

Decision Maker: **Executive**

For Pre-Decision Scrutiny by Care Services PDS Committee on:

Date: **10th March 2016**

Decision Type: Non-Urgent Executive Non-Key

Title: **ADOPTION REFORM GRANT DRAW-DOWN**

Contact Officer: Ian Leadbetter, Head of Social Care - Care and Resources
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Chief Officer: Director: Children's Services (ECHS)

Ward: All Wards

1. Reason for report

1.1 The report identifies ongoing activity that has been funded since 2012/2013 from the non-ring fenced element of a grant received from the Department for Education to support and promote adoption and permanence performance/reform and seeks the Executive's approval for the drawdown of the remaining tranche of the grant held in the central contingency to contribute towards the ongoing work for 2016/17.

2. **RECOMMENDATION(S)**

2.1 **The Care Services PDS Committee is asked to consider and comment on the report.**

2.2 **The Executive is asked to approve the draw-down of the final tranche of the non-ring fenced adoption reform grant of £132,323 for 2016/2017**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: £132,323 (from adoption reform grant)
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Adoption/833110
 4. Total current budget for this head: £1182K controllable budget (excluding adoption reform grant)
 5. Source of funding: RSG
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Staff

1. Number of staff (current and additional): 15
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 In 2012/13 and 2013/14 Bromley were awarded grants totalling £1,019,746 from the Department of Education to secure a Key Government policy objective to improve adoption performance, and in particular to ensure that children achieve permanence at the earliest opportunity.
- 3.2 £149,840 of the initial grant award was ring-fenced to specific activity and was required to be spent during the 2012/13 financial year and was subject to DfE scrutiny.
- 3.3 Various amount of the remaining non ring-fenced grant have also been drawn down to support adoption and permanence activity and at the end of March 2016 £132,323 remains in central contingency. It is not anticipated that any further grant will be made by the DfE.
- 3.4 Previous reports to the Executive (please see the background documents section) have highlighted adoption performance since 2011/2012 which shows an increase in adoptions.

Number of children adopted:

2011/2012	10
2012/2013	17
2013/2014	14
2014/2015	20
2015/2016* (*actual and projected)	20

- 3.5 Despite this improvement, overall the number of children being made subject to a Placement Order (this is the Court authority for a child to be matched and placed with adopters) has plateaued over the past two years due to a key Court of Appeal Judgment, in 2013, Re B-Sⁱ, which stated that the removal and adoption of a child outside of his [wider] family must be on the basis that all options have been carefully analysed and evaluated and that the option for 'long term separation' from the [wider] must be in the context of 'nothing else will do'. This has resulted in the number of children remaining cared for by members of their wider family, as a disposal to Care Proceedings, increase significantly. Many professional commentators believe that as a direct impact of the this change in legislative policy, children are often being placed in circumstances that may not be able to meet their needs in the medium to long term and where the previously high standard for 'good' parenting, that helps children recover from early trauma, that is received through an adoptive placement has been reduced to a lower threshold of 'good enough'.
- 3.6 The majority of these 'arrangement's' whereby children are being cared for by members of their extended families are under the framework of a Special Guardianship Orders. There are now 111 special guardianship arrangements being supported by the local authority.

Number of New Special Guardianship Orders:

2011/2012	10
2012/2013	15
2013/2014	38
2014/2015	25
2015/2016* (*actual and projected – please also see below)	9

The projected number of special guardianship orders granted in 2015/16 is currently standing at 9. However, there are a further 20 where the assessments have been concluded but, for a number of reasons, will not be made by the Court until the beginning of the new financial year.

- 3.7 A Special Guardianship Order can only be made by the Court following a prescribed statutory assessment of the prospective guardians. It is not uncommon for multiple possible guardians to be presented to the local authority for assessment or for assessments to be ordered by the Court late in proceedings. The staffing resources required to deliver these assessments has increased significantly.

Number of SGO assessments:

2014/2015	79
2015/2016* (*actual and projected)	62

- 3.8 Whilst children and young people who are made subject to Special Guardianship Orders cease to be ‘looked after’ by the local authority, Special Guardians are entitled to ongoing support, both financial and in terms of social work services. Previously, the level of support provided was minimal but more recently the level of ongoing support to these children and their special guardians has also increased with many considered children in need and requiring ongoing social work intervention, albeit at a lower level. We have experienced an increase in the number of situations where social work support has been required at an enhanced level. In addition, most of these arrangements are supported with a financial support package. Both the support and review of financial arrangements have created additional demands on the family placement service.
- 3.9 Special guardianship is one of a number of arrangements, alongside adoption and long term fostering, that achieves permanence for children looked after. We have used the adoption reform grant to support special guardianship and adoption performance and without the additional (staffing) resources that the grant has funded would place significant pressure on the service in meeting current demand. The majority of the grant, to date, has been used to employ temporary staff to meet the increase in demand.
- 3.10 In 2014, the Department for Education announced that it was seeking to establish regional adoption agencies to become effective from 1 April 2016. It was unclear to what extent this would replace local adoption agency activity but adoption agencies were required to begin the process of looking at how this is achieved. London authorities, through the London adoption leadership board, have started to map what a ‘London wide’ adoption may look like and has secured funding from the DfE to scope firm proposals. On the 9 February 2016, Edward Timpson wrote to all local authorities confirming that a) the implementation date for the creation of regional adoption agencies was now not expected to be the 1 April 2016 (no firm date

published) and b) the new regional model will be expected to undertake all aspects of adoption activity for children including the recruitment, matching and support functions currently carried out by local authorities.

3.11 As a result of the uncertainty about the future provision of adoption services, including how these are to be funded and whether staff will remain employed by local authorities or transferred to a new organisation, we have delayed any internal realignment of staffing and functions to embrace the additional demands created by the increase in special guardianship activity and maintaining current adoption activity. During 2016/17 we intend to review the structure of the family placement team and where appropriate change functions that addresses the changes in the demands on the service.

4. POLICY IMPLICATIONS

4.1 Improving permanence is a key objective for Children Looked After and contributes toward *Building a better Bromley*

5. FINANCIAL IMPLICATIONS

5.1 The adoption reform grant has, primarily, been used to employ staff to implement the required changes in adoption processes, support increases in adoption and fund a significant increase in court ordered special guardianship assessments. This approach has reduced the need to commission these from external providers at a greater cost to the authority.

5.2 The local authority has received a non ring fenced grant of £820,906 to improve adoption and permanence of children looked after. By the end of 2015/2016 it is estimated that £688,583 would have been spent. £132,323 remains in contingency.

5.3 It is proposed that the adoption remaining adoption reform grant will be used to fund the majority of the costs of the additional activity for special guardianship assessments and support and the additional adoption medical's delivered through a contract with Bromley Healthcare:

Purpose	£000
1 deputy manager and 1 social worker	113
Adoption medicals (Bromley Healthcare contract)	30
Total required 2016/17	143
Salary costs within existing budgets	(11)
Funding required	132
Remaining adoption reform grant in contingency	(132)

5.4 Although there are some additional burdens being funded through this grant, fewer children will be placed in foster care placements and will move into special guardianship and adoption placements.

5.5 The average cost of an in-house fostering placement is £20,000, an adoptive placement is £10,000 and special guardianship placement is £9,000. This means for every child diverted from a foster placement will save in the region of £10 - £11K per annum. The impact of these savings will need to be assessed in terms of the medium term financial strategy moving forward.

5.6 The grant funding for adoption reform activity has actually ceased. £132k remains in contingency and it proposed that this will fund activity into 2016/17 only (with the small additional amount funded from existing budgets). Arrangements are being put in place for an exit strategy that does not put an additional burden on council resources, although given the increase in activity, will present a significant challenge.

6. PERSONNEL IMPLICATIONS

6.1 All posts funded by the grant are on a fixed term basis or through the engagement of locum workers.

Non-Applicable Sections:	Legal implications
Background Documents: (Access via Contact Officer)	Reports to the Executive on 12 June 2013, 11 September 2013, 15 October 2014 and 20 May 2015.

ⁱ B-S (Children) [2013] EWCA Civ 1146