

# Briefing Note

## **PROCEEDINGS OF THE POLICY AND PERFORMANCE CO-ORDINATING COMMITTEE MEETING HELD ON WEDNESDAY, 12 NOVEMBER 2014**

In attendance: Councillor M McLaughlin (Chair) and Councillors T Anderson, B Berry, C Blakeley, P Brightmore, P Doughty, D Elderton, L Fraser, P Gilchrist, R Gregson, W Smith, M Sullivan, I Williams, J Williams and J Williamson.

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors W Clements, A Hodson, M Hornby, A Leech, C Muspratt and S Williams.

### **2. CODE OF CONDUCT - DECLARATIONS OF INTEREST RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012, INCLUDING PARTY WHIP DECLARATIONS**

Councillor P Hayes, Lead Member and signatory to the Called-in decision, declared a personal interest because of this and by virtue of being a Director of Overton Community Centre that ran a Nursery. Councillors B Berry and L Fraser declared a personal interest by virtue of them being signatories to the called-in decision. It was noted that no Member of the Committee was subject to the Party Whip.

### **3. CALL-IN OF A DELEGATED DECISION - MINUTE NO. 54 - EARLY YEARS AND CHILDREN'S CENTRES**

The Committee had before it for consideration a report by the Strategic Director of Transformation and Resources that included the relevant documents in relation to the called-in key decision of the Cabinet following the Early Years and Children Centre Review. (Cabinet Minute No. 54 refers.)

Appended to the Strategic Director's report were the following documents:

Appendix 1 - Call-in Procedure which included the names of the witnesses provided by both the Lead Member and Signatory to the Call-in and the Decision-Taker.

Appendix 2 - The Call-in Notice.

Appendix 3 - The Cabinet Report.

Appendix 4 - August 2014 – Wirral Early Years & Children's Centre Review.

Appendix 5 - An Extract from the Minutes of the Cabinet meeting held on 11 September 2014. (Minute No. 54)

The Committee was reminded in the report that the Call-in Procedure had been agreed by at its meeting held on 24 June 2013 and

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subsequently revised at a further meeting held on 15 October 2014. The Call-in Procedure had been revised to ensure that:

- (a) witnesses to a called-in decision, who attended the meeting had the flexibility to read out a written statement to the Committee within a timescale not to exceed five minutes; and
- (b) the relevant Cabinet Member and the Lead Member and Signatory to the call-in could be questioned once they had made statements to the Committee.

The Committee noted that the decision had been called-in by Councillors P Hayes, J Green, G Watt, I Fraser, J Hale, G Ellis, L Rennie, T Anderson, S Williams, B Berry, A Sykes and E Boulton. It was also noted that the Signatories had raised the following four significant points:

‘We are concerned that such a huge reduction in service provision will have a real and adverse impact on those communities who have come to rely upon the valuable services offered through our Children’s Centres.

A decision so crucial to the Council’s provision of early year’s services should be subject to further member scrutiny.

Mindful of the concerns raised over alleged deficiencies with the consultation on the closure of the Lyndale School, we require further details as to how future consultations to ‘progress’ the recommendations will take place and its format.

We are concerned that the Leader of the Council is reported to have said that the plans mean the Council will retain the buildings and “hopefully have a new government next year and we can build these services back up”. Is the mothballing of buildings in the hope of a change in government conducive to a well thought through Early Years policy? Is the Leader confident a different government would allow for the ‘building up’ of these services and what is the evidence of this? These are questions which should be further explored.’

## **Chair’s Opening Remarks**

The Chair on opening the meeting asked Members, Officers and Witnesses in attendance to introduce themselves and they duly obliged. The Chair then proposed that the Call-in Procedure be varied so that the Leader of the Council, Councillor P Davies, a Call-in Witness and also a Witness for the Decision-Taker, could leave the meeting at 6:45pm to attend to other Council business. On a question from a Member the Head of Legal and Member Services confirmed that the Committee could vary its procedure if it saw fit to do so. The Chair’s

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proposal was then seconded and a vote was taken and it was agreed (10 for and 5 against (with Councillor C Blakeley voting against) that the call-in procedure be varied and Councillor P Davies be the first witness to come forward and make his opening statement and answer any questions that the Committee may have.

The Lead Member and Signatory to the Call-in asked the Chair if he could address the Committee on a matter before the Leader began to give evidence. The Chair agreed to his request.

The Lead Member and Signatory to the Call-in informed that he had wanted to call as a witness a representative of Unison but unfortunately, she had been unable to attend the meeting. The representative had formulated some written remarks and he sought permission to present them to the Committee.

The Chair informed that the Call-in Procedure did not allow for written witness evidence to be presented at a meeting if the actual Witness was not in attendance. A similar request had been considered previously by the Committee and Members, when they considered this very issue, had also considered that it was very important that the Committee had the opportunity to question all witnesses and/or seek clarification on any points raised by witnesses. The Head of Legal and Member Services confirmed that the Chair was correct in her understanding and that the Committee had previously exercised its discretion and refused a written statement from a Witness who was not in attendance at a Call-in meeting.

The Chair then proposed that the Committee adhere to the procedure it had used in the past and that the written statement of the witness who had been unable to attend be not accepted, this was seconded and a vote was taken and it was agreed (10 for and 5 against (with Councillor C Blakeley voting against) that the procedure this Committee has used in the past be adhered to and the written statement of the Witness who had been unable to attend this meeting be not accepted.

## **Explanation of the Call-In by the Lead Member and Signatory, Councillor Paul Hayes**

Councillor P Hayes informed the Committee that the Cabinet had made a very important decision which he considered could benefit from further scrutiny. earlier in the meeting. The Cabinet Member for Children and Family Services had previously informed that he was a strong advocate of Early Years and what could be achieved. The cross party view was important and consequently his view was that the Key Decision should be considered again.

The Early Years and Children Centre Review had ticked all the boxes in terms of strategic thinking and partnerships but Councillor P Hayes

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questioned whether this really was the case in respect of this Review as the partners felt left out and hood winked and the staff felt let down by the consultation.

Councillor P Hayes considered that this Key Decision had been more about funding cuts than presenting a plan to ensure Early Years remained a priority for the Council. It was not evidenced based but was emulating another local authority who had a set of different circumstance to that of Wirral.

## **Explanation of the Decision Taken by the Cabinet – Councillor T Smith – Cabinet Member – Children and Family Services**

Councillor T Smith set out the chronology and reasoning of how the Cabinet arrived at its decision to resolve

- '(1) That the Wirral Early Years and Children's Centre Review undertaken between April – July 2014 and detailed in August 2014, be endorsed.
- (2) That Cabinet notes that a key consideration of the review has been to ensure that efficiencies of £2m (agreed in December 2013), can be chieved for the 2014 – 2015 period. The review has noted and acknowledged that there will be continued financial pressures on public sector services.
- (3) That the recommendations detailed in the Review be progressed through to a public consultation.
- (4) That a six week consultation period be undertaken to progress the recommendations detailed in the Review, which will advise a future delivery approach for the Early Years and Children's Centre Service, namely that –
  - (i) The Children's Centre offer becomes an integral part of the Early Help offer through effective identification and support of children and families who need targeted early help. An overarching aim is to safely reduce the number of children referred to social care or accessing specialist/statutory services. *Noting*, as key to this, that in 2013 the former Children's Centre Family Support Resource shifted to become an integrated part of the Borough's wider Family Support offer, aligned and co-ordinated based on need and demand to the Gateway and as part of targeted services.
  - (ii) Work to establish strategic and operational policies and procedures to ensure that a joint service offer across the Borough's early childhood services develop – reducing

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duplication, and cost and improving outcomes. This will see formal commissioning partnership arrangements drawn up between the Council and health visiting and the Council and Jobcentre Plus (as statutory partners). These will include agreements for effective and robust information sharing. This will see wherever possible a health visiting and Jobcentre Plus service delivered through Children's Centres and built around integrating delivery plans aligned through the outcomes framework (see page 7 of the Review).

- (iii) Staffing Structures are developed for four Constituency Areas, designed around need and population. A Central Business Support Team will also be developed to secure the wider Early Years and Childcare remit and offer essential support to the operation of Children's Centre activity.
- (iv) To secure one main Children's Centre (which will be designated with DfE as full core purpose offer centres) in each of the four Constituency Localities. This will give a named Children's Centre for every child and support the local authority to carry out its statutory function to evidence sufficient Children's Centre activity. It is anticipated that all other current buildings will be preserved through partnership working with key stakeholders such as schools, health, and the voluntary, private and independent sector to offer an element of targeted support in those areas where there is a high local need identified. This will see the 18 Children's Centre buildings deliver as:
  - 4 Main Hubs or Designated Children's Centres
  - 4 Outreach or Satellite of the Main Hubs
  - 2 work as an extended nursery school to offer service
  - delivery alongside the poverty hub schools
  - 4 potentially transferred to be delivered by schools
  - 4 to be further developed with schools and partners'

Councillor T Smith referred to the current financial position of the Council, informed that further reductions in funding were anticipated and that Early Years had not been the subject of a review since its inception in 2002. The current practice and approach to the delivery of Children's Services did not reflect well enough the Government Guidance introduced in 2013. In short he informed that the Early Years and Children's Centre's Services and general approach were out of step but he was confident that the Review would address this for the good of the Services going forward.

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## **Evidence from Call-In and Decision-Taker's Witness Councillor P Davies**

Councillor P Davies provided the Committee with a short statement and informed that he had seen the wording of the Call-in Notice. He then reminded the Committee why Early Years and Children's Centres had been the subject of discussion since 2010. Councillor P Davies told the Committee that public services had been absolutely savaged by Central Government and that the Council was only half way through the period of austerity that had been planned, witnessing unprecedented cuts and that this would continue to impact on a local authority like Wirral. The Early Years Intervention Grant had been completely cut from the Council's budget and the Council was now witnessing a scorched earth approach.

Councillor P Davies referred to the recent report of the Joseph Rowntree Foundation and reminded the Committee that areas in the North of England had suffered greater cuts than those in the South. He informed that the reality of all of this was that the Council had to make profound decisions on its services in order to ensure that the books balanced. He considered the report to be a good starter for ten, subject to the six week consultation to look at how the Council could reshape Early Years and Children's Centres, in the light of the funding cuts it had to make. The end result must be that the Council lived within its means whilst delivering a good quality service.

Finally, Councillor P Davies made reference to the fact that he had been quoted in the Call-in Notice. He reported that it was not an accurate quote and he considered that, given the cuts the Coalition Government was making, the Council should try to retain Children's Centres, One Stop Shops, Libraries etc. with a reduced service so that if, in the future, a more enlightened Government was elected, the Council could build them up again. Councillor P Davies informed that his Political Group accepted that the Council's deficit needed to be driven down but that this should be done in a more humane way for local authorities like Wirral that had high levels of social deprivation.

Members then asked Councillor P Davies a number of questions which he answered accordingly. Issues raised during this session included the following:

- Money the Council had loaned and the income it had generated over the last five years.
- The cost to the Council of servicing its loans? Councillor Phil Davies as unable to answer this question as he had not received any notice of it but agreed to write to the Member who had asked this question with the answer in due course.
- A Member claimed that in the last five years the Council had spent £77m in interest payments and queried whether the

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approach that was being adopted was good financial management.

- A Member informed that the Leader had been quoted as saying that the Council would not be closing Children's Centres like other local authorities and queried whether this was a sensible approach. Councillor P Davies replied that he considered that it was and that it would be short sighted to close buildings in the Council's ownership because it was difficult to open them once they were mothballed. Quite often they were the subject of vandalism. However, the Council did have a policy to reduce the number of buildings it owned but it was Councillor P Davies' view that Libraries, One Stop Shops and Children's Centres etc. provided a valuable service and with a more enlightened Government in the future, they could be built back up.
- A Member's view was that decisions were been taken based on hope for the future and that he had seen the Council's approach to Children and Young People in respect of its proposal to close the Lyndale School where no savings would be made.
- A Member referred to the staffing levels on page 51 of the agenda (page 35 of the Review document at Appendix 4) and queried how the Council would get to the new levels and target the new service to meet need and asked what work had been done to show that the new structure suggested met the need. Councillor P Davies responded that broadly, the Council needed to have a model of hubs and satellite Children's Centres. Some would be taken over by schools and services delivered in partnership. The Council needed to be more robust in identifying families in the deprived areas of the Borough and robust in recording the outcomes that were delivered. The Council had been good at recording outputs and activity but Councillor P Davies questioned whether it was addressing the deep levels of poverty. It needed to capture the impact that would be delivered going forward. • Councillor P Davies asked what the cost to the Council had been of capitalising the redundancies of 1100 members of staff.
- A Member asked if Councillor P Davies had made his objections clear to Central Government and if it had received cross Party support. Councillor P Davies replied that he had made numerous representations but unfortunately, the Government did not listen. The Key Decision, subject to the call-in, was based on a sensible analysis of what the Council had to do to make savings and deliver services. He was happy with an all Party approach to protesting about the level of cuts and would be happy to join a delegation to see the Prime Minister and the Deputy Prime Minister to tell them that the level of cuts the Council was being forced to make was unacceptable and point out the level of misery that the 'Bedroom Tax' was causing.
- This approach was the only way to target the Council's services and the only way forward. The Council had to be more strategic, tailor its services and find new ways of delivering them. It was a

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problematic solution and in an ideal world Councillor P Davies would not want to do this.

- Reference was made by a Member to the Council lending money to Carlisle Council at an interest rate of ½%. Councillor P Davies informed that the money the Council lent generated additional funding it would not have had otherwise. This was a Treasury Management Policy that all Councils used.

## **Questioning of the Lead Member and Signatory by the Committee**

Members were afforded the opportunity to question Councillor P Hayes. Issues raised during this session included the following:

- Councillor P Hayes believed that the review should be a review of the service as a whole and that it should not just be based on cutting the service. It needed to be a mixture of both of these.
- Councillor P Hayes considered that there needed to be more targeting of service but not by using a broad brush approach and that certain officers had been operating in silos and not consulting on what they were doing.
- Councillor P Hayes was of the view that the consultation process had not been carried out properly. A fundamental review to change the way the Council worked clearly needed proper consultation with partners, families and staff. There was little evidence of any work in this regard.
- A Member admitted confusion with the way the Call-in Notice had been worded and referred to a statutory Government Report published in 2013. Councillor P Hayes advised that the Government has said that local authorities need to look at a targeted approach but it had to be done working collaboratively with partners etc.
- A Member informed that Officers had tried to come up with targeted services to address inadequacies on the Wirral. Councillor P Hayes informed to do this they needed to speak to staff; families and partners but currently, they had no ownership of this.
- Many of the Centres were providing services very well but the report did not recognise this.
- A Member asked who were the partners and where were they, who had been consulted and who had not. Councillor P Hayes informed that this would be made plain to the Committee when his witnesses were invited to give evidence.
- Councillor P Hayes was asked if he had a specific interest in Early Years. He informed that he hoped that Early Years would make a dent in child poverty in Wirral.
- Councillor P Hayes was asked if he had any involvement with Early Years. He informed that he had only as a Borough Councillor and that he did not have children.
- Councillor P Hayes considered that the Council's staff were well placed to provide quality services and the Council needed to



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work with them to shape them. They had not had any involvement in any shape or form.

- Councillor P Hayes was of the view that there should have been a proper review document.
- A Member informed that he was not convinced that Councillor P Hayes understood the report and what was being done and queried whether he was using the call-in process for political gain, as he had been a signatory to a number of call-ins.

## **Questioning of the Cabinet Member – Children and Family Services by the Committee**

Members were afforded the opportunity to question Councillor T Smith. Issues raised during this session included the following:

- A Member asked for details of the consultation exercise undertaken before the Key Decision was taken. Councillor T Smith informed that there had been pre consultation, one of the most extensive pre consultation exercises carried out by the local authority. It had involved all partners and had been done extremely well. Officers had put in a lot of time and effort in to consulting in a rigorous and robust way.
- A Member asked to see evidence of the pre consultation results and asked why the consultees had not received copies of the notes taken. Councillor T Smith informed that the Minutes would be made available to the consultees.
- A Member referred to the fact that there had not been a review of this service area since 2002 and asked if expectations in respect of Early Years had changed since this time. Councillor T Smith informed that there had been some tremendous legislation in 2002, brought about by a Labour Government and outcomes for children in the most disadvantaged areas had been as good as they could have been. He wanted the best for all children on Wirral and this was the purpose of the review. Councillor T Smith reported that in 2012, when he became a Cabinet Member, he began to review the situation. He also informed that because of funding cuts he was aware that 500 Children's Centres had been closed across the country since 2011.
- A Member considered that it must be established whether the pre consultation process on which the Key Decision had been based had been flawed. Councillor T Smith reported that, in his opinion, the pre consultation had been as extensive and robust as it could have been carried out by a local authority.
- A Member asked why if Councillor T Smith wanted the best for all the children in the Borough, when it was also proposed to close the Lyndale School when it was within budget.

{The Chair informed that this question was out of order and advised Councillor T Smith not to answer it.}

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- There had been some pre consultation and there was to be another consultation period of six weeks and partners would be involved. The Council aimed to provide the best opportunities for all children in the Borough and to do this would go the extra mile to support them. The six week consultation would be robust and the views of partners, schools and other interested parties in Early Years would be sought. There had not been a review since 2002, the world and families had changed, the Council did not have all of the knowledge and would need to look at any best practice. The aim was to improve outcomes for all Wirral children in a smarter way, even if savings could not be made. Councillor T Smith indicated that he would listen carefully to those who provided suggestions/solutions to improve outcomes for those children who lived in disadvantaged areas, with an open mind, so that when they transferred to school they were 'school ready'.
- A Member noted that Appendix 3 and Appendix 5 (Pages 15, 53 and 54 of the Agenda referred to reducing duplication and queried what duplication should be reduced, referring in particular to health visiting. Councillor T Smith informed that he wanted no duplication of what health visitors did and that the Council needed to work closely with them. All organisations involved needed to play a part in the Early Years and the Council must work smarter with the Health Service.
- Councillor T Smith considered it imperative to ensure that more funding was provided in the areas of greatest deprivation in order to ensure good parenting and that their children were encouraged to participate from ages one, two and three.
- A Member queried whether the further six weeks of consultation was adequate and had the Christmas period been taken into account. Councillor T Smith informed that he had spoken to Lead Members in other Councils who had only had three weeks of consultation but he was flexible, especially over the Christmas period. He had received very robust feedback.

It was then proposed and seconded and it was agreed that the Committee adjourn for five Minutes so that members could have a comfort break.

Adjournment

## **Evidence from Call-in Witnesses:**

**Cathlyn Hughes, Head of Leasowe Early Years and Adult Learning Centre; Lynn Loughran, Wirral Link Forum Member; and Steve Vasey, Children and Family Services Manager, Wirral Autistic Society**

Members were afforded the opportunity to question the three witnesses listed above. Issues raised during this session included the following:

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- The view of one witness was that there had not been any meaningful consultation with voluntary organisations and the families with whom she worked. Voluntary organisations and families had been unaware that a pre consultation exercise of such importance had been taking place and the voice of these people should be heard.
- It was important that there were effective services providing best outcomes and services for the families with whom the witnesses worked.
- One witness informed that he had some first-hand experience of the pre scrutiny. He had been invited to a meeting on 30 April 2014 as a member of the Bromborough Steering Group. Issues discussed had been recorded on a flip chart. On 24 September 2014 a document had been discussed at the Link Forum. It had become apparent to him that he had been the only person who had attended a consultation meeting. Link Forum members had shared their concerns that they had not been consulted. He accepted the need for funding and that it had to be targeted but was confused about what he had been engaged in and concerned about difficult to reach families.
- A witness informed that she understood the Council's position regarding funding cuts and that new ways of working had to be identified. She was also aware that the Council needed to make its decisions as fair as possible. However, the recommendations in the report did not meet that aspiration.
- It was considered that the detail of the review was unclear.
- High aspirations were embedded in the SEN Code of Practice.
- Nursery School Teachers believed that they had been omitted from the first round of the consultation.
- No consultation meetings had been held in the Leasowe and Moreton areas.
- The witnesses were worried about the huge reduction in funding and that it was not targeted enough on the most vulnerable. Cuts continued to be made in funding to Leasowe Children's Centre and delegated schools savings. Service delivery had been built up whilst making savings and staff had not been made redundant.
- The effect of the Voluntary Intervention Programme was discussed. It was noted that there were more children with challenging behaviour and there were more children who were not 'school ready'. This made families more vulnerable not less vulnerable.
- A witness believed that budget allocation had not been done in a clear way and money had been syphoned off. Staff structures did not provide enough capacity. As a result, children and families would fall through the net.
- A witness was concerned that there were no options being put forward on which to consult and considered the review to be fundamentally flawed. Opportunities had been missed to maximise the service. It was accepted that the further consultation would be robust but what consultees were being consulted on was a worry.

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- On being asked by the Chair whether the witnesses would like a responsive consultation process, a witness informed that his concern and that of his organisation was that the document being reviewed did not go far enough and it was obvious that the specific needs of families on the Wirral was not understood. He queried how the decisions had been arrived at. It was a difficult time and disaffected families did not understand the processes being gone through. Outreach Workers were the life's blood of these families. From them decisions were made on how to support the services. Too much funding had been taken away and there were no longer enough Outreach Workers to support these families.

The Chair announced that there was an emergency in the local area as two buildings had collapsed into the street. This meant that the Town Hall had to be evacuated before Brighton Street was closed. She proposed, it was seconded and it was agreed that the meeting be adjourned because of an emergency in the local area to a date and time to be agreed as soon as possible.

Adjournment