

# Central Bedfordshire Council

Executive

4 December 2018

## Regional Adoption Agency

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**Report of:** Cllr Steve Dixon, Executive Member for Families, Education and Children  
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**This report relates to a decision that is Key/Non-Key**

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### Purpose of this report

1. In line with the Government's policy of Regionalisation of Adoption Services, it is proposed that Central Bedfordshire Council's adoption service combines its service with that of Milton Keynes Council.
2. This report sets out the plans for forming the Regional Adoption Agency (RAA) which will be hosted by Central Bedfordshire Council and seeks delegated authority for the Director of Children's Services (DCS) to negotiate and conclude a partnering agreement to enable this to be implemented with a planned live date of 1 April 2019.

### RECOMMENDATIONS

The meeting is asked to:

1. **approve Central Bedfordshire Council Adoption Service becoming part of a Regional Adoption Agency (RAA) by merging services with Milton Keynes;**
2. **delegate authority to the DCS to approve the signing of a partnership agreement with Milton Keynes Council to implement the RAA; and**
3. **delegate the leadership and management of the RAA to the DCS.**

### Overview and Scrutiny Comments/Recommendations

3. Children's Services Overview and Scrutiny Committee considered the proposal on 11 September 2018 and recommended that the Executive continue to monitor those Local Authorities wishing to join the RAA in the future and that additional detail in relation to the governance structure of the RAA be delivered to the Executive.

## Issues

4. The Department for Education (DfE) require all local authorities (LAs) to 'regionalise' adoption services by 2020. As well as providing a level of funding and support to facilitate this transition, DfE has taken powers to direct LAs to regionalise if required. The aim of the policy is to create greater scale and consistency across adopter recruitment, matching and support practices to improve the extent and timeliness of adoption for children where it is in their best interest.
5. Forming a RAA involves integration of delivery across LAs (not necessarily within a traditional 'region'), under a single brand, management structure, and organisation. A RAA must also involve one or more Voluntary Adoption Agencies (VAAs) in their formation.
6. Central Bedfordshire Council has been part of the Central East RAA project since 2016 which originally involved seven LAs and was led by Coram. In August 2017 Central Bedfordshire Council took over project leadership and an Outline Business Case (OBC) and Full Business Case (FBC) were developed. Following the OBC, four of the LAs left the RAA project leaving Central Bedfordshire Council to develop a FBC with Milton Keynes and Bedford Borough. Subsequently, Bedford Borough decided not to proceed with implementation. Although small for a RAA, the DfE has been very supportive in encouraging the two remaining Councils to join their services with a possibility of other LAs joining later.
7. Work is now in progress to implement the RAA including operational, legal, financial, HR and IT workstreams. This report seeks delegated authority to enter into the necessary legal agreements to enable this to happen with a target date of 1 April 2018.

## Option for consideration

8. Various options for delivery of the RAA, including setting up a separate company, were considered during the development process. However, a local authority hosted model was considered the best option – due to its ease of set up and operation (as no new legal entity is created) and ability to deliver within the budget envelope.
9. The RAA will be an integrated adoption service, with a single team working across the two LAs under the leadership of a single Service Manager. The service will provide:
  - Shared adopter recruitment and assessment – a single “pool” of adopters
  - Shared matching of children to adopters
  - Shared adoption support, and
  - Shared adoption panel
10. Central Bedfordshire will act as “host” LA which will involve:
  - Acting as the legal entity for the RAA – including being paymaster/commissioner/procurement authority for contracted services and all inter agency fees
  - Acting as Agency Decision Maker for approving Adopters
  - Providing support services to enable the RAA to operate

11. The individual LA's and the relevant director as the Agency Decision Maker will remain responsible for approving Children being placed for adoption.
12. To ease the transition, Milton Keynes staff will be seconded to Central Bedfordshire Council as the RAA host. New staff required in adoption will be appointed by the host. No redundancies are anticipated, and staff will not be required to relocate as the two existing office bases will be used and agile working will operate.
13. A legally binding Agreement is being developed to specify the service to be provided and to set out the terms of the partnership and duties of each party. Governance will be exercised via a RAA Board which will consist of the relevant director from both LAs.
14. The Board will also involve representatives from the two Voluntary Adoption Agency (VAA) partners, St Francis Children's Society and AdoptionPlus, who have helped with the design of the RAA. The VAAs will be non-voting members. There also will be a RAA Operational Board consisting of the RAA Service Manager plus the two Heads of Corporate Parenting – this will meet regularly and be responsible for operational matters.

## **Reasons for decision**

15. As well as the requirement to comply with national policy there are there are benefits from combining the two adoption services:
  - Improving adopter recruitment and matching by operating at greater scale and making use of best practice
  - help children to find a permanent home thereby reducing the time children have to wait to find a permanent home
  - Fewer disruptions and breakdowns due to more effective pre and post adoption support
  - Potential cost avoidance as a result of children spending less time in care
  - Improved outcomes for children as a result the timely placemen of children there will be improved outcomes for them.

## **Council Priorities**

16. The proposal supports the Protecting the vulnerable, improving wellbeing Council priority.
  - Enhancing Central Bedfordshire
  - Great resident services
  - Improving education and skills
  - Protecting the vulnerable; improving wellbeing
  - Creating stronger communities
  - A more efficient and responsive Council.

## Corporate Implications

17. None to explain.

## Legal Implications

18. A comprehensive Partnering and Hosting Agreement is being drafted by the Council's legal advisers LGSS Law and will be scrutinised by Milton Keynes' legal team before being cleared for signature by both Councils. There are already 10 RAAs operating across the country and the project benefits by drawing on agreements developed for similar arrangements including provisions covering GDPR.
19. The draft Agreement states the legal basis for the proposed arrangements is as follows:
- Central Bedfordshire Council and Milton Keynes Council intend to discharge their adoption functions jointly pursuant to section 101(5) of the Local Government Act 1972; sections 9EA and 9EB of the Local Government Act 2000 (as amended); the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2012; Section 111 Local Government Act 1972 and all other enabling powers for joint working arrangements.
  - Both Councils are best value authorities with duties and powers to make arrangements to secure continuous improvement in the way they exercise their functions, having regard to a combination of economy, efficiency and effectiveness pursuant to Part I of the Local Government Act 1999.

## Financial and Risk Implications

20. The combined adoption service will have a gross expenditure budget of £1.43m, employ 20 full time equivalent staff and place 25-35 children per year for adoption. The draft RAA budget 2019/20 is summarised as follows:

|                                  | <b>FTE</b> | <b>£000s</b> |
|----------------------------------|------------|--------------|
| Employees                        | 20.10      | 928          |
| Non-staff expenditure            |            | <u>505</u>   |
| Gross expenditure                |            | 1,433        |
| Less : Income                    |            | <u>416</u>   |
| Net expenditure                  |            | 1,017        |
| Funded by contributions from LAs | £000s      |              |
| – Central Bedfordshire           | 549        |              |
| – Milton Keynes                  | <u>471</u> |              |
|                                  |            | <u>1,020</u> |
| Surplus                          |            | <u>-3</u>    |

21. The RAA plans to operate within existing revenue resources. For 2019/20 each Authority's funding contribution to the RAA will be in proportion to their current year adoption budgets as shown above.

22. All MK adoption staff will be seconded to Central Bedfordshire Council to form the RAA. The costs of implementation will be met from the DfE implementation grant. No capital implications are anticipated as existing staff bases and current IT infrastructure will be used.
23. All risks associated with the new operating arrangements will be considered and managed through the Partnering Agreement and the governance arrangements. The key operational risks for the RAA are the potential loss of Adoption Support Fund due to changes in national policy and fluctuations in numbers of children placed for adoption or adopters recruited year on year. It is considered that the increased scale and pooling of resources will enable the RAA to better manage these operational risks.

## **Equalities Implications**

24. The content in this section is yet to be added by Clare Harding (Corporate Policy Adviser (Equality & Diversity)).

## **Conclusion and next Steps**

25. The Board is invited to approve the recommendation that:
  - Central Bedfordshire Council Adoption Service becomes part of a Regional Adoption Agency (RAA) by merging services with Milton Keynes, and authority is delegated to the DCS to approve the signing of a partnership agreement with Milton Keynes Council to implement the RAA and manage and lead the RAA.

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