



Report author: Sarah Johal / Kate Sadler

Tel: 0113 2783623 / 3788663

## Report of Director of Children's Services

## Report to West Yorkshire Adoption Joint Committee

Date: 15<sup>th</sup> March 2017

## Subject: Delegation of Functions

Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:		
Appendix number:		

## Summary of main issues

1. In December 2016 the Cabinet and Executive Boards across West Yorkshire endorsed arrangements for a new regional adoption agency titled One Adoption Agency West Yorkshire (the Agency) and put in place the arrangements necessary to delegate adoption functions to the agency via this Joint Committee.
2. This report sets out details in relation to the way in which it is proposed to discharge the adoption functions through the agency, and asks the Committee to delegate functions to the Director of Children and Families at Leeds City Council in order that those functions may be sub-delegated to the Head of Service within the Agency to enable the day to day operation of the Agency and the adoption of the adoption functions through the Agency.

## Recommendations

1. Members are requested to note the arrangements set out in this report and to approve the delegation of functions to the Director of Children and Families set out at paragraph 3.3 of this report and as shown at Appendix A attached.

## **1. Purpose of this report**

- 1.1 This report seeks the delegation of adoption functions by the Joint Committee to the Director of Children and Families at Leeds City Council.

## **2. Background information**

- 2.1 In December 2016 the Cabinet and Executive Board meetings of the five West Yorkshire Authorities endorsed the arrangements for a new regional adoption agency (One Adoption Agency West Yorkshire) and inter alia:-

- Appointed the West Yorkshire Adoption Joint Committee;
- Approved the, Constitution, Terms of Reference and Procedure Rules of the Joint Committee;
- Noted the principles of the partnership agreement, and the process for setting the budget both of which are to be approved by the relevant Directors of Children's Services in each authority under their delegated powers;
- Agreed that Leeds City Council hosts the Agency; and
- Noted that the Joint Committee will be invited to delegate responsibility to the Director of Children's Services for adoption services.

- 2.2 For Members ease of reference the Terms of Reference are set out at Appendix B attached.

## **3. Main issues**

- 3.1 Members should note that although the authority may choose to delegate functions to a Joint Committee, and that Committee may further sub-delegate the functions to an officer, the delegating authority remains accountable for, and may choose to discharge those functions itself.

- 3.2 In addition Members will note that the delegated functions do not include all of the adoption functions of each participating authority. In particular each authority will retain the corporate parenting responsibility for looked after children. Individual authorities will retain the functions which require decisions in relation to specific children, so decisions to place a child for adoption and to approve a match with any adoptive family will be taken by the authority responsible for that child.

- 3.3 It is proposed that the functions which are delegated to the Joint Committee should be carried out on the Committee's behalf by One Adoption Agency for West Yorkshire. This regional adoption agency is hosted by Leeds City Council. Members are therefore requested to approve the delegation of the following adoption functions to the Director of Children and Families<sup>1</sup>:-

- Adoption services including:-
  - a) Recruitment and approval of potential adopters;
  - b) Identification of potential matches between children and adopters<sup>2</sup>;
  - c) Provision of adoption panels; and

---

<sup>1</sup> Members will note that a structural reorganisation within Leeds City Council will take effect on 1<sup>st</sup> April 2017 under which the existing Director of Children's Services will become the Director of Children and Families.

<sup>2</sup> One Adoption Agency for West Yorkshire shall identify potential matches and make recommendations to the relevant local authority for the matched child. The decision to match a child with an adoptive family remains a function of the Local Authority.

d) Provision of adoption support services<sup>3</sup> to adopters, adoptees, birth families and relevant professionals.

3.4 Members may wish to note that it is the intention of the Director of Children and Families to sub-delegate these functions to the Head of Service in operational control of the Agency.

3.5 The Head of Service is accountable to the Director of Children and Families, and to the Management Board, made up of senior managers from each Local Authority together with representatives from key stakeholders. In turn the Management Board will be accountable to the Joint Committee which will receive reports in relation to the performance and progress of the agency, oversee the discharge of the delegated functions, monitor the budget and strategic direction of the service and agree the annual report.

#### **4. Corporate considerations**

##### **4.1 Consultation and engagement**

4.1.1 The proposals for the delegation of functions have been shared with Executive Members for Children across the five local authorities as they have been briefed through the development of the regionalisation project. Each Cabinet or Executive Board was advised of the proposal and endorsed the approach.

4.1.2 The Director of Children's Services at Leeds City Council is content with the proposed delegation and has made appropriate plans to sub-delegate the functions.

##### **4.2 Equality and diversity / cohesion and integration**

4.2.1 There are no implications for this report.

##### **4.3 Resources and value for money**

4.3.1 The budget to operate the Agency will be agreed through the process outlined in the December Cabinet / Executive Board reports and will be agreed by each Director of Children's Services in accordance with their own delegated authority.

##### **4.4 Legal implications and access to information**

4.4.1 These delegations establish formal legal authority necessary for the Agency to discharge the adoption functions on behalf of each of the five Local Authorities.

4.4.2 The delegations will be published as part of the Leeds City Council Constitution.

##### **4.5 Risk management**

4.5.1 There are no implications for this report.

---

<sup>3</sup> Including maintenance of and access to adoption records

## **5. Recommendations**

- 5.1 Members are requested to note the arrangements set out in this report and to approve the delegation of functions to the Director of Children and Families set out at paragraph 3.3 of this report and as shown at Appendix A attached.

## **6. Background documents<sup>4</sup>**

- 6.1 None

---

<sup>4</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.