

Decision maker:	Cabinet member children and families
Decision date:	Friday, 19 February 2021
Title of report:	Provision of children centre service in Bromyard area
Report by:	Childrens joint commissioning manager

Classification

Open

Decision type

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

Bishops Frome & Cradley; Bromyard Bringsty; Bromyard West; Hampton; Three Crosses;

Purpose

To approve proposals for the temporary extension of a contract for the provision of children's centre service in the Bromyard reach area for a period up to 12-months

The Bromyard Reach area is the only part of Herefordshire where Children's Centre provision is externally commissioned. All other areas are supported via an in-house service which is centrally governed and managed.

Recommendation(s)

That:

- (a) The current contract for the delivery of children's centre services in the Bromyard reach area is updated to ensure that it remains current and is extended for up to 12-months at a value up to £25,000 to no later than 31 March 2022 in line with Contract Procedure Rules**
- (b) Further analysis is provided regarding the benefits and risks of the different options for the future delivery of children's centre services**
- (c) Further community engagement is undertaken to explore the different options for the future delivery of children's centre services**
- (d) A further decision regarding the long-term delivery of the service is taken as soon as possible before the end of 2021**

Alternative options

1. The initial proposals that were recommended in advance of the end of the current contract were that the resources of £25k per year allocated for the external commissioning of children's centre provision in the Bromyard Reach area should be permanently transferred to the in-house early help children's centre team from 1 April 2021. Following scrutiny of the proposals, it is not recommended to proceed at the current time in order to provide further evaluation of the service delivery options.
2. Re-commission a new service to be delivered via an open procurement process in accordance with the council's contract procedure rules. Continuing separate provision in the Bromyard area will limit the council's ability to quickly and consistently adapt services to support vulnerable children and families with the most need for early help as demand fluctuates across the county.
3. Delegate responsibility for the provision of children's centre services to Town or Parish Councils. While some specialist children's services are commissioned from appropriate external providers, there are no current plans to delegate such responsibilities. Legal advice is that it is not possible for the council's duties under the Childcare Act 2006 to be delegated to Town and Parish Councils.
4. Replicate the wider community service model provided by Hope for Children and their Families Limited across the rest of the county. In this case, the scope of the council's role relates to the service it currently commissions under contract, rather than the totality of activities that the incumbent contractor provides. There is a range of effective and highly valued community-led services in many parts of the County. The council would not have the power to impose a particular service model on another community, but does encourage and work with communities to learn from best practice elsewhere to support their development. The Council's Talk Community Hubs programme provides an opportunity to bring residents together, alongside offering up to date health and wellbeing information and helping to connect people to services, groups and activities, either within their local area or across the county. The Hope Centre is a Community Hub for the Bromyard area and has received grant funding to support this work. Other hubs include, Hinton Community Centre, Putson Baptist Church, Kington Library, Yarpole Hub (run by the parish good neighbour scheme), and Ross Good Neighbours (run by the local community development trust). A Talk Community Hub can be developed alongside existing community settings, such as village halls, community pubs, organisations, shops or centres, which are already at the heart of the local community,

or they can be something completely new. Herefordshire Council can provide support to nurture and further develop these settings, to help meet the needs of the local community and enable residents to better look after their own health and wellbeing. Although the ongoing coronavirus pandemic is affecting how the hubs currently operate, they are finding creative and virtual ways to connect with the local community to ensure residents can still access the information and support they need. Staff and / or volunteers run the hubs from the local community with support from Herefordshire Council.

Key considerations

5. The Childcare Act 2006 sets out a duty for councils to improve the inequalities of young children in its area. The Act describes the duties of local authorities to consider providing services through a children's centre but does not prevent an English local authority or any of their relevant partners from providing early childhood services otherwise than through a children's centre. Statutory guidance describes children's centres as being as much about making appropriate and integrated services available, as it is about providing premises in particular geographical areas. Ofsted inspection of children centres was suspended in 2015 and the management of children's centre buildings was separated from direct family support some time ago.
6. Children's centre services operate as part of a strategic whole family and whole system approach to early help, supporting families with different levels of need that may require universal, targeted, multi-agency or specialist/statutory support (Appendix 1). The work of children's centre services is informed by the number of 'known' 0-5 year olds living in the reach area. The core purpose of children's centre services is about improving outcomes for young children and their families, with a particular focus on early help for the most disadvantaged families, in order to reduce inequalities in:
 - i. child development and school readiness
 - ii. parenting aspirations, self-esteem and parenting skills
 - iii. child and family health and life chances
7. To reduce such inequalities in Herefordshire, a key function of children's centre services across Herefordshire is to provide appropriate support for families of children aged 0-5 who may need some extra early help or, in some cases, support those that need further or serious help (Appendix 1). Advice and guidance can be provided around healthy lifestyles, school readiness, managing behaviour, nursery education funding etc. or families can be signposted to appropriate support elsewhere such as breastfeeding, immunisation, weaning, domestic violence services, and Job Centre Plus. The range of support can include facilitating midwife and health visiting clinics, adult learning, and parenting support. As funding has reduced nationally since 2011, the council has increasingly focussed its children's centre activities on vulnerable families through a more targeted Early Help approach that is enhanced by partnerships across a breadth of early year's provision.
8. Bromyard is the only area in Herefordshire where children's centre services have been procured from an external provider. Services across the rest of the council are delivered directly by the council's Early Help team.

9. The Hope Family Centre is the physical location from which this contracted service is delivered. There are also broader range of services delivered from the Hope Centre, including a Child Contact Centre, Early Years Nursery and pre-school, Hope Community Hub, a Community Café and facilities and venue hire, which are not contracted or funded by the council.
10. The existing children's centre services contract, delivered by Hope for Children & Their Families Limited, supports local families through, for example, providing advice and information, running universal sessions such as 'let's play', providing healthy eating and weaning sessions, and identifying families who may benefit from early help assessments (EHAs). The contract value for 2020/21 is £25,000 for an average of 11 hours direct support per week, although the direct support hours delivered has averaged at 16.7 hrs per week during 2020/21.
11. There are a number of areas where the current contractor has performed well in comparison to other parts of the county, including the number of distinct adults given advice and guidance and the provision of Baby Lets Play and Lets Play sessions delivered, which should act as a key pathway into early help assessments. In addition, Nursery Education Funding take-up has improved for the Bromyard reach area over the last year, from 9 children in the autumn term of 2019, to 14 children in the autumn term of 2020.
12. A key measure of whether services are delivering the objective of reaching vulnerable families is the number of formal Early Help Assessments (EHAs) being undertaken with families and the numbers of cases that subsequently achieve a sustainable change in each area, for which government funding can be claimed.
13. The countywide EHA approach has successfully delivered sustainable change for many vulnerable families as part of the National Troubled Families Programme. Despite the challenges of the pandemic, Herefordshire has achieved second and first quartile rankings compared to nationwide local authorities in achieving positive outcomes for vulnerable families and is the second highest performing area in the West Midlands. This has only been possible due to the positive and productive relationships developed with partners across the county. It is positive to note that, during 2020, 75% of EHAs in Herefordshire have been completed by partner organisations, including health visiting, midwifery, schools and Early Years settings, rather than directly by the council or council commissioned provision.
14. Where sustainable change is achieved for a family through EHA support, funding can be claimed under the national Troubled Families payment by results programme. Since October 2018, 135 successful claims have been made for families that were solely or partially supported by Children's Centre Services, of which 39 have been achieved during the coronavirus pandemic (since April 2020). However, none of these claims were for families supported through an EHA in the Bromyard reach area. A zero rate such as this should not be expected. It would be expected that the multi-agency early years sector in an area, led by children's centre services, would be promoting use of the early help assessment by local partners and that there would be evidence reported of sustainable change for those families being supported in line with established EHA procedures.
15. The incumbent provider has suggested that a low number of Early Help Assessments by health service partners has been an influencing factor in the low number vulnerable families being identified. However, it is expected that the universal sessions provided through the contract would also be key to identifying vulnerable families requiring support

to achieve early help outcomes. Therefore, it would be expected that further EHAs should be identified in the Bromyard area through children's centre Baby Let's Play and Lets Play sessions, as happens elsewhere in the county.

16. The proposed variation to extend the contract represents less than 50% of the original contract value. This is compliant with the council's contract procedure rules. So no exemption would be required.

Community impact

17. The recommendations support the council's County Plan priorities, with particular reference to specific community priorities:
 - Ensure all children are healthy, safe and inspired to achieve
 - Protect and improve the lives of vulnerable people
18. The recommendations will also support the delivery of the Children and Young People's Plan across all pledges with a particular focus on safety:
 1. Keeping children and young people safe – BE SAFE FROM HARM
 2. Improving children and young people's health and wellbeing – BE HEALTHY
 3. Helping ALL children and young people succeed – BE AMAZING
 4. Ensuring that children and young people are influential in our communities – FEEL PART OF THE COMMUNITY
19. The number of known children aged 5 or under in the Bromyard reach area is 507 (March 2020), with 188 children known as living in areas of deprivation.
20. In light of the coronavirus pandemic, due to restrictions on face to face sessions with families, activity has focussed on provision of information and advice (213 contacts between April and September 2020) and delivery of online sessions for families.

Environmental Impact

21. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.

Equality duty

22. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

23. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

24. The proposed contract extension will continue to require that children and families with emerging or additional needs are supported effectively through Herefordshire's approach to Early Help, with children's centre provision working alongside local partners to ensure an effective approach to supporting vulnerable families across the County. A demonstrable impact will be expected in relation to the number of vulnerable families achieving sustainable change. Equalities monitoring of children's centre provision will be required to ensure equality of access to support across the County.

Resource implications

25. There will be no change in the allocation of resources to children's centre provision in Herefordshire.

Legal implications

26. The current contract will be varied to extend it for up to a further twelve (12) months in line with the council's contract procedure rules. The variation will ensure that the commissioned services are suitable for up to the next twelve (12) months. Legal Services have been instructed to draft and complete the required variation.

27. The council is under a statutory duty to make sufficient provision of children's centres to meet local need under the Childcare Act 2006. Such centres can either be provided and managed by the council or provided and managed on behalf of the council. The Council cannot delegate its duty for provision of children's centres to town/parish Council's but support can be provided in a number of ways as detailed below.

28. *Children's centre services are a pivotal part of the early help offer from councils across the country. Whether they're provided from children's centre buildings, co-located with other services in the community, or provided by outreach workers, they allow families to access the help they need to handle those early challenges, help to tackle inequalities, and give children a healthy start.*

29. *There is no one-size-fits-all approach when it comes to early childhood services. For some areas and for some residents, that may be through providing services in dedicated centres; for others, working with local schools, libraries and other community venues might be more appropriate; while in other cases, outreach services will be most helpful. No one model is better than the other and the most effective model will meet the needs of the children, young people and families in the local area, adapting if these needs should change.*

Risk management

Risk / opportunity	Mitigation
30. The existing contract, which was awarded in 2018, is not fit for purpose in 2021.	The contract and specification will be reviewed and updated by commissioners before 31 March 2021 to ensure that it reflects the requirements placed on services in the rest of the county
31. The incumbent provider does not agree to necessary reasonable contract changes	The current contract will end on 31 March 2021. To avoid a potential break in provision, contracted services will need to be transferred in house if agreement is not reached before the contract end date.
32. There is limited resource available to undertake further community engagement work	The scope of work will be agreed with the Council's strategic intelligence team and balanced with other work including the pandemic response
33. Engagement provides a wide range of views, but no clear preference	Decision will be informed by a range of available evidence
34. There are expectations that there is a direct comparison to be made of the wider activities provided by the current contractor and the specific children's centre services that the council requires	The scope of any further work will focus on how the council should fulfill its duties within the resources available
35. There are expectations that the Council should ensure that any external staff employed under a contract understand their future roles beyond the end of a contract	At the end of any contract, it is the employer's responsibility to consult with staff that may be affected.
36. There are ongoing requests for more information or greater detail and/or lobbying that may seek to further defer a future decision, which may be subject to legal challenge by potential providers or other stakeholders	The intensity of work undertaken to inform the future decision will be balanced with the need to reach a conclusion

Consultees

37. A range of engagement activity has been undertaken regarding the initial proposals to integrate the contracted service with provision across the rest of the County.
38. Engagement with the CEO of the Hope for Children and their Families Ltd was undertaken in 2020 to discuss the potential future options for the delivery of the service. Given the reduced levels of funding through the contract lifetime, the Provider was confident that it had delivered against the contract outcomes and brought a great deal of added value due to its wider offer. The Hope Centre has good connections with local families and the wider community. Concerns about the long standing strategic value of the relationship with the council were raised if arrangements were to change alongside the need for a careful transition. Re-commissioning of the service was a clear preference for the provider.
39. Further correspondence was received from the Chair of Trustees for Hope for Children and their Families Ltd. expressing the provider's concerns relating to timescales for the decision, alongside transition to new arrangements at a potentially difficult time for families.
40. Initial engagement with ward members for the Bromyard reach area was undertaken by the Portfolio Holder and officers in 2020 where elected members expressed:
 - i. high regard for the Hope Family Centre and the wider role the centre fulfils in the Bromyard area
 - ii. that any change to delivery should be focussed on delivering improvements in support for vulnerable families
 - iii. concern regarding the potential loss of the added value delivered by the wider Hope Centre offer.
 - iv. The potential benefits of consistency in delivery by the council were recognised.
41. On 12 January, 2021, the Portfolio Holder and officers attended an extraordinary meeting of Bromyard and Winslow Town Council to explain the proposals to integrate the contracted service with provision across the rest of the County. Significant strength of feelings were expressed by Elected Members for their support for Hope for Children and their Families Ltd and the services it provides for the town and the wider community. The Town Council unanimously resolved to petition the Cabinet Portfolio Holder '*to reject the recommendation to integrate children's centre service for the Bromyard area with the existing in-house provision from 2021.*'
42. The Cabinet Portfolio Holder and Leader of the Council met with representatives of Hope for Children and their Families Ltd on 13 January 2021, in which the provider expressed its concerns about a lack of consultation, and the benefits that it is able to provide. Hope for Children and their Families Ltd subsequently forwarded 24 comments that it has received from members of the local community to the Portfolio Holder and Leader. The comments showed that access to soft play, crèche/nursery facilities, and a café are highly valued by local people, and there seems to have been some misunderstanding that the council was proposing to change these services, or close the Hope Centre itself, when such decisions are actually outside of the Council's jurisdiction and not the subject of the changes that had been proposed. Where feedback related to activities delivered through the Council's contract, it was positive of the work that the contractor had delivered.

43. Political group consultation has been undertaken regarding proposals to integrate the contracted service with the provision for the rest of Herefordshire. One response was received from the It's Our County Group:

“We at IOC believe that this decision is poor. The existing provider (HOPE) has proved to be responsive to reductions in budget and additional demands from the contract. They also deliver a range of ‘added value’ services in addition to the contract far in excess of the £25k value of the contract. Centralised control as proposed with the report does not seem to be in alignment with the ethos of IOC or the current administration. Also, the details of how the service to the families and children of Bromyard will improve are scant.

We would propose that the HOPE model be used as a template for the delivery of Children’s services across the County. Devolving the service to communities would give them the interest to ensure good delivery away from a centrally controlled environment. One size does not fit all.”

44. The initial proposals were also considered by the council’s Children and Young People’s Scrutiny Committee on 19 January 2021, which was attended by the local Ward Members for Three Crosses and Bromyard West, with a written contribution also made by the Ward Member for Bromyard Bringsty. The Chair of Trustees of Hope for Children and their Families Ltd was also invited to contribute as a witness. A high degree of advocacy for the incumbent provider was expressed, including that:

- i. the services provided by Hope for Children and their Families Ltd were an exemplar of good practice and an alternative option should be rolled-out across the whole County
- ii. the proposals were evidence of the marginalisation of Bromyard and the Cabinet Member should reconsider the proposal
- iii. in respect of the services provided by the HOPE centre, it was important to consider whether Bromyard was already being catered for, and that more statistics should be provided as evidence
- iv. the service provided by the HOPE centre was the best way to deliver children’s centre services
- v. The end of contract funding would undermine an organisation which had benefited the local community in Bromyard. The HOPE centre provided a high level of support and a vital safety net for families and children.
- vi. The Council should undertake more evaluation of the HOPE centre service and its benefit to the local community before a decision was made
- vii. Three staff were employed at the centre and the proposal risked losing the services of three experienced employees
- viii. The timing of the change to the provision of the service during the pandemic was not appropriate
- ix. The council was encouraged to undertake a longer consultation, after the pandemic, to consider the proposals in greater depth and to then change the model if necessary
- x. The uniqueness of the HOPE centre and its understanding of the Bromyard area was felt to be key to its success. Rather than ensuring consistency across the county, the provision of a service should consider what was best for the local community. Greater evidence was required that an in house service would match the service provided by the HOPE centre

45. It was resolved that the Children and Young People’s Scrutiny Committee:

- 1) has significant concerns about the timing of the proposed decision during the current pandemic and the implications for services users. The committee recommends deferral of the decision and extension of the current contract up to 12 months to enable:
 - i. A comprehensive consultation with the local community, service users and voluntary sector organisations;
 - ii. Engagement with HOPE to ensure that the Council has necessary evidence to conduct a full and detailed evaluation of the HOPE service provided and how it compares to the in-house service;
 - iii. Greater exploration of alternative options including a potential tendering exercise for a commissioned service;
 - iv. Work to ascertain what staffing arrangements would be put in place to ensure existing HOPE staff have a greater degree of understanding about their future roles within the service; and
 - v. The committee to undertake a detailed scrutiny exercise on the proposal involving evidence from service users.”

- 2) Recommends that in future the committee is made aware of issues of a sensitive and emotive concern to local communities as potential items for scrutiny.

Appendices

Appendix 1: Early Help in Herefordshire

Background papers

None identified.