

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE- 10 MARCH 2008

REPORT ON: FEES PAYABLE TO CURATORS AD LITEM AND REPORTING OFFICERS

REPORT BY: DEPUTE CHIEF EXECUTIVE (SUPPORT SERVICES) AND
DIRECTOR OF SOCIAL WORK

REPORT NO: 169-2008

1.0 PURPOSE OF REPORT

1.1 The purpose of this report recommends that the fees payable by the Council to Curators ad Litem and Reporting Officers in certain legal proceedings involving children be revised to be in line with the fees payable to Safeguarders.

2.0 RECOMMENDATIONS

It is recommended that the Committee:-

- 2.1 Agree that the Council pay Curators ad Litem and Reporting Officers at the rate suggested in paragraph 4.3.
- 2.2 Remit the Depute Chief Executive (Support Services) to review the Council's Panel of Curators ad Litem and Reporting Officers, and in consultation with the Sheriff Principal to make appropriate appointments to the Panel, and to keep the Panel under review.
- 2.3 Remit the Depute Chief Executive (Support Services) to raise the issue of funding with COSLA and SOLAR (The Society of Local Authority Lawyers and Administrators).

3.0 FINANCIAL IMPLICATIONS

3.1 The cost of the recommendations will be approximately £1,800 per annum which will be contained within the existing Social Work Department Revenue Budget.

4.0 MAIN TEXT

- 4.1 Curators ad Litem and Reporting Officers are appointed by the Court in a Freeing for Adoption, Adoption, or Parental Responsibilities Order Application by a local authority. They are theoretically two distinct appointments, but invariably the same person is appointed to both roles.
- 4.2 Local Authorities are responsible for appointing persons to a Panel, from whom Curators ad Litem and Reporting Officers may be appointed, and for meeting their expenses and paying a fee.
- 4.3 The Council currently pays a fixed fee of £150. It is recommended that this be reviewed to be the same as the fees paid to Safeguarders in legal proceedings involving children (other than Freeings for Adoption, Adoptions, and Applications by Local Authorities for Parental Responsibilities Orders) which were approved by the Policy and Resources Committee on 12 November 2007 (Agenda Note 270-2007 refers):

In the event of a joint appointment as Curator ad Litem and Reporting Officer in respect of a single child:

- a fixed appointment fee of £219.40
- written report fee of £109.70

In the event of a joint appointment as Curator ad Litem and Reporting Officer in connected cases involving siblings (including half-siblings and step-siblings)

- a fixed appointment fee of £219.40
- augmented by £54.85 in respect of each additional child living with siblings or £109.70 in respect of each additional child living separately from siblings
- written report fee of £109.70
- augmented by £54.85 in respect of each additional child

In the event of an appointment as Curator ad Litem only or Reporting Officer only, three-quarters of the joint fee as calculated above.

4.4 Until 2006 COSLA recommended rates for local authorities to pay Curators and Reporting Officers, but since then it has been left to individual authorities to assess what rate should be paid. It is therefore recommended that the Depute Chief Executive (Support Services) be remitted to raise the matter of funding for Curators ad Litem and Reporting Officers with COSLA and SOLAR in order that a national approach to this issue, which affects all local authorities, can be pursued.

4.5 In order to ensure that there are adequate numbers of suitably qualified persons on the Panel from which appointments are made, it is recommended that the Depute Chief Executive (Support Services) review the Panel membership, and in consultation with the Sheriff Principal, makes appropriate appointments to the Panel, and thereafter keeps the Panel under review.

5.0 POLICY IMPLICATIONS

This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Finance), and Head of Finance have been consulted in the preparation of this report.

7.0 BACKGROUND PAPERS

None.

Patricia McIlquham
Depute Chief Executive (Support Services)

Alan G Baird
Director of Social Work

DATE: 21st February 2008