Cabinet Report   12th November 2018

Wards: All wards

Subject: Regional Adoption Agency

Lead officer: Rachael Wardell, Director of Children, Schools and Families
Department

Lead member: Cllr Kelly Braund, Cabinet Member for Children Services

Contact officer: Paul Angeli

Recommendations:

Cabinet to support recommendations relating to transfer of components of Merton's adoption work to a Regional Adoption Agency; transfer of budget and TUPE of posts to new regional body.

A. Agree that Merton enter into regional adoption arrangements as part of Adopt London South.

B. Agree that staff and finances (provisional 5.29 FTE and £298,791 of which £256,564 is staffing related) are transferred to Southwark who will be hosting Adopt London South on behalf of ten South London boroughs, noting that Merton will be the spoke authority for the South West authorities. The figures are provisional pending the outcome of an independent audit of all local authorities' proposed budgetary transfers.

C. Agree that Merton's DCS is vested with delegated authority to make more detailed decisions around the implementation of this proposal including signing off the inter-authority agreement between Merton and Southwark.

PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report summarises the business case for Merton entering regional adoption arrangements with nine other local authorities in South London as part of Adopt London South. All local authorities in England have been instructed by the Department for Education to enter into regionalised adoption arrangements by 2020. This report sets out the proposed approach to regionalisation for Merton and seeks formal agreement to begin implementing the new arrangements.

1.2 This report sets out indicative staffing FTE and financial implications of these proposals. The full business case with confirmed final finances will be available later in the autumn.

DETAILS

1.3 It is proposed that a new Adopt London South Regional Adoption Agency (RAA) is created through combining the adoption services for the ten South London Boroughs of Croydon, Greenwich, Kingston, Wandsworth, Lambeth, Lewisham, Merton, Richmond, Southwark, and Sutton. These agencies wish to build on the success of their existing services to improve performance in meeting the needs of those children who require permanence through adoption by bringing together the best practice from each authority within the RAA. This proposal forms part of an overarching project to develop four RAAs across London.

1.4 This report describes how establishing a single agency will allow the ten authorities to provide a more cohesive, efficient and effective use of resources and development of practice to the benefit of children, adopters and others who gain from adoption services. It proposed that the London Borough of Southwark will host the RAA, the cost of development to be funded by the Department for Education.

1.5 In March 2016, the government announced changes to the delivery of adoption services setting a very clear direction that all local authorities' adoption services must be delivered on a regionalised basis by 2020. This followed a range of national policy changes since 2012, including the 2015 'Regionalising Adoption' paper by the DfE that sought improvements in adoption performance. Following the general election in June 2017, the Minister of State for Children and Families reaffirmed commitment to this policy. In March 2018, the DfE commenced the legislation that allows them to direct a local authority into a RAA if there is no progress being made.

1.6 The premise of regionalisation is to:

- Increase the number of children adopted
- Reduce the length of time children wait to be adopted
- Improve post-adoption support services to families who have adopted children from care
- Reduce the number of agencies that provide adoption services thereby improving efficiency & effectiveness.

1.7 . The South London RAA will be known as Adopt London South (ALS) and will build upon the previous positive practice established within the two South London consortia – South London Adoption and Permanence Consortium (SLAPC) and South West Consortium which have acquired over the years good reputations for delivering effective services.

1.8 The rest of this report sets out the issues and detailed proposals for delivering Adopt London South.

1.9 The business case is founded on a number of key assumptions:

- There is one host for the south London RAA and it is proposed this is Southwark; however, it is expected that staff will be located across all ten LA sites; and that there is a host site for the South West in Merton.
- There is one lead responsible officer and centrally located functions, likely senior management, performance, commissioning and back office will be located in Southwark.
- Wherever possible practice and processes will be the same across all south London boroughs; however, there is a recognition of the scale of the South London RAA (and that it is bigger than all other RAAs in the country), therefore there will be tailoring and delivery based within two spokes which are based on the existing consortia (Merton, Sutton, Kingston, Wandsworth and Richmond in the South West and Southwark, Lambeth, Lewisham, Greenwich and Croydon in the South East).
- All agencies have the resources available to actively lead on and participate in agreed work streams and achieve the deliverables within agreed timescales set out in the plan;
- Adopt London South (ALS) will share case work responsibility for the child at the earliest possible point, at the discretion of each Agency Decision Maker but in most cases at the point of the Placement Order being granted;
- Staff affected will retain their existing Terms and Conditions, including pension rights, holiday entitlements and sick pay policies. If it applies, staff will be transferred to the host authority under the Transfer of Undertakings (Protection of Employment) regulations (TUPE). In Merton at this stage, and subject to formal consultation 4 FTE staff have been identified as potentially in scope for TUPE;
- Any applicable redundancy costs will be underwritten by the currently employing LAs as this will not be funded by the DfE or the host;
- Premises – ALS will be delivered from office bases in all ten locality areas. This will ensure: continuity of provision as far as possible; close working relationships with children's social workers and easy access for local communities to a service within their community. A small number of workers undertaking central functions (mainly senior management and back office staff) will work from a central base in the Host authority Southwark, and some functions will be delivered from the South West site of Merton. Merton will be able to charge for the use of premises and any related costs. To ensure the new ALS team is established with a cohesive and single culture it is expected that particularly in

the early stages that staff will be based for team building events, conferences, team meetings at Southwark's Tooley Street offices.

The Principles

1.10 The principles, which the business case has followed, were agreed by the Adopt London Executive Board which was delegated by the Association of London Directors of Children's Services (ALDCS) to oversee the development of the four London Regional Adoption Agencies. These principles have been endorsed by the DfE:

- Local authorities involved in Adopt London and each of the four RAAs are committed to collaborating on adoption arrangements so that the best interests of children and their adoptive families are secured and kept at the forefront of decision-making.
- Adopt London will provide an overarching framework for enabling effective coordination, coherence and partnership working across London.
- Adopt London authorities, and the four RAAs will make sure that there is consistency of approach in relation to key strategic and operational decisions, e.g. about whether staff are transferred under TUPE arrangements or seconded. Project teams in the four RAAs and RAA governance arrangements should reflect the ambition to promote such consistency of approach.
- We are committed to working effectively together with Voluntary Adoption Agencies (VAAs), making sure that their unique and important contribution is maximised and that VAAs are involved in the development of the RAAs and Adopt London.
- The focus of work over the next 18 months will be on establishing the four RAAs; in phase two, developmental work on the Adopt London hub will progress. We will use the Adopt London Executive Board to operate a virtual Hub in the coming period, with a view to exploring options for joint commissioning across London, maintaining common design principles for the spokes and exploring opportunities for further development of the Hub in phase 2.

The scope and delivery model

1.11 The decision to pursue four RAAs in London was agreed by ALDCS, and endorsed by the DfE in May 2018. This report does not revisit that decision, but provides more detail for how the agreed delivery model will work in south London.

1.12 Whilst a number of options were considered early on including the creation of a new single entity to deliver adoption services across South London, the preferred option is to combine the ten London boroughs with one borough becoming the host authority. Creation of new single entities is time consuming and costly and

not a preferred option elsewhere with RAAs already live.

1.13 Governance of the RAA will operate through a board comprising of senior representatives from all LAs with executive voting powers with non-executive advisory representation from Voluntary Adoption Agencies (VAAs), adopters and adoptees. The RAA will continue to be accountable to Corporate Parenting Boards and other Local Authority bodies including local scrutiny panels.

1.14 The RAA will aim to provide a high-quality service to adopted children with improved outcomes; taking the best models of delivery from each of the nine services and considering the best level of geography on which to deliver (sub-regional, regional or pan-London). The RAA will also aim to provide savings through economies of scale.

1.15 It is important to note that each of the other London RAAs has between 5-7 local authorities, and no other RAA has gone before nationally which combines such a large number of Local Authorities. Therefore, ALS will be implemented as two spokes with the South West comprised of Sutton, Merton, Wandsworth, Richmond and Kingston (with Merton acting as a spoke office) and the South East comprised of Southwark, Lewisham, Greenwich, Lambeth and Croydon (with Southwark acting as both spoke office and overall hub).

1.16 The delivery model for the RAA addresses the five areas set out by the DfE as their minimum expectations of a Regional Adoption Agency:

1. A single line of authority with the ability to act as a single service and a head of service in place.
2. Transfer of staff into the organisation.
3. Inclusion of core adoption functions of recruitment and assessment of adopters, early permanence and family finding, and adoption support.
4. Pooled funding from local authorities into the RAA.
5. Pan-regional approach to matching i.e. one pool of children and adopters.

1.17 Adopt London South will work collaboratively with 3 other RAAs across London namely:
- Adopt London West – hosted by Ealing
- Adopt London North – hosted by Islington
- Adopt London East – hosted by Havering

1.18 Approximately 50-60 FTE LA staff, many of whom work part time, are expected to become part of the new organisation to deliver the following main services across South London:

- 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;

The table below sets out the RAA and LAs will work together, summarising roles and responsibilities for each:

Function	Regional Adoption Agency	Local Authority
RECRUITMENT AND ASSESSMENT		
Marketing and Recruitment Strategy	✓	
Adopter Recruitment and Enquiries	✓	
Assessment of Prospective Adopters – all Stage One and Stage Two functions	✓	
Completion of Prospective Adopter Report	✓	
Agency Decision Maker for approval of adopters	✓	
Post approval training	✓	
Matching	✓	
Post Placement training for Prospective Adopters	✓	
PERMANANCE PLANNING		
Early identification of a child possibly requiring adoption		✓
Tracking and monitoring the child possibly requiring adoption	✓	✓
Support and advice to child care social worker on the adoption process	✓	✓
Sibling or other specialist assessments if commissioned by LA	✓	✓
Direct work to prepare child prior to placement	✓	✓
Preparation of the Child Permanence Report		✓
Agency Decision Maker for "Should be placed for Adoption" decisions		✓
Case management prior to the point agreed by the LA ADM		✓
Case management from point agreed by the LA ADM		✓
MATCHING AND PLACEMENT		
Family finding	✓	
Looked After Child reviews	✓	✓

Function	Regional Adoption Agency	Local Authority
Shortlist potential families	✓	
Visit potential families	✓	✓
Organising child appreciation day	✓	
Ongoing direct work to prepare child prior to placement	✓	
Adoption Panel administration and management	✓	
Agency adviser role	✓	
Agency Decision Maker for Matching prospective adopters and child		✓
Placement Planning meeting administration and management of introductions	✓	
Support to family post placement and planning and delivery of adoption support	✓	
Ongoing life story work and preparation of Life story book	✓	✓
Independent Review Officer monitoring of quality of child's care and care plan		✓
Support prospective adopters in preparation and submission of application for Adoption Order – including attending at court	✓	
Preparation of later life letter	✓	✓
ADOPTION SUPPORT		
Assessment for adoption support	✓	
Developing and delivering adoption support plans	✓	
Agree and administer financial support to adoptive families pre and post Adoption Order		✓
Adoption support delivery including: • Support groups • Social events • Post adoption/special guardianship training • Independent Birth Relative services • Support with ongoing birth relative contact • Adoption counselling and training	✓	
Financial support to adopters including adoption allowances		✓
NON-AGENCY ADOPTIONS		
Step parent/partner adoption assessments	✓	
Inter-country adoption assessments and post approval and post order support	✓	

Milestones and implementation

1.19 It is proposed that following formal endorsement of the delivery model and budget at the ten cabinets and committees over the autumn and winter 2018 that the structure for the proposed Adopt London South RAA will be subject to formal consultation through winter and early spring 2019. Phased implementation will begin from the point that the decision is formally endorsed at cabinets and committees and run through until early summer 2019.

1.20 The first key implementation task will be to appoint the permanent leader of the RAA. A phased implementation is being pursued because the logistics of setting up Adopt London South are greater and more complex than any other RAA given that 10 boroughs are being brought together.

1.21 See the table below summarises the key milestones for delivery:

Stage 1: Mobilisation & on going Project Management	Stage 2: Vision & Design	Stage 3: Service Analysis- Measure and Understand (As is)	Stage 4: Service redesign workstream initiation (Future State)	Stage5: Monitoring, evaluation and benefits	Stage 6:Transition arrangements/shadow and testing phase	Stage7: Implementation
This stage ensures that there is an established rationale for integration whilst putting in place the building blocks for defining and scoping the change.	This stage involves working with senior stakeholder to understand and develop the vision for these integrated services and articulate the 'end state'.	The stage involves refining the scope of the project, identifying the cohort to work with and measuring the current situation (the 'as is') and understanding the level of change required to achieve the defined aims and objectives. This is important in providing a solid evidence base for the 'to be' model and developing options for the services and functions in scope.	This stage involves designing the 'to be' model, understanding and developing the options available in order to achieve the desired outcomes and identify the level of change required.	This stage reviews the initial benefit profiles and puts in place monitoring and evaluation measures for the testing and implementation phases	This stage involves working with operational teams to prototype and test out the agreed integration model/option and monitoring effectiveness of it. This stage allows for refinement to confirm the solution as correct/optimum before changes are mainstreamed.	Subject to the evaluation of stage 6, this stage involves fully implementing the new model and associated improvements
Deliverable: March - May • Lockdown scope • Set up PMO function • Project team in place • Project plan signed off • Workstreams developed and leads identified	Deliverables: April - May • Establish clear design features & evaluation criteria • Agree key outcome measures and anticipates benefits • Articulate vision for the new service	Deliverables: May - July • Analysis of current position • Stakeholder engagement • HR analysis of workforce implications and options • Review benefit profiles • Complete current position statement • Identify opportunities for change and improvement	Deliverables: July - November • Service design model options • Legal appraisal of options and impacts • Agree support service functions • Completed Business Case • Sign off and permission to proceed • Complete transition and full implementation pla**n**	Deliverables: August - September • Agree on evaluation approach • Set performance measures/KPIs for new service • Review benefit profiles and produce realisation plan	Deliverables: October- November •Policies/procedures, referral routes agreed • Functions & Structure agreed • Systems tested • Legal requirements for new entity in place • Future model governance and SLAs agreed	Deliverables: November - April 19 • Organisation review process • Engagement and change management process • Fully implement the new model • Go live with new service

2. Options Considered

2.1 Entering into these regional adoption arrangements through a Regional Adoption Agency hosted by Southwark is the only option being considered which meets the requirements of regionalisation as set out in the legislation.

2.2 There will be approximately 30 FTE social worker positions within Adopt London South, and approximately 50-60 FTE in total including management, administration, performance, commissioning, panel advisor and administration capacity. 5.1 FTEs from Merton have been identified as in delivering services in scope. One third of the capacity in the new RAA will be focused on adoption in the South West (Sutton, Wandsworth, Kingston, Richmond and Merton), as this is where one third of the adoption work happens. Funding from the South West also accounts for around one third of the RAA budget.

2.3 It is proposed that to ensure clarity and maintain and improve timeliness that specialist teams will operate in each of the spokes (recruitment, assessment, family finding and matching team, and a post adoption team).

3. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

3.1 The budget for the RAA has been built through each of the 10 authorities considering the agreed scope and outcomes for the RAA and identifying the existing budget available to deliver these activities. LAs have ensured that sufficient resource is retained to deliver the activities, which will remain the responsibility of the local authority.

3.2 Merton has identified a staffing budget of £256,564 which will transfer to Southwark to host Adopt London South. A proportion of this will be used to cover hosting charges incurred by Southwark (for example HR, IT, legal, finance), the remainder will be used to resource Adopt London South. We are awaiting confirmation from Southwark of the agreed final hosting costs per borough. Data has been collected on boroughs' adoption allowances, including the proportion funded by ASF and the proportion funded by LAs. However, this is not included in the proposed base budget, which will be transferred to Southwark as it will be retained by the boroughs. However, expertise in securing ASF will sit within the RAA and the RAA will have a role in the future in reviewing the approach to allowances across 10 boroughs. In total the approximate budget for Adopt London South to deliver all the services within scope is likely to be in the region of £3.5 million.

4. LEGAL AND STATUTORY IMPLICATIONS

4.1 In March 2016, the government announced changes to the delivery of adoption services proposing that all local authorities' adoption services be delivered on a regionalised basis by 2020. This followed a range of national policy changes since 2012, including the 2015 Regionalising Adoption paper by the DfE that sought improvements in adoption performance,

4.2 The government has reinforced their policy ambition through provisions in the Education and Adoption Act 2016. The Act also gives the Secretary of State a new power to direct one or more named local authorities to make arrangements for any, or all, of their adoption functions to be carried out on their behalf by other local authorities named, or by another agency. Therefore, the entering into regionalised arrangements is not voluntary, but required.

4.3 The new regional adoption arrangements will be governed by a board, and be subject to an inter-authority legal agreement which sets out the terms of the arrangement. This agreement will need to be signed between each member authority and Southwark prior to the formal go live of the new arrangements.

4.4   In resourcing the new RAA, if it applies staff will be subject to TUPE.

5.   HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS
5.1   No specific implications from this report

6.   CRIME AND DISORDER IMPLICATIONS
6.1   No specific implications from this report.

7.   RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS
7.1   No specific implications from this report.

8.   APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT
None

9.   BACKGROUND PAPERS
9.1   None