

CABINET

25 OCTOBER 2016

DEVELOPMENT OF A REGIONAL ADOPTION AGENCY

Portfolio Holder:	Councillor Andrew Mackness, Children's Services (Lead Member)
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Summary

This report provides the Cabinet with the outline of a proposal to develop a Regional Adoption Agency (RAA) in line with Government expectations for adoption services:

The aim is to achieve further progress in our adoption services by:

- Improving the timeliness of the matching processes between the children and adoptive parents
- Developing the adopter recruitment and adoption support through sharing and pooling resources with other local authorities.
- Increasing the potential for efficiencies sharing business processes and the reduction in the duplication of tasks.

1. Budget and Policy Framework

- 1.1 The decision is within the council's policy and budget framework including the Council Plan.

2. Background

Introduction

- 2.1 The Government vision behind the regionalisation of adoption services is to accelerate the pace of change to ensure those children, for whom adoption is the right path, are given the best chance of finding a loving, forever family as quickly as possible. The DfE are providing start-up funding to support early local authorities to take forward their proposals. Their paper which outlined this initiative described several inefficiencies.

a) Fragmentation

- 2.2 The current system is fragmented with around 180 agencies recruiting and matching adopters for only 5000 children per year. In the first three quarters of 2014-15, 20 local authorities/groups of local authorities recruited fewer than ten adopters and 58 recruited fewer than 20. Similarly, six voluntary adoption agencies recruited fewer than ten adopters and ten recruited fewer than 20.
- 2.3 An RAA will be more effective and efficient in its operation meaning costs can be reviewed and potential efficiencies achieved. A system that is fragmented reduces the scope for broader, strategic planning, as well as specialisation, innovation and investment.
- 2.4 Large numbers of small agencies, such as Medway Adoption Agency, renders the system unable to make the best use of the national supply of potential adopters, more vulnerable to peaks and troughs in the flow of children, and is less cost effective.

b) Matching

- 2.5 Whilst the introduction of Activity Days is a real success story, and despite improvements in child timeliness overall, it still takes an average of eight months between placement order and match. This is too long, and more worryingly has a national increase from seven months in 2013-14.
- 2.6 The national data also shows that the system could be improved. As at 30 September 2014, there were 3,470 children with a placement order waiting to be matched. 54% of these children had been waiting longer than 18 months.
- 2.7 The above data shows the system is still not working well enough for these vulnerable children.
- 2.8 Sequential decision making and delays in matching are not only damaging to children, but also costly. Children are almost always in foster care whilst they wait for adoption. The cost of a week of local authority foster care has been estimated at around £700 (including on-costs, IRO Review, fostering social worker and child social worker). This cost is more when there is an Independent Fostering Agency (IFA) placement. Research into the interagency fee found that the cost to the local authority of looking after a child that is never found a placement is at least £400,000.
- 2.9 It is vital that children are given the best and earliest possible chance of finding a family, irrespective of authority boundaries and lack of trust of other agencies' adopters.
- 2.10 We know that successful matching relies on being able to access a wide range of potential adopters from the beginning. Operating at a greater scale would allow social workers to do this, thus reducing delay in the system. It could also reduce the number of children who have their adoption decisions reversed. Furthermore, the opportunity for practice innovation created by moving to a new delivery model also has real potential to improve matching.

c) Recruitment

- 2.11 Nationally, there are too few adopters willing and able to adopt harder to place children including sibling groups, children with disabilities or additional needs as well as older children. Local authorities continue to recruit and assess adopters for children in their local authority in line with their statutory duties. Yet despite the rigorous selection process we are left with adopters who, for whatever reason, cannot be matched with the children waiting.
- 2.12 Recruitment from a wider geographical base than an individual local authority, that takes account of the needs of children across a number of those local authorities in a regional recruitment strategy and uses specialist techniques for recruiting adopters for hard to place children, would potentially lead to fewer children waiting.

d) Adoption Support

- 2.13 In May 2015, the Adoption Support Fund was introduced to make therapeutic support easily accessible, timely, and of high quality for families when they need it the most. Case studies from both the prototype phase and since national rollout have shown the benefit of the fund for families that have been in crisis, but also families that have needed a bit of extra support.
- 2.14 Currently, adoption support services are provided by a mix of local authority provision, the NHS, and independent providers (voluntary adoption agencies, adoption support agencies, and small private providers). A recent report identified a risk that, in its current form, both the public and independent sectors are unlikely to be able to grow sufficiently to meet increased demand for adoption support, let alone provide parental choice between a range of providers. There are regional gaps, gaps in the types of services on offer, and little evidence of spare capacity.

3. Options

- 3.1 In June 2015 the Department for Education (DfE) reported that local authorities should be working towards the creation of Regional Agencies by 2020. There is an expectation that local authorities will begin planning, developing and working with partners to shape their RAA. Their commitment to this approach is such that the Education & Adoption Act 2016 has given power to the government to direct a local authority to enter into a RAA if it has not done so by 2017.
- 3.2 The key aims of an RAA are to:
- Provide children who have adoption as their plan with an adoptive family that meets their needs
 - Ensure that all those affected by adoption receive the information, support and advice that they need to understand the adoption journey
 - Ensure that families are well prepared, enabled and supported to care for the children with plans for adoption.

3.3 The RAA would be developed so that the focus is on the child's journey through the adoption process, looking to deliver high standards of practice which will lead to better outcomes for the child.

3.4 Key objectives are:-

- Early identification of children for whom adoption is the right option
- Timely placement of all children including sibling groups and older children
- Placements which are sustainable with the right support as needed
- A sufficient range and number of adopters able to parent children with a wide range of profiles and needs, enabling more children to be placed "in house"
- Making available a range of different adoption placement types, including early placement approaches such as Foster to Adopt
- To have an effective and well performing service which would be reflected in the adoption scorecard

4. Advice and analysis

4.1 We anticipate that following the formation of the RAA, the following benefits will be achieved:-

- Timeliness of adoption matching with central tracking of children and adopters.
- Economies of scales for commissioned contracts; one lead commissioner to manage all adoption contracts on behalf of the RAA.
- Reduction in bureaucratic processes so they are not replicated 3 times in each local authority. Centralised management and administration of adoption panels including health; this is subject to proposed changes in legislation in respect of adoption panels and whether they are necessary.
- Increased government funding for the delivery of centralised adoption agencies.
- Recruitment will be driven by the needs of a larger cohort of children who are waiting to be matched. Family finding social workers will be clearer about the adopters who are available and the children requiring placement.
- Social workers will have immediate access to a larger pool of adopters when carrying out the matching process. This is likely to speed up the matching and maintain adopted children in their regional areas.
- There will be opportunities to work in partnership with health departments across the region which supports continuing and local health provision. There is increased choice, consistency and availability of support services in relation to post adoption support.
- The RAA would look to develop supervision models looking at cross-agency support and to develop practice skills and behaviours, learning from good practice across the region. This will also enable external challenge and scrutiny over permanence decision making, timeliness and missed matches etc.
- Mechanisms will be established which will provide an overview of those children coming into the care system and this will provide an opportunity to develop early planning with protocols agreed across a wider range of local authorities.

5. Partners

- 5.1 As members of the South East Adoption Consortium, Medway Council, the London Borough of Bexley and Kent County Council already share information about children needing adoption and adopters waiting for children. In addition preparation groups for adoption applicants are also shared, with a specific joint session being run at the beginning of October for applicants who are interested in adopting sibling groups.
- 5.2 With this strong relationship already established, the Council has been in dialogue with these local authorities regarding the formation of a Regional Adoption Agency. The Department for Education are interested in models that could deal with 200 children per year. We believe that with Medway, Bexley and Kent authorities working together this will be achieved, subject to Medway council's consideration and requested ratification of this plan.
- 5.3 It is a requirement for all RAA's that they involve a voluntary adoption agency (VAA) partner. Coram have had a long standing partnership with the Adoption Service in Kent therefore will be considered alongside other VAA's, as a decision will need to be reached by the authorities on a collective basis.
- 5.4 Medway have had some initial discussions with Cornerstone - a social enterprise, founded by two adopters driven by their personal experience as adopters and their desire to help children improve the life chances of children in the care system, by combining their professional skills and personal experience. Cornerstone has a very talented team and a range of expertise which includes: project development and delivery; Policy and strategy formulation and implementation; Training and customer service: Sales and marketing as well as 30+ years of children's social care including running adoption and fostering services.

6. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Legal Issues	There are likely to be a number of legal issues and risks regarding contracts, procurement and transfer of functions into the Regional Adoption Agency. This also may include consideration of pension arrangements and a formal partnership agreement between all the local authorities involved in this project. These will need to be considered at an early stage but much will be dependent upon the final delivery model chosen.	Key risks and issues will be identified as part of the project planning. A risk register will be produced and will be regularly monitored and updated as part of the work plan of the project board.	

Commissioning/ Procurement	Whatever arrangement is put in place will need to follow the Public Contracts Regulations 2015. This ensures that appropriate supply chain and contractual relationships are in place to meet and manage any sustainability issues, generate innovation and the development of partnerships.	Much will depend on the commercial model chosen. A clear understanding of risks identified within a risk register will pinpoint robust mitigations and reduce risk to the local authorities and the providers, and will enable all parties to understand where risks need to be shared.	
Central Government Intervention	Failure of Medway Council to form a RAA could lead to the Government directing Medway to enter into an imposed RAA by 2017	Consultation re: RAA of Medway's choice	

7. Consultation

- 7.1 Until a decision of elected members is known regarding dialogue with Bexley and Kent about the proposed RAA, it has not been appropriate to engage in consultation with stakeholders
- 7.2 There has been some informal discussion between adoption staff from each authority who view the proposal positively

8. Children and Young People Overview and Scrutiny Committee – 6 October 2016

- 8.1 The Deputy Director, Children and Adult Services (Interim) introduced the report which outlined a proposal to develop a Regional Adoption Agency (RAA) in line with Government expectations for adoption services. The aims were to improve the timeliness of the matching processes between children and adoptive parents; develop adopter recruitment and support; and increase the potential for efficiencies by sharing business processes and reducing the duplication of tasks. The Interim Deputy Director advised that, as members of the South East Adoption Consortium, Medway Council, the London Borough of Bexley and Kent County Council already shared information about children needing adoption and adopters waiting for children. It was envisaged that the three authorities working together as a RAA could initially deal with around 150 children per year and would develop the agency to reach the level of 200 children per year, in line with the Department of Education's expectation. The Interim Deputy Director further advised that all RAAs were required to involve a voluntary adoption agency partner and the three authorities would reach a collective decision on who this should be.

8.2 Members discussed the implications of operating as a RAA. In recognising that a larger RAA would increase the pool of adopters, a Member asked if this benefit would be off-set by an increase in the number of children in the RAA area waiting for adoption. In response, the Interim Deputy Director said that the RAA would offer a greater opportunity of successful matches. In response to a question about the potentially long distances between adopters and children, the Interim Deputy Director gave assurance that there was no restriction based on distance. A Member sought clarification on the governance arrangements for the RAA and was advised that all local authorities with responsibility for children services were adoption agencies and the legal implications of the RAA would need to be clarified.

8.3 Subject to a full business case being presented to Cabinet, the Committee:

- noted the report; and
- recommended Cabinet to agree in principle to entering into formal dialogue with a view to the establishment of a Regional Adoption Agency with the local authority partners London Borough of Bexley and Kent County Council.

9. Implications for Looked After Children/Adopted Children and Adults

9.1 In order to ensure there is timely permanency planning for all children entering care, there are permanency planning meetings or panels in each authority (PPM/P). This supports early identification of the children for whom adoption is the plan. It is the interface between adoption teams and the childcare teams that manage the entry of children into care and their early care planning for adoption. It was considered that the initial PPM/Ps are best carried out within each local authority area to continue with the early identification of children in teams linking with the adoption service where children have a care plan that is likely to be adoption.

10. Central Tracking and Matching

10.1 Early tracking of children that is in place in Bexley is considered to be an area where good practice could be shared across the three authorities and they would all work to have the same tracking systems, this would be part of RAA and a centralisation of this process could be achieved as it is already in place, although it requires some streamlining.

10.2 There would also be a central tracking for all adopters who were assessed and waiting for a match; and for all adopters who are in stages 1 and 2. The recruitment and assessment of adopters would be shared across the three areas including shared resources for the information evenings; adoption preparation training; mentoring and support groups. The approval process could also be shared with centralisation of Panel and its administration. This would require one central list of panel members, and consideration of the need to have dedicated RAA medical advisors for children for whom adoption is the plan. These are agreed objectives with the three authorities.

10.3 Across three local authorities the creation of a central database of adopters would support timely family finding; the central adopters list would be twinned with a central list of all children for whom adoption is the plan. RAA adoption family finding meetings that would review all children who required a match

and the available adopters would be considered. The IT database used by each local authority for recording children and adopters would be available to recruitment and assessment social workers and also family finding social workers. All children (where adoption is the plan) would be allocated an adoption family finding social worker.

11 Inter-country adoptions

- 11.1 The three local authorities currently commission individually with inter-country adoption agency. This could be centrally commissioned service with ratio of past use being an indicator of the funding contribution from the authorities.

12 Independent Adoption & SGO Support Services

- 12.1 All local authorities are expected to offer Independent Adoption & SGO Support Services which have to be delivered according to a comprehensive legislative framework. The individual elements of the service are:-

- Support Services to adoptive families who have identified a need and required help
- An independent support service to birth parents. To provide a support and counselling service to birth parents prior to an adoption taking place, where a child is (or children are) looked after by a local authority and for whom adoption has been identified as the plan.
- A service that provides access to birth records and intermediary services for adult adoptees. To assist adopted persons either adopted through Medway Council or who are resident in Medway, and who are aged 18 and over, to obtain information in relation to their adoption and to facilitate contact between such persons and their adult birth relatives.
- Access to Information and an Intermediary service for birth relatives and those with a prescribed relationship. To provide advice and support to birth relatives and those with a prescribed relationship aged 18 and over, who require intermediary services and access to non-identifying information when the adoptee has reached age 18 or over
- Contact services (direct contact and letterbox contact) To provide a direct and indirect contact service for children under the age of 18 who have been adopted or who are the subject of a Special Guardianship Order and who have agreed contact with their birth relatives.

- 12.2 Medway provide all of the above services to adopters living in the Medway area by 2 full-time adoption social workers and Family Action (approx. £35000 pa for Family Action)

- 12.3 Kent have a significant contract covering the above service with Barnardo's; this is for consideration as part of the RAA but will need careful review given its current budget(the total contract cost for 2016-18 is £752,550.00)and the throughput of work that is carried out by Barnardo's on behalf of Kent.

13 Financial implications

- 13.1 It is anticipated that the proposed RAA will be more effective and efficient in its operation leading to cost savings for Medway.

- 13.2 A clearer financial position will be provided during the consultation period once a working model has been identified and agreed upon subject to a full business case being presented to Cabinet.

14. Legal implications

- 14.1 In June 2015 the Department for Education (DfE) reported that local authorities should be working towards the creation of Regional Agencies by 2020. There is an expectation that local authorities will begin planning, developing and working with partners to shape their Regional Adoption Agency (RAA). Their commitment to this approach is such that the Education and Adoption Act 2016 has given power to the government to direct a local authorities to enter into a RAA if it has not done so by 2017.
- 14.2 There are likely to be a number of legal issues and risks regarding contracts, procurement and transfer of functions into the RAA. This also may include consideration of pension arrangements and a formal partnership agreement between all the local authorities involved in this project. These will need to be considered at an early stage but much will be dependent upon the final delivery model chosen.
- 14.3 Key risks and issues will be identified as part of the project planning. A risk register will be produced and will be regularly monitored and updated as part of the work plan of the project board.

15. Recommendations

- 15.1 The Cabinet is asked to consider the comments of the Children and Young People Overview and Scrutiny Committee, as set out in section 8 of the report.
- 15.2 The Cabinet is asked to agree, in principle, to entering into formal dialogue with a view to the establishment of a Regional Adoption Agency (RAA) with the local authority partners, London Borough of Bexley and Kent County Council subject to formal agreement from the Cabinet on the findings.

16. Suggested reasons for decision

- 16.1 There is an expectation that local authorities will begin planning, developing and working with partners to shape their RAA. Their commitment to this approach is such that the Education & Adoption Act 2016 has given power to the government to direct a local authority to enter into a RAA if it has not done so by 2017.
- 16.2 Failure for Medway to enter into an agreed RAA could result in central government determining which RAA the Local Authority would have to become part of and as such would remove the Local Authorities decision making powers.

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Appendices

Appendix 1 - Comparative Scorecard Data

Background papers

None

Performance

Adoption Services in Medway, Bexley and Kent,

Comparative scorecard data

Table 1

A1 - Average time between a child entering care and moving in with its adoptive family, for children who have been adopted (days)					
	Latest published 3 year average data 2012-15	Rank (total 151)	Statistical Neighbours	Latest published data: Q1 and Q2 2015-16	
Medway	715	135	602	544	Target is 426
Bexley	672	122	616	396	
Kent	616	89	607	520	
ENGLAND	593			551	

Table 2

A2 - Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (days)					
	Latest published 3 year average data 2012-15	Rank (total 151)	Statistical Neighbours	Latest published data: Q1 and Q2 2015-16	
Medway	259	113	214	252	Target is 121
Bexley	270	121	219	187	
Kent	221	77	236	233	
ENGLAND	223			251	

Table 3

A3 - Children who wait less than 16 months between entering care and moving in with their adoptive family (%)			
	Latest published 3 year average data 2012-15	Statistical Neighbours	Latest published data: Q1 and Q2 2015-16
Medway	40%	46%	67%
Bexley	50%	46%	89%
Kent	43%	47%	69%
ENGLAND	47%		59%

Table 4

	Number of approved adoptive families as at 31 March 2015	Number of applications to become an adoptive family still being assessed (not yet approved or rejected) as at 31 March 2015
Medway	10	10
Bexley	24	18
Kent	75	65

Table 5

	Proportion of adoptive families who were matched to a child during 2014-15 who waited more than 3 months from approval to being matched to a child	Adoptions from care (number adopted) 2012-15	Adoptions from care (% leaving care who are adopted) 2012-15"
Medway	39%	115	20%
Bexley	Not available	70	14%
Kent	50%	430	17%
ENGLAND	63%	14,390	16%

Table 6

	Number of new ADM decisions (2014)	Number of new ADM decisions (2015)	% change 2014 to 2015
Medway	40	30	-20
Bexley	30	20	-29
Kent	175	90	-47
ENGLAND	6,170	4,310	-30

Table 7

	Number of new Placement Orders granted (2014)	Number of new Placement Orders granted (2015)	% change 2014 to 2015
Medway	40	20	-50
Bexley	25	25	4
Kent	165	80	-52
ENGLAND	5,420	3,590	-34

Table 8

	% of children for whom permanence decisions has changed away from adoption 2012-15"	Number of children waiting to be placed for adoption (as at 31 st March 2015)	Number of children waiting to be placed for adoption with a placement order (as at 31 March 2015)	Average time between a child entering care and moving in with its adoptive family. Where times for children who are adopted by their foster family are stopped at the date the child moved in with the foster family (days)2012-15
Medway	14%	30	10	508
Bexley	16%	10	10	495
Kent	18%	60	40	503
ENGLAND	14	4,600	3,060	490