

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

15TH DECEMBER 2016

DEVELOPMENT OF A NATIONAL ADOPTION FRAMEWORK ON ADOPTION SUPPORTS

REPORT OF GROUP DIRECTOR OF COMMUNITY & CHILDREN'S SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR G HOPKINS

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1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to update Cabinet on the work that is being undertaken to develop a common Wales wide policy for the payment of financial allowances in adoption cases.

2. RECOMMENDATIONS

It is recommended that the Cabinet note the content of the report.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that Cabinet are aware of the development of a common Wales wide policy for the payment of financial allowances in adoption cases.

4. BACKGROUND

- 4.1 The National Adoption Service for Wales (NAS) was launched in November 2014 bringing all local authorities in Wales together into a unique collaboration for the delivery of adoption services. The legal basis underpinning the service is the Social Services and Well-being Act (Wales) which gave Welsh Ministers the power to direct how local authorities in Wales deliver their adoption functions. This is enforced through a set of regulations, The Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015 [generally referred to as the 'Directions Powers'] which require local authorities to collaborate on a set foot print to create Regional Adoption Collaboratives. Cabinet will be aware that joint is part of the Valleys and Vale collaborative which consists of Merthyr Tydfil, Cardiff and Vale of Glamorgan.

- 4.2 The National Service established governance arrangements and the development of a post of the Director of Operations and a small team to provide national direction and co-ordination. The 'Directions Powers' also provided detail as to the content of the legal agreements that were needed to underpin the Regional Services and their Management Boards as well as the overall governance of the National Service.
- 4.3 The National Service is also supported by an Advisory Group which is independently chaired and made up of a wide range of professional interests, including officers from the lead authorities for each regional collaboration, and the Governance Board which is currently chaired by the Presiding Officer of the Welsh Local Government Association (WLGA), is Councillor led and includes a Council Member representing each regional collaborative. The wider partnership of the service includes the Voluntary Adoption Agencies, Health and Education services linked in at all levels.
- 4.4 The 'Directions Powers' also set out the broad aims of the National Adoption Service in terms of improving and making consistent the arrangements for timely placement of children, training and assessment of adopters, adoption support and collaborative working. Of specific relevance to this report are the following aims:
- the consistent delivery of high quality adoption services throughout Wales [Regulation 2(a)]
 - the streamlining of adoption processes.....[Regulation 2(f)]
 - keeping adoption breakdown to a minimum by the provision of comprehensive adoption support services according to assessed need [Regulation 2g].
- 4.5 The 'Directions Power' provides the legal requirement to provide adoption allowances in certain circumstances. This report introduces the proposal to adopt a national policy for the payment of financial allowances to adopters.

5. DEVELOPING AN ADOPTION SUPPORT POLICY:

- 5.1 Work was undertaken prior to the NAS being established to gain an understanding of the position regarding adoption support/allowances across Wales. This work was commissioned by the Association of Directors of Social Service Cymru (ADSSC) as part of their management of the project to create the NAS. A survey was returned by 20 authorities and covered the period April 2012 to December 2013. This work helped to establish a base line of information.
- 5.2 The message emerging from this first survey was the inconsistency that existed across Wales in all aspects of the provision of financial allowances. Some local authorities were paying no allowances at all and where they were paid there was

a wide variation in the amounts paid. The emerging Regional Adoption Collaborative all reported the need to achieve greater consistency across Wales

- 5.3 Further work was commissioned in July 2015. Initially this was to re-visit the work previously undertaken, collect and analyse updated information from authorities, analyse current best practice evidence as well as examining current Adoption Support Allowance Policies & Procedures.
- 5.4 This work revealed ongoing inconsistency and variation in use of Adoption Support Allowances Policies & Procedures and financial allowances.
- 5.5 Payment of allowances was not consistently being seen as an element of a wider comprehensive policy for adoption support services, although there was some bias towards it being used to support children who were harder to place. There was also evidence of the courts directing payments where they may not otherwise be considered and a variety of 'means testing' approaches being applied in the calculation of payments.
- 5.6 Significant expenditure on allowances across Wales was revealed: £3,985,000 during the 14/15 business year, an increase of £250,000 on the total Wales spend for 12/13. It was also noted that decision making had moved up the management hierarchy with primarily Heads of Service or Principal Officers agreeing payments. On average across Wales a financial allowance was granted in 23% of adoptions. Within the context that allowances were granted for just 23% of new placements, higher proportions were paid to support the placement for adoption of sibling groups, children with specific needs and for some children with their former foster carer (for whom there are specific provisions).
- 5.7 Other variations that were noted within and between the regional collaborative:
 - Continued variation in whether an allowance is granted or not; between 100% of all new adoptions in one local authority to 0% of adoptions in several others.
 - Continued variation in the amounts paid and a difference between 'historical' allowances and newer ones. For 'historical' allowances between £191 per week and £70 per week is paid with an average of £126. For newer allowances between £224 and £84 per week is paid with an average of £140.
 - Variations in the length of time allowances are granted for: 13% for 1 year; 35% 1-3years; 18% 3-5years and 34% indefinitely.
 - All of the new allowances made by 8 local authorities were for an indefinite period although half of these only paid allowances to former foster carers.
 - Some progress has been made to implement a more robust review process; however it was acknowledged by all regions that it requires further strengthening even where the allowance has been made for a specific period.

- 5.8 There was an emerging consensus amongst regional collaborations and the Voluntary Adoption Agencies in Wales that a national policy framework should be developed. There was also agreement to some elements of a potential single policy framework for Wales namely that allowances should be seen as part of wider support services framework, used to meet the needs of individual children and not to supplement adopter's income, that a consistent means test model should be introduced and that there should be greater consistency and transparency in the review of adoption allowances.
- 5.9 The Advisory Group and Governance Board have welcomed the review and the proposals to develop a national approach to make the Wales wide arrangements for financial allowances more consistent. Agreement was given to develop the proposed national policy and an implementation plan which should include seeking individual Council agreement. There was also a consistent view emerging that levels of adoption support payments should bear some relationship to fostering allowances.
- 5.10 Once this initial work had been completed and reported to the Advisory Group and Governance Board it was further agreed that a proposed national policy would be drafted which would include proposals for a standard 'means test' and the review of allowances being paid.

6. CURRENT POSITION

- 6.1 In the context of a national service and Regional Collaboratives, this ongoing variation with its implications for fairness and equity for children and adopters needs to be resolved. The level of expenditure, the evidence that it is increasing and the payment patterns are significant; a national framework will better support regions and local authorities to manage the expenditure and have better confidence that it is being appropriately targeted.
- 6.2 Work is being undertaken to develop a draft proposed common national policy which includes proposals on the review of allowances and a common means test process which is based on that used by the Department for Education and Skills. The draft policy will be based on the legal framework and will build upon the 'best' practice that is available across the regional collaboratives and has benefitted considerably from the experience of Western Bay regional collaborative which has developed a regional policy.
- 6.3 Work is ongoing to develop common operational tools and process and to develop a proposed implementation plan for Wales.
- 6.4 The latter will include work with finance officers so that any financial impacts can be foreseen and inform planning as well as introducing improved financial rigour into the assessment and review processes. The proposal is that the new

national policy will be implemented from a future date and that existing allowances will be honoured subject to the terms of their agreement and usual review processes. The experience of the region that has already implemented a regional policy is that financial savings were achieved by the process of taking stock of existing allowances as well as to projected future expenditure through the application of the policy for new payments.

- 6.5 It is important for a national policy on adoption allowances to be set within the wider context of adoption support services. NAS is also developing a 'Framework for Adoption Support in Wales' within which this work on financial allowances is a core element.

7. IMPLICATIONS RCT

- 7.1 RCT Children Services with colleagues from Finance, and our Regional Collaboration are involved in the working groups set up to look at the introduction of a National Framework for Adoption Support. Of specific interest is the financial implications and the process of who decides that support is needed and for how long. At this stage it is not possible to predict the outcome or the potential costs to the Authority.

- 7.2 At present RCT are supporting 25 adopters at a cost of £199,421 (2015/2016) per annum.

8. EQUALITY AND DIVERSITY IMPLICATIONS

- 8.1 This is an information report therefore no Equality and Diversity Assessment is required.

9. CONSULTATION

- 9.1 This is an information report therefore no consultation is required.

10. FINANCIAL IMPLICATION(S)

- 10.1 The financial implications by the introduction of a National Framework for Adoption Support cannot fully be understood until the Framework has been further developed.

11. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 11.1 The National Adoption Service legal basis is underpinned by the Social Services and Well-being Act (Wales) which gave Welsh Ministers the power to direct how local authorities in Wales deliver their adoption functions. This is enforced through a set of regulations, The Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015 [generally referred to as the 'Directions

Powers'] which require local authorities to collaborate on a set foot print to create Regional Adoption Collaboratives.

11.2 The 'Directions Powers' also set out the broad aims of the National Adoption Service in terms of improving and making consistent the arrangements for timely placement of children, training and assessment of adopters, adoption support and collaborative working. Of specific relevance to this report are the following aims:

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- the streamlining of adoption processes.....[Regulation 2(f)]
- keeping adoption breakdown to a minimum by the provision of comprehensive adoption support services according to assessed need [Regulation 2g].

12. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP

12.1 The National Framework for Adoption Support will compliment the Council's Corporate priorities to promote independence and positive lives for everyone by ensuring:

- Health and social care services will be personalised and integrated with more people supported to live longer in their own homes.
- Rhondda Cynon Taf's children and young people will receive a great start in life

13. CONCLUSION

13.1 What this will mean to RCT will not be fully understood until the full details of the Adoption Support Framework is finalised. Therefore Cabinet is asked to agree the principal of a National Adoption Support Framework and RCT Children Services will continue to work with colleagues from Finance, our Regional Collaboration and the National Adoption Service to fully understand the financial implications. It will be necessary to provide further reports to cabinet highlighting the implications for RCT as the framework develops.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Background Papers:

National Adoption Service for Wales (NAS)

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