Report to:	ACE RAA Executive Board
Meeting date:	20th April 2017
Subject/Report Title:	Adoption Central England (ACE) Regional Adoption Agency (RAA) Cost Sharing Options
Report from:	ACE Project Finance Work Stream
Lead Contact Officer:	Brian Smith (ACE Finance Work Stream Lead)

1. Purpose of Report

- 1.1 For the Board to consider the principles of a good cost sharing methodology and to review the key cost sharing options available for future funding of ACE.
- 1.2 For the Board to make an 'in principle' decision on the most appropriate cost sharing option / apportionment method for ACE.

2. Decision(s) Recommended

2.1 To make an 'in principle' decision that the 'Proposed Cost Sharing' methodology and proportions, as set out at 5.2 to 5.12, should be the cost sharing option / apportionment method to be applied for ACE at 'go live'. This would mean an agreement 'in principle' to the following cost sharing proportions:

Local Authority ACE Partner	'In Principle' ACE 'go live' Cost Share
	29.2%
	11.6%
	31.7%
	27.5%
TOTAL	100.0%

- 2.2 To note that the 2017 data that the cost share at 2.1 is predicated on is estimated. The cost share percentages will need to be amended slightly once actual 2017 'LAC Aged 0-9' and 'Adoption' data is confirmed. The Performance Work Stream also need to double check the prior year data to ensure final data from iterative work has been captured. It is not envisaged that this update will make a material difference to the 'In Principle' shares set out in the table above. However, it is important to ensure that final data is captured and the cost share updated, for the final legal 'Host Sharing agreement', to ensure evidenced equity. Final data can be confirmed in June 2017 as part of statutory return work. If a final picture is required sooner, this work will have to be requested from Performance and the Service.
- 2.3 To note the likely need for considering transitional funding arrangements in the first year or two of ACE, but to commit 'in principle' to a move towards a cost apportionment methodology ACE referred to in 2.1, over an agreed transitional time frame to be determined at a later date.

- 2.4 To confirm that the final agreement on cost apportionment and transitional funding should be approved as part of 'go live' and affordability decision making, including final approval through individual partner LA elected Members.
- 2.5 To agree 'in principle' that the cost sharing calculation would be updated no more frequently than every 2 years, as reasoned at 5.13, with individual LA funding contributions remaining fixed in between each period, to provide financial stability for ACE and for the partner LAs.
- 2.6 To agree in any event that the key principles for cost sharing, as set out at 0, should be adhered to in determining final future cost shares for ACE.
- 2.7 To note, as set out in section 3, that this cost share paper is only part of the assessment of the financial implications of the proposed ACE arrangement. Further work is required on current costs and, in order to reach an agreed affordable ACE cash limit, on the proposed staffing structure and non-staffing costs. If the overall cost is agreeable to the four LAs then the cost share methodology proposed in this paper is the methodology we will use, subject to approval by the Exec Board today.

3. Background

- 3.1 The financial affordability of the proposed ACE RAA is dependent upon a number of strands of work coming together:
 - Understanding the current cost by LA for work within scope of the RAA;
 - Understanding the cost of the proposed ACE RAA, including staffing, commissioning and other costs, taking into account reasonable case loads, systems and support needs and the level of business to be procured and sold through the host LA vehicle;
 - Understanding how the cost of the proposed ACE RAA will be funded across the LA partners, that is, how the 'total cost of the LA Host Model' will be apportioned to / shared across the individual LAs.
- 3.2 The latter of these elements should be agreed, at least in principle, before the cost of the proposed ACE RAA is determined. Funding partners should objectively consider and agree the performance measures that most reasonably reflect LA partner activity expectations for the RAA. Thereby, the partnership can confirm and agree a reasonable cost apportionment method.
- 3.3 When the total cost of the proposed ACE RAA model is confirmed, this will firstly be compared to the current total cost of 'in scope' activity across the LA partners, for broad affordability. Medium term financial strategy savings may also need to be considered. If this test is not met, then the proposed cost and unit costs will need to be revisited until broad affordability is met.
- 3.4 Once the broad affordability test is met, then the 'in principle' apportionment being considered in this paper would be applied to the total proposed ACE cost. This will give an 'in principle' funding cost for each LA partner to compare with their current cost. This will enable each LA to consider individual affordability. In the event that individual affordability is not met for one or more authorities, the following would need to be reviewed:
 - The reasonableness of the proposed ACE unit cost in delivering statutory requirements;
 - The unit cost of the proposed model compared to the current unit cost of each

LA partner, taking current performance into account;

 The potential application of funding transition arrangements, for up to two years, to enable transition to long term agreed LA cost apportionments of ACE funding.

The cost sharing / apportionment method may also have to be reviewed, though this should only be done as a last resort.

3.5 This paper will now consider the cost sharing options.

4. Evaluation of Alternative Option(s) – Proxy Indicators for Cost Sharing

Principles of Cost Sharing for ACE

- 4.1 In order for a cost sharing model to work effectively in practice, all the LA partners will need to agree on a number of key principles. It is recommended that two key principles apply. The cost apportionment should be:
 - Easy to calculate;
 - Equitable.

The apportionment should therefore be:

- Based on existing national performance data, with existing data definitions (published data is more reliable in terms of data verification and usually available in a timely manner);
- Based on actual and not estimated performance data (estimated data is open to subjectivity);
- Reasonably representative of changing individual LA adoption activity requirements.

The apportionment should also enable easy inclusion of new LA partners at a later date, if desired, and be able to cope with legislative and boundary changes.

Further, in order to inform short and medium term financial planning, the approved apportionment agreement should be fixed for a period of time longer than 1 year.

The reasons for all these principle considerations are explored further below.

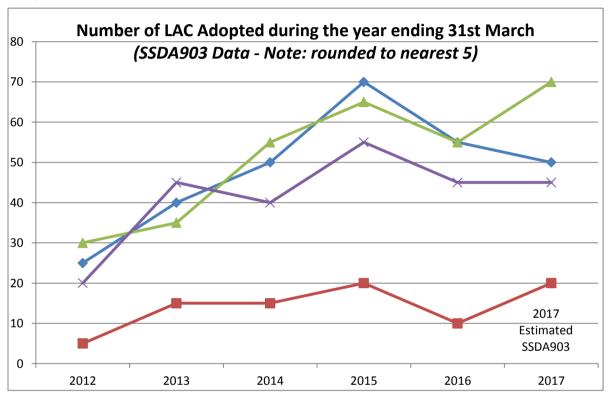
Cost Sharing Options

- 4.2 Broadly there are four types of 'actual' performance data readily available that could be used to apportion costs:
 - Adoption numbers,
 - LAC numbers,
 - Total population numbers, and
 - Actual costs.
- 4.3 In practice, the agreed cost sharing methodology could be made up of one or more of these factors, with different applied weightings. Additionally single year, two year or three year averages for each factor could be applied.
- 4.4 The advantages and disadvantages of each of these as apportionment factors are considered at Appendix A. This assessment discounts population numbers and actual costs as possible cost sharing factors. This leaves LAC numbers and adoption numbers as appropriate factors for adoption service activity approximation. In

determining the most equitable mix of factors for cost sharing, the current adoption activity performance of each LA partner needs to be considered. This is reviewed in the next section.

5. Reasons for Recommending Preferred Option

5.1 The graph below shows the number of LAC Adopted by partner LA between 2012 and 2017. Numbers have increased over time for all four partner LAs. All four LAs saw a reduction in adoptions in 2016. The 2017 estimated position is more varied. It is therefore recommended that three-year trends should be applied, when considering cost sharing for ACE. This is because long term and one year trends of adoption numbers are too varied.

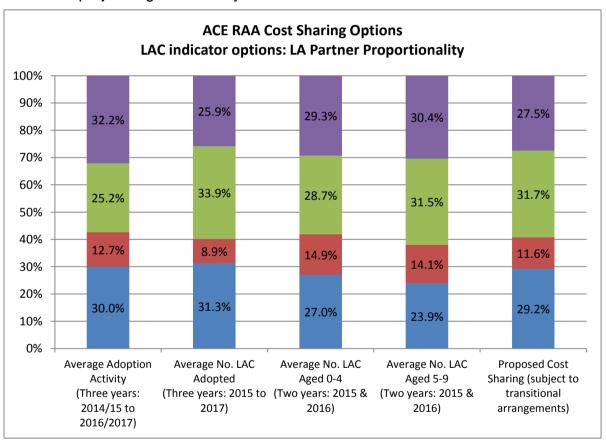


- 5.2 The graph overleaf shows the proportionality of a number of factors for each LA within the ACE project partnership. The data behind this graph has largely come from the annual national SSDA903 statutory LAC & Adoption return. The key data behind this is set out at Appendix B.
- 5.3 The first column of the graph overleaf shows the average activity of the RAA partners across 2015 and 2017. This description of activity has been pulled together by the RAA Performance Work Stream. It has been derived from an average of the activity data for each LA partner across a number of adoption activities. The adoption activities covered and the background data are shown at Appendix C.
- 5.4 In calculating a representation of individual LA adoption activity, the draft cost share calculation assumes that each indicator at Appendix C is equally weighted. The ADM activity data has been excluded, as this activity is not within the ACE scope.
- 5.5 Unrealistically this activity determination assumes that the input for each of these activities is evenly weighted. The data included also does not take account of several factors in Adoption Agency activities, which are within the scope of ACE. Most notably, the following activities have not yet been incorporated as the information was not available at the time:

- Non-agency Adoptions, Court directed Adoptions and Overseas Adoptions,
- Special Guardianship Support and After Adoption Support.

The 3–year average activity (2014/15, 2015/16 & 2016/17) shows a 65% correlation to the LA proportions indicated by Adoption numbers over the same period of time. The 2-year average activity (2014/15 & 2015/16) showed a much stronger correlation of 81%. It could be assumed that after adoption support would be representative generally of historical adoption numbers. Therefore over time, funding according to recent adoption numbers would be broadly representative of adoption agency activity.

- 5.6 Resultantly it is not considered necessary, for the purpose of determining cost sharing methodology, to extend the assessment of LA Activity, to account for the missing activities and determine agreed activity weightings, any further. Further work on activity data would probably not reveal a dissimilar result.
- 5.7 Therefore the Average Activity (Performance Work Stream initial determination) shown in the first column of the graph below is probably a good representation of ACE RAA project regional activity.



5.8 The second, third and fourth columns in the graph above show the indicators that have been identified (Appendix A) as key in approximating adoption activity. The 2-year average data shown is currently all that is available for the LAC aged 0-4 and LAC aged 5-9 proxy indicators. Ideally we will include the third year (2016/17 estimate) and update the cost shares as a result, before final cost shares are confirmed. If that data cannot, however, be collated and analysed in time, then the 2-year data will reasonably suffice. The relative proportions across the LA Partners for these first four columns (graph above) are not dissimilar.

- 5.9 The fifth and final column in the graph on the previous page shows the 'Proposed Cost Sharing' for the ACE RAA. The 'Proposed Cost Sharing' has been determined following an analysis of the above data. The aim was to achieve a reasonably weighted basket of proxy indicators to represent cost sharing proportions going forward.
- 5.10 The baseline proportions that has been aimed for is an average of the Performance Work Stream calculation of activity levels (3-years: 2015, 2016 & 2017) and the number of LAC adopted (per the statutory SSDA903 3-years: 2015, 2016 & 2017 estimated). The reason for balancing the activity calculation with the number of adoptions is because adoption orders have positive impact on LA LAC numbers and, therefore, LA LAC costs. While the number of adoption orders is already included in the average adoption activity calculation, it was felt that the benefit of actual adoptions needed to be more heavily weighted.

Using these principles, to achieve a reasonable balance of cost sharing, the following weighting of the proposed proxy indicators is recommended:

Total Weighting	100%
Average No. LAC Aged 5-9 2015-2016	5%
Average No. LAC Aged 0-4 2015-2016	40%
Average No. LAC Adopted 2015-2016	55%

5.11 This results in the proposed cost sharing proportions, as shown in column 5 of the graph on the previous page and, as follows:

Local Authority ACE Partner	'In Principle' ACE Cost Share
	29.2%
	11.6%
	31.7%
	27.5%
TOTAL	100.0%

- 5.12 This 'Proposed Cost Sharing' methodology provides an updatable base going forward, both in terms of those LAs that join the ACE partnership, at any point in time, and in terms of future legislative and/or boundary changes.
- 5.13 The final consideration in agreeing a cost sharing model is an assessment of how often the cost sharing proportion should be updated. An annual update would not support the principle of achieving financial stability for the LA partners and ACE.

6. Implications

6.1 **Financial Implications** – The Finance Work Stream of the ACE Project have considered information from other RAA's on cost apportionment, along side other potential apportionment options. The cost share recommended in this paper, shown at 2.1, provides the best possible fair and equitable balance to a reasonable assessment of adoption activity; An 'in principle' cost share decsion should be able to be made from this assessment. However, the affordabity of the ACE RAA model, for individual LAs, will be dependent upon a number of factors, as described in the background at section 3.

- 6.2 **Legal implications** There is no legal implication of making an 'in principle' decision at this stage on the cost sharing apportionment methodology. When an affordable model in both broad terms and in terms of individual LA funding apportionment is agreed, the details of the following will need to be written in to the formal legal partnership agreements:
 - The detailed cost sharing methodology composition,
 - The regularity of future cost sharing proportion updates and the length of fixed agree funding periods,
 - Any transitional funding arrangements,
 - The total funding envelope for ACE and the treatment of any in year under / over spends,
 - The principles and process for any proposed amendments to the ACE funding envelope, increases or savings,
 - The principles and process for adding any new LA partners into ACE at a later date.
- 6.3 **Risk Implications** An 'in principle' agreement by the four LA partners on the cost sharing apportionment methodology, in advance of confirming the proposed ACE cost, has the advantage of maximising the opportunity to agree a 'fair' apportionment method. This would minimise the risk of potential 'affordability failure' being incorrectly too heavily focused on cost sharing.

7. List of Appendices Referred to

- 7.1 Appendix A: Potential Apportionment Factors: Advantages, disadvantages and recommendations
- 7.2 Appendix B: LAC Indicator Data

Appendix A: Potential Apportionment Factors: Advantages, disadvantages and recommendations

Adoption numbers:

Number children placed,

Number placed within the RAA area,

Number placed outside the RAA area

Adoption numbers provide the strongest link to current actual adoption agency activity, though it does not account for historical adoptions numbers and, therefore, does not account for post adoption support activity. However, recent adoption numbers would be broadly representative over time.

In order to understand the full adoption place requirements of the region, the number of children placed originating from each partner LA. A clearly defined figure is available in a timely manner through the annually published national SSDA903 return.

Providing adoptive placements for children placed by LAs outside of the RAA area, should form part of the assessment of 'non-ACE matched' placement generation. This should inform an estimate of inter-agency income that can be generated, to support the overall cost of ACE.

The adoption data in the SSDA903 is rounded to the nearest 5. While this will therefore result in slightly different proportions by LA across the ACE RAA project region, this could be considered to be an immaterial difference to the actual underlying data before rounding. Over time the fluctuations of a single LAs proportion due to this rounding would even out. This rounding could be considered beneficial to cost sharing stability.

Using actual adoption numbers alone to determine cost shares for ACE could be affected by lumpy patterns / years and small numbers, even where an average across a number of years might be used. Moreover actual adoption numbers do not necessarily reflect the levels of work undertaken to achieve those adoptions.

However, adoption numbers is still a key factor in activity and therefore should be a strong proxy in conjunction with other factors.

LAC numbers

Total LAC

While not necessarily representative of actual adoption activity generated, particularly due to differing demographics across the LA partners, LAC numbers is the most obvious proxy for adoption activity requirements. This data is readily available in the SSDA903 return.

Adoptions focus on the younger age ranges and therefore total LAC would be the weakest proxy indicator; Lumpy age profiles could distort the cost that any one LA partner is required to fund. It is therefore advised that 'Total LAC' is not used as a proxy for cost sharing.

LAC by age	LAC by age, focusing on the age groups that link most							
	closely to the adoption service would provide a more specific and therefore better approximation of adoption activity. In the SSDA903 data, LAC numbers are split out for ages including 'under 1', '1 to 4' and '5 to 9'.							
	Younger children are more likely to be adopted and those aged 5 to 9 are considered harder to place. The use of these factors as indicators of activity for cost sharing could, therefore, be weighted for likelihood of successful attempts to find an adoptive placement or to the number of attempts. The 'likelihood of successful attempts' would be the preferred weighting consideration as this would 'charge' individual LAs benefiting financially from the outcome of each successful adoption. In a mix of proxy indicators, therefore, '0 to 4' year olds would be weighted more heavily than '5 to 9' year olds.							
	The LAC by age data will fluctuate year on year depending on a whole host of external and internal factors, but an average across years would provide some stability.							
	Considering the above, LAC by age should be a good proxy for cost sharing in conjunction with other factors, especially when the note on UASC LAC below is taken into account.							
UASC LAC	UASC LAC numbers do not affect adoption agency activity, as UASC are not considered for adoption. If LAC numbers are to be used in apportioning the RAA cost, then UASC should be removed, as each LA's proportion of UASC LAC is significantly different and shows different levels of materiality.							
	UASC LAC by age is not available through the SSDA903. However it is currently a safe assumption that an immaterial number of UASC, if any at all, would be aged 4 or under or aged 5 to 9. This would need to be reviewed should this position change.							
Pupil Premium Grant (PPG) LAC	This is a measure of LAC numbers as recorded in the March 2016 children looked-after data return (SSDA903). The data would therefore be more timely if taken directly from the SSDA903, rather than waiting for PPG confirmation.							
	Additionally, PPG LAC does not include 0-4 year olds, one of the key adoption age groups and also extends beyond the key adoption age group. Further, UASC data will distort LA profiles as UASC are not considered for adoption.							
	It is therefore recommended that this factor is not used as a proxy for cost sharing.							

Total Population numbers	
Mid-year Population estimates (Office of National	While population numbers are easy to draw from national data:
Statistics) by age	LAs have very different proportionality for LAC as a percentage of population and therefore general population data is not a good estimate of LAC or Adoption activity.
Birth rates	Birth rates would be a forward thinking indicator but estimation methods are difficult to agree across different profile areas. If used as a proxy, calculation would seek to estimate potential adoption activity in future years. This would not be representative of actual adoption activity and estimates can suffer from subjectivity.
	It is therefore recommended that these factors are not used as proxy indicators for cost sharing.
Costs	
Actual e.g. three year average	Actual costs within scope would be representative of actual service costs incurred by each partner at the point in time they are recorded. These are important in assessing the likely ACE RAA scale and affordability. However, due to the inherent subjectivity of apportionments of different structured services to reflect scope, actual costs should not be used to attribute costs going forwards.
	Historic trends may not reflect future operating levels; Previous cost cannot be used to share costs as it does not provide an updatable base going forwards, both in terms of spend of those LAs that have joined the partnership and in terms of future legislative and/or boundary changes.
	Additionally, it would not promote equitable value for money across the LA partners.
	Finally historic cost would also make it difficult to agree appropriate equitable funding levels for any new partner wishing to join ACE post 'go live'.
	It is therefore recommended that this factor is not used as a proxy indicator for cost sharing.
Lump Sums	The idea of considering using Lump Sums in RAA cost sharing would be to reflect the fact that there are fixed costs regardless of activity levels. Each authority would be required to provide a fixed amount plus a variable amount based on other indicators, with the fixed amount the same regardless of the size or activity levels of each authority.
	However, especially in small local authorities, these fixed costs (e.g. senior management costs) can easily be shared across wider structures, making some fixed costs more variable in nature.
	An advantage of lump sums for cost sharing would be to give greater stability to the annual funding for the RAA and to the LAs providing the funding. However, this stability can also be provided by considering fixed periods of funding agreement.

For example, variable proxy indicators for cost sharing could
be used, but these proxy indicators and therefore the funding
provided by each LA would only be refreshed every two or
three years.

Due to the significant difference in the sizes of current LA partners and potential future LA partners, it is therefore recommended that a lump sum is not considered as part of cost sharing for ACE.

Appendix B: LAC Indicator Data

Indicator Summary Data ACE RAA

All the data shown had been taken from the annual national statutory return, the SSDA903, with the exception of the 'Average Activity 2015-2016' and the 'No. LAC Adopted 2017 Estimate', which have been taken from the work of the Performance Work Stream, as shown at Appendix C.

			Estimate				
ACE RAA Project: LA Partner	No. LAC Adopted 2012	No. LAC Adopted 2013	No. LAC Adopted 2014	No. LAC Adopted 2015	No. LAC Adopted 2016	No. LAC Adopted 2017 Estimate	Average No. LAC Adopted 2015-2017
Coventry	25	40	50	70	55	50	58
Solihull	5	15	15	20	10	20	17
Warwickshire	30	35	55	65	55	70	63
Worcestershire	20	45	40	55	45	45	48
TOTAL ACE RAA Project Area	80	135	160	210	165	185	187

SSDA903 rounds the actual data to the nearest 5. The same approach has been applied to the 'No. LAC Adopted 2017 Estimate' shown in the table.

	LAC Numbers as at 31st March													
ACE RAA Project: LA Partner	Total LAC 2016	Total UASC LAC 2016	Average Total LAC 2015-2016	LAC Aged 0-4 2016	Average No. LAC Aged 0-4 2015-2016	LAC Aged 5-9 2016	Average No. LAC Aged 5-9 2015-2016							
Coventry	580	15	585	110	118	105	110							
Solihull	360	70	348	65	65	65	65							
Warwickshire	765	85	728	125	125	160	145							
Worcestershire	695	25	690	125	128	140	140							
TOTAL ACE RAA Project Area	2,400	195	2,350	425	435	470	460							

	LAC Numbers as at 31st March Excluding UASC												
ACE RAA Project: LA Partner	Average No. LAC Adopted 2015-2017	Total LAC 2016	Average Total LAC 2015-2016	LAC Aged 0-4 2016	Average No. LAC Aged 0-4 2015-2016	LAC Aged 5-9 2016	Average No. LAC Aged 5-9 2015-2016						
Coventry	58	565	573	110	118	105	110						
Solihull	17	290	290	65	65	65	65						
Warwickshire	63	680	663	125	125	160	145						
Worcestershire	48	670	673	125	128	140	140						
TOTAL ACE RAA Project Area	187	2,205	2,198	425	435	470	460						

It is a safe assumption currently that an immaterial number of UASC, if any at all, would be aged 4 or under or aged 9 or under.

Graph Data: Note: 2017 Data is Estimated

	Adoptio	on Data	LAC 0-	9 Data	
ACE RAA Project: LA Partner	Average Adoption Activity (Three years: 2014/15 to 2016/2017)	Average No. LAC Adopted (Three years: 2015 to 2017)	Average No. LAC Aged 0-4 (Two years: 2015 & 2016)	Average No. LAC Aged 5- 9 (Two years: 2015 & 2016)	Proposed Cost Sharing (subject to transitional arrangements)
Coventry	29.97%	31.25%	27.01%	23.91%	29.2%
Solihull	12.69%	8.93%	14.94%	14.13%	11.6%
Warwickshire	25.16%	33.93%	28.74%	31.52%	31.7%
Worcestershire	32.18%	25.89%	29.31%	30.44%	27.5%
TOTAL ACE RAA Project Area	100.00%	100.00%	100.00%	100.00%	100.0%

^{&#}x27;Average Adoption Activity' data (first column of data) is taken from the work of the Performance Work Stream as shown at Appendix C.

Appendix C: Adoption Activity Data (from the ACE Performance Work Stream)

V)	Norceste	rshire		Warwickshire							Coventry							Solihull						
2	2014/15	%	2015/16	%	2016/17	%	2014/15	%	2015/16	%	2016/17	%	2014/15	%	2015/16	%	2016/17	%	2014/15	%	2015/16	%	2016/17	%
Children																								
ADM	47	21.3	56	29.2	70.0	36.8	72	32.6	52	27.1	65.0	34.2	80	36.2	68	35.4	35.0	18.4	22	10.0	16	8.3	20.0	10.5
Adoption Orders made	54	26.2	44	26.8	47.0	25.1	64	31.1	54	32.9	71.0	38.0	70	34.0	54	32.9	48.0	25.7	18	8.7	12	7.3	21.0	11.2
Adopter information																								
Adopter enquiries	185	35.3	295	48.1	213.0	38.0	191	36.5	205	33.4	119.0	21.2	78	14.9	48	7.8	167.0	29.8	70	13.4	65	10.6	62.0	11.1
Stage 1s	39	28.5	39	35.5	44.0	35.2	18	13.1	9	8.2	13.0	10.4	65	47.4	47	42.7	45.0	36.0	15	10.9	15	13.6	23.0	18.4
Stage 2s	35	25.4	36	32.1	40.0	33.6	24	17.4	14	12.5	8.0	6.7	59	42.8	43	38.4	53.0	44.5	20	14.5	19	17.0	18.0	15.1
Adoption Panel Information	-4	00.0	40	07.7	50.0	05.4	70	07.0	50	00.4	40.0	00.5	40	00.4	50	00.5	07.0	04.5	05	40.0	45	0.7	40.0	44.0
Number of children presented	51	26.8	48	27.7	53.0	35.1	72	37.9	52	30.1	43.0	28.5	42	22.1	58	33.5	37.0	24.5	25	13.2	15	8.7	18.0	11.9
Number of adopters presented																								
families)	54	32.5	50	37.0	34.0	30.1	61	36.7	44	32.6	29.0	25.7	31	18.7	21	15.6	32.0	28.3	20	12.0	20	14.8	18.0	15.9
Average % across all activity*		28.0		33.8		33.4		29.3		25.3		23.5		30.9		29.5		29.6		11.8		11.5		13.5
Average % across all activity excluding ADM*		29.1		34.6		32.9		28.8		25.0		21.7		30.0		28.5		31.5		12.1		12.0		13.9
Acidality ADIVI																								
				2-year		3-year				2-year		3-year				2-year		3-year				2-year		3-yea
Overall Average based on 2 or 3 year data*				30.9		31.7				27.3		26.0				30.2		30.0				11.6		12.2
Overall Average based on 2 or 3 year data excluding ADM*				31.8		32.2				26.9		25.2				29.2		30.0				12.1		12.7
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