

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

5 JANUARY 2015

### REPORT OF THE CORPORATE DIRECTOR - CHILDREN

#### REVIEW OF AN ADOPTION ALLOWANCE POLICY

##### 1. Purpose of Report.

To provide Members with an opportunity to consider and agree the attached Adoption Allowance Policy, developed following an internal audit of the Adoption Service. This report should be considered as a follow up on the report provided in September 2013 which provided an update on the position in respect of recurring adoption allowances paid to “eligible applicants” by Bridgend Adoption Service.

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority.

2.1 The report links to the following corporate priorities:

- Working together to raise ambitions and to drive up educational achievements
- Working with children and families to tackle problems early
- Working together to help vulnerable people to stay independent
- Working together to tackle health issues and encourage healthy lifestyles

##### 3. Background

3.1 In 2006 Cabinet were informed of the implications of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 (made under the Adoption and Children Act 2002) in relation to the Authority’s Adoption Allowances Scheme. The report presented to Cabinet in April 2006 highlighted that the Regulations introduced a number of adoption support measures, to encourage more people to come forward to adopt and to help adoptive placements to succeed. The report outlined the changes to the provisions of the Adoption Allowances Regulations 1991 and outlined the circumstances and the means by which future financial support should be paid.

3.2 In June 2013 the Adoption Service was routinely audited. The then Group Manager and Team Manager proposed the audit team specifically looked at adoption allowances, as this was an area needing considerable review. The resulting audit report, signed off in August 2013 identified areas for improvement and proposed that a revised adoption allowance policy be developed which reflected various provisions held within legislation which over time had become relaxed.

3.3. The report presented to Corporate Parenting Committee on 17 September 2013 detailed the responsibilities on the council to provide an adoption allowance to eligible children and adoptive families. The report also outlined expenditure between 2007 and 2013 and evidenced that the allowances had remained relatively static with total spend of £155,000 in 2013. This stable picture was despite a general increase in numbers of children adopted year on year and the annual increase in the adoption allowance base rates, which are in-line with basic fostering rates. The report recommended that Council note the intention of the Adoption Service to undertake a review of the adoption allowances, a key aspect of this being the development and use of a revised Adoption Allowance Policy and accompanying procedures.

#### **4. Current situation / proposal.**

4.1 The review of the Adoption Allowance Policy is complete and reflects both the recommendations from the audit report and the cabinet report of 17 September 2013. There are 5 key changes outlined within the revised policy, these include;

- i. Exploring and considering sources of money which the adoptive parents have, such as any capital of the adopters or income of the child which will be considered in the calculation of any awards. Where it is identified that a 'discretionary/exceptional circumstances payments' is needed, this is made from appropriate budgets.
- ii. To ensure the fair application of the policy, clear documented procedures have been developed which include a formal notification being issued to the claimant outlining their financial support and setting out any requirements of the adopters such as notifying the agency of any changes in their personal circumstances
- iii. A process introduced to formalise awards, which includes a notification process and mechanisms for dealing with disputes.
- iv. A timeframe introduced for dealing with requests for adoption allowances to ensure applications are progressed in a timely manner.
- v. A review process introduced to ensure that adoption allowances are formally reviewed annually to ensure statutory requirements are fulfilled

4.2 Of particular note in the Adoption Allowance Policy is clarity around the use of 'discretionary/exceptional circumstances payments'. Whilst there may need to be a provision for such payments to adoptive families to enable the placement to continue, the legislation for such payments would not be the Adoption Agencies (Wales) Regulations 2005 but instead the provisions of a 'child in need' under Section 17 of the Children Act 1989. Therefore, an assessment of the 'child's needs' will be undertaken prior to such financial payments being provided.

4.3 In order to enable the enactment of the policy, a range of tools and new procedures for the adoption staff to follow have been created. These documents have not yet been needed since the audit as there have been no new applications for an adoption allowance. However, recently this has changed and the forms will be

piloted and revised as needed. All new and existing allowances will thereafter use the new procedures as set out within the attached policy.

## **5. Effect upon Policy Framework and Procedure Rules.**

5.1 There is no impact.

## **6. Equality Impact Assessment**

6.1 The implementation of the proposed documentation and review process will have no adverse impact on those who are deemed eligible under the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 (made under the Adoption and Children Act 2002) or those eligible for exceptional circumstances payments under the 'Children in Need' Provisions of Section 17 of the Children Act 1989. Indeed, the impact is likely to ensure greater equality of approach.

## **7. Financial Implications.**

7.1 The Council's annual budget for adoption allowances is currently £140k. We are projecting a full year spend for 2014/15 of £129k. This is not likely to alter for 2015/16 as a number of allowances currently being paid are likely to end imminently and this will offset any increase in payments as a result of new applications under the new policy.

## **8. Recommendation.**

8.1 It is recommended that Cabinet notes and agrees the Adoption Allowance Policy which can be found at Appendix 1. Cabinet Committee are also asked to note the plans for the implementation of a process to review adoption and other permanence allowances to ensure compliance with the provisions of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 and Section 17 of the Children Act 1989.

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## **Background documents**

Financial Support for Adoption Cabinet Report, April 2006

Corporate Parenting Report on Adoption Allowances, September 2013

Adoption Policy 2014

Cabinet Report – Development of a National Adoption Service – 17<sup>th</sup> September 2013

