

**Jersey Care Commission**  
**Care Standards**  
**Adoption Services**

**Respect**

**Voice**

**Safety**

**Choice**

**Quality**

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## The Jersey Care Commission

The Jersey Care Commission's purpose is to:

- provide the people of Jersey with independent assurance about the quality, safety and effectiveness of their health and social care services.
- promote and support best practice in the delivery of health and social care by setting high Standards and challenging poor performance.
- work with service users and their families and carers to improve their experience of health and social care and achieve better outcomes.

The Jersey Care Commission's work is based upon these core values:

- **A person-centred approach** – we put the needs and the voices of people using health and social care services at the heart of everything we do
- **Integrity** – we will be objective and impartial in our dealings with people and organisations.
- **Openness and accountability** – we will act fairly and transparently, and will be responsible for our actions.
- **Efficiency and excellence** – we strive to continually improve and provide the best possible quality and value from our work.
- **Engagement** – we will work together with, and seek the views of, those using, providing, funding, and planning health and social care services in developing all aspects of our work.

## Introduction to the Standards

The Jersey Care Commission Standards are statements which set clear expectations about how care services should be provided.

The Standards for adoption services have been written to:

- Show what children and young people should expect from adoption services.
- Set out what the people who provide adoption services must do to meet the expectations of children, young people, prospective adopters and adopters themselves.
- Provide a structure that can be used to inspect the care provided.

Each Standard has been written with children and young people and has an explanation about what it means to them.

## Scope

These Standards apply to all providers of adoption services registered under the Regulation of Care (Jersey) 2014 Law.

The Standards apply to all providers of adoption services in Jersey.

## Guiding Principles

Guiding principles are the basic values which influence all the Standards. They reflect people's rights which are central to any care or support given.

Respect	Your right to support provision that is respectful, compassionate, and dignified.
Voice	Your right to be listened to, communicated with and supported to reach your goals and aims.
Safety	Your right to be safe and cared for by people who are trustworthy and competent.
Choice	Your right to be informed and supported to make real choices and decisions that are respected.
Quality	Your right to the highest standard of service provision which will promote your independence and decision making.

## Definitions

**Adopter** is a person who takes on the legal responsibilities of a parent of a child or young person which is not the person's biological child.

**Adopted child** is a child or young person who has been legally made the son or daughter of someone other than their biological parent.

**Adoption Panel** is an independent panel that makes a recommendation to the Agency decision Maker regarding applications to become adopters. The panel also makes recommendations regarding to permanence decisions for children and young people.

**Agency Decision Maker (ADM)** the person who makes the decisions as to whether the proposed care plan for adoption, early permanence and foster to adopt and permanent fostering is the right decision for the child or young person. They also approve prospective adopters.

**Care/support worker** relates to any person employed, volunteering or on work placement including health/social care professionals who provide care or support to people receiving care services which are registered under the Regulation of Care (Jersey) 2014 Law.

**Care Plan** is a document that details the permanence plan for the child or young person alongside how their overall need will be met.

**Child** for the purposes of these Standards, a child is differentiated from a young person and is defined as a person aged 0-14 years.

**Child Permanence Report (CPR)** is a report that details a child or young person's journey from birth to a decision regarding permanence. The CPR includes the reason why a child or young person was permanently removed from their birth parents/s as well as background information about their parents.

**Delegated Authority** is a mechanism where certain day-to-day decision making can be given to foster carers to ensure that they can meet the immediate needs of children and young people in their care. The delegated authority is given by those who hold parental responsibility for the child or young person and is contained in a written document.

**Disclosure and Barring Service (DBS)** helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.

**Disruption Meeting** must be convened for a child whose long term fostering home or residential home ends abruptly or on an unplanned basis.

**Duty of Candour** relates to the registered person/manager's responsibility to tell the person (or, where appropriate, their advocate, carer or family) when something has gone wrong. apologise to the person (or, where appropriate, their advocate, carer or family) offer an appropriate remedy or support to put matters right (if possible)

**Freeing Order** is an order that discharges parental responsibility from birth parents or those holding parental responsibility and is granted by the Royal Court of Jersey as part of care proceedings.

**Hague Convention on intercounty adoption** provides safeguards for children and families involved in adoptions between participating countries and also works to prevent the abduction, sale, or trafficking of children.

**Health/social care professional** is a person who registered with a professional regulatory body in the United Kingdom and where required is registered under the Health Care (Registration) (Jersey) Law 1995 (e.g., nurse/social worker/doctor).

**Jersey Designated Officer (JDO)** is the person who should be notified when it has been alleged that a professional, volunteer or prospective adopter who works with or cares for children is suspected of causing harm to a child or young person.

**Independent reviewing officers** make an important contribution to the goal of improving outcomes for looked after children. Their primary focus is to quality assure the care planning process for each child or young person, and to ensure that his/her current wishes and feelings are given full consideration.

**Intercountry adoption** recognizes that intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her state of origin

**Intermediary Service** specialist service that's provided by a registered Adoption Agency who can make an approach to a birth relative to let them know of your interest in making contact.

**Panel Advisor** provides advise to the adoption and permanence panel regarding procedural matters and in relation to application to become approved adopters.

**Prospective adopter** is a person who is intending to adopt a child or young person and is either undergoing the appropriate assessment process or is awaiting an appropriate match.

**Personal Education Plans (PEP)** are part of the statutory care plans for protected children and are a legal requirement. The Personal Education Plan reflects any existing education plans, such as an education or individual education plan.

**Placement Plan** is a document that details how the needs the child or young person will be met and by whom in relation to their likes/dislikes, developmental needs, health, and arrangements in respect of contact with parents, birth family and significant others.

**Protected Placement** is where the Royal Court has granted a freeing order and Parental Responsibility is passed to the Minister who discharges that power to Children and young people's Social Care Services.

**Pupil premium** is funding to improve education outcomes for disadvantaged pupils in schools in Jersey.

**Registered Person/Manager** has legal responsibilities in relation to the role. A Registered Manager/person shares the legal responsibility for meeting the requirements of the relevant regulations and enactments with the provider.

**Social care** includes all forms of personal care, practical assistance, and personal support.

**Social worker** relates to a professional with a designated social work qualification who is registered both with Social Work England (SWE) and the Jersey Care Commission ('the Commission').

**Supervising Social Worker** has the same qualification registration requirements of a social worker; however, their principal role is to ensure that children and young people are safeguarded whilst in a protected placement and that foster carers are supported and trained to provide the high level of care children and young people require.

**Staff Members** encompasses all the children's social care staff and staff from the fostering and adoption service

**Step-parent adoption** is an adoption where a married couple adopts their spouse's own child born during a previous relationship.

**Young person** for the purposes of these Standards, a young person is differentiated from a child and is defined as a person aged between 14 and 25 years.

## Standard 1

**Children and young people receive rights-based services and can make or be supported to make choices appropriate to their age and ability.**

### **What this means to children and young people:**

All children and young people have the same rights.

Rights are things that every child or young person should have or be able to do.

Children and young people know that their views, wishes and feelings are listened to regarding the care they receive, and this is acted upon, unless it is deemed not to be in their best interests. Children and young people will be supported to understand why their views, wishes and feeling have not been acted upon if this is the case.

Children and young people can expect to have their confidentiality respected, with staff employed by the service and approved adopters for the Government of Jersey understanding their responsibility to not share anything about a child or young person with anyone who does not need to know.

Children and young people can expect to view their own records and know who else will see them.

Children and young people's significant others (which may include family or others close to them), are also listened to and, where possible, their views are acted upon.

Children and young people will be able to know how to obtain support and make a complaint.

### **1.1 Staff members understand and promote the rights of children and young people.**

Staff members and approved adopters of the Government of Jersey explain to children and young people, their rights and responsibilities in a way that can be easily understood. The United Nations Convention on the Rights of the Child is available in child friendly language and format. The Children's Commissioner's guidance is always adhered to in this respect.

The Registered Manager must ensure that staff and approved adopters inform and remind children and young people of their rights, as appropriate and relevant, during the adoption process. Where a child is too young to express their views, wishes and feelings, those working with and for the child must ensure that they advocate in their best interests.

Children and young people are informed and reminded of their rights, as appropriate and relevant, during the establishing of the foster placement, and thereafter during subsequent Children Looked After reviews and as necessary by their foster carers. Children and young people are given the opportunity to feedback, raise concerns or complaints without fear that this will result in any adverse consequences for them.

Staff members respect all children and young people accessing the service, irrespective of background, need or presentation.

**1.2 Staff members and prospective adopters are fully aware of legislation, policies and procedures which reflect children and young people's right to make choices and of how these may be related to age.**

Children and young people are supported to make positive, informed decisions and reduce risk to themselves, in line with their age, understanding and as part of risk assessment processes.

Children and young people, dependent on their age and capacity are involved in all decisions relating to their health, care, welfare, and support.

Wherever possible, the views, wishes and feelings of children and young people are responded to and acted upon. In instances where it is not possible to act upon their views, wishes and feelings (such as in situations where their health and safety would be adversely impacted or where others residing in the prospective adopter's household would be adversely affected), children and young people are supported to understand why this is so.

In addition to the views of the child or young person, their family, social worker, and relevant and significant others, are regularly consulted for their views, except in circumstances where this is not appropriate.

The wishes, feelings, and views of children and those significant to them are sought and considered in monitoring prospective adopters and in developing the adoption service.

Children and young people with complex needs or communication difficulties have the same opportunity to make choices as others. Every practicable effort is made to ensure that the right to make choices is upheld.

In all cases, the views and wishes of children and young people and the efforts made to facilitate informed decision-making are fully recorded.

### **1.3 Staff members and prospective adopters respect children and young people's privacy and confidentiality and always promote dignity.**

There is a policy and procedures on privacy and confidentiality which include:

- Access to children and young people's records by staff employed by the service.
- The measures which will be taken to protect personal and sensitive data relating to children and young people and their families.
- Sharing information (including under safeguarding and co-operation requirements).
- Children and young people's choices.
- Consent.

### **1.4 Children and young people have access to independent advocacy services.**

The Registered Manager should ensure that each child or young person has access to independent advocacy and knows how to contact their independent advocate.

It is acknowledged that access to these services will depend, in part, upon their availability. Where any gaps in service provision are identified, the Registered Manager ensures that this information is escalated as is most appropriate.

### **1.5 Children and young people know how to obtain support and make a complaint.**

Children and young people know how to obtain support and make a complaint or raise a concern. Children and young people will receive prompt feedback on any concern or complaint they have raised.

## Standard 2

Children and young people's diversity and individuality are promoted in their prospective adoptive placement.

### What this means to children and young people:

Children and young people have a positive sense of self-worth and are supported to become emotionally resilient.

Children and young people demonstrate improved self-confidence.

Children and young people understand their background.

### 2.1 The care provided to children who are to become adopted is personalised

The adoption service is active in its efforts to obtain appropriate information about the child or young person from birth parents and birth families about:

- the child or young person's birth and early life,
- why the child or young person could not remain in the care of their birth parent/s,
- why the child or young person was placed for adoption,
- any health issues of the birth parents and any siblings,
- the views of the birth parents and birth family about the adoption and contact,
- up-to-date information about themselves and their situation.

The above information is contained in a child or young person's permanence report that is given to prospective adopters as part of the matching process to equip them with an understanding of the child or young person's background and life experiences.

The adoption service support prospective adopters in becoming properly equipped to support the emotional needs of children and young people in their care. This may take the form of specified training and/or more informal guidance. In situations where prospective adopters find difficulty in understanding or adjusting to diverse or complex situations involving children and young people in their care, the adoption service ensures that additional supervision, training, or therapeutic support is provided.

The Adoption Placement Plan is appropriately individualised, considering the child or young person's family background, cultural and religious needs, and life experiences. It must include emotional and social developmental needs and of how these might best be met.

The Registered Manager must ensure that Adoption Placement Plans are completed prior to a child or young person being placed with prospective adopters.

## **2.2 Children and young people will have access to a life story book which is coordinated by one person.**

Children and young people who are to become adopted must be provided with information about, their birth and early life; their natural parents; the reasons why the child was placed for adoption; any health issues of the birth parents or any of their children and young people; the birth parents' and birth family's perspectives relating to the adoption and future contact, and any up-to-date information about the birth parents and/or birth family. This service takes all reasonable steps to obtain this information from the birth parents and family.

After an adoption order is made, the service continues to encourage and enable birth parents and families to provide updates relating to significant family information. This information is collated and provided to the child in a manner which is appropriate to the circumstances.

Prospective adopters are supported by the service to recognise the importance of keeping safe, this information, and providing it to the child in a format which is appropriate to age, and at a time which they believe to be correct, or upon request once the child reaches adulthood.

The child or young person's social worker compiles a life story book for the child. This document provides an objective and factual account of the circumstances relating to the child's adoption. It is produced in a format which is appropriate to the age of the child. Prospective adopters are encouraged to update it with the child as the child develops.

The life story book is provided to the prospective adopters prior within the thirteen-week period prior to the adoption being concluded.

## **2.3 The social worker who knows the child or young person writes a later in life letter.**

This letter is realistic, honest, and sufficiently detailed so that when the child or young person is ready, they can fully understand their life before being adopted. The letter should contain:

- reasons why they could not remain with their birth parent/s
- reasons why they were adopted

The prospective adopters receive this later in life letter within ten working days of the adoption order being granted by the court.

## **2.4 Children and young people who are to become adopted are encouraged to make choices**

Children and young people who are to become adopted are enabled to choose the food which they eat and can prepare their own meals and snacks. This will be dependent upon the age and ability of each child or young person and should be within the context of the family's decision-making and the types of boundaries and limits which would be set in any other family.

Children and young people who are to become adopted exercise choice in the clothes which they wear and personal items which they purchase. This will be dependent upon the age and ability of each child or young person and should be within the context of the adoptive family's decision-making and the types of boundaries and limits which would be set in any other family.

## **2.5 Diversity is actively promoted**

All children and young people are treated as equals, where they are treated with the dignity and respect they deserve and that their differences are celebrated.

Each child or young person and their family have access to adopters and services which recognise and address needs in terms of gender, religion, ethnic origin, language, culture, disability and sexuality.

The adoption service has a written policy related to diversity and inclusion. The service is delivered in a way which recognises and enhances the strengths of children and young people who are to become adopted. Children and young people who are to become adopted are supported to understand and encouraged to exercise their rights and to be adequately informed and equipped to challenge discrimination.

The homes of prospective adopters are inclusive and affirming. Children and young people who are to become adopted are encouraged to develop respect for themselves and for others. Prospective adopters are expected to be alert to and to positively challenge attitudes, behaviour and language that are non-inclusive and discriminatory.

Each child or young person with a disability receives specific and appropriate services and support to help them maximise their potential and to lead as full a life as possible; this includes ensuring appropriate equipment and where necessary and appropriate, adaptation of the prospective adopter's home and/or vehicle.

Disabled children are provided with services and support to help them access as wide a range of activities as is possible.

## Standard 3

### Prospective adopters promote positive behaviour and relationships

#### What this means to children and young people:

Children and young people will have positive relationships with their prospective adopters that are based on mutual trust and respect and enable positive interactions with others.

#### 3.1 Children and young people live with prospective adopters that promote and model positive behaviour.

The adoption service ensures that prospective adopters are adequately equipped in their understanding of the unique circumstances which impact upon each child or young person in their care. They are also trained to understand that challenging behaviour is a symptom of trauma, and not a stand-alone condition to be resolved through discipline alone. This training and support takes place within the necessary boundaries of confidentiality and data protection and is proportionate to the need to enable prospective adopters to understand and predict the child or young person's behaviours and to offer bespoke support.

Prospective adopters are provided with support from the adoption service when experiencing difficulties in responding to challenging behaviours. Prospective adopters receive training in positive care and control of children and young people, de-escalation techniques and understanding the impact of trauma.

The adoption service has a written policy which outlines what is acceptable action that can be taken by prospective adopters, relating to control, restraint and discipline of children and young people who are to become adopted. The registered person/manager takes appropriate steps to ensure that all prospective adopters fully understand this policy and can implement it.

Measures taken by prospective adopters to manage the behaviour of children and young people in their care are documented in the Adoption Placement Plan. The adoption placement plan is reviewed as necessary, for example if a significant incident occurs or additional needs of the child or young person are identified and assessed, requiring further support. Incidents and their responses, which fall outside of the boundaries set out in the Adoption Placement Plan, are reported to the adoption service.

Prospective adopters should be made aware of the emergency duty and fostering and adoption out of hours service as part of placement planning.

### **3.2 Children and young people who are to become adopted are encouraged to take responsibility for their own behaviour**

As is appropriate to their age and abilities, children and young people who are to become adopted are supported to understand the behaviours which are expected of them, the boundaries which are in place and the consequences of exhibiting challenging behaviours which will not be tolerated.

Children and young people who are to become adopted can develop and maintain positive relationships, to be assertive in expressing themselves, and to resolve conflict appropriately and positively.

#### **Standard 4**

**Children and young people are effectively safeguarded from neglect, abuse or accident and they feel safe and are safe during the adoption process**

#### **What this means to children and young people:**

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

Prospective Adopters are provided with adequate training relating to safeguarding and health and safety.

### **4.1 All prospective adopters undertake the mandatory training required to maintain their approval by the adoption panel.**

The mandatory training required for approved adopter is:

- Foundation in Safeguarding.
- Paediatric First Aid (to be refreshed every 3 years).
- Record Keeping.
- Understanding the impact of trauma.

The adoption service provides evidence that approved adopters have received relevant mandatory training and that this is completed prior to them being matched with a child or young person.

The Registered Manager must also ensure that any specialist training is provided to prospective adopters, for example for children and young people with complex needs, self-harming behaviours, mental health issues or where there may be moving and handling requirements.

#### **4.2 Children and young people feel safe and are protected by those caring for them.**

All children and young people placed with prospective adopters are protected from harm, abuse, neglect, and exploitation.

Prospective adopters make every reasonable effort to keep children and young people in their care safe and actively promote their wellbeing.

Prospective adopters are trained in all appropriate areas of child protection and attend refresher training as required. Prospective adopters are alert to indications of abuse or harm and take adequate steps to reduce risk of abuse or harm where this is suspected and report any matters of concern at the earliest opportunity to the Adoption service or the child or young person's social worker. Where appropriate, prospective adopters are trained in the skills needed to offer therapeutic support children and young people who have been abused and the needs of children and young people with disabilities. Placements of children and young people with these specific needs must not take place unless prospective adopters have been appropriately trained.

The adoption service works with prospective adopters to make positive relationships, where the promotion of a culture of openness and proportionate approach to risk assessment and risk mitigation is adopted.

The adoption service establishes and maintains adequate and effective partnership working arrangements with all other relevant agencies concerned with child protection. This includes but is not limited to the Safeguarding Partnership Board, child protection teams, the police, primary care, the probation service, and the general hospital.

Neither the adoption service nor prospective adopters should be risk averse in supporting children and young people's development. Children and young people in protected placements must be able to take risk which is appropriate to their stage of development. However, this should happen within the context of promoting personal safety and self-care and should extend to activities both in and outside of the prospective adopters' home and to use of the internet and social media.

All approved adopters will have developed a 'Safer Caring' plan as part of their assessment. This 'safer caring' plan should be adapted to the individual needs of the child or young person placed, for example the likes and dislikes of a child or young person and their risk profile.

#### **4.4 Accidents and incidents will be reported and investigated.**

There will be an open and transparent incident/accident and near misses' policy which will identify who needs to be informed of such incidents. Incident/accident reporting routes must be available to prospective adopters 24 hours a day to ensure the child or young person is safeguarded.

Where there is suspicion of harm to a child or young person this must be thoroughly investigated using the existing child protection procedures.

The child or young person will be supported appropriately following any accident, incident or near miss and will be fully involved and aware of any investigative process and findings.

Registered person/manager must notify the Jersey Care Commission of such incidents, accidents or other events that have posed or may pose a risk of harm as specified by the Jersey Care Commission. The list of notifiable incidents is in Appendix 5.

Learning from incidents will be actioned, monitored and recorded where appropriate to help prevent a similar situation from occurring.

### **Standard 5**

**Children and young people who are to become adopted are supported to have access to appropriate education, leisure/play opportunities and have their health needs met.**

#### **What this means to children and young people:**

Children and young people in protected placements reside in environments which are healthy, where their health is prioritised and where appropriate services are available to meet their health needs.

Children and young people in protected placements experience uninterrupted education.

Children and young people are encouraged to develop their interests, and access leisure/play opportunities in their home and in the community.

#### **5.1 Children and young people's physical, emotional, and mental health needs are met, and their social development needs are promoted.**

Children and young people who are to become adopted are supported to understand their own health needs and of how these are to be met. Insofar as is safe and practical, children and young people who are to become adopted are encouraged to make informed decisions about their own health and to maintain a healthy lifestyle with good nutrition.

Children and young people in protected placement are encouraged to participate in a range of activities which enable them to maintain a good level of physical and emotional health and wellbeing. Children and young people are also encouraged and enabled to make and sustain friendships, which may involve reciprocal arrangements to visit friends' homes.

The registered person/manager must ensure that there are protocols in respect of children and young people visiting friends' home in respect of safeguarding.

The Adoption Placement Plan documents all health-related needs and is reviewed as these needs change. Prospective adopters are supported to fully understand their own role and their responsibility in ensuring that these needs are met, including where decision-making responsibility is delegated to them and where consent for medical treatment needs to be sourced.

Children and young people who are to become adopted have prompt access to medical care and treatment when these services are required. Where prospective adopters support children and young people with complex health needs, appropriate training has been provided before such a placement takes place. Where physical aids and adaptations are required, to enable children and young people to be supported safely, these are in place prior to a placement commencing.

Prospective adopters are trained in the management and administration of medication if appropriate. Prescribed medication must only be provided to the child or young person for whom it is prescribed and only in accordance with the prescription. Medication for which a prescription is not required, (such as paracetamol) may be administered but only in accordance with defined guidelines.

Where appropriate, young people may keep and take their own medication, with an associated risk assessment in place.

Over the counter medications must be stored safely and accessible by those whom they are intended. This will be covered in the initial health and safety assessment as part of the application process.

## **5.2 Children and young people are supported to meet their education potential**

The adoption service has a written education policy which promotes the education of children in protected placements, which is fully understood by prospective adopters. The adoption service establishes and maintains robust links with local schools and other education and training organisations. The adoption service fully supports prospective adopters in their role in promoting the educational attainment of children and young people in their care.

Learning and development is promoted within prospective adopter's homes. In accordance with their age, children and young people attend their education establishment, without interruption. Where a child or young person is excluded from their educational provision, there is arrangements in place to provide structured occupation during school hours.

Children and young people have access to appropriate educational resources to support their learning and have opportunities for learning outside of school, for example:

- access to a space where learning can take place in the home
- educational toys and games
- educational books
- access to a computer/laptop
- extracurricular learning through a tutor
- activity clubs, such as beavers, brownies
- accessing sport and joining a club
- social and visual learning e.g., visiting museums, historical sites

Prospective adopters actively support children and young people in their care to meet their education objectives. They work with education providers to promote the personal education plan (PEP) objectives of children and young people in their care and are supported by the adoption service in doing this.

Where problems are identified relating to a child or young person's achievement, behaviour or well-being at an education establishment, action is taken promptly to address these matters proactively. This should happen through a process of open discussion, mediation and problem-solving, with each partner agency working together with the child or young person in question. Where issues remain, the fostering service must ensure that the virtual head teacher is consulted on a way forward.

Children and young people looked after in protected placements can access pupil premium, this can be for extra support in the classroom and any adaptations or equipment required by the child or young person.

Prospective adopters take reasonable steps to ensure they are properly appraised of each child or young person's educational progress and school attendance, for example:

- parents' evenings
- open days
- discussions with teachers

### **5.3 Children and young people are encouraged to develop and pursue their own interests, to grow in confidence, to develop socially and to have the opportunity to engage in leisure activities.**

As a general principle, children and young people who are to become adopted should have access to the same range and type of activities as are available to their peers. This should include a broad range of school-based and out of school activities. Prospective adopters offer children and young people a range of activities that broaden their exposure to physical, social, and emotional development opportunities.

Such activities will promote children and young people's self-esteem and confidence. For some children and young people who have suffered trauma resulting from abuse and neglect may find undertaking such activities a challenge due to poor self-esteem and fear of failure. Prospective adopters will receive training in understanding how to promote a child or young person's need in this area.

Children and young people should also be encouraged to develop their own interests and hobbies and to have the opportunity to pursue these.

Prospective adopters are provided with clarity about the decisions which they can and cannot make about children and young people in their care. They should only be required to seek consent from the adoption service where this is necessary. Ordinarily, as much freedom to make decisions as is appropriate, should be delegated to prospective adopters. In general, prospective adopters should be encouraged to provide permission for the child or young person to take part in age-appropriate peer activities. The Adoption Placement Plan should provide adequate guidance in these matters.

Children and young people who are to become adopted are encouraged to form and to maintain friendships. Wherever safe and appropriate, children and young people who are to become adopted may be permitted to attend school trips, to stay overnight at a friend's house, to go on holidays and to spend time with friends/relatives of the prospective adopter. In each case, the prospective adopter is responsible for deciding upon appropriateness depending on individual circumstances and context.

### **Standard 6**

**The homes of prospective adopters are safe and appropriate to meet the needs of children and young people.**

#### **What this means to children and young people:**

Children and young people live with prospective whose home provides adequate space, to a suitable standard to meet their needs and the home is safe.

#### **6.1 Homes of prospective adopters provide a suitable physical environment for children and young people who are to become adopted.**

Each prospective adopter home is large enough and has adequate physical space to comfortably accommodate all the children and young people who may reside in the placement at any one time. This includes there being enough space for any aids or adaptations which are necessary to meet the needs of children and young people.

Each prospective adopter home is physically comfortable. The temperature is warm/cool enough depending upon the time of year/weather. It is furnished and decorated to a good standard. It is clean and well-maintained throughout.

Where there is access to outdoor space and where this forms part of the premises, this is safe and secure.

Children and young people should have access to a home that promotes a learning environment where they can undertake study/homework.

The prospective adopter home is inspected prior to approval via a 'Health and Safety checklist'. As part of any matching process with prospective adopters and a child or young person the supervising social worker will consider if a revised checklist is required.

If prospective adopter/s move or have substantial changes structural or maintenance changes, this will trigger a further inspection. The Registered Manager must ensure that this takes place within seven working days of any significant change.

Prospective adopters must take action to remove any hazards in their home or take action to reduce the risk associated with unremovable hazards.

As a point of principle, every child or young person should have their own bedroom. Where this is not possible, sharing of bedrooms for children over the age of two, may only take place with other children and young people. In every such case, there must be a risk assessment undertaken which considers the potential for bullying, any history of abuse or abusive behaviour, the wishes of the children or young person in question and any other matters of relevance.

## **6.2 Vehicles used to transport children and young people prospective adopters are well maintained**

All vehicles used to transport children and young people, either by the service or prospective adopters are fully insured and are serviced annually. Any identified need for repair must be acted upon as soon as is practicable.

## Standard 7

**Children and young people who are to become adopted are supported to maintain contact with parents, families, and others.**

### **What this means to children and young people:**

Children and young people in foster care are often able to have contact with their parents, families and significant others who play a significant role in their lives, although this varies depending upon the individual circumstances of the child.

#### **7.1 Children and young people are supported and encouraged to maintain contact with their birth family**

Face-to-face contact between a child or young person and their birth parents/significant others will have stopped in most situations prior to a child or young person being placed with prospective adopter/s.

Initial contact arrangements are focused on the needs of the child or young person and not the needs of the adults concerned, however the views of the birth family members and prospective adopter/s are considered. These arrangements are then reviewed in accordance with the adoption support plan.

Where letterbox contact is planned post the adoption of the child or young person that an appropriate letterbox agreement is signed between birth family members and the adoption service.

The adoption service ensures that prospective adopters are provided thorough training and with practical support to understand the importance for children and young people of contact with birth parents, siblings, member of the birth family and significant others.

The adoption service helps individuals comply with any contact agreements, this may be practical support in writing a letter, recognising this can be a difficult time for birth parents and significant others. In doing so, the adoption service must consider of the child or young person's age, level of understanding, and the individual capacities of all concerned.

#### **7.2 Contact where there are siblings are not placed together**

Where siblings cannot be placed together with the same prospective adopters, contact arrangements with other siblings are made in the best interests of each of child or young person.

#### **7.3 Unauthorised or unmediated contact**

Children and young people, prospective adopters, birth parents and significant others are helped to understand the potential harm that unauthorised or unmediated contact, including social media networks can have on the stability of adoptive placements. Prospective adopters are prepared in case this happens and are supported if it does happen.

## **Standard 8**

**The service maintains appropriate protocols for children and young people who are missing from prospective adopters' homes.**

### **What this means to children and young people:**

Children and young people rarely go missing and if they do, they return quickly.

It is also understood that there may be a range of reasons associated with why a child or young person may go missing.

Children and young people are helped to understand the dangers and risks of leaving their prospective adopter's home without permission and provided with information of where they can access help.

The adoption service acts quickly in situations where a child or young person is missing to ensure that the child or young person is protected from harm and responded to positively on their return.

### **8.1 The adoption service responds appropriately to children and young people who are missing from a prospective adopter's home.**

The Registered Manager ensures there is a missing procedure, and that staff and adopters are aware of their responsibilities and take appropriate action if a child or young person goes missing from a prospective adopter's home.

Children and young people are provided with attuned care and support from their adopters that minimises the risk of them going missing and reduces the risk of them coming to harm. Attuned care means the prospective adopters ability to respond to the child or young person's needs and is deeply connected with trust and security in the relationship.

Where the whereabouts of a child or young person is known or thought to be known and they are absent without consent, they are protected in line with the missing procedure and that prospective adopters and the adoption service understand their responsibilities in this respect.

The types and extent of actions which may be taken by the adoption service relate directly to the assessed level of risk and are in accordance with a plan. In many cases, the police will lead in determining the actions to be taken in locating a missing child or young person.

Prospective adopters maintain their normal parenting responsibilities and are expected to take reasonable action to attempt to establish the whereabouts of their child or young person in the first instance. However, each situation must be assessed on its own merits. In some cases, prospective adopters may be distressed and unable to undertake enquiries themselves. In such cases, provided that it is safe and practicable to do so, and in accordance with the plan, the adoption service may take action to contact known friends and relatives to establish the whereabouts of the child or young person; visit locations where the child or young person is known to frequent; attempt to contact the child or young person on the telephone, via text or social media.

The service may make appropriate enquiries with the child or young person's birth parents/carer and other relatives; make appropriate enquiries with other services which the child or young person accesses; make enquiries with other carers and professionals who have been involved with the child or young person.

Appropriate arrangements are in place to ensure that a follow-up meeting is held with the child or young person who was missing, as soon as is practicable to arrange and always within 24 hours (unless the child or young person refuses to cooperate). The visit may be undertaken by a separate organisation working on behalf of the adoption service if this is deemed to be appropriate. In such cases, the service maintains overall responsibility and must ensure that adequate communication takes place to ensure that relevant information is sourced, to enable assessments and plans to be updated accordingly.

The intention in undertaking a follow-up meeting must be to facilitate recovery and to reduce the risk of an incident of absence recurring. The service must satisfy itself that the arrangements at home or in the placement remain safe and appropriate. Where this is not indicated, a plan will need to be formulated to determine how the situation can be made safe and appropriate or whether an alternative placement is necessitated.

If a child or young person returns to the prospective adopter's home or is located by the prospective adopter, it is the responsibility of the prospective adopter to inform the police. If there are concerns that the child or young person has been the victim of a crime or that they may be in danger or at risk from any person arising out of circumstances that have occurred whilst they were missing, this should be reported at this point.

Where a child or young person has been located but the incident of them being missing was not reported by their prospective adopter, the service should inform the prospective adopter of their responsibilities in this matter and encourage them to report any future episodes. The service should consider whether further assessment is necessary to identify any safeguarding concerns or need for additional support.

The adoption service should maintain accurate records when a child or young person goes missing or is absent without consent. The records should contain the following:

- the action taken by the prospective adopters
- the circumstances of the child or young person's return
- any reasons given by the child or young person for running away and any actions taken in light of those reasons.

## Standard 9 Intercountry adoptions – promoting and assessing prospective adopters

### What this means to children and young people:

The adoption service assessing and approves prospective adopters who can meet the needs of children and young people who live outside of Jersey, where the child or young person will feel loved, safe and secure within Jersey.

Prospective adopters are assessed as having the necessary skills, resilience and expertise to help children and young people recover from the impact of early life experience of loss and trauma.

#### **9.1 Procedures are conversant with the Adoption (Jersey) Law 1961 in respect of intercountry adoption.**

[SCHEDULE 2 \(Article 11A\(2\)\)](#) sets out the law in respect of intercountry adoption and reflects the Hague convention on intercountry adoption.

Guidance in respect of Intercountry adoption has been published by the [United Kingdom Home Office](#). The [Department for Education](#) also has extensive guidance on the process of intercountry adoption.

#### **9.2 People who are interested in becoming adoptive parents or prospective adopters**

They are treated fairly, without prejudice, openly and with respect. They are kept informed on a regular basis in relation to progress in relation to their enquiry/application, in a manner which meets their individual communication needs.

#### **9.3 The enquiry, training, and assessment process**

The enquiry/application process will follow the timescales set out the adoption service 'timescales for best practice' document.

The adoption service is primarily responsible for the following areas of the enquiry and assessment process of prospective intercountry adopters:

- being the initial receiving authority for intercountry adoption enquiries.
- conducting an initial visit to prospective intercountry adopters.
- undertaking a full adoption assessment to ensure the edibility of the prospective adopters, including approval at the adoption panel.

The assessment and approval process are clearly explained to prospective intercountry adopters at the initial visit, to include details of requirements imposed upon prospective intercountry adopters by Jersey legislation, any fees that are charged in respect of the assessment and completion of paperwork and what post adoption support is available to them.

The adoption service provides information to prospective intercountry adopters on how to find an independent adoption agency who specialise in intercountry adoptions and will handle communication between the Department of Education, the Home Office and the 'state of origin' of the child or young person. This agency will provide the following information to prospective intercountry adopters:

- information about the country or countries they wish to adopt from, including the eligibility criteria.
- any laws governing adoption which the chosen country has in place that they must operate within.
- details of fees involved in the application and post approval process.
- the prospective adopters' right to make representation to the adoption agency or apply to the Secretary of State for an independent review if the adoption agency considers them unsuitable to adopt at Stage Two of the approval process.

The adoption service in Jersey does not offer the specialist preapproval training for prospective intercountry adopters, so it will be necessary for the prospective adopters to enrol on this training with the specialist adoption agency. The training provided by this specialist agency should include the following:

- the impact of institutional care.
- the difficulties some children experience, such as neglect and abuse, and the effect on their development and capacity to form secure attachments.
- the key parenting skills and parenting capacities they need to care for children who have experienced neglect and abuse and who may be of a different ethnic or cultural background to the applicants.
- an understanding of the significance of the child's identity, their birth family, the need for openness to help the child to reflect on and understand their history, according to their age and ability, the role of contact, how to manage unauthorised contact, including through online social networks, and the importance of significant memorabilia.

This agency will need to provide training feedback as part of the assessment process.

The adoption service operates a stage one and two process, with stage one being the references and checks process and stage two is where the applicants progress to assessment. The stage one process should be completed within the benchmark set out in the timescales for best practice document of the adoption service and a decision taken at this time by the registered person/manager on whether to proceed to stage two. The approval process to the adoption panel is the same for on-island adopters and the adoption service should have independent review mechanism in place where a decision is made not to approve prospective intercountry adopters.

#### **9.4 Post approval process**

The adoption service provides the completed assessment and approval documentation to the prospective intercountry adopters, who will then have the documentation formally notarised. The prospective adopters and their specialist agency then apply to the Department of Education for a 'Certificate of Eligibility' to adopt from overseas. Once this is in place, the 'state of origin' will start the process of identifying a child, if this has not already been completed.

Once a potential match of a child or young person has been made the adoption service are responsible for the completion of the matching documentation to ensure that the needs of the child can be met by the prospective adopters.

The specialist adoption agency provides support and guidance to prospective adopters and has discussed with them the proposed placement and the implications for them and their family; ascertained the views of the prospective adopters and, as far as possible, provided them with a counselling service and access to specialist medical/educational advice.

It is expected that the prospective adopters then visit the child or young person they are matched with, before they make an application with the support of the specialist adoption agency to adopt.

The adoption service would advise the immigration authorities here in Jersey of the child or young person's impending arrival.

Once the adopted child or young person arrives in Jersey, the adoption service has a duty to visit the child or young person to check on their welfare and how they have settled into their new family.

It is the responsibility of the new parents to apply to the Registrar to have birth records and adoption register updated.

The 'state of origin' may request regular updates on how the child or young person is doing, the stability of the placement, any issues that have been identified and what post adoption support is being provided.

Intercountry adoption timescales for best practice in respect of approval, matching and placing children and young people with their new parent/s can be adversely impacted by matters that the adoption team has no control over, so any benchmarking in this respect cannot be the same as on-island adoptions.

#### **9.4 Prospective intercountry adopters should expect the same post adoption support as local adopters.**

Intercountry adopters will be provided with the same post adoption support service that local adopters receive (please see post adoption support standard).

## Standard 10

### Children and young people are matched and placed with prospective adopters who can meet their needs

#### What this means to children and young people:

Children and young people benefit from stable placements and are matched and placed with adopters who can meet, most, if not all, of the assessed needs.

Children feel loved, safe and secure with their prospective parents with whom they were originally placed.

#### 10.1 The matching process is appropriately planned and structured

Once a prospective adopter has been approved as suitable to adopt a child or young person, the service produces a Prospective Adopter Matching Plan, in consultation with the prospective adopter.

The plan sets out the duties of the service in respect of placement and reviews.

The consent of the birth parents to their child or young person being placed for adoption is sought unless the placement is made as part of care proceedings.

The Prospective Adopter's Report and the child's Permanence Report are used to identify prospective adopters who can meet most, if not all of a child or young person's needs.

When a potential match is identified, the service ensures that the prospective adopter's social worker is provided with or has access to, the child or young person's adoption case record. The prospective adopter's social worker must be provided with sufficient information to form a view of whether the prospective adopter/s can realistically meet the child or young person's health, emotional and developmental needs and that the prospective adopter can become properly prepared to understand the practical implications of becoming the parent for that child or young person.

The service meets with the prospective adopter/s to discuss the proposed placement and the implications for the prospective adopter/s and their family. The views of the prospective adopter about the placement are sourced at this point. The prospective adopter/s are given access to independent counselling and any specialist medical and/or educational advice as appropriate.

The service is responsible for ensuring that the prospective adopter/s fully understand the child or young person's background and needs (which may include health, emotional and developmental needs). The service is also responsible for ensuring that the prospective adopter/s recognise the practical implications associated with parenting that child or young person. This is undertaken prior to the match being presented to the adoption panel.

If it is determined that a match is appropriate, a placement planning meeting is convened. The prospective adopters are invited to attend this meeting and are provided with a copy of the placement plan.

**10.2 The adoption service ensures that measures are put in place to best support both prospective adopters and children and young people who are to become adopted in preparing for a placement.**

The child or young person is provided with information about the prospective adopters. This includes information about their home, their children, their family and their pets (as applicable). The child or young person is informed as to whether they will have their own bedroom. They are informed of which school they will be attending and are provided with general information about the local area, facilities and activities.

The adoption service has clear procedures associated with introducing children and young people to prospective adopter's homes, to the prospective adopter and to anyone residing in the prospective adopter's home.

The adoption service ensures that there is a robust and comprehensive transition plan for the proposed placement, that recognises the needs of the child or young person in terms of duration of the plan and a mid-point review. All parties must agree the transition plan well in advance of the placement.

The child or young person and prospective adopters feel well prepared before the placement and are happy with the pace of the introductions and the date of placement. The child visits the prospective adopters' home before the date the child moves into the home.

Throughout the matching process, the child or young person is aware of how to contact their social worker. They understand contact arrangements relating to their birth parents, birth family and any significant others.

Children and young people are entitled to set clearly defined rules and expectations associated with living in the home of the prospective adopter/s. These should be measured, reasonable, proportionate and in line with what would be expected in any other family home.

## Standard 11

### The adoption service has clear arrangements relating to the involvement of birth parents and birth families in the adoption process

#### What this means to children and young people:

Children and young people who are adopted will have as clear an understanding of their background as is possible to provide and their life before adoption.

The child or young person's birth parents and family take an active part in planning and implementation of their child's adoption.

Although there are situations where contact is not possible between a child who has been adopted and their birth parents/family, where this is of benefit to the child, it is supported.

#### **11.1 The service has clear processes associated with contact with birth parents and birth family**

The needs of the child are central to decisions and arrangements relating to contact. The views of birth family members are considered as are those of prospective adopters. The adoption support plan stipulates contact arrangements and their review.

Prospective adopters are provided, through training, to identify the importance of contact arrangements for the child.

As a point of principle, siblings should be placed together where possible and practical. In the rare situations where this cannot happen, contact arrangements between siblings are facilitated provided that this is in the best interests of each sibling.

The service is responsible for providing or arranging practical and emotional support relating to contact and can demonstrate that appropriate arrangements are in place.

The service is responsible for ensuring that all parties understand the potential harm which can arise from unauthorised or unmediated contact. Prospective adopters are prepared, through training and advice, in the rare event that this should happen and are provided with appropriate support if it does happen.

#### **11.2 Birth parents are supported and respected throughout the adoption process**

In all cases, birth parents and birth families are treated without prejudice and with fairness, openness, and respect. The service ensures that they are provided with regular updates relating to the progress of their child's adoption.

If any concerns or questions are raised by the birth parents or birth family, these are responded to honestly and as completely as is possible.

Birth parents are given information on how to obtain legal advice, contact details of local and national support groups and services, and support to fulfil agreed plans for contact

In situations where a child is unborn and their parent or parents are considering relinquishing the child for adoption, both parties are offered pre-birth counselling. They are also provided with accurate information relating to the adoption process and permanence options relating to their baby's future.

Birth parents are provided with access to a support worker once adoption is identified as the appropriate plan for the child. The support worker is independent from the child's social worker. In addition, birth parents are provided with advice relating to the sourcing of legal advice, access to support groups and to plans for contact.

The wishes and feelings of birth parents and families are listened to and respected. There will be situations where wishes are not acted upon, although they are always considered. The reasons for wishes not being acted upon are fully explained to the birth parent/s and/or family. The child's case record and permanence report document the views and wishes and (where applicable), the reasons that they are not acted upon.

Birth parents are provided with an opportunity to comment on anything which is written about them prior to this being presented to the adoption panel.

The adoption service takes steps to encourage birth parents and birth families to contribute to the adoption plan.

The adoption service ensures the prospective adopters understand the importance for the birth family to be told if their child dies during childhood or soon afterwards and agrees to notify the adoption agency. The prospective adopters' decision and any subsequent action are recorded on their case record

## Standard 12

### The adoption service has a clear purpose and set of objectives.

#### What this means to prospective adopters:

Prospective adopters who receive support from the fostering service will know what to expect. There will be a Statement of Purpose which sets out the aims and objectives of the adoption service and what services and facilities it provides.

#### What this means to children, young people and their birth parents:

Children, young people and their parents will be clear about the aims and objectives of the adoption service. They will understand the roles of the professionals who work in the service.

### 12.1 There is a clear written Statement of Purpose.

This will include information about:

- What the service sets out to do for children and young people.
- How the service will support prospective adopters.
- The philosophy or ethos of the service.
- The age range for whom the service is intended.
- The provision and interventions which the service provides.
- How the service is inclusive. Specifically, how the service is sensitive and responsive to needs relating to gender identity, sexual orientation, ethnicity, and disability. This will include a statement about equality and accessibility.
- Who provides the service. How to contact the provider.
- Who manages the service. How to contact the manager. Their qualifications.
- The makeup of the staff team, including their qualifications
- The address and contact information for the service.
- The organisational structure of the service.
- How to access the service, including referral pathways, inclusion, and exclusion criteria.
- How adoptive parents will be supported.
- Respecting children and young people's rights and responsibilities.
- How children and young people and others will be involved in making decisions.
- How to provide feedback or raise a concern/complaint and the support which is available to do so.
- The arrangements made to protect and promote the health and welfare of the children and young people accessing the service.
- Arrangements for involving others concerned for the health and welfare of the child or young person (where appropriate), in assessment and planning processes.
- How children and young people will be protected from harm.

- How concerns or complaints regarding prospective adopters will be processed.
- The numbers of children and young people in protected placements.

The Statement of Purpose is child-focussed and sets out clear objectives. It is written in a way which is accessible to children and young people, prospective adopters, and staff members. Where appropriate, the Statement of Purpose will be available in formats which meet the communication needs of foster carers, children and young people. This could mean translation of the document into different languages or versions available for those hearing or sight impaired.

The Statement of Purpose is provided to the Jersey Care Commission and made available through a variety of methods to:

- Children and young people
- Prospective adopters
- Any person working in the service
- Inspectors appointed by the Jersey Care Commission
- Any person involved in arranging care for children and young people

## **12.2 There is a Children and Young Peoples' Guide to Adoption and Support.**

This is in a format which meets children and young people's communication needs and includes information about:

- The services and how it supports young people.
- Management arrangements.
- What to expect from the service.
- Children and young peoples' rights and how they are involved in their adoption journey.
- The expectations of children and young people and staff members' behaviour and respectfulness.
- The role of the registered person/manager and other staff.
- Advocacy and how to access it.
- How to provide feedback or complain and support to do so.
- How and in what circumstances information will be shared.

The service ensures that children and young people receiving support from the service receive a copy of the Guide at the point at which a placement is set up. The service ensures that the contents of the Guide are explained to children and young people receiving support from the service.

The Guide includes a summary of the support which the service intends to provide and its objectives in doing so. It includes details of how the child or young person can find out about their rights, including contact details for their independent reviewing officer, the Office of the Children's Commissioner, independent advocacy, and the Jersey Care Commission.

**12.3 There are policies and procedures based on best practice and evidence which are available and accessible to children and young people, their families, prospective adopters, social workers, and others.**

(Appendix 1 contains a list of suggested policies).

Policies are:

- Developed based upon best practice, guidance, evidence, legislation, and professional guidance.
- Developed with children and young people's involvement.
- Child or young person focussed.
- Shared, implemented, and monitored for effectiveness.
- Regularly reviewed by managers, staff members, other professionals, and children and young people.
- Revised where necessary following incidents/learning events.

**12.4 Feedback on how the service operates is responded to positively.**

Children and young people and others are encouraged and supported to provide feedback about how the service operates.

Foster carers, children, young people and others are regularly asked for their views about how the adoption service operates and can raise and discuss general concerns both formally and informally and speak openly with others about how the service operates. This feedback is recorded and brought to the attention of the manager of the service.

Where necessary feedback should be provided to the child or young person about their views, for example in a 'you said, we did' format that is tailored to the needs of the child or young person concerned.

**12.5 Children and young people and others are supported to speak up when things are not right.**

Children and young people know who can support them to raise a concern.

Complaints are dealt with in line with clear procedures and investigated by someone who is not involved in the complaint.

Children and young people are provided with information to enable them to contact helpline services such as Childline and NSPCC and local organisations such as the Multiagency Safeguarding Hub (MASH), the Office of the Children's Commissioner and the Jersey Care Commission.

## **12.6 The service operates a complaints policy and procedures.**

Children and young people and others (including adults concerned with the care of the child or young person), are routinely provided with a copy of the complaints policy and procedures which will be in a suitable format that allows children and young people to understand the procedures depending on their age and ability.

Children and young people know how to and feel able to complain if they are unhappy with any aspect of the adoption service. Contact cards, apps, and other means of raising issues and complaints suited to the child or young person's age/ability are always available.

Children and young people are assured that raising a complaint will not result in them being treated unfavourably.

Children and young people are assured that details of their complaint will not be widely shared beyond those who need to know.

Children and young people are supported and kept informed throughout the complaints process.

The complaints procedure sets out the investigative process and provides specified timescales for action.

There is a record of all complaints which are monitored monthly.

A written record of the complaint is kept in the relevant child or young person's care record. Registered persons ensure that a record is kept of all communication with complainants, the results of investigations, action taken and the level of a complainant's satisfaction with the outcome.

Children and young people are encouraged to sign where appropriate or indicate their satisfaction or otherwise with the management and outcome of the complaint.

A systematic audit of complaints is carried out to identify recurring issues. There are mechanisms in place to use the information gained to improve the quality of the service.

## **12.7 There is a whistleblowing policy and procedures.**

Registered person/manager promotes an open, transparent, and safe working environment where all staff members feel able to speak up.

Staff are encouraged to raise concerns without fear of retribution. Complaints are handled appropriately and are monitored and reported on.

Staff are assured of the registered person's support if they raise valid concerns about the practices of colleagues. Staff are assured of support if they raise valid concerns about the practices of registered persons.

The policy includes:

- An explanation of what whistleblowing is, particularly in relation to the service.
- A clear explanation of the organisation's procedures for handling whistleblowing, which can be communicated through training.
- A commitment to training staff members at all levels of the organisation in relation to whistleblowing and the policy.
- A commitment to treat all disclosures consistently and fairly.
- A commitment to take all reasonable steps to maintain the confidentiality of the whistle-blower where it is requested (unless required by law to break that confidentiality). Clarification that any so-called 'gagging clauses' in settlement agreements do not prevent workers from making disclosures in the public interest.
- An idea about what feedback a whistle-blower might receive.
- An explanation that anonymous whistle-blowers will not ordinarily be able to receive feedback and that any action taken to look into a disclosure could be limited – anonymous whistle-blowers may seek feedback through a telephone appointment or by using an anonymised email address.
- A commitment to emphasise in a whistleblowing policy that victimisation of a whistle-blower is not acceptable. Any instances of victimisation will be taken seriously and managed appropriately.
- The time frame for handling any disclosures raised.
- Clarification that the whistle-blower does not need to provide evidence for the employer to investigate the concerns raised.
- Signpost to information and advice to those thinking of whistleblowing, for example trade unions
- Information about escalating concerns outside of the organisation.

### Standard 13

Staffing levels are appropriate to meet the needs of the adoption service and all staff working in the adoption service are appropriately qualified, equipped, supported, and supervised.

#### What this means to prospective adopters:

All staff have been carefully selected and monitored and are appropriately qualified and trained to support prospective adopters.

The adoption service has sufficient numbers of staff to comprehensively meet the requirements of the service.

#### What this means to children and young people:

All staff have been carefully selected and recruited in order to reduce any safeguarding risks to children and young people.

Staff have received appropriate opportunities for training and development in order to provide the best possible support to prospective adopters and to keep children and young people safeguarded whilst living with their prospective adopters.

### **13.1 There is a policy and procedure for the safe recruitment of staff who may have contact with children and young people.**

Recruitment policies are compliant with all relevant legislation and guidance and explicitly state and demonstrate the organisation's commitment to safeguarding and promoting the welfare of the children and young people it supports.

The policies help lead to positive experiences and outcomes for children and young people receiving support.

Recruitment policies include:

- Safeguarding
- Equal opportunities
- Each stage of the recruitment process.
- The involvement of children and young people in receipt of support.
- The use of assessment techniques
- Interview panels
- How offers of employment will be made
- Conditions of employment
- Retention of applicant information
- Provision of references to other organisations for existing or former employees.

### **13.2 There is a comprehensive application process which allows an organisation to obtain a common set of core data.**

Application forms or online processes require the applicant to provide the following:

- Full identifying details
- Full employment history (from compulsory education) in chronological order including part time, full time, and voluntary employment, including start/end dates, reason for ceasing and explanations for periods not in employment or education/training.
- A statement of academic and/or vocational qualifications relevant to the position.
- Declaration of any involvement in disciplinary or grievance procedures and any current formal warnings.
- Details of current or former registration with any relevant regulatory body (i.e., Social Work England and The Jersey Care Commission etc.). Declaration of any finding by a regulatory body and any conditions which apply to current registration.
- Declaration of unspent convictions and/or spent convictions (where appropriate and with an explanation that the role may be excluded or excepted from the provisions of the Rehabilitation of Offenders 2001 (Jersey) Law)
- A declaration of any family or close relationships with existing employees, care receivers of their relatives.
- Details of referees: References must verify employment over a minimum period of three consecutive years immediately prior to the application. A minimum of two references should be sought and it should be made clear that references from friends or relatives will not be accepted. One of the references must be the applicant's current or most recent employer and there must be a reference from the applicant's last care role (if they are not currently working in a care role but had done previously).

The applicant is informed that the organisation may contact any former employer in addition to the referee's provided and when a Disclosure and Barring Service check will be required.

Applicants are warned that failure to disclose important information may lead to a dismissal if discovered later once employed.

### **13.3 There are clear job descriptions and person specifications**

Detailed job descriptions and person specifications help to ensure the right people with the right skills, knowledge and experience apply for roles. Specific competencies for the role are identified.

Job descriptions clearly state the main duties and responsibilities of the role including the individual's responsibility for promoting and safeguarding the welfare of people receiving support.

The person specification sets out a profile for the post and the desired characteristics of the ideal candidate. It includes:

- Qualifications, knowledge, and experience required
- Professional registration requirements or others required to perform the role.
- Competences and qualities that the successful applicant should be able to demonstrate or have the potential to demonstrate.

#### **13.4 There are transparent procedures that are used for advertising and shortlisting.**

Job adverts are concise, easily understood and where possible should contain a link to where further information about the role can be sought. Job adverts will state that a Disclosure and Barring Service check is required.

Recruitment packs provided to applicants contain:

- Application form and explanatory notes
- Job description and person specification
- Terms and conditions of the post
- Information about the employer, recruitment process and policies such as equal opportunities and safe recruitment to include the recruitment of ex-offenders
- An explicit statement about the organisation's commitment to safeguarding and promoting the welfare of the people it provides support to.

#### **13.5 There are clear and fair processes for the assessment of prospective staff.**

Organisations may have different screening processes for people seeking to be recruited, including exercises/simulation/role play based upon competencies which must be appropriate for the role being filled. However, a value-based approach should be used to help identify candidates who are the 'best fit' for the role because their values, behaviours and attitudes have been assessed and matched against that of the role and the organisation.

Interviewers should be adequately trained and have knowledge in interviewing skills and relevant legislation including Data Protection, Equality and Discrimination.

Interviews will be prepared for ensuring that:

- There is a consensus about the required standard for the role
- Issues to be explored with each applicant are identified
- The assessment criteria match the person specification and is recorded with consistency i.e., scoring criteria must apply to all candidates equally and without exception.
- Questions are values/competency based and each role has a set of specific questions
- The applicants' prior learning and areas for development are explored

Formal interviews should allow the applicant to disclose any issues prior to employment checks and allow for explanation of any gaps in employment history. Interviewers need to be prepared to explore any issues disclosed.

Conditional offers of employment to successful candidates should state the appointment is subject to:

- Verification of the candidate's identity and right to work in Jersey
- The receipt of satisfactory written and verified references
- Verification of qualifications and registration with professional/regulatory bodies
- Receipt of appropriate criminal records and barring lists checks - Disclosure and Barring Service (DBS), (criminal record check for overseas).

Conditional offers of employment must state that the candidate must declare any new charges or convictions.

### **13.6 All safer recruitment employment checks are completed prior to staff (including volunteers) commencing employment.**

Social workers and other staff must not have any contact with people who receive care or support or have access to their personal information or data prior to the completion of all employment checks. Appendix 2 contains requirements for employment checks.

### **13.7 Staff are physically and mentally fit to meet the needs of the children and young people they will be supporting.**

The registered person/manager ensure that staff are physically and mentally able to meet the needs of children and young people safely and effectively. They seek assurances from all social workers employed in the service that there are no health or wellbeing related concerns which might hinder them being able to undertake their role safely and effectively. These assurances are sought at the point of employment and are revisited during supervision.

### **13.8 There are clear and transparent disciplinary and grievance procedures.**

Organisations have adequate disciplinary and grievance policies in line with local legislation and best practice. Where concerns or allegations about a worker's fitness to practise or harm to a care receiver occurs, the employer has a duty to notify the relevant bodies and the Jersey Care Commission (Appendix 5).

### **13.9 There are always sufficient numbers of competent, experienced staff to meet the needs of children and young people being supported by the adoption service.**

Registered person/manager ensure that the service has sufficient numbers of staff to enable the service to function in accordance with the Statement of Purpose. There are enough staff employed to cover absences due to annual leave, sickness, and study leave.

The overall number, competence, and deployment of social workers is sufficient to fulfil the intentions of the service as outlined in its Statement of Purpose to meet the individual needs of all children and young people receiving support from the service.

There is a staffing policy which includes:

- The number of staff required to enable the service to function appropriately.
- Start and finish times (which may relate to a flexible working policy).
- Arrangements for adequate skill mix.
- Arrangements for sickness/absence cover.
- Arrangements for managing the staff members on duty and support with day-to-day decision making.
- Arrangements for social workers to be present in the building or available during the day (this must include duty arrangements).
- Arrangements for contacting management/senior staff /on call support if necessary.

Registered person/manager make every effort to achieve continuity of staffing and ensure that the majority of social workers employed in the service are permanent.

Students on practice placements, trainees and volunteers are not included in staffing numbers/requirements.

### **13.10 Staff members employed by the service complete a structured induction programme which will assess their competence.**

Appendix 3 details requirements for induction programmes.

### **13.11 Staff members complete and remain up to date with statutory and mandatory training requirements.**

The minimum statutory and mandatory training requirements are detailed in Appendix 4.

All staff are expected to maintain their qualifications through continuing professional development.

Registered person/manager identify mandatory training requirements based upon the needs of the children and young people who will be supported by the service. This is in line with the written Statement of Purpose.

Registered person/manager ensure they are aware of statutory training requirements in relation to local legislation including, but not limited to:

- Children's (Jersey) Law 2002
- Children (Placement) (Jersey) Regulations 2005
- Capacity and Self Determination (Jersey) Law 2016
- Data Protection (Jersey) Law 2018
- Adoption Law (1963)

Training should, where appropriate, be accredited by a recognised body or organisation and must include relevant local legislation and guidance. Trainers or organisations who deliver training should:

- Be able to demonstrate experience and knowledge in the subjects delivered (this may include professional qualifications).
- Have a recognised teaching qualification and/or have completed a train the trainer course in the subject being delivered and have evidence of Continuing Professional Development which demonstrates the ability to maintain an effective learning environment and deliver effective training which is based upon best practice and guidance.
- Where possible be externally quality assured.

E-learning courses can be a useful part of a blended learning approach to training. Registered persons must ensure that local relevant legislation and guidance is covered during any training that is arranged for staff members. E-learning courses may support knowledge and understanding, however should not be used as a substitute where practical skill development is required (i.e. First Aid, Safe Moving and Handling).

All training should include an assessment of learning.

Training update requirements should be specified by the training provider and be based upon best practice and statutory requirements.

Evidence of training completed, and an assessment of learning and assessment of competency is kept in staff members' personnel files.

The registered person/manager maintains a training database which is updated with all training booked, completed and due which will be made available to the Jersey Care Commission upon request.

### **13.12 Staff members do not work and are not required to work outside of the scope of their profession, competence, or job description.**

Staff members always adhere to any code, standards or guidance issued by any relevant professional body.

Staff members are honest about what they can do, recognising their abilities and the limitations of their competence.

Staff members only carry out or delegate tasks agreed in job descriptions and in which they are competent.

Opportunities are provided for social workers to update their knowledge and skills as well as for more advanced and specialised training to meet the needs of children and young people.

Staff members receive support to update and maintain their professional qualifications through continuing professional development and any regulatory body requirements.

Depending on the setting, staff who do not hold professional qualifications, such as social work assistants, may be required to carry out tasks or skills which might traditionally have been carried out by social workers. In such circumstances, staff may require further training and assessment.

Some skills and tasks may be performed by unqualified staff under an individual (person specific) delegation.

Unqualified staff must be able to refuse to undertake any skill or task if they do not feel competent to perform it.

### **13.13 Staff members are given regular opportunities to discuss their role and identify any issues through formal supervision and appraisal.**

The purpose of supervision is to promote standardised, safe, and best practice by providing a channel for communication between manager/supervisor and staff member.

Supervision:

1. Is a formal discussion about the worker's performance against the standards they are expected to meet
2. Ensures the worker is clear about their roles and responsibilities
3. Identifies the worker's personal development needs
4. Offers a source of support for the worker encouraging reflection on challenges and achievements
5. Encourages workers to share any issues or concerns
6. Will be carried out at least six times a year and comprehensively recorded on a designated form which will be retained by the employer for reference.

Appraisals are intended to provide workers with a forum to discuss their capabilities, training needs and development plans in relation to the needs of the business. Appraisals should be recorded on a designated form. They must be outcome based and the objectives must be SMART. Appraisals will be carried out at least annually.

## Standard 14

**Registered managers lead the organisation effectively and have the relevant knowledge and skill.**

### **What this means to prospective adopters:**

Prospective adopters feel confident that the adoption service is appropriately managed by a person who has the relevant experience, knowledge, skills and qualifications to deliver a service which is efficient, responsive and professional.

They know who the manager is and can contact the manager if required.

### **What this means to children and young people:**

Children and young people placed with prospective adopters will benefit from appropriately assessed, trained, and supported carer/s, with the registered person/manager being responsible for providing this service.

Birth Families and significant others know that there is accountability in terms of service delivery and that the registered person/manager is responsible for delivering a service that safeguards their child or young person whilst in a protected placement.

### **14.1 Managers are confident in their role, possessing the necessary skills and qualifications to lead the organisation effectively.**

NB. There is a need to differentiate between managers of services and managers of teams. Where a requirement refers to one of either of these types of managers, this is stated. In all other cases, 'manager' should be understood to refer to both types of managers.

Managers can demonstrate a range of critical skills which will include:

- The ability to benchmark against best practice.
- The ability to ensure appropriate governance and auditing arrangements.
- A proven ability to learn from incidents and significant events.
- Having sufficient oversight of the service.
- Being prepared to escalate areas of concern.

They have a sound working knowledge and experience of law and practice relating to children and young people looked after, the adoption law and service procedures.

Managers have a management and leadership qualification (level 5) or have a plan to obtain one within a three-year period on becoming registered as a manager. They have at least two years' experience in supervising and managing staff.

There is clear evidence that the manager provides clear direction to the staff employed in the service and sets the priorities in the service.

The manager demonstrates that the provides adequate scrutiny to ensure that good quality decisions are made, relating to responses or investigations to be undertaken, based on good quality recording, analysis of need and robust report-writing.

The manager ensures that good quality supervision and annual appraisal arrangements are in place and that staff/team meetings are regular (no less than six times per annum), sufficient. and well-organised.

The manager promotes a supportive team culture, with good communications, and routine commitment to rigorous professional practice.

**14.2 Registered person/managers of the adoption service can demonstrate that the service is managed effectively and ensure that adequate monitoring arrangements are in place.**

The manager of the service must take ultimate responsibility for all decisions taken in the service and be able to demonstrate that they have oversight of decision-making. They should possess or have access to financial expertise to ensure that the adoption service is financially sound.

There are clear and effective procedures and controls in respect of the activities of the service. There are robust arrangements to respond to and monitor any serious incidents, allegations or complaints made about the service.

The manager of the service regularly monitors the records maintained by the service to ensure that the service's policies are being properly complied with. Where any specific areas of concern are identified or where patterns and trends emerge, timely and appropriate action is taken to address these.

Delegation is both appropriate and properly defined. Lines of accountability are clear.

Where there is absence of a manager of an adoption organisation or team, whether on a short- or long-term basis, arrangements are put in place to provide adequate cover and a notification is made to the Jersey Care Commission.

## **Standard 15**

Decisions taken regarding the recruitment, assessment and approval of prospective adopters are transparent and fair.

### **What this means to prospective adopters:**

Prospective adopters are assured that decision making in respect of their application or annual to become/remain a foster is robust and independent.

Prospective adopters are aware of the recommendation of their supervising social worker to the panel and Agency Decision Maker (ADM).

There are appeal processes in place where prospective adopters disagree with the panel and ADM decision.

Prospective adopters will be recruited who have resilience and determination to succeed in caring for children. They will be provided with a comprehensive training program and supported by an allocated supervising social worker.

### **What this means to children and young people:**

Children and young people benefit from decision making about their prospective adopters that has been through a robust process.

Children and young people will be cared for in adoptive families that provide them with caring, loving, encouraging, empathetic and understanding care throughout their childhood.

## **15.1 There is a straightforward application process**

The service has an appropriate strategy associated with the recruitment and assessment of prospective adopters and operates an associated policy. The strategy is reviewed in accordance with need in Jersey and its effectiveness is assessed.

The adoption service plans effectively to ensure that there are sufficient numbers of prospective adopters to meet current and predicted future demand.

Anyone who is interested in, or makes enquiries about, becoming an adopter is treated without prejudice and with fairness, openness, and respect.

There is a simple application process which is accessible to anyone who wishes to make an application. Once an application is received, a notification is provided to the applicant which advises of next steps and associated timescales.

The adoption response to enquiries is in line with its own timescales for best practice document.

## **15.2 There is a robust application process**

Prospective adopters are informed about the assessment process. This information includes:

- An illustration of the process itself from beginning to end e.g., a flowchart
- Eligibility and exclusion criteria
- The due diligence process which is undertaken (which includes the requirement for six references and a DBS check)
- Information pertaining to the process of adopting a child in Jersey and the process of adopting a child from overseas (intercountry adoption)
- The matching, introduction and placing process
- The range and types of support which is available to prospective adopters
- The service's expectations of prospective adopters
- Timescales for each stage of the adoption process (these may be both approximate and specific)
- How a decision will be made regarding their application and how the outcome will be communicated.
- The complaints and appeal process.

Prospective adopters are provided with regular updates relating to their application.

Prospective adopters are assured that the purpose in undertaking robust checks is not to identify reasons not to approve them as prospective adopters. Rather it is to provide evidence that the prospective adopters have the capacity to care for a child or young person safely and responsibly and in a way which meets their developmental needs.

## **15.3 Preparation courses are of a high quality and are both available and accessible**

Preparation courses take place and are available to all prospective adopters. This includes foster carers who wish to adopt the child for whom they are caring. Preparation courses take place at times and in a way which is inclusive and non-discriminatory e.g., outside of regular working hours.

The effectiveness of preparation courses is audited, evaluated, and reviewed at least once per year.

Preparation courses adequately meet the needs of prospective adopters and are delivered in a way which prepared prospective adopters for the experience of adopting a child or young person. They balance highlighting the positive aspects of adopting a child with the difficulties and challenges associated with the experience.

In particular, preparation courses include the following:

- The impact of neglect and abuse on a child's development and ability to form secure attachments.
- Parenting skills and the specific skills associated with caring for a child who has experienced neglect or abuse
- The importance of a child's identity and personal history

- The role of contact and how to manage unauthorised contact
- Applicants are provided with opportunities to talk with approved adopters and adoptees.

#### **15.4 The assessment process is robust and ensures prospective adopters have the necessary skills, capacity, and resilience to care for children and young people who may have experienced trauma and abuse.**

Prospective adopters are considered in terms of their capacity to look after children in a safe and responsible way that meets the child's development needs.

The adoption team manager checks that the prospective adopter's report is accurate, up-to-date and has evidence-based information which distinguishes between fact, opinion and third-party information, before it is submitted to the adoption panel.

The social worker who wrote the prospective adopter's report signs and dates it. The report is countersigned and dated by the adoption team manager and the prospective adopters.

#### **15.5 The adoption panel makes timely, evidence-based, and reasonable decisions**

The adoption service operates a policy relating to the adoption panel, which includes how the panel is recruited and trained to equip panel members with the relevant skills, knowledge and expertise to make competent recommendations regarding the suitability of prospective adopters to be approved or reapproved (as part of annual review process) as prospective adopters for the Government of Jersey, taking into account the nature of the children and carers that the service caters for.

Panel members must also be interviewed as to their suitability for the role, provide suitable references and be DBS checked.

The registered person/manager must ensure that every panel is quorate, with at least 3 independent panel members present in order to provide a robust and considered recommendation to the ADM.

All the information required by the adoption panel for it to make decisions relating to its recommendation, is provided to it at least five days prior to the panel meeting.

The registered person/manager has benchmarking in place for timescales of when new applicants are presented to the adoption panel from the date of their initial application. This must be regularly monitored and evaluated by the registered person/manager to ensure that prospective adopters are presented to panel within reasonable timescales.

Prospective adopters can attend and speak at adoption panel meetings. They may bring a person to support them if they wish to do so.

The panel advisor is responsible for ensuring that minutes are taken of all panel meetings. The minutes will be accurate and comprehensive. They record the panel's recommendation and the reasons for it.

The Panel Chair is sent the minutes and recommendation within three working days of the completion of the panel to seek their approval of the minutes and sign-off, before being sent to the Agency Decision Maker (ADM) no less than five working days following the panel. The ADM has a further five working days to provide their decision and comments.

The prospective adopter/s should receive the recommendation of the adoption panel on the day of the panel. The panel chair will provide this feedback, however there may be a need to seek guidance from the panel advisor if the recommendation is not to approve the applicant/s or to defer due to further information being required.

### **15.6 The adoption service operates an appeals process**

Where a recommendation is made by the Panel and supported by the ADM not to approve the applicant/s, the adoption service should have a procedure in place to provide the opportunity for the applicant/s to have this decision reviewed. This procedure should provide for the following:

- Timescales for the applicant to make a formal request to have the decision formally reviewed.
- How the decision will be reviewed and by whom.
- Timescales in relation to when the formal review will take place.
- Expectations in relation to representations that the applicant/s can make and when these need to be submitted.
- If the applicant/s remains unhappy with the outcome of the formal review decision what will happen next.
- What is the independent procedure for review of the ADM decision.

There should be provision for the panel chair and independent panel members to meet with the ADM and Registered Person on a regular basis, at least twice per year where issues can be raised to develop the panel's function and accountability.

At each stage of the approval process a written decision is provided to the prospective adopter/s, which includes the rationale for the decision.

## Standard 16

The service maintains comprehensive records relating to every child or young person whom the service supports.

### What this means to prospective adopters:

The adoption service will maintain accurate records that are stored securely, and prospective adopters can have access to.

### What this means to children and young people:

The records held by the adoption service contribute to an understanding of a child or young person's life. These records can be accessed by care experienced adults when and if they wish to.

The information in these records is written in a way which is easy to understand.

There will also be records of their time in the care of their prospective parents written and produced by their prospective parents foster carer/s. These records will be in a variety of forms, such as photographs, recording logs or memorabilia.

## 16.1 Recordings are child-centred, appropriate, and comprehensive

There is a written policy on case recording which establishes the purpose, format and content of files, and clarifies what information is kept on the prospective adopter's files and what information is kept on the child or young person's files. The adoption service must ensure that all children, young people and prospective adopters whom it supports, are provided with clear information relating to these matters in a format which they can understand.

Records clearly indicate when a child or young person has been spoken to and by whom, for example their allocated social may visit them or the Children Looked After Nurse may undertake a health assessment visit. The views, wishes, feelings and expectations of the child or young person are included throughout.

The child/young person's situation and their 'journey' remains the focus of the recordings.

Without deviation, all recordings about the child or young person and their family are respectful. Those making recordings are always mindful of difference and diversity in relation to educational attainment, class, communication needs, language, culture, gender, gender identity, sexual orientation, age, ethnicity, and disability. If interpreters, specialists, and communication aids have been employed, this is clearly recorded.

In respect of records which relate to information provided by family/friends or other professionals, the person's name, contact details, role and relationship with the child or young person is clearly recorded.

Recordings are clearly expressed and differentiate between fact and opinion. Where third-party information is recorded, its provenance is made clear.

Consideration should be given to the possibility that the child or young person may seek to access their files, whether at the time that a recording is made, or in the future.

Children and young people and prospective adopters must be made aware of how they can access their records.

The adoption service ensures that their carers can store information in a secure manner and understand what information they are expected to keep and what information needs to be passed to the adoption service.

### **16.2 Recordings are made in a timely manner**

As a matter of principle and wherever possible, recordings should be made immediately after an action or event has taken place.

Information relating to urgent matters should be recorded no later than 24 hours after an action or event has happened.

Where information relates to more general matters or in situations which are gradually evolving, information should be recorded no later than 72 hours after an action or event has happened.

All open cases include a case summary. This should be reviewed and updated no later than every three months.

### **16.3 Appropriate governance arrangements are in place in relation to recordings**

There is regular and consistent management oversight of the service's operations. This includes case discussions, supervision, management decisions and authorisations. All episodes of management oversight are appropriately recorded, including any decisions and the associated rationale.

Each case includes a chronology of significant events for the child or young person and separately, their prospective adopter/s.

When a case is transferred between staff, other professionals or teams, a transfer summary should be created.

The adoption service may operate and is advised to operate a written policy relating to the purpose and content of information which is retained on a child or young person. The registered person/manager of the service ensures that the premises from which the service operates has facilities to secure the retention of records (in accordance with the Government of Jersey retention schedules) and appropriate IT safeguards.

## Standard 17

### Allegations and suspicions of harm are handled appropriately.

#### What this means for prospective adopters:

Allegations, complaints or standards of care concerns are handled effectively within identified timescales and that prospective adopters are provided with support during this process.

#### What this means to children and young people:

Children and young people in foster care are safe, feel safe and are listened to.

Children are protected from significant harm which includes abuse, neglect, and accidental harm.

### **17.1 The adoption service responds promptly and appropriately to any allegations it receives.**

The adoption service operates a policy or set of procedures associated with child protection. These will be in line with wider Government of Jersey policy and protocols. These will be made available to all staff employed by the service and to prospective adopters.

The adoption service takes steps to ensure that all staff members and prospective adopters, understand what they must do if they receive an allegation or have suspicions that a person may have:

- behaved in a way that has, or may have, harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child in a way that indicates he or she is unsuitable to work with children.

The adoption service has a designated person, who is a senior manager, responsible for managing allegations. The designated person has responsibility for liaising with the Jersey Designated Officer (JDO), and for keeping the subject of the allegation informed of progress during and after the investigation, alongside the service providing them with support.

The adoption service will ensure that a clear distinction is made between investigation into allegations of harm, complaints and discussions over standards of care. Investigations which find no evidence of harm should not become procedures looking into poor standards of care, these should be treated separately.

A clear and comprehensive summary of any allegations made against a particular member of the adoption household, or staff member, including details of how the allegation was followed up and resolved, a record of any action taken, and the decisions reached, will be maintained.

A copy is provided to the person/s as soon as the investigation is concluded. The information is retained (in line with the Government of Jersey retention schedules) on the confidential file, even after a child or young person is adopted or prospective adopters are deregistered.

As soon as possible after an investigation into a prospective adopter is concluded, their approval as suitable to adopt will be reviewed and consideration given to presenting the prospective adopter/s to the adoption panel for this review. The adoption service will operate a clear policy framework which outlines the circumstances in which a prospective adopter should be removed as one of the adoption service approved prospective adopters, in the interests of the safety or welfare of children and young people. This will be made available to prospective adopters.

Investigations into allegations or suspicions of harm will be handled fairly, quickly, and consistently in a way that provides effective protection for the child or young person, and at the same time supports the person who is the subject of the allegation.

There will be written guidance for prospective adopters and staff, which makes clear how they will be supported during an investigation into an allegation including any payment of allowance to prospective adopters while investigations are ongoing.

During an investigation, the adoption service makes support, which is independent of the adoption service, available to the person subject to the allegation and, where this is a prospective adopter, to their household, in order to provide:

- information and advice about the process,
- emotional support and,
- if needed, mediation between the prospective adopter and the adoption service.

## Standard 18 Adoption Support or children, young people and adults

### What this means to prospective adopters:

When a child or young person is adopted, parents can request post adoption support.

### What this means to children and young people:

Children, young people and adults affected by adoption receive an assessment of their adoption support needs, pre and post adoption.

### What this means for adults requesting information about their birth records:

Previously adopted adults will be supported to access information about their birth records.

Information about intermediary services to help trace birth relatives will be freely available.

## 18.1 The provision of post adoption support by the adoption service

Adoption Support includes any support likely to be required for an adoptive placement to endure through to adulthood and is applicable to both existing and new situations.

The adoption service must make arrangements, as part of their adoption service, for the provision of a range of adoption support services, to include:

- Support to parents who require specialist support around the care of the child or young person they have adopted, for example therapeutic support and training to help children and young people recover from trauma and abuse or providing training in understanding the impact and caring for children and young people with Foetal Alcohol Spectrum Disorder or therapeutic life story work
- Assistance in relation to contact arrangements
- Financial support to adopters
- Assistance to adoptive parents, children and young people where a placement disrupts or is at risk of disrupting.
- Other support or assistance as identified in any post adoption support plan
- Services to enable groups of adopted children, young people, adoptive parents and birth parents to discuss matters relating to adoption
- Access to post adoption counselling
- Access to birth records and other documents kept on file
- Intermediary services (please see sperate standard)

## **18.2 Process of assessment for adoption support**

The adoption service has written procedures on how referrals are received and responded to for post adoption support. The timescales for which are set out the adoption service timescales for best practice document.

Requests for assessment for adoption support will be allocated to a social worker to carry out an assessment. The assessing social worker will usually need to interview the person being assessed (this can be done in person, on the phone or via another platform), where this is a child or young person, the adoptive parents will also need to be interviewed depending on the case and the age, understanding and wishes of the child or young person.

In certain circumstances an assessment will not be required before providing advice and information, this can be completed retrospectively if required.

A copy of the assessment report, once approved, should be sent to the person assessed with notice of the outcome of the assessment, which should state:

- The person's assessed needs for support,
- Whether the local authority proposes to provide adoption support services and if so, what the proposed services are,
- Where the assessment relates to the need for financial support, how this has been determined and calculated and the conditions to be attached.

Where the person assessed is a child, and it is not appropriate to send the notice to the child, notices should be sent to the adoptive parent or the most appropriate adult.

Where services are proposed, a draft Adoption Support Plan should usually be attached to the notice and those assessed should be allowed time to consider and make representations on the proposal.

Where the service proposed is one-off, the notice of the outcome of the assessment will be sufficient to outline what is proposed and a draft plan will not be required.

## **18.3 The adoption support plan**

An Adoption Support Plan should set out clearly:

- The objectives of the plan and the key services to be provided,
- The timescales for achieving the plan,
- Those responsible for implementing the plan and the respective roles of others; what should be provided, when and by whom,
- The criteria that will be used to evaluate the success of the plan,
- The procedures that will be put in place to review the services to be provided and the plan.

The Adoption Support Plan will need to be completed after consultation with the appropriate partner agencies, such as CAMHS or education where any special arrangements may need to be made.

Where the child or young person is placed in the area of another local authority, the agencies in that authority's area will need to be consulted as to what services may be available for the adopters and the adopted children. In these circumstances, the prospective adopters should be assisted with any cross-boundary issues that may arise.

The Adoption Support Plan should include any proposed financial support, how the amount has been calculated, where it is to be paid in instalments - the frequency of payment, the period over which it will be paid and when the first payment is to be made, the conditions and the consequences of failing to meet them and the arrangements for review, variation, and termination.

#### **18.4 Consultation with proposed recipients of adoption support**

Once a proposed Adoption Support Plan has the approval of the Designated Manager, a copy should be sent to the proposed recipients of the support, as well as to any party involved in the delivery of the plan.

The recipients of the proposed support should be given 10 working days to consider the proposals and make representations to the adoption service about the proposed plan. Any representations made should be considered by the Designated Manager, who will amend the draft plan as appropriate and inform the recipients of the outcome of their consideration.

#### **18.5 Reviews of Adoption Support Plan**

Where adoption support is in place prior to an Adoption Order, the Adoption Support Plan should be reviewed at the reviews of the adoptive placement or at any time if there is a significant change of circumstances, within four weeks of the notification of the change.

After the Adoption Order has been made, the Adoption Support Plan will be reviewed if a change in circumstances is brought to the notice of the adoption service. The Adoption Service Manager will decide on the format and content of any such review, which will depend on the circumstances of the case. It may refer to only one element of the Plan or be relatively minor in which case an exchange of correspondence may be sufficient.

Where the change of circumstances is substantial, such as a serious change in the behaviour of the child, it may be appropriate to conduct a new assessment of needs involving other parties.

#### **18.6 Urgent Cases**

Where there is an urgent need for support, the support can be provided before a Plan is drawn up, but the above procedure should then be followed as soon as possible.

## **18.7 Access to birth records**

The adoption service will have a written procedure on how it responds to requests for information about birth records from previously adopted adults. Alongside this procedure the adoption service will respond to these requests in line with the timescales for best practice document.

People who have been adopted are treated fairly, without prejudice, openly and with respect. They are kept informed on a regular basis in relation to progress in relation to their request for information, in a manner which meets their individual communication needs.

People making requests are offered counselling to ensure that they:

- are provided with a safe space where any issue related to adoption/permanent placement can be explored.
- are actively helped with processing intense feelings and identifying coping strategies.
- Are provided with careful preparation, support and guidance with regard to the many issues around contact with birth relatives, in accordance with relevant legislation.

## **18.8 Access to intermediary services**

The adoption service has the following responsibilities to help individuals trace or contact birth relatives:

- the adoption service will maintain a record of any contact or request for information on the relevant files in case birth relatives contact the service for information about their birth records.
- where there is a contact on file from a birth parent or family member, the adoption service will act as the intermediary and put the two parties in touch with each other.
- the service will provide counselling and support in relation to birth family contact.

Where there is no or little information on the adoption service files to help an individual trace a birth relative, the service can refer persons making such requests to a specialist intermediary service which has built up extensive experience of searching and acting as intermediary in such situations.

## Appendix 1

## List of Policies

Below is a list of policies and procedures associated with the Standards. It is not an exhaustive list, and some may not be appropriate to all settings:

Absence of the manager	Management of records
Access to personal files and other records	Managing behaviour, aggression, and violence
Accessibility	Notification of events
Accidents – reporting, recording and notification	Quality improvement
Accounting and financial arrangements	Recording and record keeping
Administration of finance (petty cash) and allowances	Responding to allegations or suspicions of abuse
Alcohol, drugs and misuse of substances	Reviews
Assessment	Risk management
Bullying	Safe and healthy working practices
Complaints and representations	Safeguarding
Confidentiality	Safe recruitment
Countering racism and discrimination	Smoking
Discharge/transition from the service	Staff absent from work
Equality	Staff contact with children/young people
Fire safety	Staff disciplinary/grievance procedures
First aid	Staff induction
Gender, sexuality and personal relationships	Staffing the service
Harassment	Staff meetings
Health and safety	On-call arrangements
Infection control	Staff supervision and appraisal
Inspections	Staff training and development
Insurance	Visitors
Involving children/young people in decisions making	Whistleblowing
	Working with parents, family members and significant others

**1. Identification and Right to Work in Jersey**

Before employing a successful candidate, an employer will check photographic identification, proof of address and residential and employment status in line with the requirements of the Control of Housing and Work (Jersey) Law 2012.

Employers will:

- Check the candidates' Registration Card is in date
- Check photographic identification (i.e. passport/driving license)
- Take a photocopy of the Registration Card and photographic identification
- Return the Registration Card to the applicant.

**2. References**

Reference requests will seek objective and factual information which will be used to support appointment decisions.

Organisations will seek the necessary written references to validate a minimum period of three consecutive years of continuous employment or training immediately prior to the application being made. The number and type of references obtained for each candidate may vary slightly, depending on whether the individual has held employment or has studied for a consecutive period of three years and/or how many episodes of employment or training they may have had during this time.

In all cases a minimum of two references will be requested directly from referees and not through a third party or the candidate themselves; references addressed to 'whom it may concern' will not be accepted.

One of the references must be the candidate's current or most recent employer and there must be a reference from their last care role if they are not currently working in a care role but have done previously.

Organisations will need to satisfy themselves that both referee and organisation are genuine, and references are provided by someone in a more senior position to the candidate. Where there is any concern or discrepancy in a reference received, a follow up phone call to the referee should take place to verify the referee's identity and clarify the contents of the reference received. A record of the discussion should be kept.

There is no legal obligation to provide references, however, the Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018 states that "a registered person must share information with other registered persons, regulatory bodies and law enforcement agencies where to do so would assist in safeguarding care receivers from harm" (11(2)). It is expected that all registered persons recognise the importance of providing references and will as a minimum provide the information outlined in the example below:

<b>Confirmation of employment request</b>		
(To be used <b>after</b> a conditional offer of employment – sickness absence included)		
Name of applicant		
Date of birth		
Please confirm employment dates	From:	To:
Please confirm the applicant's current/most recent job title and grade if appropriate		
Please confirm the applicant's reason for leaving (if known)		
Please detail how many days sickness the applicant had over the past two years and in how many episodes	Number of days	Number of episodes
Are there any current warnings on the applicant's record?	Yes / No (please delete as necessary)	
If yes, please provide details		
Is the applicant currently under investigation for any matter under any of your employment policies?	Yes / No (please delete as necessary)	
If yes, please provide details:		
Are you aware of any allegations that were made against the applicant that relate to any safeguarding issues/referrals (including any referrals to DBS/professional or regulatory bodies)?	Yes / No (please delete as necessary)	
If yes, please provide details:		
The answers given above have been provided in good faith and are correct to the best of my knowledge and belief.		
Referee name (Please print):		
Referee job title:		
Organisation:		
Contact details:	Email:	Telephone:
Signature	Date:	

Failure to share information with other registered persons, regulatory bodies and law enforcement agencies where to do so would assist in safeguarding care receivers from harm will be an offence which if prosecuted and convicted, the registered person would be liable to a fine of up to £50,000.

The Jersey Care Commission recognises that there may be circumstances where gathering references may be difficult for example for school leavers or people returning to work after a long period away from the workplace. In these situations, the Jersey Care Commission will expect to see evidence that organisations have done all that they can to ensure that the applicant is fit and suitable for the role by other methods which may include a character reference from a professional person, evidence of a higher level of supervision prior to assessment of competence or other verification of what the person has been doing.

### **3. Verification of Qualifications and Professional Registration**

The candidate should be asked to provide proof of qualifications at interview. Only original certificates should be accepted, and copies must be kept in personnel files. If there is any uncertainty about the validity of any documentation, then it should be checked with the awarding or registering body.

If a candidate has claimed that they are registered with a professional or regulatory body (i.e. Social Work England etc.) then their registration must be checked through the relevant local and national employer checking service. Registration checks must be undertaken, even if the registration is not required for the role.

### **4. Criminal Records and Barring Lists Checks**

Candidates must not have any contact with people receiving care or support or have access to their personal information or data prior to the completion of all employment checks including receipt of the relevant criminal records and barring lists check. Unless the candidate has subscribed to the online DBS update service, then a new DBS check must be carried out by any new employer regardless of the date of any previous certificate applied for by another employer.

For candidates who have lived in or are from overseas, the application process for criminal record checks or 'Certificates of Good Character' varies from country to country. Further information is available from the UK Home Office website. [www.gov.uk](http://www.gov.uk).

It is an offence under the Regulation of Care (Jersey) Law 2014 to employ a person who:

- Has been sentenced to a term of imprisonment (whether immediate or suspended), without the option of paying a fine; and is, in the reasonable opinion of the registered manager of the regulated activity unsuitable to work in that regulated activity or
- Appears on the barred list or has been convicted of an offence against a care receiver in any jurisdiction if the conduct would be an offence in Jersey.

If the DBS certificate reveals information that the applicant did not provide on their application, then the discrepancies should be raised with the person concerned to establish why it was not disclosed.

Information provided on a criminal record check is confidential and it is an offence for DBS information to be passed to anyone who does not need it in the course of their duties.

Where confirmation of a clear DBS check cannot be viewed online (from an online DBS checking service), copies of DBS certificates should be kept in a locked cabinet separately from personnel files for viewing by the Jersey Care Commission. The Jersey Care Commission shall provide confirmation that the certificate has been viewed. This confirmation which will not detail any sensitive information may then be kept in the care/support worker's personnel file and the copy of the original DBS certificate can be returned or destroyed.

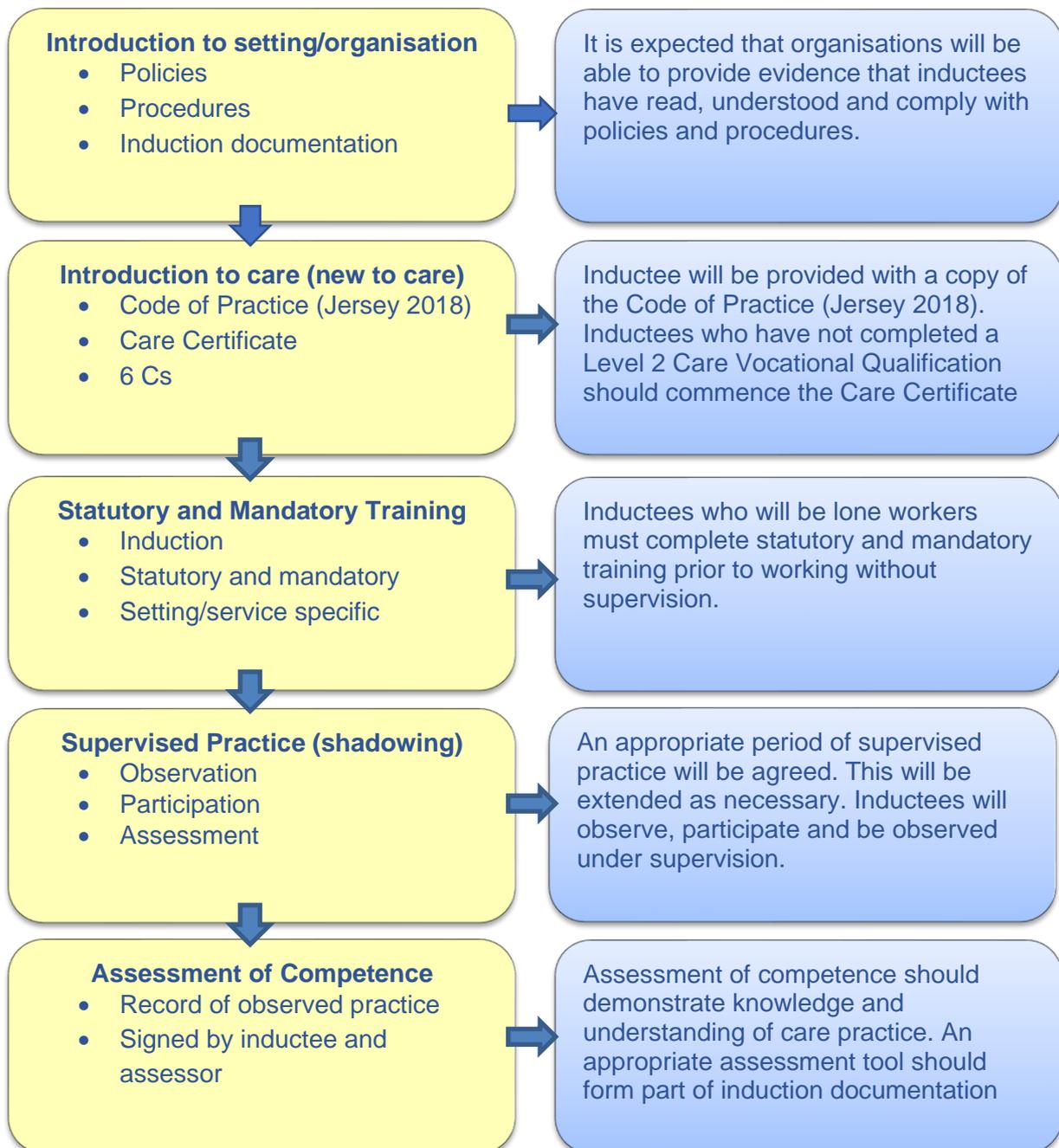
DBS checks should be undertaken at least every three years, or more frequently as part of an organisations or individual risk assessment.

Safer recruitment checks may highlight information which requires further scrutiny and consideration, for example criminal convictions or restrictions on an individual registration status (regulatory or professional body). Organisations should have established risk assessment processes in place to determine whether the applicant is suitable for the post.

Contracts of employment must include the employee's duty to declare any:

- Charges
- Convictions
- Professional registration changes or restrictions.

## Appendix 3 Induction Program Requirements for Care/Support Workers



## Appendix 4 Minimum Statutory and Mandatory Training Requirements

Registered persons will identify mandatory training requirements based upon the needs of the children/young people who are cared for. This will be in line with the written Statement of Purpose.

Statutory and mandatory training (All care/support workers)		Location/person/risk specific
Health and Safety	Moving and Handling	Learning disabilities
Communication	Fire safety	Mental Health
Equality, diversity and human rights	Emergency response	Capacity and Self Determination (age 16+)
Learning disabilities, mental health	Infection control	United Nations Convention on the Rights of the Child
Data Protection	Safeguarding	End of life care
Food Hygiene	Child development	Conflict resolution

Location/person/risk specific training requirements are dependent on the needs of the children/young people accommodated.

Whilst basic learning disabilities and mental health training is mandatory for all care/support workers in children's residential settings (and covered in the Care Certificate), additional specialised training is required for care/support workers who directly care or support children/young people with learning disabilities and/or mental health issues or end of life care.

This additional training should be at the appropriate level identified through local or national guidance (e.g. Gold Standards Framework, Skills for Health Core Skills Education and Training Frameworks).

## Appendix 5

## Notifiable Events

Regulation 21 (Regulation of Care (Standards and Requirements) (Jersey) Regulations 2018) requires that a registered person must notify the Jersey Care Commission of such accidents or other events that have posed or may pose a risk of harm to care receivers as the Commission may specify in such manner as the Commission may specify.

Below is a list of events/occurrences which will require notification (this list is not exhaustive). The term incident is used to refer to incidents, accidents and near misses.

- Any incident where harm has occurred.
- Any incident where medical attention was sought.
- Any incident which affects people's well-being e.g. fire, theft, burglary, interruption of power/heat etc.
- Safeguarding/child protection referrals/concerns
- Absconding
- Notification of termination of accommodation
- Infectious diseases
- All pressure ulcers grade 2 and above (please supply body map) and a separate notification of a deterioration of any previously notified pressure ulcer.
- Referral of employee/volunteer to police or Regulatory Body
- Restrictive physical intervention (The Jersey Care Commission will be notified of any use of restrictive physical intervention which was found to be unlawful or not in the best interest of the person or where harm occurred).
- Authorisation of Significant Restriction of Liberty
- Death

## Notification of Incidents Form

Regulation 21: Notification of incidents, accidents and other events.

Please complete the form below and email to: [notifications@carecommission.je](mailto:notifications@carecommission.je) within 2 working days of the incident.

Information about the Registered Care Service			
Registered Provider: (Name and Address)	Registered Manager: (Name and Address)	Location of incident: (Address)	
Information about the person(s) affected by the incident			
Name:	Address:	Telephone:	Email:
Care receiver <input type="checkbox"/>	Care/support worker <input type="checkbox"/>	Volunteer <input type="checkbox"/>	Other (please state) <input type="checkbox"/>
Information about the incident			
Date of incident:	Time of incident:	Location of incident:	
Description of the incident:			
Were there any witnesses to the incident? If yes provide names and contact details:			
Was the person injured? If so describe the injury:			
Was medical treatment provided? Please state where and who by:			
Has any action been taken following incident: (if an investigation is taking place, please state so and send report when complete)			
Name and role of person submitting notification:			
Signature:		Date completed:	

## Notification of Death

Regulation 21: Notification of incidents, accidents and other events.

Please complete the form below and email to: [notifications@carecommission.je](mailto:notifications@carecommission.je) within 2 working days of the death.

Information about the Registered Care Service		
Registered Provider: (Name and Address)	Registered Manager: (Name)	
Information about the person		
Name:	Date of birth:	Age:
Date of admission:	Date of death:	Time of death:
Was the death expected? Yes/No	Circumstances of death:	
Place of death:	Nursing care bed <input type="checkbox"/> Personal care bed <input type="checkbox"/> Personal support bed <input type="checkbox"/>	
Where death occurred in hospital, date of admission:		
Name and role of person submitting notification of death:		
Signature:	Date completed:	

Information and documents which must be made available at all times to the Jersey Care Commission:

**General requirements:**

- Statement of purpose
- Children's guide
- Policies and procedures
- Staff contingent
- Quality assurance/service reports.
- Feedback and complaints (including outcomes and actions taken).
- Insurance certificates.
- Meeting agendas and minutes (staff/care receivers/relatives etc.).
- Visitor's register
- Recordings of all referrals, initial assessments, support plans etc

**Care receiver records**

- Assessments (including risk assessments)
- Referral information including care plans and assessments from health and social care professionals.
- Personal plans (care plans, risk management plans etc.)
- Record sheets
- Written agreements/contracts

**Staff records**

- Application information
- Job descriptions/person specifications
- Interview records/candidate assessment
- Identification/social security registration information
- References
- Criminal records and barring lists checks
- Risk assessments
- Qualifications and training certificates
- File notes including any disciplinary or grievance information
- Competency assessments
- Supervision records
- Appraisal records
- Contract of employment
- Absence/sickness/leave

**Health and safety records**

- Incident/accident/near miss reports and investigations
- Safeguarding alerts/investigation/reports
- Risk assessments