

Report of Head of Service Learning for Life

Report to Director of Children and Families

Date: 19th February 2019

Subject: Request to award cooperation agreements to non-maintained schools for delivery of Children's Centre Family Services



Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" 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: 10.4 (3) Appendix number: Appendix 2	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

1. The purpose of this report is to seek approval to award cooperation agreements to non-maintained schools for the delivery of Children's Centre Family Services. The cooperation agreements fall outside of the Public Contract Regulation 2015 pursuant to Regulation 12(7). Also for the purpose of the Council's Contract Procedure Rules Clause 1.5.2 will apply as the Public Contracts Regulations 2015 do not apply and they are arrangements with another public bodies. Therefore these agreements are not procurements for the purposes of the Public Contract Regulations 2015 and the Council's Contract Procedure Rules.
2. The Council funds schools to deliver family services in 19 Children's Centre reach areas. The arrangements have largely operated on an implied contract basis since their inception and we now wish to formalise these arrangements by putting in place formal service level agreements with maintained schools and cooperation agreements with academies. The latter of these requires a Key Decision.
3. It is proposed that cooperation agreements are awarded to four lead schools where children's centres are delivered by that school alone, or in partnership with other schools where the lead school or a partnership school is not maintained by the local authority. The total value of these cooperation agreements is estimated to be approximately £520k per annum. Service level agreements will be awarded to the remaining lead schools. See appendix 2 for details.
4. Cooperation agreements will commence on 1st April 2019 and run for a period of five years with the option to extend by up to a further five years.

Recommendations

1. The Director of Children and Families is recommended to approve:
 - a. The award of cooperation agreements to the four lead schools where children's centres are delivered by that school alone, or in partnership with other schools where the lead school or a partnership school are not maintained by the local authority, for the delivery of Children's Centre Family Services (see appendix 2 for list of current school run children's centres). The cooperation agreements shall commence on the 1st April 2019 and expire on the 31st March 2024, with the option to extend for up to a further five years.
 - b. The award of cooperation agreements to any newly formed academies delivering Children's Centre Family Services not currently noted in appendix 2.

1 Purpose of this report

1.1 To seek approval to award cooperation agreements for delivery of Children's Centre Family Services.

2 Background information

2.1 The Council delivers family services out of 37 Children's Centres & funds schools to deliver family services in a further 19 Children's Centres.

2.2 Family services include:

- Family Support Workers, who can help families through challenging times and also offer support and information on parenting, education, housing, debt and access to specialist services for children & families.
- Parenting courses including: HENRY, Incredible Years and 0-6 programme.
- Drop in Stay and Play sessions
- Links to child and family health services, including breastfeeding support, midwife clinics and development reviews

2.3 The arrangements with schools have largely operated on an implied contract basis since their inception and the Council wishes to formalise these arrangements by putting in place formal service level agreements with maintained schools and cooperation agreements with academies.

2.4 The agreements will require schools to:

- Deliver the full core purpose of the Children's Centre in line with DFE and local requirements
- Commit to working in partnership with clusters, social work and targeted services
- Commit to co-location and integrated working with Health Visiting and Midwifery Services
- Report through an Annual Conversation on progress made to a Local Authority representative / Early Start Manager
- Undertake quarterly reviews of the service in conjunction with Local Authority representative/ Early Start Manager.
- Provide Leadership and management through a named person(s) of the Children Centre services

2.5 This report relates to approval to award cooperation agreements to four lead schools where Children's Centre Family Services are delivered by that school alone or in partnership with other schools, where the lead school or a partnership school is not maintained by the local authority. The total value of these cooperation agreements is estimated to be approximately £520k per annum. Service level agreements will be awarded to the remaining lead schools. See appendix 2 for details.

2.6 Service level agreements with maintained schools will mirror the requirements within cooperation agreements but no delegated decision is required to award

these. For any schools that become academies in the future, cooperation agreements will need to be awarded rather than service level agreements but conversion to academy status in itself will not impact on the value of the arrangements.

- 2.1 Formalising the arrangements will ensure we have clear expectations of all partners and will ensure accountability for the funding. It will also strengthen our partnership working with schools.
- 2.2 It is our intention to establish formal agreements with all schools delivering Children's Centre Family Services to commence on 1st April 2019.
- 2.3 The cooperation agreements will include a requirement for the agreement to be reviewed by all partners at least annually. There will be a break clause for either party to give notice to cease the provision. We are suggesting a notice period of six months to allow for alternative options to be explored and a smooth handover.

3 Main issues

- 3.1 The cooperation agreements with the non-maintained schools fall outside of the Public Contract Regulation 2015 pursuant to Regulation 12(7). Also for the purpose of the Council's Contract Procedure Rules Clause 1.5.2 will apply as the Public Contracts Regulations 2015 do not apply and they are arrangements with another public bodies. Therefore these cooperation agreements are not procurements for the purposes of the Public Contract Regulations 2015 and the Council's Contract Procedure Rules.
- 3.2 Formalising the arrangements will ensure we have clear expectations of all partners and will ensure accountability for the funding. It will also strengthen our partnership working with schools.
- 3.3 The key aim of these services is to ensure all young children and families are supported through evidence based practice to have the best possible start in life and to achieve good health and wellbeing, learning and school readiness outcomes and reduce the inequalities in outcomes for the most disadvantaged.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Consultation has commenced with the schools to make them aware of our plans to formalise the arrangements.
- 4.1.2 Advice has been sought from the lawyers within Procurement and Commercial Services.
- 4.1.3 The Lead Member for Children and Families was consulted on 29th January and gave approval for this decision to be published on the Forward Plan.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The equality, diversity, cohesion and integration screening form is attached as Appendix 1. This form identifies that an impact assessment is not required in this case.

4.3 Council policies and City Priorities

4.3.1 The delivery of these services enable Leeds City Council to meet its statutory duty to improve outcomes for young children and their families and reduce inequalities.

4.3.2 The services contribute to the five outcomes outlined in the Children and Young People's Plan and deliver against the following priorities:

- Help children and parents to live in safe, supportive and loving families
- Ensure that the most vulnerable are protected
- Support families to give children the best start in life
- Increase the number of children and young people participating and engaging in learning
- Improve achievement and attainment for all
- Improve at a faster rate educational progress for children and young people vulnerable to poor learning outcomes
- Improve social, emotional, and mental health and wellbeing

4.4 Resources and value for money

4.4.1 The total funding for Children's Centres Family Services in 2018-19 was £5,184,000. This included £3.4m for Council run services and £1.7m for school run family services.

4.4.2 Funding consists of 62% from Children and Families base budget and 38% from Public Health, which is paid to Children and Families for delivery of family services.

4.4.3 Since 2017-18, funding has been allocated based on number of children (0-5 year olds) and weighted by deprivation with a minimum funding level for each centre. The average funding per Children's Centre in 2018-19 is £89,379.

4.4.4 Funding allocations will be updated annually.

4.4.5 The formalising of arrangements through the award of service level agreements and cooperation agreements will ensure we have clear expectations of all partners and will ensure accountability for the funding. It will also strengthen our partnership working with schools to drive of quality and ensure continuous improvement. Schools will be required to report against key performance indicators in the Early Start dashboard and demonstrate quality and impact of delivery.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The estimated annual spend in relation to these cooperation agreements is £520k per annum. We therefore deem that this decision is subject to call-in. This decision is on the forward plan and the decision can be taken from 4th March.
- 4.5.2 The cooperation agreements fall outside of the Public Contract Regulation 2015 pursuant to Regulation 12(7). Also for the purpose of the Council's Contract Procedure Rules Clause 1.5.2 will apply as the Public Contracts Regulations 2015 do not apply and they are arrangements with another public bodies. Therefore these agreements are not procurements for the purposes of the Public Contract Regulations 2015 and the Council's Contract Procedure Rules.
- 4.5.3 In making their final decision, the Director of Children and Families should be satisfied that the course of action chosen represents best value.
- 4.5.4 Appendix 2 to this report has been marked as confidential under Access to Information Procedure Rules 10.4 (3) on the basis that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) which, if disclosed to the public, would, or would be likely to prejudice the commercial interests of that person or of the Council.

4.6 Risk Management

- 4.6.1 As the provisions have operated on an implied basis for a number of years we do not foresee any significant issues in formalising the arrangements. This decision report is purely around formalising existing arrangements and is not about creating any provisions.
- 4.6.2 There are no identified sensitivities with our schools if we are to proceed with this work.
- 4.6.3 If robust contract arrangements are not put in place with schools delivering Children's Centre Family Services there is a risk that lack of clarity around accountability and responsibilities will reduce the ability of all partners to drive up quality and performance.

5 Conclusions

- 5.1 Awarding these cooperation agreements to schools will ensure there is clarity around responsibilities and accountability of all partners. Formalising these long-standing arrangements will help ensure we achieve value for money and continue to improve outcomes for vulnerable families.

6 Recommendations

- 6.1 The Director of Children and Families is recommended to approve:
 - 6.1.1 The award of cooperation agreements to the four lead schools where children's centres are delivered by that school alone, or in partnership with other schools where the lead school or a partnership school are not maintained by the local authority, for the delivery of Children's Centre Family Services (see appendix 2

for list of current school run children's centres). The cooperation agreements shall commence on the 1st April 2019 and expire on the 31st March 2024, with the option to extend for up to a further five years.

6.1.2 The award of cooperation agreements to any newly formed academies delivering Children's Centre Family Services not currently noted in appendix 2.

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6.1 Background documents¹

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.