

Cabinet

Date of Meeting: 8th September 2020

Report Title: Regional Adoption Agency - Adoption Counts

Portfolio Holder: Cllr Kathryn Flavell – Portfolio Holder for Children and Families

Senior Officer: Mark Palethorpe, Executive Director of People

1. Report Summary

- 1.1. This report seeks approval from Cabinet to enter into an arrangement with our Regional Adoption Agency, Adoption Counts.
- 1.2. In July 2017 Adoption Counts launched as the Regional Adoption Agency for five North West local authorities, Trafford, Stockport, Salford, Manchester and Cheshire East. Adoption Counts became responsible for the delivery and management of adoption services. This was a result of a government approach that all adoption services should be delivered on a regional basis. This government approach was subsequently strengthened in law.
- 1.3. The effectiveness of the regional arrangements for children was positively recognised in the Cheshire East Osted inspection in 2019. The relationship between the Local Authority and the Regional Adoption Agency has been fundamental in the success so far. Partnership working is embedded at all levels which has resulted in significant improvements in the number of approved adopters by Adoption Counts and able to provide permanent homes for children across the partnership.

2. Recommendations

That Cabinet:

- 2.1 Agree to enter into arrangements with the Regional Adoption Agency, Adoption Counts to manage and deliver the Adoption Service for Cheshire East Council alongside Trafford, Stockport, Salford and Manchester Local

Authorities, subject to completion of a TUPE consultation exercise and final agreement of the Integrated Services Agreement (ISA).

- 2.2 Authorise the Executive Director People, in consultation with the Portfolio Holder for Children and Families, to take all steps to finalise the arrangements, following completion of the TUPE consultation exercise and final agreement of the ISA between the parties, and to take any action necessary under the terms of the ISA.
- 2.3 Note that in order to transition to this arrangement a Portfolio Holder decision will be made to further extend the current ISA to the 31st December 2020.

3. Reasons for Recommendations

- 3.1 Cheshire East Council has experienced success as a result of our collaboration within the regional arrangements and now seeks Cabinet approval to make these arrangements. An activity based financial contribution has been agreed by all parties and was approved by Stockport Metropolitan Borough Council as the host Local Authority on the 17th March 2020.
- 3.2 Since 2015 Cheshire East Council, under the instruction of the government, have been planning to transition into regional arrangements. We, along with four other local authorities became Adoption Counts in July 2017 following a lengthy and detailed implementation process. The government made it clear that all local authorities were required to be the part of regional arrangements by 2020 or risk being forced to enter one.
- 3.3 Government are clear that regionalisation of adoption is the most effective way to deliver services. They continue to invest in research to evaluate the success of regionalisation. To strengthen this approach, government has for several years aligned significant funding sources that can be accessed by adopted children and adopters to support families post adoption (Post Adoption Support Fund). It appears that the trajectory for Regional Adoption Agencies will continue and our own relationships within regional arrangements should be strengthened to build upon the success that has been achieved to date.
- 3.4 Entering an arrangement will provide sustainability within the regional arrangement and ensure a high quality and consistent service for our children with plans of adoption.

4 Other Options Considered

- 4.1 It is not an option for Cheshire East Council to withdraw from its arrangements within the Regional Adoption Agency Adoption Counts. The government approach was strengthened in law in 2016 by the Education and Adoption Act and therefore it is highly unlikely that there will be a move away from this.

5 Background

- 5.1 In May 2015, the government announced changes to the national landscape of Adoption by proposing that all adoption services would need to be delivered on a regional basis by 2020. The premise for this was to:

- Increase the number of children adopted
- Reduce the length of time children wait to be adopted
- Improve the post adoption support services to families who have adopted.
- Reduce the number of adoption agencies, thereby improving efficiency and effectiveness.

These proposals have since been included in the Education and Adoption Act 2016.

- 5.2 For several years Stockport, Cheshire East, Tameside and Trafford had worked together as part of “Four 4 Adoption”. This award-winning partnership of four local authorities had worked together to make the adoption process as seamless and effective as possible for children waiting for adoption. Tameside took the early decision to join the West Pennine partnership. The remaining three local authorities subsequently developed a strong bid with the addition of Manchester and Salford, thus ensuring the requisite number of prospective children and adopters to meet requirements. Adoption Counts also includes Voluntary Adoption Agencies, Adoption Matters and Caritas Care as integral partners.
- 5.3 Adoption Counts in its early planning was identified by the Department for Education as being innovative and expert in their thinking around regionalisation and received a request from the Department for Education to be one of five ‘demonstrator’ projects, leading the way in regionalisation. This request attracted significant investment from the government to the regional adoption agency and was invaluable in the planning and implementation stages. This included additional funding for a “Centre of Excellence” this brings together relevant partners (including social care, health and/or education partners) to provide a co-ordinated assessment, treatment and therapeutic support offer to adopted children.

5.4 In July 2017 Adoption Counts launched as the Regional Adoption Agency for 5 North West local authorities, Trafford, Stockport, Salford, Manchester and Cheshire East. It became responsible for the delivery and management of adoption services. with offices in Salford, Wythenshawe and Middlewich. This was facilitated through an integrated services agreement (“ISA”) and associated support agreement between the five North West regional authorities with Stockport MBC appointed as lead authority and the creation of a Management Board with agreed terms of reference. The regional arrangement sought to:

- Provide children with the right adopters at the right time, approving those equipped to meet the needs of children waiting for adoption.
- Minimise the number of children having plans changes away from adoption and back into long term care situations.
- Reduce delay in achieving adoption and the timeliness from placement order to final adoption order.
- To improve early permanency planning for children, avoiding unnecessary delay.
- To encourage concurrent planning and foster to adopt.
- To be innovative in achieving adoption for ‘hard to place’ children.
- To prepare children for their plans of adoption.
- To reduce the likelihood of placement breakdown.
- To form strong partnerships with adoption and voluntary sector providers.

5.5 The actual benefits for children and young people with plans of adoption and Cheshire East Council as a result of our regional arrangements can be measured by some of the successes to date. These include a significant increase in the numbers of adopters approved by Adoption Counts within the 3 years since go live from 48 adopters per year to 110. Of equal significance is the ability to prioritise early planning for children when they become cared for which avoids unnecessary delay in securing permanence. Fundamentally the regional arrangements have seen greater success in identifying adoptive families for children and placing them in their care with an average increase across the partnership from 70% to 86%.

5.6 The Integrated Service Agreement provides for services to be supplied by Stockport Metropolitan Borough Council and a third party Provider “Adoption

Counts” through the secondment of staff from the participating North West authorities. Adoption Counts and Cheshire East’s participation in these arrangements reached its third anniversary in July 2020.

- 5.7 It is necessary for key decisions to be made by each individual local authority in order to create sustainability within the regional arrangements and for Stockport to mitigate potential risks as a result of the ongoing secondment arrangements by the other four local authorities. This decision was made by Stockport Metropolitan Borough Council in March 2020 and it is important for Cheshire East Council to make these arrangements alongside the other Local Authorities that are part of Adoption Counts.
- 5.8 Children with plans of adoption have been impacted by the consequences of Covid-19 due to the direct implications for family finding and transitioning children from their foster homes to their adopted homes. However, the delays that were initially experienced have now been resolved and safe transitions are taking place.

Implications of the Recommendations

6 Legal Implications

- 6.1 The powers to undertake the regionalisation of Adoption Services are contained in S16 of the Education and Adoption Act 2016 which allows local authorities to cease provision of their adoption service and gives the Secretary of State powers to direct that local authority adoption services be provided by another local authority or adoption agency.
- 6.2 S1 of the Local Authorities (goods and Services Act) 1970 enables a local authority to enter into an agreement to provide another other authority with goods and services, including administrative, professional or technical services.
- 6.3 Legal advice will be given on the legal implications of the proposed TUPE transfers, the content of the Integrated Service Agreement and the associated documents to ensure that all of the Council’s liabilities are captured and mitigated.

7 Finance Implications

- 7.1 The Cheshire East Council contribution to the Regional Adoption Agency Adoption Counts for 2020/21 is budgeted at £0.9m. This includes the core service and an additional amount (£76,000) for a Centre of Excellence.

- 7.2 The council's actual share of the overall contribution is currently based on activity in the three different areas of service, so is therefore variable each year. For Financial Year 2020-21, this is within the agreed budget levels
- 7.3 The activity basis varies for each area of service and is split by Adoption, Adoption Support and Administration and Management. The cost drivers for adoption are based on the number of SHOBPAs (Should be placed for adoption) and AOG (Adoption orders granted) and for adoption support are the number of letterbox cases. For Administration and management this is based on an average of adoption and adoption support drivers. This cost share will continue to be reviewed by the service and commissioners to ensure that the splits are proportionate and equitable.
- 7.4 The extension to the contract is budgeted for within the current Medium Term Financial Strategy.
- 7.5 The staff will move to be employees of Stockport Council and their pensions will move to the Greater Manchester Pension Fund. Research is underway to establish if this will involve any actuarial costs.

8 Policy Implications

- 8.1 This proposal supports delivery of Cheshire East's Children and Young Peoples Plan. This also supports a key pledge in the Cheshire East Corporate Parenting Strategy which states, we will work to achieve permanence and keep children safe.

9 Equality Implications

- 9.1 An Equality Impact has been completed on the 24.07.2020. The assessment identified how the regional arrangements positively impact on diversity through their approach to inclusion.

10 Human Resources Implications

- 10.1 Since July 2017, Cheshire East Council has seconded employees to Stockport Council as part of the Adoption Counts service, Currently 7 employees are seconded.
- 10.2 The result of this arrangement with the regional adoption agency would be that these staff would transfer to the employment of Stockport Council in accordance with the Transfer of Undertakings (Protection of Employment) Regulations (TUPE),
- 10.3 Under TUPE, the employees would be entitled to transfer to the new employer on their current terms and conditions of employment.

10.4 Following the approval of this arrangement, Cheshire East and Stockport would need to promptly consult directly with these employees and the recognised trade unions on the changes, separately and jointly so that they understand the implications and how they will affect them prior to the point of transfer.

11 Risk Management Implications

11.1 The regionalisation of adoption services within Adoption Counts brings together the adoption activity for the recruitment and approval of adopters and family finding for children from 5 local authorities. A strategic approach is taken to maximise efficiency in order to effectively manage the number of children who require an adoptive home and the number of adopters available.

12 Rural Communities Implications

12.1 The recruitment strategy is proactive in identifying prospective adopters from all communities, including rural communities within the borough.

13 Implications for Children & Young People/Cared for Children

13.1 The effectiveness of the regional arrangements for Cheshire East children have been referenced within this report. Cheshire East council will continue to have legal and Corporate Parenting responsibility to achieve permanence for children with plans of adoption and therefore there are positive implications for cared for children in the continuum of our regional arrangements with Adoption Counts.

14 Public Health Implications

14.1 There are no direct policy implications relating to public health as a result of the recommendations within this report. However, increasing the life chances of our children and young people through adoption will improve the impact on the indices of health deprivation.

15 Climate Change Implications

15.1 The Regional Adoption agency arrangements ensure that more children with plans of adoption can be placed with adoptive families living in or near to Cheshire East which will have positive implications for climate change as a result of less travel to support these families by frontline services.

16 Ward Members Affected

16.1 Cared for children reside within all Wards and all ward members have corporate parenting responsibility. Therefore, it is the collective responsibility of officers and members to ensure that adoption services are delivered in line

with government objectives and achieve the very best outcomes for children and young people.

17 Consultation & Engagement

17.1 Consultation timetable to be agreed with all the Local Authorities so consultation can be undertaken at the same time.

18 Access to Information

18.1 Corporate Parenting Committee has been regularly updated about the statistical and operation benefits of our regional arrangements.

19 Contact Information

19.1 Any questions relating to this report should be directed to the following officer:

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