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The quality of fostering and adoption services in Scotland

A review by the Care Commission of the availability and quality of foster care and family placement services and adoption agencies



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Foreword

In Scotland, thousands of babies and vulnerable children rely on good foster care and adoption to improve their lives. Indeed, in a few very serious cases, their lives actually depend on these services. So it is vital that the quality of foster care and adoption is good and improving. Demand for good homes for vulnerable children is constantly out-stripping supply. That is why the way these services are designed and managed is so important.

This is the first time we have ever had a national picture of the quality and availability of fostering and adoption services in Scotland. This report provides a unique perspective, reflecting consistent information that we have collected from across the country. We have produced it for everyone who is concerned that fostering and adoption services meet the highest standards: birth parents and carers, social workers who place children, foster carers and adopters, managers of these services, the Care Commission, the Scottish Government and all who influence developments in services.

Birth parents, children and the general public have to place a great deal of trust in the ability of agencies to recruit and support foster carers and adoptive parents. They should be reassured that overall, the quality of provision in Scotland is good. However, there are still important areas for improvement.



I am pleased to say that our first round of inspections was viewed very positively, although we identified a number of areas for improvement. Many of these areas have already been acted on.

For the sake of children, birth families, foster carers and adopters, we are committed to working with everyone in this vital sector to give children and foster families the best possible experience.

A handwritten signature in blue ink that reads "Jacquie Roberts". The signature is fluid and cursive.

Jacquie Roberts
Chief Executive
Care Commission

Glossary of professional and specialist terms

Throughout this report we use professional and specialist terms that not all readers may be familiar with.

We use these terms throughout the report:

Inspection report

After each inspection we produce a report, where we consider how the service compares against the standards and regulations. Each report highlights the service's strengths, where they have improved since our previous inspection and also where we believe improvements can still be made.

Complaints

We have a procedure for dealing with any complaints made about registered services or about us. Anyone can raise a complaint with us, for example people using the service, their family and friends, carers and staff.

We investigate all complaints and can decide to:

- Uphold the complaint if we agree there is a problem to be resolved
- Partially uphold a complaint if we agree with some elements of the complaint and find some problems, but do not find evidence for other aspects of the complaint
- Not uphold the complaint if we do not find evidence to support it.

Enforcement

To protect people who use care services, the Regulation of Care (Scotland) Act 2001 gives us powers to enforce the law. This means we can vary or impose new conditions of registration, which may restrict how a service operates. We can also serve an improvement notice on a service provider to make them improve their service within a set timescale. If they do not make these improvements we could cancel their registration.

Recommendations and requirements

If we are concerned about some aspect of a service, or think they could do more to improve their service, we may make a requirement or a recommendation.

- A requirement is a statement that sets out what is legally required of a service to comply with legislation. If we make a requirement, we check that the service has made the changes we have asked them to and can take legal action against them if they haven't.
- A recommendation is a statement that sets out actions the service should take to improve the quality of service and to meet National Care Standards.

National Care Standards

These are published by the Scottish Ministers for every type of care service and are written from a service user's point of view. They set out the standard of care that people can expect from any care services they use.

Fostering services and family placement services are responsible for recruiting, approving, training and supporting foster carers. **Foster carers** care for a child when the child's family is unable to. They may provide:

- long-term care or short breaks
- complementary care to provide additional opportunities for a child or to give the child and parents time apart. These foster carers are sometimes called respite or family placement carers.

The term **foster care** is used to describe all of these situations.

Local authority fostering services are provided and managed by local authorities.

Independent and voluntary foster care services provide foster care on behalf of local authorities for children looked after by local authorities.

Kinship care refers to relatives of a child who provide foster care to children who are looked after by local authorities. Relatives who care for children in these arrangements are sometimes referred to as **relative foster carers**.

Looked after children include children the local authority is providing accommodation for, either with foster carers or in residential services. The children are in the care of the local authority because they consider that will safeguard the child or promote his or her welfare.

Private foster care takes place where parents make their own arrangements with non-related adults to care for their children outwith the family home.

A **placement** refers to an agreement for a child to stay with a particular foster carer. This may be a long-term placement or a short break.

A **fostering panel** is set up to consider whether to recommend approval of foster



carers and the terms or conditions of their approval. This includes the maximum number of children they should care for.

A **Service Level Agreement (SLA)** sets out each service's or agency's role and responsibilities to support the placement of children with other agencies.

An **adoption agency** is a local authority, voluntary or independent service responsible for recruiting, assessing, approving and training adopters.

A **care plan** is an agreed plan made by the local authority, the child and his or her family and the care providers. The plan aims to secure the health and wellbeing of the looked after child.

An **adoption panel** considers whether or not to approve prospective adopters and to consider whether adoption with particular applicants is in the best interest of a particular child.

A **disruption** in an adoption placement means a breakdown leading to the young person no longer living with the adopters.

Enhanced Disclosure Scotland Checks are provided by Disclosure Scotland to give full information about all convictions or pending prosecutions on people applying to work with or care for children.

Safer recruitment refers to best practice in the appointment of staff or carers who work with or provide services for children. This includes getting and taking account of:

- criminal records checks
- checks with previous employers
- taking up references
- cross referencing with the Scottish Social Services Council and any other relevant professional body.

Who Cares? Scotland is a voluntary children and young people's advocacy service. It provides individual advocacy and support to children and young people, campaigns for change and helps policymakers consider children and young people's views as well as bringing together young people with experience of care. It works nationally with most local authorities.

Summary

This is our first national report on foster care and family placement services and adoption agencies in Scotland. It comprises the findings from our first inspections of these services, indicates general good practice and highlights areas where foster care and adoption services need to improve.

The report is based on annual returns completed by all 32 local authorities, 28 independent foster care services and six registered voluntary adoption agencies. The returns provide a snapshot of services at 31 March 2006:

- There were 2,871 foster carers. This included 548 new foster carers approved in the year ending 31 March 2006. Of these, 37% were approved by independent fostering agencies.
- A total of 3,719 children were placed in foster care. This included 2,030 children who were new admissions to care from 1 April 2005 to 31 March 2006.
- There were 515 approved adoptive parents waiting for children, of whom 224 had been approved in the year ending 31 March 2006.
- During the year to 31 March 2006, 255 children were placed for adoption.

Local authority annual returns indicate that **527** children were waiting for foster placements and **178** children for adoption placements. Such shortages reduce placement choice for children and may contribute to some children being inappropriately placed, to brothers and sisters being separated, and some foster carers being asked to extend care beyond the terms they have agreed with their agency.

Our findings

Overall, the quality of foster care and adoption services is generally good. Our report shows:

- foster carers and adoptive parents are generally positive about the way agencies prepare, assess and support them
- the numbers of foster carers in Scotland has increased by 20% from 2,300 to 2,871 in the past four years
- the number of voluntary and independent foster care services increased from six to 29 in the past three years
- more children and young people await foster care and adoption placement than there are placements available
- there are more approved adopters available than children placed during the year
- staff vacancies within both fostering and adoption services are slightly higher than the vacancy rate reported for all main grade social workers.

Our findings also highlight several areas for improvement in foster care services and adoption agencies. They include delays in completing the assessment of foster and

adoption applications and failure to carry out annual reviews of foster carers in 50% of services.

This report highlights some innovative examples of good practice.

Our recommendations

Our recommendations for foster care and family placement services include:

- reviewing all foster carers every year, providing training plans to help them develop and visiting all foster carers each year on an unannounced basis
- making sure foster carers have a written agreement in place of how many children they can care for and an agreement for each child they are caring for, with these agreements being regularly reviewed
- reviewing all the written information they provide to fostering applicants to make sure it clearly sets out what criteria applicants must meet to become foster carers and is presented in user-friendly, accessible formats for applicants and foster carers
- reviewing the composition of fostering panels and addressing the identified shortfalls in safer recruitment of staff and carers
- continuing to invest in innovative and creative campaigns to recruit more foster carers to care for looked after children.

Our recommendations for adoption agencies include:

- identifying the reasons for, and remedying, widespread delays in progressing adoption applications
- improving the written information available to prospective adopters, to ensure that it meets all the requirements outlined in the National Care Standards
- making sure all written information is in a user-friendly, accessible format for applicants and adoptive parents
- improving how applicants are kept informed when there are delays in adoption decisions
- reviewing the composition of adoption panels and address the identified shortfalls in safer recruitment
- improving staff recruitment to fill vacancies and reduce delays in completing assessments, and improve safer staff recruitment practice.

Our recommendations for the service we provide:

We sought feedback, through a questionnaire, on how well foster care and adoption services thought we had performed during our first round of inspections in 2006-07. Based on this, we need to:

- review and improve the information we give to foster care services and adoption agencies before we inspect them to make sure they are clearer and easier to use
- review how we involve birth parents in the inspection process
- review the way we organise and carry out our annual inspection programme to improve our ability to report comprehensively on the quality of foster care services and adoption agencies and help them improve their services.

Introduction

This introduction covers:

- who we are
- what this report is about
- how we researched the report
- how fostering and adoption services in Scotland are regulated and inspected
- the policy context for fostering and adoption in Scotland.

Who we are

We were set up in 2002 to help improve care services in Scotland. We register and inspect over 15,000 services that care for more than 320,000 people in all parts of Scotland. These services include childminders, foster care and adoption services, nurseries, day care services, care homes and private hospitals.

What this report is about

We started to inspect fostering and adoption services in 2006-07. So this is the first annual review we have produced about these services in Scotland. The report:

- provides facts and figures about foster carers and children in foster care
- describes what we found after inspecting fostering services against the National Care Standards and legal regulations
- describes how adoption agencies are performing against the National Care Standards and legal regulations
- analyses feedback from foster care services and adoption agencies on how we performed in our first year of these inspections
- makes recommendations on what we need to do and what fostering services and adoption agencies need to do.

How we researched this report

We have used information in this report from:

- the annual returns that fostering services and adoption agencies send us
- our first year of inspecting these services in Scotland between 1 April 2006 and 31 March 2007.

How fostering services and adoption agencies in Scotland are regulated and inspected

Before 2005, only voluntary adoption agencies were inspected every three years by the former Social Work Services Inspectorate. Local authority adoption and fostering agencies and independent foster care services were not regulated or inspected.

Since 2005, we have regulated and inspected these services in a consistent way and we expect them to meet the relevant regulations and National Care Standards. All fostering, adoption and respite care services in Scotland must also meet other legislation and regulations. These are outlined in Appendix 1.

If we find that a service is not meeting a National Care Standard, we make a recommendation and record this in the inspection report. If we find that a service is not meeting regulations we make requirements, which set out what the service has to do to comply with legal regulations.

In this report we have used information on recommendations and requirements as indicators of quality because we want to report on the extent to which these services take account of the National Care Standards and meet legal regulations.

All 32 local authorities in Scotland provide adoption and fostering services.

At 31 March 2006:

- 29 voluntary and independent foster care services were registered with us
- 19 of these services were provided by voluntary organisations and, of these, eight provided respite care only (Appendix 2)
- six voluntary adoption agencies were registered with us and all were inspected for the first time between 1 April 2006 and 31 March 2007.

Table 1: Range of registered fostering services and adoption agencies in Scotland, by sector

Range of services being provided in Scotland	Registered at 31 March 2006	Inspected 2006–07
Local authority foster care services	32	32
Independent foster care services, including respite care providers	29	28*
Local authority adoption agencies	32	32
Voluntary adoption agencies	6	6

The policy context for fostering and adoption in Scotland

The Scottish Parliament and Ministers give a high priority to supporting children’s welfare. They have updated and reformed legislation and policies to protect, assist and support children who are in public care, and improve practice.

* One new independent foster care service was registered at 31/03/06, and will not be inspected until 2007-08.

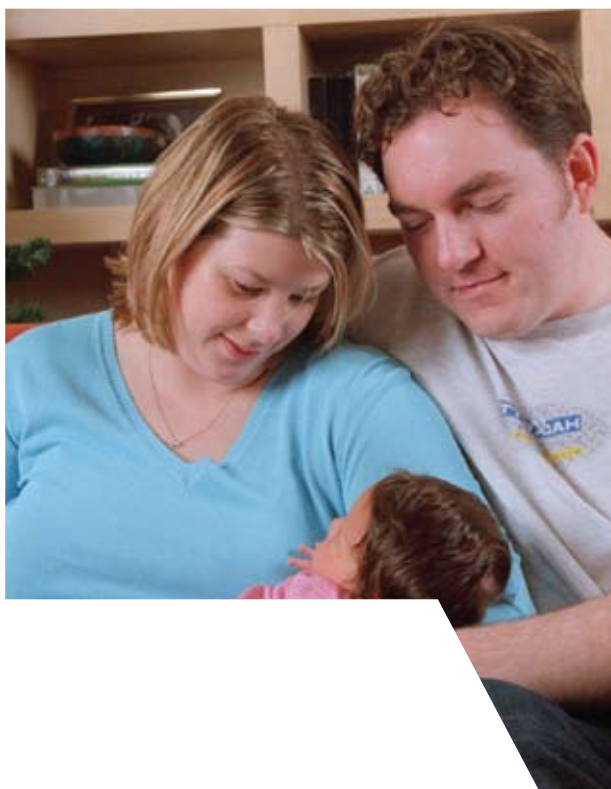


The Adoption and Children (Scotland) Act 2007 received Royal Assent on 15 January 2007 and will be implemented in the near future. The National Fostering and Kinship Care Strategy will be launched by the Scottish Government later this year. These are designed to reform aspects of adoption and fostering practice in light of changes in society and the ever-changing profile of children who are unable to be cared for by their birth families.

In the last 30 years, there has been a move from institutional-based care for children separated from their birth families to placing them in family-based care, through fostering, respite and adoption services. In Scotland, at 31 March 2006, 72.9% of looked-after children were placed in the community with foster carers and adoptive families (Scottish Executive: Statistics Looked After Children, 2006).

Alongside changes in children's needs, there have been changes in the way care services are regulated and monitored. We were set up in 2002 under the Regulation of Care (Scotland) Act 2001 to provide greater protection for people in need and to improve the quality of care services. This Act created the framework we use to register and inspect care services against Scotland's National Care Standards.

In 2005, the Scottish Executive published revised National Care Standards for foster care and family placement services and National Care Standards for adoption agencies. Fostering and adoption services began registering with us from 2005-06. The first inspections of registered fostering and adoption services took place in 2006-07.



Section 1

Foster care and
family placement
services

Foster care and family placement services

This section covers:

- a) what we know about the number and type of foster care and family placement services
- b) how these services are performing against the National Care Standards
- c) what young people and birth parents said about these services
- d) conclusions and recommendations: what foster care and family placement services need to do to improve their performance

a) What we know about the number and type of foster care and family placement services

Before we were set up, there was no requirement to register or inspect foster care services and the number of foster carers in Scotland was not systematically recorded.

In 2000, the Convention of Scottish Local Authorities (COSLA) identified that local authority fostering services provided 2,107 foster carers (Foster Care: COSLA 2000). In 2004, The Fostering Network published a survey of fostering in Scotland and estimated there were 2,300 foster carers in Scotland. The survey identified that:

- local authorities provided 91.5% of foster carers
- six independent foster care providers operating in 2003 provided 195 foster carers, representing 8.5% of the carers in service (Caring for Our Children; Part 1 and 2: The Fostering Network, 2004).

In 2006, for the first time, all 32 local authority and 29 independent foster care services operating in Scotland submitted their annual returns to us. This information identifies how many providers, foster carers and children in foster care there are in Scotland. It also gives us some information about the demands on services at 31 March 2006.

Foster care providers

All Scotland's local authorities provide foster care services. In addition, foster care services are provided by voluntary and independent providers. The number of voluntary and independent foster care service providers has grown significantly from six in 2003 to 29 at 31 March 2006. This figure includes eight respite care services and four adoption agencies which are also registered as foster care providers. These services were not included in previous fostering statistics.

These figures show 12 new foster care services have been set up in the last three years: five voluntary and seven independent providers.

Foster carers

There were 2,871 foster carers in Scotland at 31 March 2006. Table 2 shows the number of foster carers provided by each of the fostering service sectors.

Table 2: Number of foster carers at 31 March 2006

Foster carers at 31 March 2006	Total	Local authority	%	IFAs ¹	%
Overall number of foster carers	2,871	2,321	81	550	19

The table includes 140 respite carers who have not previously been included in foster care services data. We estimate that 15% of foster carers, at 31 March 2006, came from the voluntary and independent sector. This figure does not include respite care services.

Table 3: New applications to foster care 1 April 2005–31 March 2006

New foster care applications	Total	Local authority	% provided by local authorities	Voluntary and IFA (24)	% provided by voluntary & IFA
2005-06	548	347	63	201	37

The table shows the number of applications received from people who wanted to foster care during the year 1 April 2005 - 31 March 2006.

There has been a 20% increase in the number of foster carers in Scotland over the last three years. This coincides with the Scottish Executive providing local authorities with additional funding to develop foster care provision and recruit new foster carers.

The most significant growth is the number of voluntary and independent sector foster care providers. These agencies are now providing 19% of all foster carers.

Seven local authorities did not complete this information on their annual return. Table 3 includes the information we were given from the fostering services who submitted their data to us.

Children in foster care

Our information shows that **3,719** children and young people were in foster care in Scotland at 31 March 2006.

¹ IFAs: Independent fostering agencies

Table 4: Children and young people in foster care

Children and young people in foster care at 31 March 2006	Number
Total children and young people in foster care	3,719²
Short term care	1,572
Long-term, permanent care	1,400
Respite care and short breaks	498
Other	249

The table indicates that:

- 42% of children are in short-term foster placements
- 37.6% of children are in long-term or permanent placements
- 13% of children are in respite care.

These terms are not precise, as 'short-term foster care' can last for several days or weeks, or even up to two years. The terms often reflect the decisions made in a child's care plan, rather than describing the nature of foster care placement.

Figures in this table are indicative, not definitive. This is because the categories used in the annual returns we received were not the same across all the agencies.

Only five local authorities submitted information on private fostering and they identified 25 private foster care placements taking place in their areas.

The information shows that, across the country, each foster carer cares for an average of 1.29 children. This figure hides a wide variation in the number of children cared for in any one foster placement, and is again indicative.

Table 5: Characteristics of new foster care placements in year 2005-06

New foster care placements from 1 April 2005 to 31 March 2006	Number
Total new admissions to foster care	2,030
Emergency placements	348
Placements with relatives and friends	194
Placements with supervision requirements	1,094

² The number of children and young people looked after in Table 4 varies slightly with the Scottish Executive: Looked After Children 2005-06 statistics that report a figure of 3,731, at the same date. This may be attributable to the different source from which the information is collected where the Scottish Executive figure may include children who have not been placed by the foster care service.

The table illustrates that there is considerable movement of children into new foster care placements within the year.

In 2005-06, approximately 55% of all children placed in foster care were new placements. However, Table 5 may include some children who were admitted to foster care more than once within the year, some on a planned basis for respite and some who were re-admitted after they returned to their birth family. Over 17% of these new placements were the result of an emergency.

The information provided to us shows that only 194 looked after children were placed with relatives and friends, under Regulation 14 of the 1996 Fostering Children (Scotland) Regulations. This is considerably lower than the Scottish Executive's figure of 1,726 for the same period. This may be because our information includes only those friends and relatives who have been assessed and approved as relative foster carers.



We do not have details about the circumstances of the remaining 394 children admitted to foster care during this period. They may have been admitted through statutory and voluntary arrangements.

Our data also identified some disrupted placements during the year, resulting in 222 children having to leave their foster home. This represents 6% of all children and young people in foster care.

At 31 March 2006 there were 527 children waiting for foster placements. These are children known to social workers, who may be waiting to be admitted into care, or children who need to move to another foster carer. This figure represents an additional 14%

of children to those in placement and is likely to be an underestimate as only 21 of the 32 local authorities provided this data to us.

Complaints about the service

Sixty-four complaints were received by fostering services in the year 2005-06. Investigations into all but four were completed within the year.

During the same period we received only two complaints about fostering services. This low number could be because people are not familiar with our role in investigating complaints, or it could be because complainants are satisfied with the agencies' own complaints procedures.

The Regulation of Care (Scotland) Act 2001 states that people have the right to complain to us whether or not the complainant has used the agency's own procedures. It is

possible that complaints will increase as our own complaints procedure becomes better known. This has been the case in other areas of regulation and inspection.

Staff working in fostering services

At 31 March 2006, there were 544 staff employed in fostering services across Scotland, with a full-time equivalent number of 421.31.

Twenty-six full-time and 14 part-time vacancies were reported in the local authority sector. This means there was a 7.8% vacancy rate in local authority fostering services. This is slightly higher than the 7% for social workers in other children's services in Scotland and the 6.8% vacancy rate for all main grade local authority social workers (Scottish Executive Statistics: Staffing April 2007).

The vacancy rate could underestimate the staffing shortage, as the specialist nature of fostering work requires social workers with the right experience, knowledge and skill to assess potential foster families and support some complex and challenging children in foster care. There are fewer vacancies reported in the independent and voluntary sector fostering services.

b) How foster care and family placement services are performing against the National Care Standards

When we started inspecting foster care services, we identified six of the 13 National Care Standards to examine during our inspections:

- Standard 5 Assessing and approving carers
- Standard 6 Completing the application
- Standard 7 Information and advice
- Standard 11 Reviews
- Standard 12 The fostering panel
- Standard 13 Management and staffing

This report collates the findings from these inspections and describes how the local authority and voluntary and independent foster care services are performing against each of these six standards.

Our report details examples of good practice and significant areas of shortfall in practice in foster care services in Scotland. We have highlighted, where relevant, the differences in how local authority and the voluntary and independent sectors are performing.

How we inspect foster care services

Before we inspect a service, we ask them to submit an annual return and a self-evaluation questionnaire to us. This gives us details about the service and their own evaluation of the quality of the work they do and how well they meet the National Care Standards.

Care Commission officers then visit the agency over a number of days to:

- meet young people and foster carers
- meet staff
- interview people with key responsibilities in the agency
- observe practice
- examine policies, procedures, case files and staff files.

Our officers then prepare a report of their findings, highlighting strengths of the service and areas for development. The report identifies any areas where the service is not meeting the National Care Standards and makes requirements or recommendations, or both.

Once we have published the inspection report, the foster care service produces an action plan, with agreed timescales, for implementing the requirements and recommendations. We check these changes have been made during subsequent inspections. If any foster care service fails to meet legal requirements, we can issue an enforcement notice to make sure they do. We issued no enforcement notices during 2006-07. On average, inspection reports contained four requirements and ten recommendations. The number of requirements made in reports varied from zero to ten and recommendations from four to 19.

Our first inspections

The first round of inspections of foster care services took place between 1 April 2006 and 31 March 2007.

We considered how they assessed, approved, selected and reviewed foster carers, staff and other people involved in the fostering process.

We also examined how the agency managed the service and the fostering panel. We looked at internal quality assurance in the service.

During our second year of inspection we will focus on the experience of foster children. In future inspections we may focus on particular areas of fostering practice such as long-term and permanent care, relative fostering and kinship care and private fostering.

We consider the views of people who use the service in every inspection. To do this, we send questionnaires to a random sample of foster carers, placing social workers, staff, young people in foster care and other people involved in the fostering process.

Some of our officers involved young people in foster care in the inspections and, where relevant, we have included their feedback in this report.

Attempts have been made within most inspections to contact birth parents. But it was generally not possible to get them to take part in the inspection process in a meaningful way. The only exception to this is in the inspection of respite care services, where birth parents are actively involved and have fully contributed to these inspections.

In this report we have highlighted separately issues that were relevant only to respite care services for children with disabilities. We have done this because these services have not been historically considered as foster care services.

One of the registered independent fostering agencies, the British Association for Adoption and Fostering (BAAF), supports inter-agency developments and does not assess and support foster carers directly. We have not included BAAF in our analysis in this part of the report.

How we have structured our analysis

For each National Care Standard, we have set out:

- what the National Care Standard requires
- what strengths we found
- areas for improvement.

We have also collated the figures we used in our analysis and included examples of good practice we identified.

Standard 5: Assessing and approving carers

What the standard requires

- Carers are fully assessed by suitably qualified and experienced staff, before they are approved.
- The agency has published policies and procedures on how they assess applicants.
- The agency has defined criteria for how they approve a foster carer.
- All members of the household are involved in the process.
- New applicants have the opportunity to meet experienced carers.
- The agency completes and renews checks at least every two years.
- The agency has systems in place to support and supervise foster carers including one unannounced visit each year.
- The agency holds records about approved carers, de-registered carers and applications which have been withdrawn.

What we found: strengths

In general, people who applied to become foster carers expressed a high level of satisfaction with the services provided to them when they applied.

Foster care services offer comprehensive preparation training to applicants, organising preparation groups and using training materials such as 'Skills to Foster', which is published by the Fostering Network.

Fostering social workers often co-lead these groups with an experienced foster carer and deliver training over a series of evening or weekend meetings.

Applicants appreciated such preparation groups. Comments included:

‘Enjoyable and informative.’

‘Enjoyed the preparation groups, especially being able to speak with experienced foster carers.’

Most services have written information available for foster carers to highlight fostering responsibilities and explain what to expect during the application process.

In most foster care services, only qualified social workers carry out foster care assessments, which are generally comprehensive and include all members of the fostering household. Foster carers, in most services, were satisfied with the level of support offered to them and the frequency of social workers’ visits.

What we found: areas for improvement

The main areas for improvement are:

- making sure foster carers receive at least one unannounced visit each year
- improving the nature and quality of information for people applying to become foster carers
- reviewing the way records are kept.

Unannounced visits

There is a serious shortfall in the number of foster carers’ homes receiving at least one unannounced visit each year. More than half the foster care services in Scotland failed to meet this aspect of Standard 5.

Unannounced visits are important to make sure children are safe in a foster carer’s home. These visits should be one safeguard, within a range of measures, to ensure that the quality of foster care provided meets the standards.

Some fostering agencies had made unannounced visits but had not clearly recorded them. They need to change the way they record these visits so they can demonstrate that they are meeting this requirement.

Information for applicants

35% of fostering agencies need to improve the nature and quality of information for applicants. Most commonly, there were gaps in:

- how services handle complaints and explain our role in dealing with them
- the procedures in place for appeals following panel recommendations and agency decisions about someone’s suitability to become a foster carer
- information about the National Care Standards so applicants are aware of the quality of the service they can expect.

Reviewing how records are kept

A quarter of foster care services need to review how they keep records to make sure the information they store meets Disclosure Scotland and Data Protection Act requirements. They also need to improve their procedures for retaining records on withdrawn and de-registered applicants.

Table 6: Areas for improvement, unannounced visits, information, and record keeping by sector as outlined in Standard 5

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary and IFA (28)	%
Lack of unannounced visits	52	16	50	15	54
Gaps in information for applicants	35	13	40.6	8	28.5
Unsatisfactory record keeping	25	9	28	6	21.5

Good practice examples

- Several services encourage applicants' own children to take part in preparation groups. One agency set up a dedicated session for applicants' children to prepare them for the impact of fostering.
- Some services link new applicants with an experienced foster carer, as a buddy, to support them during the assessment.

Standard 6: Completing the application

What the standard requires

- Foster care assessments are completed within six months.
- Foster carers are kept informed regularly on how their assessment is progressing.
- Applicants can read the report being put before the panel.
- There are processes in place for appeals and for reconsidering applications.

What we found: strengths

In general, applicants appreciated the thoroughness of the assessment process and understood the reasons why such checks and information were required.

'The assessment was very thorough, but it was justified, as you're looking after children.'

Fostering agencies generally shared the assessment report with applicants and they signed their assessment report before it was presented at the Fostering Panel. Most applicants attended their fostering panel. Some fostering agencies had prepared leaflets and offered support to applicants to attend their fostering panel.

What we found: areas for improvement

The main areas for improvement are:

- completing applications within six months
- keeping applicants informed about the progress of their application.

Demand for foster placements outstrips supply in most foster care services. Agencies need to be more innovative and creative to recruit foster carers from as wide a sector of the community as possible.

Completing applications within six months

The most frequent concern raised by applicants was the length of time it took the service to complete the application and assessment process. For example, almost a quarter of foster care services were unable to complete applications within six months. The performance of local authority foster care services in this area was poorer than most voluntary and independent sector providers. (This is a significant improvement in performance from that reported by foster carers themselves in 2005, when only 20% of assessments were completed in under six months (Caring for Our Children; Part 2: The Fostering Network, 2004)).

‘The assessment was more thorough than I thought. It took a lot longer than I expected although I completed tasks on time: 1.5 years from first contact to receiving a child.’

Keeping applicants informed

Some of the reasons for delay may be outwith the control of the foster care service. In these circumstances communicating this to the applicants is vitally important.

One quarter of local authority fostering services did not have good systems for monitoring performance and informing applicants on the progress of their application. Delays in progressing applications and poor communication of the reasons for this are common factors in complaints about fostering services. This may lead to some potential applicants withdrawing from the process.

Table 7: Areas for improvement in completing applications within six months and keeping applicants informed, by sector

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary and IFA (28)	%
Failure to complete applications within six months	23	11	34	3	11
Lack of systems for notifying applicants of delay	13	8	25	0	0

Good practice examples

- Some services had prepared user-friendly leaflets describing the range of fostering options. Some leaflets indicated:
 - they were available in different languages and different print sizes
 - how applicants could give feedback on the service or make a complaint.
- Some services have created websites or made links on the local authority website. Services using new technology were commended within inspection reports for their speed of response to new enquiries.
- In some services the supervising senior, or in others a second worker, routinely visits applicants, as part of the assessment process and provides a separate report to the panel.

Standard 7: Information and advice

What the standard requires

Foster carers have a written agreement with the service setting out:

- their terms of approval
- their role and responsibilities as a foster carer
- the service’s role and responsibilities
- carers receive comprehensive information and guidance on all aspects of the service and their role.



- The foster carer's remit is defined in terms of number, age range and sex of children who may be placed with them and the planned duration of each placement.
- Procedures are in place to deal with allegations against carers and these are made available to carers.

What we found: strengths

Most fostering agencies have a Foster Carer Handbook. This contains much of the information and guidance outlined in this standard. The format of handbooks varies. The best were in a format that allowed them to be easily updated to incorporate new legislation, policies and procedures.

Most foster carers reported that their link worker with the agency was their primary contact for information and advice, and most were very positive about the service they received.

‘We’ve received a high standard of guidance and support, not only from our link worker, but from senior members of the team.’

‘Whenever we have a query they’re always willing to help, give advice and reassurance.’

Areas for improvement

The main areas for improvement are:

- identifying gaps in information for foster carers
- putting written foster care and placement agreements in place
- systems for varying the number of children in placement with a carer.

Gaps in information for foster carers

Foster carers were generally satisfied about the informal information and guidance available to them.

Although most foster care services have a handbook, 65% were missing essential information. Examples of this included:

- what to do if allegations were made against foster carers
- details about agency procedures and sources of support and advice
- information about complaints, agency procedures and our role in foster care services
- an explanation of National Care Standards and what they mean to foster carers
- advice on internet safety for looked after children
- how to manage a range of challenging behaviours.

Written foster care and placement agreements

In 50% of services, foster carers did not have written foster care agreements. These outline the terms of approval and the number and ages of children they are registered to foster.

Our analysis shows:

- The absence of foster care agreements is higher in voluntary and independent services, where 57% of carers do not have written agreements on their terms of approval. However, this group includes all eight respite care services which have not historically registered their carers as foster carers and have not used foster care agreements.
- Voluntary and independent foster care services make more use of placement agreements. These define the tasks and responsibilities of both the foster carer and the service for meeting each child's placement plan. This plan is agreed by everyone involved in a child's care before they are placed with a foster carer.
- Three-quarters of all foster care services used placement agreements routinely. Foster care and placement agreements help everyone make sure their roles and responsibilities are clear and that there is good planning and review processes for children and foster carers.

Systems for varying the numbers of children in placement with a carer

- In almost a third of local authority foster care services, the procedures for varying the approved number of children a foster carer can have in placement were not robust enough. The standards require that recommendations to change the number or ages of children in a foster home, or vary the terms of approval, should be made by the fostering panel and the agency decision maker, informed by a foster carer's review. However, there is evidence of a lack of scrutiny and consistency in these processes in 31% of local authority foster care services. This is significant, as variations in approved numbers can result in unrelated children having to share bedrooms and overcrowding in foster homes. In some inspections, there was evidence of experienced foster carers extending beyond their registered numbers. One foster carer had seven children in the foster home.
- Services often ask to vary terms of approval to deal with emergencies. However, if emergency decisions to place a child with a foster carer are not sufficiently scrutinised beyond the first line manager, inappropriate risks and unsafe childcare practice may occur. Care Commission staff were told:

'Carers are often asked to look after too many children, which dilutes their ability to give all the children the attention.'

- Independent fostering agencies are not under the same pressure as local authorities to place children in emergencies and most had processes for varying terms of approval. These were independent of line managers and included more critical scrutiny.

Table 8: Areas for improvement in information and guidance, by sector

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary and IFA (28)	%
Gaps in handbook	65	22	69	17	61
Lack of foster care agreements	50	14	44	16	57
Lack of placement agreements	23	12	37.5	2	7
Inadequate systems for varying the number of children in placement	18	10	31	1	4

Good practice examples

- One service provides all children with a child-friendly storage box containing a CD Rom, disposable camera, photograph album, soft toy and other appropriate tools to help the child record and review their experience in the placement.
- Several local authority fostering services prepared newsletters to keep foster carers informed and involved in departmental changes and developments. Newsletters included training dates and were greatly appreciated by foster carers. Fostering teams in large authorities and some very small rural authorities prepared newsletters.

Standard 11: Reviews of foster carers

What the standard requires

- Foster carers' performance is reviewed every year to make sure they are providing quality care for children and young people.
- Reviews are chaired by someone who knows about foster care and can form an independent judgement. The review includes an assessment of the training, support and supervision provided to the carer and family.
- During the review, the views of the children placed, their families and members of the carer's household are taken into account.
- A report is produced after each review. An action plan is included in this report outlining training and support the foster carer needs in the coming year.
- The review meeting content and outcome is recorded along with carers' comments.

- Consideration of the continued approval of the foster carer.
- If a significant incident, complaint, or allegation of abuse or neglect happens, a review meeting should be held as soon as possible afterwards.

What we found: strengths

In general, foster carers are valued and receive good support and training from their foster care service. As a result, they continue to foster for many years.

‘During almost 25 years of fostering, the service has never let me down with anything. The regular contact, training and support has been excellent.’

The review is an important investment in carers’ career development and most services have a system in place. These reviews provide the forum to:

- comprehensively monitor each foster carer’s performance
- obtain feedback from all relevant parties, including young people, birth parents, social workers and other professionals
- identify progress made by foster carers in developing skills for the task
- agree future training needs.

To bring an element of independence, some agencies arrange for their fostering panel to review new foster carers’ performance. Others ask their fostering panels to review foster carers’ performance every second year, or when they want to vary the terms of approval, or both.

What we found: areas for improvement

The main area for improvement is carrying out annual reviews of all foster carers, including reviews after significant events or a change of circumstances.

Our greatest concern about this standard is the number of agencies that did not undertake annual reviews of all their foster carers.

An annual foster carer review is an essential way to monitor the quality of any fostering service. This requirement is set out in regulation 10 (1) of The Fostering of Children (Scotland) Regulations 1996. Our analysis shows:

- 59% of local authority foster care services did not review their foster carers every year.
- 39% of voluntary and independent foster care services did not review their foster carers every year. This includes all respite care services, which have not previously reviewed carers.
- Independent fostering agencies performed better at ensuring reviews discussed the training needs of carers. 93% of these agencies achieved this.

‘We haven’t had a review in five years. This isn’t good.’

- In 59% of local authority foster carer reviews, there was no evidence that training had been discussed.

We are aware that it is difficult to get the range of parties who could give feedback on a foster carer's performance to actively contribute to reviews. Our inspections highlight the need for agencies to continue their efforts to get views from children and young people who have been placed in foster care, and the views of their birth parents.

Table 9: Areas for improvement on reviews by sector, as outlined in Standard 11

Areas for improvement at foster carer reviews	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary and IFA (28)	%
Some gaps in feedback and the range of views included in the review	63	20	62	18	64
Lack of annual reviews of foster carers	50	19	59	11	39
No discussion of training needs of foster carers	35	19	59	2	7
Reviews held after significant incidents	28	10	31	7	25
Independence of chair	15	6	19	3	10

Good practice examples

- One agency has involved the voluntary advocacy service, Who Cares? Scotland to prepare children for reviews and this has improved the participation and feedback of young people in their reviews.
- Some foster care services have appointed external consultants to review foster carers. Others have identified staff outwith the fostering team to undertake foster carers' reviews so they can take an independent view of the foster carer's performance and continued approval.

Standard 12: The fostering panel

What the standard requires

- Fostering panels include professionally qualified and experienced staff, as well as medical and legal representatives, foster carers and people with experience of being in foster care or using family placements.
- The panel reflects the community it serves and can call on expert advice if necessary.
- The agency has published policies and procedures about setting up and running the panel.
- Each panel member goes through relevant police and local authority checks.
- There is a clear difference between the panel's responsibility to recommend and the agency's responsibility to decide.
- The panel publishes an annual report, with details of membership, terms of reference and a summary of its work.
- The panel has procedures for calling on specialist advice.
- The panel records decisions and recommendations.
- Members receive the training they need, information about the service, and relevant research about children and care services.
- Panels have an appeals procedure.
- Panels may advise the agency on recruitment strategy and issues such as resource sharing and relationships with other agencies.
- People who are applying to become foster carers are provided with information about the appeals process and how, and in what circumstances, they may use this.

What we found: strengths

Members of fostering panels have a wide range of experience and knowledge. Panels carry out their responsibilities thoroughly, and most are clear on their relationship with the agency.

As well as making recommendations on children and carers, many fostering panels meet to discuss business and to undertake training. Some have established good systems for monitoring and evaluating their performance.

Managing the complex business at panel meetings is greatly assisted by confident chairmanship and dedicated administrative support. This was evident in a number of cases.

What we found: areas for improvement

The main area for improvement is the composition and training of fostering panels.

These panels make recommendations on applicants' suitability to foster. But the composition of almost half of fostering panels does not:

- fully reflect the community they serve, or
- meet regulation 4 (1) of The Fostering of Children (Scotland) Regulations 1996.

Most frequently, the membership of fostering panels did not include experienced foster carers or people who had grown up in foster care.

There were significant problems in the composition of the panel of some independent foster care services. Three had difficulties securing a legal adviser, one did not have a medical adviser and one had difficulty ensuring the professional adviser was sufficiently independent of the process of work presented at the panel.

Our analysis shows:

- The way members were recruited, selected and appointed, particularly in local authority panels, did not always meet safer recruitment practice. As some members of the local authority panels were internal employees, application forms were not completed.
- 38% of all agencies were missing Enhanced Disclosure Scotland or local authority checks to ascertain panel members' suitability to have a role in decisions about children.
- More than a quarter of local authority fostering panels did not have good administrative support to prepare and distribute reports and take minutes of meetings. The complex nature of the responsibilities of fostering panels requires skilled chairmanship. The lack of administrative support resulted in panel members, and even the panel chairperson in some panels, taking minutes.
- 47% of agencies report that their panels do not have good access to relevant training.
- 40% of all panels did not publish an annual report setting out how they work and summarising what they did in the last year.
- Respite care agencies have not previously prepared annual reports. Eight respite care services are included in the 12 voluntary and independent fostering agencies that did not prepare annual reports.
- 28% of services did not provide good enough written information for applicants about the appeal process.

'The panel was nerve-wracking, but the members all introduced themselves and tried to put us at ease.'

Table 10: Areas for improvement of the fostering panel by sector, as outlined in Standard 12

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary and IFA (28)	%
Insufficient range in membership of the fostering panel	47	11	34	17	60
Lack of panel training	47	14	44	14	50
Failure to produce annual report	40	12	37.5	12	43
Improve recruitment practice of panel members	38	18	56	5	18
Lack of administrative support	15	9	28	0	0
Lack of information on appeals	28	9	28	8	28.5

Good practice examples

- Some foster care services have commissioned BAAF to chair their fostering panels to ensure there is both independence and expert knowledge in this key role.
- Some fostering panels have birth parents attend the panel when discussions are taking place on the child’s plan for long term care. While challenging, this has been constructive in terms of human rights and ensuring birth parents’ views are heard.

Standard 13: Management and staffing

What the standard requires

- Safety is crucial when recruiting and selecting managers, staff and volunteers and relevant checks are carried out.
- Effective systems for supervising and appraising staff are in place.
- Recording and information systems are in place.

- Plans to improve the quality of service take into account the views of children, parents and carers.
- Annual reports describe performance.
- Financial transactions are recorded and can be checked by the Care Commission.
- External managers monitor services.

What we found: strengths

Feedback from foster carers about the commitment of staff and management to support them in their role was generally positive.

‘I think the social work department is very supportive.’
 ‘They listen to us and take on board our suggestions.’
 ‘Honesty and openness of management.’
 ‘The best things about this fostering service are the support, openness, feeling as part of huge family.’

In fostering services we found:

- high standards in safer recruitment practice related to recruiting, selecting and assessing foster carers
- the processes for obtaining references, Enhanced Disclosure Scotland checks and local authority checks are thorough and are recorded on foster carers’ files and in assessment reports.

We also found effective systems for supervising and appraising social workers in most services.

What we found: areas for improvement

The main areas for improvement are:

- meeting safer staff recruitment practices
- improving administrative recording and information systems.

During our 2006-07 inspections, we focused on how agencies were recruiting managers and staff and whether or not they were incorporating all the recommendations of ‘Safer Recruitment’ practice.

In 63% of both local authority and independent fostering services, there were shortcomings in staff recruitment practice. These included:

- failure to systematically check and record mental and physical fitness for employment
- failure to verify qualifications with professional bodies and academic institutions
- failure to get two written references and keep these on file
- lack of evidence that Enhanced Disclosure Scotland checks had been obtained.

Our analysis shows:

- Disclosure information was often not being stored in line with Disclosure Scotland and Data Protection requirements.
- 40% of foster care services had no Service Level Agreements (SLAs) in place when local authorities placed children with other foster care services. These SLAs detail the expected arrangements between the foster care services for the child.
- More than one third of foster care services needed to improve their quality assurance systems. This included establishing systems to monitor:
 - complaints
 - accidents and incidents
 - health and safety
 - risk assessments of foster children sharing bedrooms
 - variations in approved numbers of children in foster homes.
- Gaps in case files in one third of local authority and independent fostering services, including:
 - lack of clear expectations about what should be recorded and how records should be kept
 - poor and inconsistent recording in foster carers' case files
 - poor structure in case files, resulting in important information being unable to be located quickly.
- Poor links between paper and electronic filing systems, resulting in complex processes and difficulties in finding information.
- Poor administrative support to fostering workers which increased their involvement in administrative tasks.

Some foster care services undergo heavy demand. This, combined with staff vacancies, can severely impact on the quality of service children receive.

One agency staff member said;

‘The fostering service is severely backlogged and has resulted in most of the children requiring placements being left stranded for years in short term placements. This has happened as a knock-on effect from the worker shortages in area teams. Children in foster care aren’t a priority as they’re in a safe place, so their paperwork never gets done.’



Table 11: Areas for improvement in management and staffing by sector, as outlined in Standard 13

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary and IFA (28)	%
Failure in safer staff recruitment and poor staff files	63	22	69 ³	16	57
Lack of service level agreements	40	14	44	10	36
Lack of quality assurance systems	36	11	34	11	39
Gaps in foster carer files	33	11	34	9	32

Good practice examples

- Several local authorities have Foster Carer Consultation Groups. These meet regularly, sometimes with the Director and elected members, so foster carers can take an active role in influencing how services develop.
- In one local authority, experienced family placement workers mentor new members of staff. This authority also enables staff to undertake the new Professional Qualification in Family Placement.
- One local authority has developed specific training for foster carers to meet the needs of very vulnerable babies affected by parental drug misuse.

c) What young people and birth parents said

During inspections, some young people in foster care were asked to complete a feedback form to give their views on their experience of fostering. Responses were overwhelmingly positive. Young people:

- appreciated the positive encouragement they were given for learning, school and work
- were encouraged to participate in sports, hobbies and outings
- were helped to stay healthy, and were given support to keep in contact with the people that were important to them.

³ This relates to all local authority services and not solely fostering services

It was difficult to get feedback from birth parents of children in foster care during the inspection process, because of the range of complex issues that arise when children are separated from their families. However, when children and young people with disabilities receive respite foster care as part of the support to birth families, birth parents are actively involved in this service, and their feedback was readily available.

Birth parents using these services were generally positive about both the quality of care their children received and the service and support they received from the service.

Parents were happy that their children’s needs were being met. They felt able to raise concerns, and that their concerns would be respected. The foster carers were described by birth parents as:

‘A life-line for our family.’
 ‘Worth their weight in gold.’

d) Our conclusions and recommendations: what foster care service providers need to do

Local authority, voluntary and independent foster care providers must urgently address the following, critical areas. They must:

- arrange for all foster carer reviews to take place annually and make sure these reviews:
 - are comprehensive
 - are sufficiently independent
 - include feedback from all relevant parties
 - agree plans for foster carer training
- ensure that one unannounced visit to a foster carer’s home is planned every year and is clearly recorded after the event
- identify delays in progressing applications and continue to improve performance to complete assessments within six months
- ensure there are written foster care agreements outlining the terms of approval of carers
- ensure there are placement agreements outlining the responsibilities of everyone involved in each child’s placement
- ensure there is consistent scrutiny of all decisions to vary the approved number of children cared for by any foster carer.

All foster care service providers in Scotland also need to:

- re-examine all the written information they provide to ensure it meets requirements and is presented in user-friendly accessible formats for applicants and foster carers
- review how fostering panels are composed and take action on the identified shortfalls in safer recruitment

- ensure that fostering panels complete an annual report of their work and that members have access to relevant training
- improve staff recruitment to tackle shortages and improve safer recruitment practices
- prepare SLAs setting out each agencies role and responsibilities to support the placement of children with other agencies
- improve the quality assurance systems within fostering services
- continue investing in innovative and creative campaigns to recruit more foster carers, to meet the demands for placements for looked after children.

Section 2

Adoption agencies

Adoption agencies

This section covers:

- a) What we know about the number and type of adoption agencies
- b) How these services are performing against the National Care Standards
- c) Conclusions and recommendations: what adoption services need to do to improve their performance

a) What we know about the number and type of adoption agencies

In recent years, around 1% of all looked after children in Scotland were placed for adoption. The number of adoptions has dropped from a peak in the mid 1960s, to a figure of 184 children placed with prospective adopters at 31 March 2006. (Scottish Executive Statistics: Looked after Children 2005-06; these figures don't include step-parent adoptions or children adopted from other countries.)

While the scale of adoption activity is considerably smaller than fostering, adoption agencies have a significant role in providing alternative, secure family placements for looked after children who can't return to the family they were born into.

All 32 local authorities in Scotland and six voluntary agencies submitted an annual return on 31 March 2006.

All agencies are registered and we inspect them individually. Only three of the voluntary agencies assess and approve adoption applications. The others provide specialist services in particular aspects of adoption, as follows:

- BAAF provides advice, information, training and consultancy services to local authorities and voluntary adoption agencies across Scotland.
- Scottish Adoption Advice provide post-adoption services to families and young people who have been adopted. Services include advice, counselling, information and help with contacting relatives.
- Birthlink's services, which are for people who have been adopted, include counselling, tracing and setting up meetings with birth relatives. It also maintains the Adoption Contact Register for Scotland. (This is a confidential computerised database that puts adopted people and their birth parents, or other birth relatives, in touch when both parties want this to happen.)

The following tables compare data between local authority and voluntary adoption agencies. But as so few voluntary adoption agencies assess and approve adoptions applications in Scotland, you should interpret the comparisons with some caution.

Table 12: Volume of adoption work undertaken in Scotland between 1 April 2005 and 31 March 2006, by sector

Volume of adoption work: 1 April 2005- 31 March 2006	Total	Local authority (32)	%	Voluntary agency (3)	%
Number of approved adopters at 31 March 2006	515	446	87	69	13
Number of new adopters	224	162	72	60	28
Number of children placed for adoption	255	238	93	17	7
Number of disruptions in year, as a % of placements in a year	16 disruptions (6.2%)	14 disruptions: 238 placements	5.8	2 disruptions: 17 placements	11.7

Table 12 shows that there are, in total, more people approved to adopt than there were children placed for adoption in 2005-06. It is possible that some adopters may have been waiting for years to have a child placed with them. Others may adopt children from elsewhere in the UK. The table could also indicate a mismatch between adopters' wishes and expectations and the needs of children in care waiting for adoptive parents.

While all local authorities are undertaking adoption work, the three voluntary adoption agencies provided 28% of new adopters.

Table 12 also shows that 255 children were placed for adoption throughout the year. However the Scottish Executive recorded 184 children in adoption placements (Scottish Executive Statistics: Looked After Children. 2005-06). This variation is due to some children being adopted through the year and no longer being recorded as looked after children.

A total of 6.2% of children placed for adoption experienced disruption in 2005-06. This figure is similar to the 6% disruption rate for foster care placements in the same year.

The annual return also identified that 178 children awaited adoption placements at 31 March 2006. This is a cause for concern as these children are separated from their parents, and formal decisions have been made to find adoptive parents for them. Many are young, and any delay in finding a permanent adoptive placement for a child under five,

or in reuniting a sibling group, can have a detrimental effect on their long-term emotional development.

The figure of 178 children underestimates the number of children waiting for adoption, as 11 local authorities did not submit data in this area. The extent of the shortage of placements is evident in returns from just three local authorities, which respectively have 26, 35 and 38 children waiting for suitable adoption placements.

At 31 March 2006, 289 staff (230.32 whole-time equivalent) were working in adoption agencies across Scotland. Adoption agencies reported 12 full-time and 11 part-time vacancies, a 7.4% vacancy rate. This is similar to the figure for fostering services. It is also higher than the 6.8% vacancy rate reported for all main grade social workers (Scottish Executive Statistics: Staffing April 2007).

Adoption agencies received 11 complaints during the year to 31 March 2006. Only one remained to be dealt with at the end of the year. No complaints were made to the Care Commission during this time.

b) How adoption agencies are performing against the National Care Standards

In 2006 there were 38 registered adoption agencies (32 local authorities and six voluntary sector adoption agencies). These were subject to inspection during the year 1 April 2006 - 31 March 2007.

How we inspect adoption agencies

Before we inspect an agency, we ask them to submit an annual return and a self-evaluation questionnaire to us. This gives us details about the agency and their own evaluation of the qualities of the work they do and how well they meet the National Care Standards.

Care Commission officers then visit the agency over a number of days to:

- meet young people and carers
- meet staff
- interview people with key responsibilities in the agency
- observe practice
- examine policies, procedures, case files and staff files.

Our officers then prepare a report of their findings, highlighting strengths of the agency and areas for development. The report identifies any areas where the agency is not reaching the National Care Standards and makes requirements or recommendations, or both, in the inspection report.

Once we have published the inspection report, the adoption agency produces an action plan, with agreed timescales, for implementing the requirements and recommendations. We check these changes have been made during subsequent inspections. If any adoption agency fails to meet legal requirements, we can issue an enforcement notice to make sure they do. We issued no enforcement notices during 2005-06.

On average, the inspection reports contained 2.4 requirements and nine recommendations. The number of requirements in inspection reports varied from none to ten and recommendations varied from four to 20.

Our first inspections

Our first inspection of adoption agencies focused mainly on the National Care Standards for adoption agencies that relate to:

- services for adoptive parents and prospective adoptive parents (standards 18-28)
- how adoption agencies are managed and staffed (Standard 32).

The focus of these care standards overlap, so we've grouped them together in this report, as follows:

- Standard 18 Getting information
Standard 19 Getting a response
Standard 20 Dealing with your application
- Standard 21 Being prepared
Standard 22 Being assessed
Standard 23 Completing the adoption process
- Standard 24 The adoption panel - how it works
Standard 25 The adoption panel - its decision
- Standard 26 The matching process
Standard 27 Preparation to adopt a child
Standard 28 Financial information
- Standard 32 Providing a good quality service, management and staffing.

The nature of the services provided by BAAF, Scottish Adoption Advice Service and Birthlink meant that we only applied Standard 32 during our inspection of them. Because of this, information from the inspection reports on the other standards includes only three voluntary adoption agencies.

Our inspection did not include adoption of children from abroad, step-parent or family-member adoption.

Standards 18, 19 and 20: getting information, getting a response and dealing with an application

What the standards require

- Adoption agencies will tell people about the needs of children locally and across the UK who need adoption.
- Information is accessible and details all aspects of the adoption process, agency criteria, costs and financial help, complaints and appeals procedures.
- Information about step-parent adoption and adoption from overseas is included.
- Agencies will respond to enquiries within seven days and use a range of recruitment strategies, including the internet.
- They will deal with applicants openly and sensitively when they can't proceed with an application.

What we found: strengths

Eighty-three per cent of adoption agencies responded to enquiries from their community about aspects of adoption in reasonable time, and were able to follow this up with a home visit within four weeks. Many local authorities and voluntary adoption agencies have a website where enquirers can get more information.

In the west of Scotland, eight local authorities have formed a consortium to deliver adoption services. The largest of the authorities manages the consortium. Other consortium arrangements are in place for recruiting staff and exchanging resources, including staff skills and information on the range of approved adopters who are available to care for young people. These arrangements appear to work successfully as they effectively use the specialist knowledge and experience required in adoption.

When inspecting adoption agencies, inspectors routinely asked people, including people using the services, approved adopters and people going through the process of adoption, about the services they received. In general, both in questionnaires and in interviews, adopters complimented the adoption agency for the service they received. They also found social workers forthcoming with information.

What we found: areas for improvement

The main areas for improvement are:

- identifying gaps in information for people inquiring about adoption
- keeping applicants informed.

‘No question was too trivial.’
‘Experienced, knowledgeable, sensitive and kind; great.’
‘First class, genuine, warm and caring.’

Gaps in information

The range and quality of information that adoption agencies provide to people enquiring about adoption should include all information outlined in the National Care Standards, in a format that is easily updated. Written information given to applicants by agencies should also include:

- details of children waiting for adoption in their area and across the UK
- the cost of adoption and any financial support available
- the process of adoption, appeals, and complaints procedures
- details of the National Care Standards to inform applicants about the quality of the service they should expect from the agency.

Keeping applicants informed

Over a third of adoption agencies failed to give written explanations to applicants; for example when not proceeding with an application, or telling them about procedures for reconsidering their application. Six local authorities failed to respond to initial enquires within seven days or interview within 28 days of an enquiry.

Table 13: Areas for improvement in getting information as outlined in standards 18, 19 and 20

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary agency (3)	%
Gaps in information for prospective adopters	80	26	81	2	66
Failure to give information when not proceeding	40	12	37.5	2	66
Failure to give information on reconsideration	31	10	28.5	1	33

Good practice examples

- Several local authorities have prepared detailed, user-friendly information leaflets on all aspects of adoption.
- One has its leaflets on the web in a format that can be easily updated and is available in several languages.

Standards 21, 22 and 23: Being prepared, being assessed and completing the adoption process

What the standards require

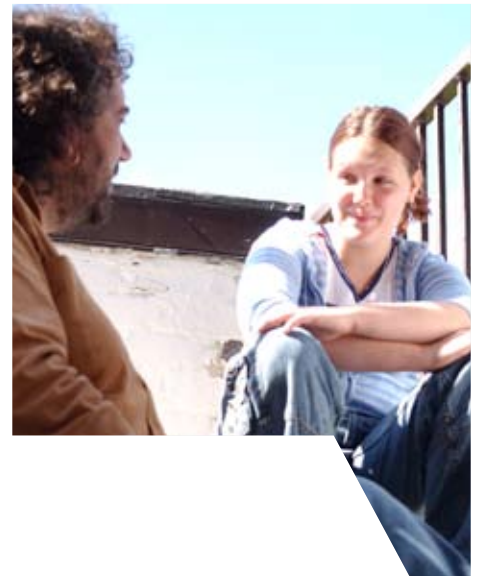
- Adoption agencies must use the most effective methods to prepare and assess adopters and help potential adopters understand the full implications of caring for an adopted child.
- Applicants should be actively involved in the assessment process and any delays or difficulties should be explained to them as these arise.
- Assessments should be completed within six months and applicants should be able to read their report.

What we found: strengths

Ninety-four per cent of adoption agencies hold group meetings for prospective adopters so that they can prepare and learn more about the issues they should consider when applying.

Many agencies invite experienced adopters along to talk about their experiences. Most agencies use BAAF's 'Preparing for adoption', which reflects current research and trends in adoption practice. Feedback from prospective adopters was very positive:

- 'Excellent training.'
- 'Interesting and informative.'
- 'Child development, separation, loss and legal issues were well covered.'
- 'We felt well prepared to adopt.'



What we found: areas for improvement

The main areas for improvement are:

- delays in processing applications
- poor communication.

Delays in processing applications

The most consistent shortfall involved delays in processing adoption applications within the timescales outlined in Standard 23. Several adopters reported delays, and data from inspection reports confirms their concerns.

Almost two-thirds of adoption applications across all agencies take longer than six months to complete. This failure to meet the standard for applicants also creates delays in securing permanent adoptive placements for children.

Poor communication

Some adopters appreciated that many of the factors contributing to delays were outwith the control of individual workers. Despite this, 54% of agencies do not have a system for giving regular feedback to applicants on how applications are progressing. Poor communication can cause frustration, and in such circumstances applicants may wish to contact a manager. Delays and poor communication are recurring features in complaints.

Table 14: Areas for improvement in being prepared and assessed within the timescales outlined in standards 21, 22 and 23

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary agency (3)	%
Failure to complete within six months	63	20	62.5	2	66
Failure to give written feedback on progress of application	54	18	56	1	33

Good practice examples

- Some agencies ask people who have been adopted to take part in preparation groups, to promote understanding and build confidence in the impact of adoption on young people at different stages in their lives.
- Some have involved birth parents to illustrate how significantly birth parents can contribute and the importance of valuing their relationship with the child.

Standards 24 and 25: The adoption panel - how it works and its decision

What the standards require

- The process by which adoption agencies make decisions, following recommendations by an adoption panel, must be legal, open and fair.
- The adoption panel should be made up of people with a range of experience of adoption, including people who have used adoption agencies. Panel members must be suitably checked and sign confidentiality agreements.
- Applicants can choose to attend their panel and should be given any help they need to take part in this discussion.
- Adoption panels should make their recommendation known within 24 hours. Recommendations should be available in writing within 21 days. Approvals should clearly detail the terms and whether the approval is for a domestic or overseas adoption. Decisions not to approve should detail the reasons.

- There is an independent appeal process.
- Decisions of approval must be reviewed if a child is not placed within two years.

What we found: strengths

All adoption agencies have a panel of experienced individuals from a range of backgrounds. They discuss applications fully, involve applicants in most instances, and make recommendations to whoever is responsible for making decisions in the agency.

This is a complex area of childcare practice, and in some agencies this is the same panel who discuss fostering applications. When this happens, panels need to be explicit about their role and responsibilities under various laws and regulations.

Panels are generally well supported and advised by medical and legal advisers, and can call on other areas of expertise as required. Adoption panels are clear about their responsibilities and most make their recommendation at the meeting or within 24 hours. Most agencies help applicants to attend the panel and many applicants recognised the importance of taking part.

What we found: areas for improvement

The main areas for improvement are:

- improving selection for panels
- providing more training for panel members
- reviewing approvals after two years.

Improving selection for panels

More than half of adoption panels, including the voluntary adoption agencies, must improve their selection process to ensure that panel members have had their background checked properly. Table 15 shows areas that need to be improved.

Adoption panels need to show that they've made appropriate checks on members, including Enhanced Disclosure Scotland checks, local authority checks and references.

Almost half of adoption panels, particularly in local authorities, aren't sufficiently independent from their agency, and need to recruit external members to increase the panel's scrutiny and independence.

Some adoption panels include people who have adopted or have been adopted. The range of membership of over a quarter of adoption panels needs to be increased.

More training for panel members

Some panel members need to update their knowledge through training, particularly in the voluntary sector; in others they need to sign confidentiality agreements relating to the detailed personal information they discuss.

Applicants' comments about attending adoption panels included:

'Stressful.'

'Nerve-wracking.'

'Too many people.'

In these agencies, adoption panels must review their practices. Panel member training could improve applicants' experience of attending panel meetings and help them to take part more fully in discussions. Poor meeting facilities and a lack of confidentiality in waiting areas were reported in two agencies.

Reviewing approvals after two years

Eleven local authority adoption panels did not have procedures in place to review the approval of applicants who did not have a child placed with them after two years.

Table 15: Areas for improvement in adoption panels, composition and decisions, as outlined in standards 24 and 25

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary agency (3)	%
Ensure safer recruitment of panel members	57	18	56	2	66
Increase independence of panel	48.5	16	50	1	33
Reconsideration of approval after two years	31	11	34	0	0
Increase the range and experience of members	26	7	22	2	33
Training	20	5	16	2	66

Good practice examples

- Some adoption panels are chaired by independent consultants, who bring both expertise and objectivity to the role.
- BAAF arrange quarterly meetings for panel chairpersons across Scotland to share knowledge, experience, and expertise in adoption. They provide induction training for new panel members, legal and medical advisers and administrators, and training for adoption panels on specialist areas of adoption practice.
- Applicants and social workers attending the adoption panel in a large local authority were given leaflets describing the panel and its membership before attending. They also filled in questionnaires, which panel members used for learning and development.

Standards 26, 27 and 28: The matching process, preparing to adopt a child, financial information

What the standards require

- The process of matching children and families is clear, published and consistently applied. Adopters have full information on the child in writing and have the opportunity to meet all relevant people.
- Adopters are prepared to meet the child's ethnic, cultural, faith, language, emotional, health and developmental needs. Adopters can effectively contribute to the matching panel. If they are not matched with a child they are given an explanation.
- The costs and availability of financial help is relevant to applicants when considering the placement of a child. Financial help needs to be spelled out and applicants can be confident that payments will be reviewed annually.

What we found: strengths

Adoption panels consider all recommendations on how suitable applicants are to meet the needs of every child placed for adoption.

Most adoption agencies ensure that applicants know about the child's ethnic, cultural, spiritual, emotional and developmental needs, as well as the child's health, language and potential. Panels consider this information, along with detailed assessment reports on applicants, when recommending the suitability of a match.

All voluntary adoption agencies and some local authority panels were explicit about the financial costs of adoption, and told applicants that adoption allowances were available.

Many local authority panels are responsible for considering applications from foster carers who wish to adopt children already in their care and for recommending the suitability of this match.

What we found: areas for improvement

The main area for improvement is the quality and quantity of information that panels provide.

When discussing adoption placements, 44% of local authority adoption panels did not provide information about the legal costs and financial help that would be available to adopters towards the cost of the child's placement.

To make sure the whole process is absolutely clear, adoption agencies must be explicit about criteria when matching children with adopters and recommending placements.

More than a third of adoption agencies do not have published information on the criteria they use when they consider matching applicants with children, and a fifth of agencies do not involve applicants sufficiently in this process.

Some of these agencies do not give potential adopters enough reasons explaining why they were not selected as suitable for a particular child.

Table 16: Areas for improvement in matching applicants and children, as outlined in standards 26, 27 and 28

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary agency (3)	%
Failure to provide information on financial support	40	14	44	0	0
Failure to publish matching criteria	37	12	37.5	1	33
Applicants not sufficiently involved in match	20	6	19	1	33
Failure to feedback reasons	11	4	12.5	0	0

Good practice example

- One local authority devised a course for foster carers who wished to consider adopting a child in their care. This helped to make sure they were familiar with the different responsibilities of adoption and the long-term implications for their family.

Standard 32: Providing a good quality service – management and staffing

What the standard requires:

- Adoption agencies select and manage staff using safer recruitment practices.
- Staff are suitably qualified and have access to training to make sure they are using best practice. They are supervised and have regular appraisals.
- Agencies get feedback about the quality of their services from the people who use the services. They have good systems for dealing with complaints.
- Agencies have quality improvement systems in place. External managers can monitor their services and make sure they are managing their finances properly.

What we found: strengths

We inspected all 38 adoption agencies on this standard. Overall feedback on the quality and management of the services that adopters receive was good. Adopters' views were summarised by one Care Commission officer:

‘The speed, transparency and thoroughness of the assessment, approval and matching processes all drew specific positive feedback.’

The experience and qualification of staff in adoption agencies is generally high and adopters value this, as their comments show:

‘Supervising social workers kept us well informed of how the system worked.’

‘Very knowledgeable approachable and available.’

‘She’s excellent, very approachable and professional but she’s travelling all over the place.’

Social workers working with adopters are generally well supervised and get effective backing from their managers. There are good levels of knowledge about:

- the law and regulations that govern adoption practices
- our role
- what’s expected under the National Care Standards.

Voluntary adoption agencies had previously been inspected, but not by us. For all local authorities, however, the 2006-07 inspections were the first time their adoption agencies had had an external inspection.

Some agencies have in-house quality assurance systems in place, and have routine reporting mechanisms on performance levels, waiting times and disruptions. Some use their annual adoption report as an opportunity to collate their practices, identify trends and gaps, formulate strategic plans and inform senior managers and council members.

BAAF works with all adoption agencies throughout the UK to link potential adoptive families with children who need placement.

Local authorities in the west and north east of Scotland manage their adoption agencies through local consortium arrangements. These agencies work together to manage recruitment and assessment of prospective adopters. Their services benefit from shared knowledge and better use of scarce resources to help make linkages between young people and potential adopters.

In the east of Scotland, four local authorities have SLAs with two voluntary adoption agencies. These provide a specialist adoption service for young children and handle enquiries from applicants for overseas adoption.

All adoption agencies must provide adopters with support, such as advice, counselling or practical help, after a child has been placed with them. One specialist adoption advice service has contracts with 16 local authorities to provide counselling and other help to local families who have adopted children, and to adopted adults in their area. This arrangement seems to benefit everyone: it provides the expertise and other forms of help that families need in the years after they have adopted a child.

What we found: areas for improvement

The main areas for improvement are:

- practices for recruiting staff
- staff training.

Practices for recruiting staff

We found similar shortcomings in staff recruitment practices in adoption agencies and foster care services.

Almost half of all adoption agencies need to improve their practices for recruiting staff. In particular, they need to improve safer recruitment practices; that is, they need to make sure that:

- all staff have Enhanced Disclosure Scotland checks
- they have two previous employers' references for all staff
- systems to check employees' qualifications are routinely verified by the Scottish Social Services Council or other relevant professional body.

Staff training

Although many staff in adoption agencies are experienced, they need to keep up to date with changing practice. Training plans were not available in 45% of agencies. Improvements are also needed in:

- managing case files
- providing information about how applicants or prospective adopters can make complaints
- preparing annual reports
- ensuring sufficient external monitoring of the quality of the service is carried out
- quality assurance by managers.

Table 17: Areas for improvement in managing and staffing adoption agencies, as outlined in Standard 32

Areas for improvement	% of reports with requirements or recommendations	Local authority (32)	%	Voluntary agency (6)	%
Improve staff recruitment practice	47	16	50 ⁴	2	33
Improve staff training	45	14	44	3	50
Information on complaints	31.5	12	37.5	0	0
Improve case file management	24	8	25	1	17
Prepare annual reports	21	8	25	0	0
Quality assurance systems	21	6	19	2	33

⁴ This relates to all local authority services and not solely adoption services.

Good practice examples

- Staff in two local authorities can take a professional course in family placement; many agencies offer senior practitioner grades to retain experienced adoption staff.
- All BAAF member agencies are invited to BAAF Practice Development Groups. These share knowledge, experience and expertise in adoption between all local authorities and specialist adoption agencies. BAAF also produces quarterly journals, training courses and materials. These are valuable to staff and panel members, keeping them up-to-date on research and developments in adoption practices.

c) Conclusions and recommendations: what adoption agencies need to do to improve their performance

After our inspections, we sent each adoption agency a detailed report outlining the requirements and recommendations they needed to act on to meet legal requirements and the National Care Standards.

Agencies must produce an action plan for requirements and recommendations. In later inspections we check they have met the action plans and improved their services.

Based on the evidence from adoption agency inspections in 2006-07, and from the number of children waiting for adoption placements, adoption agencies must:

- identify the reasons for delays in progressing adoption applications and remedy these quickly
- establish systems to monitor progress on applications, keeping applicants informed of the reasons why the agency is unable to deal with their application within the six month period
- improve written information available to prospective adopters and adoptive parents, ensuring that it meets the requirements outlined in the National Care Standards, and that it is presented in user-friendly, accessible formats
- improve the routine communication and explanations given to applicants when there are delays and disappointments in progressing decisions
- review the composition of adoption panels, and address the shortfalls we have identified in safer recruitment practices
- increase the independence and experience of adoption panels and improve access to training
- improve staff recruitment to fill vacancies and counter delays in completing assessments, and improve safer staff recruitment practices
- increase specialist training available to experienced staff
- improve quality assurance systems, and recording and reporting systems.

Section 3

How we
performed

How we performed



This section is about how well the foster care and adoption services thought we had performed during our first round of inspections in 2006-07. It is based on the results of a survey we carried out; we asked 100 staff and managers from these services to complete a questionnaire: 'How well did we carry out our inspection?'.

The questionnaire, which asked them to rate our performance using multiple choice questions, was sent to:

- 32 local authorities who provide both fostering and adoption services
- 29 independent fostering services
- six voluntary adoption agencies.

Thirty people responded to our questionnaire, a 30% response rate. Some declined to answer a few of the questions.

What we found

Overall, 87% of respondents were happy about how we carried out the inspection.

Agencies were satisfied with how we notified them about and prepared them for their inspections.

We do need to improve the quality of information we send to agencies before we carry out an inspection. In particular, we need to review:

- the format of our annual return document
- the information we ask people to give us.

Before the inspection

Fostering and adoption agencies said they were told about the inspection and had prepared for it. Our research shows that:

- 100% (30 respondents) received information before our inspection.
- 70% (21 respondents) received a letter informing them about the inspection; the other 30% found out in other ways, for example, from their manager or by e-mail.
- 80% (24 respondents) received all the information they needed before the inspection.
- 87% agreed that the information prepared them for the inspection.

However, some people thought that the documents we sent out before our inspections, including the annual return they have to complete, were too long and confusing.

During the inspection

All the agencies told us the inspection process was not too disruptive and our officers were knowledgeable, polite and had treated them with respect. Our research shows that:

- 97% (29 respondents) agreed our officer answered all their questions.
- 87% (26 respondents) agreed our officer was well prepared and knowledgeable.
- 87% (26 respondents) agreed our officer was willing to talk to them in confidence.
- 93% (28 respondents) agreed that requests we made for more information during the inspection process were reasonable.

Gathering the views of people who use services

When we carry out an inspection we always try to gather the views from people who use services and their relatives and carers.

Although our foster care and adoption services inspections have included feedback from foster carers and adoptive parents, we have had a low input from birth parents in all of these inspections. Unlike other regulated services, the birth parents of looked after children can sometimes:

- disagree with their child's care plan
- be estranged from their child
- have difficulties working in partnership with the local authority.

As a result, it can be difficult to communicate with them and they may not be willing to take part in the inspection process.

Our officers have tried hard to find ways of systematically and sympathetically involving young people in care in the inspection process. When we asked fostering and adoption service managers for their views on this, we found out:

- 76% (23 respondents) thought our officer had the right level of contact with young people using the service
- 20% (6 respondents) thought there should be more contact.

People who responded told us they preferred face-to-face interviews and questionnaires to get feedback from children, young people, their relatives and foster carers. They suggested other methods could include email, text, child-friendly forms, and contact through existing groups which are organised by the service.

What we need to do

To improve how we perform in future inspections, we need to:

- continue to develop the information we send to agencies before an inspection to make sure they are easier to use
- consider whether we can involve birth parents in our inspections in a better way
- review how we set up and manage our inspections to improve our ability to report on the quality of foster care and adoption services and help them improve their services.

We are currently developing a new grading system for all the services we inspect, based on the National Care Standards. We have consulted on the new system, and plan to introduce it from April 2008. All care services will be awarded grades, based on the quality of the services and care they provide.

This is part of our new approach to regulation, which will be more proportionate and targeted. We will provide more support to those services which need to improve most. We will also encourage people who use care services, and their carers, to be more involved in the assessment of the quality of their service.

You can find more information at www.carecommission.com

Section 4

**Conclusions and
recommendations**

Conclusions and recommendations

Foster carers look after some of the most troubled and vulnerable children in Scotland. There is an increasing demand for both foster carers and adoptive parents for children in public care.

This report highlights that a significant number of children are waiting for family placements. The agencies that recruit, assess and support children in family placements have the complex and challenging job of ensuring their suitability and safety for children.

What our inspections found

Our inspections revealed that foster carers and adoptive parents are generally positive about the way they are prepared, assessed and supported by their agency.

During our inspections we found no agencies that required enforcement. All agencies provide comprehensive preparation and training for applicants interested in fostering and adoption. Equally, all agencies have robust assessment procedures to determine applicants' suitability to care for children and all provide support to families following the placement of children.

After we inspected an agency, we gave them a report which highlighted their strengths and set out the requirements and recommendations they needed to address to meet regulations and the National Care Standards.

Our findings for our first year of inspection show the following areas for improvement in foster care services and adoption agencies.

- There were delays in completing the assessment of fostering and adoption applications, with 23% of fostering services and 63% of adoption agencies not completing applications within six months.
- 50% of services failed to carry out reviews of foster carers.
- We found gaps in essential written information given to fostering and adoption applicants. The National Care Standards outline the information applicants should receive.
- Many foster care services failed to follow best practice guidelines on how to recruit staff who work with or provide services for children.
- 50% of foster care services did not have written terms of approval for their foster carers.
- 23% of foster care services did not have placement agreements in place.



- 36% of foster care services and 21% of adoption agencies needed to improve their own quality assurance systems.

Fostering and adoption work is complex and requires specialist knowledge and experience. There are higher than average staff vacancies (7%) in both fostering and adoption services in Scotland.

Foster carers, social workers and panel members need good access to training to ensure their knowledge and skills are up-to-date. This report highlights some innovative examples of good practice, and the areas that need to be improved to provide the best quality of care for children.

Our recommendations

Foster care and family placement services

Local authority, voluntary and independent foster care providers must urgently address the following, critical areas. They must:

- arrange for all foster carer reviews to take place annually and make sure these reviews:
 - are comprehensive
 - are sufficiently independent
 - include feedback from all relevant parties
 - agree plans for foster carer training
- ensure that one unannounced visit to a foster carer's home is planned every year and is clearly recorded after the event
- identify delays in progressing applications and continue to improve performance to complete assessments within six months
- ensure there are written foster care agreements outlining the terms of approval of carers
- ensure there are placement agreements outlining the responsibilities of everyone involved in each child's placement
- ensure there is consistent scrutiny of all decisions to vary the approved number of children cared for by any foster carer.

All foster care service providers in Scotland also need to:

- re-examine all the written information they provide to ensure it meets requirements and is presented in user-friendly accessible formats for applicants and foster carers
- review how fostering panels are composed and take action on the identified shortfalls in safer recruitment
- ensure that fostering panels complete an annual report of their work and that members have access to relevant training
- improve staff recruitment to tackle shortages and improve safer recruitment practices
- prepare SLAs setting out each agency's role and responsibilities to support the placement of children with other agencies

- improve the quality assurance systems within fostering services
- continue investing in innovative and creative campaigns to recruit more foster carers, to meet the demands for placements for looked after children.

Adoption agencies must:

- identify the reasons for delays in progressing adoption applications and remedy these quickly
- establish systems to monitor progress on applications, keeping applicants informed of the reasons why the agency is unable to deal with their application within the six month period
- improve written information available to prospective adopters and adoptive parents, ensuring that it meets the requirements outlined in the National Care Standards, and that it is presented in user-friendly, accessible formats
- improve the routine communication and explanations given to applicants when there are delays and disappointments in progressing decisions
- review the composition of adoption panels, and address the shortfalls we have identified in safer recruitment practices
- increase the independence and experience of adoption panels and improve access to training
- improve staff recruitment to fill vacancies and counter delays in completing assessments, and improve safer staff recruitment practices
- increase specialist training available to experienced staff
- improve quality assurance systems, and recording and reporting systems.

We must:

- continue to develop the information we send to agencies before an inspection to make sure they are easier to use
- consider whether we can involve birth parents in our inspections in a better way
- review how we set up and manage our inspections to improve our ability to report on the quality of foster care and adoption services and help them improve their services.

References

COSLA: Foster Care (COSLA, Edinburgh, 2000)

The Fostering Network: Caring for Our Children; Part 1 and 2: The Fostering Network, 2004

National Care Standards Adoption Agencies (Scottish Executive, Edinburgh. Revised March 2005)

National Care Standards Foster Care and Family Placement Services, (Scottish Executive, Edinburgh 2005)

Scottish Executive: Statistics: Adoption Applications 2003

Scottish Executive Statistics: Looked After Children 2005-06

Scottish Executive Statistics: Staffing April 2007

Appendix 1

Legal requirements
for fostering and
adoption services
in Scotland

In Scotland, all fostering and adoption services (including those provided by voluntary and independent agencies) must comply, in particular, with the following current legislation:

- Regulation of Care (Scotland) Act 2001
- The Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002 Scottish Statutory Instrument 2002 No. 114 and as amended, together with all other regulations and orders made under the Act where applicable.

All fostering services must comply with the:

- Foster Children (Scotland) Act 1984
- The Fostering of Children (Scotland) Regulations 1996
- The Arrangements to Look After Children (Scotland) Regulations 1996.

All adoption agencies must comply with the:

- Adoption (Scotland) Act 1978
- Adoption Agencies (Scotland) Regulations 1996.

In addition, local authority private fostering services must comply with the:

- Foster Children (Private Fostering) (Scotland) Regulations 1985.

In Scotland, a 'person' who provides a fostering or adoption service must be a voluntary organisation, which is defined under the Regulation of Care (Scotland) Act 2001 as a body, other than a public or local authority, the activities of which are not carried on for profit. Respite or family placement care services for children are included in the regulation of fostering services and must be registered under Regulation of Care (Scotland) Act.

The Care Commission regulates two categories of adoption service:

- all adoption agencies maintained by a local authority under section 1(1) of the Adoption (Scotland) Act 1978 (and known as the 'Scottish Adoption Service' defined in that Act under section 1(4))
- registered adoption agencies provided by a person other than a local authority and as defined in Regulation of Care (Scotland) Act Section 2(11)(b).

The Care Commission regulates two categories of fostering service:

- services provided by a local authority or a voluntary body, as defined in the Regulation of Care (Scotland) Act 2001, sections 2(14)(a) and 2(14)(b), and collectively known as the 'Scottish Public Fostering Service'
- services provided by a local authority carrying out its functions in relation to certain privately fostered children, as defined in the Regulation of Care (Scotland) Act 2001 Section 2(14)(c) and collectively known as the 'Scottish Private Fostering Service'.

Any adoption and fostering service provided by voluntary and independent agencies must be regulated under Part 1 of the Regulation of Care (Scotland) Act 2001 but local authority agencies are regulated under Part 2 of the Act.

Appendix 2

Foster care and
family placement
services registered
31 March 2006
and inspected
2006–07

Local authorities:

Aberdeen City
Aberdeenshire
Angus
Argyll and Bute
Clackmannanshire
Dumfries and Galloway
Dundee City
East Ayrshire
East Dunbartonshire
East Lothian
East Renfrewshire
Edinburgh, City of
Eilean Siar
Falkirk
Fife
Glasgow City
Highland
Inverclyde
Midlothian
Moray
North Ayrshire
North Lanarkshire
Orkney Islands
Perth and Kinross
Renfrewshire
Scottish Borders
South Ayrshire
Shetland Islands
South Lanarkshire
Stirling
West Dunbartonshire
West Lothian

Voluntary fostering and adoption services and agencies:

British Association for Adoption and Fostering (BAAF)
Barnardo's Family Placement Services
Barnardo's Shield
Barnardo's Home from Home
Carolina House Trust
Family Care (Birthlink)
Includem
Jane Moore Trust

Kibble Intensive Fostering
National Childrens Homes - Community Alternative Placement Scheme (NCH – CAPS)
St Andrews Adoption Society - Fostering
St Margaret's Adoption Society - Fostering
Scottish Adoption - Fostering
Sycamore Families (Aberlour)

Respite care service providers:

Aberlour Moray Options
Barnardo's Inverclyde
Barnardo's Side by Side
Befriending and Respite Care Service
Enable
Capability Renfrewshire
Care Partners
Quarriers Break-a-way

Independent Fostering Services:

Care Visions Ltd
Foster Care Associates
Foster Plus Paisley
Foster Plus Livingston
Foster Care Connect
Fostering Solutions (Northern)
National Fostering Agency (Scotland)
Social Work Incorporating Information Services (SWIIS)

