

Name of meeting: Cabinet
Date: 26th July 2016
Title of report: Regionalisation of Adoption Services

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes If yes give the reason why Will affect all Wards
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name Is it also signed off by the Director of Resources? Is it also signed off by the Assistant Director (Legal Governance and Monitoring)?	Sarah Callaghan, 18 July 2016 David Smith, 15 July 2016 Julie Muscroft, 18 July 2016
Cabinet member portfolio	Cllr Erin Hill, Portfolio Holder for Family Support & Child Protection

Electoral wards affected: All
Ward councillors consulted: None
Public or private: Public

1. Purpose of report

- 1.1 The purpose of this report is to provide information about the adoption reform proposals contained within the Education and Adoption Act 2016 with a view to report back in December 2016 with further detail of progress and an equality impact assessment and authorisation for the Director of Children's Services to continue to work with the other participating councils to progress the formation of the Hub and Spoke model for the regionalisation of adoption. The government is clear that all local authorities will be part of a Regional Adoption Agency (RAA) or will have delegated their adoption functions to a RAA by 2020.
- 1.2 Kirklees has been working in collaboration with other Local Authorities and Voluntary adoption agencies (VAA's) throughout the Yorkshire and Humber region to create a new model of service delivery for adoption services in line with the government's agenda

This report sets out the plan to develop a hub and spoke model of delivering adoption services in the region. The intention is that the regional hub will fulfil some functions and there will be three spokes: West Yorkshire, South Yorkshire and North and Humber spokes who will deliver adopter recruitment, assessment and adoption support at a local

level. The plan is that the five West Yorkshire Local Authorities will come together to form a West Yorkshire RAA, hosted by Leeds City Council. Agreement is sought in principle to implement the proposed model subject to the resolution of the issues detailed at 2.1.

2. Summary

2.1 Cabinet are asked to endorse in principle the proposed creation of a West Yorkshire Adoption Agency and that Leeds City Council becomes the host authority for the agency subject to the satisfactory resolution of the following:

- The establishment of a joint committee with appropriate membership under section 102 of the Local Government Act 1972 and the Local Government Act 2000, terms of reference and rules of procedure;
- The appointment of a management board including the West Yorkshire local authorities and third sector organisations through a partnership agreement;
- Proposed delegation of functions from the Joint Committee to the lead officer within the West Yorkshire Adoption Agency with regard to the recruitment and assessment of adopters, adoption panels, family finding and adoption support;
- Council procedures with regard to the service review and the transfer of staff (TUPE) from Kirklees Council into Leeds City Council on or around 1st April 2017;
- The establishment of a satisfactory budget for the new agency and a funding formula to reflect each Local Authorities' contribution to the regional agency budget in a fair and transparent way, detailing that there will not be a greater cost to Kirklees than current service delivery. Establish the commissioning needs of the new agency and the ICT requirements;
- The creation of an organisational unit within Leeds City Council for the new West Yorkshire Adoption Agency. The lead officer for this will be Leeds City Council's Director of Children's services and the unit will sit within children's services.

3. Information required to take a decision

Nationally

3.1 In 2015 the government published "Regionalising Adoption", a White Paper with the stated intention of improving the provision of adoption services through the establishment of regional adoption agencies. The key aims of this are:-

- To place more children in a more timely way
- To recruit more of the right families for the children waiting, preparing them consistently and well.
- To improve the range, accessibility and quality of adoption support

3.2 The issues that the government were seeking to address within the adoption reform are as follows:-

- Inefficiencies:
The current system is fragmented with around 180 agencies, both Local Authority and Voluntary Adoption Agencies (VAA), recruiting and matching adopters for 5000 children per year. The majority of agencies are operating at a very small scale and this hinders strategic planning and economies of scale.

- Timeliness of placing children:

Whilst there has been significant improvement in the performance of Local Authorities in placing children swiftly with adoptive families there is further progress that can be made. This is particularly the case with harder to place children, often older, within a sibling group or with a disability.

- Adopter recruitment:

There has been improvement in both the number of adopters recruited and the timescales to achieve this. However, whilst the number of approved adopters nationally is now greater than the number of children waiting, many of these adopters are less willing to consider those children who are harder to place.

- Adoption support:

The help that is offered to families after adoption is the responsibility of Local Authorities. However, it is currently fragmented and characterised by a combination of in-house and spot purchased arrangements with often significant variations between local authority areas.

West Yorkshire

- 3.3 The Education and Adoption Act 2016 is clear about the regionalisation agenda and government is clear that all local authorities will be part of a Regional Adoption Agency (RAA) or will have delegated their adoption functions to a RAA by 2020.
- 3.4 The plan is to develop a hub and spoke model of delivering adoption services in the region. The intention is that the regional hub will fulfil some functions and there will be three spokes: West Yorkshire, South Yorkshire and North and Humber spokes who will deliver adopter recruitment, assessment and adoption support at a local level. The plan is that the five West Yorkshire Local Authorities will come together to form a West Yorkshire RAA, hosted by Leeds City Council.
- 3.5 The Yorkshire and Humberside consortium have been successful in becoming an early adopter of the regionalisation agenda and have secured financial support, £1.6 million from the Department of Education to assist with the transition to the new hub and spoke model across the region.
- 3.6 In West Yorkshire, Leeds, Bradford, Wakefield, Calderdale and Kirklees local authorities and the VAA's have been working closely together to develop the West Yorkshire RAA as well as looking at the wider collaboration across the Yorkshire and Humber Region.
- 3.7 An options appraisal has been undertaken in West Yorkshire to determine the best model of delivery.
- 3.8 The first option is to maintain the status quo position and continuing with our present arrangements as an Adoption Agency. This has been ruled out as it does not meet the need to reduce the number of adoption agencies that the government requires. If Kirklees does not implement this proposal it would be out of step with the Yorkshire and Humber Local Authorities and will miss the opportunity of the central Government development funding to develop an alternative model.
 - The second option is to create a regional adoption service. This would make better use of resources to find adopters and match children to families quickly. If the Council does not implement this in a collegiate way with regional authorities it is likely to be forced by Central government to do so with less control over the process, arrangements and service delivery

In considering a preferred delivery model the West Yorkshire project board undertook an options appraisal and considered four options:-

- A regional adoption agency named accordingly, led by a host West Yorkshire local authority;
- A regional adoption agency, led by a local authority trading company;
- A new regional voluntary adoption agency established by partnership arrangements; and
- A regional adoption agency led by an existing voluntary adoption agency within the West Yorkshire region undertaking the role in the areas of the 5 LA's.

The outcome of the appraisal was that partners support the integration of the 5 Local Authority adoption agencies into a single regional agency led by a host local authority. All local authorities and the VA alliance indicated the choice for Leeds City Council to host the agency.

- 3.9 After considering the various options / models that might be available to achieve a regional approach it was concluded that West Yorkshire would create a joint committee structure. Members will be familiar with Joint committee arrangement through West Yorkshire Trading Standards and Yorkshire Purchasing Organisation. The creation of a joint committee will involve the appointment of a lead or host authority and it will require the delegation of activities/ responsibilities by the member authorities to the lead authority to run the activities on a day to day basis. It is envisaged that the new regional adoption agency joint committee arrangement will be hosted by a local authority (Leeds), with a localised presence while maintaining a local service in children's services offices across the across West Yorkshire area.
- 3.10 There is a clear transitional plan in place and the RAA will provide a centre of excellence for adoption practice. The plan is that the RAA will become operational by April 2017 providing a high quality service for children and adoptive families. This is a good opportunity to improve the current adoption system in relation to streamlining the recruitment and assessment of adopters; to improve the timely matching of children and adopters and the provision of adoption support services across the region. This will be of great benefit for Kirklees children waiting for adoption particular for those that are harder to place for example sibling groups and older children.

4. Implications for the Council

Financial Implications

- 4.1 One of the likely benefits of the regionalised approach will be the realisation of economies of scale. The management of the Kirklees adoption responsibilities are likely to require fewer resources once the regional agency is established. Any forecast savings will be clarified during the 2016/17 financial year once the identified model is confirmed and implementation plans are enacted. The Partnership Agreement will set out details of the Regional Adoption Agency budget, with an agreed funding formula. Further information will be available in December 2016 report.

Service Delivery and Governance implications

- 4.2 This is a good opportunity to improve the current adoption system in relation to streamlining the recruitment and assessment of adopters; to improve the timely matching of children and adopters and the provision of adoption support services across the region. The RRA will be registered with OFSTED to ensure compliance and quality.

- 4.3 The adoption functions to be delegated to the West Yorkshire RAA include adopter recruitment and assessment, adoption panels, family finding and adoption support. Each Local Authority will still retain the responsibility for decisions about the planning for children and the match with a family. There are opportunities for further funding across the RAA's with the DfE putting £16 million into looking at innovation and redesigning practice in this area and to improve the skills of the workforce to support permanence decisions and provide high quality adoption support. West Yorkshire Councils are currently part of an expression of interest to the DfE.
- 4.4 The new arrangements will be overseen by a Joint Committee of councillors representing the 5 local authorities, who have knowledge of and responsibility for children's services. It is proposed that this will meet as a minimum of one meeting per year with others to be arranged at the chair's discretion. This will enable flexibility in terms of number of meetings if Members feel more control is necessary in the early days but are happy to exercise a lighter touch as the RAA becomes established. The Director will appoint a Head of Service for the RAA and the Joint committee will receive the reports of performance and progress from the Head of Service and the Chair of the Management Board.
- 4.5 The management and performance management oversight of the RAA will be undertaken by a management board comprising local authorities' Directors of Children's Services or their delegates with co-opted representation on board from the voluntary adoption alliance. They will be supported by 4 nominated representatives from the voluntary adoption alliance (Y&H) the adopters' forum and the adoptees forum. The management board will meet 2 monthly to review both RAA functioning and also the impact for West Yorkshire's children, adopters and birth families.
- 4.6 The strategic direction of the RAA will be discussed and agreed by the Joint Committee following the advice of the Management Board. The Joint committee will provide support and challenge to the management board in exercising their corporate parenting role, regarding the functions delegated to the RAA. The strategy will set stretch targets with key performance indicators. The RAA will be required both to maintain the good performance in WY to date but also to evidence the added value that the RAA has brought to the outcomes for children, their adoptive families and the support for adoption in addition to evidencing value for money.
- 4.7 There is an ongoing scoping exercise to identify affected staff who are likely to transfer to Leeds. The intention is for the identified staff to remain located in Kirklees. The Council will comply with its statutory obligations to inform and consult with affected staff and Trade Unions.

5. Consultees and their opinions

- 5.1 There has been regional consultation with lead members for children across the region to keep them updated about progress and this has also taken place locally. Leaders of Councils and newly appointed Lead members have been briefed and there will be more detailed and ongoing consultation as the project develops.
- 5.2 The transfer of the adoption function to the regional agency and staff from other Local Authorities to Leeds will require detailed HR processes to address TUPE, assimilation, due diligence etc. as well as formal consultation with the staff and trade unions in the coming months.
- 5.3 Engagement of adopted young people, adoptive parents and birth families has being underway regarding this agenda, with adoptive parents on the project board to ensure that

the service is developed to meet the needs of adoptive families as the RAA is being developed

- 5.4 An equality impact assessment will be completed as part of the consultation process.
- 5.5 A further report to cabinet will be produced following the consultation period [with final decision being made by Cabinet once final arrangements are clearer .

6. Officer recommendations and reasons

- 6.1 It is recommended that Cabinet approve the formation of a Joint Committee comprising five West Yorkshire Councils with Leeds City Council being the 'host'. This will include sub-regional adoption agency arrangements for West, South and North Yorkshire. Kirklees, with the other West Yorkshire councils, will form the West Yorkshire Agency and this will take on the adoption functions of Kirklees Council. There is one exception; the Agency Decisions (whether adoption is in the children's best interests) for Kirklees children will remain with the Council.
- 6.2 It is recommended to give authorisation for the Director of Children's Services to continue to work with the other participating councils to progress the formation of the Hub and Spoke model for the regionalisation of adoption.

7. Cabinet portfolio holder's recommendations

The Portfolio Holder supports the recommendations for Cabinet to approve:

- the formation of a Joint Committee comprising five West Yorkshire Councils with Leeds City Council being the 'host'. This will include sub-regional adoption agency arrangements for West, South and North Yorkshire. Kirklees, with the other West Yorkshire councils, will form the West Yorkshire Agency and this will take on the adoption functions of Kirklees Council. There is one exception; the Agency Decisions (whether adoption is in the children's best interests) for Kirklees children will remain with the Council;
- authorisation for the Director of Children's Services to continue to work with the other participating councils to progress the formation of the Hub and Spoke model for the regionalisation of adoption.

8. Contact officer

Lorraine Wood – Head of Sufficiency, IT and Performance

9. Background Papers and History of Decisions

Regionalising Adoption White Paper,

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/437128/Regionalising_adoption.pdf

Education and Adoption Act 2016

<http://www.legislation.gov.uk/ukpga/2016/6/enacted>

10. Assistant Director responsible

Carly Speechley, Interim AD Family Support & Child Protection [is this correct title??]