

## **North Somerset Council Decision**

### **Decision Of: Director of Children's Services**

**In Consultation With: Assistant Director of Children's Services,  
Head of Children's Strategic Commissioning, s151 Officer, Head  
of Strategic Procurement**

**Directorate: Children's Services**



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### **Decision No: CY96 2021/22 Scheme**

**Subject: Extension of the Adoption West Commissioned Services Agreement**

**Key Decision: Yes**

**Reason: Value is over 500k for the duration of the extension (in contrast to the most recent 3 month extension, which was not).**

#### **Background:**

The Corporate Plan 2020-2024 sets out that North Somerset Council (NSC) is a council which empowers and cares about people. All of the objectives are met and furthered in relation to this area by the delivery of the Adoption West contract:

- A commitment to protect the most vulnerable people in our communities (*i.e., people who have been, or will be adopted*)
- An approach which enables young people and adults to lead independent and fulfilling lives (*as above*)
- A focus on tackling inequalities and improving outcomes (*as above*)
- Partnerships which enhance skills, learning and employment opportunities (*by working with our neighbouring Local Authority (LA) colleagues to meet the needs of those who have been or will be adopted*)
- A collaborative way of working with partners and families to support children achieve their full potential (*as above*)

The Adoption West project developed from a steering group formed in July 2013 to consider more collaborative working to improve adoption and permanence service delivery across eight LA's: Bath & North East Somerset, Bristol, Gloucestershire, North Somerset, South Gloucestershire, and Wiltshire (Somerset and Swindon opted to join other regional agencies at the time).

Initial work was undertaken by commissioning leads from Gloucestershire and Wiltshire before engaging the Institute of Public Care (IPC) to complete more detailed work. IPC presented a commissioning plan to the Directors of Children's Services for the Adoption West area and on 18th July 2014 it was agreed work should be undertaken to move towards a collaborative model of providing adoption services. Work began in April 2015 on activity to concentrate on and jointly commission a number of adoption service functions regionally with the partnership commencing in 2019.

The LA's in the partnership 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. This will be achieved by bringing together the best practice from each authority into an Integrated Service. Entering into a Regional Adoption Agency will allow the local authorities to provide a more cohesive, efficient and effective use of resources and development of practice.

All partners are agreed that collaboration should be underpinned by two guiding principles:

- a. That looked after children and prospective adopters are advantaged by doing so and
- b. That a regional adoption service is demonstrably more efficient and flexible in delivering the service.

**Decision:**

**To agree a variation to the current Commissioning Agreement which:**

- (a.) Extends the term of the Commissioning Agreement (as defined) for a period of 4 years and 9 months commencing **1<sup>st</sup> June 2022 and expiring 28<sup>th</sup> February 2027.**

Powers were delegated from the Executive to the Director of People and Communities (now Director of Children's Services) in order to enact the above changes as per the NSC Constitution.

**Reasons:**

The development of Regional Adoption Agency proposals are part of the national regionalising adoption agenda as set out in 'Regionalising Adoption' (July 2015), and further developed in 'Adoption; A Vision for Change' (March 2016). Proposals are also informed by the Education and Adoption Act 2016. The current arrangements are coming to an end in February 2022, so arrangements need to be made to continue adoption services. A recent 3-month extension allowed for due process for this longer extension of 4 years and 9 months, which is a key decision and needs to be published.

**Options Considered:**

**Do nothing – not recommended**: the current contract expires in February 2022. A recent Director's Decision sheet for 3 months took it to the 31 May 2022 to allow for due process to be followed for the rest of the 5 year extension (4 years and 9 months). The Adoption services have been successful using a regional approach since the transfer to Wiltshire's LA owned company, Adoption West.

**Variation to Extend the current contract for 4 years and 9 months – recommended option**: for reasons stated above. It's written into the original commissioned agreement to extend, if the LA's involved are all in agreement. The proposal is that the term shall be extended for a period of 5 years, from 1 March 2022 to 28 February 2027 which will be a published decision. (See above – 3 months has already been agreed from 1 March to 31 May 2022)

**Leave the Adoption West contract – not recommended** due to reasons above, primarily the gains that have been made in the collaborative working. It would not make sense to break away from the collaborative arrangements in place and start afresh.

### **Financial Implications:**

The proposed new financial mechanism reflects the previously agreed move away from the financial position as it stood in 2019, which was based on historical spend that underpinned the establishment of Adoption West. The proposed new Financial Mechanism is, however, based on adoption related activity over the last two and half years and population volumes from a combination of the following metrics:

- 1.1. Number of Looked After Children under 5 years old
- 1.2. Number of Adoptions (previous 3 years)
- 1.3. Adoption Support resource calculation comprising:
  - 1.3.1. Adoption support fund application volumes
  - 1.3.2. Contact arrangement volumes
  - 1.3.3. Birth Family support case volumes
  - 1.3.4. Adopter support mailing list numbers

The significance attributed to each of the three metrics are as follows:

|  |     |
|--|-----|
| 1.4. Looked After Children under 5 years old | 15% |
| 1.5. Number of Adoptions                     | 50% |
| 1.6. Adoption Support                        | 35% |

### **Costs:**

The first cost represents the 3-month extension to the contract which has already been agreed, to support the due processes to enable a longer term Key Decision on this extension. The introduction of the revised financial mechanism will be phased in 20% increments over 5 years, beginning 2021/22, to alleviate the immediate impact of any change to an individual local authority contribution. The contribution from North Somerset Council over the next 5 years is shown below (in financial years):

- **£108,825.90 (01/03/22-31/05/2022) AGREED**
- 2022/23 £362,753 (01/06/2022 to 31/03/2023)
- 2023/24 £447,132
- 2024/25 £459,278
- 2025/26 £471,751
- 2026/27 £445,411 (01/04/2026 to 28/02/2027)

Total over 5 years: £2,186,325 (**4 years and 9 months total is £2,077,499.10**)

**Funding:**

The cost will be funded from existing Children's Services revenue budget. Future years budgets will be reviewed as part the MTFP budget setting process.

**Legal Powers and Implications:**

The Adoption and Children Act (2002) places a statutory requirement on each participating Authority and, therefore, the Integrated Service, to:

- Recruit, assess and support potential prospective adopters
- Work in partnership with the child's social worker in seeking a permanent placement for the child through adoption
- Assess, support and plan for children who are relinquished by their birth parents
- Assess, support and plan for children who have a parallel plan for adoption
- Assess and support parent/partner and family relatives who wish to adopt a child
- Assess and support those adults who are seeking to adopt from another country (inter-country adoptions)
- Provide counselling advice and information to adopted adults post 18.
- Provide Independent support to birth parents involved in proceedings.
- Manage and support Adoption Panels which make recommendations to approve prospective adopters and on the matching of individual children to adopters
- Provide professional advice on best practice and regulations to agency decision makers
- Provide a quality assurance role across the Integrated Service

The following legislation forms the legal framework within which the service will operate:

- Local Government Act 1972
- Children Act 1989
- Adoption (inter-country Aspects) Act 1999
- Adoption and Children Act 2002
- Children and Adoption Act 2006
- Education and Adoption Act 2016

**Climate Change and Environmental Implications:**

This is an extension of a current contract for adoption services. As it is a LA owned company, it will be sensitive to the climate change agenda and embed a culture of reducing waste through re-use, repair and recycling where possible, including working from home and paperless working practices currently.

**Consultation:**

The wider group of LA's have been consulted from the Board of Adoption West who have sought agreement from each LA in the changes proposed.

## **Risk Management:**

- If the contract is not extending in line with proposals, NSC will not be able to meet statutory duties placed upon them in delivering Adoption services which opens NSC up to legal challenge.
- There are continued opportunities which will continue to be realised in the context of working collaboratively with our neighbouring LA colleagues in this field of work.
- Bristol City Council has provided support to Adoption West in the production of the contract variation and associated documents.

## **Equality Implications:**

Have you undertaken an Equality Impact Assessment? No – one was undertaken before, and it still stands as it's an extension that is being sought. The changes which are being requested relate to funding mechanism rather than service delivery which would be the factor that impacts upon protected groups.

## **Corporate Implications:**

If the service is not extended and support provided in the context of adoption support services, it could impact upon later lives of those under Children's services, as well as Adult Social Care. The main reason for extending is to ensure the wellbeing of those who have been or will be adopted.

## **Appendices:**

### **Background Papers:**

The two following documents were attached to the Forward Plan but cannot be hyperlinked from this document:

- Original decision sheet PC77 2018/19
- Background documents (10 Adoption West)
- Inter-Authority agreement 22/2/2019
- Commissioning Agreement 22/2/2019
- Members Agreement 22/2/2019

## **Signatories:**

### **Decision Maker(s):**




Signed:

Title: Director of Children's Services

Date: 06.05.22

**In Consultation with:**

Signed: 

Title: Assistant Director of Children's Services

Date: 06.05.22

Signed: Alison Stone (email authorisation on file)

Title: Head of Children's Strategic Commissioning

Date: 06.05.22

Signed: 

Title: s151 Officer

Date: 0605.22

Signed: 

Title: Head of Strategic Procurement

Date: 06.05.22

**Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:**