



**Isle of Man**  
**Government**

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# Adoption

Minimum Standards

Registration & Inspection Unit

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## Contents

	Page
Introduction	4
The Standards	6
<b>Child and Service User focused standards</b>	
Standard 1 - The child's wishes and feelings	7
Standard 2 - Promoting a positive identity, potential and valuing diversity	7
Standard 3 - Promoting a positive behaviour and relationships	8
Standard 4 - Safeguarding children	9
Standard 5 - Promoting good health and wellbeing	9
Standard 6 - Leisure activities	10
Standard 7 - Promoting educational attainment	10
Standard 8 - Contact	11
Standard 9 - Providing a suitable physical environment for the child	11
Standard 10 - Recruiting and assessing protective adopters	12
Standard 11 - Intercountry – assessing prospective adopters	13
Standard 12 - Birth parents and birth families involved in the adoption plan	15
Standard 13 - Matching and placing the child with prospective adopters who can meet most of their assessed needs	16
Standard 14 - Intercountry – matching prospective adopters to child's assessed needs	17
Standard 15 - Intermediary services	18
<b>Adoption Agency Standards</b>	
Standard 16 - Adoption panels and agency's decision-maker	18
Standard 17 - Statement of Purpose	19
Standard 18 - Fitness to provide or manage an adoption agency	20

	Page
Standard 19 - Financial viability and changes affecting business continuity	21
Standard 20 - Suitability to work with children and service users	21
Standard 21 - Handling allegations and suspicions of harm	22
Standard 22 - Learning, development and qualifications	23
Standard 23 - Staff support and supervision	26
Standard 24 - Managing effectively and efficiently, and monitoring the adoption agency	26
Standard 25 - Records	28
Standard 26 - Fitness of premises for use as an adoption agency	28

## **Introduction**

The IOM Adoption Act (1984) and subsequent Adoption Regulations (1985) were implemented at a time of developing adoption understanding and practice throughout the British Isles, and at a time when placement of children under 1 (primarily by relinquishing mothers) was becoming less common, and adoption of children from the care system was becoming more the norm.

In the 18 years since the implementation of the Act, adoption practice has changed dramatically – with the focus moving more towards understanding the complexities brought to adoption by children whose early life history has been the subject of trauma. Assessment and preparation of prospective adoptive parents has become more complex; the gathering of information about both the child, their birth family and their early life history more vital, and the crucial nature of pre- and post adoption support has been recognised.

Adoption is now understood to be a lifelong process for all those involved, not least the child.

In 2002 the English Government passed the Adoption and Children Act 2002 which radically reformed adoption, both in England and Wales. For the first time the child was deliberately placed fully at the centre of adoption, their welfare being seen as paramount. Time scales were introduced – primarily in acknowledgment of the impact of delay on children's development and sense of security. There was a more formal development and implementation of permanence plans.

Implementation of the English Act at the end of 2005 has led to a radical rethink of adoption practices throughout England and Wales – a process which is still ongoing 7 years post implementation. Reforms to both primary and secondary legislation (and its associated guidance) are expected by early 2014.

## **How does English legislative change affect the adoption services on the Isle of Man?**

Traditionally the majority of Manx children in need of adoptive placements were sent off the Island, predominantly to approved adoptive families in England. In 2007 this practice changed, with the majority of those Manx children, wherever possible, remaining on the Island. By the beginning of 2013, 17 of the 19 children whose permanence plan was adoption had been placed successfully with Manx adopters.

For those wishing to adopt as a way of creating or enhancing their family, there are now three choices – adopt a Manx child, adopt from elsewhere in the British Isles or adopt from outside of Britain. Those for whom a Manx child is not an option (either through choice or lack of availability) adopt predominantly from England; in the last 10 years more than 85% of adoptions from elsewhere in Britain have been from England.

All English Adoption Agencies are registered and inspected to OFSTED standards, based on English legislation, regulation and guidance.

For a Manx adoption agency to be able to place a Manx child with an English adoptive family, or bring an English child to the Isle of Man, there has to be a mutually recognised standard of practice within each country in order for such placements to be negotiated, well planned and managed, and then supported – throughout the child’s life.

Thus, although current Manx adoption legislation is very limited in the standards it supports, these minimum standards for the Isle of Man reflect current practice and are based primarily on the current English standards. The Regulation of Care Act requires that the standards must be considered when regulatory decisions are made and the Care Service regulations require providers to meet them.

In essence these standards emphasise the primary focus on the child, the importance of understanding the child’s early life history, the role of contact with birth family and significant others, and the role of continuing good quality support and specialist services for all concerned in the adoption.

Current Manx legislation dictates only one timescale – that of visiting the child within a week of placement with his adoptive family. In the UK however, timescales are increasingly being used to monitor progress and to avoid delay – both in planning for permanence for a child and in the legislative processes releasing the child for adoption. Where appropriate, therefore, timescales have been included in these Manx standards.

## **The Standards**

The Department of Health and Social Care provides adoption services through the placing of children for adoption; all other adoption services are provided by a voluntary adoption service under contract to the Department.

These standards are issued for use by the Registration and Inspection Unit under the Regulation of Care Act (2013); they must be considered when making regulatory decisions.

Minimum standards do not mean standardisation of service provision. Rather they focus on delivering achievable outcomes for children, adopted adults and their adoptive and birth families. They provide the basis for the induction and training of staff, they can be used by children, birth parents and birth families, prospective adopters and adoptive parents, and by adopted adults as a guide to what they should expect as a minimum that the agency provides and does. They provide the foundation upon which an effective and safe service can be delivered but do not limit creativity, or innovative and dynamic practice when applying them; and providers should use them as a baseline from which to deliver and develop services.

Each standard is preceded by a statement of the outcome to be achieved by the agency. Standards are intended to be qualitative, in that they provide a tool for judging the quality of life experienced by service users, but they are also designed to be measurable. Agencies will normally show they are meeting the headline statement of the outcome by meeting the standards below. These do not have to be followed exactly if the agency can demonstrate, and the Registration and Inspection Unit is satisfied, that the outcomes are being met in a different way.

## **The values which underpin these Standards**

Adoption is an evolving life long process for all those involved – adopted children, adopted adults, birth and adoptive families. The fundamental issues raised by adoption may be in evidence at different times and stages throughout an individual's life.

The overarching values that the DHSC considers to be fundamental to the lives of people who are provided with a service are:-

- Privacy
- Dignity
- Safety
- Choice
- Realising Potential
- Equality and Diversity

Respect and enrichment of lifestyles are also a focus within the standards and providers should be able to demonstrate that the service they are registered for enriches the lives of the people it serves.

Specifically with regard to adoption the following principles are paramount

### **Children**

- The child's welfare, safety and needs are at the centre of the adoption process.
- Adopted children should have an enjoyable childhood, and benefit from excellent parenting and education, as well as enjoying a wide range of opportunities to develop their talents and skills, leading to a successful adult life.
- Children are entitled to grow up as part of a loving family that can meet their developmental needs during childhood and beyond.
- Children's wishes and feelings are important and will be actively sought and fully taken into account at all stages of the adoption process.
- Delays should be avoided as they can have a severe impact on the health and development of children waiting to be adopted.
- A sense of identity is important to a child's well-being. To help children develop this, their ethnic origin, cultural and family background, religion, language and sexuality must be properly recognised and positively valued and promoted.
- The particular needs of disabled children and children with complex needs will be fully recognised and taken into account.
- Where a child cannot be cared for in a suitable manner in their own country, intercountry adoption (including placement elsewhere in the British Isles) may be considered as an alternative means of providing a permanent family.
- Children, birth parents/guardians and families, and adoptive parents and families will be valued and respected.
- A genuine partnership between all those involved in adoption is essential for the standards to deliver best outcomes for children.

### **Adopted adults, birth relatives and adoptive families**

- Adopted people should have access to information and services to enable them to address adoption related matters throughout their life.

- Agencies have a duty to provide services that consider the welfare of all parties involved and should consider the implications of decisions and actions for everyone involved.
- Agencies should seek to work in partnership with all parties involved, taking account of their views and wishes in decision making.
- Agencies should acknowledge differences in people’s circumstances and establish policies that provide non-discriminatory services.
- Adopted adults should have their adoptive identity safeguarded and the right to decide whether to be involved in contact or communication with birth family members.

## **CHILD AND SERVICE USER FOCUSED STANDARDS**

### **STANDARD 1 – The child’s wishes and feelings**

#### **OUTCOME**

**Children know that their views, wishes and feelings are taken into account in all aspects of their care; are helped to understand why it may not be possible to act upon their wishes in all cases; and know how to obtain support and make a complaint.**

#### **Standard**

- 1.1 Children’s views, wishes and feelings are acted upon, unless this is contrary to their interests.
- 1.2 Children understand how their views have been taken into account and where significant wishes or concerns are not acted upon; they are helped to understand why.
- 1.3 No child is assumed unable to communicate their views and each child’s preferred method of communication is known.
- 1.4 Children can take up issues in the most appropriate way with support, without fear that this will result in any adverse consequences. Children receive prompt feedback on any concerns or complaints raised and are kept informed of progress (or lack of progress) throughout the adoption process, in a manner which is suitable to their age and understanding.
- 1.5 The wishes, feelings and views of children are taken into account by the adoption agency and adoption support agency in monitoring and developing its service.

### **STANDARD 2 – Promoting a positive identity, potential and valuing diversity**

#### **OUTCOME**

**Children have a positive self-view, emotional resilience and knowledge and understanding of their background.**

#### **Standard**

- 2.1 The adoption agency is active in its efforts to obtain for the child clear and appropriate information from the birth parents and birth families about:

- a. themselves and the child's birth and early life;
  - b. why the child could not remain with their birth parents;
  - c. why the child was placed for adoption;
  - d. health issues of the birth parents and their children;
  - e. the view of the birth parents and birth family about the adoption and contact, and
  - f. up-to-date information about themselves and their situation.
- 2.2 The adoption agency is active in its efforts, after the adoption order is made, to encourage and support the birth parents and birth families to give the child, via the adoption agency, updates on significant family information.
- 2.3 Prospective adopters are prepared and supported to promote the child's social and emotional development, and to enable the child to develop emotional resilience and positive self-esteem.
- 2.4 Prospective adopters are helped and supported in understanding the importance of keeping safe any information provided by the birth family and in giving this information to their adopted child in an age appropriate format when they feel the time is right, or on request when the young person reaches adulthood.
- 2.5 The preparation of the life story material is coordinated by one person, preferably the independent worker for birth parents (but in conjunction with the child's social worker).
- 2.6 The life story books represent a realistic and honest account of the circumstances surrounding the child's adoption. The initial book is appropriate to the child's age and understanding and accessible for use by the child. Prospective adopters are encouraged to update it with the child as their understanding develops, making use of the fuller second book prepared for the child as a young adult.
- 2.7 The social worker who knows the child writes a later life letter for inclusion with the second life story book. This letter is realistic and sufficiently detailed that the young adult fully understands their life before adoption, why they could not remain with their birth parents and why they were adopted. Other later life letters which accompany the second book are written by those who have known the child prior to his adoption and are sufficiently detailed that the young adult understands the role the writer played in their life pre-adoption.

### **STANDARD 3 – Promoting positive behaviour and relationships**

#### **OUTCOME**

**Children enjoy sound relationships with their prospective adopters, interact positively with others and behave appropriately.**

#### **Standard**

- 3.1 Prospective adopters are prepared and supported to help the child develop positive relationships and behaviour and discourages negative behaviour, while assisting the child to understand and manage their own behaviour.



- 3.2 Prospective adopters are supported on how to manage their responses and feelings arising from caring for the child, particularly where the child displays very challenging behaviour, and understand how the child's previous experiences can manifest in challenging behaviour.
- 3.3 Prospective adopters are encouraged to respect the child's privacy and confidentiality, in a manner that is consistent with good parenting.

#### **STANDARD 4 – Safeguarding children**

##### **OUTCOME**

**Children feel safe and are safe; children understand how to protect themselves and are protected from significant harm including neglect, abuse, and accident.**

##### **Standard**

- 4.1 Children's safety and welfare are promoted and children are protected from abuse and other forms of significant harm (e.g. sexual or labour exploitation).
- 4.2 The adoption agency supports the prospective adopter to encourage the child to take appropriate risks as a normal part of growing up. Children are helped to understand how to keep themselves safe, including when outside of the household or when using the internet or social media.
- 4.3 The adoption agency works effectively with other agencies concerned with child protection e.g. the responsible authority (where the child comes from elsewhere in the British Isles), the Department of Health and Social Care, Police, schools, hospitals, general practitioners, etc and does not work in isolation from them.

#### **STANDARD 5 - Promoting good health and wellbeing**

##### **OUTCOME**

**Children live in a healthy environment where their physical, emotional and psychological health is promoted and where they are able to access the services they need to meet their health needs.**

##### **Standard**

- 5.1 Children's physical and emotional and social development needs are promoted.
- 5.2 Children understand their health needs; how to maintain a healthy lifestyle and to make informed decisions about their own health.
- 5.3 Children are encouraged to participate in a range of positive activities that contribute to their physical and emotional health.
- 5.4 Children have prompt access to doctors and other health professionals, including specialist services (in conjunction with the responsible authority), when they need these services.

- 5.5 Children's health is promoted in accordance with the child's permanence report, and prospective adopters are clear about what responsibilities and decisions are delegated to them and where consent for medical treatment needs to be obtained.
- 5.6 Children's wishes and feelings are sought and taken into account in their health care, according to their understanding, and prospective adopters advocate on behalf of children.

## **STANDARD 6 - Leisure activities**

### **OUTCOME**

**Children are able to enjoy their interests, develop confidence in their skills and are supported and encouraged to engage in leisure activities.**

### **Standard**

- 6.1 Children develop their emotional, intellectual, social creative and physical skills through the accessible and stimulating environment created within the prospective adopters' home. Children are supported to take part in school based and out of school activities.
- 6.2 Children pursue individual interests and hobbies. They take part in a range of activities, including leisure activities and trips.

## **STANDARD 7 – Promoting educational attainment**

### **OUTCOME**

**The education and achievement of children is actively promoted as valuable in itself and as part of their preparation for adulthood. Children are supported to achieve their educational potential.**

### **Standard**

- 7.1 Children have access to a range of educational resources to support their learning and have opportunities beyond the school day to engage in activities which promote learning.
- 7.2 Children are supported to attend school or alternative provision regularly.
- 7.3 Children are helped by their prospective adopters to achieve their educational or training goals and prospective adopters are supported to work with the child's education provider to maximise each child's achievements and to minimise any underachievement.
- 7.4 Prospective adopters maintain regular contact with the child's school and other education settings, attending all parents' meetings as appropriate and advocating for the child where appropriate.
- 7.5 Prospective adopters engage and work with schools, colleges and other organisations, to support the child's education including advocating to help overcome any problems the child may be experiencing in their education setting.

## **STANDARD 8 – Contact**

### **OUTCOME**

**Contact with birth parents, siblings, other members of the birth family and significant others is arranged and maintained when it is beneficial to the child.**

### **Standard**

- 8.1 Initial contact arrangements are focused on the child’s needs with the views of the prospective adopters and birth family members taken into account. The arrangements are reviewed in accordance with the adoption support plan.
- 8.2 Where siblings cannot be placed together with the same prospective adopters or adopters, contact arrangements with other siblings are made when it is in the best interests of each of the children.
- 8.3 Prospective adopters are helped through training and support to understand the importance for the child of contact with birth parents, siblings, members of the birth family and significant others.
- 8.4 The adoption agency helps individuals comply with the agreed contact arrangements through practical support, and helps manage any difficult emotional or other issues they may have because of contact. In so doing, the agency takes full account of the child’s age and level of understanding, and the individual capacities of all other parties.
- 8.5 Children, prospective adopters, adopters, birth parents and members of the birth family are helped to understand the harm unauthorised or unmediated contact, including through online social networks, can have and are supported if unauthorised contact is made. Prospective adopters are prepared in case this happens and are supported if it does happen.

## **STANDARD 9 - Providing a suitable physical environment for the child**

### **OUTCOME**

**Children live with prospective adopters whose home provides adequate space, to a suitable standard. The child enjoys access to a range of activities which promote their development.**

### **Standard**

- 9.1 The adoption agency ensures during the assessment of the prospective adopters’ suitability to adopt, that the prospective adopters’ home can comfortably accommodate all who live there. It is warm, adequately furnished and decorated, free of avoidable hazards, is maintained to a good standard of cleanliness and hygiene and is in good order throughout. Outdoor spaces, which are part of the premises are safe, secure and well maintained.

## **STANDARD 10 - Recruiting and assessing prospective adopters**

### **OUTCOME**

**The adoption agency approves prospective adopters who can meet most of the needs of looked after children who are to be placed for adoption and who can provide them with a home where the child will feel loved, safe and secure.**

### **Standard**

- 10.1 The adoption agency implements an effective strategy to recruit and assess prospective adopters who can meet most of the needs of those children for whom adoption is the plan. The agency monitors and evaluates the success of the strategy.
- 10.2 People who are interested in becoming adoptive parents, and prospective adopters, are treated fairly, without prejudice, openly and with respect. They are kept informed, on a regular basis, of the progress (or lack of progress) of their enquiry/application throughout the adoption process, in a manner which meets their individual communication needs. They are given regular opportunities to raise any specific concerns or questions, which are then answered as directly and fully as possible.
- 10.3 The information pack is sent to enquirers, within five working days of the enquiry, and includes information on:
  - a. eligibility criteria;
  - b. preparation, assessment and approval procedure;
  - c. children who need adoptive families locally as well as elsewhere in the British Isles;
  - d. matching, introduction and placement process, including the English Adoption Register;
  - e. support available pre and post placement and post-adoption;
  - f. the adoption agency's expectation of prospective adopters.
- 10.4 Follow up interviews with social workers and/or an invitation to an information meeting is made within two months of the initial enquiry.
- 10.5 Applicants are given the opportunity to talk to approved adopters, adoptees and birth parents whose children were adopted.
- 10.6 The adoption agency issues an application form to the prospective adopters when they consider the prospective adopters are ready to begin the assessment process. The agency's application form is accepted by the agency after the prospective adopter has been counselled, attended an information meeting and adoption preparation training, and before police checks, references and health reports are sought or the gathering of information for preparation of the prospective adopter's report has begun.
- 10.7 Preparation courses are held and made available to all prospective adopters, including foster carers who wish to adopt the child for whom they are caring. Preparation courses fit within a framework of equal opportunities and anti-discriminatory practice and are organised to encourage and facilitate attendance by

prospective adopters, for example by including convenient times and venues. The effectiveness of preparation received is evaluated and reviewed annually.

- 10.8 Prospective adopters are prepared to become adoptive parents in a sensitive way, which addresses and gives them skills and knowledge and practical techniques to manage the issues they are likely to encounter, and identifies the competencies and strengths they have or will need to develop. Preparation courses should give encouragement to prospective adopters, showing them the positive aspects of parenting a child as well as helping them to understand, for example:
- a. the difficulties some children experience, such as the traumas of neglect and abuse, and the effect on their development and capacity to form secure attachments;
  - b. the key parenting skills and parenting capacities they need to care for children who have experienced neglect and abuse;
  - c. an understanding of the significance of the child's identity, their birth family, the need for openness to help the child to reflect on and understand their history, according to their age and ability; the role of contact, how to manage unauthorised contact, including through online social networks; and the importance of significant memorabilia.
- 10.9 Prospective adopters understand why status and health checks, personal references and enquiries are undertaken about them and enhanced Disclosure and Barring Service checks are required/made on themselves and adult members of their household.
- 10.10 Prospective adopters are considered in terms of their capacity to look after children in a safe and responsible way that meets the child's development needs.
- 10.11 The adoption team manager checks that the prospective adopter's report is accurate, up-to-date and has evidence based information which distinguishes between fact, opinion and third party information, before it is submitted to the adoption panel. The social worker who wrote the prospective adopter's report signs and dates it. The report is countersigned and dated by the adoption team manager and the prospective adopters.

## **STANDARD 11 – Intercountry - assessing prospective adopters**

### **OUTCOME**

The adoption agency approves prospective adopters who can meet most of the needs of children who live outside the British Islands and who can provide them with a home where the child will feel loved, safe and secure.

### **Standard**

- 11.1 People who are interested in becoming adoptive parents, and prospective adopters, are treated fairly, without prejudice, openly and with respect. They are kept informed, on a regular basis, of the progress (or lack of progress) of their enquiry/application throughout the adoption process, in a manner which meets their individual communication needs. They are given regular opportunities to raise any specific concerns or questions, which are then answered as directly and fully as possible.

- 11.2 The information pack is sent to enquirers within five working days of the enquiry and includes information on:
- a. the intercountry adoption process;
  - b. details of requirements imposed upon prospective adopters by Manx legislation;
  - c. information about the country or countries they wish to adopt from, including the eligibility criteria;
  - d. any laws governing adoption which the chosen country has in place that they must operate within;
  - e. details of fees involved in the application and post approval process;
  - f. preparation, assessment and approval procedure;
  - g. support available pre and post placement and post-adoption;
  - h. the adoption agency's expectation of prospective adopters; and
  - i. how the adoption agency priorities applications to adopt children from outside the British Island and looked after children.
- 11.3 Follow up interviews with social workers and/or an invitation to an information meeting is made within two months of the initial enquiry.
- 11.4 Applicants are given the opportunity to talk to approved adopters and adoptees.
- 11.5 The adoption agency issues an application form to the prospective adopters when they consider the prospective adopters are ready to begin the assessment process. The agency's application form is accepted by the agency after the prospective adopter has been counselled, attended an information meeting and adoption preparation training, and before police checks, references and health reports are sought or the gathering of information for preparation of the prospective adopter's report has begun.
- 11.6 Preparation courses are held and are made available to all prospective adopters. Preparation courses fit within a framework of equal opportunities, anti-discriminatory practice and are organised to encourage and facilitate attendance by prospective adopters, for example by including convenient times and venues. The effectiveness of preparation received is evaluated and reviewed annually.
- 11.7 Prospective adopters are prepared to become adoptive parents in a sensitive way which addresses and gives them skills, knowledge and practical techniques to manage the issues they are likely to encounter, and identifies the competencies and strengths they have or will need to develop. Preparation courses should give encouragement to prospective adopters, showing them the positive aspects of parenting a child as well as helping them to understand, for example:
- a. the impact of institutional care;
  - b. the difficulties some children experience, such as neglect and abuse, and the effect on their development and capacity to form secure attachments;
  - c. the key parenting skills and parenting capacities they need to care for children who have experienced neglect and abuse and who may be of a different ethnic or cultural background to the applicants; understand their history, according to their age and

ability, the role of contact, how to manage unauthorised contact, including through online social networks; and the importance of significant memorabilia.

- 11.8 Prospective adopters understand why status and health checks, personal references and enquiries are undertaken about them and enhanced Disclosure and Barring Service checks are required/made on themselves and adult members of their household.
- 11.9 Prospective adopters are considered in terms of their capacity to look after children in a safe and responsible way that meets the child's development needs.
- 11.10 The adoption team manager checks that the prospective adopter's report is accurate, up-to-date and has evidence based information which distinguishes between fact, opinion and third party information, before it is submitted to the adoption panel. The social worker who wrote the prospective adopter's report signs and dates it. The report is countersigned and dated by the adoption team manager and the prospective adopters.

## **STANDARD 12 - Birth parents and birth families involved in the adoption plan**

### **OUTCOME**

- **Children have clear and appropriate information about themselves, their birth parents and families and life before their adoption.**
- **Birth parents and birth families take an active part in the planning and implementation of their child's adoption.**

### **Standard**

- 12.1 Birth parents and birth families are treated fairly, without prejudice, openly and with respect. They are kept informed, on a regular basis, of the progress (or lack of progress) of their child's adoption. They are given regular opportunities to raise any specific concerns or questions, which are then answered as directly and fully as possible.
- 12.2 A pregnant woman and the unborn baby's father, who are considering relinquishing their unborn baby for adoption, receive pre-birth counselling and from that understand the permanence options for their baby's future; how an adoption order would affect their unborn baby, themselves and their family, and are able to make an informed decision about the future of their unborn child.
- 12.3 Birth parents are given access to, and are actively encouraged to use, the independent worker for birth parents from the time adoption is identified as the plan for the child. This worker is independent of the child's social worker.
- 12.4 Birth parents are given information on how to obtain legal advice, contact details of national support groups and services, and support to fulfil agreed plans for contact.
- 12.5 The wishes and feelings of the birth parents, siblings and other members of the birth family, and other people the agency considers relevant, are listened to and are valued and respected. They are taken into account when making decisions. Where they are not acted upon, the reasons for not doing so are explained to the individual so that they understand why their views are not reflected in their child's care. The wishes and feelings and, if applicable, the reasons why they are not being acted

upon, are recorded on the child's case record and included in the Child's Permanence Report.

- 12.6 Birth parents are helped to work through their concerns through the counselling they receive and understand what is proposed for their child and how the child will benefit if they take an active part in their child's adoption.
- 12.7 Birth parents are given the opportunity to comment on what is written about them or their circumstances before the information is passed to the adoption panel or to the child's proposed adoptive parents.
- 12.8 The adoption agency is active in its efforts to involve the birth parents and birth family in the adoption plan.
- 12.9 The adoption agency ensures the prospective adopters understand the importance for the birth family to be told if their child dies during childhood or soon afterwards and agrees to notify the adoption agency. The prospective adopters' decision and any subsequent action are recorded on their case record.

### **STANDARD 13 – Matching and placing the child with prospective adopters who can meet most of their assessed needs**

#### **OUTCOME**

- **Children benefit from stable placements and are matched and placed with prospective adopters who can meet most, if not all, of their assessed needs.**
- **Children feel loved, safe and secure with their prospective adoptive parents with whom they were originally placed.**

#### **Standard**

- 13.1 The child's details are referred to the English Adoption Register when no locally identified match is being actively pursued; at the latest by three months after the agency's decision-maker has decided that it is in the child's best interests to be placed for adoption.
- 13.2 The prospective adopter's details are referred to the English Adoption Register as soon as they have been approved as suitable to adopt, if they consent and it seems unlikely that there will be a placement of a Manx child.
- 13.3 The Prospective Adopter's Report and the Child's Permanence Report are used to identify prospective adopters who can meet the majority, if not all, of the child's needs as set out in the Child's Permanence Report.
- 13.4 When a match is being considered, the placing agency will provide the prospective adopter's social worker access to the whole content of the child's adoption case record so that they may be fully aware of the child's background, health, emotional and developmental needs and practical implications for parenting that child.
- 13.5 The agency has met with the prospective adopters and has discussed with them the proposed placement and the implications for them and their family; ascertained the views of the prospective adopters and, as far as possible, provided them with a counselling service and access to specialist medical/educational advice.



- 13.6 The prospective adopters are helped to fully understand the child's background, health, emotional and developmental needs and the practical implications for parenting that child before they agree for the match to be passed to the adoption panel.
- 13.7 The adoption agency has procedures for introducing a child to the prospective adopters and others living in the household that can be adapted to the individual needs of the child and prospective adopters.
- 13.8 The prospective adopters are invited to attend the placement planning meeting and are given a copy of the placement plan.
- 13.9 The child and prospective adopters feel well prepared before the placement and are happy with the pace of the introductions and the date of placement. Where possible geographically, the child visits the prospective adopters' home before the date the child moves into the home.
- 13.10 The child is given information about the prospective adopters, their home and, when applicable, their children, family and pets before they are placed with prospective adopters. The child knows whether they will have their own bedroom, which school they will be attending and is given information about the local area, facilities and activities.
- 13.11 The child knows how they may contact their social worker and understands the contact arrangements with birth parents, members of their birth family, and significant others.

**STANDARD 14 – Intercountry - matching prospective adopters to child's assessed needs**

**OUTCOME**

**Children feel loved, safe and secure with their adoptive parents or prospective adoptive parents.**

**Standard**

- 14.1 The agency has met with the prospective adopters and has discussed with them the proposed placement and the implications for them and their family; ascertained the views of the prospective adopters and, as far as possible, provided them with a counselling service and access to specialist medical/educational advice.
- 14.2 The prospective adopters are helped to fully understand the child's background, health, emotional and developmental needs and the practical implications for parenting that child before they accept the match.
- 14.3 The prospective adopters are helped to understand the importance of keeping safe any information provided by the birth family, adoption agency or body in the child's State of origin and gives this information to their adopted child on request, or when they feel the time is right.
- 14.4 The prospective adopters are helped to understand the importance for the birth family to be told if their child dies during childhood or soon afterwards and agrees to notify the adoption agency. The prospective adopters' decision and any subsequent action are recorded on their case record.

- 14.5 The prospective adopters understand the importance of commissioning post placement/post adoption reports consistent with any undertakings prospective adopters have given to the State of origin.

### **STANDARD 15 - Intermediary services**

#### **OUTCOME**

**Adopted adults and birth relatives are assisted to obtain information in relation to the adoption, where appropriate, and contact is facilitated between an adopted adult and their birth relative if that is what both parties want.**

#### **Standard**

- 15.1 Where applicable, information is provided about the English Adoption Contact Register (or other relevant British Contact Register).
- 15.2 With the English Adoption Contact Register information is provided about how to register a wish for contact or no contact; and about absolute and qualified vetoes and the potential benefits and disadvantages of registering a veto.
- 15.3 The applicant is met and their identity verified before any information is disclosed to them, contact facilitated; or a veto is registered (if adopted in England).
- 15.4 Service users are helped to understand the possible effects on them and their family of the outcome of their search.
- 15.5 Service users are consulted on decisions made in relation to their service provision. Consultation with service users is recorded on their individual records.
- 15.6 Agencies seek feedback from service users on the success of the service provision. This feedback is recorded centrally and on the case record of the service user.

## **ADOPTION AGENCY STANDARDS**

### **STANDARD 16 - Adoption panels and agency decision-maker**

#### **OUTCOME**

- **The adoption panel and decision-maker make timely, quality and appropriate recommendations/decisions in line with the overriding objective to promote the welfare of children throughout their lives.**

#### **Standard**

- 16.1 The adoption agency implements clear written policies and procedures on the constitution, recruitment and maintenance of the adoption panel.
- 16.2 The Adoption Panel provides a quality assurance feedback to the agency every six months on the quality of reports being presented to the panel.
- 16.3 The Adoption Panel meets whenever there is business to be considered, avoiding undue delay for all parties concerned.

- 16.4 All necessary information is provided to panel members at least five working days in advance of the panel meeting to enable full and proper consideration.
- 16.5 Prospective adopters are given the opportunity to attend and be heard at all adoption panel meetings which discuss their brief or full prospective adopter's report prepared on their suitability to adopt a child, or termination of their approval, as applicable.
- 16.6 The Adoption Panel makes a considered recommendation on whether it is in the child's best interests to be placed for adoption within two months of the statutory review where adoption was identified as the permanence plan.
- 16.7 The Adoption Panel makes a considered recommendation on the suitability of a prospective adopter to adopt within eight months of receipt of the prospective adopter's formal application to be assessed.
- 16.8 The Adoption Panel makes a considered recommendation on the proposed placement of a child with particular prospective adopters within six months of the Adoption Agency's decision-maker deciding that it is in the child's best interests to be placed for adoption.
- 16.9 Where these timescale have not been met, the Panel records the reasons in the written minutes of the panel meeting.
- 16.10 The Panel chair ensures written minutes of Panel meetings are accurate and clearly cover the key issues and views expressed by Panel members and record the reasons for its recommendation.
- 16.11 The decision-maker makes a considered decision that takes account of all the information available to them, including the recommendation of the Adoption Panel within seven working days of receipt of the recommendation and final set of panel minutes.
- 16.12 The child's birth parents and prospective adopters, as appropriate, are informed orally of the decision-maker's decision within two working days, and written confirmation is sent to them within five working days.

## **STANDARD 17 - Statement of Purpose**

### **OUTCOME**

**Children, service users and staff are clear about the aims and objectives of the adoption agency, and what services and facilities it provides.**

### **Standard**

- 17.1 The adoption agency has a clear statement of purpose which should include all applicable information set out in schedule 3 to the Regulation of Care (Registration) Regulations 2013, which is available to and understood by staff, volunteers, children, birth parents and guardians, prospective adopters and adopters, and is reflected in any policies, procedures and guidance.

17.2 The aims and objectives of the Statement of Purpose should be outcome focussed and show how the agency will meet outcomes for children.

17.3 The statement of purpose is reviewed annually.

### **STANDARD 18 - Fitness to provide or manage an adoption agency or an adoption support agency**

#### **OUTCOME**

**The agency is provided and managed by those who are suitable to work with children and have the appropriate skills, experience and qualifications to deliver an efficient and effective service.**

#### **Standard**

18.1 The adoption agency is a designated adoption society for the purposes of the Act.

18.2 The people involved in carrying on and managing the adoption agency:

- a. have the knowledge and experience of adoption law and practice, and when providing services to children, knowledge and experience of child care law and practice;
- b. have business and management skills to manage the work efficiently and effectively and;
- c. have financial expertise to ensure that the agency is run on a sound financial basis and in a professional manner.

18.3 The registered manager has a relevant professional or care qualification and in addition is qualified to a:

- QCF level 5 Diploma in Leadership for Health and Social Care and Children and Young People Services or equivalent.
- There are clear lines of accountability within the team. People forming part of the management team and deputising for the registered manager are appropriately qualified to a:
- QCF level 3 Diploma in Health and Social Care and Children and Young Peoples' services or equivalent.

**With regard to the above qualifications all existing staff should have commenced the appropriate award within 4 years of the inception of these standards. Managers new to registration will be given a time frame that is appropriate to the date of their registration. From 1st April 2019 managers will not be registered unless they have gained or are in the process of gaining the QCF level 5 in Leadership for Health and Social Care and Children and Young people Services, or equivalent.**

The registered manager also has:

- a. at least two years' experience relevant to adoption within the past five years; **and**
- b. in-depth knowledge and experience of child care law and practice; **and**
- c. where the agency provides an intercountry adoption service, knowledge of:

- i. intercountry legislation and practice;
- ii. the principles of the law and eligibility criteria for the overseas country;
- iii. the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption;
- iv. the Immigration Rules and immigration legislation that applies to the country in question; and
- v. the implications for children who are (a) adopted from outside the British Islands and (b) being taken out of the British Islands for the purposes of adoption;**and**

18.3 The responsibilities and duties of the manager and to whom they are accountable are clear and understood by them. The manager is notified in writing of any change in the person to whom they are accountable.

18.4 The manager exercises effective leadership of the staff and operation, such that the agency is organised, managed and staffed in a manner that delivers the best possible child care and service provision for the agency's service users.

### **STANDARD 19 - Financial viability and changes affecting business continuity**

#### **OUTCOME**

**The Adoption Agency is financially sound.**

#### **Standard**

- 19.1 A qualified accountant certifies that the annual accounts indicate the service is financially viable and likely to have sufficient funding to continue to fulfil its Statement of Purpose for the next 12 months.
- 19.2 The adoption agency has a written development plan, reviewed annually, for the future of the agency, either identifying any planned changes in the operation or resources of the agency, or confirming the continuation of the agency's current operation and resourcing.
- 19.3 Where the agency, for any reason, cannot adequately and consistently maintain its services which comply with regulations or Standards, an effective plan must be established and implemented either to rectify the situation or to close down the service.

### **STANDARD 20 – Suitability to work with children and service users**

#### **OUTCOME**

- **There is careful selection of all staff, volunteers and members of the Adoption Panel and there is monitoring of such people to help prevent unsuitable people from having the opportunity to harm children and service users.**

#### **Standard**

- 20.1 All people working in or for the purposes of the agency and persons applying to be members of the Adoption Panel are interviewed as part of the selection process and have references checked to assess suitability before taking up their duties. The

registered person operates an Equal Opportunities Employment Policy when recruiting staff. The policy is a written one and it demonstrates that applicants are treated equally and fairly when applying for employment. Robust tests determine the applicant's character and fitness for the post. Current employment legislation is followed.

- 20.2 The agency can demonstrate that it consistently follows good recruitment practice, and all applicable current statutory requirements and guidance in the recruitment of staff, volunteers and persons on the central list. This includes Disclosure and Barring Service (DBS) checks. All personnel responsible for recruitment and selection of staff are trained in, understand and operate these good practices.
- 20.3 The agency has a record of the recruitment and suitability checks which have been carried out for staff, volunteers and members of the Adoption Panel which includes:
- a. identity checks;
  - b. evidence of a relevant DBS check;
  - c. checks to confirm qualifications which are a requirement and others which are considered by the agency to be relevant;
  - d. at least two references, preferably one from a current employer, and where possible a statement from each referee as to their opinion of the person's suitability to work with children;
  - e. checks to confirm the right to work in the Isle of Man;
  - f. where the person has lived outside of the British Isles, further checks as are considered appropriate where obtaining a DBS check is not sufficient to establish suitability to work with children.
- 20.4 The record must show the date on which each check was completed and should show who carried out the check.
- 20.5 The agency's system for recruiting staff and others includes an effective system for reaching decisions as to who is to be appointed and the circumstances in which an application should be refused in relation to staff or others, in the light of any criminal convictions or other concerns about suitability that are declared or discovered through the recruitment process.
- 20.6 There is a whistle-blowing policy which is made known to all staff, volunteers and Panel members. This makes it a clear duty for such people to report to an appropriate authority any circumstances within the agency which they consider likely to significantly harm the safety, rights or welfare of any child placed by the service.

## **STANDARD 21 - Handling allegations and suspicions of harm**

### **OUTCOME:**

- **Allegations and suspicions of harm are handled in a way that provides effective protection and support for children, the person making the allegation, and at the same time supports the person who is the subject of the allegation.**

## Standard

21.1 All adoption agency staff and volunteers understand what they must do if they receive an allegation or have suspicions that a person may have:

- a. behaved in a way that has, or may have, harmed a child;
- b. possibly committed a criminal offence against or related to a child; or
- c. behaved towards a child in a way that indicates they are unsuitable to work with children.

The agency ensures that the required actions are taken, or have been taken, in any relevant situation of which it is aware.

21.2 The agency's procedure is in line with IOM Protecting Children Board Procedures, including the duty to refer information to statutory bodies. It is known to staff, volunteers, prospective adopters and children.

21.3 A copy of the IOM PCB procedures is available to staff, volunteers, prospective adopters and children. Any comments on these procedures are taken into account by the agency.

21.4 A clear and comprehensive summary of any allegations made against a prospective adopter or member of the prospective adopters' household, or staff member or volunteer, including details of how the allegation was followed up and resolved, a record of any action taken and the decisions reached, is kept on the prospective adopter's or person's confidential file. A copy is provided to the person as soon as the investigation is concluded. The information is retained on the confidential file, even after someone leaves the organisation, until the person reaches normal retirement age or for ten years if this is longer. In respect of prospective adopters or adult members of their household, the information is retained on their case record for 75 years from the date of the adoption order or, if the prospective adopter does not adopt a child, for a period of time according to local policies.

21.5 The Adoption Panel that dealt with the case is informed of any allegations made and outcomes of investigations.

21.6 Investigations into allegations or suspicions of harm are handled fairly, quickly, and consistently in a way that provides effective protection for the child, and at the same time supports the person who is the subject of the allegation. Agencies follow the framework for managing cases of allegations of abuse against people who work with children as set out in the IOM PCB Procedures Manual.

21.7 There is written guidance for staff which makes clear how they will be supported.

21.8 During an investigation the agency makes support, which is independent of the agency, available to the person subject to the allegation.

21.9 The adoption agency has written procedures for dealing with allegations of historical abuse which may be made by service users during the course of service provision.

## STANDARD 22 - Learning, development and qualifications

### OUTCOME

- **Children and service users receive a service from staff, volunteers, panel members and decision-makers who have the competence to meet their needs.**

### Standard

- 22.1 There is a good quality learning and development programme which includes induction, post-qualifying and in-service training, that staff and volunteers are supported to undertake. The programme equips them with the skills required to meet the needs of the children and service users, keeps them up-to-date with professional, legal and practice developments and reflects the policies, legal obligations and business of the agency.
- 22.2 The learning and development programme is evaluated for effectiveness at least annually and if necessary is updated.
- 22.3 All new staff undertake an induction that accords with Skills for Care induction standards.
- 22.4 The training is completed within the induction/probationary period time scales, unless extended by agreement; the employee's line manager along with the employee reviews and evaluates the effect of the training on performance prior to confirming the appointment in writing.
- 22.5 Individual training needs and gaps are identified by the manager of the service and the staff member during an on-going programme of regular one to one/supervision sessions. One to one sessions are, as a minimum, held every 6 weeks unless the manager regularly works alongside each staff member in which case, sessions may occur less frequently. .
- 22.6 Where the agency provides an intercountry adoption service, training is provided to staff, volunteers and persons on the central list:
- a) on intercountry legislation and practice;
  - b) on the principles of the law and eligibility criteria for the overseas country;
  - c) the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption;
  - d) the Immigration Rules and immigration legislation that applies to the country in question;
  - e) and the implications for children who are (a) adopted from outside the British Islands and (b) being taken out of the British Islands for the purposes of adoption.
- 22.7 Assessment and appraisal of all staff involved in adoption takes account of identified skills needed for particular roles and is used to identify individuals' learning and development needs.
- 22.8 All social workers and other specialists (eg medical, legal, educational, psychologists, play therapists and other therapists) are professionally qualified and,



where applicable, registered by the appropriate professional body. They are appropriately trained to work with children, their families and adoptive families, and have a good understanding of adoption.

#### Birth records counselling and disclosure of adoption information

- 22.9 Social workers providing birth records counselling under Section 39 of the Adoption Act 1984 and those providing disclosure of adoption information counselling are trained and experienced in this type of counselling and have a thorough understanding of the legislation surrounding access to, and disclosure of, birth records, and the impact of reunion on all parties.

#### Other staff

- 22.10 Where unqualified staff and volunteers carry out social work functions they do so under the direct supervision of experienced social workers, who are accountable for their work.
- 22.11 The independent worker for birth parents has a good knowledge and understanding of adoption legislation and process.

#### Members of the Adoption Panel

- 22.12 The adoption agency provides each new Panel member with an opportunity of observing an adoption panel meeting before they sit on an adoption panel.
- 22.13 Each new Panel member is given induction training which is completed within 10 weeks of appointment.
- 22.14 All panel members are given the opportunity of attending an annual joint training day with the agency's adoption staff.
- 22.15 Each Panel member has access to appropriate training and skills development and is kept abreast of relevant changes to legislation, regulation and guidance.

#### Adoption agency's decision-maker

- 22.16 The decision-maker is a senior person within the Department of Health and Social Care and is a social worker with at least 3 years post qualifying experience in child care social work and has knowledge and experience of permanency planning for children; adoption and child care law and practice;

**and** where the adoption agency provides an intercountry adoption service, has knowledge of:

- i. intercountry legislation and practice;
- ii. the principles of the law and eligibility criteria for the overseas country;
- iii. the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption;
- iv. the Immigration Rules and immigration legislation that applies to the country in question; and
- v. the implications for children who are (a) adopted from outside the British Islands and (b) being taken out of the British Islands for the purposes of adoption;

## **STANDARD 23 – Staff support and supervision**

### **OUTCOME**

**Staff and volunteers are supported and guided to fulfil their roles and provide a high quality service to children and service users.**

### **Standard**

- 23.1 The employer is fair and competent, with sound employment practices and good support for all its staff and volunteers.
- 23.2 All staff, volunteers and manager are properly managed, supported and understand to whom they are accountable.
- 23.3 Suitable arrangements exist for professional supervision of the agency manager.
- 23.4 Staff have access to support and advice, and are provided with regular supervision by appropriately qualified and experienced staff.
- 23.5 A written record is kept by the agency detailing the time and date and length of each supervision held for each member of staff, including the agency manager. The record is signed by the supervisor and the member of staff at the end of the supervision.
- 23.6 All staff have their performance individually and formally appraised at least annually and, where they are working with children, this appraisal takes into account the views of the children the service is providing for.
- 23.7 Records of one to one supervision sessions and annual performance appraisals will be maintained on the person's individual file and a copy provided to the person.
- 23.8 Staff and volunteers are able to access the specialist advice Records of one to one supervision sessions and annual performance appraisals will be maintained on the person's individual file and a copy provided to the person e needed to provide a comprehensive service for children and service users, including medical, legal, educational, psychological and therapeutic advice.

## **STANDARD 24 – Managing effectively and efficiently, and monitoring the adoption agency**

### **OUTCOME**

- **The agency is managed ethically, effectively and efficiently and delivering a good quality service which meets the needs of children and other service users.**

### **Standard**

- 24.1 There are clear and effective procedures for monitoring and controlling the activities of the agency. This includes the financial viability of the service, any serious incidents, or allegations, or complaints about the service and ensuring quality of the agency.
- 24.2 The manager regularly monitors all records kept by the agency to ensure compliance with the agency's policies, to identify any concerns about specific incidents and to

identify patterns and trends. Immediate action is taken to address any issues raised by this monitoring.

- 24.3 Management of the agency ensures all staff's work and activity is consistent with adoption regulations and NMS and with the service's policies and procedures.
- 24.4 Managers, staff and volunteers are clear about their roles and responsibilities. The level of delegation and responsibility of the manager and the lines of accountability, are clearly defined.
- 24.5 Clear arrangements are in place to identify the person in charge when the manager is absent.
- 24.6 The executive side of the local authority and the voluntary adoption agency's trustees, board members or management committee members:
  - a. receive written reports on the management, outcomes and financial state of the agency every 6 months;
  - b. monitor the management and outcomes of the services in order to satisfy themselves that the agency is effective and is achieving good outcomes for children and/or service users;
  - c. satisfy themselves that the agency is complying with the conditions of registration.
- 24.7 The agency takes action to address any issues of concern that they identify or which is raised with them.
- 24.8 Staff and volunteers have a copy of:
  - a. the policies and working practices in respect of grievances and disciplinary matters;
  - b. details of the services offered;
  - c. the equal opportunities policy;
  - d. health and safety procedures.
- 24.9 Information is provided to commissioners of services as part of tendering. This includes:
  - a. charges for each of its services;
  - b. statements of any amounts paid to adopters; and
  - c. amounts paid for services, e.g. health and education.
- 24.10 The agency has written policy and procedural guidelines on considering and responding to representations and complaints in accordance with legal requirements and relevant statutory guidance.
- 24.11 The agency has the facilities to work with children, potential service users and service users with physical, sensory and learning impairments, communication difficulties or for whom English is not their first language.

- 24.12 Oral and written communications are made available in a format which is appropriate to the physical, sensory and learning impairments; communication difficulties; and language of the individual. The procedures include arrangements for reading, translating, Makaton, pictures, tape recording and explaining documents to those people who are unable to understand the document.

## **STANDARD 25 - Records**

### **OUTCOME**

**Records are clear, accurate, up to date and stored securely, and contribute to an understanding of the child's life.**

### **Standard**

- 25.1 The agency has and implements a written policy that clarifies the purpose, format and content of information to be kept on the agency's files, on the child's and prospective adopters' case records.
- 25.2 Staff, volunteers and Adoption Panel members understand and follow the agency's policy for the keeping and retention of files, managing confidential information and access to files (including files removed from the premises). There is a system in place to monitor the quality and adequacy of record keeping and take action when needed.
- 25.3 Staff understand and following the agency's policy on dealing with requests for access to or disclosure from adoption case records and knows who is responsible for authorising them. They obtain a written confidentiality agreement from the person to whom the agency wishes to disclose the case records or information. This requirement does not cover the child or adopter.
- 25.4 Entries in records, decisions and reasons are legible, clearly expressed, non-stigmatising, distinguish between fact, opinion and third party information and are signed and dated.
- 25.5 There is a system for keeping records of all complaints made and for handling these confidentially and securely. Records of complaints and allegations are clearly recorded on the relevant files for staff, volunteers, children and service users – including details of the investigation, conclusion reached and action taken. Separate records are also kept which bring together data on allegations and on complaints.

## **STANDARD 26 - Fitness of premises for use as an adoption agency**

### **OUTCOME**

**The premises and administrative systems are suitable to enable the agency to meet its Statement of Purpose.**

### **Standard**

- 26.1 There are efficient and robust administrative systems, including IT and communication systems. Premises have:
- a. facilities for the secure retention of records (including, for example, cards, letters; the child's life storybook; photographs and audio-visual film).
  - b. appropriate measures to safeguard IT systems; and

- c. an appropriate security system.
- 26.2 The premises and its contents are insured (or there are alternative prompt methods of replacing lost items).
- 26.3 The agency has a Business Continuity Plan, which staff understand and can access, which includes both provision of premises and safeguarding/back-up of records.



This document can be provided in large print or audio tape on request

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