.5 Connected Persons, Kinship and Long-Term Fostering may be appropriate where:

- Primary need is for a stable, loving family environment whilst there is still a significant level of continued involvement with the birth family.
- Child has a clear sense of identity with the birth family, whilst needing to be looked after away from home.
- There is need for continuing oversight and monitoring of the child's developmental progress.
- Birth parents are able and willing to exercise a degree of parental responsibility in the best interests of the child or young person, and return home remains a potential option for the future

4.6 Special Guardianship and Child Arrangement Orders may be appropriate where:

- Primary need is for the security of a legally defined placement with alternative carers but does not require a lifelong commitment involving a change of identity.
- Child's relation, foster or other carer needs to exercise day to day parental responsibility and is prepared to do so as a lifelong commitment.
- There is no need for continuing monitoring and review by the Local Authority, although support services may still need to be arranged.
- Child has a strong attachment to the alternative carers and legally defined permanence is assessed as a positive contribution to their sense of belonging and security.

4.7 Adoption may be appropriate where:

- Primary need is to belong to a family who will make a lifelong commitment.
- Child's birth parents are not able or not willing to share parental responsibility in order to meet their child's needs, even though there may be direct or indirect contact.
- Child needs an opportunity to develop a new sense of identity whilst being supported to maintain or develop a healthy understanding of their past.
- Child expresses a wish to be adopted.

4.8 An evidence review comparing different placement options for children who have experienced abuse and neglect was [published](#) in March 2017. The aim of the review was to bring together a summary of key research findings regarding two key themes:

- The impacts of abuse and neglect on children
- The strengths and weaknesses of different types of long-term placements in relation to their impact on children.

4.9 The review is helpful to social workers and decision makers when considering the needs of children and how different placement types may address children's needs.

5. Assessing and Planning for Permanence; identifying the best permanence option

5.1 Assessing, planning for and supporting permanence for children underpins all social care intervention with children and families, and starts from the point of first intervention, not at the point a child enters care. All social workers must ensure the child's Life Plan is clearly linked to the **assessment** of the child's needs. It must:

- Focus on the child's parenting needs through to adulthood, enabling the child to reach their potential and to feel a sense of love and belonging
- Have a sense of urgency – recognising that children in stable and secure placements have the best opportunity to reach their potential
- Consider stability issues, including the child's and family's needs for long-term support and the child's needs for links and time with their parents, siblings, and wider family network
- A timetable for introducing the child to the placement that ensures that both child and carers have a mutual understanding and commitment to the move;
- Plans for life story and more specific therapeutic work to take place before and after the placement
- Arrangements for shared family time, if appropriate, that are based on the needs of the child and the priority of achieving stability and permanence in their lives
- If the plan is for a residential placement, the desired aims, objectives and outcomes of the placements must be clarified.

5.2 The **permanency planning process** will identify which permanence option is most likely to meet the needs of the individual child, taking account of their wishes and feelings. Issues to consider include:

- Long term stability means the sense of a permanent home with the same family or group of people, as part of the same community and culture, and with **long-term continuity of relationships** and identity;
- **Short- or medium-term stability** or continuity will be important for children who are going to stay in care for a brief period before going home and for children who are going to need new permanent arrangements. The quality of a child's attachments and life will be detrimentally affected by uncertainties, separations from what /who is known and changes of school and placement;
- **Educational experiences, links with extended family, hobbies and friendships** and support to carers, contribute to guarding against disruption and placement breakdown;
- The importance of carefully **listening to what children want** from the placement, helping the relationship between carer and child to build, making thorough plans around contact with family, providing vigorous support during crisis times and taking a sufficiently flexible attitude to adoption by carers;

- **Sibling relationships** are usually the most enduring relationship through a child's lifespan and preservation of the sibling relationship should be prioritised, if not through placement together but through staying in touch
- The larger the family group of children, the harder it is to secure a single placement that will meet all the needs of all the children; and **assessment of sibling relationships** will inform placement finding. Children and young people will need support throughout their childhood, from the adults who care for them, to understand their identity and life story.

5.3 There are various options to consider when planning for permanence for a child or young person. Achieving each type of permanence will present different challenges in different circumstances. It will depend upon:

- The child or young person's individual **profile and parenting needs**
- The **capacity of the parents/carer** to understand and meet the needs of the child;
- The **level of attachment** the child experiences with their parent/carer;
- The **quality of the intervention and support** provided by professionals working with the child and their family;
- The level of **cooperation** of all involved in the permanence planning;
- The degree of control granted to the caregiver and the degree in which **parental responsibility** is apportioned or delegated.

Appendix 1: Comparison of Permanence Options

	Connected Persons Foster Care	Long Term Fostering	Child Arrangement Order	Special Guardianship Order	Adoption
		<i>Refer to Procedures for long term linking with foster carers</i>	<i>Refer to Child Arrangements Order Policy</i>	<i>Refer to Special Guardianship Policy</i>	<i>Refer to Adoption Policy Statement</i>
Route into the caring arrangement	<p>The child has been placed with the relative or friend by the local authority, because the person who had been caring for the child was deemed not to be providing suitable care.</p> <p>The child may be accommodated voluntarily with the agreement of the parents (s20) or may be subject to a Care Order.</p> <p>The child is a looked after child and so the local authority must approve the relative or friend as a local authority foster carer.</p>	<p>The child is accommodated by the local authority, either with agreement of the parents (s20) or may be subject to a Care Order; and has been placed with a foster carer by the local authority.</p>	<p>The child is subject to a legal order regulating the arrangements relating to whom the child lives with and has contact with.</p>	<p>The child may be at risk of coming into care, and a friend or relative applies for an order, or the child may be in care and their foster carer or other relative/friend applies for a Special Guardianship Order.</p> <p>In either circumstance, application can be made without the support of the parents or the local authority. Relatives may apply for an order after the child has lived with them for one year, or if given leave of the court to apply for an SGO.</p> <p>Applications for SGO can also be made where there is no Social Care involvement e.g. after death of a parent and in line with a prior agreement between parent and carer.</p>	<p>For some children in care, where reunification or placement with extended family is not viable, the LA may decide that the child should be placed for adoption.</p> <p>Only possible with consent of the birth parent or under a Placement Order made by a court.</p> <p>A foster carer can apply for an adoption order after one year of caring for the child.</p> <p>Other informal carers could apply for an adoption order if the child has lived with them for a period of 3 years or with leave of the court.</p>

	Connected Persons Foster Care	Long Term Fostering	Child Arrangement Order	Special Guardianship Order	Adoption
Parental Responsibility (PR)	Remains with birth parents if the child is accommodated under section 20, or if the child is subject to a Care Order, the local authority shares parental responsibility and determines the extent to which it may be delegated to others.	Remains with birth parents if the child is accommodated under section 20, or if the child is subject to a Care Order, the local authority shares parental responsibility and determines the extent to which it may be delegated to others.	Shared by parents and the holder of the Child Arrangements Order.	PR shared between the Special Guardian and the parents, and anyone else with parental responsibility for the child. The special guardian may exercise parental responsibility to the exclusions of all others with PR, apart from another special guardian. Limitations include taking child out of the country or changing the child's name.	Transfers to the adoptive parents and legal relationship with birth parents is severed permanently.
Approval Basis	Approved as local authority foster carers in accordance with Fostering Services Regulations. (If the child is looked after, carers must be approved as foster carers even if close relative)	Approved as local authority foster carers in accordance with Fostering Services Regulations.	Appointed by court following application	Appointed by court following application from the applicant. LA must investigate the matter and prepare a report for the court dealing with the suitability of the applicant to be a special guardian.	The adoption agency assesses and approves prospective adopters, court makes Placement Order regarding specific child. If the child is not a looked after then notice of intention to adopt must be given to the LA who then complete a report for the court

	Connected Persons Foster Care	Long Term Fostering	Child Arrangement Order	Special Guardianship Order	Adoption
Duration	So long as a placement remains in line with the child's care plan as determined by LA or the making of an alternative order (unless section 20 when parents have the right to remove the child from care.)	So long as a placement remains in line with the child's care plan as determined by LA or the making of an alternative order (unless section 20 when parents have the right to remove the child from care.)	Expires at 18	Until age 18 unless varied or discharged by the court before the child reaches 18 years	Permanent / lifelong
Placement Supervision	Statutory visits to the child by social worker and supervision of foster carers by supervising social worker.	Statutory visits to the child by social worker and supervision of foster carers by supervising social worker.	None	None	When a child is placed for adoption by the LA, the placement is supervised and there are statutory reviews. Once the adoption order is made, none.
Support Services	Support to meet the child's needs including health plan and personal education plan (PEP); Training and practical support to foster carers in accordance with the Fostering Services Regulations, National Minimum Standards and Children's workforce Development Council standards. Young person may be entitled to leaving care support services.	Support to meet the child's needs including health plan and personal education plan (PEP); Training and practical support to foster carers in accordance with the Fostering Services Regulations, National Minimum Standards and Children's workforce Development Council standards. Young person may be	No entitlement (But LA has discretion to provide services/support for child/family under section 17 Children Act 1989)	If child was looked after prior to making the SGO , LA must assess for need with special guardianship support services. LA has discretion whether to provide support in accordance with Regulations and National Minimum Standards. Young person may be entitled to leaving care support services if a	Entitlement to assessment for adoption support services, which may be provided at discretion of LA in accordance with Regulations and National Minimum Standards. "Three-year rule" applies where for first three years, it is the placing authority who is responsible and after first three years it is the local authority in which the child resides.

	Connected Persons Foster Care	Long Term Fostering	Child Arrangement Order	Special Guardianship Order	Adoption
	<p>Statutory social worker</p> <p>Placement support to meet the child's identified need.</p>	<p>entitled to leaving care support services.</p> <p>Statutory social worker</p> <p>Placement support to meet the child's identified need</p>		<p>looked after child prior to making of the SGO.</p> <p>If the young person was looked after prior to the order being made they are eligible for support from the Adoption Support Fund</p> <p>"Three-year rule" applies where for first three years, it is the placing authority who is responsible and after first three years it is the local authority in which the child resides.</p> <p>If child was NOT looked after prior to making the SGO, there is no automatic entitlement to an assessment of support needs. If an assessment is requested, this can be provided at the LA's discretion.</p>	

	Connected Persons Foster Care	Long Term Fostering	Child Arrangement Order	Special Guardianship Order	Adoption
Financial Support - Entitlement	<p>Child benefit or other universally available benefits for children is not payable.</p> <p>Weekly fee payable as well as an allowance to meet the costs of caring for the child.</p>	<p>Child benefit or other universally available benefits for children is not payable.</p> <p>Weekly fee payable as well as an allowance to meet the costs of caring for the child.</p>	<p>Can claim child benefit and any other universally available benefits for children if not being paid to the parent.</p>	<p>Can claim child benefit any other universally available benefits for children if not being paid to the parent.</p> <p>Entitlement to assessment for financial support (part of SGO support) if child looked after prior to order.</p>	<p>Can claim child benefit and any other universally available benefits for children if not being paid to the parent.</p> <p>Entitlement to assessment for financial support (part of adoption support) if child looked after prior to order.</p>
Financial Support - Discretionary			<p>LA has discretion to pay Child Arrangements order allowance – usually if child was previously fostered by the carers, or exceptionally if making Child Arrangements Order prevents child becoming looked after. Any allowance paid is means tested annually.</p>	<p>Entitled to an assessment for financial support under the Special Guardianship Regulations 2005 if child looked after prior to order and meets the criteria in the regulations.</p> <p>Subject to assessment as above and for former foster carers can include an element of remuneration (fee).</p> <p>Discretionary regular or one-off payments. Any allowance paid is means tested annually.</p>	<p>Subject to assessment, one off payments or regular adoption allowance may be paid.</p>

	Connected Persons Foster Care	Long Term Fostering	Child Arrangement Order	Special Guardianship Order	Adoption
Staying in touch with family	<p>As set out in the care plan with details of frequency and supervision clarified.</p> <p>LA has a duty to promote contact with the child's family.</p>	<p>As set out in the care plan with details of frequency and supervision clarified.</p> <p>LA has a duty to promote contact with the child's family.</p>	<p>Private agreement</p> <p>Or as defined by the court or discretion of the person with PR</p>	<p>Agreed as part of SGO Support Plan or at discretion of the SG with PR.</p> <p>May be subject to a section 8 contact order.</p>	<p>As agreed as part of the Adoption Support Plan and Care Plan approved by the court.</p> <p>Legally at the discretion of the adopter.</p> <p>Very rarely, may be subject to a Contact Order</p>