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**Report of the Chief Officer Social Services**

***Scrutiny Board (Children's Services)***

**Date: 16 November 2006**

**Subject: Adoption in Leeds: Session 4**

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**Electoral Wards Affected:**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**Executive Summary**

**This report provides additional information on the implications of meeting the terms and conditions of people joining the fostering and adoption service from agencies who do not have equivalent conditions and on the allowances available to people adopting children through Leeds Social services.**

## 1.0 Purpose of This Report

1.1 Attached to this report are appendices relating to the modification of terms and conditions for people joining the Social Services from other agencies or departments and to allowances for people adopting through this agency.

1.2 This information is for councillors' information.

## 2.0 Background Information

2.1 The Scrutiny Board members have already received general background information on current legislation relating to adoption, the role of social services and the stages involved for applicants and children. This included alternatives to adoption. In session 2 information specifically related to adoption in Leeds was presented and the links to regional activities.

## 3.0 Main Issues

3.1 When people join this adoption agency from other agencies or departments they may have different pension arrangements, leave entitlements etc. They also need to work six months for the department before they are entitled to the full statutory sick pay and maternity leave. They are also only entitled to the full leave entitlement after 5 years' continuous service starting when they join the department (any previous periods of employment with the council do not count). They are not entitled to redundancy pay until they have been employed for a certain period with the council. (appendix 1)

3.2 The only exception to this is if they have worked with a department or agency with which the council has an agreement. A list of these bodies is attached in appendix 1.

3.3 This has led to people either not applying to join the Department or withdrawing after they try to negotiate equal terms and conditions after being recommended for a post. This has excluded some valuable applicants.

3.4 These terms and conditions are agreed in the Joint Council of which Leeds City Council is a member. Some local authorities have withdrawn from the Joint Council and are able to offer terms and conditions equivalent to those enjoyed by applicants with their previous employer. Advice from Central HR may clarify this but the opinion of Social Services HR is that we are tied to the terms and conditions agreed in the Joint Council and cannot therefore offer different terms and conditions to applicants so that they do not lose entitlements when they join Leeds City Council.

3.5 Where there is some flexibility in the level of financial package we offer. We have had instances where due to difficulties in recruiting to specific areas we have offered a higher starting salary in part recompense for a lower level of leave etc. This has to be carefully controlled as there is a danger of setting a precedent and encouraging similar claims from related staff.

3.6 The allowances available to people wishing to adopt through Leeds Social Services and the means tests applied are part of a complex system mainly dictated through the Adoption Regulations but also open to some variation by individual Local Authorities.

- 3.7 A simplified (but still somewhat complicated) explanation is laid out in a draft booklet (appendix 2) intended to explain to foster carers what support they may expect if they decide to apply for a Residence Order, a Special Guardianship Order or an Adoption Order for a child they are fostering. This is part of a strategy to reduce the number of Looked After Children by encouraging foster carers to consider one of the options above.
- 3.8 Sarah Johal, who has done considerable detailed work on allowances and means testing will attend the meeting on 16<sup>th</sup> November.

**4.0 Recommendation**

- 4.1 The Board is asked to note the information presented in this report and the attached appendices.