

The Changing Face of Adoption in England: Opportunities and Dilemmas

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Abstract. *The Coalition Government in England has recently undertaken a radical review of adoption services. Informed by business and managerial principles, the government strategy, 'An Action Plan for Adoption: Tackling Delay' (DfE, 2012a), is designed to increase the number of adoptions, widen the pool of adoptive applicants and reduce the costs occurred by keeping children unnecessarily in the looked after system of care. The new strategy has been opposed by many in the social work profession who fear that a speeding up of the adoption process will erode social work values and practice. Previous governments have attempted to bring about radical change in adoption practices across England, but with little success. The paper reviews some of the dilemmas raised by the new adoption proposals, such as the opportunity to bring about success and to change the outcomes for children needing adoption as supported by the body of research into the potential positive effects of adoption on children's outcome. However the paper is questioning whether managerialist tools such as league tables of local authority performance have any place in child-centred adoption practice.*

Keywords: adoption in England; adoption and child development; managerialism, post-adoption support, children who await adoption.

New Management, Money Troubles and League Tables

Adoption has been a part of English legal system since the Adoption Act 1926 and has recently undergone its most radical strategic review since those early days, a strategy review managed and led not by the social work profession but by government – 'An Action Plan for Adoption: Tackling Delay' (Department for Education [DfE], 2012a). However, much confusion remains in the public mind about the difference between foster care and adoption. An Adoption Order in England confers the same legal rights on a child and their adopter(s) as if the child had been born to that family. Foster care takes many forms from respite care to long-term care and the fostered child's status is always subject to statutory governance, even if the foster agency looking after that child is in the voluntary or private sector. A child's parent(s) usually continues to hold parental responsibility for the looked after child, unlike the case with adoption. Since the Children Act 1975, adoptees have had the right to access their birth records once they reach the age of eighteen, this openness of approach contrasting starkly with previous cultures of secrecy and denial.

Concern has grown in England about the number of children waiting to be adopted – lengthy and bureaucratic processes of approval and legal delays have often meant that adopters were only having children placed with them after waiting many months, and sometimes years. Children in need of adoption have been spending too long in the limbo of foster care from where birth parents had continuing, and often confusing, access to the child (Biehal et al., 2010). A birth parent's right of contact with their child and a belief that children are usually best served by staying with their birth families had led in recent years to professional and political concern that the overarching principle of the seminal 1989 Children Act, namely that the rights of the child are paramount, was being jeopardised. The economic pressures within English local government, brought about by the downturn in the economy, were further reasons why the Coalition Government acted upon a report commissioned by The Times newspaper, 'The Narey Report on Adoption: Our Blueprint for Britain's Lost Children' (The Times, 2012). The Coalition Government appointed the author of this report, Martin Narey, to a post of 'Adoption Tsar' and the subsequent Coalition Government's strategy for adoption, 'An Action Plan for Adoption: Tackling Delay' (Department for Education, 2012a), embraced the key principles of Narey's original report.

Keeping children in foster care, where the state pays fees to the foster careers was becoming increasingly expensive and there had been a particular surge in the numbers of children coming into foster care after 2007 as a result of the death of a child, Peter Connelly, who had been subject to inadequate child protection surveillance at home (DfE, 2011b). Adoption solutions generally cost the state nothing once a matching fee has been paid to any independent adoption agency, although there is a system of time – limited financial support available to adoptive parents in certain circumstances. Even before the public and political outrage

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over perceived social work failings concerning the deaths of children such as Victoria Climbié (Laming, 2003) and Peter Connelly (DfE, 2011b), adoption in England had become seen as ensuring better forms of care and permanency for children than long-term foster care and it also had advantages of saving government monies. However, the lack of financial support for adoptive families is also a reason why many English people are unable to adopt as the high costs of living in England often mean that, in the case of couples, both often have to work and younger or single people are less likely to have the financial security to allow them to adopt and become “stay at home parents” or to afford day-care costs. England has the highest day-care costs for children in Europe (Mayes and Thomson, 2012).

Successive governments have attempted to increase the use of adoption as a preferred option for children unable to live with their birth parent(s) but these initiatives have always met with limited successes and it is instructive to note that the contemporary barriers to adoption (Biehal et al., 2010) are similar to those identified in the 1970s (Rowe and Lambert, 1973). These barriers include delays in decision-making by social workers and the courts, a lack of placements, difficulties in working with birth parents and issues of ethnic matching.

Since the importance of establishing permanency and stability for children were first recognised in the 1970s (Rowe and Lambert, 1973), the negative effects of multiple moves on children’s outcomes have been recognised. Many looked after children in England are very disadvantaged in terms of their education, health and general life chances as a result of their backgrounds (Munro, 2001; Biehal et al., 2010). The nature of adoption has changed significantly in England over the past 40 years with the number of children being adopted having dropped from over 20,000 per year in the 1970s to less than 4000 per year since 2000 (DfE, 2012bc). The availability of better and cheaper contraception, women’s right to termination of pregnancy and increasing societal acceptance and support for single parents have all played their part in this shifting demographic. Fewer babies are available for adoption and the profile of children put up for adoption from care increasingly features older children and children with special needs and disabilities. The Cabinet Office (2000) conducted a review of adoption policy and practice that recognized this phenomenon:

“...adoption from care in the twenty-first century is less about providing homes for relinquished babies and more concerned with providing secure, permanent relationships for society’s most vulnerable children.” (5).

Concern about the outcomes for children in care (Department of Health [DoH], 2000), compared with significantly improved outcomes for adopted children, had led to a (never realised) New Labour government target to increase adoption by 40% over four years (Cabinet Office, 2000). A White Paper, ‘*Adoption: A New Approach*’ (DoH, 2000), further stressed the need to standardize and increase the rate of adoption across all local authorities in England. The subsequent Adoption and Children Act 2002 had the concept of permanency at its core, introduced new timescales for children’s adoption plans, reduced a number of legal stages and introduced a National Adoption Register designed to match up adoptive parents with suitable children more swiftly and efficiently. Post-adoption support was made a legal requirement and the diversity pool was widened and single people, unmarried couples and gay people were given equal rights to adopt (Department for Children, Schools and Families, 2005).

Adoption policy and practice: Why are we waiting?

There is considerable agreement among researchers (Lowe et al., 2002; Selwyn et al., 2006; Sinclair et al., 2007; Biehal et al., 2010) that the older a child is when adopted, then the more likely it is that a placement will break down. The likelihood of a child in England being adopted decreases significantly as they age (Sinclair et al., 2007), partly because the child is likely to have led an unsettled life before the adoption placement and have attachment and other difficulties and partly because the culture among prospective adoptive parents has remained an idealistic one in which they want young babies to mould and nurture into their families.

However, despite the above legislation, policy and research drivers, adoption practice in England continued to resist change at the front line. McKeigue and Beckett (2010) found that 41% of the children in their detailed study of one local authority still waited over a year for a permanency plan, largely because birth parents were being given several opportunities to rehabilitate themselves or time was spent searching for kinship carers. Such practice was seen as not being in the interests of children and as not according with the paramountcy principle given to children’s welfare under the Children Act 1989. Social work practice remained hesitant to match children across different ethnicities and cultures and such professional aspirations for exact matching continued to be criticised in the academic literature (Sinclair et al., 2007; Biehal et al., 2010; Fahlberg, 2011). A growing political view emerged that too much emphasis was being placed by

professionals on issues such as ethnic fit rather than on the prime needs of a child for belonging and permanency. This is not to minimise the need for a child to have a cultural identity and fit but to argue that contemporary adoptive parents of whatever background should be open to such diversity considerations and be able to find ways of helping a growing child understand their origins and cultural heritage. Schofield and Beek (2008) found that the most successful adoptive parents were ones with attributes of flexibility, sensitivity, acceptance and co-operation and that diversity considerations such as ethnic matching were of a lesser order, although still important.

Figures about adoption “success” and how to measure this are, however, contentious. In 2000 the number of adoptions per year stood at 2800 rising to a peak of 3800 in 2004 and 2005 before falling back to 3090 in 2011. In 2012, after the announcement of the new government strategy and the introduction of ‘Adoption Scorecards’ designed to produce ‘league tables’ that compared the performance of local authorities across England, there was a slight rise in the number of adoptions to a figure of 3450 (DfE, 2012c). Critics of the use of performance management tools such as league tables in social care (Harris and Unwin, 2009) argue that such crude, quantitative measures fail to consider the moral and qualitative core of social work decisions making. Numbers can be massaged and inflated and managers can dictate that any number of children might be placed anywhere at short notice with adopters who may be unprepared for the complexities of adoption. Such a league table-led system could be seen as unlikely to meet the needs of children and their potential adoptive parent(s). However, despite the opposition of the social work profession to the Coalition Government’s new, managerial proposals for adoption reform (Naqvi, 2013) the above statistics make it difficult to argue that the current adoption system is fit for purpose given what is known about the outcomes for children who remain in the looked after system.

David Cameron, Prime Minister, expressed his concern that it was not only older children who were not being adopted in sufficient number:

“It is shocking that of the 3,600 children under the age of one in care, only 60 were adopted last year - this is clearly not good enough. So we will publish data on how every local authority is performing to ensure they are working quickly enough to provide the safe and secure family environment every child deserves.” (DfE, 2011c)

Since the Conservative governments of the 1970s, all English governments have favoured bringing in ideas and practices from the world of business into human services and measuring services against each other across the country in ways that a business might manage performance. Despite widespread concerns about bringing market principles into social care services (Harris and Unwin, 2009) the Coalition Government appointed a person with a background in voluntary sector management and prison management, Martin Narey, to lead their strategic review into adoption services. Narey and his team consulted extensively across England in 2012 and spoke with professionals, adoptive applicants and children in their search for an adoption service better suited to the needs of children, adopters and the realities of shrinking government finance. Narey’s recommendations were translated by the Coalition Government into ‘*An Action Plan for Adoption: Tackling Delay*’ (DfE, 2012a) and were seen by many as an affront to the social work profession, whose domain and jurisdiction they challenged and changed in a radical manner. The contracting out of adoption duties to independent agencies was promoted as a viable alternative to the current system alongside proposals to:

- legislate to reduce the number of adoptions delayed in order to achieve a perfect or near ethnic match between adoptive parents and the adoptive child;
- require swifter use of the national Adoption Register in order to find the right adopters for a child wherever they might live;
- encourage all local authorities to seek to place children with their potential adopters in anticipation of the court's placement order;
- radically speed up the adopter assessment process so that two months are spent in training and information gathering – a pre-qualification phase – followed by four months of full assessment;
- introduce a “fast-track” process for those who have adopted before or who are foster carers wanting to adopt a child in their care;
- develop the concept of a “national Gateway to adoption” as a consistent source of advice and information for those thinking about adoption. (DfE, 2012a, 3-4)

Professionals’ Resistance

Social work in England had been under political attack for some time before the publication of the above initiative, largely due to perceptions that social workers failed to prevent the deaths of vulnerable children (DfE, 2011a). Social work with children had become particularly demoralised as a result of this public

perception, a shortage of resources and ever increasing levels of bureaucracy and performance management. Although adoption social work had largely escaped such opprobrium, adoption social workers have shown resistance to the adoption proposals.

This is partly because until the new Coalition Government strategy review (DfE, 2012a), adoption social work had largely enjoyed a cachet of elitism and unchallengeable practice, despite the lack of any consistent progress made toward previous government targets for adoption. The Coalition Government's stance on increasing the numbers of children who are adopted from care settings has been widely criticised by the social work profession (Williams, 2011; Ward et al., 2012) who largely do not agree that radical new and faster systems are needed and are fearful that rushed adoptions will be unsuccessful adoptions. It is worthy of noting that it has always been difficult to measure the successes of adoptions in a qualitative manner as rates of breakdown are not routinely kept across local authorities. For example, Narey estimates the breakdown rate at around 10% (Naqvi, 2013) whereas other estimates, such as that of Rushton and Dance (2006), place it at 23%. The Coalition government has recently commissioned research into the accuracy and possible reasons behind adoption breakdowns.

The British Association of Social Workers's (BASW) opposition to the Coalition Government's adoption reforms (DfE, 2012) are encapsulated in the views of their professional officer, Nushra Mansuri:

"The government is putting all its focus on adoption – taking children into care and speeding those processes up – yet seemingly gives no thought to helping to keep families together, or addressing the underlying causes of parental failure." (BASW, 2013, 8)

The above concerns reflect a wider social work commitment to preventative work designed to keep children within their birth families wherever possible. There is also a view that the Coalition Government sees adoption as a cheaper option than the costs incurred in trying to rehabilitate families. BASW further states that their other concerns with the new adoption proposals include those of rushed assessments, the risk of unsuitable adopters being approved and an increased likelihood of adoption breakdowns (BASW, 2013).

The costs for children waiting: adoption and child development

One of the most enduring questions in adoption research is whether children can achieve 'normative' standards in terms of their psychological, emotional and social wellbeing after experiencing abuse, neglect and, consequently, having been removed from their birth families and placed in the care system or having been adopted. Child development researchers are essentially interested in how adopted children's past experiences impact on their later development. Attachment theory (Bowlby, 1951, 1969; Cassidy and Shaver, 2008) has been an influential theoretical framework used in explaining and understanding the effects of a child's separation from birth parent(s), including how their early attachment internal working models are able to coexist with the internal working models of their adoptive parents (Palacios, 2009). In this respect, adoption is an invaluable 'natural experiment' that allows us to study and understand developmental trajectories of children who are adopted, addressing crucial issues of nature versus nurture debate and enabling adequate policies and practices to be supported and implemented.

Based on attachment theory's original assumptions, much of current adoption practice maintains that failure to initiate a bond with or separation from the primary caregiver within the first two years of life has detrimental consequences on the child's social and emotional development (Chisholm, 1998). However, as attachment theory has been revised in light of emerging research evidence, new insights have been achieved in the understanding of adoption and attachment. While there is research supporting the importance of attachment formation (such as research into the effects of institutionalisation among Romanian children – for an overview see Rutter et al., 2010), evidence pertaining to the assumption of attachment continuity is not uniform (Fraley, 2002; Misca, 2009).

Research exploring the effects of the adoption on the child considers the three dimensional processes of development: cognitive, physical and socio-emotional. Children's cognitive development has received much attention in recent years, particularly in terms of education and the ability to progress in schools in their adoptive families. For example, a meta-analysis of 62 research studies (Ijzendoorn, Juffer and Poelhuis, 2005) explored the cognitive development of adopted children, institutionalised children, children who remained with their birth families and non-adopted siblings development. Adopted children displayed the highest IQ test scores and better school performance compared to their non-adopted siblings who stayed with their birth families; however adopted children displayed poor language and increased learning difficulties in comparison to their environmental, non-adopted peers, although their general cognitive ability was unaffected (Ijzendoorn, Juffer and Poelhuis, 2005). This suggests that adopted children's development improved in comparison to their non-adopted siblings but compared to their peers living within birth

families, their development remained affected. Ijzendoorn and Juffer (2006) reported that early adoption is beneficial for children's physical development, attachment and school performance, but later adoption seems to have a detrimental effect to their overall development and adjustment. However, irrespective of early life events, Tieman et al. (2006) conversely argued that children's educational attainment fared no different to the non-adoptive population thus suggesting that not all levels of development are equally affected, and introduces new areas of interest such as resilience and the impact of individual differences.

To summarise, the research evidence suggests that adoption has the potential to facilitate the resilience in a child's future development and adjustment; however the quality of the post-adoption environment is crucial. It is important to note that this means that adequate supports need to be put in place to facilitate this positive post-adoption environment. This is an area where policy and practice needs to focus and address the gap by providing adequate supports for parents and adopted children post-adoption. Of course, such supports will come at a cost for local government who needs to ensure that such post-adoption support is explicit and tangible rather than an aspiration.

Concluding Reflections on Policy and Practice Dilemmas

Translating the research findings for practice, from a child-centred point of view, the authors believe that, despite professional opposition, the Coalition Government proposals offer many positives and opportunities that may reduce the average time a child spends in care awaiting adoption, which is currently estimated to be 2.7 years (DfE, 2012b) and that the proposals may also contribute to reducing the average age of 3.8 years at which children are currently adopted from care (DfE, 2012b). However, it is regrettable that the government strategy emphasises costs, league tables of performance and contains threats to contract work outside of local authorities but the humanistic proposals contained in the strategy, such as increasing diversity in adoption and giving priority to foster carers wanting to adopt would seem to outweigh any concerns about managerialism dominating professional social work practice. Such drawbacks pose significant practice dilemmas. Reducing timescales for approval should increase the numbers of adoptive applicants and quality social work should be able to build in the necessary checks and balances suited to a fast track approach. From the authors' own experiences, children have stayed with foster carers during critical periods of development when they should have been experiencing these bonding and attachment milestones with their adoptive parents. Approving potential adoptive parents as foster carers first runs the risk of massive disappointment and trauma all round if an Adoption Order is not made by the courts, but again adoptive parents can be prepared for this eventuality which should only happen in exceptional cases.

In conclusion, the Coalition Government's new strategy for the management of adoption in England is seen as presenting the social work profession with an opportunity for success. The profile of adoption has certainly been raised nationally as a result of the Narey Report (The Times, 2012) and the subsequent government strategy on adoption (DfE, 2012a). Old ways and old delays are no longer acceptable to children who wait and nor are they acceptable to a government which appears committed to real change for children in respect of adoption services. Adoption practice in England is under new management, money is tight and league tables are here to stay. The challenge for social work now is in its response to this changing face of adoption and whether professional social work practice will be able to turn those children who wait into children who are settled and supported in a new generation of adoptive families.

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