



CHILDREN, YOUNG PEOPLE & EDUCATION COMMITTEE

Wednesday, 27 October 2021

REPORT TITLE:	EXTENSION OF THE ADOPTION IN MERSEYSIDE (AIM) PARTNERSHIP AGREEMENT AND REVIEW OF PARTNERSHIP ARRANGEMENTS
REPORT OF:	DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION

REPORT SUMMARY

In April 2017, Cabinet gave approval for the creation of a Regional Adoption Service in Merseyside. The requirement of local authorities to establish Regional Adoption Agencies was in response to new legislation, the Education and Adoption Act (2016). At this time it was agreed that Knowsley, Liverpool, Sefton, and Wirral would form an agency with Knowsley acting as 'host authority'. It was agreed that the agency would operate in shadow form during 2017/18 and then become fully operational on 1 April 2018. These timescales were in accordance with those outlined by the Department for Education that mandated all local authorities were enter into these arrangements by 2020.

At this time a three-year partnership agreement was entered, and this expired on 31 March 2021. Due to the pandemic it has not been possible to review this arrangement. It is recommended that the existing partnership arrangements are extended until 31 March 2022 whilst a review of the arrangements takes place. A further report will be brought back to consider the future partnership arrangements.

This is not a key decision.

RECOMMENDATIONS

The Children, Young People and Education Committee is requested to:

- a) Agree that the current AIM partnership agreement be extended to 31 March 2022.
- b) Note that a review of the existing partnership arrangements will take place and a further report will be brought back on future partnership arrangements for 01 April 2022.
- c) Support the proposal that Wirral will not put itself forward as the host authority at the current time.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To ensure that all local authorities agree to the partnership extension until April 2022.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Do nothing: The current partnership agreement has lapsed and there is currently no formal arrangement in place. The decision is to extend the agreement for 12 months whilst a review of the current arrangements takes place. Doing nothing means that participant authorities do not have the relevant legal arrangements in place.

3.0 BACKGROUND INFORMATION

- 3.1 Adoption in Merseyside (AIM) was formally launched on 1 April 2018 and is the Regional Adoption Agency for Knowsley, Liverpool, Sefton, and Wirral. At this time it was agreed that the agency would be a hosted model where one authority (Knowsley) was the Host. Wirral and the other two authorities seconded their staff to Knowsley, as the host. All staff remained on their existing terms and conditions and continue to do so. This arrangement is supported by an overarching partnership agreement which was initially signed up to for three years and expired on 31 March 2021.
- 3.2 Governance arrangements were put in place which included a strategic board chaired by the Director of Children's Services from Knowsley and the Assistant Directors from the other authorities, including the Assistant Director for Children and Families from Wirral. There is also an operational management group consisting of the Heads of Service responsible for adoption in the respective authorities.
- 3.3 As the partnership agreement has now lapsed it is recommended that an initial twelve-month extension is put in place whilst a wider review of the service and existing arrangement is undertaken. The Board has previously agreed that the hosted model is the preferred approach and so it is not proposed that this is reviewed further at the current time.
- 3.4 The areas for review are as follows:
- Review the host arrangements of AIM that will be in place from 01 April 2022 and the related secondment agreement. If there is a change to the hosting arrangements, there will need to be consultation with staff and trade unions on any proposed changes.
 - Review of the Governance arrangements, including Terms of Reference and Governance Structure. The existing arrangements will be distributed to Board Members for review.
 - Review of support service arrangements. When AIM was created each of the authorities agreed to provide some support service functions. These are

attached as Appendix 1. It is now appropriate to review the support service arrangements to ensure the host can fully support AIM. An officer from Wirral Council will work with Knowsley colleagues to review this arrangement. The support services workstream will also be involved in this work and will bring back any proposals to the Board for consideration. This will also be shared with the relevant Cabinet Members.

- A review will be undertaken of the partnership agreements to ensure they are fit for purpose. This will include a review of the funding model that underpins AIM.

4.0 REVIEW OF HOST ARRANGEMENTS

4.1 Wirral has previously expressed interest in becoming the host authority. An evaluation of this has taken place to consider the implications of this and resulting findings presented to the Assistant Director for Children and Families and Director of Children's Services. Key considerations have included:

- a) Timeliness of the review of the partnership model: As highlighted above, a review of the current arrangements will take place over the next 6 months. This will consider whether AiM will continue to operate as a 'hosted' model and look at alternative models of delivery. It is suggested that the outcome of the review needs to be completed before any alternative 'host' is appointed.
- b) Support services: As the current host authority, Knowsley Council provides financial and legal support for the establishment and operation of AiM. It is assumed that any alternative host would need to take on strategic back-office functions such as programme support, legal and finance. Given the current arrangements in Wirral, particularly the capacity within the current Children's Finance and Legal teams, it is considered that any additional requirements would place further pressures on those operational functions.

4.2 Considering this, it is suggested that Wirral will not put itself forward as the host authority from April 2022 at this current time.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no significant financial resource implications at the current time. The current funding formula is aligned to each authority's four-year average placement orders. For Wirral, this equates to a financial contribution of 36% of the total budget. For 2020/21 financial year, this was £1.2million. It is anticipated that a review of the funding formula might impact on the budget contributions that each authority makes but this will be undertaken in consultation with the relevant finance officers from each authority.

6.0 LEGAL IMPLICATIONS

- 6.1 There are no significant legal implications. The agreement would be extended on the same terms as the existing arrangements and contains appropriate mechanisms to control risks to each authority especially in relation to data protection issues and record keeping requirements.
- 6.2 Wirral has seconded 16 employees to the Host Authority (Knowsley). Those staff remain employees of Wirral Borough Council and their terms and conditions of employment remain those of Wirral Council employees, although their formal location of work is the Host's premises in Halewood. Day to day management and allocation of duties is undertaken by the Host Authority. They remain, however, subject to Wirral Borough Council's policies and procedures in terms of absence management, capability, formal grievance and disciplinary procedures. Should the agreement between the participating authorities be terminated then the secondments would cease and day to day management of the seconded staff would return to Wirral. Each seconded employee is asked to sign a secondment agreement.
- 6.3 In the event that Wirral Borough Council were to become the host, adequate indemnities will be needed (as provided in the agreement) to protect the Council from liabilities which could arise from the arrangement.

7.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 7.1 There are no significant resources issues currently. The current support arrangements will apply until April 2022.

8.0 RELEVANT RISKS

- 8.1 Operational and strategic risks relating to AiM are captured within its service risk register. The Assistant Director for Children and Families has opportunity to escalate risks related to AiM to the Director through the directorate risk register.
- 8.2 There is a risk of not adhering to our statutory responsibility to establish and maintain a regional adoption agency and ensuring the appropriate legal and governance arrangements are in place to secure effective delivery.

9.0 ENGAGEMENT/CONSULTATION

- 9.1 At the current time there are no communication issues. Any proposed changes as result of the review will need to be communicated to all participant authorities.

10.0 EQUALITY IMPLICATIONS

- 10.1 There are no equality implications arising out of the report.

11.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

11.1 There are no environment and climate implications.

12.0 COMMUNITY WEALTH IMPLICATIONS

12.1 There are no community wealth issues arising at the current time.

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APPENDICES

Appendix 1 Support Service arrangements

BACKGROUND PAPERS

[The Adoption Agencies Regulations 2005](#)

SUBJECT HISTORY (last 3 years)

Council Meeting	Date