

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Report of the Executive Director
(Children's Services)
to Cabinet

REGIONALISATION OF ADOPTION IN SOUTH YORKSHIRE

1.0. Purpose of the Report

- 1.1 To inform Cabinet of the development and formulation of the regionalisation of adoption project in the South Yorkshire sub region which has an agreement in principle from the four local authorities, Barnsley MBC, Rotherham MBC, Sheffield City Council and Doncaster Council's Children's Trust to commence on 1st January 2021.

2.0. Recommendations

- 2.1 **That Cabinet notes the progress made on the regionalisation of adoption in South Yorkshire and approves the Authority's formal involvement as a constituent member of the South Yorkshire Regional Adoption Agency (SYRAA) with effect from January 2021.**
- 2.2 **Cabinet is invited to approve: Option 3 Convening of South Yorkshire Regional Adoption Agency (SYRAA) with joint management structure, under a partnership arrangement and pooled budget as the preferred option.**

3.0. Introduction

- 3.1 Local Authorities were directed by the Department of Education to join a Regional Adoption Agency (RAA) through the Education and Adoption Act (2016) by 2021. The key principle behind the regionalisation of adoption services is that, on a national level, children are waiting far too long to be matched and placed with their adoptive families. By pooling resources, adoption agencies are more likely to increase the choice of prospective adopters and therefore identify matches between children and adoptive families more quickly and thus reduce the time that these children remained looked after in the care of the local authority. The driving force for the initiative was very much to improve the outcomes for looked after children with a permanence plan of adoption.
- 3.2 The ambition is to have a fully functioning sub regional adoption agency in South Yorkshire by 1st January 2021. "Adopt South Yorkshire" is one of the three Yorkshire sub-regional adoption agency developments, composing the local authorities of Barnsley, Rotherham, Sheffield and Doncaster, the last via its Children's Trust. Voluntary adoption agencies (VAAs) involved in project

design have included Barnardo's, After Adoption and the Yorkshire Adoption Society, among others.

- 3.3 Project support has been secured through the Department of Education and a 'Coach' has been appointed by the DfE to support all developments. It is of note that 75% of local authorities in England have already implemented a regional model of adoption. Therefore, given the delays in South Yorkshire it is a reasonable assumption to make that the DfE could impose a model if services are not aligned by the deadline date of January 2021.
- 3.4 Cabinet will recall that previous briefing reports have been considered in respect of the Yorkshire and Humberside region being an "early adopter" of regionalised adoption services supported by DfE. At the Cabinet meeting on the 21st September 2016 Cabinet supported the proposal for Doncaster Children's Services Trust to act as the Host agency for the SYRAA. (See Appendix 3 (ii))

4.0 Proposal and Justification

- 4.1 We have now received an agreement in principle from the South Yorkshire Local Authorities and Doncaster Children's Trust to deliver the South Yorkshire Regional Adoption Agency. The delivery model identified for the South Yorkshire Regional Adoption Agency (SYRAA), following a detailed options appraisal (2016-18) is that of a collaboration between the four South Yorkshire Adoption Agencies. The SYRAA will be hosted by Doncaster Children's Services Trust (DCST) who will act as the lead authority.
- 4.2 This decision is supported by the DfE who have strongly promoted Regional Adoption Agencies hosted by Local Authorities judged good or outstanding by Ofsted. Doncaster Children's Services Adoption service has a judgement of Outstanding. The operating model is informed by best practice, national research findings and analysis of performance within the four South Yorkshire agencies.
- 4.3 The 2020/21 objectives of the SYRAA is to deliver 130 approved adopters and place 154 children annually (some in sibling groups). The RAA will operate in partnership with two other RAA's in the Yorkshire and Humber area
- 4.4 Other local RAAs' delivery models have meant relocation of staff and staff turnover has been high. Staff in the SYRAA will not move from their current locations and will remain employees of their own authority. Only their senior management could change with some additional reporting lines, but no great changes would occur to disrupt current operations.
- 4.5 Each Local Authority Adoption team will continue their current adoption support, assessments, and family finding until such times as new work streams filter through, which according to other RAAs' experience could take up to 12-18 months. Therefore, this gives the SYRAA time to analyse operational issues, to provide staff reassurance, and for the assessment of performance.

- 4.6 The financial model detailed in this business plan assumes that each Local Authority and Trust transfer their operational budget for Adoption for 2021/22 virtually into the RAA.
- 4.7 Work undertaken by performance leads across the South has enabled the identification of best practice at a number of different stages of the child's journey to adoption. One Adoption, South Yorkshire will combine best practice from the LAs and the VAA while providing the opportunity to create clear practice improvements and enable a viable future market for recruitment. Approximately 63-66 LA staff are expected to become part of the new organisation to deliver the following main services across South Yorkshire:
- Recruitment and Assessment – to provide the prospective adopters;
 - Permanence Planning – ensuring that children identified as requiring adoption achieve a placement;
 - Matching and Placement – to match prospective adopters with children in need of adoption;
 - Adoption Support – to help all affected by adoption;
- 4.8 The key aims of combining services to create a single Regional Adoption Agency is to improve timeliness and achieve better outcomes for all children and young people with adoption plans in the region. The South Yorkshire Regional Adoption Agency will combine adoption services into a new regional agency to benefit children and their adoptive families, with larger operating areas giving access to a wider pool of adopters and children, more effective matching and better support services.
- 4.9 In relation to the legal status of the SYRAA, following advice on different options and a recommendation from the project legal team, the Implementation Board have agreed the SYRAA will be a '**partnership**' between the four organisations secured through a 'Partnership Agreement'.
- 4.10 As part of implementation the project team are exploring potential areas for the Voluntary Adoption Agencies to partner with SYRAA to support service delivery including consideration of the following areas:
- Targeted recruitment activity focusing on Early Permanence and targeted assessments for priority children
 - Specialist adoption support training
 - Shared preparation training
 - Specialist practical or therapeutic support services for children and families post placement and post order
 - Adoption counselling and services to adopted adults
 - Continued provision of VAA families
 - Life Story Work and book

- 4.11 Practice improvements will be delivered through the implementation of new ways of working. One Adoption South Yorkshire will work jointly with the other RAA's to explore further sources of funding to work jointly with the VAA and ASA sector, for example, in the areas of early permanence and adoption support to design and deliver practice improvements.
- 4.12 The business case that this report is based on represents a model that poses the least risk to the 3 Local Authorities and the DCS Trust in relation to critical areas of finance and human resources. It has taken 2 years to reach a position where the 3 Local Authorities and the Trust are supportive of the business case attached and are fully committed to the setup of the SYRAA, satisfied that the specification will meet the following 3 criteria:
- No reduced performance
 - No increased costs
 - No negative impact on the Terms and Conditions of our employees
- 4.13 The financial model proposes that each Local Authority and the Trust virtually pools the 2021/22 Adoption budgets adjusting for the identified savings within the arrangement. The SYRAA Partnership Board will be ultimately responsible for managing the budget of the SYRAA through the Partnership Agreement.
- 4.14 The strategic implementation board will continue to meet until and beyond implementation and will oversee the work of the practice group and the eight work streams:
- Human Resources
 - Finance
 - Legal
 - ICT
 - Social Work Practice
 - Commissioning
 - Communications
 - Performance
- 4.15 The legal status of the SYRAA will not be a legal entity in its own right but be a partnership between the four organisations secured through a 'Partnership Agreement' with Doncaster CS Trust acting as the lead agency. The Partnership Agreement will incorporate the agreements reached between the partners in relation to the respective workstreams.

5.0 Consideration of Alternative Approaches

- 5.1 **Option 1)** Remain as we are and do not join a Regional Adoption Agency. This is not an option since the Local Authority is required by legislation to join a Regional Adoption Agency.

Option 2) Fully integrate current adoption teams and TUPE over. This is not an option as the LA's and Unions felt it was too great a risk to staff retention.

Option 3) Convening of SYRAA with joint management structure, under a partnership arrangement and pooled budget. This is the preferred option.

5.2 The model proposed, **Option 3**, in this version of the business case is the only current viable model identified after an extended period of consideration and negotiation.

5.3 VAAs have been involved at board level and are embedded in the design process (see above). Doncaster Children Service Trust is of course constituted as a VAA in its own right and has been formative in the design iteration.

6.0 **Financial Implications**

6.1 The Service Director for Finance or his representative has been consulted as part of writing this report.

6.2 The Partnership Agreement (subject to approval), underpinned by a Business Case, outline the delivery model / operating framework for the SYRAA. Under the partnership model, the proposal is for the 3 Local Authorities and Doncaster Trust to virtually 'align' their adoption service budgets (2020/21). The table below shows the respective LAs' Adoption Service budgets (including Barnsley's) that will be aligned under the SYRAA financial arrangement:

	Barnsley £'000	Doncaster £'000	Rotherham £'000	Sheffield £'000
Staffing	526	689	645	999
Other costs*	91	137	162	209
Inter-agency fees	378	430	483	443
Income	-27	-135	-81	-60
	967	1,122	1,209	1,592

* Costs excludes central overheads e.g. business support, legal, HR, etc. Also, Adoption Allowances budgets are excluded and outside the SYRAA aligned financial arrangements

6.3 Three new roles (Head of Service; Performance Analyst and a Business Support Manager) will be established in a central hub hosted by Doncaster CST to manage the arrangements across the respective LAs. The full year cost of the central hub is estimated at £145k and will be funded by the 4 LAs – from non-staffing efficiencies achieved from running one larger Adoption Service.

- 6.4 The effective go live date for the SYRAA arrangements is 1 January 2021 (expected that the Head of Service post will be recruited into by this date). It is anticipated that the 4 LAs including Doncaster CST will have to make a contribution (from their 20/21 Adoption Service budgets) to meet associated staff / recruitment costs for the Head of Service. The contribution from Barnsley is not expected to exceed £10k.

Financial risks

- 6.5 The following outline some of the identifiable risks to the arrangements and ways of mitigating these:
1. *Insufficient savings to cover central hub costs*
It is envisaged that the central hub costs will be funded from efficiencies to be delivered across the partnership in the following areas: subscriptions/licences; adoption panel administration; staff recruitment; publicity & marketing; and other miscellaneous costs. A proper assessment of current contractual arrangements and activities has been undertaken, which showed efficiencies of £136k can be delivered through consolidating contracts, streamlining processes / activities and effective procurement.
 2. *Insufficient budget contributions by partners*
There is a risk that Adoptions service budget allocations are insufficient to cover costs associated with running the SYRAA. The business planning process for the respective LAs will ensure that staff related costs (pay increases, pension, etc.) are allowed for. It is expected that costs such as redundancy, pension, ill health retirement costs would be borne by the respective employing authority.
 3. *Risk sharing*
Significant variation in activity or demand could result in increased costs (e.g. inter-agency fees) resulting in overspends. A risk sharing protocol will be incorporated in the partnership agreement that would outline the basis for re-distributing any surpluses and the process for reporting and managing projected overspends. It is envisaged that business cases would be put forward for approval by the SYRAA partnership board for significant expenditure.
 4. *Performance targets not achieved*
There is the risk of underachieving targets e.g. not able to recruit enough adopters internally, therefore leading to more inter-agency placements outside the sub-region and financially viability issues.

7.0 Employee Implications

- 7.1 The impact on employees is anticipated to be minimised through the development of the proposal to work as a partnership with each LA and Trust employees remaining with their current employers and no TUPE arrangements being put in place. TUPE operates as a matter of law under the Transfer of Undertakings Protection of Employment Regulations 2006 (as amended) and the staffing arrangements will need to be continually monitored as the SYRAA is developed to ensure that TUPE does not operate inadvertently to transfer staff to Doncaster CST.
- 7.2 There will be 3 new roles which are a head of service, business support manager and a business analyst, all to be employed by Doncaster Children's Service Trust. The head of service role will have oversight of the staffing structures of the partners and this role will only have direct line management of the Doncaster CST adoption service. This role is more senior to any of the existing service managers so has been advertised externally. There are no implications for the existing incumbent heads of service or service managers who are not ring fenced for the post but can apply should they so wish.
- 7.3 The arrangements for staff working within the SYRAA will be set out clearly under the Partnership Agreement. This will establish that all staff in the separate adoption services will continue to be employed by the same organisation currently employing them under the same terms and conditions as now. All staff will report to their current line managers except existing service managers who, while reporting to their existing line managers as their employing manager, will also report to the Head of Service for the SYRAA for strategic and operational direction. The SYRAA Head of Service will be employed by Doncaster Children's Service Trust as part of a small central hub team.

8.0 The Corporate Plan and the Council's Performance Management Framework

- 8.1 Regionalisation of adoption is driven from the DfE and we are clear that we need to ensure it builds on the current good performance of our adoption service and adds value in terms of increasing key performance data including timeliness.

9.0 Promoting Equality, Diversity and Social Inclusion

- 9.1 Improving the progress of children in care through good permanency will build upon the continuous improvement being experienced in the health and educational achievement of such children.
- 9.2 This proposal has been written collaboratively between BMBC, RMBC, DMBC, DCST, SCC and led by a project manager appointed by DCST and funded by the DfE. In addition, the DfE have been fully consulted to ensure that the proposed model fits their requirement for a regional model. There

have also been regular meetings held with all Adoption Teams to update them with any progress of the developments and the Trades Unions have been fully consulted and updated throughout the process. Furthermore, adoptive parents have been involved in the consultation process throughout the development of the model to ensure it would best meet the needs of people undergoing the adoption route.

- 9.2 An equality impact assessment has been compiled as part of the ongoing project plan.

10.0 Tackling the Impact Of Poverty

- 10.1 Ensuring stable adoptive placements for vulnerable children can help develop their emotional and physical wellbeing will help in improving their potential to acquire the skills necessary to access the employment market and become an active part in a growing local/City Region economy.

11.0 Tackling Health Inequalities

- 11.1 Ensuring the physical and emotional wellbeing of children in care by moving them to permanent placements together with closing the gap in health inequality between such children and their peers are key priorities in the Barnsley Children and Young People's Plan.

12.0 Reduction of Crime and Disorder

- 12.1 It should be noted that in meeting the specific or complex needs of vulnerable children and young people at risk of harm, abuse or exploitation, providing good quality permanent placements will help in safeguarding these children and minimise any vulnerability to adopting risky behaviour(s) in others.

13.0 Risk Management Issues

- 13.1 There is a risk that if the SYRAA is not progressed in an appropriate manner then the DfE may impose a model on the region which does not meet the needs of looked after children in South Yorkshire. Furthermore, it may impose a more formal arrangement, which will be disruptive to staff and practice and be less likely to meet the three essential criteria as set out in the main body of this report. This risk is mitigated due to the efforts of partners to implement the SYRAA.
- 13.2 There is a risk that the SYRAA will not meet the performance targets in respect of adopters recruited and children adopted and that this will therefore present all the LA's with an additional financial burden. The pooling of resources and sharing of good practice in conjunction with robust oversight in the coming year will mitigate against this risk.

14.0 Health, Safety and Emergency Resilience Issues

14.1 There are no implications for the health and safety of the public or workforce emerging through this report.

15.0 Compatibility with the European Convention on Human Rights

15.1 The objectives of the Regional Adoption Agency are compatible with the Articles and Protocols of the Convention and would support the promotion of a child's right to be protected from harm.

16.0 Conservation of Biodiversity

16.1 There are no implications for the conservation of biodiversity emerging through the recommendation in the report.

17.0 Appendices

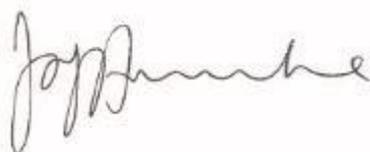
17.1 Appendix 1 South Yorkshire Regional Adoption Agency Final Business Case Version 15. Appendix 2 Equality Impact Assessment
Appendix 2: Equality impact assessment
Appendix 3 (i-iii): Report to Cabinet on developments concerning the regionalisation of adoption services (21st September 2016)

18.0 Glossary of Terms and Abbreviations

18.1 SYRAA: South Yorkshire Regional Adoption Agency
VAA: Voluntary Adoption Agency
DCT: Doncaster Children Service Trust
ASA: Adoption Support Agency

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Financial Implications/Consultation:



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(To be signed by senior Financial Services officer)