

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

25 JANUARY 2018

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

Cabinet Member for Children and Young People – Cllr Mrs McCoy

ADOPTION TEES VALLEY – HOSTING

1. Summary

This report seeks approval from Cabinet for Stockton Council to host Adoption Tees Valley in line with the proposal in the Full Business Case.

2. Recommendations

1. That Cabinet accept delegated powers from Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Borough Council and Redcar and Cleveland Borough Council to host Adoption Tees Valley in line with the proposal in the Full Business Case.

3. Reasons for the Recommendation(s)/Decision(s)

To enable the Council; to fulfil the requirements of the Education and Adoption Act 2016, and to support better outcomes and performance for children where adoption is the agreed permanence plan.

4. Members

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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CABINET DECISION

ADOPTION TEES VALLEY – HOSTING

SUMMARY

This report seeks approval from Cabinet for Stockton Council to host Adoption Tees Valley in line with the proposal in the Full Business Case.

RECOMMENDATIONS

1. That Cabinet accept delegated powers from Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Borough Council and Redcar and Cleveland Borough Council to host Adoption Tees Valley in line with the proposal in the Full Business Case.

DETAIL

1. In June 2015, the Department for Education (DfE) published 'Regionalising Adoption' and asked all adoption agencies in England to consider how to work much more closely together on a regional basis. This was enacted as the Education and Adoption Act 2016 which advised authorities and voluntary adoption agencies to join together to form Regional Adoption Agencies (RAA). 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 one of the local authorities named, or by another agency. By 2020, all local authorities must be part of a Regional Adoption Agency (RAA) under Section 16 of the Education and Adoption Act 2016.
2. The Government's view is that structural change will improve the process for children and adopters leading to improved numbers of children being adopted, an improved experience for adopters and improved timeliness overall. The DfE expects the RAA programme to deliver consistently good and innovative adoption practice that ensures improved life chances for children.
3. In October 2015, the Tees Valley local authorities submitted an expression of interest to the Department for Education for an adoption reform grant to scope the development of a Tees Valley Adoption Service. Initially this project was being led by Middlesbrough Borough Council, however, since January 2016, Hartlepool Borough Council has fulfilled the lead authority role.
4. At its meeting on 10th October, Cabinet received and approved the Full Business Case for Adoption Tees Valley. The Business Case proposed that Stockton-on-Tees Borough Council host the service on behalf of all the partner Councils. Since this meeting Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Borough Council and Redcar and Cleveland Borough Councils have all approved the delegation of powers in line with the draft Section 101 agreement subject to final amendments.

COMMUNITY IMPACT IMPLICATIONS

5. The key objectives of ATV, and a significant part of the governments rationale in moving to a new delivery model for adoption services is to widen the availability and options for hard to place children. Children who are “hard to place” tend to be those who are older, from minority ethnic groups, and/or who have additional needs that often arise as a result of disability. ATV proposal will have positive benefits for these groups of children, while at the same time not affecting the possibility of adoptive placements being found for less hard to place children, who are usually younger and of white/British heritage.
6. In terms of recruitment & assessment of new adopters, ATV will seek to include and target potential adopters from all sections of society including marginalised groups.
7. Establishment of ATV will therefore benefit children who have a plan for adoption, and prospective adopters who previously may not have felt that adoption was an option for starting or growing their family unit.
8. ATV model of working will ensure greater consistency of working across the 5 local areas in relation to issues affecting marginalised groups.

FINANCIAL IMPLICATIONS

9. The financial considerations were set out in the Full Business Case. There are not expected to be any additional costs.

LEGAL IMPLICATIONS

10. The powers to undertake the regionalisation of adoption services are contained in Section 15 of the Education and Adoption Act 2016 which allows local authorities to cease provision of their adoption service and gives the Secretary of State powers to direct that local authority adoption services be provided by another local authority or adoption agency.
11. The Adoption services described in this report comprise executive functions for the purposes of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and therefore it is necessary for Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Borough Council and Redcar and Cleveland Borough Council to formally delegate this function to Stockton-on-Tees Borough Council under Section 9EA of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. This has now happened. Stockton Borough Council is now required to formally accept the delegation from each of these four Councils.
12. The proposed arrangement is deemed to constitute a contract which establishes or implements co-operation between contracting authorities pursuant to Regulation 12 (7) of the Public Contracts Regulations 2015 and is excluded from the requirements of competition.

RISK ASSESSMENT

13. There are risks associated with any significant change management programme such as this. The full business case has identified potential risks within the project and provides a risk matrix detailing a risk rating and mitigating actions. Going forward, the risks will be effectively managed through the Management Board and governance arrangements.
14. If the Tees Valley local authorities decides not continue with the development of the TVRAA there is a risk that the Government will use its powers under the Education and Adoption Act 2016 to require the local authorities to make joint arrangements for the provision of adoption services without the benefit of a grant to support this process.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

15. These proposals in this report are concerned with the policy priority of protecting the vulnerable through targeted intervention. The principle of ATV is that it will improve the effectiveness and timeliness of adoption services.

CORPORATE PARENTING IMPLICATIONS

16. The proposals in this paper are entirely focused on improving adoption performance and outcomes for those children in our care, for whom adoption is the agreed permanence plan.

CONSULTATION INCLUDING WARD/COUNCILLORS

17. The Cabinet Member for Children and Young people has been consulted. Formal consultation with affected staff will commence following the agreement of the business case by all five Councils.

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Education related? No

Background Papers

Department for Education, Adoption: A Vision for Change March 2016

Ward(s) and Ward Councillors:

Property

The preferred location for a property is in Stockton. This is due to its central location within the Tees Valley, proximity to Stockton support services and ICT connectivity. A specification has been developed and a search for an appropriate property is being conducted within a review of all property with the Stockton Borough Council portfolio.