

AT A MEETING of the CHILDREN AND YOUNG PEOPLE SELECT COMMITTEE of the COUNTY COUNCIL held at Ashburton Hall, Winchester on Tuesday, 14 June 2011.

PRESENT

Chairman:

p Councillor Stephen Reid

Vice-Chairman:

p Councillor John West

Councillors:

p Charlotte Bailey

p Ray Bolton

p Graham Burgess

p Rita Burgess

p Brian Collin

p Brian Dash

p Sam Darragh

p Adrian Evans

p Keith Evans

a Andrew Gibson

a David Keast

p Roger Kimber

a Roz Muschamp

a Pam Mutton

p Jackie Porter

p Jenny Radley

p Bruce Tennent

Co-opted Members:

p Sally Dace – Parent Governor (special)

p Mohammed Ansar – Parent Governor (primary)

a Rosemary Olivier – RC schools representative

a Tony Blackshaw – CoE schools representative

a Phil Watson – Parent Governor (secondary)

Also in attendance Councillors: Roy Perry, Executive Lead Member for Children's Services, Marilyn Tucker, Assistant Executive Member for Children and Families and Andrew Joy.

65. **APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs David Keast, Andrew Gibson, Roz Muschamp and Pam Mutton. Co-opted members Tony Blackshaw, Rosemary Olivier and Phil Watson were also unable to attend, however the Committee was not meeting in its capacity as Local Education Authority and co-opted members had no voting rights on this occasion.

66. **DECLARATION OF INTEREST**

Members were mindful that, where they believed they had a personal or personal prejudicial interest in any matter to be considered at the meeting, they should normally at the time of the debate declare their interest, and having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, consider whether to leave the meeting whilst the matter was discussed save for exercising any right to speak in accordance with Paragraph 12 of the Code. Cllrs Collin, Dash and Radley declared interests associated with their support for / service to children's centres in their divisions.

67. **CHAIRMAN'S ANNOUNCEMENTS**

Background

The Chairman gave a brief summary of the Committee's engagement with the matters before it. The Committee had considered possible changes to the service delivery model for some of Hampshire's Children's Centres in the context of the draft budget, and later in relation to management of Change issues that had been identified by Members.

On behalf of the Committee he had written to the Executive Lead member stressing the importance that the Committee had placed on effective Management of Change. The Executive Lead Member for Children's Services had responded by asking the Director of Children's Services personally to oversee the change management process.

Call-in procedure

Following the Executive Member's decision day a quorum of the Committee had called in the decision, and that call-in was the subject of this meeting.

The Chairman reported that he had received legal advice that as Cllr Perry's decision was in line with the Council's Policy Framework by virtue of the Budget and Children and Young People's plan 2009-12, the outcome of this meeting would have no direct affect on the implementation of that decision. However, the Executive Member could be asked to reconsider it if the Committee determined that he be recommended to do so.

He had also received legal advice that, as this was a

call-in meeting and as the Committee was not acting in its capacity as Local Education Authority, the co-opted members would not be able to vote if any matters needed to be resolved that way. However, they were welcome to contribute to the discussions.

Proposed approach for the meeting

The Chairman invited the legal representative to brief the Committee and participants concerning the powers it had in relation to the call-in process. Her advice was that notwithstanding the points raised by the quorum when requesting the call in, the decision was open to scrutiny generally, and at the conclusion of the meeting the Committee could affirm the decision of the Executive Member or ask him to re-visit it.

The Chairman then explained that he proposed to examine each of the points made in the call-in letter in turn, following which he would invite a debate on whether or not the Committee should ask the Executive Member to reconsider his decision.

He would invite the public participants to speak at whatever point they felt their contribution would be most relevant. Each would be allowed ten minutes to be used either as a presentation or a mix of presentation and questions.

This approach was acceptable to the Committee.

68. **INVITEES TO ASSIST THE COMMITTEE IN CONSIDERING CALL-IN OF THE DECISION**

During the course of the discussions contributions were made by:

Sarah Moss: Portchester Community Association
Kirsty Aksoy-Gell: Lee on the Solent
Sally Brook: Children's Society
Peter Newman: Action for Children
Rev Mike Gardner: Charity Trustee
Kim Owen-Jones: Headteacher

69. **CONSIDERATION OF CHILDREN'S CENTRES DECISION AND POINTS RAISED AT THE CALL-IN**

The Committee considered individually the points raised in the call-in letter, informed by responses

prepared by the Director of Children's Services. The document prepared by the Director is included at Appendix One.

During the course of the discussions the Committee identified subjects that it felt should be borne in mind by the Director when controlling the Management of Change process. These are summarised at Appendix Two.

70 **CALL-IN DECISION**

The Chairman invited a debate on the issue of principle, whether or not to ask the Executive Member to reconsider his decision.

It was proposed by Councillor Dash and seconded by Councillor Porter that the Executive Member should be asked to reconsider his decision.

Following debate the Committee decided by 9 votes to 7 not to ask for a reconsideration. No formal recommendations would therefore be made to the Executive Member in line with Standing Orders.

Conclusion of meeting

The Chairman invited the Executive Member to respond to the meeting's considerations. Cllr Perry thanked the Committee for the useful points that it had been made and expressed his confidence in the Director of Children's Services and his staff in implementing the new service delivery model.

The Chairman thanked the six visiting contributors for the value they had added to the discussions.

The Chairman closed the meeting at 16:45.

Chairman, 20 July 2011

Appendix One: Children's Services responses to points raised in call-in request letter

Hampshire County Council Children and Young People Select Committee

Call in meeting on Children's Centres - 14 June 2011

Report of the Director of Children's Services to be tabled

1. This is a summary note on behalf of the Director to assist the debate at the Select Committee following the decision to call in the decision of Councillor Perry, the Executive Lead Member for Children's Services taken on 27 May 2011 concerning Children's Centres. In the circumstances, particularly given the short timescales, this is not a formal report. It will attempt to address the questions from Members relating to the call in and also offer some additional comments which the Director will speak to at the meeting.
2. The elected Members who have requested the call in posed a series of questions for which answers have been drafted below.
3. The questions with summary answers are as follows:

The Group of Councillors, Dash, Bailey, Tennent, Collin and Porter would like to call in the decision made by you on the 27th May 2011 regarding the future of Children's Centres. Our requests are attached.

We agree that efficiencies in this service *do have* to be made but remain concerned about the effects of such a large budget cut, and the mechanics of the change, and the effect it will have on Trustees of charitable organisations currently managing centres, school managed settings, and the delivery of non-core services.

In view of the success of integration into the community, we would like to seek a tendering arrangement by which successful centres could be sub commissioned by the cluster management.

It seems to us that there are a number of points on which we think there needs to be a solution.

- The inter-relationship of a Children's centre with the community centre in which it is based (eg Carroll, Porchester). Often building and staff use is inextricably linked. Porchester is due to move to a new community centre, partly funded by HCC. How do we ensure the assets of Trustees are protected?

Answer

There will be no impact upon the assets of the trustees as a result of the new arrangements for children's centres, as the contract for delivering the services of a children's centre is managed as a separate arrangement. Only equipment etc purchased with the Sure Start grant provided through the contract would be transferred to the new provider. Any equipment provided through the community centre would remain the property of the trustees. We are aware that there are dual staffing contracts in these and other centres. Where this is the case, the current provider has been asked to identify the staffing hours that are dedicated to the children's centre and these hours will be TUPE'd across to the new provider should there be a change.

- The merger of a Charity owned centre with a County owned centre: I believe these issues will be a problem for Trustees and may need consideration by the Charity Commission (eg: Carroll and Sparklers)

Answer

The fixed contract is due to terminate regardless of any merger arrangements and the transfer of staff and equipment are covered through TUPE and other arrangements set out in the contract. It is not anticipated that this will have an impact upon the charitable status of the organisation or the Trustees. The only known circumstance where this may be problematic is when an organisation has been set up specifically to deliver children's centre services and then ceases to deliver that service. It is understood that this is not the case for the Carroll Centre.

- The school *based* sites *do* reflect the community they serve and can be managed by the schools/LCP and so how does inclusion into a cluster improve delivery?

Answer

While school based children's centres do provide services for communities they serve, the children's centre notional catchment areas (NCAs) are usually larger than school catchment areas. LCP areas are also larger than individual school catchment areas and children's centre NCAs. Currently several children's centre managers are required to link with a single LCP. Cluster areas, in the new model, more closely match LCP areas and therefore only one or two cluster managers will be required to link with LCPs which both provides an efficiency in terms of time and should support more consistent relationships.

- What are the sums allocated to each community? (This should be clear to avoid confusion. A formula based funding system works for the free 15 hour offer for under 5's: this is a potential model for the Centres. No-one can give a clear formula or answer to date

Answer

It is not possible to provide the sums allocated to each cluster as this is business sensitive information and might give some organisations an advantage over others if known in advance. The potential contract values will be published as part of the expression of interest advert at the end of this month. Different formula options for allocating money to clusters have been considered and, as reported previously, the funding formula that will be implemented is based upon the number of under fives within the NCA, deprivation levels and an element for rurality.

- The core offer should vary according to the community it serves (to reflect needs: eg language, young parents, dads, child minding community)

Answer

Currently the core offer is prescribed by central government and broadly covers a number of key areas including:

- Information and advice on family support services
- Drop-in sessions for parents, carers and childminders
- Access to early education and childcare for children under five
- Access to child and family health services
- Links with Jobcentre Plus, further education and training opportunities

The specific range of services and how they are delivered does vary according to community need and, in part, is shaped by priorities identified by the local community.

The extent to which services meet community need is monitored through the quality and performance framework in place for children's centres and externally through Ofsted. New guidance regarding the offer that children's centres need to make is expected this summer.

- Some centres are doing an excellent job with good staff. We don't want to lose that continuity. We want to make sure that there is a simple way for a cluster to 'sub commission' a local centre.

Answer

'Sub-commissioning' will be possible as long as the arrangements for sub-contracting/sub-commissioning meet the procurement and contract requirements.

- Because the change is so dramatic, *we are seeking a pilot in one area* of Hampshire to check how the roll out process works, sorting out glitches before covering the whole county. This is a tried and tested method at HCC, for example: self directed support, call centres etc.

Answer

To adopt a pilot approach at this stage would mean that county wide implementation of the new approach could be delayed by up to a year. The local authority does already have experience of delivering services through the merger of children's centres and third party management of some of its centres and intends to build upon this experience when implementing the new model. The local authority will oversee the change process closely and provide support where necessary. It is committed to ensuring that children's centres continue to deliver the best possible support to children and families in Hampshire.

4. Notwithstanding these responses to the questions and any further debate at this committee, Members should be advised that a Project Board is in place under the chairmanship of the Director. This Project Board has been working for some weeks on the development and potential implementation of the proposals and will be the vehicle to deliver implementation subject to confirmation of the decision. Members may wish to comment on, for example, the possibility of a form of progress report about the implementation programme in future.
5. The report of 27 May, upon which the decision was based, followed a period of extensive debate, consultation and consideration and included a clear statement that the recommendations, while challenging, were financially necessary and can be implemented effectively. The report contained a clear statement of professional advice to that effect and in the context of the report's title "Securing the Future of Hampshire's Children's Centres" That position and that advice remains unchanged.
6. **Recommendations**
Whereas this is not a formal report, Members are respectfully recommended to note the responses to the call in questions and the other comments contained within this report.

Appendix Two: Subjects arising out of considerations by the Committee that it is proposed should be born in mind by the Director of Children's Services when controlling the Management of Change process

The Director should:

- Ensure priority is given to high quality communication with all key players in taking the changes forward
- Observe where legitimate over- management can be squeezed out of the system, but recognise where this is not necessary
- Facilitate diversity of service delivery and seamless integration where possible
- Explore where some centres have claimed they could make savings of 15 or even 20 percent without affecting services – and to know whether and how this might be achieved
- Facilitate flexibility in clustering where natural boundary/binding factors exist
- Support 'sub-commissioning' flexibility – this was welcomed by Members
- Use experienced providers or leader groups to share experience and good practice rather than consider pilots given the diversity of contexts across the county
- Provide a project report on progress to the Committee following the first year of implementation of the decision