

THE OPENNESS CONTINUUM
CONSIDERATIONS FOR WORKERS AND PRACTITIONERS

OPENNESS (ARE 04/07)

“Openness includes written, verbal or face to face contact or communication, where the communication may be direct or indirect and may permit the disclosure of identifying or non identifying information and the frequency of contact or communication may vary from episodic to ongoing.” (CFSA Regulation 70 49.1(2))

Openness Continuum

| Type of Contact | No contact | Semi Open | | | | | Full contact between parties | |
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| | | This would include information provided in no contact and can be one or more of the options below | | | | | | |
| | Limited to Social history and medical information shared at time of placement Parties advised of Disclosure Law | Face to face meeting with no identifying information | Letter, picture once a year or # of letters, pictures, gifts through agency | Telephone contact or email between parties | Supervised visits arranged by agency | Unsupervised visits arranged by agency | Visits in a neutral location arranged by parties | Direct contact and sharing of identifying information |

Considerations for workers/practitioners in determining openness arrangements

In relation to the Child

Openness arrangements must be determined and developed with the best interests of the child in mind. In having a better understanding as to whether openness would be beneficial for this child and with whom openness should be considered, a worker should:

- review the child and family file and any supporting documentation
- consider the wishes of the child
- consult with current care givers and workers as appropriate
- speak with members of the child’s birth family or person with whom you might want to consider openness
- review current access arrangements
- consider what the openness would look like in the present and in the future
- determine whether there are adoptive families who could provide openness as well as meet the child’s other needs?
- determine what supports are required to families to assist in achieving the openness desired, are they available?
- consider whether the child would be able to form a secure attachment to adoptive family? What impact would openness have on this and could arrangements be developed to assist child?

In relation to the Adoptive Family

Adoptive families may find openness promises difficult to follow through on when they do not have the commitment to the principle that openness is in the child's best interests and do not fully understand the dynamics of an openness adoption. For example – how will you deal with a birth parent's anger/depression, unwanted calls, inconsistent messages and lack of follow through with a commitment. The worker has the task of thoroughly exploring and assessing the motivation and plan for adoption as well as the ability of all parties to cope with the stresses and difficulties that may occur. Therefore during the assessment process and again at the time of considering the family for a particular child the worker should explore and assess:

- the applicant's beliefs in regard to the influence of heredity and environment. Exploration is aimed at enhancing the applicant's knowledge of issues and exposing deeper self awareness of their flexibility and acceptance and tolerance of a child background
- the applicant's understanding of the importance of an adopted person's knowledge of his or her genealogical past and importance of ongoing, open communication between the adopted child and adoptive parents about that past and the fact of the adoption
- the applicant's feelings towards the birth parents (degree of fear/empathy); flexibility regarding open adoption issues; what preparation they have initiated themselves and any previous experience with adoption. Assessment should focus on the degree of flexibility and potential for growth in these areas
- the awareness and understanding that having a child through adoption means the child has another set of parents - the ones who gave birth to the child
- the applicant's openness in sharing the fact of adoption with family and friends
- care must be taken to help prospective adoptive parents to determine whether they can accept openness in an adoption, and if so, to what degree.
- an applicant's motivation and commitment to openness
- the ability of the applicants to establish and maintain marital and family boundaries to help ensure that the child grows up with a clear and secure identity as a child of the adoptive family. One indicator of such ability might be seen in how current boundaries are maintained with members of the respective extended families
- the maturity and stability of each participant and their ability to deal with various stages and development of open adoption. There are some pitfalls and disadvantages of which the adoptive family needs to be aware and for which education is necessary.

Issues adoptive parents must be prepared to discuss with their children:

- The child's concerns, feelings, questions and need for information about the birth parents, birth relatives and others who have been important to the child
- The reasons for his/her adoptive placement
- Issues regarding the child's racial and cultural origins, particularly if they are different from the adoptive family including child's feelings of cultural isolation and encounters with racism or discrimination
- The child's feelings of grief regarding the losses in his/her life

- The child's interests in or need for contact and communication with birth relatives and others who are important to him/her
- Adoption Disclosure Legislation

Characteristics of an adoptive family identified as positive indicators for openness:

- flexibility
- ability to not personalize
- ability to see the big picture
- can resolve conflict without holding a grudge
- understanding and acceptance of fact child has another family or other significant people in their life
- demonstrates positive attitudes towards birth parent
- if adoptive family was the foster family, their ability to manage access in a healthy and positive way
- sufficient level of support from extended family/friends
- children in the family currently have positive openness arrangements
- have been able to integrate concepts from training
- have confidence in their own parenting ability and style
- ability to set boundaries
- ability to take risks
- demonstrated sensitivity, empathy to core issues in adoption, and ability to see need for openness from eyes of their child as well as members of their birth family, extended family, community or Indian or native band, foster parent or former custodial parent

When considering whether a person with whom the child might benefit from an openness arrangement a worker should

- determine whether members of the child's birth family, extended family, community or Indian or native band, foster parent or former custodial parent can accept openness in an adoption, and if so, to what degree.
- thoroughly explore and assess the motivation and plan for adoption as well as the person's ability to cope with the stresses and difficulties that may occur. A birth family may request openness based on their own ambivalence about the adoption decision. They may see openness as a way of maintaining contact with the child and their ability to be committed to the best interests of the child may be seriously impaired
- consider the person's intellectual ability and ability to comprehend the implications of the change in a child's status and the fact that the adoptive parents will make critical decisions about the child's well being.
- consider safety issues for child for example, mental health issues, maltreatment or abuse?
- consider possible risks, if openness is with siblings or grandparents? what are the boundaries around those who should not have openness?
- determine the person's support system to manage the evolving relationship with child?

- determine whether counselling/support required and is it available?
- consider how have they managed visits in the past?
- determine whether a transition phase required to complete the protection proceedings and reassess outside a litigious atmosphere, it might be helpful to reassess during adoption probationary period so players can become more familiar with one another?
- consider if they are able to be child focused?

STANDARD FEATURES IN AN OPENNESS AGREEMENT

Set out that:

- The purpose of the agreement is to provide the child with an opportunity to facilitate communication or maintain relationships with a specified individual(s)
- The parties recognize that the child's best interests are the focus of the agreement.
- The parties recognize that the adoptive parent(s) role is the legal parent(s) and ultimately the adoptive parent is the parent at law and so responsible for all decisions about the child.
- The parties recognize that the child has a need to maintain significant connections.

Using the openness definition describe the type of openness arrangement. If there are a range of openness possibilities, including visits, it may make sense to go through the various options and specify how each will be carried out, for example if gifts may be exchanged – when and how often, where will they be sent, any restrictions to this, how will changes be made? If a third party is involved, specify what the involvement is. The agreement of any party to an openness arrangement is required.

Suggested points to be included in the agreement: Parties:

- need to be open and honest
- should consider the perspective of the other parties and child; be respectful
- stay flexible and open to possibility of changes over time and life stages
- keep each other updated re changes in contact information
- update each other with new medical information/important life events
- alternate arrangements to maintain connections should adoptive or birth parent die/be unavailable
- agree the arrangement is not meant to restrict mobility of adoptive family and suggest alternatives to allow for contact appropriate to the distance
- agree to attempt to make any changes to the arrangement through negotiation/mediation
- agree should there be a misunderstanding or difference of opinion parties agree to seek assistance of a counsellor or mediator
- acknowledge parties have the right to have independent legal advice before signing