



## **Scrutiny Committee**

5 April 2016

### **Report from the Strategic Director of Children and Young People**

## **National Adoption Reform Proposals**

### **1.0 Summary**

- 1.1** The purpose of this report is to provide information to the Council's Scrutiny Committee, as requested, about the proposals for adoption reform contained within the government's Education and Adoption Bill 2015 and how the local authority is responding to these proposals.

### **2.0 Recommendation**

- 2.1** The Scrutiny Committee is requested to review, comment on and question the contents of this report to ensure it is satisfied with current progress in reforming adoption services.

### **3.0 Background**

- 3.1** In June 2015 the Department for Education published 'Regionalising Adoption'. This was followed the same month by the introduction of the Education and Adoption Bill. Government's view is that structural change will help to:

- Speed up the process and markedly improve the life chances of neglected and damaged children.
- Improve adopter recruitment and adoption support.
- Reduce costs.

- 3.2** Lords' amendments to the Bill are currently being considered by the House of Commons with Royal Assent likely within the next few months.

- 3.3** The issues that the government is seeking to address within adoption reform are as follows:

- *Inefficiencies.* The current system is fragmented with around 180 agencies, both Local Authority and Voluntary Adoption Agencies

(VAA), recruiting and matching adopters for only 5000 children per year. The majority of agencies are operating at a very small scale and this hinders strategic planning and economies of scale.

- *Timeliness of placing children.* Whilst there has been significant improvement in the performance of Local Authorities in placing children swiftly with adoptive families there is further progress that can be made. This is particularly the case with harder to place children, often older, within a sibling group or with a disability.
- *Adopter recruitment.* Again there has been improvement in both the number of adopters recruited and the timescales to achieve this. However, whilst the number of approved adopters nationally is now greater than the number of children waiting, many of these adopters are less willing to consider those children who are harder to place.
- *Adoption support.* The help that is offered to families after adoption is the responsibility of Local Authorities. However it is currently fragmented and characterised by a combination of in-house and spot-purchased arrangements with often significant variations between local authority areas.

**3.4** The specific proposal within the Education and Adoption Bill 2015, as it relates to adoption reform, is to support the creation of regional adoption agencies, as the preferred delivery structure to ensure the issues identified above are resolved. Government has asked the sector to propose the most suitable method of scale and scope for these regional agencies and has provided funding to achieve this. It is the intention that by the end of the current parliament there will be a regional adoption agency in place for every part of England. There are powers within the Bill to force a Local Authority or VAA to join a regional agency if no action is taken.

**3.5** It is likely that there will be either one large regional adoption agency created for London or a smaller collection of sub-regional agencies. These will bring together all adoption services that are currently being delivered by Local Authorities and VAAs.

**3.6** Brent's adoption management and performance is monitored at 6-monthly intervals by the Corporate Parenting Committee. The most recent report is attached at appendix 1, for those Members who wish to understand further detail about current arrangements.

## **4.0 The London Position**

**4.1** Under the previous government a National Adoption Leadership Board was created to oversee improvements across the sector. Adoption reform work

across London is co-ordinated by the London Adoption Board (LAB), which is accountable to the Association of London Directors of Children's Services. The LAB is made up of representatives from the London sub-regions and includes both Local Authorities and VAAs. Brent is represented at the LAB by the London Borough of Ealing, who represent all of the authorities within the West London Adoption Consortium.

- 4.2** The LAB is taking the lead in responding to the regionalisation agenda and ensuring there is a co-ordinated response from all agencies. The vision for adoption work within London, as expressed by the LAB is to ensure that children and adopters are at the heart of service change. The 'Regionalising Adoption, Vision for London' document can be found at appendix 2. For agencies the vision is to recognise existing expertise and that change must aim to minimise complexity whilst promoting a flexibility of approach.
- 4.3** The key design criteria for a London model are to ensure it is child focused, to reduce inconsistencies of support offered, to consider the options to pool resources and to maintain good links to Local Authorities who will remain responsible for the child's journey through to adoption.

## **5.0 Progress Update**

- 5.1** The LAB is currently within a 'scope and define' period, as agreed by the DfE that is seeking to identify the most suitable delivery model for a regionalised adoption service for London. There have been a number of engagement and consultation events with adopters and staff working within adoption services across London over the last 3 months. These have included the Brent Strategic Director for Children's Services and the Lead Member for Children's Services.
- 5.2** A proposal will be presented to London Directors of Children's Services in April that will, if agreed, be given to the DfE to consider funding a delivery stage of the regionalisation programme. Whilst it is not possible to fully predict at this stage the likely move to a regionalised approach, current indications suggest this will not be until December 2017. London is a more complex regionalisation project than other areas, primarily due to the number of agencies involved. The Minister of State for Children and Families wrote to all Adoption Agencies in February 2016 to request that time was taken to ensure that the arrangements were not rushed and would lead to transformative change.
- 5.3** The type of regional adoption agency currently under main consideration is a London-wide agency with some services being delivered locally. Should this not be achievable then smaller sub-regional groupings will be considered.

## **6.0 Financial Implications**

- 6.1** One of the likely benefits of the regionalised approach will be the realisation of economies of scale. The management of Brent's adoption responsibilities are likely to require fewer resources once the regional agency is established. Although regionalisation will lead to a financial saving from 2017/18, Children and Young People's Services had already offered a saving of £108,000 as part of its 2015/16 savings package on the assumption that adoption reform would have taken place sooner. These savings were however delivered through alternative efficiencies delivered within the Placements' budget. The forecast savings will be clarified during the 2016/17 financial year once the identified model is confirmed and implementation plans are enacted.

## **7.0 Legal Implications**

- 7.1** The Education and Adoption Bill intends to make provision about joint arrangements for carrying out local authority adoption functions in England, with the aim, amongst other things, of increasing the performance of adoption services.
- 7.2** Clause 13 of the Bill would give the Secretary of State a new power to direct one or more local authorities to make arrangements for any or all of their specified adoption functions to be carried out on their behalf by one of the local authorities named or by another adoption agency. The Secretary of State can either name which adoption agency should carry out these functions, or instruct the local authorities to determine who should carry out the functions. This means that if the Bill is passed by Parliament the government will have the power to remove the adoption function from a local authority it considers failing within its adoption duties and to pass these responsibilities to another agency.
- 7.3** In May 2015 Government Minister Edward Timpson stated that the new powers, "will require councils to combine their adoption functions if they fail to join together services under their own steam within the next 2 years." However within the current Bill there is no reference to a waiting period. The possibility remains that in the final Act of Parliament a time limit may be imposed upon local authorities. The position will have to be revisited once the Bill receives royal assent and becomes legally binding.

## **8.0 Diversity Implications**

- 8.1** The proposals for adoption regionalisation aim to improve services to children most in need of adoption and the families who care for them. To this end, those children most in need of adoption and currently least likely to find a permanent home through this route will benefit most from these proposed changes.

- 8.2** Any proposed changes must ensure that current progress to achieve adoption more quickly for children is not delayed due to the structural changes that will be required.

## **9.0 Staffing Implications**

- 9.1** It is highly likely that the regionalisation approach will require a restructuring of children's social work services as they relate to adoption. This will be a complex and detailed undertaking as it would involve the co-ordination of approximately forty separate adoption agencies. The DfE has indicated that funding will be available to support the transition from current to future service delivery models.
- 9.2** Staff within the service have been kept regularly informed regarding progress towards regionalisation and some have taken part in the current consultation. Regular communication from the LAB is planned over the coming months to ensure a consistent approach and understanding for staff at all levels.

## **Appendices**

1. Corporate Parenting Committee November 2015: Brent Adoption Service Report, 1<sup>st</sup> April – 30<sup>th</sup> September 2015.
2. London Adoption Board Vision Statement

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**STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE**  
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<sup>i</sup> <https://www.gov.uk/government/publications/regional-adoption-agencies-programme>