

North Tyneside Council

Report to Cabinet

10 September 2018

ITEM 8 Regional Adoption Agency
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Portfolio(s): Children, Young People and Learning

Cabinet Member(s): Councillor P Earley

Report from Service Area: Health, Education and Safeguarding

Responsible Officer: Jacqui Old, Head of Health, Education, Care and Safeguarding (Tel: 0191 643 7317)

Wards affected: All Wards

PART 1

1.1 Executive Summary:

Cabinet previously considered this issue in June 2016, and most recently in April 2018.

The development of a Regional Adoption Agency (RAA) for the North East is subject to approval of the Cabinets of each of the participating local authorities: Gateshead MBC, Newcastle City Council, North Tyneside Council, Northumberland County Council and South Tyneside Council (the Constituent Councils).

This report provides an update to Cabinet on the progress of the development of the proposals of the RAA. It is proposed that North Tyneside Council will act as the host authority for the RAA with the other participating authorities delegating their adoption functions, pursuant to the Local Government Act 2000, to North Tyneside Council.

1.2 Recommendation(s):

Cabinet is recommended to:

1. Note the progress and in particular the outcome of public consultation, with respect to the proposal for the adoption services of Gateshead MBC, Newcastle City Council, North Tyneside Council, Northumberland County Council and South Tyneside Council to be combined to create a Regional Adoption Agency;
2. Note the Business Case associated with the delivery of the RAA and the associated funding arrangements in relation to the local authority hosted model, set out at Appendix 1;
3. Agree that the preferred business model for the RAA be a local authority hosted model which will operate through the delegation of the Constituent Councils' Adoption Functions (as detailed in the report) to a host local authority pursuant to

Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012;

4. Agree that North Tyneside Council will act as the Lead and Host Authority for the Regional Adoption Agency and that the new arrangements will commence 1st December 2018;
5. Agree the Heads of Terms, set out at Appendix 2, for the Shared Services Agreement between the Constituent Councils which will govern the provision of the RAA;
6. Agree to accept the delegation of the Adoption Functions, as detailed in the report, pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, from each of the Constituent Councils;
7. Authorise the Senior Manager; Legal Services and Information Governance in consultation with the Head of Health, Education, Care and Safeguarding, the Head of Finance and the Cabinet Member's for Children, Young People and Learning and Finance to negotiate, finalise and complete the Shared Services Agreement between the Constituent Authorities prior to the arrangements set out above commencing; and
8. Agree to the RAA being known as "Adopt North East" and that the identity and branding proposal set out in Appendix 4 be approved.

1.3 Forward Plan:

Twenty eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 3 August 2018.

1.4 Council Plan and Policy Framework

Our North Tyneside Plan does not contain any references to the regionalisation of adoption services. Nevertheless, it does refer to

Our people will

- Be listened to, and involved by responsive, enabling services
- Be ready for school – giving our children and their families the best start in life
- Be ready for work and life – with the skills and abilities to achieve their full potential, economic independence and meet the needs of local businesses
- Be healthy and well – with the information, skills and opportunities to maintain and improve their health, wellbeing and independence
- Be cared for and safeguarded if they become vulnerable

1.5 Information:

1.5.1 Background

The development of RAA proposals is part of the national adoption agenda set out in the Department for Education (DfE) paper 'Regionalising Adoption' in June 2015. This was further developed by the Government in 'Adoption; A Vision for Change' in March 2016.

In these papers the Government has sought to address a number of challenges in National adoption practice as follows:

- Inefficiencies in the delivery of adoption services in England
- Matching of children
- Recruitment concerns
- Adoption Support challenges

The Government has signaled a clear intention that by 2020 all local authorities will be part of regional agencies. The Education and Adoption Act 2016 makes provision for the Government to direct a local authority to have its adoption functions carried out on its behalf by another authority or adoption agency where such provision has not already been made by the Authority.

Local Authorities have a statutory duty to provide adoption services to all those affected by adoption living in their area. Services to meet those responsibilities are required to meet legislative requirements and Minimum Standards for Adoption Services and are inspected regularly by Ofsted to ensure they do so. The move towards the proposed RAA will not remove the statutory responsibilities placed on local authorities but will have far reaching changes for how those functions are organised, managed and delivered.

While all the authorities involved with the project have and currently continue to provide high performing adoption services, the Government expects that regional adoption agencies will be better able to target the recruitment of prospective adopters, speed up the matching and placement of children, improve adoption support services and may create efficiency savings.

1.5.2 The Expression of Interest and establishment of the RAA Project Board and Team

In November 2015, Newcastle City Council submitted an Expression of Interest on behalf of itself, Northumberland County Council, North Tyneside Council and Gateshead MBC, and four voluntary adoption agencies - After Adoption, Barnardos, ARC NE and Durham Family Welfare (DFW) to the DfE in relation to the development of regional adoption agency arrangements in the North East. South Tyneside Council subsequently joined the project. These five authorities are the Constituent Councils for the RAA proposals.

Following the approval of the Expression of Interest, a Project Board was established to drive the project forward. The Project Board is made up from the Assistant Directors of Childrens' Services from each of the authorities and the Voluntary Adoption Agencies of After Adoption, Barnardos, Arc Adoption and Durham Family Welfare. The Project Board is overseen by an Executive Board made up of the Directors of Children's Services from each of the Constituent Authorities.

As an initial starting point the Project Board, supported by DfE appointed project mentors, agreed the following vision and high level objectives:

RAA vision:

- Excellent adoption services that transform children's and families' lives for the better

RAA objectives:

- We place all children in a timely way in high quality, successful, life-long adoptive placements which meet all of their needs.
- Families and prospective adopters receive a high quality experience no matter where they live.
- Adoptive children and families receive the support they need for as long as they need it.
- Our skilled and dedicated staff are proud to work for the service.
- We achieve our objectives by working together in a spirit of collaboration, openness and co-production.

1.5.3 Options appraisal

To take the project forward the Project Board carried out an options appraisal on a number of potential delivery models for regionalised adoption services. The potential delivery models, which the DfE asked the Project Board to consider, are summarised below:

- Option 1: A single local authority host on behalf of a number of local authorities;
- Option 2: A Joint Venture between local authorities;
- Option 3: A Joint Venture between the voluntary adoption agencies and the local authorities;
- Option 4: Outsourcing to existing Voluntary Adoption Agency

Financial modeling was carried out on Option 1 and Option 2. Options 3 and 4 were discounted at an early stage as none of the voluntary adoption agencies indicated a wish to enter in such arrangements.

In June 2017, the Cabinets of the Constituent Councils indicated their support in principal for the continued development of a RAA for the North East and the use of a local authority owned Joint Venture Company (JVCo) (Option 2) as the preferred business model to deliver the RAA. This "in principal" support was subject to an analysis of the available options and the final decision on the model.

In March 2018, a further report to the Cabinets indicated that although initial results of the options appraisal exercise had indicated that Option 2 could potentially provide flexibility and the ability to innovate in a business sense, as financial modeling progressed it became clear that the cost this model would be considerably more expensive than current arrangements in each local authority.

The financial modeling highlighted that, between the two options, the ability to recover VAT within the local authority hosted model (Option 1) established a clear and significant financial difference between the two options with the host model assessed as significantly more efficient in this regard.

In relation to ease of implementation generally, the delegation of adoption functions to

one local authority is more straightforward than establishing a joint venture vehicle and commissioning that vehicle to provide the required services. In addition the transfer of staff to another local authority and the provision of proper pension arrangements is simpler and cheaper than with a joint venture vehicle. Furthermore it is considered an advantage in terms of the sense of ownership if the regional adoption service is hosted by one of the Constituent Councils.

In the light of the above, the Cabinets agreed in June 2018 that the preferred delivery model for the RAA be the local authority hosted model (Option 1). Furthermore the Cabinets agreed that North Tyneside Council, subject to final approval, would undertake the role of lead and host authority for the RAA.

1.5.4 The development and implementation of the Preferred Option

Since the decision in June 2018, the Project Team and the specialist workstreams created to deliver the RAA proposals have worked to develop the arrangements to deliver and implement the Preferred Option.

A number of workstreams under the direction of a senior manager from children's services within North Tyneside including,

- Communications
- Finance
- Human Resources
- Information Technology
- Legal
- Social work practice
- Procurement/Commissioning
- Property/Estates
- Performance Management

have been established to look at the issues associated with the transfer of functions from the four other Constituent Councils to North Tyneside Council. Each of the workstreams was led by an Officer of North Tyneside Council. The detail of the workstreams input into the arrangements is set out in the Business Case at Appendix 1.

1.5.4.1 Governance Arrangements for the hosted model

To make the hosted model operate effectively the four other Constituent Councils must delegate their adoption services functions to the Host Authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Each Cabinet of the Constituent Authorities must therefore make a resolution that its Adoption Functions be delegated to North Tyneside Council. North Tyneside Council must also make a resolution to accept the delegations from the other four Constituent Councils.

The Adoption Functions to be delegated to North Tyneside Council are:

- Recruitment and Assessment of prospective adopters;
- Matching and Placement - to match prospective adopters with children in need of adoption

- Post placement and post Adoption Order support (3 year limit)
- Support and advice to all affected by adoption
- Develop and manage all forms of post adoption contact (Post Box) between adopted children and their birth families
- Step Parent Adoption
- Inter-country Adoption

Further details of the Adoption Functions to be undertaken by North Tyneside Council are set out in the Business Case at Appendix 1.

The arrangements for the delivery of the RAA services by the lead and host authority will be supported by an appropriate legal agreement being entered into by the Constituent Councils. The Shared Services Agreement will cover such matters as the financial contributions necessary from the Constituent Councils, indemnities, apportionment of surplus and deficits, governance and oversight and the services to be provided.

Heads of Terms for the Shared Services Agreement have been developed between the Constituent Authorities. The draft Head of Terms if approved will set out the overall legal, financial and operational principles under which the shared arrangements pursuant to Option 1 above will operate. A copy of the Heads of Terms is attached at Appendix 2. Cabinet is requested to approve the Head of Terms.

If Cabinet minded to approve the Head of Terms, Cabinet is also requested to authorise the Senior Manager Legal Services and Information Governance in consultation with the Head of Health, Education, Care and Safeguarding, the Head of Finance and the Cabinet Member for Children, Young People and Learning and the Cabinet Member for Finance to negotiate, finalise and complete the Shared Services Agreement between the Constituent Authorities in accordance with the principals provided by the Head of Terms.

In relation to the operation of the RAA at a practical level, the RAA will be led by a Senior Manager of North Tyneside Council who will act as the service head. That Senior Manager will be a member of the Senior Management Team of the Health, Education, Care and Safeguarding Service and will report directly to the Head of Health, Education, Care and Safeguarding (the Director of Adults and Children's Services).

To ensure that there is effective communication and engagement between the Constituent Councils the Shared Services Agreement will provide for the creation of an Officer Liaison Group. This will be made up of the Directors of Children's Services or their nominees. This Officer Liaison Group will meet on a quarterly basis and will provide a direct formal point of contact between North Tyneside Council as the lead and host of the RAA and the other Constituent Councils. The Liaison Group will monitor the performance of the RAA against the relevant performance management targets.

Within the Constituent Councils who are delegating their Adoption Functions appropriate arrangements between their Director of Children's Services and their authority's administration will be necessary to ensure that political oversight of the arrangements is maintained within each authority.

Notwithstanding the above the Shared Services Agreement will also provide for a formal dispute resolution process should issues in relation to the delivery of the RAA develop.

The RAA will have its own budget and medium term financial plan. It is anticipated that discussions in relation to the RAA's budget will begin in September of each year with a view to an agreed budget being ready for incorporation into the overall budget of North Tyneside Council when it sets its annual budget in February/March each year.

The Shared Services Agreement will also provide, should the situation arise, for the termination of the agreement and thereby termination of the delivery of the functions of the RAA by North Tyneside Council. It is proposed that where one of the Constituent Councils gives notice to terminate this will cause a termination event and will bring an end to the whole arrangement. 12 months' notice will be required by any of the Constituent Councils to terminate the shared service arrangement.

1.5.4.2 Financial arrangements

A significant element of the work undertaken has been in relation to development of the RAA has related to the financial arrangements that will be necessary between the Constituent Authorities to support the delivery of the functions of the RAA by North Tyneside Council.

The financial model proposed seeks to ensure that each Local Authority will continue contribute the average net cost that they have paid from figures 2015/16- 2016/17. The financial modeling has attempted to ensure that no local authority is required to pay more. The anticipated contribution from this Authority falls within the existing budget envelope for the current Adoption service. Any variations to this position will be reported to Cabinet through the usual financial management reporting processes.

Table 1 – Baseline net cost, % Contribution and Value of Contribution to the RAA.

LA	2 Year Average Net Cost 2015/16 to 2016/17 (excluding purchased placements but including inter-agency income)	%	Contribution To RAA
Gateshead	£593,140	22	£534,596
Newcastle	£525,575	20	£485,997
North Tyneside	£384,535	15	£364,497
Northumberland	£712,963	27	£656,095
South Tyneside	£420,934	16	£388,797
Total	£2,637,148	100	£2,429,983

The difference represents the supports services charges which is a combined service and therefore a reduced cost.

A proposed budget for a proposed North Tyneside Council hosted model is shown in Table 2.

Table 2 – Draft Budget for the proposed RAA hosted by North Tyneside Council

Expenditure/Income Category	Budget
Staffing	£2,173,840
Premises, IT and Running Costs	£499,249
Support Services	£257,714
Commissioned Post Adoption Support	£150,180
Gross Expenditure	£3,080,983
Inter-agency fee income	-£651,000
Net Budget	£2,429,983

There are a number of assumptions to note in the proposed budget including:

- The RAA will generate income from recruiting, training and making available to other adoption agencies at a cost 21 adopters each year and any income generated from selling these placements is retained by the RAA.
- There are no redundancy costs anticipated as part of the set up of the hosted service.
- All set up costs (including ICT, premises, and additional staffing resource required by the host authority) will be fully funded from the DfE implementation grant held by Newcastle.

It is suggested that a ring-fenced reserve is established from any potential surplus, the value of any contribution to a reserve to be agreed between the Chief Finance officers. This will include consideration of ~~is to offset~~ any future years’ pressures, particularly in relation to risk areas such as achieving income from selling placements, and to develop the service moving forward. Any remaining surplus to be redistributed in accordance with the agreed mechanism.

Under the proposed Host and Lead Authority arrangement approximately fifty staff from across the Constituent Councils will come together under the employment of North Tyneside Council. Those staff currently employed by the Constituent Councils (other than North Tyneside Council) will be transferred to North Tyneside Council pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (the TUPE Regulations). Staff engagement has begun and if the Cabinets of the Constituent Authorities agree to the proposals in this report, further engagement will be undertaken to ensure that each authority complies with its duties under the TUPE Regulations. This staff group will work within the RAA offices sited at Pembroke Wing of Balliol Primary School.

1.5.4.2 Consultation

Engagement with stakeholders has been an integral part of the RAA project. Engagement events have taken place with over 250 participants from stakeholder groups including - adults, children and young people affected by adoption; adopters, LA and VAA

adoption staff; partners in health – CCG's; education via Virtual Heads; and the Court Service. Engagement events have been held since February 2016 and continued stakeholder involvement has taken place through web based surveys, staff newsletters and face to face events.

Consultation on the proposals to develop a Regional Adoption Agency was delivered over a period of eight weeks between 3 July – 28 August 2018. An online consultation was published on North Tyneside Council's website which outlined the proposals and provided an opportunity for stakeholders to have their say.

The online questionnaire was promoted to key stakeholders who have been regularly engaged throughout the process including; prospective adopters, adoptive parents, children and birth families, voluntary adoption agencies, staff, partners and providers.

The consultation was also promoted more widely to the general public via each local authority's communications channels.

The initial results of the consultation are attached at Appendix 3. The details of the completed consultation will be circulated in due course before the Cabinet meeting.

Identity and Branding

As part of the development of Adopt North East, the communications workstream has led on the development of an identity for the new service.

The opportunity to submit identity proposals was promoted through each of the five local authorities' design and print channels.

The creative brief focused on developing a branding toolkit including logos, stationery and signage. The scope of the brief did not include a marketing campaign, this will be developed closer to the launch of Adopt North East by North Tyneside Council in consultation with the other Constituent Councils.

Consultation on the five options took place from 20 – 27 July 2018 with key stakeholders including prospective adopters, adoptive parents, children and birth families, voluntary adoption agencies, lead Cabinet members and staff across the five local authorities.

The preferred identity and branding option is attached at Appendix 4.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

To approve the recommendations set out in Paragraph 1.2.

Option 2

To reject the recommendations set out in Paragraph 1.2 and request Officers undertake more work in relation to the development of proposals for a Regional Adoption Agency.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended as this option meets the requirements being place on the Authority by the Government in relation to the regionalisation of adoption services and is the most financially and legally efficient available option.

1.8 Appendices:

Appendix 1 – Business Case
Appendix 2 – Heads of Terms
Appendix 3 – Consultation outcome
Appendix 4 - Identity and branding proposals
Appendix 5 – Equality Impact Assessment

1.9 Contact officers:

Stephen Ballantyne, Law and Governance – Tel 643 5329
Alison Campbell, Finance – Tel. 643 7038
Jodie Henderson, Children Services- Tel 6437388

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

1. Regionalising Adoption – Department for Education June 2015
2. Adoption: A Vision for change – Department for Education March 2016
3. The Education and Adoption Act 2016

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

It is suggested that a ring- fenced reserve is established from any potential surplus. The value of any contribution to a reserve to be agreed between the Chief Finance Officers. This will include consideration of any future years pressures, particularly in relation to risk areas such as achieving income from selling placements, and to develop the service moving forwards. Any remaining surplus to be redistributed in accordance with the agreed mechanism.

Additional resources required by the proposed host authority (North Tyneside Council) to establish and set the RAA will be funded from the RAA programme DfE grant.

2.2 Legal

The Government has signaled a clear intention that by 2020 all local authorities will be part of regional agencies. The Education and Adoption Act 2016 makes provision for the Government to direct a local authority to have its adoption functions carried out on its behalf by another authority or adoption agency where such provision has not already been made by the Authority.

A decision of the Constituent Authorities to progress with the proposals as set out in this report will trigger the obligations placed on the Constituent Councils under the Transfer of Undertakings (Protection of Employment) Regulations 2006 to consult with the recognised trade unions/work place representatives of the employees affected.

2.3 Consultation/community engagement

Details of the consultation and community engagement arrangement are set out in the body of this report and in Appendix 3.

2.4 Equalities and diversity

An equality impact assessment (EIA) has been undertaken in relation to the proposals contained in this report. This attached at Appendix 5. The EIA does not identify any particular impact, with respect of the Authority's Public Sector Equality Duty, on individuals who possess protected characteristics.

2.5 Human rights

There are no direct human rights implications arising from this report.

2.6 Risk management

A risk register is maintained by the Project Board as part of regular project management practice with mitigating actions identified to ensure the likelihood and impact of risks is managed proactively.

2.7 Crime and disorder

There are no direct crime and disorder implications arising from this report.

2.8 Environment and sustainability

There are no direct environment and sustainability implications arising from this report.

PART 3 - SIGN OFF

- Deputy Chief Executive
- Head of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy

Business Case - Regional Adoption Agency (Adopt North East)

CONTENTS

1 EXECUTIVE SUMMARY	3
2 INTRODUCTION AND OVERVIEW	4
3 PURPOSE OF THIS DOCUMENT	4
4 PROJECT WORK UNDERTAKEN	5
5 SCOPE AND VISION OF THE REGIONAL ADOPTION AGENCY	5
6 DELIVERY MODEL OPTIONS CONSIDERED	6
7 RECOMMENDATIONS FOR THE PROVISION OF THE REGIONAL ADOPTION AGENCY	8
8 PROPOSED GOVERNANCE ARRANGEMENTS AND LEGAL IMPLICATIONS	8
9 FINANCIAL ASSESSMENT	10
9.1 Baseline Costs	10
9.2 Business model and funding options	10
9.3 Agreement of apportionment of surplus and deficit	12
10. THE OPERATING MODEL	13
10.1 Services in scope	13
10.2 Property and ICT	13
10.3 Data and Information	14
10.4 Commissioning Arrangements	14
11. STRATEGIC BENEFITS	14
12. STRATEGIC RISKS	16
12.1 Being part of the RAA	16
12.2 Not being part of the RAA	17
13. STAKEHOLDER ENGAGEMENT	17
APPENDIX 1: Key Roles in the Project Team	19
APPENDIX 2: High level project plan	20

1 EXECUTIVE SUMMARY

It is proposed that a new Regional Adoption Agency (RAA) is created through combining the adoption services for the local authority areas of Gateshead, Newcastle, North Tyneside, Northumberland and South Tyneside.

These authorities 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 of these authorities and voluntary agencies.

It is proposed, subject to approval of the Cabinets of each authority, that the Regional Adoption Agency be known as Adopt North East. This document describes how establishing a RAA will allow the authorities to provide a more cohesive, efficient and effective use of resources and development of practice.

In June 2015, the Department for Education (DfE) published a paper '*Regionalising Adoption*' setting out the proposals for the establishment of Regional Adoption Agencies (RAAs). This paper gave a very clear directive to local authorities that it was the Government's expectation for all authorities to be part of a Regional Adoption Agency by 2020.

Subsequently in 2016 the Government enacted the Education and Adoption Act 2016. This Act requires local authorities to combine their adoption services in Regional Adoption Agencies. If a local authority does not combine their adoption services the Act allows for the Government to direct a local authority to combine its services with other providers.

Funding has been made available from the Department for Education (DfE) as part of a national Regional Adoption Agency Programme for local authorities and other partners, where appropriate, to develop RAA arrangements.

A Project Board, Executive Board and work streams have collaborated to produce a detailed set of RAA proposals. Work to determine the RAA proposals has involved extensive financial analysis and has concluded with the recommendation that the provision of the RAA services be via a lead authority/hosted model. It is therefore also proposed that North Tyneside Council should act as the lead and host Local Authority. Stakeholder consultation has been extensive and yielded intelligence and insights which have been incorporated into the planning of the RAA.

2 INTRODUCTION AND OVERVIEW

As explained above, the development of Regional Adoption Agency proposals is part of the national adoption agenda set out in the Department for Education (DfE) paper 'Regionalising Adoption' in June 2015. This was further developed by the Government in 'Adoption; A Vision for Change' in March 2016 and put into law with the enactment of the Education and Adoption Act 2016.

The Government has sought to address, by the above, a number of challenges in national adoption practice as follows:

- Inefficiencies in the delivery of adoption services in England
- Matching of children
- Recruitment concerns
- Adoption Support challenges

Local Authorities have a statutory duty to provide adoption services to all those affected by adoption living in their area and those services are subject to regular inspection by Ofsted to ensure they meet legislative requirements and minimum standards for adoption.

The move towards the proposed Regional Adoption Agency will not remove the statutory responsibilities placed on local authorities but will have far reaching changes for how those functions are organised, managed and delivered.

While all the authorities involved with the project have and currently continue to provide high performing adoption services, the Government expects that Regional Adoption Agencies will be better able to target the recruitment of prospective adopters, speed up the matching and placement of children, improve adoption support services and may create efficiency savings.

In November 2015, Newcastle City Council submitted an Expression of Interest on behalf of itself, Northumberland County Council, North Tyneside Council and Gateshead MBC, and four voluntary adoption agencies - After Adoption, Barnardos, ARC NE and Durham Family Welfare (DFW) to the DfE in relation to the development of regional adoption agency arrangements in the North East. South Tyneside Council subsequently joined the project.

Following the approval of the Expression of Interest, a Project Board was established to drive the project forward. The Project Board is made up from the Assistant Directors of Children's Services from each of the authorities and the Voluntary Adoption Agencies of After Adoption, Barnardos, Arc Adoption and Durham Family Welfare. The Project Board is overseen by an Executive Board made up of the Directors of Children's Services from each of the Constituent Authorities. Further details of the project support arrangements are provided in Appendix 1.

3 PURPOSE OF THIS DOCUMENT

This document sets out the case for creating a new Regional Adoption Agency by combining the adoption services for the local authority areas of Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland and South Tyneside, working in partnership with the Voluntary Adoption Agencies (VAA), After Adoption, ARC NE, Barnardos and Durham Family Welfare (DFW).

This document also describes how establishing a single adoption agency will allow in

particular the five authorities to provide a more cohesive and effective use of resources and promote the development of practice to the benefit of children, adopters and others who are affected by adoption.

This Business Case proposes a governance and operational financial model that sets out how the RAA will work with its partners to deliver adoption services.

4 PROJECT WORK UNDERTAKEN

The development of the proposals for the RAA follows substantial project work undertaken since January 2016. In particular this has involved:

- Establishing local authority and VAA project governance arrangements. This included the establishment of an RAA Project Board as well as an Executive Board (made up of the Directors of Children's Services). The Project Board has membership from Assistant Directors of Children's Services or their equivalent and VAA representative. A Project Team, comprising of a DFE sponsored coach, Project Managers and workstream leads (who have expertise in areas such as the adoption journey, finance, human resources, legal, information technology/information governance, estates/property, communications and engagement) has also been created to develop the proposals;
- Creating a baseline of the current adoption services provided by the 5 Local Authorities. This has included extensive analysis of finance, historical and current spend/income, performance and staffing; and
- Continued and ongoing stakeholder engagement and involvement. This has been a strong feature of the project and has included surveys, staff newsletters and face to face engagement events. Consultation events have been held with relevant stakeholder groups including adopters, birth parents, children and young people affected by adoption; staff; and partners in health and education. After Adoption have led on adopter and adopted children consultation.
- Elected members and relevant portfolio holders have also been consulted in all five local authorities and reports have been submitted to the respective Cabinets as this has been necessary.

5 SCOPE AND VISION OF THE REGIONAL ADOPTION AGENCY

As stated above the proposed RAA will encompass the local authority areas of Gateshead, Newcastle, North Tyneside, Northumberland and South Tyneside. It is estimated that the RAA will initially place 123 children per annum. (Based on average number of children placed for adoption across the 5 Local Authorities in 2016/17 & 2017/18)

The Project Team working with the Project Board and Executive Board developed the following to encompass the vision and objectives of the RAA:

RAA vision:

Excellent adoption services that transform children's and families' lives for the better.

RAA objectives:

- We place all children in a timely way in high quality, successful, life-long adoptive placements which meet all of their needs.
- Families and prospective adopters receive a high quality experience no matter where they live.
- Adoptive children and families receive the support they need for as long as they need it.
- Our skilled and dedicated staff are proud to work for the service.
- We achieve our objectives by working together in a spirit of collaboration, openness and co-production.

6 DELIVERY MODEL OPTIONS CONSIDERED.

The Project Team and both the Project Board and Executive Board have considered which of the following strategic delivery options for the RAA would be appropriate. The options, which were suggested by the Department for Education (DfE), that have been considered are:

- Option 1 - A single local authority host;
- Option 2 - A Joint Venture between the local authorities in the form of a Local Authority Trading Company (JV/LATC)
- Option 3 - A Joint Venture between the local authorities and the Voluntary Adoption Agencies creating a new VAA
- Option 4 – Outsourcing service delivery to an existing Voluntary Adoption Agency

The options appraisal undertaken by the Project Team and Boards utilised the approach recommended by the DfE and has been used by other projects throughout the Regional Adoption Agency Programme. Project Board evaluated the four options against the following set of criteria:

- 1) Desirability. i.e. how well the delivery model would promote the objectives and priorities of adopters and adoptees and help meet key outcomes (feel safe, live fulfilling lives, be healthy, have a voice, reach their potential and be resilient);
- 2) Feasibility. i.e. the extent to which each option could be implemented within required timelines and budgets and allows for an appropriate level of ownership, involvement and control of the partners; and
- 3) Viability. i.e. the extent to which the model demonstrates financial and operational sustainability.

The initial Options Appraisal indicated that Options 1, 2 could be considered as possible options. The other options were not considered appropriate for the following reasons:

- Option 3: A Joint Venture between the local authorities and VAAs – essentially this was dismissed as an option for two reasons. Firstly there was no appetite within the VAA partnership to become involved in such an enterprise. Secondly, there was also significant concern expressed by local authority partners about sharing control of any such Joint Venture entity with VAA's whilst being fully funded by the local authorities.
- Option 4: Outsourcing service delivery to an existing VAA – as above there was no appetite from VAA's to take on this role. There are in fact very few such arrangements nationally.

Financial modelling was therefore carried out on Option 1 (A single local authority host model) and Option 2 (the JV/LATC).

The initial results of the Options Appraisal exercise had indicated that Option 2 (the JV/LATC model) could potentially provide greater flexibility and in particular the ability to innovate in a business sense.

Therefore in June 2017, the Cabinets of the local authorities indicated their support in principal for the continued development of a RAA and the use of a JV/LATC model as the preferred business model to deliver the RAA. This "in principal" support was subject to an analysis of the two available options and a final decision on the model.

In March 2018, a further report to the Cabinets indicated that although initial results of the options appraisal exercise had indicated that Option 2 could potentially provide flexibility and the ability to innovate in a business sense, as the financial modeling had progressed it had become clear that the cost this model would be considerably more expensive than current arrangements in each local authority.

In June 2018, the Cabinets considered a further report on the proposals relating to the RAA. The Cabinets were advised that the financial modeling highlighted that, between the two options, the ability to recover VAT in the local authority hosted model established a clear and significant financial difference between the two options with the host model assessed as significantly more efficient in this regard.

Furthermore in relation to ease of implementation generally, the delegation of adoption functions to one local authority was more straightforward than establishing a joint venture vehicle and commissioning that vehicle to provide the required services. In addition the transfer of staff to another local authority and the provision of proper pension arrangements was simpler and cheaper than with a joint venture vehicle.

It was also noted as an advantage, in terms of the sense of ownership, if the regional adoption service was hosted by one of the local authority partners.

In considering the above, the Cabinets noted that to make the hosted model operate effectively four of the local authorities would have to delegate their adoption services functions to one host authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. The Host Authority would then deliver the adoption services on behalf the authorities. This arrangement would be supported by an appropriate legal agreement being entered into by the authorities covering such matters as the financial contributions necessary from the authorities, indemnities, sharing of budget shortfalls together with internal governance

and oversight.

It was also noted that North Tyneside Council had been identified as the proposed host and lead authority for the RAA because of its readiness to undertake this role.

The June 2018 Cabinets of the authorities therefore noted:

1. that the preferred business model for the RAA was a local authority hosted model which would operate through the delegation of adoption functions to a host local authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012; and
2. the proposal for North Tyneside Council to act as the Lead and Host Authority for the RAA;

The above was subject to final approval of the proposals following the receipt and analysis of a consultation exercise and the finalisation of this business case and the agreement of appropriate Heads of Terms for the Shared Services Agreement to be entered into between the authorities.

The results of the consultation process are to be reported in full to the Cabinets when the consultation process has ended, but the initial results are positive and supportive of the proposals for the RAA. Heads of Terms for the Shared Services Agreement between the authorities have been developed and are also subject to Cabinet approval.

This business case is now complete and details of the financial arrangements between the authorities that will support the RAA have been identified and are set out in this document and in the reports to be submitted to the Cabinets.

7 RECOMMENDATION FOR THE PROVISION OF THE REGIONAL ADOPTION AGENCY.

Following a comprehensive financial analysis, the detail of which is set out later in this document, and the other findings in this business case, the RAA Executive Board recommends to the Cabinets of the authorities involved that the most effective delivery model for the RAA is the local authority hosted model and that North Tyneside Council act as the host authority with the appropriate delegation of functions.

8 PROPOSED GOVERNANCE ARRANGEMENTS AND LEGAL IMPLICATIONS.

To make the hosted model operate effectively, as explained above, it is proposed that the four other authorities delegate their adoption services functions to the Host Authority, North Tyneside Council, pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Each Cabinet of the Constituent Authorities must therefore make a resolution that its Adoption Functions be delegated to North Tyneside Council. North Tyneside Council must also make a resolution to accept the delegations from the other four Constituent Councils.

The Adoption Functions to be delegated to North Tyneside Council are:

- Recruitment and Assessment of prospective adopters;
- Matching and Placement - to match prospective adopters with children in need of adoption
- Post placement and post Adoption Order support (3 year limit)
- Support and advice to all affected by adoption
- Develop and manage all forms of post adoption contact (Post Box) between adopted children and their birth families
- Step Parent Adoption
- Inter-country Adoption

The arrangements for the delivery of the RAA services by the lead and host authority will be supported by an appropriate legal agreement being entered into by the Constituent Councils. The Shared Services Agreement will cover such matters as the financial contributions necessary from the Constituent Councils, indemnities, sharing of budget shortfalls, governance and oversight and the services to be provided. The Cabinets will be requested to approve the Head of Terms that have been developed and then to grant a delegation to their Head of Legal Services, in consultation with appropriate members and officers in their authorities, to negotiate and finalise the Shared Services Agreement.

To ensure that there is effective communication and engagement between the authorities the Shared Services Agreement will provide for the creation of an Officer Liaison Group. This will be made up of the Directors of Children's Services or their nominees. This Officer Liaison Group will meet on a quarterly basis and will provide a direct formal point of contact between North Tyneside Council as the lead and host of the RAA and the other authorities. Clearly less formal lines of communication will also operate between the North Tyneside Council and the other authorities in relation to operational matters.

The Liaison Group will monitor the performance of the RAA against the relevant performance management targets.

Within the local authorities who are delegating their Adoption Functions appropriate arrangements between their Director of Children's Services and their authority's administration will be necessary to ensure that political oversight of the arrangements is maintained within each authority.

Notwithstanding the above the Shared Services Agreement will also provide for a formal dispute resolution process should issues in relation to the delivery of the RAA develop.

The RAA will have its own budget and medium term financial plan. It is anticipated that discussions in relation to the RAA's budget will begin in September of each year with a view to an agreed budget being ready for incorporation into the overall budget of North Tyneside Council when it sets its annual budget in February/March each year.

The Shared Services Agreement will also provide, should the situation arise, for the termination of the agreement and thereby termination of the delivery of the functions of the RAA by North Tyneside Council. It is proposed that where one of the Constituent Councils gives notice to terminate this will cause a termination event and will bring an end to the whole arrangement. 12 months' notice will be required by any of the Constituent Councils to terminate the shared service arrangement.

9 FINANCIAL ASSESSMENT

9.1 Baseline Costs

The Finance workstream consisted of representatives from each of the five local authorities, who were tasked with identifying the 'baseline' cost for the adoption service for their respective authorities, and developing options for an acceptable funding model.

The Project Board commissioned an external company, Aleron, to assist the Finance Workstream in collecting the baseline financial information and activity data, and develop a proposed Business Model. It was decided that collecting actual cost, rather than budget, would be the most sensible approach to produce a true reflection of the cost of the Adoption Service for each Local Authority. Financial and activity data was collected for a four year period, 2013/14 to 2016/17, which allowed for the calculation of average costs, and identification of any one-off instances of income or expenditure which could distort the typical annual cost for a Local Authority. It also established an overall baseline cost and a number of unit costs for each authority, for comparison purposes. During this exercise, it was agreed that the following costs were 'in scope' and therefore included in the baseline cost:

- Staffing costs directly related to the adoption service
- Non-staffing/running costs
- Corporate Overheads
- Post adoption support, exclusively staffing costs and commissioned services
- Income from selling placements (inter-agency fees)

Income from selling placements will be retained by the RAA for any placements where the match is made post RAA 'go live' on the 1st December 2018. Any placements matched before this time the income will be retained by the Local Authority involved.

Costs 'out of scope' and therefore not reflected in the baseline cost and assumed to be retained by individual authorities are:

- Post adoption financial support (allowances)
- Commissioned post adoption therapeutic support, that exceeds the £5k funding limit imposed by the Adoption Support Fund (ASF)
- Cost of purchased placements (inter-agency fees)

9.2 Business Model and Funding Options

Four funding models were proposed by the Finance workstream to the Executive Board where each LA:

1. Does not participate in an RAA, and risks paying the equivalent of the inter-agency fee per adoption by joining an RAA at a later date.
2. Takes a stepped approach, to pay current level initially with a view to move to a standard unit cost model over a three year period.

3. Pays a standardised unit cost per adoption.
4. Pays current level.

Directors of Children’s Services from each Local Authority, agreed in principal to adopt model 4, the financial model proposed seeks to ensure that each Local Authority will continue contribute the average net cost that they have paid from figures 2015/16- 2016/17. The financial modeling has attempted to ensure that no local authority is required to pay more.

Further work was then undertaken to develop the budget for a proposed North Tyneside Council hosted model, shown in Table1.

Table 1 – Draft Budget for RAA hosted by North Tyneside Council

Expenditure/Income Category	Budget
Staffing	£2,173,840
Premises, IT and Running Costs	£499,249
Support Services	£257,714
Commissioned Post Adoption Support	£150,180
Gross Expenditure	£3,080,983
Inter-agency fee income	-£651,000
Net Budget	£2,429,983

This followed with a series of options to establish the % contribution from each authority. These included a combination of the following:

- Allocating gross cost by
 - cost category:
 - Staffing (based on structure established by the Human Resources workstream)
 - Running Costs (3 year average)
 - Contract value for each Local Authority for commissioned Post Adoption Support
 - A total gross cost
 - net cost
- Allocating income generated from selling placements, based on a two year average of activity of selling placements
- Allocating Net cost by

- Gross cost
- Net cost (2 year average)
- 3 year average of the number of children adopted

These options were considered by the Directors of Finance for each authority, and it was agreed that the contribution would be based on a 2 year average of net cost (2015/16 and 2016/17). Table 2 shows the net cost for each authority used as the basis to calculate the contribution, and the estimated contribution from each authority.

Table 2 – Baseline net cost, % Contribution and Value of Contribution to RAA.

LA	2 Year Average Net Cost 2015/16 to 2016/17 (excluding purchased placements but including inter-agency income)	%	Contribution To RAA
Gateshead	£593,140	22	£534,596
Newcastle	£525,575	20	£485,997
North Tyneside	£384,535	15	£364,497
Northumberland	£712,963	27	£656,095
South Tyneside	£420,934	16	£388,797
Total	£2,637,148	100	£2,429,983

There are a number of assumptions to note in the proposed Finance Model, including:

- The RAA will generate income from selling 21 adopters each year and any income generated from selling these placements is retained by the RAA.
- There will be no redundancy costs.
- All set up costs (including ICT, premises, and additional staffing resource required by the host authority) will be fully funded from the DfE implementation grant held by Newcastle.

9.3 Agreement of Apportionment of Surplus and Deficit.

A number of options have been considered for the distribution of any surplus or deficit:

1. Allocate any surplus or deficit in relation to the proportion of an authority's financial contribution.
2. Allocate any surplus or deficit to take into account both the proportion of an authority's

financial contribution and the actual number of adoptions achieved for each authority, weighted 50% and 50% respectively.

3. Allocate any surplus based on proportion of an authority's financial contribution, and allocate any deficit equally to each Local Authority.

It has been agreed that option 2 should be applied. This takes into account adoption activity and financial contributions.

It is suggested that a ring-fenced reserve is established from any potential surplus, the value of any contribution to a reserve to be agreed between the Chief Finance officers. This will include consideration of any future years' pressures, particularly in relation to risk areas such as achieving income from selling placements, and to develop the service moving forward. Any remaining surplus to be redistributed in accordance with the agreed mechanism.

10 THE OPERATING MODEL

10.1 Services in scope

The RAA will deliver the following main services across the five local authorities:

- Recruitment and Assessment of prospective adopters;
- Matching and Placement – to match prospective adopters with children in need of adoption
- Adoption Panels for approvals and matches
- Post placement and post Adoption Order support
- Support and advice to all affected by adoption
- Develop and manage all forms of post adoption contact (Post Box) between adopted children and their birth families
- Step Parent Adoption
- Inter-country Adoption
- Work in partnership with the child's social worker where the child has a plan of adoption.

In relation to the operation of the RAA at a practical level, the RAA will be led by a Senior Manager of North Tyneside Council who will act as the service head. That Senior Manager will be a member of the Senior Management Team of the Health, Education, Care and Safeguarding Service and will report directly to the Head of Health, Education, Care and Safeguarding (the Director of Adults and Childrens' Services) at North Tyneside Council.

Under the arrangements for the proposed RAA, the staff who currently deliver the adoption services in each of the authorities will all come together under the employment of North Tyneside Council pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). A formal consultation process with individuals and recognised Trade Unions has commenced and will continue if the proposals as set out in this report are approved.

Detail on the proposed organisation, including staffing roles and functions will be developed in due course by North Tyneside Council. The organisational structure will be designed and shaped to maximise the journey outcomes for children and prospective adopters.

10.2 Property and ICT.

It is proposed that the RAA will be “headquartered” in the Pembroke Wing, Balliol Primary School, Benton.

The service provided by the RAA will cover a broad geographical area from south of the Tyne to the Scottish border. A high degree of mobile working is anticipated to make the most efficient use of staff time and accessibility for service users. It is also important that the main operational base be able to establish a visible identity for the service, offers a cost effective training venue as required and provides a degree of separation from operational children’s social work staff to ensure that birth parents and adopters are not put in difficult position of using the same facilities at the same time.

The ICT provision for the RAA will involve setting up a Case Management system based on North Tyneside Council’s implementation of Liquidlogic LCS, as well as putting in place the required connectivity, mobile and desktop devices, and provision of ‘generic’ software licensing (Microsoft Office, Outlook etc.). Liquidlogic is a dedicated social services ICT system that supports the data collection and storage of information held by North Tyneside Children’s services.

A dedicated resource is being recruited by North Tyneside Council to co-ordinate the configuration of the Case Management system and the wider ICT delivery project, and to provide intensive user support in the immediate post go-live period.

10.3 Data and Information.

Data and Information will be required for the day to day operation and management of the RAA. Management Information will be generated automatically from core systems such as Liquidlogic LCS where possible.

Performance Management Information will be required to be presented to the RAA management team within North Tyneside Council, Ofsted, the other local authorities, the Adoption Leadership Board, the Department for Education and other partners, should the proposals be accepted.

A transitional phase of data transfer from the local authorities’ systems to the proposed RAA host authority (North Tyneside Council) of live Adopter cases will be required prior to ‘go live’ 1st December 2018.

Historic closed cases will not be transferred and will be retained and archived by the respective individual Authorities.

A Data Sharing Agreement is being developed to enable the RAA staff to operate effectively and lawfully, with consideration of the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018. This will be completed and approved in collaboration with respective local authority information governance lead officers and North Tyneside Council’s Caldicott Guardian and then incorporated into the Shared Services Agreement before the RAA becomes operational.

10.4 Commissioning Arrangements

The delivery of post adoption services to the RAA will be underpinned by a range of support functions. From a practical perspective, it is anticipated that in most instances the current Local Authority contracting organisation will extend as necessary any existing contracts to meet need.

Further work is being undertaken in relation to commissioning and post adoption support for the future of the RAA.

11 STRATEGIC BENEFITS

In taking the vision and objectives into account the key aim in combining services to create a single Regional Adoption Agency is to achieve better outcomes for all children and young people with adoption plans in the region.

It is anticipated that by coming together and combining adoption services into a new regional agency, with a with larger operating area, will provide benefits children and their adoptive families by giving a wider pool of adopters and children, and will also allow for the development of more effective matching and better support services.

Currently the statutory functions required of local authorities in respect of adoption are provided by each of the five local authorities within their own geographic areas. Therefore, in terms of recruiting adoptive parents all the agencies, whether local authority or voluntary, are competing with each other. There is therefore duplication of effort and associated costs with the risk that some people who are wishing to be considered as adoptive parents are confused about where and how to proceed with their enquiry.

The proposed RAA will have a single point of contact for prospective adopters, reducing the current fragmentation of services. Similarly, a single point of entry to the adoption service regionally will improve access to adoption support services for adoptive families, and also for adopted adults and birth family members, who have a statutory entitlement to receive a service.

These proposals build on feedback received from adoptive parents as part of the stakeholder consultation and some excerpts from the consultation conclusions are set out below for illustration:

“The general consensus included that many parents felt they have received a lot of information around the issues that can be faced by adopted children and children in the care system, however there was greater need for more information with regard to how this can impact the child later in life and how parents can manage and support the child effectively.”

“A key message given from participants highlighted the need for greater focus on post adoption support for parents, with parents identifying that this needs to be of ‘high quality’ and ‘long term’. Parents highlighted the need for preventative post adoption support and earlier interventions rather than allowing situations to escalate and require crisis intervention,”

“Parents highlighted the importance and benefit of the Adoption Support Fund, however many commented that some social work teams do not know the full range of services that could be accessed via the ASF.”

“Parents also highlighted that the regional adoption agency should prioritise ensuring the access to services is experienced in a seamless and effective way to all adoptive children, parents and families that require support. ‘Too much bureaucracy’ was highlighted as a substantial barrier to a timely and successful adoption journey.”

“A vital message within the feedback received included the need for a ‘one point’ service that can be accessed by parents advising of all ranges of support available to them and how this can be accessed. In addition, parents added that they felt access to services should be made a clearer process, with some commenting on their frustrations around being ‘passed from pillar to post’.

It was felt that a regional adoption agency should give clarity to families of the support available, with regular timely updates of information of all services that may be beneficial to them. In addition, parents felt that they should be encouraged to feel confident enough to access support as early as possible, with some suggesting that this message should be outlined throughout the initial stages and beyond.”

It will also no longer be necessary for the five local authorities to retain their individual Adoption Panels for the purposes of approving prospective adopters and adoption matches. This will provide greater efficiency, but it should be noted that each authority will continue to have to have a designated Agency Decision Maker for considering and agreeing the plan that a child should be placed for adoption and approval of the match. It is prudent to highlight that each authority will remain responsible for adoption services and assurance to Ofsted that each is meeting their statutory requirements.

The RAA will bring the existing local expertise together in respect of what makes a successful adoption, this includes best adoption matching practice, development of meaningful and realistic support plans and best use of resources available as and when needed.

Being more focused in terms of adopter recruitment may also widen the diversity and choice of potential adoptive families for children. This will be of particular value in delivering the benefits of improved early permanence planning and matching panel practice. A whole journey model has been developed as a part of the project and is built on the “best practice” from the five local authority’s adoption services and will continue to be reviewed throughout the first year of operation as the evidence of the RAA emerges.

In summary, the benefits expected to be realised through the development of the RAA:

- Improved timescales for adopter assessments
- Higher conversion rate from enquiry to approval of prospective adopters
- Wider diversity and choice of adoptive families
- More timely matching of approved adopters
- Improved timescales for placing children with their adoptive families
- Greater adopter engagement in service planning and delivery
- More extensive and consistent core offer re therapeutic training pre placement and post placement/Adoption Order
- Improved performance measurement and management across the service

12 STRATEGIC RISKS

12.1 Being a part of the RAA.

Moving to a Regional Adoption Agency may lead to concerns that adoption services will no longer be in control of individual Local Authorities. The proposed RAA will be formally constituted through a Shared Services Agreement between the authorities. The Shared Services Agreement will provide a service specification which will set out how North Tyneside council will provide the adoption service on behalf of the other 4 Local Authorities.

Major reorganisation of adoption services in the region may have an impact on service delivery to children and adoptive families in the short term. To mitigate these risks, consistent and regular staff engagement events have been facilitated. Alongside more focused meetings for practitioners in specific areas of the adopter's journey, for example, recruitment, assessment, panel practice and post adoption support.

Performance measures aligned with the revised operating model and regular monitoring arrangements will be established and monitored in accordance with the provisions within the Shared Services Agreement.

The staffing structure will include the staff in scope to TUPE into the RAA and will reflect the business requirements of the RAA and the proposed host authority. The staffing levels will be based upon the finance available to fund the shared service and will be developed considering actual demand experienced over the past three years, however because of the known difficulties in accurately predicting the numbers of children who are subject to a Placement Order there is a risk that the staffing levels may not be consistent with demand. This would be address under the terms of the Shared Services Agreement should this arise.

Consultation feedback from adopters clearly raises the importance of getting post adoption support right, from the provision of comprehensive information at an early stage to a focus on the long-term impact of support needs. The RAA will therefore endeavour to use skilled staff capacity to develop a consistent, highly responsive offer in post approval support and post placement support to improve outcomes for children. This is with a view to reducing placement breakdowns including in relation to later difficulties when adopted children reach their teenage years.

There is risk, even regionally, of not being able to recruit adopters able to meet the needs of the children waiting, leading to more interagency placements and financial viability issues. More coordinated and targeted recruitment activity by the RAA is expected to address this.

12.2 Not being part of the RAA.

There is a risk to a Local Authority if it fails to join a regional adoption agency. This could include central government directing how and by whom its service would be delivered.

The development of regional adoption agencies across the country is likely to reduce the availability of adopters for any Local Authority who is not a member of an RAA. This may increase the costs of being required to purchase an adopter placement from an RAA or VAA.

Local Authorities who are not currently involved within an Regional Adoption Agency and may need to join a Regional Adoption Agency at a later date risk having to negotiate terms of membership with an already established partnership who may be less responsive to their particular needs.

13.0 STAKEHOLDER ENGAGEMENT

Engagement with stakeholders is an integral part of the Regional Adoption Agency development. Engagement events have taken place with over 250 participants from stakeholder groups including;

- Adults affected by adoption,
- Children and young people affected by adoption
- Adopters
- Affected staff from each local authority
- VAA staff from ARC NE, DFW, AA and Barnardos,
- Partners in health
- CCG's
- Education via Virtual Heads
- The court service.

Engagement events have been held since February 2016 and continued stakeholder involvement has taken place through web based surveys, staff newsletters and face to face events.

Elected members and portfolio holders have been consulted in all five local authorities. This report follows on from previous Cabinet agreements in 2017 and in June 2018 on the development of the RAA.

Ongoing stakeholder engagement and feedback are included in plans for the implementation phase of the RAA.

APPENDIX 1.

Key roles in the project team:

Project Team- established by Newcastle City Council to develop the project plan included consultants as project managers and a project support officer funded by the DfE grant who are responsible for overseeing and managing the overall RAA project plan on behalf of the Executive Board to ensure that the desired project objectives are delivered.

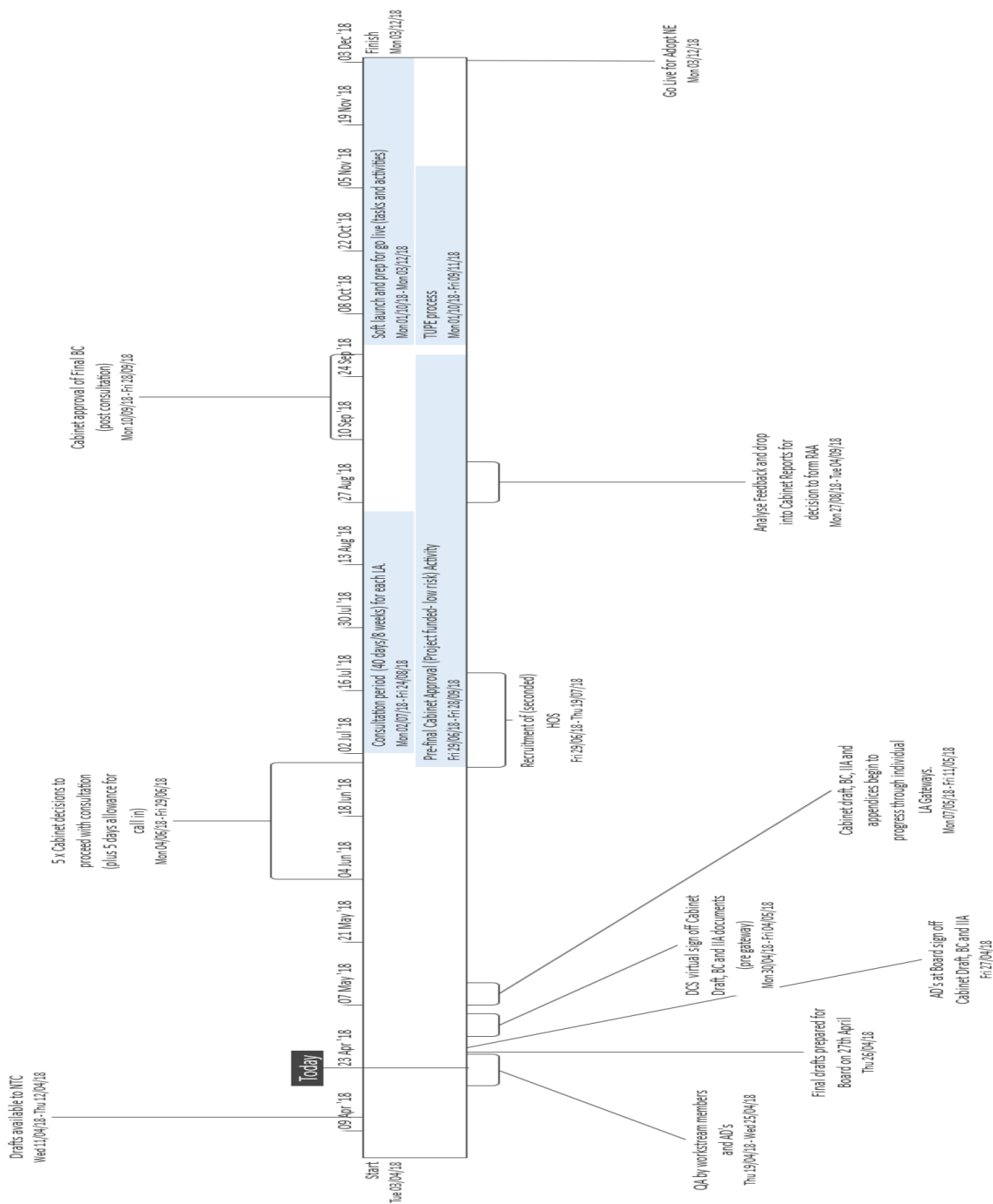
Each work stream is led by North Tyneside (Proposed Host Authority) officers led by a Senior Manager in children's services who have managing individual work stream project activities and the delivery of scheduled work stream outputs in co-operation with work stream leads from each of the Local Authorities.

The work streams have been across the following areas:

- Communications
- Finance
- Human Resources
- Information Technology
- Legal
- Social work practice
- Procurement/Commissioning
- Property/Estates
- Performance Management.

APPENDIX 2.

6.2 High Level Project Plan



Regional Adoption Agency (RAA)

Shared Services Agreement - Proposed Heads of Terms

Version 1 – date 18 June 2018

Parties: North Tyneside Council (Host) and Newcastle City Council, Gateshead Council, Northumberland County Council and South Tyneside Council.

Term to be Agreed	Detail
Term	Continuous until termination (see proposal for termination)
Termination	<p>24 months advance written notice to the Host Authority and cc'd to all other constituent authorities.</p> <p>NOTE re notice period: consideration needs to be given to the consequences of an authority withdrawing. This will include consideration of the liabilities and funding each authority is bringing to the RAA.</p> <p>All:</p> <ul style="list-style-type: none"> - failure in dispute resolution (see proposal for dispute resolution) - change in law (NOTE: consider wording and definition) <p>Host Authority</p> <ul style="list-style-type: none"> - a material breach of an individual Authority's obligations under the Agreement (inc. financial contributions) - If the Host has legally imposed restrictions on its abilities to undertake its functions as set out under this agreement.
Consequences of Termination	<p>NOTE: points to consider:</p> <ul style="list-style-type: none"> - Termination in Whole (whole agreement terminates) - Termination in Part (one or more authorities terminate at the same or different times) - how many authorities do we need to stay for RAA to be viable? <p>- Termination costs</p> <ul style="list-style-type: none"> - in whole – easier to divide - in part – consideration of those leaving and the liabilities they will be asked to insure against on leaving (e.g. proportionate payment in lieu of the whole agreement ending) <p>- consequences of premises no longer being required</p> <ul style="list-style-type: none"> - assets purchased - contracts entered into - staff

	<p>It is a requirement for there to be a RAA. Therefore we would not recommend that if one LA walks away the RAA falls down. It will therefore rely on the Business Case telling us how many LAs the RAA needs for it to remain viable. On that information, we would then recommend that NTC remain operating the RAA (subject to other terms) until the number of LAs required to make it viable no longer remain. At this point NTC will review its exercise of the delegation from the other LAs.</p>
Delegation of Functions	<p>Agreement will contain a confirmation of each Authority's delegation to the Host and reference to relevant statutory provisions.</p>
Governance of the RAA	<p>The RAA will be delivered by the Host, NTC.</p> <p>An Authorised Officer Liaison Group will be established which will constitute the DCS' (or their nominee) of each of the constituent authorities.</p> <p>The Group will meet 6 monthly with the RAA Service Manager (NTC's Service Manager).</p> <p>This will give the constituent authorities the opportunity to meet with NTC as the provider of the RAA to discuss the delivery of the RAA and issues that have arisen over the last period, including those which may have been resolved during that period. This will be akin to a contract management meeting.</p> <p>There will also be a review the performance and financial position of the service.</p>
Dispute Resolution	<ol style="list-style-type: none"> 1. Authorised Officers (30 days) 2. Chief Executives (30 further days) 3. NOTE: Consider Mediation? On what terms? <p>NOTE: Consider also at what point are other authorities notified of a dispute which may risk the continuance of the RAA (consider confidentiality of parties' information)</p>
Provision of RAA by North Tyneside	<p>Recital regarding RAA being appointed by all authorities party to the Agreement</p>
RAA Service Manager	<p>Will be determined and appointed by the Host Authority.</p>
Set up Costs	<p>DfE funding for so long as it will sustain and then equal contributions from all constituent authorities.</p>

<p>Service plan for each financial year - when will it be agreed</p>	<p>Draft budget setting every November for approval within North Tyneside Council's Budget Setting Process in February. Draft to be agreed by DCS' in November.</p>
<p>Performance Management (in service plan?)</p>	<p>3 year (medium term) financial plan will be required in addition to the Annual Budget of the RAA.</p>
<p>Financial Contributions - RAA service plan - service budget - first year attached to the agreement - payment in advance, by what frequency - what happens to income from the RAA to each LA? - when will they need to be agreed - assets</p>	<p>Assets – to be distributed on wind up in the same proportions as contributions to the RAA, as per last 3 years average.</p> <p>Indemnity – regarding insurance claims - NTC to seek appropriate insurances to cover liability for undertaking the service on behalf of all constituent authorities. Payment of the insurance policies and any appropriate run off insurance cover (if relevant).</p> <p>Indemnity – future liabilities, eg rent.</p> <p>Shared risk around over and underspends – in year</p>
<p>Overspends and Underspends</p>	<p>Underspends – each local authority discusses what will happen to any underspend. Consider - Reserves/contingencies/repayments back to authorities.</p> <p>Each Authority's contribution to the RAA budget - quarterly in advance.</p> <p>Service plan to be agreed annually.</p> <p>Running costs – all authorities to contribute in relation to their current relative gross cost and going forward budget will be established as set out above.</p>
<p>Premises</p>	<p>Agreed. NTC has sourced the Pembroke Wing of Baliol Primary School, North Tyneside</p> <p>The appropriate Lease will be entered into by NTC (tenant) as the Host of the RAA and North Tyneside Learning Trust as owner (landlord).</p>
<p>Staffing</p>	<p>All staff in scope in the constituent authorities will TUPE transfer to NTC.</p>

	<p><u>Staffing Indemnities</u> NTC as host and as incoming employer of all in scope staff will require from each of the constituent authorities and indemnity for any employment causes of action that occurred pre transfer date, where the action is taken against NTC as the incoming employer.</p> <p>NB: Registered Manager will remain with each constituent Authority and the costs for this individual and employment obligations will be met by the relevant constituent authority.</p>
Existing Contracts for services and/or goods	<p>The contracts for all services/good accepted by NTC as required for the delivery of the RAA will need to be considered for novation to NTC. Where appropriate NTC may seek indemnities from the original contracting Authority in respect of procurement route and pre transfer breach.</p> <p>[NOTE: a piece of work will need to be carried out to establish what if any contract will require novation. These will need to be considered and investigated NTC's legal services and appropriate advice provided. Consideration will need to be given to those contracts that will be required for the RAA but which are unable to be novated – the relevant constituent authority will maintain those contracts for the benefit of NTC and the delivery of the RAA pending a future arrangement]</p>
Information Governance	<p>NTC will take the lead on all information governance matters and information governance compliance.</p> <p>All parties to the Shared Services Agreement will be required to sign a Data Sharing and Processing Agreement with NTC. To enable this to happen all parties will need to comply with the requests of NTC's Information Governance team during this phase of negotiation.</p> <p>Provisions in Shared Services Agreement will include:</p> <ul style="list-style-type: none"> - Each authorities compliance with GDPR - Each authority will provide assistance to NTC in respect of data protection compliance, subject access requests and request under the Freedom of Information Act 2000. - Storage and retention of records.
RAA Practice and Procedures	<p>[This will set out the agreed best practice for the delivery for the RAA – these will be appended as a schedule to the Shared Services Agreement]</p>
Insurance and Indemnities	<p>Insurance will be obtained by NTC for the risks associated with the delivery of the RAA. Costs for insurance will be included in the costs of the RAA to be split between the constituent authorities.</p>

	<p>Consideration will need to be given to indemnities provided by the constituent authorities in respect of future insurance claims. NB: This is a long term risk.</p>
Ownership and insurance of assets	<p>All assets will be purchased, where required by NTC. Contributions will be made by all constituent authorities. Assets will be insured by NTC. Insurance costs will be met by all constituent authorities as a contribution to NTC.</p> <p>[NOTE: Consideration will need to be given to what happens to assets of value if this arrangement ceases – NTC proposes equal split of value on termination of the RAA]</p>
Audit	<p>NTC's internal audit team will provide the required audit oversight for the service. Feedback and updates relating to this will be provided through the liaison group.</p> <p>As provider of the service, NTC's external auditors will also be engaged to audit this service where required. This will form part of NTC's annual external audit as required by law. Contributions to the costs in respect thereof will be made by each constituent authorities.</p>

Adopt North East Consultation

This report was generated on 26/07/18. Overall 53 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

Do you agree or disagree with the rationale for regionalising local authority adoption services and creating the new service – Adopt North East?



Please give your reasons here:

Should offer local children a greater chance of been adopted

It should make adoption quicker and easier to match, taking children out of local authorities therefore giving a new start without threat of birth families being in locality.

Would be better for the children that need to be placed outside their local Authority

I broadly agree but need to hold in mind that this should not be seen as a cost cutting exercise and bigger is not always better - better is better

The new service gives a positive message for all involved with adoption.

Wider pool to match adopters/children, economies of scale, easier to share learning/collaborate

Everyone receives the same, high quality service, no matter where they live.

All adoptive children and families should receive support for as long as is necessary. regionalisation will mean that everyone should receive a good quality of service throughout the regions. what would be important is the services on offer must match the need not be a one size fits all.

Regionalising services can produce economies of scale and theoretically greater choice of families for children when it comes to matching. However, my concern is that larger organisations may become impersonal for adopters who in the past have benefited from a sense of belonging. I also fear that Voluntary Adoption Agencies, who have specialised over the years in finding families for harder to place children, will not be there in the future to do so if they do not have guaranteed income at a level that makes them sustainable. Spot purchased commissioning arrangements could lead to this whereas contractual service level agreements could provide a positive basis for partnership working

Regionalisation removes an element of customer choice, however it may result in the spreading of best practice.

Pooling resources has to be better than relying on one service. More resources the better the service and the better outcomes for children and families

I think it will be more effective in recruiting adopters and will reduce delay n finding placements for children

Delay for children placed for adoption will hopefully be kept to a minimum.

I can see how it would be beneficial having a larger pool of adopters to choose from and a more consistent service across the area, I just fear that standards will drop to the lowest rather than be pulled up to the highest.

Please give your reasons here:

Agree with this vision of a new Regional Adoption Agency, think there will be some challenges but do feel positive and enthusiastic about this new development.

I think there are a number of strengths in that families will have access to a greater range of services and services will potentially be more accessible.

Hopefully more cohesive, extending options for prospective adopters and providing more opportunities for permanence for children.

I understand the need for reducing overlap and therefore money and the need to provide an outstanding service across the north east. I worry that some of the good will be lost along the way and the personal elemnet that makes North tyneside so good will go

I can see the rationale behind the model but I am unsure of the ability to implement a fair and consistent service across all the areas.

Better co-ordination of services rather than agencies competing for families.

Support being available throughout the children's lives is vital and so important.

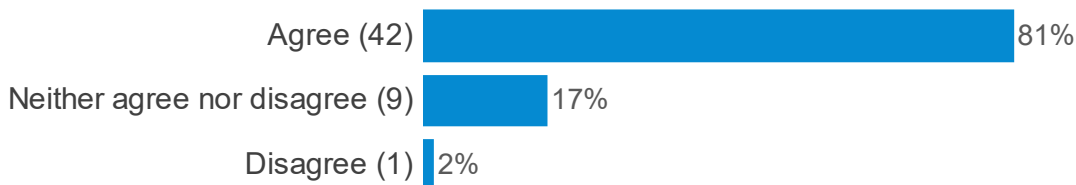
Best practice will be better disseminated and support should be easier to obtain across council boundaries

It is a highly specialist area, where pooling skills, knowledge and motivated people can really benefit children and families. The safety themes mean that having a wider pool of families to consider should reduce the waiting time considerably.

better contact and control for communication

The bigger the better!

Do you agree or disagree that creating Adopt North East will improve marketing to adopters and create better coordinated messaging across the North East?



Please give your reasons here:

Having one regional agency will improve marketing and will give clarity to adopters and sure a more consistent service to adopters and children

I agree that it should as long as it is run effectively

Yes pooling resources and staff experience\skills together

I think this has been the benefit of other RAA initiatives but would be interested how this includes the VAA partners

This is a new way forward and will inspire and improve services

Reasons adequately covered above

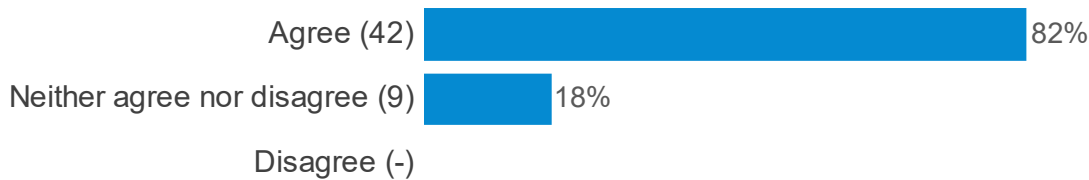
Pooled resources, knowledge and skills will help to improve marketing

Im not convinced that marketing for adoption will improve the uptake. people either want to adopt or not and if they do most would have the knowlege to appraoch the LA. perhaps time, resoecues money could be better used imo

Please give your reasons here:

- Pooled resources and a joined up strategic approach will hopefully produce a dividend
- Greater budget capacity should result in better marketing techniques.
- Brilliant idea and way forward
- I think it will be clearer to the public about who they need to contact and I believe that recruitment will be improved as there will be less competition and more resources available
- A consistent message across the region would be good
- Amalgamating five adoption services with very different ways of working will present it's challenges however it will be good to have well co-ordinated messages and marketing across the North East.
- This will happen in the future, however in the short term the new system may be confusing, so marketing will have many purposes.
- Having the same criteria across the region will be good as will having just one point of contact
- Larger workforce giving greater publicity potential.
- Lots of fine words about principles but nothing about nitty, gritty practicalities
- Yes I think there will be economies of scale for the agencies. However as a single adopter i chose to go to a voluntary agency and was disappointed by the unwelcoming approach of some LAs. I think having some specialist services/ skills for adopters outside the heterosexual couple mode is useful
- easier to locate, access, communicate
- They should be more people to help do this job

Do you agree or disagree that creating Adopt North East will improve the recruitment and assessment process for adopters and their journey with Adopt North East will be timely?



Please give your reasons here:

- Again is true in theory but depends on how efficient the system is and how quickly all involved can make decisions
- Better training and understanding of attachment will benefit both potential adopters and children from a very early stage and throughout. More desperately needs to be done in schools though.
- Yes pooling staff skills and experiences together as well as resources. Having one RAA to approach will minimise confusion for adopters and encourage positive networks with prospective adopters
- I think there is a great potential for this to be improved and streamlined but not to assume this would be an automatic result - will require some work
- Everyone within the RAA has the opportunity to work together to improve the adopters journey
- Very pleased to hear that therapeutic parenting will be included in training
- Adopters won't have to wait for training
- no prospective adopters or child should be left in an untimely process

Please give your reasons here:

I hope this is the case but there will still be the problem of having adoption medicals undertaken in time and of receiving a return on statutory checks and references in a timely fashion.

This depends on how much preparation has been done before the 'go live' date to ensure systems and processes are in place and that there is not a 'downturn' in recruitment during any transition phase.

Process seems sound and will enhance everyones journey

Agree that therapeutic parenting training and attachment is a good idea - what about working with the child's trauma?

More regular panels is a great idea for adopters and children.

It will reduce the confusion about where to go but I do not feel that it would improve the journey or assessment process.

Timeliness is very important for prospective adopters who make that most important initial contact with some trepidation and anxiety. Fortnightly panels are a good idea for approval and matching.

Would need to see how this works in practice. Will training programmes run locally, will service be personalised.

I agree that it will help with courses being held more frequently but feel that potetial adopters may be put off if thy have to travel too far. Also you would need to ensure that the relationship between adopters and the person assessing is not lost. It is hard enough to open up to an unknown person, if a different person shows up to each interview it will be impossible.

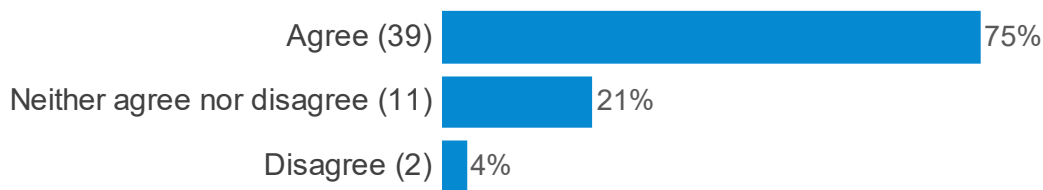
Should be a much quicker process and more efficient.

Hopefully, but travelling long distances to get to training can be a disincentive and the region covered is large.

more on your doorstep, give people a more comfrotable feeling

I would like to think so as again the more people involved should make it more organised and quicker

Do you agree or disagree that creating a regionalised adoption agency - Adopt North East - efficient, high quality adoption support services can be provided for all families in the scope of the new service?



Please give your reasons here:

Has already come to light that each region has own policies etc and is hard for all to make agreements

Better working together with schools, parents and other agencies will really benefit children and parents who feel isolated.

No more post code lottery for services hopefully!

One of my biggest hopes for RAA's is that they remove the postcode lottery of adoption support services and that adoptive and birth families have a range of quality support made available to them across the whole region.

This area of support requires high levels of resources from all involved and everyone affected by adoption should be given the same opportunity to be helped through the process.

Please give your reasons here:

Glad to see attention being paid to high-quality, post-adoption support. Some concern about service potentially becoming too monolithic and not being responsive to different needs in different areas.

Pooling resources, skills and experience, means a quality level of adoption support can be offered. It also means that the referral process should be more streamlined, and families will not have to wait so long to receive support. There will be more options of support available to families, so this will better meet their needs.

Yes as long as serious consideration is given to what "type" of support is needed and ultimately offered. One size, or variation of does not fit all. An example would be story stem or play therapy not ideal for highly traumatised children, specialist services within the region should be sought

We currently offer high quality Adoption Support Services across the North East but within your proposed collaborative we have only supported Tyneside therefore the proposal would allow all LAs to access services such as ours.

Discussions need to take place with the Voluntary Sector, who already have many of these services at their disposal. rather than re-inventing the wheel.

The RAA planning for self sufficiency may mean that other services currently available from VAA's will no longer be available in the market.

Scope of services means that adoptive families and birth families will have greater chance of meeting their needs and support

Pooled resources will create a greater service mass more able to cope/manage staffing issues and surges in demand

At present I am under North tyneside, I know everyone i am comfortable talking to them and going to them with my problems and asking for assistance. I do not feel this would be the case with a much larger organisation.

It will be good to have a single commissioning service and to be able to bring different therapeutic providers so that parents can be given choice of the different therapeutic services. It may be a challenge though taking into account the geographical spread of Adopt North East in terms of parents accessing such services dependant on where they live.

This will depend on resources, having consistency and fair access to services, and ensure VAA's are included in the overall service.

I have had a good experience and would like everyone to have the same as long as that standard remains high

I would need to review the finished model and the providers understanding of on going support.

Current adoption support in Newcastle is poor, in our experience with social workers being very reluctant to apply to the ASF. Any improvement on this would be very welcome.

Support services are vital and need to be seen as standard and not upon need as that usually means it us on Kate and makes parents feel inadequate which should be eradicated as offered to everyone.

It can be but will it? PAS needs to be for the entire period of an adoption and this assumption needs to be in place from the very beginning. Will sufficient resources be available?

It should do, but sometimes adopters need to feel they are accessing independent advocacy and something that stands outside the system in order to be able to challenge. This can be tricky to establish if the network is too closely entwined.

Again I would like to think this as long as there is plenty people in the system to cope with each job

We are keen to ensure that this consultation reaches people from across the region; please would you help us to confirm this by providing the first five digits of your postcode in the space below?

NE35R	Ts15 9
ne81h	NE8 3JH
Ne259	DH33J
NE65 0	ne28 7
Ne28 7	NE96B
ne11	
NE26 2N	
NE29 9LE	
dh8 9qt	
NE17R	
Ne30 3	
NE34 9	
DH2 1A	
NE10 0	
NE26 2	
SR5 2T	
ts17 5	
TS10 1	
SR5 2T	
NE34 7	
ne11 9	
TS159	
Sr5 1n	
DH4 4YA	
TS17 6	
ne360	
NE30 3	
NE6	
ne28 6	
NE13 9	
ne25 8	
NE8	
NE30 3	
NE29 8	
TS26 8	
Ne65T	
Ts18 5	
NE15 5	
ne303	
DH5 8Q	



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Equality Impact Assessment (EIA)

The separate EIA guidance notes outline what should be included for each section. Please read them before you begin. If you have any queries, contact your Corporate Equality Group rep, or the Engagement Team on 643 2828.

1. Author, service area, date

Jodie Henderson HECS [09 August 2018](#)

2. Who else has been involved in writing this EIA?

HECS SMT

3. What proposal is this EIA assessing?

The development of a Regional Adoption Service under a shared services agreement between 5 Local Authorities (North Tyneside, South Tyneside, Newcastle, Gateshead and Northumberland), hosted in North Tyneside.

4. What is the purpose of your proposal and what is it expected to achieve?

Support without Spend

To make best use of resources to work differently to improve adoption services for all people effected by adoption, including specifically, Looked After Children with a plan of adoption, adopted children, prospective adopters, adoptive parents, and birth families of children who are adopted.

5. Is there any relevance to the aims of the public sector equality duty? *Write your answers in the table*

Aim	Yes, No, or N/A	Details if 'yes'
Eliminate unlawful discrimination, victimisation and harassment	N/A	

Advance equality of opportunity between people who share a protected characteristic and those who do not	Yes	This is a new service delivery model which will ensure that people of all backgrounds who are affected by adoption will have equal opportunity for information advice and support.
Foster good relations between people who share a protected characteristic and those who do not	N/A	

6. Analysis by characteristic *Write your answers in the table*

Protected characteristic	Potential positive or negative impact?	Explanation and evidence
Age	Neutral	There is no change to the assessment practice for those involved in adoption and while age is considered it is not a barrier to adoption.
Disability	Neutral	There is no change in the assessment practice for those involved in adoption and while disability is considered it is not a barrier to adoption.
Gender	Neutral	There is no change to the assessment practice for those involved in adoption and while gender is considered it is not a barrier to adoption.
Gender reassignment	Neutral	There is no change to the assessment practice for those involved in adoption and while issues linked to gender reassignment would be considered it is not a barrier to adoption.
Marriage and civil partnership status	Neutral	There is no change to the assessment practice for those involved in adoption and while relationship status of all involved is considered it is not a barrier to adoption. It is a legal requirement that relationships are 'stable'
Pregnancy and maternity	Neutral	There is no change to the assessment practice for those involved in adoption and while current or future plans regarding family planning is considered it is not a barrier

		to adoption.
Race	Neutral	There is no change to the assessment practice for those involved in adoption and while race is considered it is not a barrier to adoption.
Religion or belief	Neutral	There is no change to the assessment practice for those involved in adoption and while beliefs and religion is considered it is not a barrier to adoption.
Sexual orientation	Neutral	There is no change to the assessment practice for those involved in adoption and while personal identity and relationships are considered sexual orientation is not a barrier to adoption.

7. Have you carried out any engagement in relation to this proposal? If so, what?

Engagement events have been undertaken with people impacted by adoption supported by 'After Adoption', staff and partners. These events have included development on the proposal and support formal consultation.

Formal consultation with Unions will commence in October 2018 subject to formal agreement to proceed being agreed by the Cabinets of the 5 Local Authorities involved. This will run for 30 days with staff having the opportunity for 1 to 1 meetings with the relevant Senior Manager

8. Is there any information you don't have that you need to find?

No

9. What actions are already in place, or will be taken, to remove or reduce potential negative impacts? (add more lines to the table if you need to) *Write your answers in the table*

Action	Responsibility	Timescale
The proposed work site is fully accessible to staff and users of the service, linked to public transport and has designated parking to support equality of access.	Jodie Henderson/Iain Betham	01 December 2018
All assessments linked to adoption are subject to scrutiny by social work managers, adoption panels and courts. This ensures that any identified	Jodie Henderson	01 December 2018

barriers linked to protected characteristics, or any other personal presenting issue is considered with the interests of the child as paramount as is required by UK law. Work will progress to ensure that the bringing together of the 5 local authorities adoption practices promotes continuation of equality of practice.		

10. Are there any potential negative impacts that cannot be removed or reduced? If so, why is this?

It is possible that while establishing the identity of the regional adoption service there is a reduction in activity to promote adoption and as such there may be a delay in adoption planning for individual children. Each Local Authority is alert to this and has provided assurance that they are working to ensure this does not happen, however this has been [noted to be an](#) ~~the~~ impact in [the establishment of each other](#) Regional Adoption Agency ~~ies. established nationally.~~ [This will be closely monitored and mitigated as appropriate.](#)

11. Based on your conclusions from this assessment, what are your next steps?

To proceed as planned and commence consultation

12. How will the impact of this proposal be monitored after it is introduced?

Outcomes will be monitored at the RAA executive project board.

13. When will this EIA be reviewed?

At the end of staff consultation.