

Business Case for Review of North Wales Adoption Service Autumn 2019

1. Background about Service

The North Wales Adoption Service (NWAS) became operational on 1st April 2010. NWAS provides a regional adoption service on behalf of the local authority areas of Wrexham, Flintshire, Denbighshire, Conwy, Gwynedd and Anglesey.

Wrexham has been the host authority since NWAS was created, and has responsibility for managing the service. NWAS was set up to increase the number and range of adoptive placements for relinquished and Looked After Children within the North Wales area by establishing and maintaining a pool of approved prospective adopters who also reside in the North Wales area.

From the outset a Partnership Agreement has been in place which sets out the duties and responsibilities of the host authority and the other participating local authorities. The NWAS is overseen by a Partnership Management Board which is made up of a Head of Children's Services from each North Wales Authority.

Since its inception NWAS has been innovative and progressive. Directors and Heads of Service shared a vision that became an operational reality and the regional service has delivered an improved service for children needing adoptive families and adoptive parents for the past 10 years.

The operational management of NWAS is overseen by a Team Manager located in Wrexham and two Deputy Managers, one based in Conwy and the other in Gwynedd. Senior managers from the host authority have provided strategic oversight of the service, representation at regional and national level and management of the Team Manager to support service delivery in line with regulation and legislation.

Whilst the staffing complement in the service has remained unchanged since it was established in 2010, the demands on the NWAS have grown with a 26% increase in the numbers of children looked after across the region and more children each year requiring adoptive placements. In addition, the creation of the National Adoption Service in November 2014, bringing all local authorities in Wales together to form five regional collaborative areas, NWAS being one of them, has resulted in an additional set of reporting arrangements and responsibilities for the service.

Consequently, the Operational Manager and the two Deputy Managers have become increasingly stretched, so much so, that it has required Heads of Service employed in Wrexham, to devote increasing amounts of time to support the service. The time spent now far exceeds the 2.7 hours a week the service is funded for and cannot be sustained, given the considerable strategic responsibilities and heavy workloads attached to these Heads of Service roles.

In addition, earlier this year it was announced that the Welsh Government is going to provide £2.3 million additional funding for the development of post adoption services across Wales. The NWAS share of this funding is approximately £378K which will be devoted entirely to developing a post adoptive support element within the service for adoptive families and adoptive children. This funding will be a recurring grant, and whilst a good news story will create additional pressures on an already stretched service if it continues with its current structure and headcount. (See Section 3.1 below).

The conclusion to be drawn from the information outlined above is that there is insufficient management capacity, both at strategic and operational level to manage and develop the service. Further, it is not possible to deliver the Post Adoption Support element with the existing staffing complement.

Lead Authority Model

As NWAS started as a pilot project, with no certainty it would endure, employees were seconded by their employing local authority with the intention, over time, once proof of concept was established that there would be a move for the lead authority to directly employ the workforce.

2. Proposed Changes

This business case sets out 2 separate proposals for change for the North Wales Adoption Service, one aimed at delivering a revised structure for the service and the 2nd to ensure a more effective lead authority model of delivery. Each proposal will have separate work streams and consultation plans to be followed as outlined below.

2.1 NWAS Structure:

To restructure the existing management arrangements in NWAS to create a Lead Service Manager role and revised Operational Team Manager roles, with an additional team manager role to update, refocus and increase operational management capacity. This will involve deletion of the current Operational Manager post and 2 x Deputy Manager roles. All other existing posts within the structure will remain unchanged.

Expansion of the team to create nine new permanent roles, to include 1 Operational Manager (as referred to above) to develop and manage the new Post Adoption Support element of the service, in line with the Welsh Government grant conditions. This is proposed to include a specialist TESSA role, coordinator roles and therapeutic Family support workers roles.

2.2 Fully Managed Lead Authority

To implement a fully managed lead authority model of delivery with an updated and supporting Partnership agreement with all 6 authorities to reflect the proposed change. This proposal would require TUPE transfer of employees currently carrying out the NWAS work as their principle purpose from the five partner authorities, Flintshire, Denbighshire, Conwy, Gwynedd and Anglesey to the proposed employing lead authority, Wrexham County Borough Council (WCBC).

Current vacancies in the service would transfer to WCBC to be recruited to on WCBC's terms and conditions but continuing to operate in their current locations in other counties. There is no plan to change the location of staff working in the NWAS as current arrangements continue to meet the needs of the service. All members of staff are able to work remotely, using the CHARMS IT System which all the authorities are signed up to have access to.

To revise the Partnership Agreement to incorporate the planned changes in the service and ensure all future liabilities are covered. *E.g.*: potential redundancies, dissolution of the partnership, or withdrawal of one of the partners.

3. Reason for Change.

3.1 NWAS Structure: Currently there is insufficient strategic and operational management capacity to meet the needs of the service, which includes establishing a vision for the future and developing and implementing a business plan that sets out clear objectives and goals.

Since the establishment of the National Adoption Service (NAS) in 2014, there has been a requirement for managers of all five adoption consortiums in Wales to represent their regions at a national level, and contribute to the development of a truly National Adoption Service and a new policy agenda. This has included the establishment of a NAS Performance Framework, with the range of measures increasing year on year, requiring more comprehensive recording and reporting requirements for the service.

Three of the other consortiums are managed by full-time Regional Adoption Service Managers, supported by operational managers. Therefore they have the time and strategic experience to contribute to the national policy agenda as well as develop specific business plans to drive their services forward. Whilst it is acknowledged that some of these activities have taken place in North Wales, they have been on a more ad hoc basis. This is because NWAS has always been managed by one Team Manager, supported by two deputies who have significant operational responsibilities and therefore lack the capacity to develop the service strategically, plan for the future and contribute to the national adoption agenda

During recent years in order to meet national and legislative obligations senior managers from Wrexham, have had to devote increasing amounts of time to support NWAS. However, continuing to attend monthly meetings in Cardiff and provide significant support to maintain operational activities is no longer sustainable. At the same time we have recently received WG funding to develop post adoption services but lack the management and staffing capacity to drive this agenda forward.

Therefore the creation of a full-time Service Manager post will put the North Wales region on an equal footing with the other regional services and enable the post-holder to attend regional and national meetings. This will also ensure the region retains its influence and will be well placed to shape both regional and national priorities going forward. Locally, it will allow the post-holder to be pro-active rather than reactive in planning for the future. Setting strategic goals for the development of the regional service, underpinned by a detailed business plan with measurable

milestones will provide focus for employees and reassurance to members of the Partnership Board that the Service is set on a journey of improvement.

In addition, creating three Operational Team Manager posts will allow the post holders to focus entirely on operational activities and create the additional capacity to develop and manage the Post Adoption Support element of the service funded by the WG grant. Whilst the Operational Team Managers will have generic job descriptions, they will each take a lead in driving performance in three specialist/ key areas; Marketing, recruitment and Training; Assessment and Performance; Post Adoption Support. This will ensure the quality and range of services on offer are broadened and improved and delivered consistently across the region.

Other benefits of increased operational management capacity will allow for each Team Manager to link and act as a professional advisor to one of the three established Joint Adoption Panels for Conwy/Denbighshire, Anglesey and Gwynedd and Flintshire and Wrexham. The plan is for each Team Manager to be deployed across two county areas and be a point of contact and increased support for frontline staff and linked staff working in frontline childcare teams based in their areas.

To create capacity to deliver the Post Adoption Support element of the service we intend to use the 378K Welsh Government funding to create and recruit nine additional posts. Some of the new posts will require different knowledge and skill sets and will enable NWAS to provide an improved and expanded range of services to Adopters and their Adoptive children and also meet legislative requirements.

3.2 Fully Managed Lead Authority

Employees in the NWAS are seconded to the service by their employing local authority and this has been the situation since the regional service was established. Whilst secondment in the short-term can be beneficial for employees it can also create uncertainty about long-term job security when there is no defined end date for the arrangement. Since the service was set up some experienced employees have ended their secondment because of uncertainty about their future. This was linked to periods of budget cuts and fears that they may not have a job to return to in their employing authority if the service changed/ ended.

Secondment has also created some difficulties that impact on the operational effectiveness of managing the service. Sickness, capability and disciplinary matters are managed slightly differently in each North Wales Local Authority. This has created some operational difficulties and made it more challenging and cumbersome to manage the service on a day to day basis when the managers have to deal with six separate HR and Corporate departments who have slightly different ways of doing things. For example, policies and processes to adhere to, recruitment and legal procedures, and performance management etc.

Other difficulties have arisen in negotiating like for like backfill, when employees have been on long-term sickness or maternity leave and their respective employer did not provide a backup employee/ cover or delays in getting vacancies advertised. When this has happened it has created a major gap in service and had a detrimental impact on operational activities and other employees trying to provide cover, resulting in a decline in performance, resulting in fewer adopters being assessed and approved,

leading to a decrease in available adopters and an increase in the numbers of children waiting for adoptive placements. Lack of sufficient adopters has also had a significant financial impact on participating local authorities, with an almost 200% increase in the use of private adoptive placements in the year 2018/19 when compared with 2017/18.

Equally, it has proved problematic for the financial management of the service due to the additional activity required to calculate amounts owing to the lead authority when vacancies are not covered or for payment applied to administrative support that leave or are on long-term sick leave. Therefore WCBC as the lead authority has not been able to fully cost recover from other council's elements of overheads etc

In order to achieve a far more efficient lead authority model of delivery it is proposed that employees carrying out NWAS duties as their principal purpose are transferred to WCBC as the lead authority. This would enable the lead authority to manage the service on one set of policies and procedures and only have to deal with one HR, legal and Finance department instead of six. It would also reduce silo working and enable consistency of performance and practice and flexibility across the region when working to one set of policies and procedures, as well as clarity of management structure and cover for continuity of service.

This model will enable managers to take swift action to fill any vacancies and arrange cover for long-term sickness and maternity leave. This would be beneficial for the service and employees working in the NWAS. It is hoped that employees would feel more secure, as they would no longer have the worry of secondments ending. Addressing any performance issues would also be far more straightforward and remove any ambiguity employees and managers may have with the current arrangements. It will enable a more accurate and cost effective service partnership agreement to be developed for the service.

4. Major Deliverables –

4.1 NWAS Structure:

The proposed changes will introduce improved management of the service and enable the NWAS to meet all of its regional, national and legislative obligations. Increasing the management capability will also enable the NWAS to expand and deliver an enhanced Post Adoption Service as directed by the Welsh Government. Staff working in the Service will also benefit from improved access to management support.

Potential adopters, Adopters and adopted children will also be beneficiaries or an improvement in all aspects of the Service and the creation of a Post Adoption Support element of the Service.

4.2 Fully Managed Lead Authority

- Increased efficiencies in ways of working, with the full management of the service under one lead authority.

- Improved management of vacant posts and covering long-term sickness and maternity leave as managers will be able to take immediate action to remedy the situation.
- Performance and practice will be aligned across the region offering potential adopters, adopters and adopted children consistency of service delivery.
- Improved financial cost recovery.
- Staff will be secure in the knowledge that they will have permanent long term contracts with NWAS.

5. Scope

5.1 NWAS Structure

Currently there are two deputy managers who will be directly affected by the proposed change in the management structure and include:

1 FTE employed by Gwynedd
1 0.6 employed by Conwy

The remaining posts will be unaffected by the proposed changes.

5.2 Fully Managed Lead Authority

Initial assessment has found 11 employees potentially in scope of a TUPE transfer as NWAS is their principle purpose. This includes:

1 Deputy Manager employed by Gwynedd – 1 x WTE
1 Deputy Manager employed by Conwy – 1 x 0.6
3 Social workers employed by Flintshire County Council - 1 x FTE & 2 x 0.6
2 Social workers employed by Denbighshire County Council – 2 x FTE
2 Social workers employed by Conwy County Council – 2 FTE
1 Administrative worker employed by Conwy County Council – 1 x 0.6
1 Social worker employed by Gwynedd County Council 1x FTE

6. Dependencies – The Partnership Agreement is currently being revised to take account of the proposed changes and should be completed by the end of August 2019. On completion it will be circulated to other members of the NWAS Partnership Board for consultation and endorsement.

7. Constraints –

- The Job descriptions and person specs for the new posts will need to be designed and subject to the job evaluation process.
- Engagement and reaction of recognised Trade Unions at a regional level on behalf of the 6 local authorities on the proposed changes.

- Engagement and reaction of employees to the proposed changes and potential for individuals to object to the transfer.
- In the short-term there may be some difficulties with recruitment into posts that are advertised on WCBC terms and conditions, but will operationally be based in other Counties and therefore competing with different pay rates that may apply locally.
- Reaction of employees who would have the same employer but on differing pay and terms and conditions which are protected by TUPE legislation. This is already a factor that exists within the service.
- Legal Resource to develop the Partnership Agreement.

8.Organisation Structure:-

The current structure chart is attached (appendix 1) and the proposed structure chart (appendix 2)

There will be 42 posts in the new structure, which is an increase of 9 permanent post

An estimated 11 posts will transfer to WCBC as the lead authority for the NWAS

It is proposed to delete the following posts	Number FTE
Operational Manager	One
Deputy Manager	Two

It is proposed to introduce the following posts	Number FTE
NWAS Service Lead	One
Operational Manager	Three
Tessa Co-ordinator	One
Young Person Co-ordinator	0.5
Contact Co-ordinator	0.8
Post Adoption Co-ordinator	One
Therapeutic Support Workers	Four

It is proposed to retain the following posts	Number FTE
Social workers	2 x 0.6
Social Workers	10 FTE
Recruitment Officer	One
Training Officer	32 hours
Administrator	30 hours

Administrator	30 hours
Administrator	2 x 18.5
Contact Co-ordinator	0.6
Contact Administrator	0.8

9 Approach

9.1 NWAS structure

The intention is to delete the existing Team Manager and two Deputy Manager posts and replace with one Service Lead Manager Post (to be based at WCBC) and three new Operational Team Manager posts.

It is proposed to recruit to the NWAS Service lead Manager post which has been evaluated at G13.

There is currently 1 operational manager post that is vacant and can be deleted. There are 2 Deputy Managers in post who would be at risk by the deletion of their current roles and replacement with new operational manager posts. It is proposed that consultation will take place with the directly affected Deputy Manager group about the proposed 3 x Operational Manager roles on a ring-fenced basis, in line with the Managers Guide to Implementing Organisational Structure change. Should there be more expressions of interest/ matching to a specific post a 'select in' approach would be used.

For the new element of service for Post Adoption Support it is proposed to create nine new posts, including one team manager referred to above. This will require job evaluation and then a recruitment campaign to fill the roles. No current employees are directly affected by this element of change.

The next step is to consult regionally with the union representatives and directly with the two affected members of staff regarding the proposed changes.

9.2 Fully Managed Lead Authority

Consultation with recognised trade unions followed by consultation with in-scope employees will be required to take place in line with Transfer of Undertakings (protection of employment) regulations (TUPE).

A process will be followed to share employee liability information with WCBC by the current employees to enable an assessment of any issues and to inform any measure that may be required to be undertaken due to the Transfer. It is understood that there is likely to be as a minimum the required measure to amend the payroll deadline to be the 15th day of the month and a transfer into the Clwyd Local Government Pension scheme for those whose pension is not currently administered by Clwyd Pension.

It is anticipated that contractual pay and terms and conditions will be protected in line with TUPE legislation.

As part of the consultation process employees will have the opportunity to consider what the proposals mean for them and whether they intend / wish to object to the transfer.

Current vacancies in the service for social workers/ roles that are not affected by the NWAS structure project will be recruited to on WCBC terms and conditions but continue to be based in their current location.

10. Implementation & Consultation Plan

It is proposed to start consultation on these proposals as soon as possible through a briefing with regional recognised trade union representatives on [TBC DATE] and a meeting with the team at the team meeting scheduled for [TBC DATE]

10.1 NWAS Structure

Action	Resp	Target Date
1. Trade Union pre- consultation briefing		
Email to the Regional Trade Unions – to provide business cases x 2 re restructure and explain intention to bring in regional Adoption service into WCBC as lead authority, the staff affected and potential measures intend to take, offer a date to meet to consult and receive feedback.	CW / HR reps from all 6 authorities	End of Early August
Senior Manager will inform the relevant trade unions of the contents of this proposal sharing a detailed business case	Senior Manager	Earl September
2. Employee Consultation – sharing proposals		
Senior Manager to hold a Group Consultation meeting with Deputy Managers as directly affected by the proposals to explain what it means for them and to share the consultation plan.	Senior Manager	Mid-September t 1 week after sharing details with TUs
Senior Manager to hold group briefings with wider teams not directly affected by the structure proposal.		
Individual Consultation meeting – with Deputy Managers to discuss feedback on the structure proposals and suggestions for draft Operational Manager Job description.	Senior Manager/ Deputies	Couple of days after Group meeting (Mid-Sept)
Feedback on the proposals and suggestions for draft Job description is required from employees and their representatives and considered during the period of consultation.	Employees /Unions	2 week window from group meeting late
Advertise NWAS Service Lead Manager vacancy		Late September/ Early Oct
Review of Operational Team Manager JD to confirm final version and respond to employee feedback		Early Oct
Submission of JD for evaluation	Chief Officer	Early Oct
Confirmation of JE Outcome	Job Evaluation	Takes 4 – 6 weeks –
Chief Officer confirms acceptance of grade by		Early

completing/returning the JE Memo.		November
Chief Officer has right to appeal against grade outcome – 10 days from notification of the JE Outcome.		
Individual Consultation Meeting – with Deputies to confirm outcome and next steps re slotting and matching/ select in activity that may be required.		Can only happen after a TUPE Transfer taken place (see below draft timescale).
Letter to confirm appointment into alternative roles	HR Service Centre	

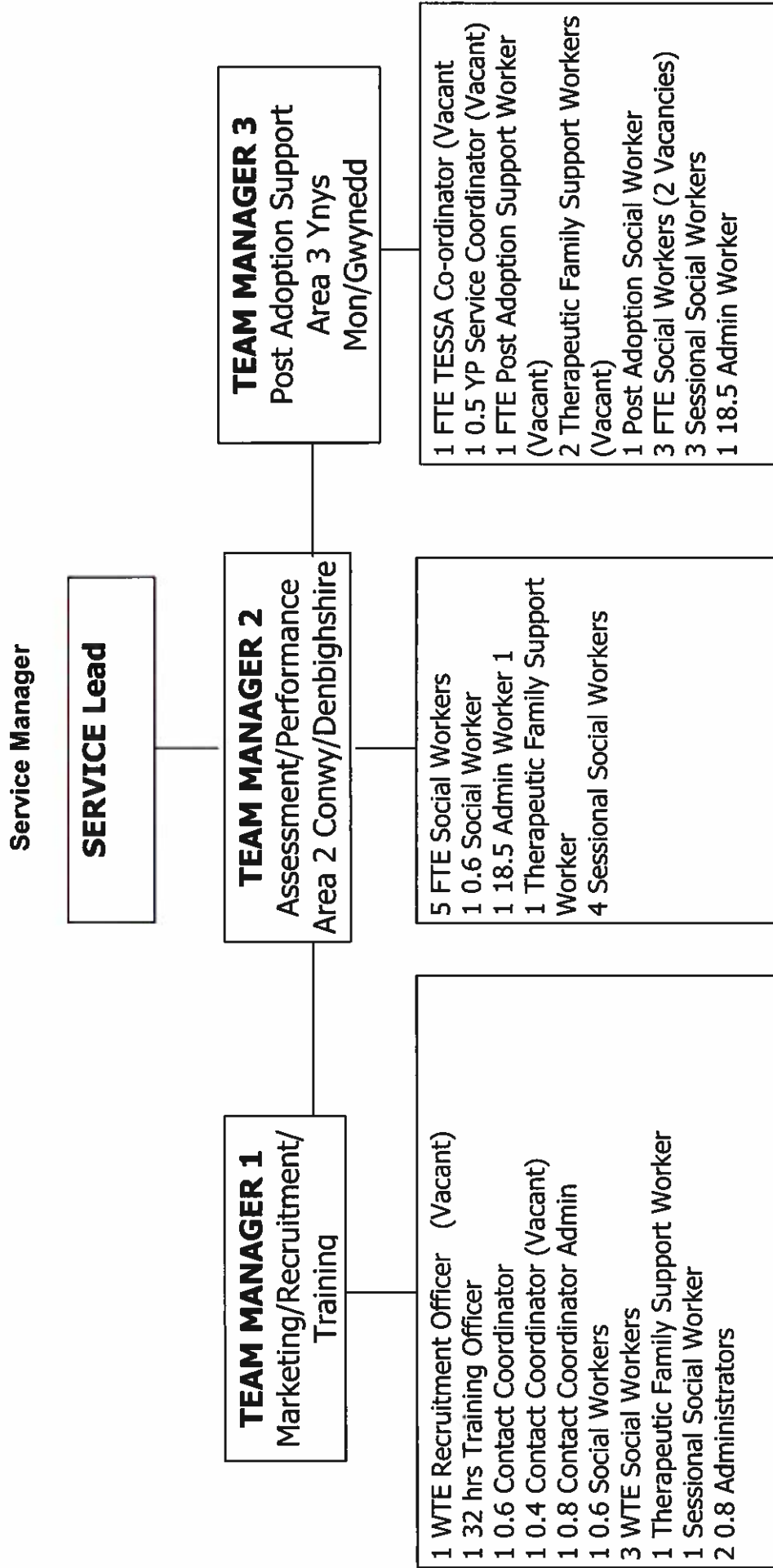
10.2 Fully Managed Lead Authority

Activity	Who	By
Email to the Regional Trade Unions – to provide business cases x 2 re restructure and explain intention to bring in regional Adoption service into WCBC as lead authority, the staff affected and potential measures intend to take, offer a date to meet to consult and receive feedback.	CW / HR reps from all 6 authorities	Late July/ Early August
Regional TU Consultation Meeting	CW / HR reps from all 6 authorities	First week of September
Feedback on proposals – From TU		End of 2 nd week of Sept
TUPE Triggered and Measures to Take Letter WCBC to write to 4 authorities to formally set out key issues: <ul style="list-style-type: none"> • Believe TUPE is triggered as service remains the same • Expectations current staff will transfer with service • Outline of potential measures to take • Request key information to help assess potential staffing issues/measures that may need to be taken 	WCBC Social Care Service	Mid Sept
Preparation of information about the Council (i.e. type of induction) - to share with incoming employees via their current employer	Social Care Manager (WCBC)	Mid Sept
Employing Authorities to Start Consultation with their employees – including right to object / feedback on the proposed measures to take etc. WCBC manager can attend if appropriate	4 Outgoing Authorities – HR Rep and local Head of Service/	Mid to late September

	Chief Officers/ WCBC contact	
TUPE – receive all finalised employee liability information from outgoing employer (28 days before date of change).	4 Outgoing Authorities	Late September (or at least a Minimum 28 days prior to implementation date)
Assessment of terms and conditions – To identify the issues to manage	WCBC / input from 5 authorities HR team	Sept/ early Oct
2nd Employee Consultation meetings	4 Outgoing authorities	Early October
Considerations Objections to Transfer– May not be applicable	Employees/ 4 Outgoing Authorities	Mid Oct
Current Employer’s Final letter – to employees to confirm transfer and new employer details etc	5 Outgoing Authorities	End of Oct
WCBC’s Welcome letter to Incoming Employees - confirming TUPE Transfer and welcome	WCBC’ Chief Officer – Social Care	Early- November
Transfer to take place in line with recruitment of Service Lead and is subject to change		Early / Mid November
New Joiner processes to be completed – Receive P45 bank details etc for payroll etc.	Service manager/ employees	Mid November
Implementation of changes –Transfer staff files to Council system	HR reps	Mid November
Employees complete Council Induction processes	Employee/ their manager	November/ December

Appendix 1. Proposed North Wales Adoption Service Organisation Structure

Proposed structure Total posts = 42



* 2 System administrators report on a daily basis to Team Manager 1, but receive their appraisal from the Business Support Manager based in Social Care Wrexham CBC

Appendix 2 Current NWAS Organisation Structure

Structure Total posts = 33

