

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	13 November 2025	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3665
TITLE:	Adoption West Contract	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 - Equalities Impact Assessment		

## **1 THE ISSUE**

- 1.1 To consider options for the delivery of adoption services beyond the expiry of the current arrangements with Adoption West which expires 28 February 2027. This is a Teckal Company, wholly owned by the participating Local Authorities.

## **2 RECOMMENDATION**

The Cabinet is asked to:

- 2.1 Agree, in principle, to continue with adoption west as the council's preferred option for their regional adoption agency (RAA), beyond February 2027.
- 2.2 Delegate to the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, to work with key stakeholders and partners (including adoptive family representatives) to further develop adoption west, taking account of the matters set out in paragraph 11.1 of this report.
- 2.3 Bring a further report to a future Cabinet meeting once this work is completed setting out revised proposals for adoption west beyond February 2027.

### **3. Proposal**

3.1 Adoption West is a Teckal company wholly owned and limited by guarantee of the six local authorities, established in March 2019 to deliver specified statutory adoption services on their behalf.

3.2 The current arrangements end in February 2027. The partners recently commissioned an external review of the progress to date, alongside a consideration of alternative RAA models to assist in determining the best approach to service provision, beyond the expiry of the current arrangements. The review concluded that the further development of Adoption West, consolidating and building upon the progress to date, represents the best option for service provision beyond February 2027, providing opportunities to innovate, as well as addressing the pressures and challenges that are evident in the adoption system both regionally and nationally.

3.3 Subject to initial agreement by the six local authority partners to Adoption West's continuation, work would commence to refine the operating model, with the intention of bringing back detailed proposals later in 2026 for final approval. Ensuring a continuity of service and minimising the impact for children, families and staff will be integral to the development process. The details of the contract would be agreed by: Jean Kelly, (DCS) Joanne Parker, Service Manager, Ian Tomlinson, Commissioning Manager and Cllr May

### **4. Background**

4.1 Adoption has been an integral feature of statutory arrangements for children's services for over 100 yrs. Over that time its function and prominence within service provision has been subject to considerable change, reflecting the profound social and political changes in wider society. There is a considerable body of evidence that adoption can be a highly effective permanence option for children who are looked after. Successive governments have placed an emphasis on the importance of adoption, with this unlikely to change in the immediate future. It is the most profound form of state intervention in a child's life, underscored by profound ethical considerations, requiring the highest standards of practice and management oversight.

4.2 In June 2015, the Department for Education (DfE) published 'Regionalising Adoption' which set out proposals for local authorities to deliver adoption services through Regional Adoption Agencies (hereafter referred to as 'RAAs'). The stated aims were to speed up the process of matching (children and adoptive families) and markedly improve the life chances of neglected children, improve adopter recruitment and support, while also reducing costs. Subsequently, 'Adoption: A Vision for Change (March 2016) further developed the proposals, with the Education and Adoption Act 2016 containing a reserve power to require local authorities to transfer their adoption services into regional arrangements.

4.3 In 2015, the DfE agreed an expression of interest from a collaboration of South West local authorities and funded the process to establish a partnership, to be called the Adoption West Regional Adoption Agency. The law firm Bevan Brittan were appointed in early 2016 to support the mobilisation process and, after due consideration of a range of delivery options, it was decided to establish Adoption West as a company wholly owned and limited by guarantee of the six local authorities (below), to deliver specified statutory adoption services on their behalf:

- Bath and North East Somerset Council (BANES)
- City Council of Bristol
- Gloucestershire County Council
- North Somerset Council
- South Gloucestershire Council
- Wiltshire Council

4.4 Adoption West (hereafter referred to as 'AW') commenced on 1 March 2019, initially for three years, with the option for a further five-year extension. The option to extend was activated in 2022 and runs until the end of February 2027. While there is a broad consensus amongst the participating local authority lead officers that Adoption West provides the optimal solution for the continuation of adoption service provision beyond March 2027, it was acknowledged that any final decision must be evidence led, including the consideration of alternative delivery models for adoption services within a regionalised delivery framework. Based on the experience gained in establishing AW, it was also recognised that the review process would need to commence during 2025 to allow sufficient time for any significant change. This change could include a new delivery model or the further development of AW, to be completed ahead of the February 2027 deadline, while minimising disruption for families, children and staff.

4.5 To assist with the process, the AW partners commissioned an independent author to undertake a comprehensive overview of Adoption West's progress and development since its commencement in March 2019, alongside an analysis of alternative models for the delivery of adoption services based on publicly available material. The latter would include RAAs' published material, national performance data, thematic and regulatory inspection reports, along with relevant research material. The author was previously the Director of Partnerships and Strategy for Gloucestershire County Council: Children's Services from August 2018 to July 2024, and Deputy Chair (2019-2020) and Chair (2020 – 2023) of the Adoption West Board, and the responsible individual for Adoption West during the Ofsted inspection in January 2022. The author also had prior experience of a local authority hosted adoption partnership (between Warrington, Wigan and St Helens) when Director of Children's Services for St Helens between 2011 and 2016.

4.6 A two stage change process was adopted. The first stage would involve completing a comprehensive options appraisal and review to determine whether AW or an alternative RAA model would provide the best option for adoption services, with the aim of completing this stage during quarter 3 of 2025/26. The second stage would involve the development and mobilisation of a new delivery model if selected or the further development of AW to ensure it remains fit for purpose beyond March 2027. An 'in principle' commitment would be obtained by each LA at stage 1 allowing for the maximum period for development and mobilisation in stage 2, with a final decision to be brought back to each LA in Q3 2026/27 when the details of the new delivery model or refined AW arrangements had been finalised.

4.7 Over the period since the commencement of AW in 2019 there has been considerable turnover in the political and senior officer leadership of children's services amongst the six participating local authorities, and their representatives on the AW Board. Consequently, many of the key stakeholders may lack a detailed appreciation of AW's journey and the wider policy context for children's services, including the role of adoption within that trajectory. Consequently, the resulting report takes a more descriptive and contextualised approach than would otherwise be necessary for an entirely specialist audience. This ensures that all parties can approach decision making on a secure and informed basis. The Options Appraisal and Overview Report (attached

at Appendix 1) was completed and presented to the AW lead officers in September 2025, who have accepted its findings and recommendations.

4.8 The Options Appraisal and Overview Report concluded, on balance, that the further development of Adoption West represented the best option for the provision of adoption services by the participating authorities beyond February 2027. The underlying rationale and wider set of contextual factors leading to this recommendation are covered in detail within sections 5.0 – 8.0 of the report. In summary these include:

- Adoption West (AW) is currently judged to be good in all respects by Ofsted having had two regulatory inspections, in 2022 and 2024, and has contributed positively to several children's services inspections involving the participating local authorities since 2019. (Overview Report Section 4.5)
  - AW's performance compares well with peers and service user feedback is overwhelmingly positive, with the most recent Adoption Barometer (2024) and annual service user survey<sup>1</sup> showing many indicators performing as good if not better than national averages. Since commencement, AW has delivered over five hundred adoptions and continues to be responsible for adoption support to around 2,000 adoptive families.
  - Two reviews by Ofsted and the DfE, alongside published performance data and inspection reports provide an insight into the extent to which RAAs, in their various forms, have delivered against the core regionalisation aims – increasing adopter recruitment, reducing unnecessary delay, enhancing adoption support, and delivering cost efficiencies. Neither comes to a definitive view as to which form of RAA and/or organisation of resources therein has proven most effective. Consequently, the evidence for changing from AW to a hosted model for example based on improved outcomes is not compelling. Moreover, the salient features of an effective RAA highlighted by the studies, including local partner commitment, a shared vision and values, and effective governance and oversight, are evident within the AW model.
  - A commissioned or collaborative model, with services delivered by a Voluntary Adoption Agency (VAA – a voluntary sector organisation regulated by Ofsted to provide adoption services) was ruled out by the AW partners in 2016, due to the incipient nature of the provider market at that time. The closure and downsizing of several VAA providers over recent years suggests the market is potentially less stable than was the case previously. A market test exercise would be needed in coming to a definitive view however this would be challenging to complete within the time available while leaving sufficient time to complete a commissioning exercise.
  - The creation of Adoption West was a considerable undertaking, supported by central government funding and external expertise. A decision to move away from the current model towards some form of hosted model or the commissioning a third party, would require significant commissioning, legal, procurement and human resources, alongside social care leaders/practitioners with permanence and adoption expertise. There will inevitably be disruption and anxiety associated with such a substantive transformation process no matter
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how professionally managed, impacting on Adoption West staff and service users. Moreover, the central government funding provided through the previous regionalisation programme is unlikely to be available to support this.

- A change to a hosted arrangement for example could be considered a retrograde step from an entity that has forged a distinct identity, which provides for shared ownership and accountability for the participating local authorities, with a demonstrable record of effectiveness.

4.9 The aim in commissioning the Overview and Options Appraisal was to thoroughly evaluate and challenge initial thinking acknowledging the significant financial value, complexity and profound sensitivity of the service in question. Taking account of the above, alongside the wider set of contextual factors set out in detail within the Overview and Options Appraisal, the most practicable option for future service delivery beyond February 2027 is to develop the current model. Building upon the solid progress made by Adoption West not only provides an opportunity to innovate but also a secure base from which to tackle emerging pressures and challenges including leadership succession, the ongoing financial uncertainty relating to the Adoption and Special Guardianship Support Fund, and the sufficiency gap (the shortfall in adopters compared to the numbers of children with a plan for adoption).

4.10 Having a timely decision to continue the base model provides a greater opportunity to consider those aspects of the company's current arrangements that could be enhanced, alongside any additional areas of practice, such as life story work, that might benefit from the efficiencies of scale and consistency of practice the AW model provides. Consequently, the greater focus can be placed on the more pertinent issue of service development rather than issues of specification, TUPE, pensions and contractual detail that would inevitably arise with a move to a hosted, commissioned or collaborative delivery model.

## **5. Options**

5.1 The Education and Adoption Act 2016 contains a reserve power to require local authorities to transfer their adoption services into a regional arrangement. Moreover, recent communication with central government sets out an expectation for pan-regional working between RAAs. Consequently, the options for LAs are limited to what form of RAA they work within rather than a return to the previous position of delivering adoption services on a single local authority basis. The options for AW partners are limited to the continuation and development of AW, a hosted model - with one or either LA providing a lead, or a commissioned/collaborative with a VAA. It is important to note that to date none of the participating local authorities has expressed a desire to host the service.

5.2 The challenge of delivering substantial change within the time available, the absence of external funding in support of change and the absence of unambiguous evidence that other forms of RAA would provide for better outcomes, are material factors when contemplating change for a service with profound ethical considerations for those involved. In the prevailing circumstances, building on a model that is succeeding is the only practicable option.

## **5. Financial implications**

5.1 There are no direct financial implications arising from this decision and funding for the current year is sufficient to meet service needs. The current agreement runs until the end of February 2027, with an annual value £4.66 M (2025/2026), shared across the 6 participating local authorities on a proportionate basis. Annual Fee for Banes is currently £372,083 and is calculated pro rata on amount of use.

## **6. Climate Change and Ecological implications**

6.1 There are no direct climate change implications arising from this decision. Adoption West has identified areas such as greenhouse gasses and air pollution as impacts from staff travel and transport emissions, when commuting to work and for site visits. AW has adopted the following to help reduce climate impacts.

Opting for suppliers who exhibit sustainable practises when procuring related services.

Supporting staff and users (where applicable) to walk, cycle, car share or use public transport instead of private vehicle use.

Staff and service users are encouraged to adopt energy saving practises such as turning off equipment when not in use, turning off taps etc.

Items are only purchased, if necessary, e.g. if existing items cannot be repaired and are no longer fit for purpose. Hiring of items is preferred to purchase and single use goods should not be purchased unless necessary to prevent waste.

## **7. Equality implications**

7.1 An Equalities Impact Assessment (EqIA) has been completed.

7.2 Integral to the delivery of adoption services is the requirement to ensure they are fair and non-discriminatory. Within the context of children's social care service delivery, adoption can be characterised as a high intensity, low frequency activity, underscored by profound ethical considerations, requiring the highest standards of practice and management oversight. Particular attention is paid to those children that evidence shows are harder to match with adoptive families who can meet their needs – these include children from BAME, older children, sibling groups and children with disabilities. Adopter sufficiency (the gap between the numbers of adopters and children with a plan for adoption) while a factor for all children is particularly acute for these children.

7.3 Adoption West's development planning places considerable emphasis on ensuring that adoption sufficiency and adoption support meets the needs of all children with a plan for adoption and those children requiring support post adoption. Adoption West presented its Recruitment Strategy 2024-2027 to the AW Board at its meeting on 21 March 2025, setting out a range of actions to improve adopter recruitment, with progress tracked through regular reporting by the AW Director. In common with most RAAs, AW has a sufficiency gap however this is lower than the national position.

Performance reporting profiles the ethnicity and characteristics of adopters and children, alongside timescales for adoption to detect whether delay is occurring and take appropriate action at child or practice level, as necessary.

## **8 Data Protection Impact Assessment (DPIA) implications**

8.1 There are no direct Data Protection Impact Assessment implications arising from this decision.

## **9 Social value implications**

9.1 There is a considerable body of evidence that adoption can be a highly effective permanence option for children who are looked after. Adoption requires to be progressed only when all other permanence options, including placement with birth family relatives, have been exhausted with the child's wellbeing being the paramount concern throughout. Contemporary practice pays particular attention to the maintenance of birth family links when beneficial for the child and preserving their cultural identity and heritage.

## **10 Consultation feedback**

10.1 At this early-stage consultation has been limited to the AW Directors – the Directors of Children's Services for each LA, due to the potential anxiety and unease the possibility of profound change might engender amongst adoptive families currently being supported and those prospective adopters within recruitment process. As indicated via the Adoption Barometer 2024, user feedback is overwhelmingly positive. The independent author met with the AW Joint Scrutiny Panel (comprised of a scrutiny member from each LA) at their request on 29 July 2025. The Panel have requested to be kept informed of developments and to have sight of any relevant reports as matters progress.

## **11. Officer recommendations**

11.1 It is recommended that Cabinet agree to continue with Adoption West as their preferred option for their Regional Adoption Agency (RAA), beyond February 2027, giving a delegation to the DCS and Cabinet Member for Children's Safeguarding and Care to work with key stakeholders and partners (including adoptive family representatives) to further develop Adoption West, taking account of:

- the direction of national policy as it relates to adoption, adoption support and other forms of permanence, and opportunities to expand or enhance Adoption West's remit accordingly.
- the operational experience gained since March 2019.
- a comprehensive review of resourcing, structures and oversight to ensure Adoption West operates on a sustainable basis, providing value for money for the participating LAs and good outcomes for children and adoptive families.
- local government reform proposals; and,
- bring a further report to a future Cabinet meeting when this work is completed setting out revised proposals for Adoption West beyond February 2027.

## **12. Performance management/follow-up**

- 12.1 There is a comprehensive range of performance indicators in place to evidence the impact, or otherwise, of the services provided by Adoption West. These include the numbers and characteristics of children and adopters, timescales for each stage of the adoption process and overall, the number of adoptions completed, adopter sufficiency, adoption breakdowns etc. Local performance is compared with peer and national comparators when this is available.
- 12.2 Performance is scrutinised by the Adoption West Board on a quarterly basis and via regular update to the AW Joint Scrutiny Panel. Adoption West is performing well against key performance metrics when compared to regional, statistical, and national comparators.

## **13. Statutory considerations**

- 13.1 It is a statutory requirement to be part of a Regional Adoption Agency.

## **14. RESOURCE IMPLICATIONS**

- 14.1 The Annual Fee for Banes is currently £372,083 and is calculated pro rata on amount of use.

## **15. Risk management**

Risk: the AW partners cannot agree on the direction of development. mitigation: working through aw board of directors, partners have shown an ability to progress change on a consensus basis. moving forward, changes will be agreed on an incremental basis with the default position being a return to the status quo if agreement cannot be reached.

Risk: the direction of development does not align with national policy. mitigation: aw senior leadership are highly engaged at national and regional levels, including leading on adoption support practice for example. this will continue to inform service development to ensure there is alignment.

Risk: AW partners are insufficiently engaged in the change process. mitigation: following an initial decision, the independent author will continue in the role of project co-ordinator collaborating closely with la commissioners' group, aw leadership, adopters' representatives and lead officers. regular updates will be provided by the project co-ordinator.

## **16. Climate change**

- 16.1 Participation in a RAA can indirectly contribute to tackling climate change by creating a more efficient, collaborative system that reduces duplication of effort, streamlines processes, and makes better use of shared resources. by pooling expertise, services, and administrative functions across a wider footprint, RAA's cut down on unnecessary travel, paperwork, and fragmented commissioning, which lowers carbon emissions. In addition, joint working enables smarter use of digital tools and regional placement sufficiency, reducing the need for children and families to travel long distances for support. these efficiencies not



only improve outcomes for children and families but also align with public sector commitments to sustainability and carbon reduction.

## 17. Consultation

- Section 151 officer has been consulted.
- Legal and Democratic Services have been consulted

Contact person	Ian Tomlinson, Commissioning Manager – Start Well
Background papers	None
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