

**REPORT TO: CHILDREN & YOUNG PEOPLE'S SERVICES COMMITTEE ON 2  
DECEMBER 2009**

**SUBJECT: CURATORS AD LITEM AND REPORTING OFFICERS**

**BY: DIRECTOR OF COMMUNITY SERVICES AND THE CHIEF LEGAL  
OFFICER**

**1. REASON FOR REPORT**

- 1.1 To seek approval to increase the standard fees paid to Curators ad Litem and Reporting Officers to take forward a proposal for Moray Curators and Reporting Officers to form a joint panel with Aberdeen City and Aberdeenshire.
- 1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme relating to exercising the functions of the Council as Social Work Authority under the Social Work (Scotland) Act.

**2. RECOMMENDATION**

- 2.1 It is recommended that Committee:-**
- (i) fix fees for Curators ad Litem and Reporting Officers for 2010/11 as laid out in Section 4(c) of this report subject to additional budget being made available through the Council's budget-setting process for 2010/11; and**
  - (ii) agreement is given to the establishment of a joint Curators ad Litem & Reporting Officers Panel with Aberdeenshire and Aberdeen City subject to the satisfactory conclusion of negotiations on this matter.**

**3. BACKGROUND**

- 3.1 Curators ad Litem and Reporting Officers (Panels) (Scotland) Regulations 2001 provides for the appointment of Curators ad Litem and Reporting Officers to provide independent reports to court on adoption and permanency plans for children. Often one person acts in both capacities.
- 3.2 A previous report on Curators ad Litem and Reporting Officers was presented to Social Work Committee on 8 August 1996 (para 16 refers).
- 3.3 The standard Moray fee currently paid to Curators and Reporting Officers is set at £119.81 per case. Existing providers have indicated that the current fee is too low for the work involved.
- 3.4 In considering a revised fee cognisance has been taken of fee levels paid to Curators and Reporting Officers in Aberdeenshire & Aberdeen City.
- 3.5 In developing equivalent fee levels an opportunity exists to negotiate with the other two authorities providing for the more flexible use of resources across the North East from 1 April 2010. Moray will continue to recruit and appoint

local providers for the joint panel. The joint panel will need to be approved by the Sheriff Principal.

3.6 A Service Level Agreement will be drawn-up to govern the joint arrangements.

#### 4. **SUMMARY OF IMPLICATIONS**

##### (a) **Single Outcome Agreement/Service Improvement Plan**

This report relates to National Outcome 8 of the Single Outcome Agreements – improving life chances of children at risk.

##### (b) **Policy and Legal**

Curators ad Litem and Reporting Officers (Panels) (Scotland) Regulations 2001 provides for the appointment of Curators ad Litem and Reporting Officers.

##### (c) **Resources (Financial, Risks, Staffing and Property)**

###### Financial

A proposal will be included in the Council's budget setting process for 2010/11 to increase the budget for Curator and Reporting Officer's fees to accommodate the new fee levels and anticipating the level of usage of the service over the year. Decisions on the 2010/11 budget will be made in February 2010. The Aberdeen City and Aberdeenshire fees for 2009/10 are set out in **Table 1**. The Moray fees for 2010/11 would be based on these fee levels with an inflationary increase.

**Table 1 – Fee Levels**

<b>Report</b>	<b>Fee paid</b>
Curator & Reporting Officer	£346.21
Reporting Officer only	£230.81

These fees relate to reporting on one child. Second and subsequent children attract an additional 50% fee.

###### Risks

Without Curators and Reporting Officers available to service cases locally adoption and permanency plans for vulnerable children will not be progressed in a timely fashion.

Staffing & Property

There are no staffing or property implications associated with this report.

**(d) Consultations**

Alistair Stobie, Acting Principal Solicitor, Rhonda Geddes-Stewart, Senior Personnel Adviser, Deborah Brands, Principal Accountant and Jennifer Gordon, Placement Services Manager have been consulted in the preparation of this report and are in agreement with the content relating to their areas of responsibility.

**5. CONCLUSION**

**5.1 The recommendations in this report seek to strengthen the provision of Curator ad Litem and Reporting Officer services in the Moray Council area.**

Author of Report: John Carney, Head of Children & Families and Criminal Justice Services

Background Papers: with author

Ref: HB692824