

**CABINET**  
**13<sup>TH</sup> NOVEMBER 2023**

**NATIONAL COLLABORATIVE ARRANGEMENTS FOR WELSH (LOCAL  
AUTHORITY) ADOPTION AND FOSTERING SERVICES**

**National Adoption Service for Wales and Foster Wales – Enhancing Governance,  
Leadership and Enabling**

**Purpose:**

1. To update on the proposals for developing the governance and enabling for the National Adoption Service for Wales as it assumes responsibility for Foster Wales
2. To achieve agreement to signing the Joint Committee Agreement for the proposed Joint Committee

**Recommendations / key decisions required:**

**Agree that the authority signs the Joint Committee Agreement for the National Adoption Service and Foster Wales**

**Reasons:**

**Agreeing these proposals and signing the Joint Committee Agreement will put the Carmarthenshire County Council's cooperation in these collaborative arrangements on a formal basis as well as clarifying roles and responsibilities for the hosting of and delivery of national functions which support and enable local authority delivery of their adoption and fostering responsibilities.**

Cabinet Decision Required                      YES

Council Decision Required                      NO

**CABINET MEMBER PORTFOLIO HOLDER:-Cllr Jane Tremlett**

Directorate:	Designations:	Tel:
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Report Author: Jan Coles		

# EXECUTIVE SUMMARY

## CABINET

### 13<sup>TH</sup> NOVEMBER 2023

#### **National Collaborative Arrangements for Welsh (local authority) Adoption and Fostering services**

#### **National Adoption Service for Wales and Foster Wales – Enhancing Governance, Leadership and Enabling**

#### **Governance - Establishment of a Joint Committee**

The proposed governance structure is presented diagrammatically and with a narrative in Appendix one. The national Joint Committee will, on behalf of the 22 Welsh Local Authorities, exercise their powers for the provision of the collaborative arrangements for the National Adoption Service for Wales (NAS) and for Foster Wales (FW). It will be comprised of Council Members meeting twice yearly.

WLGA lawyers have drafted a Joint Committee legal Agreement to be signed by all 22 local authorities; this is now ready to progress and is available alongside this report. This also contains a formal Scheme of Delegation and provision for the formal agreement with the host local authority for national functions.

The Joint Committee will provide the mechanism for all Welsh local authorities to discharge an executive and oversight role for NAS and FW. It will approve / receive:

The Annual Report of NAS and of Foster Wales;

The annual programme of work for the NAS and for Foster Wales;

The budget for the office of the Director and national work for NAS and for FW; and

The agreement, and any changes to the agreement, for the host authority support of the office of the Director and national work for NAS and FW.

For the National Adoption Service only it will also oversee how the authorities work together to exercise their powers and comply with the National Assembly Directions.

#### **Enabling - National infrastructure**

A functional structure is proposed which, below the Director, has separate lead functions for adoption and fostering but a combined business and enabling function supporting both. The range of functions that will be carried out is described in Appendix Two with a staffing structure of 9.5 f.t.e. staff (incl. Director.)

The core funding for the national functions for the National Adoption Service and Foster Wales is provided from a top slice of the Revenue Support Grant made available through the WLGA and reduces the funds available directly to the local authority to provide services and functions. This allocation, currently £538k per annum for adoption and £504k per annum for fostering, is subject to the agreement of the relevant WLGA committee periodically. Foster Wales has been awarded Welsh Government grant funding up to the end of March 2025 to fund specific purposes. Although Welsh Government investment is available to adoption this is fully utilised for direct service delivery through the regional structure. There are resources in both the Foster Wales WLGA allocation and the Foster Wales Welsh Government grant aid that part fund posts on a regional basis to directly support local authority activities.

The total cost of the proposed national structure is £586,384 for 2021/22 salary rates. Total available core budget across NAS and Foster Wales for 2021/22 was circa £1,449,000 albeit that over half the Foster Wales funding stream was subject to WG grant conditions for specific purposes as indicated above.

The structure is affordable up to the end of the Welsh Government Grant period (31.03.25) but there are pressures on staffing and operating budgets for both NAS and Foster Wales beyond that. The financial pressures have been flagged with Welsh Government, but work is commencing to consider how to resolve this beyond the current grant aid period. Resolving this will require the commitment of both Local Government and Welsh Government.

The proposals outlined are being progressed in order to formalise and consolidate the existing position of the Central Team in respect of the work it is currently doing for the National Adoption Service and for Foster Wales. This will allow both collaborative arrangements to continue to function and meet agreed plans and commitments in the short to medium term.

### **Engagement of stakeholders**

Local authority members have been kept informed throughout via the WLGA, most recently, during September 2021 via the Cabinet Members (social care and health) Network and the WLGA Council.

The National Adoption Service Governance Board, the Foster Wales Lead Heads of Children's Services and Social Services Directors via ADSSC have agreed these proposals in principle.

The proposals have been informed by and developed with the full engagement of these key stakeholder groups.

**DETAILED REPORT ATTACHED?**

**APPENDICES 1, 2 & 3 ATTACHED**

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: **Jan Coles**

**Head of Children's Services**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## Legal

Individual local authorities remain legal responsible and accountable for the provision and adoption and fostering services. In respect of adoption services, the legal provisions outlined in paragraph 20 below require adoption responsibilities to be delivered in accordance with the arrangements for the National Adoption Service.

The legal basis underpinning the National Adoption Service is contained in section 3A of the Adoption and Children Act 2002 [which was inserted by the Social Services and Well Being (Wales) Act 2014] and the Adoption and Children Act 2002 (Joint Adoption Arrangements) (Wales) Directions 2015. These set out in detail expectations on local authorities to co-operate at regional and national level to deliver and improve adoption services. They do not, however, contain provisions that explicitly create a mechanism that gives proper legal effect to the co-operation at national level or for the agreement with one local authority to host the national functions. The Joint Committee, and the Agreement that will accompany it, will put this on a formal legal footing as well as providing greater clarity and certainty for all authorities, the WLGA as well as the National Adoption Service and Foster Wales.

There are no regulations underpinning Foster Wales so the Joint Committee will provide the basis for the co-operation that is needed so it can operate as proposed.

## Finance

As outlined above, funding for the governance arrangements and central / national leadership and enabling, is provided from the WLGA via a top slice of the Rate Support Grant plus grant funding from the Welsh Government. This top slice reduces the funds allocated directly to the local authority. There is no expectation that individual councils will incur additional costs in relation to these functions.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

N/A

Signed: Jan Coles

Head of Children's Services

**(Please specify the outcomes of consultations undertaken where they arise against the following headings)**

<b>Scrutiny Committee request for pre-determination</b>	N/A – Delete as appropriate
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**2. Local Member(s)**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

N/A

**5. Staff Side Representatives and other Organisations**

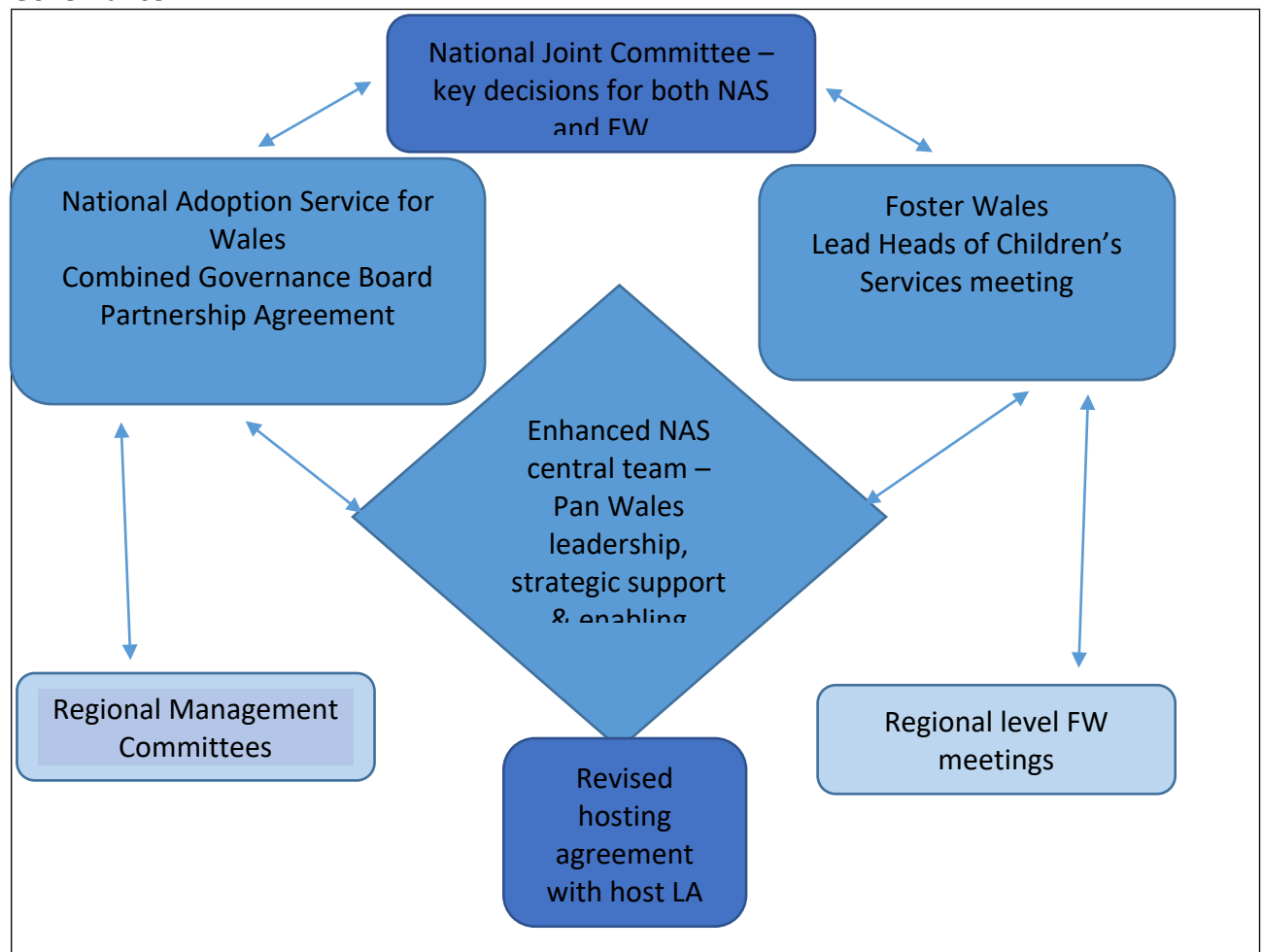
N/A

<b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED</b>	<b>Include any observations here</b>
YES	

**Section 100D Local Government Act, 1972 – Access to Information**  
**List of Background Papers used in the preparation of this report:**  
**THERE ARE NONE**

Title of Document	File Ref No.	Locations that the papers are available for public inspection

**Governance**



**WLGA Joint Committee (all 22 LA’s) over-sees NAS & Foster Wales:**

The Joint Committee will, on behalf of the 22 Welsh Local Authorities, exercise their powers with reference to the provision of the collaborative arrangements for the National Adoption Service for Wales (NAS) and for Foster Wales (FW). It will be underpinned by a legal agreement (Joint Committee Agreement) and be comprised of Council Members. For Carmarthenshire, the representative will be the cabinet member with responsibility for children’s social services. Its role will be to oversee the work of NAS and Foster Wales and specifically approve / receive the below:

- The Annual Reports of NAS and of Foster Wales;
- The annual programmes of work for the NAS and for Foster Wales;
- The budget/s for the office of the Director and the national work of NAS and for Foster Wales; and
- The agreement, and any changes required, for the host LA support of the office of the Director to enable it to facilitate the work of NAS and FW.

For NAS only it will also oversee how the authorities work together to exercise their powers and comply with the National Assembly Directions.

**NAS - National level - Combined Governance Board (CGB)**

Provides strategic direction and decision making to facilitate the delivery and improvement of adoption services in Wales through the National Adoption Service arrangements in line the Senedd Directions and its Terms of Reference.

**Foster Wales - National level - Lead Heads of Children's Services meeting**

Provides strategic direction and decision making in relation to the agreed national and regional functions of Foster Wales on behalf of Welsh local authorities in line with its Terms of Reference.

**NAS – regional / LA level - Regional Management Boards & VAA's Boards**

Each region is made up of specified local authority areas, set out in the Directions and overseen by Regional Management Boards (RMB's). Primary role is to coordinate adoption activities at the regional level and to implement decisions and strategies from the national Governance Board; may also have roles determined by their legal agreement. Plus VAA equivalent.

**Foster Wales - regional / LA level - Regional HoS meeting**

These are now in place and may be a specific FW meeting or included in the agenda of pre-existing HoS or HoS & DSS regional meetings.

Central team – leadership and enabling

