

Report of: Head of Service Learning for Life

Report to: Director of Children's Services

Date: 10/08/16

Subject: Transferring the Management and Governance of City & Holbeck Children's Centre Early Learning & Family Services from 4Children to the Learning for Life Service, Children's Services



Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

City & Holbeck Children's Centre has, to date, been commissioned by the Learning for Life Service to 4Children (National Voluntary Sector Organisation). The current contract end date is 30th November 2016.

The contract was awarded to 4Children with the requirement to deliver Children's Centre Family Services and Early Learning (Day Care) provision.

The Director of 4Children notified the Learning for Life Service of their expressed interest to cease the contract early.

It is our desired intention to bring the leadership, management & governance for this Centre, into the Local Authority with effect from 1st September 2016 via a TUPE exercise. This would ensure the continuity of much needed services to vulnerable families in the area. Given the short timescales, it would not be feasible to undertake a scoping consultation. However, communication with all stakeholders will be undertaken during the transition period.

Recommendations

The Director of Children's Services is recommended to approve the transfer of City & Holbeck Children's Centre Family Services and Early Learning provision from 4Children to the Learning for Life Service, Children's Services. This will include the TUPE transfer of up to 26 employees, depending on the result of the due diligence process undertaken.

The proposal would be for the provision to transfer on 1st September 2016.

1 Purpose of this report

- 1.1 To seek approval to transfer the leadership, management, governance and financial responsibility for City & Holbeck Children's Centre from 4Children to the Learning for Life Service, Children's Services.

2 Background information

- 2.2 The Centre is situated within an inner city area; Beeston, and serves approximately 883 children and is a phase 2 Children's Centre with deprivation levels as low as 3%.
- 2.3 The Children's Centre was designated in February 2008 to deliver both Early Learning (Day Care) provision and family services.
- 2.4 The management, governance and financial responsibility for City & Holbeck Children's Centre is currently undertaken by 4Children, a National voluntary Sector Organisation.
- 2.5 The Children's Centres is based within the JESS Cluster and is part of the Early Start team delivering health and children centre services within the JESS cluster. There are three other Children's Centres within this cluster team: New Bewerley/Dewsbury Road, Hunslet & Windmill; all but Windmill are led by the Local Authority.
- 2.6 City & Holbeck Children's Centre is in very close proximity to New Bewerley and a collaborative advisory board exists across the two Centres. As such, it makes sense for both Centres to be led by the same provider to ensure consistency in service delivery for both families and other stakeholders

3 Main issues

- 3.1 On 20th July 2016, the Director of 4Children formally notified the Learning for Life Service of their expressed interest to cease the contract early.
- 3.2 Due to the circumstances surrounding this notification, it was not feasible to undertake a consultation as it was our priority to act swiftly to minimise the risk of loss of service to a very vulnerable community.

- 3.3 The Learning for Life Service has significant experience and knowledge of running children's centres and is in a good position to govern and manage both the family services and early learning (day care) provision.
- 3.4 The close proximity of City & Holbeck to New Bewerley Children's Centre provides the opportunity to group the family services and early learning provision, offering further budget savings in the new financial year 2017/2018.
- 3.5 A TUPE exercise is to be put in place to transfer the 4Children employees.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1. Communication regarding the changes to governance, leadership and management of the children's centre will be undertaken with all stakeholders.
- 4.1.2. Elected members in the area have been consulted about the planned changes and are supportive. They have asked to be kept up to date on developments.
- 4.1.3. Consultation meetings are to be held with 4Children management and staff. 4Children have confirmed that their organisation does not recognise any trade unions for collective bargaining purposes. An Employee Representative is to be put in place by 4Children, during the TUPE process. Leeds City Council trade unions have been consulted with, on this TUPE exercise.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equality impact assessment screening form has been completed and is attached as appendix A.

4.3 Council policies and Best Council Plan

- 4.3.1 The service will contribute to achieving key priorities within the CYPP, in particular:
- Help children to live in safe and supportive families
 - Ensure that the most vulnerable are protected
 - Support children to be ready for learning

4.4 Resources and value for money

- 4.4.1. The contract that was awarded to 4Children to deliver Family Services was to the sum of £117,100. This funds a Manager (PO1), 50% Admin (B1), 2 x family outreach workers (1 x B3 & 1 X C3) as well as all building and running costs.
- 4.4.2. 4Children also deliver child care on the Children's Centre site which to date we have had no involvement with. The basic wage cost at this point amounts to £275,647 which includes the staff employed to deliver Family services (as detailed in 8.1 above). It should be noted that the salaries for the staff employed to deliver

child care are on a lower pay scale than Leeds City Council child care employees & income from FEEE and childcare fees will offset these staffing costs.

4.4.3. The programme will be delivered from the existing Children's Centre premises.

4.5 Legal Implications, Access to Information and Call In

4.5.1. There will be TUPE implications for potentially 26 employees. The approval of this report constitutes a 'Key Decision' and as such is eligible for 'Call-In', however, due to delays in the staff consultation process a request has been made to exempt this report from Call-in. If the decision is not implemented with immediate effect there is a significant risk that the new team will not be able to carry out their statutory duties.

4.5.2. The "Transfer of Undertakings (Protection of Employment) regulations 2006" as amended by the "Collective redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) regulations 2014" have been complied with. These regulations apply to all organisations and protect employees' rights when the organisation or service they work for transfers to a new employer. Employees' terms and conditions of employment (apart from occupational pensions) and continuity of service transfer with them and they also receive certain protections around dismissal and redundancy.

4.5.3. The current lease of the Leeds City Council Children's Centre building to 4Children will end in line with the contract end. Property management are aware of the change and involved in the planning for the ending of the lease. A formal surrender of the lease will be undertaken by legal services.

4.5.4. PPPU (Projects Programmes & Procurement Unit) have been consulted on the end of the contract with 4 Children in order to ensure the appropriate processes are followed to end the contract.

4.6 Risk Management

4.6.1. The programme will be managed using the Council's 'delivering successful change procedures' and therefore employ risk management processes.

4.6.2. A small project team has been formed to work in partnership with 4 Children to ensure a smooth transition process is in place. The team have identified potential risks and actions are being put in place to manage risks as appropriate.

4.6.3. Information is being requested from 4Children to ensure clarity on the finance model for the childcare delivery (including detail on fee structure for childcare) and any risks around the collection of childcare fees from parents / carers will be identified as part of this process.

5 Conclusions

4Children formally notified the Learning for Life Service of their expressed interest to cease the contract to deliver City & Holbeck Children's Centre family services and early learning provision, early. As such, there is a need to ensure continued service provision to support vulnerable families within a community with high levels of need.

6 Recommendations

- 6.1 Children's Services to agree to the transfer of City & Holbeck Children's Centre family services and early learning provision to the Learning for Life Service, Children's Services, to ensure continued service provision to vulnerable families in the area. This will include the TUPE transfer of up to 26 employees, depending on the result of the due diligence process undertaken.
- 6.2 The proposal would be for the provision to transfer on 1st September 2016.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.