



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 1 February 2024

Report of the Executive Director - Children's Services

Early Help and Children's Centres in Derbyshire
(Cabinet Member for Children and Families)

1. Divisions Affected

1.1 County-wide

2. Key Decision

2.1 This is a key decision

3. Purpose

3.1 To seek urgent approval to commence public consultation, and engagement with partner agencies on the proposed redesign of the Early Help service including Children's Centres.

3.2 To seek an in-principle decision from Cabinet for public consultation should savings proposals to specific services for children with a disability require this.

4. Information and Analysis

4.1 The current Early Help Teams and Children's Centres provide support to children, young people and families with an evidenced level of intensive needs (as set out in the Derby City and Derbyshire Safeguarding Children Threshold Document) including the following:

- Support undertaking Early Help Assessments with children, young people and families
- One to one support within the home
- Direct work with children and young people
- Parenting assessments
- Family Time (supervised contact)
- Connecting children, young people and families to more sustainable and community-based support
- Lead professionals leading a Team Around the Family
- Parenting groups delivering the Solihull Parenting Approach and Non-Violent Resistance training
- Core offer of groups and activities for children 0-5 and their families focussed on child development, school readiness and parenting
- Targeted support to reduce the risks of children being exploited (CE)
- Missing Return Interviews
- Use of the Graded Care Profile (to support cases of neglect or compromised parenting)
- Street and community based detached work with young people
- Support to address conflict within families
- Support to improve family relationships
- Support to improve school attendance / engagement with education

4.2 The local authority has a statutory duty to promote contact, under s34 of the Children Act 1989. This places the council under a duty to allow the child in its care reasonable contact with parents and other family members as defined in s34(1). Whilst some contact between looked after children and family can be in the community, with younger children this is often at Children's Centres. A large number of Children's Centre buildings also provide opportunities for partners and volunteers to support children, young people and families.

4.3 Children's Centre staff play an important role around the Keeping Babies Safe agenda and so a pre-birth framework of direct work is delivered one to one with families, or through a targeted antenatal group. The work incorporates the key areas of the 'Keeping Babies Safe' partnership approach, as well as additional important considerations such as practical preparation for birth, coping with a crying baby, play and stimulation.

4.4 The Early Help Development Team sits within the wider Early Help Service. This team has been in place since 2019 and was established

as part of the previous Early Help Review and funded through the Supporting Families reserve. The staff within the team are on fixed term contracts until 31 July 2024.

- 4.5 The Early Help Development Team's role is primarily to support partners to develop and deliver their own early help interventions (thereby reducing the need for Children's Services to provide on-going support). The team also works with community groups and volunteers to grow and develop provision for young people.
- 4.6 The role of building strength in families to keep children with their families is vital work that prevents children coming into care. The [best practice guidance](#) recognises the importance of that work. Key provisions introduced in Working together to safeguard children 2023 (nspcc.org.uk) sets out the relevant guidance in relation to early help and the involvement of families in the design of any services.
- 4.7 The work of both the Early Help Teams and Children's Centres were commended by the Ofsted inspectors during their recent inspection of Children's Services (November 2023).
- 4.8 In order to support the required savings to support setting a balanced budget Children's Services have put forward plans to save around £2.80m from the Early Help Service and Children's Centre offer.
- 4.9 It is also proposed not to extend the Early Help Development Team beyond 31 July 2024 thereby reducing demand for the Supporting Families reserve by £1.6m per year.

5 Consultation

- 5.1 In relation to Early Help and Children's Centres, it is proposed to begin a 6-week period of consultation with the public, and also engagement with partner agencies including:
 - Schools
 - Colleges
 - Public Health Nursing
 - GPs
 - Derbyshire Police
 - Community Safety
 - Post-16 training providers
 - Midwifery
 - Derby City and Derbyshire Safeguarding Children Partnership

- Social Care
- Schools & Learning
- Thriving Communities
- Youth Justice
- CAMHS
- Public Health
- Court service and the local judiciary
- CAFCASS and solicitors acting for parents

5.2 The local authority is considering the most efficient and effective use of disabled residential services in one of our homes called The Getaway, and the support services provided directly to families in local communities through the Outback service.

5.3 An in-principle decision is being requested of Cabinet that when the detail of these changes is clarified, should the implementation of any changes require public consultation, Cabinet have already taken this in principle decision.

5.4 In relation to the local offer, this will be subject to annual review in the Spring and appropriate consultation will be undertaken with the following groups, individuals and organisations as outlined below:-

- Children and young people with special educational needs and the parents of children with special educational needs;
- Children and young people with a disability, and the parents of children with a disability;
- The governing bodies of maintained schools and maintained nursery schools;
- The proprietors of Academies;
- The governing bodies, proprietors or principals of post-16 institutions;
- The governing bodies of non-maintained special schools;
- The management committees of pupil referral units;
- The providers of relevant early years education;
- The youth offending teams that the authority thinks have functions in relation to children or young people for whom it is responsible;
- Any other person that makes special educational provision for a child or young person for whom it is responsible and those who provide advice in relation to making that provision;
- Persons who make provision to assist children and young people in preparation for adulthood and independent living;
- Its officers who
 - exercise the authority's functions relating to education or

- training;
 - exercise the authority's social services functions for children or young people with special educational needs or a disability;
- The National Health Service Commissioning Board;
- Any clinical commissioning group—
 - whose area coincides with, or falls wholly or partly within, the local authority's area, or
 - which exercises functions in relation to children or young people for whom the authority is responsible;
- Any NHS trust or NHS foundation trust which provides services in the authority's area, or which exercises functions in relation to children or young people for whom the authority is responsible;
- Any local Health Board which exercises functions in relation to children or young people for whom the authority is responsible;
- Any health and wellbeing board established under section 194 of the Health and Social Care Act 2012 which exercises functions in relation to children or young people for whom the authority is responsible.

5.3 Section 5D of the Childcare Act 2006 provides that:
An English local authority must secure such consultation as they think appropriate is carried out before:-

- making a significant change to the range and nature of services provided through a children's centre and/or how they are delivered ...
- closing a children's centre ...

5.4 The consultation, including an online questionnaire, will be promoted through a public awareness campaign.

5.5 Formal consultation with staff impacted by the budget reductions will take place at a later date.

6 Services for disabled children

6.1 Consideration is being given to the realignment of the Getaway short breaks Service to improve efficiency and effectiveness of use. Similarly, a review is being considered in relation to the Outback service which provides direct support to children with a disability and their families. Cabinet is requested to agree a public consultation can progress in relation to the Getaway and Outback too

7 Alternative Options Considered

- 7.1 The alternative option would be for no public consultation to be undertaken which could lead to potential reputational risk, potentials complaints and/or representations.

8 Implications

- 8.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

9 Background Papers

- 9.1 None identified.

10 Appendices

- 10.1 Appendix 1 – Implications

11 Recommendation

That Cabinet:

Approves the commencement of public consultation, and engagement with partner agencies on the proposed redesign of the Early Help service including Children's Centres, and specific services for children with a disability as outlined above.

Approves an in-principle decision for public consultation should savings proposals to specific services for children with a disability require this.

12 Reasons for Recommendation

- 12.1 Approving the commencement of the consultation will allow the public and partners an opportunity to share their views in relation to the proposed redesign and provides opportunities for ideas to be developed to support the shape of the service redesign.

13 Is it necessary to waive the call-in period?

- 12.1 No

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Implications

Financial

- 1.1 The consultation can be carried out utilising existing resources, therefore there are no direct financial implications. The outcome of the consultation will inform plans for Children's Early Help Services. As set out in sections 4.8 and 4.9, in order to deliver the required savings to achieve a balanced budget, Children's Services have put forward plans to save around £2.80m from the Early Help Service and Children's Centre offer and is proposing not to extend the Early Help Development Team beyond 31 July 2024, reducing demand for the Supporting Families reserve by £1.6m per year.

Legal

- 2.1 Under 5D of the Childcare Act 2006 the Council has a statutory duty to consult before any significant change is made in the services provided through a relevant Children's centre.

The Council has a wide discretion as to what the consultation should comprise of taking into consideration the Statutory guidance which sets out the consultees, and that any such consultation should make it clear how the needs of families with children under 5 would continue to be met under any proposed service reorganisation.

The Council should consult everyone who could be affected by the proposed changes, for example, local families, those who use the centres, children's centre staff, advisory board members and service providers. Particular attention should be given to ensuring disadvantaged families and minority groups participate in consultations. It is advisable to consult with partner agencies and charitable organisations.

In relation to service provided to disabled children, the council must make provision for a wide range of short breaks that are sufficient to meet local need. The council are also under a duty to publish a local offer detailing the arranging for short break provision. Depending on the detail of any proposal it may trigger a consultation process possibly as part of a review to the local offer or alternatively as a statutory duty.

Case law has established that there is a wide discretion as to what the consultation should comprise of subject only to the requirement of Statutory Guidance.

Other Case law has established minimum requirements for public consultation which can be summarised as: -

- Consultation must be at a time when proposals are at a formative stage.
 - Sufficient information must be given to permit a person to “give an intelligent consideration and response”.
- Adequate time must be given for consideration and response.

Case law determines that 10 weeks is a fair consultation period for such issues however, this is not a minimum requirement. A shorter consultation period may leave the Council vulnerable to judicial review. However, the risk of this may be mitigated by the quality of the consultation.

Under **S149 (1) of the Equality Act 2010** there is a positive obligation upon the Council to have “due regard to” the need to advance equal opportunities to people who have a protected characteristic. Under S4 of the Equality Act there is a list of protected characteristics. There is the need to assess the risk and extent of any likely adverse impact of the proposed decision on those with protected characteristics. An Equality Impact Assessment will evidence the Council’s compliance with this duty.

Human Resources

- 3.1 Any workforce implications arising from the proposals will be the subject of further reports on the conclusion of public consultation. Staff will be included in the public consultation.

Information Technology

- 4.1 No relevant implications for this report

Equalities Impact

- 5.1 An equalities impact assessment will be undertaken following the public consultation and the analysis shared in a future Cabinet report.

Corporate objectives and priorities for change

- 6.1 The recommendation within this report does not impact on the delivery of the priorities set out in the Council Plan. Should proposals be agreed by Cabinet in the coming months to reduce funding in Early Help and Children's Centres leading to a service re-design, this will impact on the

priorities set out in the council plan and this will be outlined in a subsequent Cabinet report.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 No other relevant implications for this report.