



Patterns of Early Permanence in London: a research report

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May 2024

Background

Early permanence is the umbrella term for Fostering for Adoption and Concurrent Planning which describes a type of placement for young looked after children that may, depending on the court's decision and the best interest of the child, result in that placement becoming an adoption.

Despite limited existing research regarding outcomes for children longitudinally from early permanence, this study comes from the perspective that early permanence approaches are beneficial for children, as evidence shows that the younger the child is when placed, the better their outcomes.[1]

Recent studies have shown that while early permanence is a widely recognised legal approach to finding a permanent family for a child, the uptake of early permanence differs across different geographical regions in England.[2] London was recently identified as a region with a low rate of early permanence placements.

With funding from Adoption England, the five Regional Adoption Agencies in London commissioned Coram's Impact and Evaluation team to: explore the rates and patterns of early permanence in London; provide actionable evidence on how the use of early permanence can be increased in the right circumstances to help ensure less instability for children; and support children being placed with a permanent family earlier.

The research

Using a mixed-methods approach, the aim of the research was to answer the following research questions:

- What explains patterns in the rate of early permanence in London, relative to the rest of England?
- What are the trends and patterns (within London geographically and over time) in early permanence rates?
- What are the characteristics of children in early permanence placements in London?
- What are the characteristics of early permanence carers in London?
- What are the perceived barriers and enablers of early permanence in London?

To gather evidence about early permanence practices and factors that impact early permanence patterns in London, 41 interviews were carried out. This included Agency Decision Makers (ADMs), heads of services and legal representatives within 16 local authorities in London – 50% of the 32 local authorities in London. Interviews also included representatives of the judiciary in London; Children and Family Court Advisory and Support Service (Cafcass) children's guardians; regional adoption agencies' early permanence leads, as well as two voluntary adoption agencies operating in London.

Publicly available data on early permanence was also analysed using the Adoption and Special Guardianship (ASG) quarterly dataset on children in the adoption process and prospective adopters. [3]

There were some limitations to the research. The research did not include speaking to early permanence carers, birth families or children. Their experiences and views on early permanence are important, and future research should include their voices. The research also only interviewed professionals in London. It is therefore unknown if the barriers and enablers identified as part of this research are unique to London, or part of a national trend.

Trends and patterns in early permanence rates in London

Our analysis shows that:

- In 2021/22, London had the lowest rate of children placed for adoption as a proportion of looked after children (2.2%), compared to all other regions and the national average for England (3.7%).
- London was also below the national average of children leaving care through a Special Guardianship Order (SGO) in 2021/22 (4.4% vs. 5%).
- Looking at early permanence specifically, London is consistently among the regions in England with the lowest number of early permanence placements – a figure that increased from 24 placements in 2018/19 to 31 in 2021/22.
- Local authorities in London on average placed 3.9 children through early permanence between 2018/19 and 2022/31 December 2022[4] – a period of almost five years. Only seven local authorities (23% of the 32 in London) placed more than five children during this period. This demonstrates the low use of early permanence within individual local authorities in London.

- However, analysis also shows that as a proportion of the adoptions made in 2021/22, early permanence placements in London (17%) were in line with the national average (18%).

Local authority interviewees suggested that while early permanence was viewed as a developing practice with the potential to increase, the anticipated number of early permanence placements across London was not expected to increase significantly.

Children and adopters involved in early permanence

The research also looked at the characteristics of children who entered an early permanence pathway, as well early permanence carers in London. While interviews with local authority representatives provided a good indication of the parental circumstances that made local authorities consider early permanence for some young children, there is a lack of data about the demographic profile of children placed with early permanence carers, as well as their journey through the adoption process.

The absence of this data is important, as very little is currently known about the difference between children who benefit from early permanence and those that do not. Research on children's longitudinal outcomes is also relatively scarce.[5]

The lack of data about early permanence carers, their characteristics, adoption journey and motivation, prevents the development of a better evidence base about any differences between mainstream adopters and early permanence carers – including any factors that may impact on recruitment and family finding.

[1] Brown, R & Mason, C (2021) Understanding Early Permanence: a small-scale research study, Centre for Child and Family Justice Research, Lancaster University
[2] Brown, R & Mason, C (2021) Understanding Early Permanence: a small-scale research study, Centre for Child and Family Justice Research, Lancaster University
[3] The Adoption and Special Guardianship Leadership Board (ASGLB) closed in December 2022. However, Coram-i continues to manage the quarterly Adoption and Special Guardianship (ASG) data collection on behalf of the children's social care sector in England. Data is available from: <https://coram-i.org.uk/asglb/data/>

[4] 2022/31st December 2022 refers to the first three quarters (i.e. 9 months) of 2022/23.

[5] Brown & Mason (2021) identified four UK studies (across eight publications) focusing on outcomes for children, three of which used samples from the Coram Concurrence project in London. The most recent of these studies were published in 2013: Laws, S., Bellew, R. and Wilson, R. (2013) Outcomes of Concurrent Planning: Summary of findings, Coram. A more recent evaluation of the Care for Me First programme, focused on ways to improve early placement for children: Michelmores, O. (2019) Care For Me First evaluation, Coram.

Barriers and drivers to early permanence in London

The research sought to understand the barriers and drivers to early permanence as identified by our interviewees. Focusing on challenges related to local authorities, the courts and early permanence carers, our research found that:

- Adoptions, and by extension early permanence, are relatively rare in London. This impacts early permanence awareness among social workers, family judges and legal representatives, as few have practical and in-depth experience of early permanence.
- A lack of early tracking of children who may be placed for adoption may result in missing key moments for early permanence. For example, when a birth parent has been assessed as unable to safely look after their child.
- Often delayed and protracted assessments create lengthy periods of uncertainty making early permanence less viable.
- The current court delays experienced across London were identified as a particular challenge to early permanence, creating additional uncertainties in an already complex process.
- There was a common perception among interviewees that there was a shortage of early permanence carers in London, which may impact on confidence of early permanence being considered for a specific child.

Early permanence is a complex process that involves an array of uncertainties, requires timely consideration, careful planning and tracking of children during the process. It also requires effective communications between multiple roles and teams, both internally within local authorities and with their RAA. During interviews participants drew attention to a range of factors that were seen to facilitate early permanence, including:

- Local authority staff with a background in, and understanding of adoption and adoption process, who often acted as early permanence 'champions' who were more likely to consider and promote early permanence practices.
- A co-ordinated and systematic approach to care planning, which for example involved early identification and tracking of children through comprehensive pre-birth work.
- Local authority legal teams with a solid understanding of local authorities' legal obligation to consider early permanence as part of the child's care plan, enabling them to challenge views that early permanence was pre-empting the courts' decision.
- Senior judicial support for early permanence.
- Ofsted's focus on permanence and early permanence, motivating some local authorities to actively consider and implement more co-ordinated early permanence procedures.

The report sets out a number of recommendations for increasing early permanence.

Recommendations for Regional Adoption Agencies

- Provide ongoing and regular training on early permanence for local authority staff, including senior managers, children's social workers and other frontline teams.
- Develop a closer relationship with Cafcass regional teams, potentially in the form of a 'Cafcass link' role within each of the London-based RAAs.
- Build awareness and understanding about early permanence among legal representatives and possibly work in partnership with local and national organisations, to develop training in early permanence.
- Recruit more early permanence carers, especially people from global majority groups and address common perceptions across different roles and organisations about the perceived shortage of early permanence carers.

- Develop partnerships with London-based VAAs that do not currently train and approve early permanence carers, to identify ways that the RAAs can support the VAAs to increase the number of early permanence carers.
- Increasing the likelihood of prospective adopters choosing early permanence as a route to adoption. For example, by requiring adopters to opt-out of early permanence, rather than to opt-in – a practice which has largely been implemented by most London RAAs.
- Develop communications with the judiciary to improve awareness of and support for early permanence practices.

Recommendations for local authorities

- Consider ways to strengthen areas of internal practice that were seen to enable early permanence placements being made. This included:
 - Clarifying the roles and responsibilities for early permanence, and emphasising the key role of heads of service having an overview of cases.
 - Ensuring that early permanence is raised as early as possible, for example at legal gateway meetings and permanence planning meetings.
 - Nominating an early permanence 'champion' to drive early permanence and making sure that children are identified and referred.
 - Promoting comprehensive pre-birth work, for example by carrying out pre-birth DNA tests.
 - Encouraging social workers and legal teams to attend early permanence training, and ensuring the statutory duty to consider early permanence is known within teams.

Recommendations for the judiciary

- Increase support for early permanence among senior members of the judiciary.
- Enable opportunities for regional adoption agencies and local authorities to present issues regarding early permanence.

Recommendations for building the evidence base for early permanence

- Collected data (either through the ASG dataset, by the RAAs or an alternative data collection on early permanence carers, their characteristics, adoption journey and motivations to ensure a better evidence base about any differences between mainstream adopters and early permanence carers – including any factors that may impact on recruitment and family finding which could support the increased use of early permanence.
- Undertake further research to look at early permanence outcomes, especially relating to children's longitudinal outcomes.

The research highlights a lack of data about early permanence carers, their characteristics, adoption journey and motivation, including any factors that may impact on recruitment and family finding.

This report provides analysis of early permanence in London and an assessment factor seen to facilitate early permanence alongside a number of recommendations for RAAs, local authorities, the judiciary and the evidence base. These, alongside the Early Permanence National Standards and Early Permanence Quality Mark could have a major impact on the use of early permanence where adoption is the plan, not only in London but also nationally.

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Acknowledgements

We would like to thank all the professionals we spoke to and interviewed as part of this research. We would also like to thank the Adoption and Special Guardianship (ASG) team in Coram-i for supporting us to analyse the data used in this report. We gratefully acknowledge the input from the National Regional Adoption Agency (RAA) for the five Regional Adoption Agencies in London. The responsibility for this report's contents rests with the Coram Impact and Evaluation team.

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Funding and competing interests

The research was funded by the National Regional Adoption Agency (RAA) Leaders Group through Adoption England for the five Regional Adoption Agencies in London (one of which is run by Coram Ambitious for Adoption Regional Adoption Agency) who commissioned Coram's Impact and Evaluation team.

About Coram

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Established as the Foundling Hospital in 1739, Coram is today a vibrant charity group of specialist organisations, supporting hundreds of thousands of children, young people and families every year. We champion children's rights and wellbeing, making lives better through legal support, advocacy, adoption and our range of therapeutic, educational and cultural programmes.

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Children and Family Court Advisory and Support Service (Cafcass) is a statutory agency that represents children in family court cases in England and advises the family courts about what is safe for children and in their best interests.

Children's Guardian is an independent Cafcass worker whose role it is to review the local authority's plan and to ensure that decisions are made in the child's best interest.

Agency Decision Maker (ADM) is a senior manager within a local authority who makes an independent decision as to whether a proposed care plan is the right decision for the child.

Matching is the process of identifying a suitable adoptive family for a specific child. It may involve the child's local authority considering a number of potentially suitable adoptive families, in order to identify one that is the best match for the child or children.

Inter-agency fee is the amount payable by local authorities and regional adoption agencies for placements made with external adoption agencies (this could be another RAA or VAA).

Placement Order is a court order that may be made by a court at the end of care proceedings and gives permission for the local authority to place a child with prospective adopters.

Public Law Outline (PLO) is the legislative framework within which child proceedings must be dealt with including pre-proceeding duties. It can be the early point where alternative family members are identified as carers for the child with a duty on the Local Authority to undertake viability assessments.

Relinquishment is the legal process by which birth parents voluntarily terminate their parental rights in order to free their child for adoption, also known as consensual adoption.

Special Guardianship is a court order introduced by amendments to the Children Act 1989 Section 14A – 14G in 2005. It enables parental responsibility to be exercised by Special Guardians to the exclusion of all others – birth parents – and lasts until the young person is 18 years.

Acronyms

ASG - Adoption and Special Guardianship

RAA - Regional Adoption Agency

SGO – Special Guardianship Order

VAA - Voluntary Adoption Agency

Early permanence is an established practice of placing children, who may later need adoption, with carers who are either dually approved as foster carers and adopters, or who are approved adopters who are given temporary approval as foster carers. The aim of early permanence is to provide children with the greatest chance of a secure placement as early as possible and to reduce the chances of children having to move between placements at the most vulnerable stage of their development.

Despite the limited existing research base regarding the outcomes for children longitudinally from early permanence, this study comes from the perspective that early permanence approaches are beneficial for children, as evidence shows that the younger the child is when placed, the better their outcomes.[6]

Recent studies have shown that while early permanence is a recognised, the uptake of early permanence differs across different geographical regions in England.[7] Such studies have identified London as having a lower rate of early permanence placements.

With funding from the National (Regional Adoption Agency) RAA Leaders Group, the five Regional Adoption Agencies in London, have commissioned Coram's Impact and Evaluation team to explore the rates and patterns of early permanence in London further, and to provide actionable evidence on how the use of early permanence can be increased.

1.1 Defining early permanence

For the purposes of this study, early permanence is the umbrella term for Fostering for Adoption[8] and Concurrent Planning.[9] Both terms describe a specific type of placement for young looked after children that may, depending on the court's decision, result in that placement becoming a placement for adoption, or alternatively if the court decides it is in the child's best interest be reunified with their birth family.

The term 'early permanence' was widely used and understood by the professionals that we spoke to as part of this study. This included representatives from local authorities, Cafcass and the judiciary in London.

While there are currently no concurrency planning services in London[10], the five RAAs in London use both dual approval and temporary approval approaches for early permanence placements in London.

[6] For a useful and accessible rapid review of the research literature on early permanence, see Brown, R & Mason, C (2021) Understanding Early Permanence: a small-scale research study, Centre for Child and Family Justice Research, Lancaster University

[7] Brown, R & Mason, C (2021) Understanding Early Permanence: a small-scale research study, Centre for Child and Family Justice Research, Lancaster University

[8] Fostering for Adoption is a form of early permanence where there is no active plan for family reunification and where the local authority intends to pursue a plan for adoption. The plan is for the (temporarily approved) foster carers to adopt the (named) child should a placement order be granted.

[9] Concurrent Planning is form of early permanence where a child is placed with adopters who are approved as foster carers and where family reunification (Plan A) and an alternative permanence plan, usually adoption (Plan B), are pursued in parallel (i.e. concurrently). If family reunification (Plan A) is not successful, Plan B is that the foster carers adopt the child should a placement order be granted.

[10] A small number concurrent planning services currently exist elsewhere in the UK, such as CaritasCare and Adoption Matters that covers the North West of England.

1.2 The research

The five regional adoption agencies in London^[11] commissioned this mixed-methods study and aims to provide a better contextual understanding of the current rates of early permanence, and to provide actionable evidence on how the use of early permanence can be increased.

1.2.1 Research questions

The following research questions underpinned the research:

What explains patterns in the rate of early permanence in London, relative to the rest of England?

- What are the trends and patterns (within London geographically and over time) in early permanence rates?
- What are the characteristics of children in early permanence placements in London?
- What are the characteristics of early permanence carers in London?
- What are the perceived barriers and enablers to early permanence in London?

1.2.2 Methods

In the first phase of the research, we consulted five national and London-based stakeholders, within CoramBAAF, Centre for Early Permanence and the National Adoption Strategy team. The aim of these stakeholder conversations was to gain a better understanding of the development of early permanence practices, current issues and trends nationally, as well as in London.

Interviews

To identify potential interviewees within the 32 London Boroughs and within Cafcass, we worked with the five Regional Adoption Agencies in London. The five agencies identified interviewees, facilitated initial contact, and promoted the research.

We received approval from the Judicial Office to interview a small number of senior judiciary members in London.

Overall, we interviewed 23 representatives from 16 local authorities in London – 50% of the 32 local authorities. This included:

- Six agency decision makers (either at Director of Children’s Services or Assistant Director level) based in six local authorities.
- Eight heads of service or team managers, based in six local authorities.
- Nine legal representatives (either Chief, Senior or Principal Lawyers) based in seven local authorities.

We also interviewed 13 other representatives. This included:

- Three designated family judges, representing the three main Family Courts in London.
- Three London-based Cafcass service managers or children’s guardians.
- Five early permanence leads within the London based regional adoption agencies.
- Representatives from two voluntary adoption agencies training and approving early permanence carers in London.

All interviews were semi-structured and took place over Microsoft Teams between January and May 2023. Questions focused on current experiences of early permanence practices; any perceived barriers and enablers in different parts and stages of care proceedings; as well as characteristics of children and carers in London.

Interviews were recorded and roughly transcribed using online transcription software. Thorough notes were also taken during interviews and following each interview key summaries were produced using the RREAL research approach.^[12] Using our research questions as a framework, this approach to rapid qualitative research allowed for data to be analysed and emerging findings to be identified as the data was being collected.

ASG data analysis

In addition to qualitative interviews, we also analysed the Adoption and Special Guardianship (ASG) data.^[13] This data return is completed by every local authority, regional adoption agency (RAA) and voluntary adoption agency (VAA) in England on a quarterly basis. It includes information about children in the adoption process and prospective adopters. Since 2018/19, the ASG Leadership Board has also collected data on the number of new children placed in an early permanence placement (concurrent planning and fostering for adoption placements).

Our analysis primarily uses publicly available ASG data. However, Coram-i, which manages the dataset, also carried out analysis using the unpublished data.^[14]

1.2.3 Limitations of the research

While the research was able to include 50% of London Boroughs, we spoke to representatives with different roles and responsibilities within each local authority. As a result, the interviews provide an overview of individual local authority practices, rather than an in-depth understanding of early permanence practices within each participating local authority.

Furthermore, as the research focused on key decision makers across local authorities, Cafcass and the judiciary, we did not attempt to speak to children, birth parents or birth relatives, nor early permanence adopters. Their experiences and views on early permanence are important, and future research should include their voices. We also only interviewed professionals in London. It is therefore unknown if the barriers and enablers identified as part of this research are unique to London, or part of a greater national trend.

1.3 Structure of this report

Section two examines national and regional trends and patterns related to early permanence using ASG data. It also explores adoption and SGO rates, as well as reviews key research literature relevant to the population of children in care proceedings with a special focus on London.

Section three explores the characteristics of children currently considered for early permanence in London using information collected through interviews with Agency Decision Makers (ADM), heads of service and legal representatives within the participating local authority. The characteristics of early permanence carers are also discussed using information provided in interviews with RAA early permanence leads.

Section four focuses on the barriers and enablers to early permanence identified in interview with all our interview participants across different sectors involved in care proceedings.

Section five summarises the findings from different elements of the research and provides recommendations to promote the use of early permanence in London going forward.

^[11] The five regional adoption agencies are: Adopt London West, Adopt London North, Adopt London East, Adopt London South and Coram Ambitious for Adoption.

^[12] Rapid research evaluation and appraisal Lab, rapidresearchandevaluation.com (accessed 30th May 2023)

^[13] The Adoption and Special Guardianship Leadership Board (ASGLB) closed in December 2022. However, Coram-i continues to manage the quarterly Adoption and Special Guardianship (ASG) data collection on behalf of the children’s social care sector in England. Data is available from: <https://coram-i.org.uk/asglb/data/>

^[14] Publicly available ASG data is rounded to the nearest 5 at local authority level or 10 at national and regional level, which for small early permanence numbers can skew the data.

2. Trends and patterns

The trends and patterns in early permanence rates

2.1 ASG data

Information about children in the adoption process and prospective adopters is collected by the Adoption and Special Guardianship (ASG) quarterly data return.[15]

Since 2018/19, the ASG Leadership Board has also collected data on the number of new children placed through an early permanence pathway.[16]

Using publicly available ASG data, the tables below describe the prevalence of early permanence in London compared to other regions in England.

Table 1 shows that the number of early permanence placements, across all local authorities in England, has increased over time. Substantial increases occurred nationally between 2019/20 and 2020/21 (+15%) and between 2020/21 and 2021/22 (+11%). More recently, however, the national rate of increase appears to be slowing.

The figures for inner and outer London, using publicly available (suppressed) figures, are both low compared to most other regions in England. Using non-suppressed data combining the figures for London shows a below average number of placements with 24 new early permanence placements made in 2018/19, rising to 31 in 2021/22.

Table 1 Number of children placed in an early permanence placement by region

Region	2018-19	2019-20	2020-21	2021-22	2022- 31 Dec 22 (9 months)
All local authorities in England	380	390	450	500	390
West Midlands	30	40	50	90	80
North West	80	80	60	60	60
South East	70	70	70	80	60
Yorkshire and the Humber	50	50	80	80	50
South West	50	60	80	70	40
East Midlands	10	20	10	20	30
North East	20	20	30	40	20
East of England	50	40	50	40	20
Outer London	10	10	10	20	20
Inner London	10	10	10	20	10
London (inner and outer - non-suppressed)	24	13	25	31	31

Source: ASG Quarterly Data Collection 2018/19 to 31 December 2022/23

[15] ASG data is suppressed and rounded to the nearest 5 at local authority level or 10 at national and regional level. We acknowledge that this will have an impact on interpretation of the data and therefore have used non-suppressed data combining inner and outer London in the tables. We were only provided this data for London, and not for the rest of the country.

[16] We acknowledge there may be some under-reporting of early permanence placements within the ASG data nationally, as some local authorities' case reporting systems do not always capture the difference between a child being fostered by an early permanence carer and a child being fostered by a foster carer.

Table 2 shows early permanence placements as a proportion of children placed for adoption in 2021/22 (the last year for which there is complete data). Across all local authorities in England, the average proportion of early permanence placements was 18%. On a regional level this ranged from 8% in the East Midlands to 29% in Inner London. Outer London (14%) was four percentage points below the national average for England (18%). However, due to low numbers and the rounding up of ASG figures to the nearest 10, this finding should be viewed with caution.

In 2021/22 both East Midlands and Inner London placed the same number of children in early permanence placements (20 children). However, as the number of children placed for adopted in that year varied notably (240 vs 70) between the two regions, the proportion of early permanence placements (8% vs 29%) varied starkly.

The combined figures for London (non-suppressed), shows that London as a whole placed 17% of children with early permanence carers in relation to the number of adoptive placements in 2021/22.

This illustrates that although the relative number of early permanence placements is low compared to the national averages, the proportion of early permanence placements in London is in line with the national average (18%).

Table 2 Early permanence placements as a percentage of adoptive placements by region (2021/22)

Region	Number of children placed with adoptive families	Number of children placed in EP placement	EP as % of children placed with adoptive families in year
All local authorities in England	2,850	500	18%
West Midlands	410	90	22%
South East	350	80	23%
Yorkshire and the Humber	370	80	22%
South West	290	70	24%
North West	450	60	13%
North East	280	40	14%
East of England	280	40	14%
East Midlands	240	20	8%
Inner London	70	20	29%
Outer London	110	20	18%
London (inner and outer - non-suppressed)	180	31	17%

Source: ASG Quarterly Data Collection 2021/22

Presenting the number of new early permanence placements by the RAAs in London over nearly five years, shows that Adopt London South placed the highest number of children in early permanence placements within their ten London-based local authorities.

Table 3 Number of new early permanence placements by London RAAs (non-suppressed)

	2018/19 - 2022/ Q3.2023
Adopt London East	20
Adopt London North	18
Adopt London South	33
Adopt London West	16
Adoption Partnership South East*	11
Coram Ambitious for Adoption*	26
Total	124
<i>*Totals do not include non-London local authorities (Adoption Partnership South East: Kent and Medway, Coram: Slough)</i>	

Source: ASG Quarterly Data Collection 2018/19 to 31 December 2022 (9 months)

The number of early permanence placements made by individual local authorities (see Table 7 in appendix 1), highlights that London-based local authorities, between 2018/19 and 2022/31 December 2022 – a period of almost five years – on average made 3.9 early permanence placements each (ranging between 0-13). Only seven local authorities placed more than five children, while the majority placed five or fewer children.[17] These figures demonstrate the low number of early permanence placements within local authorities in London.

2.2 Interview data

In interviews with local authority representatives, we asked about the number of early permanence placements within their local authority during the past year (if known), and whether such numbers were predicted to rise, fall or stay the same.

The number of early permanence placements made in the past year varied noticeably across the local authority representatives interviewed – ranging from none to seven placements. However, overall, the number of early permanence placements was small in each local authority, commonly one or two placements in the past year. When asked if they saw the number of early permanence placements change going forward, most local authority representatives believed it would stay the same or increase slightly.

The ADMs in two local authorities with a longer history of using early permanence placements mentioned that their numbers had been falling or were predicted to fall. For a variety of reasons, they believed it was getting harder to make early permanence placements. This included court delays and the courts' emphasis of placing children with their family members. These factors, among other challenges to early permanence, are discussed in section four.

According to those interviewed, early permanence was recognised as a developing practice with potential for increase, especially in local authorities with a very low starting point. However, the anticipated number of early permanence placements within local authorities was not necessarily expected to increase drastically, nor rapidly.

2.3 What impacts placement numbers in London

To understand the pattern and trends of early permanence within London, it is useful to look at what other factors may impact early permanence, including changing adoption rates, the rate of SGOs, as well as regional differences in the population of children in care proceedings.

2.3.1 Adoptions and SGOs

Table 4 shows that across England the number of children placed for adoption decreased by 22% between 2018/19 and 2021/22, from 3,660 children to 2,850 children.

Focusing on the two London regions, the pattern of decline was even more marked, especially in inner London, where the number of children placed for adoption almost halved (46%) between 2017/18 and 2021/22.

Table 4 Decline in children placed with adoptive families 2017/18 – 2021/22

	Inner London	Outer London	London (combined)	All local authorities in England
2017/2018	130	180	310	3,660
2021/2022	70	110	180	2,850
% decline	46%	39%	42%	22%

Source: ASG Quarterly Data Collection 2017/18 to 2021/22

Adoption and SGO among the population of looked after children

Our analysis of publicly available ASG data (Table 5 below), shows that when looking at the proportion of looked after children (LAC) who were placed for adoption, London had the lowest rate nationally (2.2%) (with Outer London at 2.5% and Inner London at 1.7%) compared to the national average (3.7%) and any other regions in England.

Table 5 Percentage of children placed for adoption as a proportion of looked after children by region (2021/22)

Region	# LAC before year begins (March 31 of previous year)	Number of children placed for adoption	Adoptive placements as % of LAC
All local authorities in England	80,850	2,960	3.7%
North East	5,790	300	5.2%
East of England	6,650	300	4.5%
East Midlands	6,400	270	4.2%
Yorkshire and the Humber	9,210	380	4.1%
West Midlands	11,120	440	4.0%
South West	6,270	230	3.7%
South East	10,480	360	3.4%
North West	15,260	470	3.1%
Outer London	5,550	140	2.5%
London (inner and outer combined)	9,670	210	2.2%
Inner London	4,120	70	1.7%

Source: ASG Quarterly Data Collection 2021/22

[17] Figures are suppressed if a count is five or fewer

Table 6 shows London granted below the national average of special guardianship orders (SGOs) in 2021/22, but did not have the lowest rates nationally.

Table 6 Percentage of SGOs by the number of looked after children by region (2021/22)

Region	# LAC before year begins (March 31 of previous year)	SGOs	SGOs as % of LAC
All local authorities in England	80,850	4,010	5.0%
North East	5,790	470	8.1%
South West	6,270	370	5.9%
North West	15,260	830	5.4%
Yorkshire and the Humber	9,210	500	5.4%
East Midlands	6,400	310	4.8%
Outer London	5,550	260	4.7%
South East	10,480	480	4.6%
London (inner and outer combined)	9,670	430	4.4%
Inner London	4,120	170	4.1%
East of England	6,650	240	3.6%
West Midlands	11,120	380	3.4%

Source: ASG Quarterly Data Collection 2021/22

2.3.2 Children in care proceedings

Ethnicity

Focusing on the ethnicity of children in public care proceedings, research using population-level data from Cafcass England between 2016/17-2021/22[18] shows that across England, there was disparity in children's journeys through care proceedings depending on their ethnicity:[19]

- Children from Black, Asian and other minority ethnic groups were on average two years older at the start of proceedings compared to children from white and mixed ethnic backgrounds.
- The proportion of infants in care proceedings also varied according to ethnicity – 27% of children from white ethnic backgrounds and 19% of children from Black ethnic backgrounds were infants (under 1 year old) at the start of care proceedings.

- Legal orders granted at the end of care proceedings varied considerably across ethnic groups. Disproportionally fewer children from Black and Asian ethnic backgrounds were granted placement orders, compared to children who were from white or of mixed ethnic backgrounds. This could not be explained by ethnic differences in age, location nor being part of a sibling group.
- Fewer children from Asian (7%) and Black (13%) ethnic backgrounds were placed on a SGO, compared to children from white ethnic backgrounds (18%) and mixed ethnicity children (17%).

These differences were observed at a national level, but as London is the most ethnically diverse region in England, it is likely that this will influence the pool of children in care proceedings that may enter an early permanence pathway.

[18] Edney, C. et al. (2023). Ethnicity of children in care and supervision proceedings in England. Briefing paper. Nuffield Family Justice Observatory. <https://www.nuffieldfjo.org.uk/resource/ethnicity-of-children-in-care-and-supervision-proceedings-in-england>

[19] It should be noted that some concerns have been raised about how this study categorised children of mixed ethnic background, as it may disguise how mixed Black children are racialised as Black, unlike children of other mixed backgrounds.

Newborns in care proceedings

The research 'Born into care,' using figures from 2008-2016, highlighted that 27% of all care proceedings in England involved infants under 1 year.[20] Within this group, newborns (defined as infants under 7 days or younger) formed an increasing proportion of infants in care proceedings.

However, the research also identified large regional variations in the proportion of newborns entering care proceedings at birth. On average, between 2008 and 2016, London had the lowest figure (18 cases of care proceeding per 10,000 live births in the general population), compared to the national average (25 cases per 10,000 live births). The North West and Yorkshire and Humber both recorded the highest rate (30 cases per 10,000 live births). The low figure of newborns in care proceedings in London is likely to impact the rates of adoption, as well as early permanence.

Recurring removals

Research from 2021/22, focusing on mothers who return to court with a new baby over a 10-year period, shows that London had a significantly lower rate of mothers in recurrent care proceedings (17.2%), compared to the national average (21.2%). [21] This figure for London is markedly lower than the North East (23.9%), which had the highest rate of mothers returning to court with a new baby. The research highlights a number of potential explanations for such regional disparities, including the higher rate of teenage mothers in the North East who tend to dominate care proceedings, as well as the lower number of infants and newborns in care proceeding in London (discussed above). These factors may explain some of the variation between London's low rates of adoption and other regions.

[20] Broadhurst, K., Alrouh, B., Mason, C., Ward, H., Holmes, L., Ryan, M., & Bowyer, S. (2018). Born into Care: newborn babies subject to care proceedings in England. The Nuffield Family Justice Observatory: Nuffield Foundation, London.

[21] Alrouh et al. (2022). Mothers in recurrent care proceedings: new evidence for England and Wales. Nuffield Family Justice Observatory. <https://www.nuffieldfjo.org.uk/resource/mothers-in-recurrent-care-proceedings-new-evidence-for-england-and-wales>

[22] Broadhurst, K., Alrouh, B., Mason, C., Ward, H., Holmes, L., Ryan, M., & Bowyer, S. (2018). Born into Care: newborn babies subject to care proceedings in England. The Nuffield Family Justice Observatory: Nuffield Foundation, London.

[23] Alrouh et al. (2022). Mothers in recurrent care proceedings: new evidence for England and Wales. Nuffield Family Justice Observatory. <https://www.nuffieldfjo.org.uk/resource/mothers-in-recurrent-care-proceedings-new-evidence-for-england-and-wales>

2.4 Summary

Over the past five years, London was consistently among the regions in England with the lowest numbers of early permanence placements. London also had the lowest proportion of children placed for adoption, and a relatively low proportion of children placed with a SGO, compared to other regions in England. However, our analysis also showed that as a proportion of the adoptions made in 2021/22, early permanence placements in London (17%) were in line with the national average (18%).

Relative to other regions in England, London had the lowest figure of infants in proceedings[22] and the lowest rate of mothers returning to court with a new baby.[23] Combined, such factors may impact the number of children who are more likely to be considered for adoption, and as an extension early permanence in London.

However, other factors may influence the number of early permanence placements in London, such as the availability of early permanence carers, court practices and general awareness of, and support for, early permanence among professionals in London. Section four, which looks at the barriers and enablers to early permanence, explores some of these factors.

3. Children and adopters

3. Children and adopters involved in early permanence

Relatively little is known about the characteristics of children who enter an early permanence pathway or their carers, both nationally and in London.

Although the ASG dataset collects information about children in the adoption process and prospective adopters, none of this information is currently collected with regards to early permanence placements.

This section provides an overview of the characteristics of children considered for early permanence in London, and subsequently the characteristics of early permanence carers in London based on information gathered through interviews as part of this research.

3.1 Characteristics of children considered for early permanence

There is limited existing research on children placed with early permanence carers and their outcomes longitudinally, and none of this research has been completed in the last 4 years.

We identified three studies in the UK that have focused on concurrent planning placements.[24] The most recent publication from 2013 focused on the characteristics of children that made local authorities in London consider early permanence for children in their care. [25] It followed up on 57 children placed as part of Coram's concurrent planning work. The study highlighted that despite these children being highly vulnerable at birth bringing multiple risks (from parental circumstances such as substance misuse and

domestic violence, as well as low birth weight and experiences of neonatal drug withdrawals) none had experienced placement breakdown within the timescale of the research.

We asked interview participants (regardless of their role and organisation) to identify any specific child characteristics that would prompt an early permanence pathway. All emphasised that it was the birth parents', and especially the birth mother's circumstances that would trigger local authorities into considering early permanence, rather than any specific child demographic.

The general consensus was that early permanence would be considered in cases where several of following circumstances were present:

- The birth mother had already experienced multiple removals.
- Persistent parental issues, such as substance misuse and poor mental health, and where there had been no substantial change to the parents' circumstances.
- In circumstances where the birth mother did not engage, for example with neonatal services or with local authority assessments.
- In cases where family members had already been assessed, for example for older siblings or where no family members were identified.
- Parents with severe learning difficulties who were assessed as unable to care for their child independently and who would otherwise require intensive long-term support, for example in a mother and child foster care placement.
- Relinquished babies - a child under the age of 6 weeks whose parents are make the choice of adoption for the child.
- Infants and children under two years of age who are currently in care.

Although the child's age was not necessarily described as a determining factor, in reality most children considered for early permanence were either newborns or infants.

Early permanence was generally considered in what local authorities described as 'straightforward' cases, such as relinquished babies.[26] One local authority with a long history of early permanence practices, highlighted how they used to recommend early permanence in cases where there was a perceived 80% likelihood that a placement order would be granted. However, due to current court delays and an increased focus on family placements in court proceedings they would now only consider early permanence for children where the likelihood of a placement order was closer to 100% - while acknowledging that even in such cases there is still uncertainty.

Being part of a larger sibling group was described as complicated. A few local authority representatives highlighted that in their experience family judges were less willing to grant a placement order to, for example, the two youngest siblings if their older siblings, due to their older age were more likely to remain in long-term fostering. However, some local authority representatives did mention placing (subsequent) babies in an early permanence placement with the adopters of an older sibling.

Early permanence placements sought in London[27]

Child one: Baby unborn, sex unknown. Mother has mental health issues and has not been engaging with antenatal services. This baby is her fifth child, and previous children have all been removed. Father is named, but he has questioned paternity.

Child two: Baby boy is 4 months old, has a genetic condition and future health needs are unknown. Mother has been assessed in a mother and baby unit, but feedback is not looking promising. Both parents have severe learning difficulties and have had a previous child placed for adoption.

In interviews, most local authority representatives highlighted cases where early permanence had been actively sought, but children had not subsequently been placed with early permanence carers. The reasons for this varied, but included the following examples:

- A request for early permanence placement was not agreed in court.
- The final court hearing was brought forward so that an early permanence placement was no longer required .
- A new family relative had come forward and a positive assessment looked likely
- A child remained in their mother's care. following a successful residential assessment.

This suggests that while specific characteristics may prompt local authorities into considering early permanence and to make a referral to their RAAs, multiples factors (including characteristics of the child) can shape whether a child is eventually placed with early permanence carers.

[24] Kelly, G., Haslett, P., O'Hare, J., & McDowell, K. (2007). Permanence planning in Northern Ireland: A development project. *Adoption & Fostering*, 31(3), 18-27; Kenrick, J. (2009); *Concurrent Planning: A Retrospective Study of the Continuities and Discontinuities of Care, and Their Impact on the Development of Infants and Young Children Placed for Adoption by the Coram Concurrent Planning Project*. *Adoption & Fostering*, 33(4), 5-18; Laws, S., Bellew, R. and Wilson, R. (2013). London: Coram. *Outcomes of Concurrent Planning: Summary of findings*, London: Coram

[25] Laws, S., Bellew, R. and Wilson, R. (2013). London: Coram. *Outcomes of Concurrent Planning: Summary of findings*, London: Coram

[26] Interviews with RAA early permanence leads suggest that RAAs perceived relinquished babies as complex cases.

[27] Some characteristics have been altered to protect children's identity

3.2 Characteristics of early permanence carers

To explore the characteristics of early permanence carers we primarily relied on information provided by representatives of the five London-based RAAs and the two London-based VAAs.

While local authorities continue to be involved in the delivery of adoption services through their local RAA arrangements, since regionalisation local authorities are not directly responsible for recruiting and approving adopters, including early permanence carers. Consequently, the local authority representatives interviewed were less aware of any specific characteristics of early permanence carers or their motivations.

However, being able to manage uncertainty and the possibility that the child would be reunified with their birth family were described as the main requirements of early permanence. This was confirmed by the RAA and VAA representatives interviewed, who highlighted that carers' character and outlook were believed to be more important than their demographic profile. This included:

- Flexibility and emotional resilience.
- Being able to cope with change and uncertainty during the court proceedings.
- Being child-focused.
- Understanding the foster care role, including supporting the child's contact with birth relatives and reunification if needed.
- Understanding employers, as adoption leave often had to be organised at short notice.

The RAA and VAA representatives, generally mentioned that the majority of the early permanence carers they had approved (as with adopters in general), were from white ethnic backgrounds, and to a lesser extent from Asian ethnic minority groups. Both types of adoption agencies reported that they had found it challenging to recruit early permanence carers

from Black African and Black Caribbean ethnic backgrounds, even for those agencies that reportedly had a good record of approving traditional adopters from the global majority.

Early permanence carers in London:[28]

Case one: Couple in South London with a birth child, who are willing to consider twins

Case two: Single adopter in West London, looking to be matched with a girl

Case three: Same-sex couple in East London, child-centred, would be suitable for child that requires birth family contact multiple times a week

The head of service in one local authority mentioned that they had seen more same-sex couples come through the early permanence pathway. This was described as a potential advantage, as same-sex couples generally did not come into adoption as a result of infertility and the complexities commonly associated with infertility and fertility treatment.

One interviewee described London-based adopters as likely to have stable financial circumstances, because early permanence (and mainstream) carers need a spare bedroom in order to be approved as adopters, and housing costs in London are very high. However, this was not mentioned in other interviews.

When discussing the motivation for choosing such an uncertain route into adoption, some RAAs and VAA representatives highlighted that early permanence carers were often motivated by their wish to adopt a newborn. Other early permanence carers were described as embracing early permanence as a child-centred approach, and wanting to give any child the best possible outcome, even if that meant the child did not remain with them for adoption long-term.

3.3 Summary

Our interviews provided a good indication of the key circumstances that influenced local authorities' decisions to refer a child into early permanence or not. However, there is a lack of data about the characteristics of children placed with early permanence carers, as well as their journey through the adoption process. This absence of child level data is important as we currently know very little about the difference between children who benefit from early permanence and those that do not.

Similarly, the lack of data about early permanence carers, their characteristics, adoption journey and motivation, prevents us from developing a better evidence base about any potential differences between mainstream adopters and early permanence carers as these factors may impact recruitment and family finding.



[28] Some characteristics have been altered to protect carers' identity.

4. Barriers and drivers

4. Barriers and drivers to early permanence in London

This section focuses on the barriers and drivers to early permanence as identified in our interviews with professionals involved in making decisions about children in care proceedings in London.

4.1 Perceived barriers to early permanence

This section highlights the key barriers discussed in our interviews with professionals, looking first at local authority, then court, and finally early permanence carer related challenges.

4.1.1 Local authority related challenges

Adoptions are relatively rare

Across London, the small number of adoption cases – and by extension the even smaller number of early permanence cases – was said by most ADMs and heads of service to impact practitioners' awareness of early permanence. While most involved in care proceedings claimed a general awareness, fewer were described as having practical and in-depth experience of early permanence cases.

Staff turnover impacting on knowledge about early permanence

The high turnover of children's social workers, and to a lesser degree of legal representatives, was described by local authority representatives as impacting staff awareness of early permanence. According to a small number of local authority ADMs interviewed, social workers had attended training in early permanence, for example through RAAs sessions. However, the turnover of staff meant that unless training was provided at regular intervals, knowledge was lost when staff moved on.

Missing key moments to initiate early permanence

RAA early permanence leads and local authority ADMs said that a lack of case overview and tracking children led to local authorities missing key opportunities for early permanence.

One example of a key moment being missed involved moving a child to foster carers, rather than early permanence carers, following a birth parent's parenting assessment. When local authorities had a good overview of cases, they were able to parallel plan for early permanence and work together with their RAA to consider early permanence during the residential assessment.

Previous challenging experiences of early permanence

According to RAA early permanence leads interviewed, local authorities were more hesitant to pursue early permanence if they had found the process difficult in the past. In one case, a child had been placed with early permanence carers for over a year when a very late family assessment was granted and approved. The fallout from cases where late family assessments and administrative delays and had severely prolonged the court decision was perceived as extremely challenging for everyone involved, including the social worker. In another case, an employer demanded wages paid during the early permanence carer's adoption leave were repaid, when a SGO was made by the court and the child was reunified with their birth family – a cost the local authority agreed to pay. These experiences made the local authority cautious about early permanence.

Conversely, one interviewee described how their first experience of early permanence had encouraged them to pursue early permanence for other children in their care.

The cost of early permanence placements

Early permanence was, according to a few senior local authority representatives, a relatively expensive process as costs could include the higher inter-agency fee, in addition to the costs that adoption agencies may charge for supporting their early permanence carers while they were foster carers. Facilitating early permanence practices therefore required local authorities to be able to take on the added costs.

The variations between what different local authorities paid early permanence carers during the foster care stage, as well as the different benefits available, was also perceived as an added complexity for RAA to explain to potential early permanence carers.

4.1.2 Court related challenges

Concerns about being seen to pre-empt the outcome of care proceedings

Being seen to pre-empt court decisions was a concern raised among a few local authority legal representatives that we spoke to, especially those that rarely used early permanence. The perception that it was 'too early' to think about adoption at the outset of care proceedings was described as a challenge to early permanence practices. As one local authority lawyer mentioned, they felt it was 'morally difficult' to raise adoption in legal gateway meetings, even if their professional experience told them that a particular case would most likely result in adoption.

When asked about local authorities concerns being seen to pre-empt decisions, one representative of the judiciary interviewed emphasised that such criticism ignored the key principle of early permanence. Early permanence practices were from their perspective not about anticipating court decisions, but about preparing for a situation where the child was unable to return home:

'IF MUM DOES WELL, AND SHE DOESN'T GO DOWN THAT PREDICTED PATTERN, SHE GETS HER BABY BACK. IT'S NOT THAT YOU'RE THINKING AT THE FINAL HEARING 'OHH, I AM SO SORRY FOR THE ADOPTERS', THAT IS NOT HOW YOU DO IT. YOU HAVE TO REGARD IT AS FAMILY FIRST AND IN THAT CIRCUMSTANCE, SHE'S MADE IT. SO I THINK THAT'S A MISUNDERSTANDING OF [EARLY PERMANENCE]' (REPRESENTATIVE OF THE JUDICIARY)

According to one local authority's legal representatives, the argument of pre-empting proceedings was primarily used by parents or parents' legal representatives as a reason to object to early permanence in court.

Family judges' awareness about early permanence practices

Family judges' limited awareness of, and support for, early permanence practices was a challenge to early permanence raised by some local authority representatives we spoke to.

The representatives of the judiciary interviewed for this study discussed that, while they assumed most family judges in London would be aware of early permanence practices, they also thought family judges would have limited everyday experience of early permanence, due to the small number of cases presented to them. Early permanence was also rarely discussed, for example, in conversations about specific court cases. This suggested that early permanence was not on the agenda among family judges in London. However, at the same time early permanence was not perceived as a concept that family judges would struggle to understand.

In stakeholder conversations (with national and London-based stakeholders, within CoramBAAF, Centre for Early Permanence and the National Adoption Strategy team) it was mentioned that if family judges were unaware of early permanence, their court room was not the right place or time to introduce the concept and to convince them of the benefits of early permanence to children. Having conversations about early permanence outside the court room, for example at Family Justice Board meetings, had been helpful in other regions.

According to local authority ADM's, some had experienced being asked to reconsider their ADM decision for early permanence in court, and mentioned that some family judges appeared more opposed to early permanence than others. Interviews with representatives of the judiciary emphasised the importance of case appeals in influencing practice. However, there are currently no reported cases considering a situation where a judge has prevented a local authority from making an early permanence placement and insisted on a mainstream short-term foster placement instead.

Court delays

The current court delays experienced across London were described as a significant challenge to early permanence. Most interviewees (including children's guardians and local authority representatives) had their own stories about cases where there had been 'horrendous court delays', and where newborn babies were toddlers by the time care proceedings were concluded. At the time of interviewing, local authority representatives reported being offered final hearing dates up to nine months later – a significant time in young children's lives.

Court delays also had resource implications for those working in this area as new care proceedings continued to be issued but existing cases were not completing.

Although some interviewees were hopeful that the President for the Family Division's relaunch of the Public Law Order (PLO) would help reduce delays, no one anticipated (including representatives of the judiciary in London) that care proceedings would return to the statutory 26-week time scale in the near future.

Court delays were said to create additional uncertainty in a complex process that already involved many uncertainties, as children and carers waited for the final court decision for over a year.

Beside the additional stress, delays have legal and practical implications for early permanence carers.

Situations were mentioned by RAA early permanence leads where early permanence carers had to return to work following their adoption leave, but where their foster carer role prevented them from using childcare to do so. Having a child placed for more than a year gave early permanence carers the legal rights to challenge the court's decision to support reunification. RAA leads were aware of early permanence carers who had considered taking legal action, but had decided against it.

Family assessments granted late in care proceedings

For children who were less likely to remain with or be reunified with their birth parents, local authority social workers would identify and assess potential family members. Some local authority representatives we interviewed mentioned utilising family group conferences, as well as other work with birth mothers to ensure that relatives and connected persons were identified and assessed as early as possible. However, family members came forward and the courts granted family assessments late in care proceedings, potentially delaying the final court hearing. This was highlighted as a particular concern for early permanence.

Representatives of the judiciary interviewed had different opinions on family assessments late in proceedings with one saying that there was an over-emphasis on placing children with family members in London and a tendency to 'bend over backwards to assess family members'. However, this view was not shared by other representatives of the judiciary interviewed. One described a 12-week delay to carry out a family assessment worth considering, even if it delayed the final court hearing:

'...IN LONDON MOST JUDGES, IF SOMEONE HALF DECENT WHO LOOKS LIKE THEY MIGHT MAKE A GOOD ALTERNATIVE, COMES THROUGH THE DOOR, THEN A JUDGE WILL GENERALLY SAY, 'WELL, WE BETTER LOOK AT THEM', BECAUSE THE STATUTORY OBLIGATION IS TO KEEP CHILDREN IN THEIR FAMILIES... [IF] IT LOOKS LIKE THERE'S A REAL POSSIBILITY THAT THEY COULD PROVIDE A HOME FOR A CHILD....

...THE DELAY IN MAKING THE DECISION ABOUT WHETHER THAT'S A RUNNER OR NOT IS 12 WEEKS, WHILE THEY HAVE A PROPER ASSESSMENT. YOU'RE NOT GOING TO SAY NO. IT DOESN'T MATTER, YOU COULD BE ON THE LAST DAY OF THE HEARING, FRANKLY' (REPRESENTATIVE OF THE JUDICIARY)

The dual emphasis on placing children within their families, and that adoption should only be considered in cases where 'nothing else will do', was described by many interviewees as a direct outcome of two appeals, Re B and Re B-S.[29] Combined these principles were observed to have had a profound impact on adoption, and by extension early permanence practices in London.

Children on the 'edge of care'

Local authority representatives occasionally mentioned specific cases that involved children on the 'edge of care' who were not looked after, but where the local authority considered early permanence the preferred option. In a few specific cases mentioned, the local authority had issued care proceedings, but a care order had not been granted. As one local authority lawyer highlighted, it often took two attempts in court before a care order was granted.

In such cases where the child was not at immediate risk of harm, for example because they were living with a very elderly relative or where the local authority provided 24-hour support in a mother and baby foster care placement, local authorities would often choose to wait for the final hearing and a placement order, even though they considered early permanence the best option for the child.

4.1.3 Early permanence carers related challenges

A perceived or actual lack of early permanence carers

In interviews with representatives of local authorities, children's guardians and the judiciary, there was a common perception that there was a shortage of early permanence carers in London.

At least one local authority ADM mentioned making recent referrals for early permanence carers, and none being available. However, in some cases, the shortage of carers was described more as a perceived shortage, rather than an actual experience.

All three children's guardians interviewed mentioned having asked children's social workers about early permanence placements, but had been told that no such carers were available. In these situations, guardians felt less able to probe further and early permanence had not been pursued.

While the pool of early permanence carers was undoubtedly smaller compared to mainstream adopters, especially of carers from black and mixed ethnic backgrounds, local authorities that regularly used early permanence said that their RAA had been able to meet their referrals for early permanence carers.

Local authorities overly concerned about the 'risk' to early permanence carers

Among our local authority interviewees, there was a common concern about exposing early permanence carers to too much risk, which may impact on local authority decisions to pursue early permanence or not. There seemed to be a tendency among some local authority representatives to only consider 'straightforward' cases, in part to protect early permanence carers from the heightened possibility that the child would be reunified with their birth family.

Local authority interviewees assumed that early permanence carers had received preparation training covering the uncertainties around the outcome of care proceedings, as well as the health and developmental uncertainties of infants (e.g. foetal alcohol spectrum disorder). However, they still appeared to have concerns that early permanence carers were not suitably prepared.

A few local authority interviewees who had attended recent early permanence training highly

[29] For more information on Re B see: www.communitycare.co.uk/2015/11/16/social-worker-criticised-flawed-re-bs-assessment-care-proceedings/ and for Re B-S see: [28] Some characteristics have been altered to protect carers' identity.

valued the opportunity to hear the experiences of an early permanence carer who had supported moving a child back into their birth family's care following the court's decision for reunification.

Nevertheless, for local authorities and the judiciary to have trust in the early permanence process it was important for them to know that carers were thoroughly prepared and had ongoing support, to manage the uncertainty of care proceeding outcomes.

4.2 Drivers of early permanence

The previous section focused on an array of challenges to early permanence as identified by our interviewees. However, interviewees also drew attention to factors that could facilitate early permanence practices. Overall, it was acknowledged that early permanence practices required a system that worked together across professional boundaries to make early permanence for children happen in a timely manner.

This section focuses on the structures and factors that, according to our interviewees, support local authorities in making early permanence placements for the benefits of young children.

Clarity around roles and responsibilities and the role of local authority heads of service

Early permanence is a complex process that involves an array of uncertainties. It requires timely consideration, careful planning and tracking of children throughout the process, as well as good communications between multiple roles and teams, both internally within local authorities and with their RAA. Within such a system everyone has to work together to make early permanence happen.

All interviewees, regardless of their role and organisation, emphasised that early permanence decisions fell to the local authority, and that the head of service played a key role. Early permanence should be considered as part of the local authorities' care plan, and as the person with an overview of cases, the head of service was

perceived as instrumental in ensuring that early permanence was considered as early as possible.

In local authorities with a history of using early permanence placements, early permanence was always raised at legal gateway meetings and at permanence planning meetings. Local authority representatives also highlighted the role their RAA played in making suggestions, providing advice and in encouraging them to consider early permanence early in the process.

The representatives of Cafcass and the judiciary we interviewed emphasised that by the time care proceedings had been issued and the case came to the attention of the children's guardian and the family judge, it was often too late to consider early permanence. As one guardian highlighted, 'we are dependent on the local authority saying 'this is our plan', and then endorsing that'. This view was backed up by a few local authority-based legal representatives, who highlighted that unless the child's guardian opposed early permanence, it was often too late for them to play a direct role in early permanence pathways.

Representatives of the judiciary also stressed that it was the local authority's responsibility, not the family judge's, to consider early permanence and make it part of the child's care plan. In part because it was too late for the court to make such recommendations, and in part because it could be perceived as inappropriate for the family judge to suggest such a pathway.

Early permanence 'champions'

Local authority staff with a background in adoption seemed more likely to consider and promote early permanence practices, and ensure that children were identified as early as possible. Such individuals were not necessarily formally named 'champions' and had a variety of roles and responsibilities within their local authority, including permanence lead, team manager, head of service, agency decision maker, assistant director or director of children's services.

However, their understanding of adoption and adoption processes, and the benefits of early permanence to children, frequently made them passionate advocates of early permanence.

However, in order for less senior 'champions', to have an impact on the number of placements made, they required a senior manager's backing and support in order for their local authority to embrace early permanence practices more widely. In addition to driving early permanence and making sure that children were identified and referrals were being made, 'champions' also appeared to understand when early permanence was not the right pathway for a particular child.

A role or team with responsibility for permanence

Local authorities with a dedicated permanence role, or permanence team, seemed to raise early permanence as a possibility earlier. Some interviewees described their permanence planning meetings as crucial, as they brought different roles together early in the process to consider permanence plans, as well as tracking children's progress through the system. Having a specific focus on permanence planning reportedly helped to ensure that other teams and roles were persistently reminded of the importance of children's short-and long-term permanence, including early permanence.

Knowledge of the statutory duty to consider early permanence

When local authorities, and especially their legal team, had a solid understanding of local authorities' legal obligation to consider early permanence as part of the child's care plan, local authority lawyers reported feeling better able to challenge any criticism about early permanence pre-empting the courts' decision. Training on early permanence, delivered for example by CoramBAAF, was mentioned by local authority representatives as being instrumental in making local authority lawyers and senior staff aware of this legal duty as part of the Children Act 2014. Knowing and being able to use such guidance had clearly strengthened early permanence practices internally.

It had reportedly also made it easier for at least two local authorities to 'push back' against any assumptions presented in court by birth families and parents' barristers about early permanence pre-empting care proceedings.

Comprehensive pre-birth work

Early identification and tracking of children through comprehensive pre-birth work was described as influential in facilitating early permanence. One local authority interviewee highlighted that introducing pre-birth DNA tests had enabled them to identify and carry out early assessments of the father's family. Planning for the child's arrival in such a manner was described as facilitating the likelihood of early permanence happening.



Case example: one local authority

One local authority that had significantly increased its number of children placed with early permanence carers in the last year, described how they saw this change as the result of a 'whole system' change. According to local authority interviewees, factors that had facilitated this system change included:

- Their recently established pre-birth team had enabled early identification of children, timely assessment of birth parents and family members.
- Their permanence team had supported other teams to ensure an ongoing focus on permanence for children in their care.
- Better communication between different teams and with their regional adoption agency.
- Active early permanence champions among their head of service and the agency decision maker who had oversight of placements and attended legal planning meetings.
- Support from their legal team to actively pursue early permanence in court. Following clear directions from their senior lawyer, the legal team had come onboard and had a clear understanding of what early permanence meant.
- Their regional adoption agency had been a strong promoter of early permanence practices and had supported their local authority with advice and information about early permanence.
- The availability of early permanence carers when referrals were made. The RAA was described as being able to 'deliver the goods' when needed, often at short notice.

The interplay between these different factors was described as instrumental in increasing the number of early permanence placements from none to seven over a very short period.

4.2.1 External enablers

Although the majority of factors perceived to promote early permanence practices were internal to local authorities, a few local authority representatives highlighted external enablers:

Ofsted's focus on permanence and early permanence

Two local authority representatives highlighted that Ofsted's permanence inspection, or awareness of such inspections, had encouraged their local authority to actively consider and implement better early permanence structures (for example, by revising their policies). Ofsted's focus and positive acknowledgement of early permanence within wider permanence planning had reportedly been a strong motivator for these two local authorities to seek advice from their RAA and other local authorities in order to improve their early permanence practice.

Judicial support for early permanence

Representatives from one local authority mentioned that a clear direction from the designated family judge (DFJ) in their judiciary area, setting out the DFJ's support for early permanence, had seen a small positive change among some family judges. This local authority's ADM reported meeting less 'pushback' from some family judges when presenting a care plan for early permanence.

This study set out to explore patterns in the rate of early permanence in London, relative to the rest of England. Using a mixed-methods approach, we analysed publicly available ASG data with regard to early permanence, adoptive placements and SGOs. We also carried out 41 interviews in London, representing a range of roles and organisations involved in early permanence in various capacities.

There were some limitations to the research. We did not speak to early permanence carers, birth families or children. Their experiences and views on early permanence play an important part, and future research should consider including their voices. We also only interviewed professionals in London. It is therefore unknown if the barriers identified as part of this research are unique to London, or part of a greater national trend.

Despite these limitations we have been able to show through ASG data that London is consistently among the regions in England with the lowest number of early permanence placements. This is mirrored in the low rates of children placed for adoption as a proportion of looked after children and SGOs granted, compared to other regions of England.

The research also looked at the characteristics of children who entered an early permanence pathway, as well as early permanence carers. We highlighted that relatively little is known about the demographic profile of children and carers, their circumstances and outcomes longitudinally, as no data is currently being collected on those involved in early permanence.

Finally, we discussed the barriers and drivers to early permanence as identified during our interviews with professionals in London, focusing on challenges related to local authorities, the courts and early permanence carers. These form the basis of the recommendations set out below.



6. Recommendations

Based on our research findings, we would recommend the following actions:

Recommendations for Regional Adoption Agencies

- Ongoing and regular training provision for local authority staff, including senior managers, legal representatives, children's social workers and other frontline teams. Such training should be provided at regular intervals to ensure that new members of staff are aware of early permanence practices.
- Initiate and develop a closer relationship with Cafcass regional teams in London (North, East, South and West). For example, by establishing a 'Cafcass link' role within each of the London-based RAAs. Such a link person should attend Cafcass team meetings at regular intervals to provide information about early permanence, as well as act as the contact person whom children's guardians can contact directly for information and advice.
- Build awareness and understanding about early permanence among legal representatives. For example, by organising and attending legal team meetings in each of their local authorities to provide information about early permanence. RAAs could develop a short pre-recorded presentation of key legal considerations (e.g. local authorities' legal duty to consider early permanence as part of children's care plan, when to plan for early permanence, and timescales for securing an placement) and a short recording of an early permanence carer sharing their experience of supporting a child's reunification with their birth family. Such a presentation could be accompanied by the opportunity for legal representatives to ask questions about early permanence.
- Work in partnership with local and national organisations, such as London Borough's Legal Alliance who provides training to legal teams in London, or CoramBAAF in order to develop training in early permanence.
- While recruiting more early permanence carers, especially people from the global majority should be a priority, addressing common perceptions across different roles and organisations about the perceived shortage of early permanence carers may also be needed. Making local authorities, children's guardians and other parties aware that placements are available in the majority of cases where early permanence is requested is likely to address one important barrier to early permanence in the future.
- Develop partnership with London-based VAAs that do not currently train and approve early permanence carers, to identify ways that the RAAs can support the VAAs in the future, to increase the number of early permanence carers.
- Increasing the likelihood of prospective adopters choosing early permanence as a route to adoption. For example, by requiring adopters to opt-out of early permanence, rather than to opt-in – a practice which has largely been implemented by most London RAAs. Another example could be a public awareness raising campaign to increase awareness of early permanence. In the long term this could influence public perceptions of early permanence as the standard pathway to adoption among all prospective adopters.
- Initiate and develop better communication with the judiciary to improve awareness of and support for early permanence practices. For example, by exploring opportunities to present

- about early permanence at Local Family Justice Board meeting or the Judicial College. One Designated Family Judge interviewed also welcomed requests to host specific meetings with local authorities, family judges and the RAAs to discuss early permanence in situations where there had been issues around early permanence placements.

Recommendations for local authorities

- Consider ways to strengthen areas of internal practice that were seen to enable early permanence placements being made. This included:
 - Clarifying the roles and responsibilities for early permanence, and emphasising the key role of heads of service having an overview of cases.
 - Ensuring that early permanence is raised as early as possible, for example at legal gateway meetings and permanence planning meetings.
 - Nominating an early permanence 'champion' to drive early permanence and making sure that children are identified and referred.
 - Promoting comprehensive pre-birth work, for example by carrying out pre-birth DNA tests.
 - Encouraging social workers and legal teams to attend early permanence training, and ensuring the statutory duty to consider early permanence is known within teams.
- Consider appealing a case where a judge has prevented a local authority making an early permanence placement and insisted on a mainstream short-term foster placement instead.

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Recommendations for the judiciary

Support for early permanence among senior members of the judiciary was seen to have a positive impact on early permanence. We therefore recommend senior members of the judiciary to discuss early permanence practices within the judiciary and with colleagues, as well as initiate opportunities for regional adoption agencies and local authorities to present issues regarding early permanence.

Recommendations for building the evidence base

Given the timescales, budget and potentially sensitive nature of adoption and early permanence, we did not speak to children, birth parents or birth relatives, nor early permanence adopters. Their experiences and views on early permanence are important and future research should consider including their voices.

The ASG dataset collects information about children and prospective adopters in the adoption process. However, currently none of this information is collected with regard to early permanence placements. This lack of data has an impact on understanding early permanence as an approach to improving placement stability and children's outcomes.

We therefore recommend that better data is collected on children and adopters involved in early permanence, either through the ASG dataset, by the RAAs or an alternative record of key characteristics and contextual information (e.g. whether a child is part of sibling group and the final order).

This and other studies have also highlighted the scarcity of research evidence about early permanence outcomes, especially relating to children's longitudinal outcomes. We therefore recommend that more research is carried out focusing on the following areas:

- The proportion of early permanence placements where children are reunified with their birth family, including the characteristics of children, final order and the context (e.g. whether the child was part of a larger sibling group). This will help local authorities make decisions about the children they consider for early permanence.
- The adoption breakdown rate of early permanence placements in relation to mainstream adoptive placements.

- Early permanence carers' perception of risk and uncertainty, as well as their motivation for choosing early permanence.

This will support recruitment and also considerations about widening the participation of early permanence, to for example include for older children.

The research highlights a lack of data about early permanence carers, their characteristics, adoption journey and motivation, including any factors that may impact on recruitment and family finding.

This report provides analysis of early permanence in London and an assessment factors seen to facilitate early permanence alongside a number of recommendations for RAAs, local authorities, the judiciary and the evidence base. These, alongside the Early permanence National Standards and Early Permanence Quality Mark could have a major impact on the use of early permanence where adoption is the plan, not only in London but also nationally.

Table 7 Number of early permanence placements by London Boroughs

	TOTAL 2018/19 to Q3 2022/23 <i>c - suppressed where a count is 5 or fewer</i>
LONDON	124
London: Inner	59
Camden	c
City of London	c
Hackney	c
Hammersmith and Fulham	0
Haringey	c
Islington	c
Kensington and Chelsea (see Bi-Borough)	-
Lambeth	c
Lewisham	7
Newham	c
Southwark	c
Tower Hamlets	13
Wandsworth	11
Westminster (see Bi-Borough)	-
Bi-Borough (from Q3 2019/20) <i>Kensington and Chelsea, Westminster</i>	c
Tri-borough (until Q2 2019/20) <i>Hammersmith and Fulham, Kensington and Chelsea, Westminster</i>	0
London: Outer	65
Barking and Dagenham	c
Barnet	c
Bexley	11
Brent	c
Bromley	6
Croydon	c
Ealing	c
Enfield	c
Greenwich	c
Harrow	c
Havering	c
Hillingdon	9
Hounslow	6
Kingston upon Thames	c
Merton	c
Redbridge	c
Richmond upon Thames	c
Sutton	0
Waltham Forest	c

Source: ASG Quarterly Data Collection 2018/19 to 31 December 2022 (9 months)



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