

NATIONAL ADOPTION STRATEGY FOR CHILDREN AND THEIR FAMILIES

2019 - 2022

“Adoption is a lifelong journey. It means different things to me at different times. Sometimes it is just a part of who I am. Other times it is something I am actively going through.”

Kelly DiBenedetto (2017)



**MATTHEW
VELLA**

**CHIEF
EXECUTIVE
OFFICER**
SOCIAL CARE
STANDARDS
AUTHORITY

When the Social Care Standards Authority was established last year, we felt the need to create a consultation process with accredited agencies, professionals, and persons in the process of adopting.

This exercise showed this Authority, that the need for more dialogue between all the parties involved was necessary to create a set of clear regulations on how accredited agencies and professionals should operate, as well as the need for a long-term plan on what this country should achieve in the next months and years.

Considering this, the Authority launched a reform which initiated a very important paradigm shift.

Nowadays, we no longer solely discuss the process of adopting, but we also dedicate more attention to the children and their families during and after the adoption phase.

The Authority brought into action a new reform which is based on three pillars. The first pillar is the establishment of a new collaborative platform which acts as a catalyst for further collaboration in this sector, and to simplify processes related to adoptions. The second pillar is the first-time launch of the Social Regulatory Standards aimed at adoption, which are enshrined in a legal notice. These Standards firmly state the importance of the children's opinions, privacy, and their best interest. The new Standards also state that these principles are to be integrated into the day-to-day operations of this sector.

To truly safeguard the children's best interest, prospective parents' aspirations, and the professionals' hard work in this sector, the need for a strategic vision was felt. Therefore, the third pillar upon which this reform in the adoption sector rests is the National Adoption Strategy for Children and their Families (2019-2029).

Thanks to twenty-five measures, this strategy will be implemented in various sectors, such as local adoptions, post-adoption services, the new reality on the search of origin, continuous development of professionals who work in this sector, and the use of social media in this field.

Other measures which will be addressed during the next three years are the simplification and reduction of bureaucratic processes, new research projects in adoptions, a secure I.T. system, and the consolidation and expansion of relations with new countries from where prospective parents can adopt. In this Strategy, the Authority showcases how these twenty-five measures will come into effect in the next three years, the stakeholders who will be involved, and the logistics of how and when the monitoring and implementation of this Strategy will take place.

At the helm of this Strategy is the simplification of the processes and upholding the different laws and conventions, while the best interest of the children and their families is at the heart of this Strategy.



**MICHAEL
FALZON**

MINISTER
FOR THE FAMILY,
CHILDREN'S RIGHTS
AND SOCIAL
SOLIDARITY

The year 2019 will forever be remembered for the positive progress and strong economic rhythm our country sustained; a situation which facilitated a bigger budget for social welfare in our country. While as a Government we continued to help those most in need, we also looked towards strengthening various strategies, primarily the Adoption Strategy.

In the last months we saw strong and brave commitment from the Social Care Standards Authority, who in fact launched the National Adoption Strategy for public consultation for the next three years. This was done mainly, but not only, to ensure the active participation of the children involved in the adoption procedure and to make sure that their opinions are heard.

Such a vital step assures continuity between the initial adoption process and the child's new life with their adoptive family.

We also witnessed the first National Adoption Conference, during which we saw the active participation of persons who were adopted together with their new families, amongst other things. We could better understand the challenges and the way forward in this sensitive sector. We listened and took note of what was said; as a result, the Government will put forward a proposal for a change in the law to automatically give adopted children Maltese citizenship.

At the same time as this change, we increased the number of measures related to the Minor Protection (Alternative Care) Act to increase the number adoptions of Maltese children.

We need to go further than simply surpassing the record number of adoptions of children from outside our shores, as we did in 2018. This Government will continue to provide support to everyone who needs it with sensitivity and commitment, as we continue to strengthen other processes, including that of adoptions.

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GLOSSARY

- “Adoptees”** means a person or persons who were adopted before they reached the age of eighteen.
- “Adoption”** as defined within the Adoption Administration Act (Cap. 495)” means a local or an inter-country adoption made in accordance with the provisions of the Civil Code (Cap. 16), the provisions of this Act (Cap. 495) and any regulations made thereunder.
- “Adoption agency”** as defined within the Adoption Administration Act (Cap. 495)” means an organisation which is accredited by the Central Authority, in accordance with The 1993 Hague Convention on the Protection of Children and Co-operation in respect of Inter-country Adoption, to carry out local and/or inter-country adoption.
- “Adoption Board”** means the board established by virtue of Article 3 of the Adoption Administration Act (Cap. 495).
- “Adoptive parents”** means a person or persons who adopted children.
- “Birth family”** means a person or persons who are part of the children’s natural family.

- “Inter-country adoption”** as defined by the Adoption Administration Act (Cap. 495) means an adoption effected in accordance with the provisions of the Civil Code (Cap. 16) relating to adoption, the provisions of this Act and the law of a foreign country:
1. in accordance with the 1993 Hague Convention or any other International Treaty to which Malta is a State party; or
 2. in Malta, in respect of a child not habitually resident in Malta, or in favour of any person not habitually resident in Malta.
- “Local adoption”** means an adoption that involves adoptive parents and children that at the time of adoption are habitually resident in Malta.
- “Prospective adoptive parents”** means a person or persons that have been approved by the Adoption Board as eligible and suitable to adopt children.
- “Search of origin”** means the search carried out following a request by the adopted persons to the adoption agency, for information regarding the adopted persons’ origin and their birth family.
- “Social Care Standards Authority”** as established by virtue of Article 5 of the Social Care Standards Authority Act (Cap. 582), also referred to as ‘the Authority’ or ‘SCSA’.

PRINCIPLES ON WHICH THIS NATIONAL ADOPTION STRATEGY FOR CHILDREN AND THEIR FAMILIES IS BASED ON

This National Adoption Strategy for Children and their Families is based on principles derived from the 1989 United Nations Convention on the Rights of the Child and the 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption.

BEST INTEREST OF THE CHILD

Article 20 and 21 of the 1989 United Nations Convention on the Rights of the Child identifies adoption as one of a range of options for the alternative care of children who find themselves unable to live with their birth families. When it is deemed that adoption is the most appropriate measure in upholding a child's right to live in a family environment as well as upholding other rights of the child, the adoption proceedings should progress steadily without undue delay.

CHILDREN'S OPINION

Article 12 of the 1989 United Nations Convention on the Rights of the Child stipulates that children and youths have the right to express their opinion in respect of issues affecting them. Therefore, after taking into consideration their age and level of understanding the children's opinions and wishes should be sought throughout the adoption proceedings.

PRIVACY

Children have the right to be safeguarded from physical and psychological harm as well as having their private affairs respected and not interfered with or in any way embarrassed. Information about children should only be collected and retained insofar as is necessary to complete the adoption of such children.

PERMANENCY, EMOTIONAL STABILITY AND FULFILLMENT OF POTENTIAL

Children have the right to grow up in a family that provides them with emotional stability and helps them develop their potential. When it is detrimental for children to continue to live within their birth family, adoption is one of the options that may be considered in their best interest.

EQUALITY, INDIVIDUALITY AND DIVERSITY

Children have the right to live without discrimination of any kind irrespective of their race, colour, sex, age, gender identity, sexual orientation, genetic features, health status, language, religion, opinion, national, ethnic or social origin, disability, birth or other status. They should be respected and treated as individuals on an equal footing with others and have an adult to look after them in an environment free from bullying, harassment and discrimination.

BRIEF HISTORY OF ADOPTIONS IN MALTA

As far back as the late 1950's, local adoptions were taking place through the Church. In fact, the Church set up the Malta Catholic Adoption Society to raise awareness of the need for a new law, which was passed in 1962, and formulate a professional adoption policy. In time the State started coordinating the provision of adoption services. In 1990, the Adoption and Fostering Unit within the Department of Family Welfare started providing adoption services. In 2005 Malta ratified the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoptions and in 2008 the Adoption Administration Act came into effect. Between the years of 1991 to 2001, 146 local children were adopted by Maltese persons.

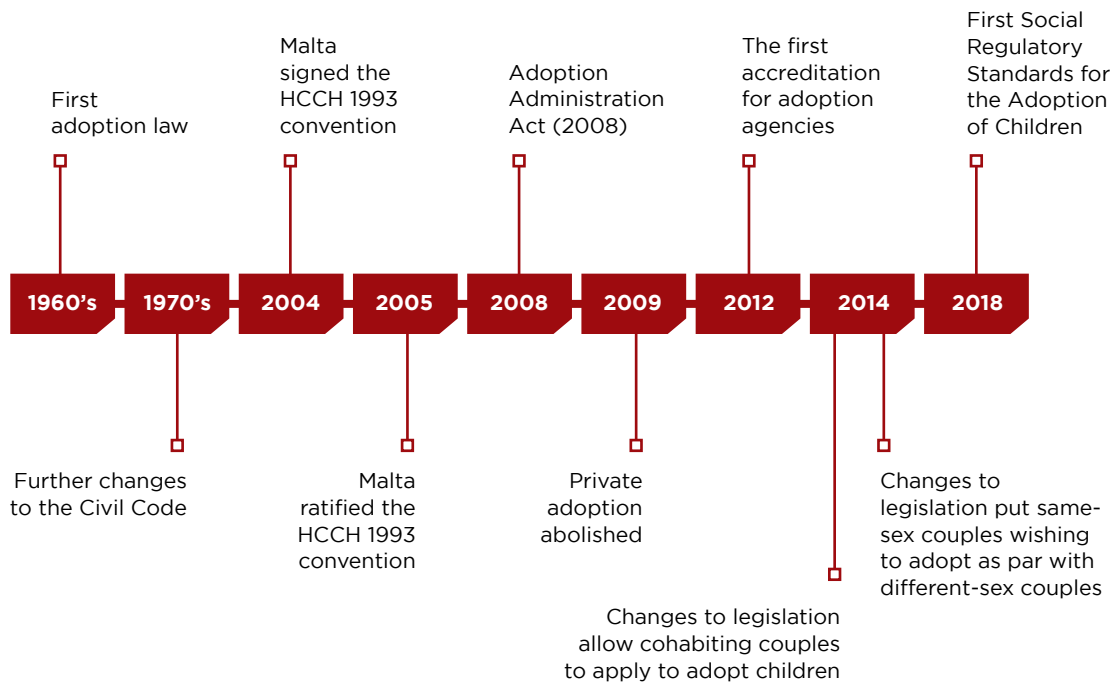
Inter-country adoptions are by no means a recent phenomenon. The phenomenon became widespread after World War II. Even more recently than that, in the 1980s, war, political turmoil, natural disasters and poverty has meant that a steady number of children from developing countries were adopted by developed countries. The 1990s were characterised by inter-country adoptions from eastern European countries, in particular Romania, where media coverage of Romanian children living in large residential institutions provoked a range of reactions in many Western countries, including Malta. 386 children were adopted by Maltese persons from Romania between the years 1991 to 2001.

The 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoptions was designed to facilitate the inter-country adoptions process, by establishing a legal framework that would maximise the potential for co-operation among different countries and reduce irrational barriers to the placement of children across borders, reduce the risk of sale, abduction and trafficking and to oversee that inter-country adoptions are carried out in the best interest of the child to be adopted.

This Convention creates:

- Formal international networking between States;
- Provides children with a secure alternative placement outside their family of origin;
- Through the role of Central Authorities establishes co-operation, reliable information and assistance between Member States; and
- Recognition of adoptions decree in one signatory State are accepted by all States party.

Chronology events /changes happening in the Maltese adoption context:



THE THREE PRIORITY AREAS OF THE NATIONAL ADOPTION STRATEGY FOR CHILDREN AND THEIR FAMILIES

PRIORITY AREA 1: Attaining a Client-Centred Approach

PRIORITY AREA 2: Promoting Professional Development of Adoption Agencies & Staff

PRIORITY AREA 3: Establishing An Integrated Approach

PRIORITY AREA 1: ATTAINING A CLIENT-CENTRED APPROACH

LOCAL ADOPTIONS

BACKGROUND:

Social Regulatory Standards for the Adoption of Children are already in place and there is a significant number of quality indicators to guide adoption agencies in setting operational procedures to make sure that such adoptions are conducted professionally.

All adoption agencies are well established and have experience in dealing with adoptions in general.

Historically, the number of children adopted locally every year has been low in part because of legislative deficits. However, research is needed to see whether there are other factors, such as cultural or educational factors, that are influencing this phenomenon.

OUTLOOK:

The Authority, through the Legal Office and the Regulations and Standards Office, will review and propose amendments to the Adoption Administration Act 2008 to cater in more detail for local adoptions and post adoption services.

The enactment of the The Minor Protection (Alternative Care) Act 2019 by the Maltese Parliament will create a pathway for children who are deemed to be adoptable and who have been in foster care for a long period of time and have bonded with their foster carers to become adopted. The enactment of this Act will generate further changes – such as amendments to the Adoption Administration Act (2008) as well

as development of policies in this field specifically to create a strong and simplified pathway for fostered children and children in alternative care to be adopted without undue bureaucratic proceedings.

The Authority will establish a Research Advisory Group chaired by the Authority and that includes the Office of the Commissioner for Children's Rights, UOM, MCAST, adoption agencies and the Adoptions Board. This Group will have the remit to undertake evidence-based research in different areas of adoptions, measure the outcomes for children who were adopted; evaluate children's respective integration in the family and society post adoption, and to assess the impact of adoption on families.

The Authority, through the Research Advisory Group, will undertake systematic research on local adoption of children that will help throw light on potential barriers – be they cultural, educational or of another nature. Adoption agencies will prepare prospective adoptive parents specifically for adopting and supporting local children. This preparation will be research and evidence based.

FINANCIAL COSTS OF ADOPTIONS

BACKGROUND:

With a government refund of up to €10,000 on costs incurred by adoptive parents, it is possible to track costs and determine average costs.

The Authority can relatively easily track the costs that adoptive parents incur throughout the adoption by contacting adoptive parents directly.

The Authority already subjects adoption agencies to external financial audits although fees payable by prospective adoptive parents locally are not controlled.

There is a possibility that costs increase overseas once it becomes known that Maltese prospective adoptive parents can claim a refund of €10,000.

OUTLOOK:

In consultation with agencies and professionals, the Authority, through the Central Authority (C.A.) Office, will embark in a constructive process aimed at establishing fees that agencies charge prospective adoptive parents. This process will also look at costs related to providing post adoption support to parents and their children and any related overheads for adoption agencies.

The Authority, through the C.A. Office, will work with the authorities of countries from where children are adopted to establish fees that prospective adoptive parents are charged in that country.

INFORMATION, TRAINING AND SUPPORT FOR PROSPECTIVE ADOPTIVE PARENTS

BACKGROUND:

All adoption agencies have been established for a number of years and overall they have the experience to provide prospective adoptive parents with the information they would require to be able to make informed decisions.

However adoption agencies tend to have in-depth information on countries from where they have contacts and operate to adopt children. Information on other countries that are open to sending children to Malta for adoption may be superficial and therefore prospective adoptive parents may not be receiving full information.

In terms of training, all adoption agencies have a formal training programme for prospective adoptive parents. However, there should be a national curriculum developed by experts in the field in collaboration with adoption agencies, social workers, adoptive parents, adoptees and the Authority and based on local cultural aspects of parenthood whilst taking into account the multicultural aspect of adoptive families (where adopting through inter-country procedures) as well as the changing realities of adopting from overseas.

Adoption agencies support prospective adoptive parents during the training stage, the home study report stage and the matching stage. During training and home study report stages, prospective adoptive parents may be directed to undertake further psycho-social support.

OUTLOOK:

The Social Regulatory Standards for the Adoption of Children already sets out the type of information that adoption agencies should be passing on to prospective adoptive parents at different stages of their preparation.

The Standards also outline what the content of training courses should include and therefore the realignment of training programmes run by adoption agencies has a foundation to work on.

The Authority, through a Research Advisory Group, will also undertake research based on the experiences of adoption agencies that have successfully placed older children, minority ethnic children, disabled children or those with special health needs, as well as sibling groups both locally and overseas to realign training for prospective adoptive parents and ensure that the training is evidence based and relevant to current realities when adopting children.

The Authority will work jointly with adoption agencies, professionals in the field, adoptive parents and adopted children to review policies and encourage debate about which groups of children are likely to benefit from adoption.

The Authority, through a Research Advisory Group, will review the use and reliability of home study reports undertaken by social workers and develop systems for providing feedback to social workers about the outcomes of their recommendations.

POST ADOPTION SERVICES

BACKGROUND:

Adoption agencies fulfill the obligation set by the Competent or Central Authority from where the children were adopted by doing interviews with adoptive parents to complete post adoption reports that are forwarded to the Competent or Central Authority of the respective country. Also, adoption agencies fulfill local legislation obligation of completing post adoption reports for children adopted locally for the first two years.

For adoptions that were carried out prior to 2008, information that is useful for adoptees in their search of origin is gathered retrospectively. Also, due to some countries' legislation, relevant information regarding a child's adoption may not have been collected at the time of adoption and it is not possible to collect it in the future. There are some countries that do not have a specific entity that may be contacted to co-ordinate such search of origin. Furthermore, there are no bi-lateral agreements specifically referring to procedures for search of origin with countries from where children have been adopted in the past.

Social Regulatory Standards for the Adoption of Children comprehensively address the quality of information that needs to be collected prior and during adoption by the adoption agencies to eventually be of use for adoptees in their search of origin.

Social Regulatory Standards for the Adoption of Children lay out requirements for adoption agencies to be in a position of providing support to adoptive parents and their children even after an adoption decree has been issued. Therefore, adoptive parents will know who to turn to for guidance in bringing up their children.

OUTLOOK:

It is becoming a reality that adoptees need to be professionally supported in their search of origin. Without professional assistance the possibility that adoptees are misguided is more likely. Professional psycho-social support for adoptees helps them to integrate better in Maltese society and helps adoptees remain productive members of society.

When adoption agencies maintain contact with countries of origin to fulfill search of origin requests by adoptees, they have the potential to establish working relationships with organisations and government entities and build a positive reputation that may help when sending dossiers for prospective parents to adopt children in that country.

The Authority, through the C.A. Office, will enhance contact with established countries from where children are adopted to ensure that better documentation regarding the circumstances in which children are adopted is developed.

As previously indicated, amendments to the Adoption Administration Act 2008 as proposed by the Authority's Legal Office and Regulations and Standards Office, will allow for birth families to initiate proceedings to try to establish contact with adoptees. This revision and the implementation the Social Regulatory Standards for the Adoption of Children will make it possible to keep robust information for children who are adopted locally.

The Regulations and Standards Office within the Authority will regularly review the guidelines for the Social Regulatory Standards for the Adoption of Children. This will ensure that the Central Authority and adoption agencies' policies and procedures are tuned to maximise the benefits of post adoption services for adoptive parents and adoptees.

PRIORITY AREA 2: PROMOTING PROFESSIONAL DEVELOPMENT OF ADOPTION AGENCIES & STAFF

CONTINUOUS PROFESSIONAL DEVELOPMENT

BACKGROUND:

Home Study Reports are based on a number of home visits and interviews by the adoption agency's social worker with the prospective adoptive parents. To date, adoption agencies train their own staff with the resources that they have. This gives rise to a situation whereby the level and content of training may vary from one agency to another. Similarly, the professional development of staff may be limited by the agencies' resources and ability to source training for their staff.

The passing of the Adoption Administration Act (2008) and the accreditation of agencies in 2012 gave rise to the enhancement of pre-adoption services. However, post adoption services have remained relatively underdeveloped and centred around post adoption reports.

OUTLOOK:

The adoption agencies, with the support of the Authority, will continue to develop professional training for social workers working with them, in particular, regarding child development, attachment, and the impact of maltreatment and neglect on children as well as the impact on children of delays in achieving permanence. The adoption agencies will also develop of the knowledge and skills that social workers need to make good quality home study reports.

The adoption agencies, with the support of the Authority will develop professional training for social workers and other professionals they engage so that they have the knowledge and skills to work with issues raised by children's ethnicity, culture and language and gain a deeper understanding of these issues and their relationship to children's past experiences and future development.

The Authority, through the Inspectorate Office, will ensure that adoption agencies have support services available for the emotional and behavioural difficulties of adopted children since they are more likely than the general population of children to have clinically significant difficulties at certain stages of their life.

AGENCY POLICIES AND PROCEDURES

BACKGROUND:

All adoption agencies have written policies and procedures on training, assessment procedures and matching of prospective adoptive parents with children in cases of local adoptions as required by the Adoption Administration Act (2008). The Social Regulatory Standards for the Adoption of Children also indicate a number of other areas where adoption agencies have to have policies and procedures in place.

Furthermore, the Social Regulatory Standards for the Adoption of Children set out a number of performance indicators for each Standard. In most cases, to operationalise such indicators, adoption agencies need to have written procedures to guide staff.

OUTLOOK:

The Regulations and Standards Office and the C.A. Office within the Authority will work with adoption agencies to develop frameworks for agency policies and procedures as well as verify their efficacy.

The Authority, through the Inspectorate Office, will ensure that adoption agencies implement policies and procedures that foremostly safeguard the best interests of the child in adoption services and that these meet or exceed the requirements set in the Guidelines for the Social Regulatory Standards for the Adoption of Children. In this way, adopted children, adoptive parents and birth families can be assured that they receive services of the highest possible quality.

THE USE OF MEDIA

BACKGROUND:

There are two aspects to the use of media – especially social media, that effect different aspects of the adoption process. Adoption agencies’ ethical use of social media is encouraged as it is a source of information for prospective parents and adopted children. However, to date, there are no guidelines for adoption agencies to follow in terms of online communications.

Prospective adoptive parents may be seeking information on adoptions in general or more particular on their own adoption. This leaves them vulnerable to being misinformed as they are not being guided by professionals from an adoption agency. This may expose them to practices that may not be legal or comply with international conventions on the rights of children.

Adopted children may also use social media to learn more about their adoption as well as try to contact their birth family with relative ease. However, once again this leaves them vulnerable, especially if their own adoptive parents do not know about their search for origin and they are not being supported by professionals.

OUTLOOK:

The Regulations and Standards Office and the C.A. Office within the Authority will develop guidelines for adoption agencies that encourages them to engage with prospective and adoptive parents through social media. This helps establish personal contact and develop trust and communication between agency staff and parents. At the same time, prospective and adoptive parents must be made aware that certain services or advice requires face-to-face meetings with agency staff. Adoption agencies should also actively recommend other suitable sources of information for these persons.

It is also important that adoptive parents and adopted children are made aware that the most secure source of information regarding the children’s search of origin is through the adoption agencies themselves. The adoption agencies need to be in a position to support adopted children and guide them in their use of social media.

PRIORITY AREA 3: ESTABLISHING AN INTEGRATED APPROACH

SIMPLIFICATION AND REDUCTION OF BUREAUCRACY

BACKGROUND:

The enactment of the Adoption Administration Act (2008) served to establish the Central Authority and adoption agencies which, in turn, had a legal framework for adoption services to be more professional and accountable. Prospective adoptive parents are thoroughly vetted and prepared by adoption agencies to become adoptive parents. The Adoptions Board independently scrutinises prospective adoptive parents' dossiers prior to deciding whether they should be considered as adoptive parents or not. Depending on whether the adoptive parents were adopting children locally or from overseas the Courts or the Central Authority endorse the Board's decisions. There are also other government entities – such as the Ministry for Foreign Affairs and Trade, Ministry for Justice, Culture and Local Councils and the Ministry for Health, that play peripheral but pertinent roles in the process of adopting children. The need for checks and balances and the need for transparency in proceedings involving children, inherently causes an element of bureaucracy and time consuming procedures. However, one must keep in mind that it is in the best interest of children that the adoption proceedings are as swift as possible so that children start living in a stable and loving family at the earliest possible.

OUTLOOK:

The Research Advisory Group will undertake a study of all steps in the adoption process that are taken locally to establish average times that prospective adoptive parents take to complete such steps with the view to submitting recommendations on how these times may be reduced without compromising the integrity of the adoption proceedings.

Once a timeframe for each step of the adoption proceedings is agreed by the parties involved, the Authority through the Inspectorate Office, will conduct performance assessments to allow the different entities to monitor their own performance and, if applicable, compare it to that of others.

RESEARCH

BACKGROUND

The nature of adoption has changed significantly over the last 30 years or so. The main purpose is currently to provide security and permanent family relationships for children who need it.

In view of the above it is very important that both preventive and proactive initiatives are taken in order to identify themes and messages that are likely to emerge in the imminent future. Thus, it is imperative that the Authority continues to monitor and evaluate the implementation of the various Legislation, Standards and Regulations in the area of adoptions.

This sets out the National Strategy's plans to promote greater use of innovative and creative measures, to improve the performance of the adoption service, and put children at the centre of the adoption process.

OUTLOOK

The Research Advisory Group will focus on previously under-researched aspects of policy and practice and explore the key challenges for adoption at the start of the 21st century. This group will analyse areas such as mapping adoption agencies' policies and approaches in relation to training of prospective adoptive parents. It will describe and classify adoption agencies' current approaches and compare their relative effectiveness, outcomes and costs. In addition, such study may identify the indicators of good training models and suggested ways in which these can be improved.

This Group will also map, cost and evaluate services that support the birth parents and families of adopted children, and support contact after adoption in case of search of origin. The study will explore the possible links between outcomes for service users, service provision and service costs.

Another possible theme that may be explored by the Research Advisory Group will be enhancing adoptive parenting. Indeed, such study may explore different parenting programmes such as cognitive behavioural parenting programme or an educational programme about parenting special needs children, in order to determine which is the most effective programme when added to the standard service.

Recognising that overview reports are unlikely to reach all those with an interest in its messages, the Research Advisory Group may develop a wider dissemination and implementation strategy. Materials, including summaries of the research reports, interviews with service users, service providers and other stakeholders, and practice tools may be published on the Authority's website.

I.T. SYSTEM

BACKGROUND

Currently, the I.T. systems used by all entities involved in adoption processes are 'stand-alone' and not necessarily inter-phased. Information gathered on some of the I.T. systems tends to be retrospective and therefore does not give a 'real-time' picture of the processes in question. This also means that there is possibly a duplication of work processes between different entities.

OUTLOOK

An I.T. System provides for a new and more consistent approach to access to information held in adoption agency records and about prospective adoptive parents, adoptees and the whole adoption process. At the same time this ensures that the release of this sensitive information about adopted people and their birth families is protected and that its disclosure is subject to safeguards.

Moreover, the Central Authority will be aware in what exact stage are all prospective adoptive parents so as to conduct necessary monitoring and evaluate established timeframes. Additionally, such system will facilitate data collection, analysis and identification on new emerging themes and issues. Thus, such system will assist SCSA in order to address issues and conduct necessary reforms.

CONSOLIDATION AND EXPANSION OF INTER-COUNTRY AGREEMENTS & PROCEEDINGS

BACKGROUND:

To date, Malta has four active bi-lateral agreements regarding adoption of children with other countries – some of which are signatories to the Hague Convention whilst others are not. One of the primary reasons for these agreements is to ensure that the best interests of the child are upheld and that children are adopted through legal channels that demonstrate transparency in adoption proceedings thereby reducing the chances that children are adopted for improper motives (such as financial gain) rather than to further the best interest of the child. One of the principles guiding these agreements is the principle of subsidiarity – whereby the sending country would have exhausted all domestic solutions for the child prior to the child being considered for inter-country adoption.

Prior to the setting up of the Social Care Standards Authority, when establishing a bi-lateral agreement with another country regarding inter-country adoptions, the predecessor of the Authority used to conduct a due diligence exercise on the country's institutions and their probity in processing inter-country adoption requests.

The predecessor of the Authority also used to co-ordinate with other Ministries, in particular, the Ministry for Health, the Ministry for Foreign Affairs and Trade Promotion, the Ministry for Justice, Culture and Local Councils, and other government entities, both in the development of bi-lateral agreements as well as in ongoing procedures during the different stages of the adoption of a child from one of these overseas countries.

OUTLOOK:

The Authority will engage with the central authorities or competent authorities of countries with which Malta has bi-lateral agreements for adoption of children to enhance collaboration between the entities concerned to facilitate the adoption of children from the respective countries.

The Authority will engage an independent entity which has experience in performing due diligence research to assess and report on the situation of the processes and procedures of other identified countries with which, to date, Malta has no bi-lateral agreement and from where prospective adoptive parents may consider applying to adopt children.

The Authority, through the C.A. Office, will set up an Adoptions Simplification Group made up of representatives from different Ministries and government entities to assess adoption processes and recommend changes to eliminate unnecessary delays and reduce bureaucracy in processing applications from persons wishing to adopt local children or children living abroad.

COLLABORATIVE PLATFORM

BACKGROUND:

One of the first actions of the SCSA was the setting up of a Collaborative Platform made up of representatives of the Authority and all adoption agencies to meet at least once every three months to discuss matters effecting adoption services to ensure that these services are strengthened.

OUTLOOK:

The Collaborative Platform will provide crucial feedback for the Authority with regards to the implementation of the Social Regulatory Standards for the Adoption of Children, the simplification and reduction of bureaucracy, as well as the professional development of staff working with adopted children and their families.

THE IMPACT OF THE ACTION PLAN ON THE THREE PRIORITY AREAS

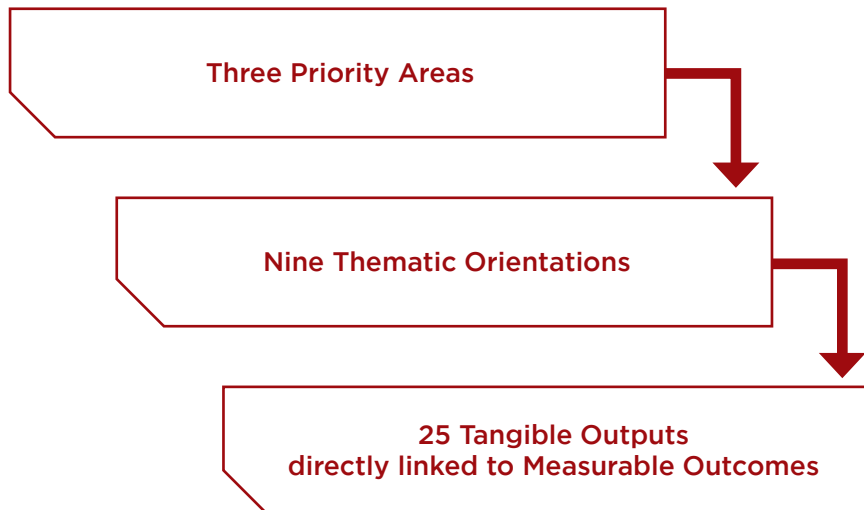
IMPACT ON PRIORITY AREA 1: Client-Centred Approach

IMPACT ON PRIORITY AREA 2: Professional Development of Adoption Agencies and Staff

IMPACT ON PRIORITY AREA 3: An Established Integrated Approach

ACTION PLAN

The three year National Strategy is envisaged to involve multiple stakeholders and entities, and the Authority will have overall coordination. The three priority areas - (1) Attaining a client centred approach; (2) Promoting professional development of adoption agencies and staff; and (3) Establishing an integrated approach require 25 outputs grouped into 9 thematic orientations that need to be completed within timeframes indicated in the timeline of the action plan. The ownership of each output is also indicated.



IMPACT ON PRIORITY AREA 1: CLIENT CENTRED APPROACH

OUTPUTS:

- 1.1 The Legal Office and the Regulations and Standards Office review and propose amendments to the Adoption Administration Act (2008);
- 1.2 The Regulations and Standards Office develops policies based on the enactment of the Minor Protection (Alternative Care) Act 2019;
- 1.3 The Authority sets up a Research Advisory Group;
- 1.4 The Research Advisory Group conducts research on the local adoption of children;
- 1.5 The adoption agencies prepare prospective adoptive parents specifically for adopting local children;
- 1.6 The Collaborative Platform consults with adoption agencies to establish adoption services fees;
- 1.7 The C.A. Office opens dialogue with central authorities of sending countries to determine costs of adoptions overseas;
- 1.8 The adoption agencies revamp training courses for prospective adoptive parents;
- 1.9 The Research Advisory Group carries out research on the adoption of specific groups of children;
- 1.10 The Research Advisory Group carries out research on Home Study Reports;
- 1.11 The C.A. Office enters into dialogue with established countries to enhance the gathering of information on adopted children;
- 1.12 The Legal Office and the Regulations and Standards Office propose amendments to the Adoption Administration Act (2008) in relation to search of origin;
- 1.13 The Regulations and Standards Office reviews guidelines for the Social Regulatory Standards for the Adoption of Children.

RISKS & MITIGATION:

- Lack of commitment and ownership from involved stakeholders.
- Political and parliamentary approval is necessary for legislative and policy changes.
- Funds need to be allocated to the Authority's budget for research and training components.
- Additional human resources need to be assigned to the Authority for the Regulations and Standards Office; C.A. Office; Inspectorate Office and Quality Assurance Office.
- Stakeholders will be directly involved from the initial stages for them to take ownership of the outputs required to achieve the outcomes of the priority areas.
- Consultation processes and open dialogue will be maintained at political and parliamentary levels.
- Financial projections and monitoring of costs will underpin the early request by the Authority through the Ministry for Family, Children's Rights and Social Solidarity for the additional funds required to implement this National Strategy.
- The Authority will factor the human resources required by the different Offices within its H.R. plans for the coming years.

OUTCOMES:

- 1.1 The amended Adoption Administration Act caters in more details for local adoptions and post adoption services;
- 1.2 There is a strong and simplified pathway for fostered children and children in alternative care to be adopted without undue bureaucratic proceedings;
- 1.3/1.4 Potential barriers to local adoption of children are defined and addressed;
- 1.5 The preparation of prospective adoptive parents for adopting local children is research and evidence based;
- 1.6 Only costs and expenses, including reasonable professional fees of persons involved in adoptions, are charged or paid;

- 1.7 Prospective adoptive parents are better informed of costs and are able to identify unfair financial practices;
- 1.8/1.9 Training that prospective adoptive parents receive is evidence based and relevant to current realities when adopting children;
- 1.10 Social workers receive feedback and recommendations on improvements to the Home Study Reports;
- 1.11 There is better documentation on adopted children to help in eventual search of origin requests;
- 1.12 Birth families have a possibility to establish contact with adoptees;
- 1.13 Adoption agencies' policies and procedures maximise the benefits of post adoptive services.

IMPACT ON PRIORITY AREA 2: PROFESSIONAL DEVELOPMENT OF ADOPTION AGENCIES AND STAFF

OUTPUTS:

- 2.1 Adoption agencies train staff on child development, attachment, maltreatment and neglect of children and effects of delays in achieving permanence;
- 2.2 Adoption agencies train staff on issues raised by children's ethnicity, culture and language;
- 2.3 The Authority develops frameworks to assist agencies to develop policies and procedures;
- 2.4 The Authority develops guidelines on agency use of social media to engage with prospective adoptive parents.

RISKS & MITIGATION

- Adoption agencies do not prioritise and allocate sufficient resources for the training of staff at the level required.
- The Authority does not have sufficient financial and human resources to develop policies and guidelines within the established timeframe.
- Adoption agencies will be monitored and assisted in sourcing resources for the delivery of quality training.
- Financial and human resources plans for the coming years will factor in the implementation of the different components of the National Strategy.

OUTCOMES:

- 2.1/2.2 Adopted children and adoptive parents have easy access to psycho-social support services when adopted children have emotional and behavioural difficulties;
- 2.1/2.2 Adoption agencies have the capacity to support adopted children and their families when children have difficulties at certain stages of their life;

- 2.3 Adoption agencies have policies and procedures that meet and exceed requirements set in the Standards;
- 2.4 Persons involved in adoptions are exposed to online information that is pertinent and factual.

IMPACT ON PRIORITY AREA 3: AN ESTABLISHED INTEGRATED APPROACH

OUTPUTS:

- 3.1 The Research Advisory Group undertakes a study of the time span of each stage of local adoption proceedings and recommends efficient and effective timeframes;
- 3.2 The Research Advisory Group studies previously under-researched aspects of policy and practice in adoption proceedings as well as training for prospective adoptive parents, search of origin services and adoptive parenting skills;
- 3.3 The Authority, through the Quality Assurance Office, identifies appropriate channels for the dissemination of research and recommendations;
- 3.4 The Authority, through the Regulations and Standards Office and the C.A. Office, sets up an I.T. system that can be accessed by service users and service providers alike as well as other pertinent entities;
- 3.5 The C.A. Office engages with authorities of established countries to enhance adoption services;
- 3.6 An independent entity performs a due diligence exercise on countries that may potentially be open to accepting applications from Maltese prospective adoptive parents to adopt children;
- 3.7 The Authority sets up an Adoptions Co-ordination & Simplification Group to assess adoption processes to eliminate unnecessary delays;
- 3.8 The collaborative platform gives feedback to the Authority on agencies' implementation of Standards and recommendations.

RISKS AND MITIGATION:

- The Central Authorities of other countries are crucial stakeholders, however they may not have the political will or resources to institute required changes in their respective country.
- The I.T. system is a major development for both the sector and the Authority. This system has to be purposely designed and executed within the timeframe and budget allocated.

- Different entities are involved in some aspects of adoption proceedings although these proceedings are not part of the main functions of the entities. These entities may not be as committed to coordinating and simplifying the necessary procedures.
- Funds need to be allocated to the Authority's budget for research.
- The C.A. Office will build networks and conduct meeting with its respective counterparts to consolidate and enhance the working relationships between the respective authorities.
- The Regulations and Standards Office and the C.A. Office will work closely with the identified I.T. provider to ensure that the system is developed within budget and timeframes allocated.
- The Authority will seek the assistance of the Office of the Commissioner for Simplification within the Office of the Prime Minister to ensure that identified measures to reduce bureaucracy and simplify procedures are carried out by the respective entities.
- Financial projections and monitoring of costs will underpin the early request by the Authority through the Ministry for Family, Children's Rights and Social Solidarity for the additional funds required to implement this National Strategy.

OUTCOMES:

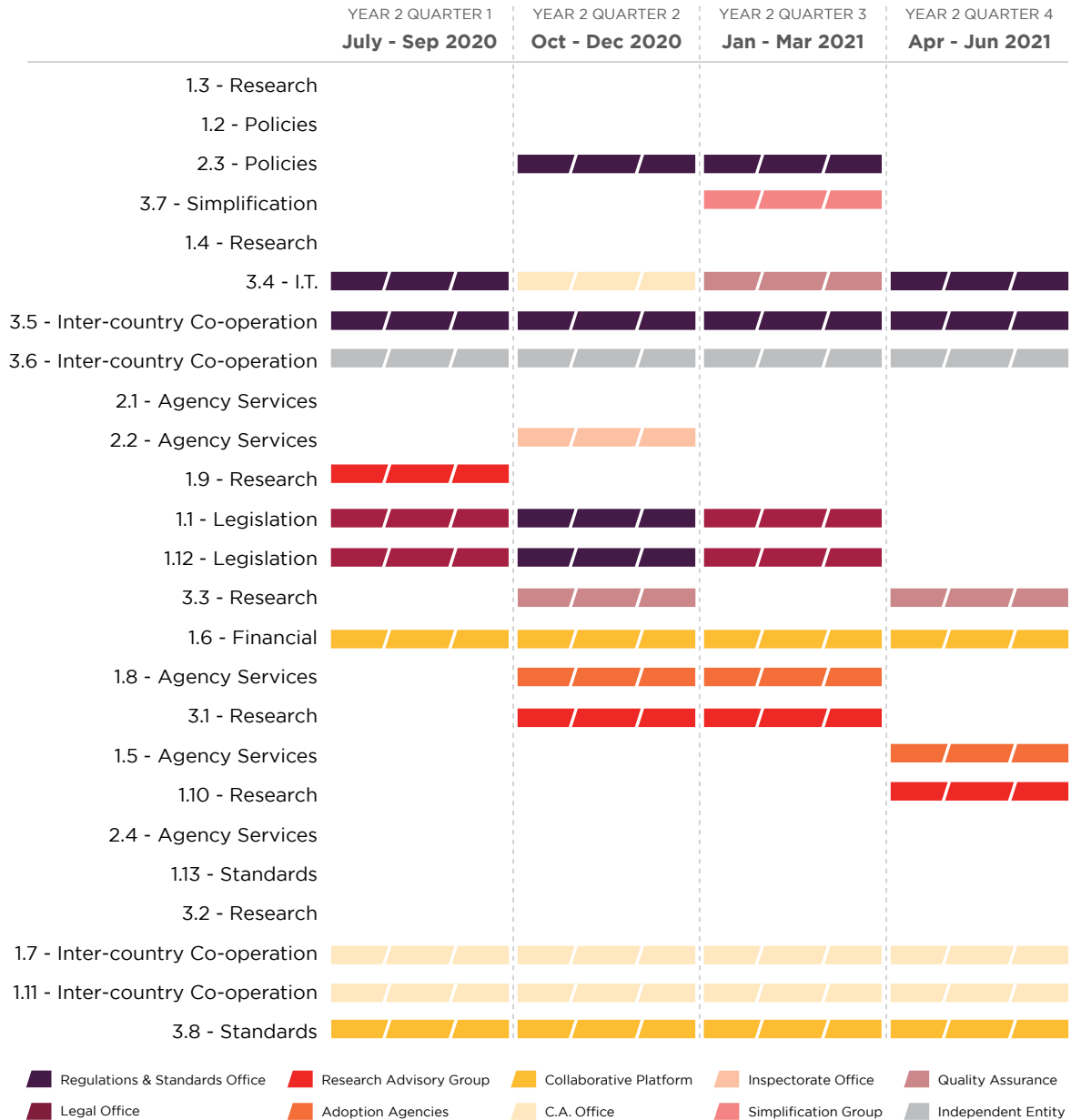
- 3.1 The performance of different entities in working to established time frames is objectively assessed;
- 3.2 Changes to policies and practices, training of prospective adoptive parents, search of origin services and adoptive parenting skills are based on research and evidence;
- 3.3 Research findings are disseminated through various appropriate channels;
- 3.4 Information about adoptions is available in real time and monitoring of adoption agency services and prospective adoptive parents and adoptees progress is I.T. based;
- 3.5 Better overseas services for adoption of children is possible through the co-operation of authorities;

- 3.6 Bi-lateral agreements are underpinned by a due diligence report that ascertains that countries involved have the necessary structures to safeguard the best interest of the child;
- 3.7 Recommendations by the Adoptions Co-ordination & Simplification Group bring about changes that reduce bureaucracy;
- 3.8 Standards, guidelines, policies and recommendations are adjusted based on information gathered on the adoption agencies' performance in delivering adoption services.

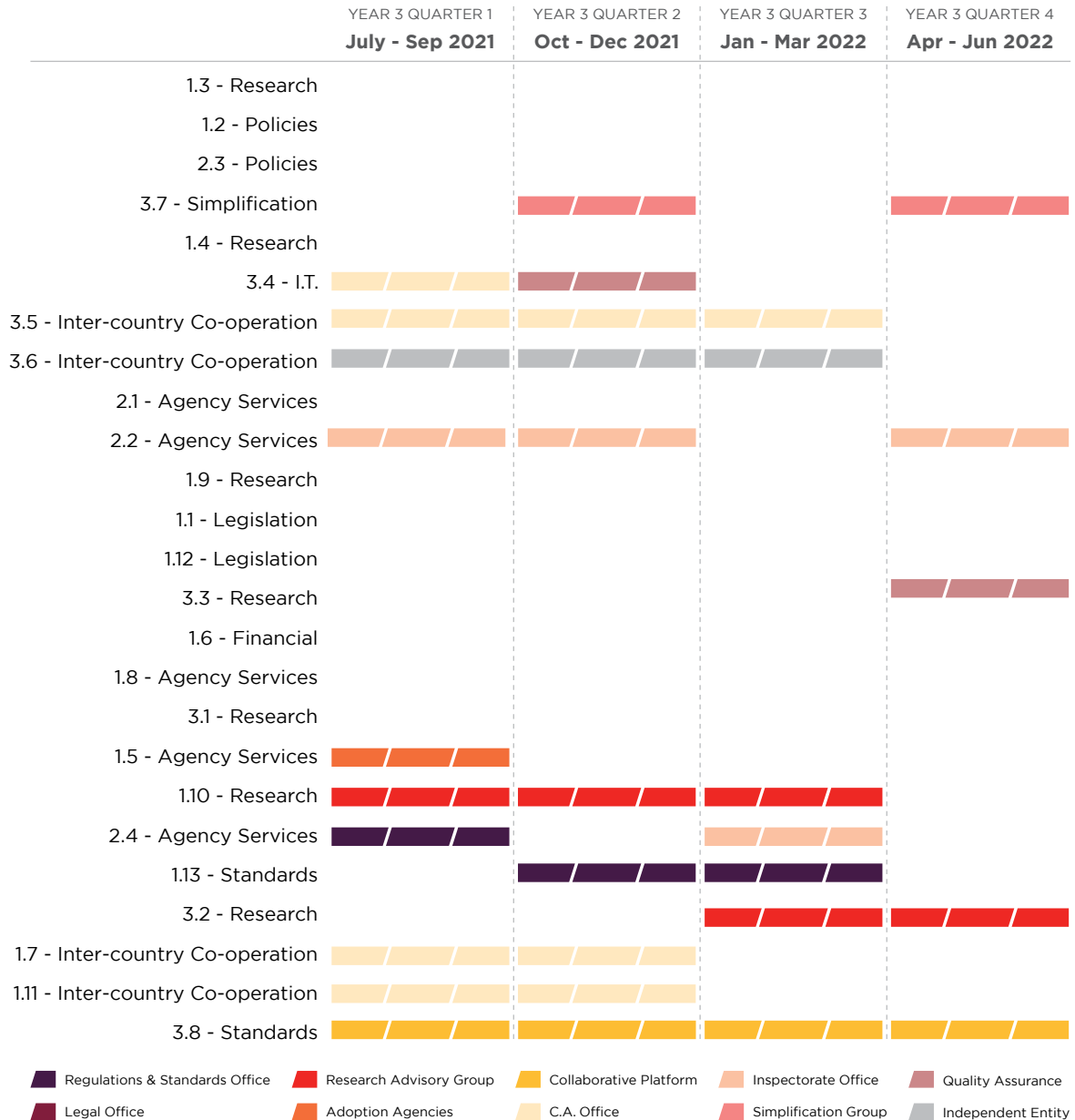
TIME LINE OF ACTION PLAN: YEAR 1



TIME LINE OF ACTION PLAN: YEAR 2



TIME LINE OF ACTION PLAN: YEAR 3



MONITORING & EVALUATION OF STRATEGY

This National Strategy will be measured annually and analysed according to the identified thematic areas and outputs by a Monitoring and Evaluation Committee. This Committee will be established within the Authority, chaired by the Chief Executive Officer and supported by the Quality Assurance Office and the Inspectorate Office. The other members of the Committee will be the Chairperson of the Collaborative Platform, the Chairperson of the Research Advisory Group and the Chairperson of the Adoptions Coordination and Simplification Group. The performance analysis will be using several data collection tools to assess whether the outcomes indicated for each priority area have been achieved within the timeframe indicated.



CONCLUSION

In real terms, this National Strategy creates a pathway that will lead to reduced waiting times by prospective adoptive parents and children during adoption proceedings. It will also empower social workers in the field of adoptions to better prepare prospective adoptive parents in their journey towards adopting children. Ultimately, adopted children will be assured the availability of specialised support services as and when they require them, even in their adulthood.

This National Strategy sets in motion an important and critical long term initiative that, along with other policies, legislation and standards, continues to make sure that children who go through adoption proceedings are truly safeguarded. Their opinion is sought in an age appropriate manner. Of equal importance, children and their families are able to gain access to quality services that support them throughout their lives.



SOCIAL CARE STANDARDS AUTHORITY

469, Bugeia Institute
St Joseph High Road
Santa Venera SVR 1012

www.scsa.gov.mt



MINISTRY FOR THE FAMILY,
CHILDREN'S RIGHTS AND SOCIAL SOLIDARITY