

Somerset Council  
Scrutiny Committee – Children & Families  
– 13<sup>th</sup> September 2023



---

## **The Regional Adoption Agency (Adopt South West) – proposed changes**

Lead Officer: Claire Winter, Executive Director, Children, Families and Education

Author: Claire Winter (report to be presented by Jayne Shelbourn-Barrow,  
Service Director Children and Families)

Contact Details: Claire.Winter@somerset.gov.uk

Executive Lead Member: Tessa Munt, Executive Lead Member Children, Families and  
Education

Division / Local Member: n/a

### **1. Summary**

1.1. The suite of reports for this item set out:

- the request from Cornwall Council to join the regional adoption agency (Adopt South West)
- the request from Adopt South West to revise the funding formula for each Council's contribution to the agency
- the options in terms of the timescale for phasing in any agreed change in funding arising from a change in formula

1.2. **Link to Council Plan:** A Fairer, Ambitious Somerset

- a shared vision to keep [children] safe and ensure they can grow up in a child friendly county that supports them to be healthy, happy and prepared for adulthood.
- Somerset Council will strive to develop an inclusive culture for all our residents.

### **2. Issues for consideration / Recommendations**

2.1. The committee is asked to scrutinise:

1. The request from Cornwall and to consider whether, in principle, Cornwall and the Isles of Scilly joining the agency will benefit the effective function of the adoption agency and therefore the Somerset children who need adoptive families.

Becoming a full member would lead to Cornwall joining the existing partners and sharing equal influence and accountability to further develop and improve the service. All core functions, pre and post adoption order, of Cornwall and the Isles of Scilly adoption agency would be delegated to the

Adopt South West.

The Isles of Scilly would be included in the agreement on the current arrangement terms and a new Service Level Agreement will be agreed between Devon County Council and the Isles of Scilly.

2. The suggested revised funding formula, to agree whether the new criteria for the formula are a reasonable reflection of the key costs and issues, noting the increased percentage of costs that would apply to Somerset.
3. The suggested timescale for phasing in the changed percentage costs, identified under point 2. above

### **3. Background**

- 3.1. In June 2015, the Department of Education (DfE) required all adoption agencies in England to consider how they could work more closely together on a regional basis.

The Education and Adoption Act 2016 gave the Secretary of State a new power to direct one or more named local authorities to make arrangements for any, or all, of their adoption functions to be carried out on their behalf by one of the local authorities named, or by another agency.

On 11 April 2018, Devon Cabinet agreed that a Regional Adoption Agency named Adopt South West be established, incorporating the adoption services of Somerset County Council, Torbay Council and Plymouth City Council, to be hosted by Devon County Council.

This model retains responsibility for the children seeking adoption with the child's Local Authority. Responsibility for recruiting, matching and supporting adoptive families pre and post adoption order sits with Adopt South West.

Cornwall and the Isles of Scilly Adoption Service did not join a regional adoption agency at this time due to uncertainty about the model being proposed, and concerns at the time about consistent practice standards. However, seven years have since passed since the Education and Adoption Act 2016 came into force and Regional Adoption Agencies across England have developed significantly.

Cornwall is now one of only two Local Authorities nationally who are not yet part of a regional adoption agency and the DfE has given a clear message that Cornwall should join a regional adoption agency as soon as possible.

Cornwall Council is rated as Outstanding by Ofsted for its Children's Services - <https://files.ofsted.gov.uk/v1/file/50122097>

It is felt by Cornwall Council that Adopt South West was the best regional adoption agency for Cornwall to join, not just because of its locality but because it is a high performing agency that has developed excellent practice in the four years since it was set up. Essex Children and Families Partner in Practice (PIP) have undertaken two Peer Reviews of Adopt South West, the first in December

2020 and the second in February 2022. They found Adopt South West to be a 'very good, well-functioning organisation producing a large volume of high-quality work' and that they had achieved an enormous amount of progress in a very short timescale.

#### **4. Consultations undertaken**

- 4.1. Somerset Council Children's Services are part of the Operational, Strategic and finance Boards, which form the governance for Adopt South West. Each of these groups (and therefore the Somerset representatives), have been consulted about the proposed changes.

#### **5. Implications**

5.1. **a) The request from Cornwall Council to join the regional adoption agency (Adopt South West)**

- Cornwall has an outstanding adoption service and expertise across children's social care, evidenced in its outstanding Ofsted inspection report outcome (2019). This would indicate that Cornwall can contribute positively to the good quality of social work practice in Adopt South West. Although Adopt South West has not yet been inspected by Ofsted a peer review by Essex County Council in 2021, identified a good quality of practice.
- Cornwall joining will offer a wider range of potential adopters for children across the Adopt South West area.
- This will of course also increase the number of children looking for adoptive families, as Cornwall's children will become part of the Adopt South West cohort. There will be increased costs to Adopt South West in terms of staff and management, however, additional members of the adoption agency provide some financial resilience.

**b) The request from Adopt South West to revise the funding formula for each Council's contribution to the agency**

- At their inception the government anticipated that the implementation of regional adoption agencies would reduce adoption costs to each Local Authority. This has never materialised.
- Adopt South West overspends budget every year due to inter agency costs, largely due to a national reduction in adopters over time and the need to pay private agencies at high cost to source adoptive families for the most complex children (inter-agency fees). In 2022, Somerset's contribution to the overspend in that year was a further £120k approximately on top of our base contribution.
- In 2018 the percentage of overall costs by Local Authority was based on a set of criteria which are no longer the most relevant factors in sourcing adoptive placements and supporting adoptive families.
- the proposed revised funding formula increases the Somerset percentage contribution from 23.55% (amended to 18.82% if Cornwall joins) to 22.35% of overall costs by 26/27 if a 3 year phasing is applied.
- the additional cost to Somerset Council is estimated to be £224,002 from 26/27 if a 3 year phasing is applied (or from 25/26 if 2 year phasing is agreed).

**c) The options in terms of the timescale for phasing in any agreed change in funding arising from a change in formula**

- Due to the significant proposed increase in cost to Somerset and Devon Councils, a phasing approach has been suggested.
- At their meeting in August 2023 the Adopt South West Strategic Board were asked to consider a new funding formula for use for the period 2024/25 to 2026/27. This new methodology fundamentally changes the basis on which partners are recharged for the costs of Adopt South West and uses volumetric activity data to determine charges to each partner. Officers from all the Local Authorities have informally indicated that they are happy with the new methodology subject to the normal democratic decision-making processes required by each partner.
- Although Somerset would prefer a three-year phasing, all the other Councils in Adopt South West would prefer a one or two year approach. Directors of Children’s Services across all the Councils, including Somerset, would agree a two-year phasing, if democratic process supports this.

**6. Background papers**

- 6.1.**
- Cornwall Business case to join Adopt South West – May 2023 (Confidential)
  - Funding Formula review - Adopt South West Strategic Board – August 2023 (Confidential)

**Note** For sight of individual background papers please contact the report author(s)