To:	Minister Ford
From:	NR Children's Social Care Covid-19
Date:	24 June 2020
Subject:	Update on the monitoring of the Adoption and Children (Coronavirus) (Amendment) Regulations 2020

Purpose

1. Further to your conversation with Sophie Langdale yesterday (23 June), here is an update on the monitoring of the Adoption and Children (Coronavirus) (Amendment) Regulations 2020.

What we know

2. On the extent of use:
   - In May, we spoke to 69 local authorities (LAs) about the regulations. Of those, 20 had used at least one flexibility and 10 more authorities were considering using them in the future.
   - In June, we spoke to 108 LAs - of those, 65 had used the flexibilities. These figures have been updated since Monday's paper as we have received additional data. See Annex A for additional detail.
3. Based on feedback so far, the most commonly used flexibilities are in relation to:
   - Adoption and fostering including flexibilities around panels, virtual panels and in relation to approval of temporary foster carers.
   - Virtual visits and meetings in relation to care planning and in relation to children's homes.
4. We have gathered this information from the following sources:

Delivery partner	Frequency	Number represented
Local authority "REACT" conversations	Monthly	108 local authorities in June out of 151 LAs
Local authorities	Fortnightly	149 local authorities providing information on capacity and demand pressures (but not on use of regulations)
Social Worker Practice Leaders and Principal Social Workers	Weekly	Social Worker Practice Leaders 15-20 LAs and Principal Social Workers 30-50 LAs
Children's homes Foster agencies Regional Adoption Agencies (RAAs) Voluntary Adoption Agencies (VAA)	Weekly or fortnightly	ICHA representing over 1,100 homes and over 3,900 beds Fostering focus group planned with 9 fostering associations 24 RAAs providing services for 115 LAs VAA representing c25 VAAs

Next steps

5. We are not yet reaching every local authority. We are speaking to the REACT teams later today (24 June) about how to reach more local authorities and follow up with those where we do not yet have information.
6. We are seeking more information to reflect the voice of the child and have asked children's charities to feedback on this to the Department, specifically with examples of where they are worried an easement is having a detrimental impact on a child/family.
7. We are looking at how to get more granular information on children's homes, possibly through a survey.
8. We will pull together a further comprehensive update in advance of your statement to Parliament on these regulations – currently scheduled for 16 July. We will suggest timing of that update as part of advice later this week on timing of revoking these regulations.

Annex A – Additional details

NB: These are a few illustrative examples taken from local authority conversations

Where and why flexibilities are being used

"Adoption (primarily as a result of RAA direction): 7.9 as a result of some delays in getting medical back in a timely manner stage 1&2 are being run concurrently so as not to build in further delay. 7.13. the next adoption panel will run with 3 as minimum rather than the usual 5 for quorum. Fostering: 7.22 used in one situation to continue with assessment using a foster carer medical self report due to GP medical delay"

"emergency foster carers and reg 24. in last 2 weeks had big increase in children admitted into care (extra 30) so using flexibility meant they could better manage that. Did a call-out through schools in terms of becoming temporary foster carers, got 6 new carers as a result. Been able to place with all those. also use of reg 24 - to go beyond 6 weeks - only in exceptional circumstances, usually when entering into court arena"

"Reg 44 visits to children's homes - using virtual visits instead of face to face. treating children's homes as a family home. Don't want people coming in to bring infection risk. Not using most flexibilities - want to keep as a last resort"

"in particular flexibilities around adoption processes - proceeding to stage 2 (but not approval) while stage 1 DBS checks etc are being completed; quoracy on panels. Issue around adoption orders being deprioritised by courts, causing delays. have approved foster carers through virtual panels and doing many visits via video call. Overall, amendments have helped)"

Reasons why flexibilities not being used

"Strong contingency planning means they have not yet to use them. But good to have"

"Good capacity across social work teams at present"

"They have worked very hard not to use any and no indicators as yet suggest they will need to. If they do have to use any then they have a process in place that would require them to get political approval"

"Our focus has been on maintaining as much direct contact with children as is safe to do so and working within usual statutory guidance"