

Report to the Cabinet

Meeting to be held on Thursday, 12th March 2020

Report of the Head of Service – Adoption, Fostering and Residential Youth Offending Team

Part I

Electoral Division affected:
(All Divisions);

Implementation of the Lancashire and Blackpool Regional Adoption Agency

Contact for further information:

Barbara Bath, 07778140453, Head of Service – Adoption, Fostering and Residential Youth Offending Team, Barbara.bath@lancashire.gov.uk

Executive Summary

In May 2015, the government announced changes to the delivery of adoption services which required that, by April 2020, all adoption services would need to be delivered on a regional basis through Regional Adoption Agencies. The aim of this delivery model is to increase the number of children adopted, reduce the length of time children wait to be adopted and to improve post adoption support services to families who have adopted.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

Recommendation

Cabinet is asked to agree to merge the delivery of Lancashire County Council and Blackpool Council's Adoption Services to form the Lancashire and Blackpool Regional Adoption Agency, with Lancashire acting as the Host Authority.

Background and Advice

Lancashire County Council and Blackpool Council have been working together since May 2018, to design and develop the 'Adoption Lancashire and Blackpool' Regional Adoption Agency, with Lancashire being the Host Authority. Grant funding to set up the Regional Adoption Agency was approved by the Department for Education in early 2018, and a project team was set up in May 2018.

The Regional Adoption Agency will deliver services around:

- Recruiting, assessing and approving adopters;
- Running Adoption panels;

- Providing adoption support services to adoptive families; and
- Finding families to meet the needs of Blackpool and Lancashire children awaiting adoption.

Legal, financial and operational agreements have been agreed by the Regional Adoption Agency Board and between Lancashire County Council and Blackpool Council, to facilitate the establishment of the Regional Adoption Agency.

'Regionalising adoption' was an ambition set by the Department for Education in 2015, with the following aims:

- A system where children are matched with the most suitable adopters as quickly as possible;
- Recruitment taking place at an efficient scale to provide a pool of 'adopter ready' adopters large enough and well enough matched to the needs of children waiting;
- Enough high-quality adoption support services available nationwide.

All local authorities must be part of a Regional Adoption Agency by 2020 and there are now **24 live** Regional Adoption Agencies across the country covering **112** local authorities.

The minimum criteria for Regional Adoption Agencies set by the Department for Education are:

- A single line of accountability for functions that sit within the Regional Adoption Agency;
- Reporting into robust governance agreements, with the right leadership;
- A Head of Service with specific responsibilities, such as line management of all Regional Adoption Agency staff and responsibility for the pooled budget;
- Pooled funding into a single Regional Adoption Agency budget;
- Core functions of recruitment, matching and support transferred into the Regional Adoption Agency;
- Pan-regional approach: embedding best practice across the Adoption Agency;
- A system wide approach to meeting the needs of children and families.

The proposed model for the Adoption Lancashire and Blackpool Regional Adoption Agency will include delivery of the following services, in addition to the minimum criteria set out by the Department for Education as detailed above:

- Recruitment, assessment and support of early permanence carers;
- Adoption panels;
- Family finding for Blackpool and Lancashire children awaiting adoption.

The proposed Adoption Lancashire and Blackpool Regional Adoption Agency will go live with all the above functions from 1st April 2020.

Decisions have been made around the Regional Adoption Agencies design through a board comprising:

- Chair of the Board – Blackpool’s Director of Children’s Service
- Service Decision Makers – Heads of Services from Blackpool and Lancashire
- Finance leads from Blackpool and Lancashire
- Deputy Head of legal from Blackpool
- Commissioning Lead from Lancashire
- A Voluntary Sector Representative
- A Department for Education Coach

Other people who attend the board include the project team, representatives from communications and branding, Human Resources and ICT as required.

Consultations

Consultations have been held internally with staff in Blackpool’s Adoption Service and Lancashire’s Fostering and Adoption service. These consultations have been held at different points throughout the project’s development. This staff consultation activity has included:

- Co-designing future practice processes in the Regional Adoption Agency through workshops;
- Seconding staff into the temporary project team to develop the Regional Adoption Agency;
- Designing and enacting a thorough communication plan whereby staff are given updates and the opportunity to air the views and ask questions after each Regional Adoption Agency board meeting;
- Formally consulting with staff around Human Resources changes and proposed new staffing structures in the Regional Adoption Agency.

External consultations have been held throughout the project’s development with a range of stakeholders, such as:

- Running a dedicated children’s climbing event for adopted children;
- Involving Adopters in workshops to help design the branding and future processes;
- Surveying service users, including birth families, on their experience of Adoption Services and how they could be improved;
- Collaborating with independent panel members to design an improved panel experience for Adopters;
- Representatives from local Voluntary Adoption Agencies have attended board meetings and other service design meetings.

All consultation feedback has been communicated to the Regional Adoption Agency Board and incorporated into the design of the Regional Adoption Agency. The name and logo design, for example, was almost wholly based on Adopter feedback.

Implications:

This item has the following implications, as indicated:

Legal

By establishing the Blackpool and Lancashire Regional Adoption Agency, the county council will comply with its obligation under section 3ZA of the Adoption and Children Act 2002 (as amended by the Education and Adoption Act 2016) to enter into joint arrangements for the provision of adoption services.

The proposed Regional Adoption Agency model will, ensure that high quality adoption services are available to meet the needs of Lancashire's and Blackpool's children. Statutory work around Adoption will remain with the respective local authorities and ultimate responsibility for the children will remain as it is and will not be transferred to the Regional Adoption Agency.

A legal agreement has been agreed between Blackpool and the county council and both authorities' respective legal teams.

Human Resources

There is provision for staff from Blackpool Council to be seconded into Lancashire as the host authority for the Regional Adoption Agency. This means that Blackpool staff being seconded into the Regional Adoption Agency will remain Blackpool Council employees and retain their current terms and conditions. There will be no impact to employee's pensions. A secondment agreement has been agreed between Lancashire and Blackpool and is appended as a schedule to the legal agreement set out in the Background Papers. This agreement will be reviewed 12 months after the Regional Adoption Agency has gone live. Currently, there is only one part time member of staff who is being seconded.

The Regional Adoption Agency's staffing model has been designed with the aim of recruiting 100% of the number of adopters needed for Lancashire and Blackpool children. This would mean that the Regional Adoption Agency would become much less reliant on spending money with external agencies to find children Adoptive families. Accordingly, some additional staffing posts have been created in the structure using current budgets and at no additional cost. There have been no reductions in posts as a result of the establishment of the Regional Adoption Agency and there are no potential redundancy implications.

Staff in Blackpool's Adoption team and Lancashire's combined Fostering and Adoption service were consulted on proposed staffing structures for the Regional Adoption Agency in May and September 2019. These consultations were carried out in conjunction with colleagues from each local authority's Human Resources teams, Senior Managers and Trade Union representatives.

Staff were given the option of whether they wanted to join the Regional Adoption Agency or remain in their local authority team, with competitive interviews taking place where more staff expressed interest for the number of posts available.

Some staff joining the Regional Adoption Agency were required to move location as the Regional Adoption Agency's services will be delivered from a central base in Lancashire's offices in central Preston. However, staff will have the ability to

touchdown in Blackpool's Adoption team office at Bickerstaffe House, Blackpool and the other four district offices used by Lancashire's Fostering and Adoption teams.

New or vacant posts being created in the setup of the Regional Adoption Agency were advertised internally and externally to both authorities, and on Lancashire's terms and conditions as host authority. All vacant posts in the Regional Adoption Agency will be created on Lancashire's terms and conditions.

Equality and Cohesion

The Regional Adoption Agency will continue to provide targeted services for all its children and families, including promoting adoption to potential adopters with protected characteristics and to meet the needs of children that wait longer.

The Regional Adoption Agency model will continue to meet the statutory duties under Section 149 of the Equality Act.

All Human Resources processes will be undertaken in line with Equalities legislation and guidelines. It has been determined that an Equality Impact Assessment is not required as the Regional Adoption Agency should not have an adverse impact on protected characteristics groups of members of staff, adopters or families.

Financial

The initial setup and implementation of the Regional Adoption Agency until go-live date is funded by the Department for Education grant provided to both local authorities. Once the Regional Adoption Agency is operational in April 2020, it must have its own pooled budget in place.

The following five financial principals have been agreed between both Lancashire County Council and Blackpool Council:

No	Principles:	What this Means:
1	We will commit to a minimum amount for the budget on an annual basis to give stability.	Local authorities will pay a minimum amount to the Regional Adoption Agency every year to ensure it has enough money to run. In the first year, this will be no less than the current spend.
2	Annual commitment to number of posts in teams and that vacancies will be filled.	Local authorities will commit to dedicating a specified number of posts to the Regional Adoption Agency. There will be no staffing reductions in an agreed initial period from the Regional Adoption Agency going live.
3	There will be no interagency fees between local authorities who are members of the Regional Adoption Agency.	The Local authorities will not pay or receive income for interagency fees within the allocated quota and 9% tolerance for placing children with adopters with each other.
4	There will be interagency	We will continue to pay our voluntary

	fees paid to our Voluntary Sector Partners.	agency partners interagency fees for placing our children with their adopters.
5	Overhead costs of running the service will need to be shared amongst members of the Regional Adoption Agency on an agreed basis.	We will agree to split overhead costs (i.e. Human Resources, ICT, accommodation, etc.) between the local authorities to ensure this is shared fairly and the host does not carry this burden.

The financial model adopted by the Regional Adoption Agency is based on both local authorities contributing to the Regional Adoption Agency's pooled budget by paying in current/average expenditure levels on delivering adoption services.

The financial contribution to the Regional Adoption Agency from each local authority is as follows:

	Lancashire Contribution	Blackpool Contribution	Total £m
Contribution 2020/21	£1.885m	£0.998m	£2,883m
Percentage Contribution	65%	35%	100%

Any surplus that is not reinvested in the Regional Adoption Agency, as agreed by the Regional Adoption Agency board, will be returned to each local authority on a proportional basis, based on the overall percentage financial contribution made by the authority to the Regional Adoption Agency (65% Lancashire and 35% Blackpool).

Similarly any deficit will met by each local authority in the same proportion. Where demand increases beyond the agreed quota, the Regional Adoption Agency will be responsible for additional placements up to an increase of 9% and thereafter each local authority will be responsible funding the cost of placing children for adoption.

The rationale for the Regional Adoption Agency project has not, primarily been driven by the need to make financial savings. However, the resulting economies of scale, coupled with a more strategic approach could mean that financial savings are realised once the Regional Adoption Agency has become established. It is important to note that the formation of the Lancashire and Blackpool Regional Adoption Agency utilises existing budgets and provision has been made in the agreement to manage risks associated with changes in demand and lack of sufficiency particularly in the first 1-2 years of the Regional Adoption Agency.

One of the distinct benefits of combining the Adoption services of the two Local Authorities is that a co-ordinated service should be more efficient and increase the likelihood of looked after children finding permanent families more quickly.

Risk Management

A local authority hosted model is considered a risk averse option of establishing a Regional Adoption Agency. This has meant that the Regional Adoption Agency has not had to setup complicated arms-length organisations and has benefited from using the host authority's well-established support infrastructure. This has reduced

costs and risks around establishing a new organisation. To date, 20 Regional Adoption Agencies have been established using the hosted model.

Staff from Blackpool Council are being seconded into the Regional Adoption Agency for an initial period of 12 months. This ensures that Blackpool staff are offered protection on their current employment contracts. The 12-month review period means that board members can allow the Regional Adoption Agency to 'settle' before considering any other options. This has reduced the risk of destabilising the workforce by changing terms and conditions.

The Regional Adoption Agency has been designed based on a best practice model. There will be some disruption to current ways of working which this has been planned for. As part of the design of the Regional Adoption Agency clear reporting mechanisms are being designed so that key performance indicators continue to be monitored by the board as the service goes live. Governance of the Regional Adoption Agency will comprise monthly Board meetings for the first six months of operation and thereafter three-month intervals. Monitoring service performance will be achieved through a performance dashboard. With this level of monitoring any deviation from expected performance can be picked up at an early stage and mitigating action put in place.

List of Background Papers

Paper	Date	Contact/Tel
Regional Adoption Agency Agreement between Lancashire County Council and Blackpool Council	N/A	Barbara Bath, 07778140453,

Reason for inclusion in Part II, if appropriate

N/A