

Business Engagement Assessment

Please keep all entries **as brief as possible** consistent with allowing businesses to understand them.

Title of Proposal	Framework change for adoption support agencies
Lead Regulator	Ofsted
Contact for enquiries	Paul D'inverno

Date of assessment	08/09/2014	Stage of assessment	Discussion
Net Cost to Business (EANCB)	N/A	Commencement date	April 2015
Which area of the UK will be affected by the change(s)?	England	Price and Present value base years	From April 2015
Does this include implementation of Red Tape Challenge commitments?	No	Is this directly applicable EU or other international legislation?	No

Brief outline of proposed change in regulatory action

A change to the judgement structure of the adoption support agency inspection framework to introduce requires improvement. Requires improvement will replace the previous adequate judgement.

Why is the change proposed? Evidence of the current problem?

Introducing the judgement of good as the baseline minimum standard meaning that it is in-line with all of Ofsted's inspection duties and that only good is good enough in this sector.

Which types of business will be affected? How many are affected?

The legal basis for the regulation of adoption support agencies is set out in the [Care Standards Act 2000](#) and the [Adoption and Children Act 2002](#). Section 9 of the Adoption and Children Act 2002 allows for regulations to be created in relation to adoption support agencies. Section 8 of the Adoption and Children Act 2002 sets out a definition of an adoption support agency. Ofsted's powers to register, inspect and, where necessary, enforce compliance with statutory requirements and relevant regulations are set out in the Care Standards Act 2000.

There are 35 adoption support agencies across the country (as of 31 August 2014). Adoption support services can be commissioned by local authorities or purchased directly by individuals.

How will the change impact these businesses?

Please briefly describe the impact. Include estimates of all financial costs and benefits, indicating how these change over time.

Please also describe impacts which cannot be readily monetised. Please consider for instance:

- transitional costs (e.g. changes to systems, training)
- regulatory uncertainty (e.g. whilst awaiting regulator's decision)
- impact on access to markets (e.g. consistent approach with other EU regulators)
- impact on business confidence/perceptions

Please give an estimate of the total annual direct financial cost or benefit to business. Please refer to the 'ARI BEA Calculator' for more information.

There is a risk that commissioners or individuals will not use provision that is less than good and this will impact on income/business sustainability. We cannot quantify as this is an emerging issue and will vary dependent on individual local authority commissioning policies. We cannot presume that a setting judged adequate under the current judgement structure will be deemed as requires improvement, so the number of settings affected by this change is not possible to accurately estimate.

The number/grade profile of current providers (as at 31 August 2014)

Judgement	Number of providers	% of sector inspected
Outstanding	12	41%
Good	14	48%
Adequate	3	10%
Inadequate	0	0%
Not yet inspected	6	
Total	35	99%*

*percentages are rounded and do not add to exactly 100

The framework is not intended to be prescriptive on how a provider reaches good; the focus of the framework is to articulate what good outcomes for children and adult service users looks like. How, or if, a provider chooses to achieve this standard is an individual business decision and could vary significantly dependent on local circumstances.

The frequency and tariff of inspection has not changed and the criteria for each judgement band remains relatively unchanged, so there is no additional burden/cost as a result.

Driving up standards across the sector through the introduction of a requires improvement judgement will result in improved outcomes for children and adult service users.

A clear understanding of what constitutes good will encourage consistency across the market place; as a consequence good or better providers will potentially attract more commissions.

However, fee levels for adoption support services and business running costs are the result of independent business decisions which mean cost and income can vary significantly from provider to provider so we are unable to quantify potential increases in income.

We have not been able to quantify the monetary impact on sector businesses as this will vary considerably, dependent on where a provider is on the judgement scale, local market conditions,

individual owner/business decisions and availability of suitable services within the local area.

Impact on small business

Please briefly describe any special impact the change will have on small businesses – especially those with fewer than about 25 staff, where the owner/manager is often responsible for regulatory matters. Please consider for instance the implications for management time; the significance to a small business of the effort involved in understanding and implementing the change.

*As defined in EU law in 2012; [EU Definition - What is an SME \(small and medium-sized enterprise\)?](#)¹

All of the providers across the sector are small businesses*; therefore the impact of the change on small business will be consistent with the narrative above.

¹ http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/index_en.htm

Business Engagement Questionnaire

You can complete the form below and return it by post to: Social care policy team, Ofsted, Aviation House (8th floor), 125 Kingsway, London, WC2B 6SE or by email to socialcare@ofsted.gov.uk, please put 'Inspections of Adoption Support Agencies- consultation' in the subject line or you can complete an online version here: <https://www.surveymonkey.com/s/BEAAdoptionSupportAgencies>

Q1. Do you agree with this assessment?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Q2. If you have answered no, please explain your answer below.

Q3. Have we considered the significant factors that may impact on providers of adoption support agencies?

Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Q4. If you have answered no, what else should we consider?

Q5. Are you responding as an individual or on behalf of an organisation?

Individual <input type="checkbox"/>	Organisation <input type="checkbox"/>
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Q6. Please provide your name or the name of the organisation, and contact details.

Organisation:

Contact Person:

Email address:

Telephone Number:

**Thank you for responding
Have you completed the consultation on our proposals for
'Inspection of Adoption Support Agencies'**

www.gov.uk/government/consultations/inspection-of-adoption-support-agencies