

Officer Non Key Executive Decision

Relevant Chief Officer (Decision Maker):	Diane Booth, Director of Children's services
Relevant Cabinet Member (for consultation purposes):	Councillor Graham Cain, Cabinet Secretary (Resilient Communities)
Report Author (Officer name and title):	Charlotte Ennis, Service Manager, Fostering, Adoption and Residential Services.
Implementation Date of Decision:	24 October 2018

BLACKPOOL AND LANCASHIRE REGIONAL ADOPTION AGENCY

1.0 Purpose of the report:

- 1.1 To outline the proposed options for the legal model for Blackpool and Lancashire's Regional Adoption Agency (RAA) to inform decision making in order to progress with the development and implementation of the Regional Adoption Agency (RAA).

2.0 Recommendation(s):

- 2.1 To agree for a Local Authority hosted model and that Lancashire County Council will host the Regional Adoption Agency on behalf of Blackpool Council and Lancashire County Council.

3.0 Reasons for recommendation(s):

- 3.1 The government has outlined that it wants all Local Authorities to be part of a Regional Adoption Agency by 2020. This is a national drive in order 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 family as quickly as possible.

The agreement of the legal model for the Regional Adoption Agency is a decision to assist both Council in moving on to developing a fully functional Regional Adoption Agency by Spring/ Summer 2019.

These options were appraised by the Regional Adoption Agency Project Board on 24th September 2018 and the recommendation of the Board for consideration of Elected Members was that the Blackpool/ Lancashire Regional Adoption Agency should be an Local Authority hosted model.

The findings and considerations contained within the background section of the report, outline the volume of staffing, adoption work across the Authority's and the requirements of the host Authority in delivering the Regional Adoption Agency. Whilst Blackpool Council has a positive track record in delivering adoption services and previous experience of shared partnership working, there would be some challenges in providing the infrastructure required for the successful delivery of the Regional Adoption Agency.

In respect of Our Children for whom the care plan is adoption, the Regional Adoption Agency will not have a significant impact on the service that they receive. It is anticipated that the formation of the Regional Adoption Agency will allow for more assessments of prospective adopters which will increase the matching opportunities for Our Children.

For the prospective adopters who would like to be assessed to adopt Our Children in Blackpool, the activity will not significantly change. The Regional Adoption Agency will allow for greater capacity to undertake assessments of prospective adopters and support following adoption.

With the joining of resources, the Regional Adoption Agency will be able to deliver positive marketing and recruitment activity which will improve outcomes for Our Children.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes
- 3.3 Other alternative options to be considered:

Legal models

Each option was explored in detail, taking into consideration the implementation timescales. The summary of the discussions about each option is outlined below in table 1.

Table 1

No.	Option	Reasoning
1	Do nothing	Discounted as this does not satisfy the DfE's requirements for forming a RAA
2	Work together but with no legal changes	
3	Hosted by one Local Authority (LA)	The simplest, most straight-forward and cost-effective option, which all 10 live RAAs have opted for.

4	Joint venture, public-sector owned or LA trading company	Little appetite from the legal group or board members to create a separate legal entity due to:
5	Create a new Voluntary Adoption Agency (VAA)	<ul style="list-style-type: none"> • The volume of work involved. • The lengthy timescales required. • The high costs. • The history of setting up ‘arms-length’ bodies in each local authority.
6	Outsource to existing VAA	Discounted due to no interest from VAA partners to host the RAA.

The table highlights that the Local Authority hosted model would appear to be the most appropriate option to achieve the implementation of the RAA.

Local Authority Host

The alternative option to this would be for Blackpool Council to host the Regional Adoption Agency RAA on behalf of Blackpool Council and Lancashire County Council.

At this stage the exact numbers of staffing cannot be specified due to the further work required around the exact scope work to be delivered by the Regional Adoption Agency. An initial scoping exercise has identified that the Regional Adoption Agency would need to have the infrastructure in place to host approximately 10 staff for Blackpool and between 50 – 70 staff for Lancashire. This would include legal, finance, insurance, business administration, communications and marketing as well as the ability to provide accommodation, office space and equipment for the Regional Adoption Agency. The full considerations, benefits and risks for the host authority are outlined in the background section of the report.

4.0 Council Priority:

4.1 The relevant Council Priority is: “Communities: Creating stronger communities and increasing resilience”.

5.0 Background Information

5.1 National

A government paper in 2015 outlined its plans for all Local Authorities to be part of a Regional Adoption Agency by 2020. To date, 10 Regional Adoption Agencies have been set up nationally.

Local

In April 2018 the Department for Education agreed the proposal for Blackpool Council and Lancashire County Council to form a Regional Adoption Agency to deliver adoption services on behalf of both Councils.

A project team has been set up and Trueman Change consultants have been commissioned to support with the design and implementation of the Regional Adoption Agency.

The design phase of the implementation is to be developed in 3 stages.

1. Agreement of the legal model of the Regional Adoption Agency.
2. A decision about which adoption services will be in the scope of the Regional Adoption Agency to deliver.
3. A decision on the staffing model of the Regional Adoption Agency which will be informed by the above 2 stages.
- 4.

The project team have been working with officers and staff from Blackpool Council and Lancashire County Council to consider the options for the legal model of delivery for the Regional Adoption Agency and identify the options around the delivery of these. This work has also involved staff, managers and adopters from each of the Councils.

A project board has been established with key senior officers from both Councils, representation from Voluntary Adoption Agency partners, and the Department of Education appointed coach. The project plan, timescales, and work plans are accountable to the Project Board. The board is chaired by Blackpool Council's Director of Children's Services Diane Booth.

In September 2018 the project team hosted a meeting bringing together colleagues from across Legal, HR and finance from Blackpool Council and Lancashire County Council to consider the 6 legal model options for the Regional Adoption Agency as outlined in table 1.

These options were appraised by the Regional Adoption Agency Project Board on 24th September 2018 and the recommendation of the Board for consideration of Elected Members was that the Blackpool/ Lancashire Regional Adoption Agency should be a Local Authority hosted model.

Host authority

To date all of the other Regional Adoption Agencies that have "gone live" have opted for a Local Authority hosted model. The project team has undertaken a scoping exercise to identify the role of the host authority to inform the decision making around the legal

model.

The overall estimated staffing resource is estimated between 60 and 80 full-time equivalent across both Councils. The requirements below must be considered in terms of the staffing, performance and the volume of work.

The role of the host authority is:

- Overall accountability to all Regional Adoption Agency members on adoption services.
- Day to day line management of the Regional Adoption Agency staff.
- Provide the infrastructure and support services to support the Regional Adoption Agency.
- Accountable for the performance of the Regional Adoption Agency.
- Ownership of policies and procedures
- Be the legal entity for the purposes of the Regional Adoption Agency and lead on commissioning and procurement of services.
- To provide, advise and support on ICT requirements of the Regional Adoption Agency.
- To hold any budget provision and/or manage implementation of the Regional Adoption Agency's budgetary requirements.

In order to fulfil the role, it has been identified that the host authority needs to have:

- Adequate support services in place to host the other Council's staff and workloads, for example, the ability to provide accommodation, office space, equipment.
- Strong leadership and management structure to support the Regional Adoption Agency and provide clear governance to the structure.
- Previous experience of shared services and partnership working.
- The capacity to lead on the support function design of establishing the Regional Adoption Agency, such as the host's legal team leading on development of documents, and HR team leading developing the staffing model.

The benefits to the host council include an enhancement of reputation as a leader and innovator in the field of social care provision, as well as the ability to directly influence the development of the agency to meet performance targets.

The host council would also need to absorb the risk/ impact of the following areas:

- Additional staffing from the other authority and providing the infrastructure including Accommodation, ICT support and equipment, HR support and day to day line management.
- Leading on the procurement activity on behalf of the Regional Adoption Agency.
- Depending on the staffing model chosen, the host may be taking on the liability for those staff in terms of pension costs and redundancy rights.
- Inspection outcomes

Does the information submitted include any exempt information

No

6.0 Legal considerations:

6.1 Blackpool Council has a legal representative on the Project Board and have provided a legal position on the legal models which have been outlined in table 1.

7.0 Human Resources considerations:

7.1 HR from Blackpool Council have been actively involved in meetings considering the legal model options and considering the potential implications for staffing, role and staff welfare.

7.2 The Trade Unions have been fully notified of the proposals for the Regional Adoption Agency and have been present in a staff briefing session.

7.3 If it were agreed that Lancashire would be the host Local Authority for the Regional Adoption Agency, there would be a need for a staffing resource from Blackpool to join the Regional Adoption Agency. There are 2 options for the movement of staff from Blackpool TUPE or secondment.

7.4 At this time, secondment would be the preferred option. Under a secondment, Blackpool would retain responsibility for our staff with Lancashire providing line management, which would allow Blackpool Council the opportunity to observe the success of the model and review this arrangement moving forwards.

7.5 There is a short timescale for the implementation of the Regional Adoption Agency, which restricts the ability to undertake the necessary work in order for TUPE of staff; this is not Blackpool's preferred model.

8.0 Equalities considerations:

8.1 In the course of developing the model and recommended option, we have reflected on where unintended impacts could occur on service users/ stakeholders because of shared characteristics protected in the Equality Act.

8.2 The intention is to ensure that existing policies, procedures and timescales that relate to adoption will continue in the new model. If in the future, new policies / procedures are introduced by the external management arrangements, then we shall

expect appropriate levels of stakeholder/user consultation and equality analysis of these proposals.

- 8.3 Within all this, both Councils shall especially scrutinize the potential impacts on issues relating to gender- including transgender, race / religion, sexual orientation and disability.

9.0 Financial considerations:

- 9.1 Blackpool Council has a representative from finance on the Project Board and have provided a financial perspective on the legal models, which have been outlined in table 1.

10.0 Risk management considerations:

- 10.1 If the decision was not taken in relation to the legal model of the Regional Adoption Agency, this would significantly impact on the ability to deliver the Regional Adoption Agency within the timescales agreed with the Department for Education, as this is a key decision.

11.0 Ethical considerations:

- 11.1 None identified at this time.

12.0 Internal/ External Consultation undertaken:

- 12.1 A series of briefings and workshops have been held with managers, staff and adopters from Blackpool to understand the role of the Regional Adoption Agency RAA as well as exploring the practice in the different adoption teams.
- 12.2 Staff receive written updates as well as briefings on the developments of the design and implementation process.

13.0 Decision of Chief Officer

- 13.1 To agree for a Local Authority hosted model and that Lancashire County Council will host the Regional Adoption Agency on behalf of Blackpool Council and Lancashire County Council.

14.0 Reasons for the Decision of the Chief Officer

- 14.1 The government has outlined that it wants all Local Authorities to be part of a Regional Adoption Agency by 2020. This is a national drive in order 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 family as quickly as possible.

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