



## Scrutiny Committee

**Tuesday 5 April 2016 at 7.00 pm**  
Boardrooms 3-5 - Brent Civic Centre

### Membership:

#### Members

Councillors:

Kelcher (Chair)  
Colwill (Vice-Chair)  
Daly  
Farah  
Long  
Miller  
Stopp  
Tatler

#### Substitute Members

Councillors:

Agha, Hector, Khan, J Mitchell Murray, Nerva,  
Ketan Sheth and Thomas

Councillors:

Kansagra and Maurice

#### Co-opted Members

Ms Christine Cargill  
Mr Alloysius Frederick  
Dr J Levison  
Mr Payam Tamiz  
Iram Yaqub  
Vacancy

#### Observers

Ms J Cooper  
Mrs L Gouldbourne  
Ms J Roberts  
Brent Youth Parliament representatives

**For further information contact:** Peter Goss, Democratic Services Manager  
020 8937 1353, [peter.goss@brent.gov.uk](mailto:peter.goss@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members.

Item	Page
<b>1 Declarations of interests</b>	
Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.	
<b>2 Deputations (if any)</b>	
<b>3 Minutes of the previous meeting</b>	
To follow.	
<b>4 Matters arising (if any)</b>	
<b>5 Call-in of Report on Tackling Illegal Rubbish Dumping and Litter with Uniformed Street Patrols</b>	1 - 16
The decisions of Cabinet to approve a proposal to enter into a pilot contract with Kingdom Security Limited for the delivery of a payment-by results, cost-neutral uniformed service for the enforcement of street scene and environmental offences in the borough for a period of 12 months have been called in for scrutiny.	
<b>6 National Adoption Reform Proposals</b>	17 - 32
The purpose of this report is to provide information to the Council's Scrutiny Committee, as requested, about the proposals for adoption reform contained within the government's Education and Adoption Bill 2015 and how the local authority is responding to these proposals.	
<b>7 Brent and Harrow Systems Resilience Group - Update on Winter 2015/16 and planning for 2016/17</b>	33 - 38
The purpose of this paper is to provide the Brent Scrutiny Committee with an update on the progress to date made by the Brent and Harrow Systems Resilience Group (SRG) with regard to managing winter pressures in 2015/16 and the impact that this has had on performance.	

**8 Access to affordable childcare** 39 - 48

This is a requested update on the paper brought to Scrutiny in June 2015. It considers the challenge of providing access to affordable, quality childcare in Brent.

**9 HR and Equalities review** 49 - 54

A review of HR Policies & Equalities was carried out in October 2014 by Councillor Michael Pavey and this report provides an update on the action plan.

Information supporting the report to follow.

**10 Scrutiny forward plan** 55 - 56

**11 Any other urgent business**

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

**Date of the next meeting: Tuesday 26 April 2016**



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- The meeting room is accessible by lift and seats will be provided for members of the public.

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## Scrutiny Committee 5 April 2016

### Report from Strategic Director- Regeneration and Environment

For Information

### Call-in of Report on Tackling Illegal Rubbish Dumping and Litter with Uniformed Street Patrols

#### 1.0 Summary

- 1.1 This briefing has been prepared in response to the Scrutiny call in of the Cabinet decision to approve a proposal to enter into a pilot contract with Kingdom Security Limited for the delivery of a payment-by results, cost-neutral uniformed service for the enforcement of street scene and environmental offences in the borough for a period of 12 months.
- 1.2 Further information is set out below in response to the specific concerns raised in the notice of call in.
- 1.3 Officers are available ahead of the meeting and would welcome advance notice of further areas of interest in order that as much information as possible can be provided on the night.

#### 2.0 Recommendation

That the Members of Scrutiny Committee note the information provided by officers in response to the specific reasons for call-in.

#### 3.0 Detail

The following concerns were raised by the committee and are addressed in turn below:

- (i) That the OSC and its Task Groups has been publicly credited for the policy but have had little or no role in its development and implementation
- (ii) The terms, pay and conditions of the people who will work on patrols, and their relationships to officers working on enforcement currently working in the Council
- (iii) The lack of consideration of an in-house option
- (iv) The process by which Kingdom was chosen as a partner for the trial period
- (v) Some of the costings contained in the report

**3.1 The OSC and its Task Groups has been publicly credited for the policy but have had little or no role in its development and implementation**

The stated purpose of the OSC Task Group was to identify suitable means of controlling the illegal dumping problem in Brent. This was set in the context of reducing budgets, as follows:

*“At a key moment in Brent’s history, when cuts to the Council’s budget are demanding extremely difficult funding decisions, the effect of issues such as fly-tipping on community spirit must not be underestimated. It is therefore vital for the Council to consider innovative and long-lasting solutions to the problem. “*

The specific recommendation 14 was:

*“We will look to pre-capitalise on new fly-tipping legislation, to be brought forward next year, by following a similar model to Ealing Council, as below:*

*‘The council has teamed up with Kingdom Security to provide dedicated teams of uniformed officers in the borough. Kingdom Security will work with the council’s environmental enforcement officers, providing a high-profile deterrent and issuing £80 fines. Operating initially on a one-year trial basis, Kingdom Security is working at no cost to the council. Instead they will take a share of the fines they issue’.*

Officers have subsequently moved this work forward on the belief that the Ealing model was preferred and that it required Kingdom, specifically, to be engaged. It was not considered a requirement to fully consult the OSC through this process and officers acknowledge that may have been a misunderstanding. It was felt, admittedly, that licence had been granted through the recommendation itself.

**3.2 The terms, pay and conditions of the people who will work on patrols, and their relationships to officers working on enforcement currently working in the Council**

Kingdom advise that their rates of pay for an Enforcement Officer are £9.61 per hour, and that they pay their supervisors £12.00 per hour (both of which are above the 2016 London Living Wage of £9.40 per hour).

All operatives would be employed to work 8 hours per day across a 40-hour week, with evening and weekend working forming part of the weekly work pattern. There is no comparable role within the council and no internal job evaluation has been undertaken.

The Waste Enforcement roles attract a salary of Pay Scale PO1 (currently £31,368-£33,660); however, these directly employed officers undertake very different work. They use investigatory powers to administer enforcement cases through the formal process right up to and including representing the council in court, which accounts for the higher job evaluation outcome.

The work that Kingdom is being asked to do is very much intended to complement and not replace the work of the existing in house team, who do not have the capacity, and are not equipped to carry out pro-active litter enforcement patrols.

**3.3 The lack of consideration of an in-house option**

This is a one-year pilot project to test a concept. In order to enable quick mobilisation, at no cost and little risk to the Council, it was felt that the most appropriate course of action would be to engage an existing service provider who was already operating in the West London area.

If viewed on a like-for-like basis, an in house model would appear to have the potential to generate more net revenue, but the council would have to take on the financial risk of less than an average five valid FPNs being issued per day.

Ealing Borough Council (who now have a similar 12-month pilot in place with Kingdom) previously tried to operate the service as an in-house operation, but took the decision to outsource it because the in-house operation was not effective. Officers were regularly distracted from their core enforcement activities and re-deployed onto other work. Ealing's current position is that an in house model would not be suitable for their particular local authority. This is highly specialised work, and the council currently lacks specific expertise in this area. Since outsourcing the service to Kingdom, recovery rates in Ealing are now exceeding 70%.

When taking into account recruitment, training, procurement and provision of equipment and vehicles, an in house operation would also take longer to set up than using an established private sector specialist with an operational presence in the area. Given that the current proposals are for a 12-month pilot only, it is felt that the lead times and costs of mobilisation could not be justified.

As is set out in the Cabinet report, it is proposed that the trial will be evaluated throughout to enable a full understanding of the impact of the service, make an informed decision as to whether or not to continue with it, consider the merits of in-house provision compared with outsourced service, and (if decided to proceed with an outsourced service) expose the service to a full procurement exercise in due course.

This trial does not in any way prevent an in house service being provided in the longer term, should it be felt that there is a strong case for taking this course of action.

### **3.4 The process by which Kingdom was chosen as a partner for the trial period**

Kingdom have been recommended as a partner for the trial in response to the specific recommendations of the OSC; and on the basis that there are good operational and financial reasons for doing so.

Kingdom are already carrying out similar trials with Ealing, Harrow and Hounslow Councils, and the proposal to use them in Brent provides the opportunity to benefit from links with established operations in these neighbouring boroughs.

It will enable the Council to test a cross-border working relationship to see the extent to which it provides greater flexibility and service resilience. Specifically, it is felt that the cross-authorisation of Enforcement Officers, reporting into a regional team leader will deliver significant operational advantages such as increased flexibility of deployment through a shared pool of authorised officers, providing adequate cover during periods of leave and sickness, shared knowledge and expertise, and the scope to carry out joined-up operations in specific areas.

The fact that Kingdom already have a strong presence in West London will also enable rapid mobilisation.

As is detailed in the Cabinet report, the proposed contract with Kingdom is a service concession contract. Service concession contracts fall outside the scope of the existing EU procurement legislation.

It is considered that the contract with Kingdom is likely to be a Medium Value Contract under the Council's Standing Orders and Financial Regulations. Contract Standing Order 96(a) provides that for contracts with an estimated value below the EU Procurement Regulations threshold, tenders shall be invited for Medium Value Contracts. However, Contract Standing Order 84(a) provides that subject to compliance with domestic and European legislation, the Cabinet may agree an exemption from the requirement to procure in accordance with Contract Standing Orders where there are "good operational and/or financial reasons".

In the Cabinet report, Members were referred to the reasons (set out in paragraph 3.5, and reiterated above) and were asked to consider whether they constituted good operational and / or financial reasons for awarding a one year pilot contract directly to Kingdom Security Limited rather than carrying out a formal tendering process.

### 3.5 Some of the costings contained in the report

The financial implications of this initiative are set out in Paragraph 7 of the Cabinet report.

In summary, Kingdom's business model is based on income received from the serving of fixed penalty notices (FPN's) in relation to environmental offences. For every valid £80 FPN issued Kingdom Security Limited would receive £46 as a payment from the council. For every £80 FPN paid the council will receive the income.

The modelling presented in the Cabinet report assumes that four officers would be deployed, each issuing an average of five valid FPNs per day, of which 70% would be collected (this being the level of payment reported by Ealing and others). The table below sets out the financial implications in detail:

4 Officers issuing 5 FPN's daily	5,200 FPN's issued per annum @ £46 each	Total payment to Kingdom = £239,200
70% Payment rate achieved	3,640 FPN's paid @ £80 each	Total income from the scheme = £291,200
Subtract payment to Kingdom from total income from scheme	£291,200-£239,200	<b>Total annual income to Council = £52,000</b>

## 4.0 Financial and Legal Implications

See Cabinet report

## 5.0 Diversity Implications

5.1 None

### Background Papers

None

### Contact Officers

Rob Anderton, Head of Service, Public Realm, x5001

Chris Whyte, Operational Director, Environmental Services, x 5342



Decisions of Cabinet on 14 March 2016 on report headed:  
Tackling Illegal Rubbish Dumping and Litter with Uniformed Street Patrols

- (i) that a pilot contract for the delivery of a uniformed service for the enforcement of street scene and environmental offences in the borough be exempt from the requirements of the Council's Contract Standing Orders in respect of conducting a tender process.
- (ii) that the proposal to enter into a pilot contract with Kingdom Security Limited for the delivery of a payment-by results, cost-neutral uniformed service for the enforcement of street scene and environmental offences in the borough for a period of 12 months be approved;
- (iii) that the proposal to suspend the offer of a reduced payment for early settlement of litter-related Fixed Penalty Notices for the period of the pilot be noted and endorsed.

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**Cabinet**  
14 March 2016

**Report from Strategic Director-  
Regeneration and Environment**

For Action

**Report on Tackling Illegal Rubbish Dumping and Litter with  
Uniformed Street Patrols**

**1.0 Summary**

- 1.1 This report sets out proposals to deploy a suitably experienced and qualified contractor to provide uniformed enforcement officers and the necessary infrastructure for the delivery of dedicated enforcement of street scene and environmental offences such as litter, dog fouling, fly-tipping, spitting, fly posting and graffiti at problem areas across Brent.
- 1.2 This will require the contractor to provide a team of experienced and competent enforcement officers, a team leader and adequate administrative support to create a high profile, self-funding enforcement initiative tackling street scene issues across Brent. The primary focus of the initiative in the first instance is to make Brent cleaner and change behaviour towards environmental offences.
- 1.3 Officers propose a one-year pilot contract is entered into with a company called Kingdom Security Ltd, with evaluation taking place throughout, and with a full procurement taking place during the course of that year, should the pilot prove to be successful.

**2.0 Recommendations**

- 2.1 That Cabinet agree to exempt a pilot contract for the delivery of a uniformed service for the enforcement of street scene and environmental offences in the borough from the requirements of the Council's Contract Standing Orders in respect of conducting a tender process.
- 2.2 That Cabinet approve the proposal to enter into a pilot contract with Kingdom Security Limited for the delivery of a payment-by results, cost-neutral uniformed service for the enforcement of street scene and environmental offences in the borough for a period of 12 months.
- 2.3 That Cabinet note and endorse the proposal to suspend the offer of a reduced payment for early settlement of litter-related Fixed Penalty Notices for the period of the pilot.

### **3.0 Background**

- 3.1 Environmental crime can affect the quality of the local environment and can have an impact on how places look and are perceived. It can also influence how attractive areas are to residents, workers, visitors and investors such as businesses and their trade. Ultimately, it can affect how safe and happy people feel about living in an area.
- 3.2 Departmentally, responsibility for environmental crime enforcement is with the Public Realm Waste Enforcement Team, which sits within the Regeneration and Environment Directorate.
- 3.3 A range of activities are currently undertaken by the council in order to maintain the cleanliness of the local environment and the street scene. A key aim of the council's Waste Enforcement Team is to drive down litter and reduce fly-tipping. This requires consistent enforcement of certain environmental legislation, which to date has been carried out by council staff in a targeted manner, dealing generally with high profile offences.
- 3.4 This proposal aims to build on this by providing additional capacity to undertake the issuing of Fixed Penalty Notices (FPNs) in the borough to achieve zero tolerance, principally in town centres and other high footfall areas.
- 3.4 The Clean Neighbourhoods and Environment Act 2005 (the 2005 Act) gave the Council power to use FPNs for litter offences. Since the introduction of the 2005 Act the Council's available resources have stayed static at a relatively low level. Work is underway to improve the work programme of the current Waste Enforcement Team utilising intelligence driven enforcement and improved procedures, particularly through better partnering with the council's ASB officers and with the Public Realm Contractor, Veolia. However, the Waste Enforcement Team does not have the capacity to provide a dedicated litter enforcement service.
- 3.5 Kingdom Security Limited currently provides services in Harrow, Ealing, Havant, Barnsley, Knowsley, Denbighshire, Birmingham City, Maidstone and Croydon and has been enforcing legislation on behalf of councils for seven years. Officers have entered into discussions with Ealing and Harrow Councils about their partnerships with Kingdom Security Limited. Both councils indicated engaging Kingdom Security Limited to assist with enforcement of environmental legislation has been positive. Based on these discussions, Officers propose delivery of such a service in Brent on a trial/pilot basis. Employing Kingdom on a time-limited trial basis will enable the Council to establish the pilot quickly, and will also provide the opportunity to test (and deliberately benefit from) a cross-border working relationship with the neighbouring boroughs of Harrow and Ealing- both of whom are already working with Kingdom. Specifically, the cross-authorisation of Enforcement Officers, reporting into a regional team leader will deliver significant flexibility and service resilience.
- 3.6 This initiative is part of a recommendation from the Council's recent Scrutiny Task Group that explored solutions for the widespread problem of fly-tipping.
- 3.7 In addition to covering a range of waste and litter issues, the initiative will address particular problems with cigarette litter and paan spitting in town centres. In addition there is a gap between public perception of street cleanliness and actual cleanliness and it is hoped a high profile and visible initiative will also impact on future customer satisfaction surveys.

## **4 Basic Service**

- 4.1 The operating model is 'zero cost enforcement' that pays for itself. It can also support Brent's waste enforcement and ASB teams, carrying out enforcement under the Environmental Protection Act in the public realm (including parks) in relation to:-
- Spitting
  - Littering
  - Fly-tipping
  - Dog fouling
  - Graffiti
- 4.2 The contract would provide the opportunity to deploy a highly visible and robust enforcement response to tackle these growing environmental offence issues whilst maintaining normal service delivery in other areas of work.
- 4.3 The Kingdom Group was formed by former personnel of the Armed Forces and Police who employ the same ethics, skills, experience and protocols of that background to deliver services in private security and investigation and, more recently, a new division supporting local authorities in the delivery of environmental enforcement.
- 4.4 It is expected that the enforcement officers will be deployed to patrol hot spot areas and to issue FPNs to anyone found guilty of committing an environmental offence, e.g. dropping litter or dumping items of waste. The number of enforcement officers to be deployed will be governed by the number of locations experience litter in the borough and how the service operates on the ground.
- 4.5 Recognising the administrative burden associated with issuing the FPNs, the contractor will be expected to provide the following support systems:
- Administrative resources to process fixed penalties;
  - The handling of all enquiries regarding the payment of fixed penalties or appeals received against the notices issued; and
  - Investigation and provision of reports on all complaints made against their officers whilst acting on behalf of the council.
- 4.6 Experience of Kingdom's work in other boroughs suggests that there are very few appeals against tickets issued. Nevertheless, it is important to provide an independent review opportunity and this will be developed as part of the detailed terms of engagement. It is proposed that this is signed off by the Strategic Director of Regeneration & Environment under delegated authority.
- 4.7 The enforcement officers provided by the contractor will carry Brent identification and be authorised as Brent officers for the purpose of enforcement against littering and environmental offence.
- 4.8 The only perceived difference is that that the enforcement officers would be wearing uniform, be wearing overt "body-worn cameras" (to improve payment rates and reduce appeals based on officer conduct) and either overt or covert stab vests for officer safety. The uniform design will be subject to consultation with the Cabinet and signed off by the Strategic Director, under delegated authority, in consultation with the Lead Member.

4.9 Deployment of the enforcement officers would be controlled by a designated council officer who would be able to direct the staff to address issues across the borough. This will be informed through customer reports, by partner organisations and also feedback from Brent staff within our environmental and community safety services. In the first instance, this deployment would need to be primarily intelligence based and revenue-led (targeted at high footfall areas where a significant number of littering offences are likely) in order to ensure a cost-neutral position can be achieved. If and when a strong financial performance has been established, there will potentially be scope to look at other areas of deployment which may not generate such high levels of turnover, but would add value to the current enforcement activity of the Council, such as action against ASB, PSPO support and tackling issues associated with rough sleeping in parks.

4.10 The typical responsibilities to be undertaken by both the council and by the contractor are set out below:

**Brent:**

- Provide authorised officer identity cards to all Enforcement Officers working to the direction of Brent.
- Provide stationery and meet postage costs in respect of the service.
- Arrange for Enforcement Officers to be authorised to issue FPNs on behalf of Brent.
- Provide guidance as to areas to be patrolled and times of patrols.
- Provide workstations for administrative officers employed by the contractor (essentially, the Council will be required to provide an administrative base for Kingdom's operatives at the Civic Centre. Such staff will attend on an ad-hoc basis, and such arrangements will be facilitated locally within the Environmental Services Department). Kingdom will be required to sign a licence covering any such ad hoc occupation as set out in paragraph 8.7.
- Manage and administer the appeals process

**Contractor:**

- Issue FPNs to anyone caught committing an environmental offence.
- Provide fully trained, to Disclosure and Barring Service (DBS) standard, Enforcement Officers, admin support and a senior officer for supervision.
- Provide uniform agreeable to Brent.
- Ensure Enforcement Officers carry out enquiries to ensure accurate identity details have been obtained from offenders before issue of FPNs.
- Provide statistical information and other reports, including equality monitoring.
- Not issue an FPN to a person under the age of 18 or those suspected of suffering mental ill health.

4.11 The contract will be for the provision of services to issue fixed penalty notices under Section 87/88 of the Environmental Protection Act 1990 (EPA) regarding littering, chewing gum, smoking related litter and spitting.

4.12 Once established- and if successful, the scope of the contract may be expanded during the course of the pilot to incorporate other offences, such as:

- Graffiti and Flyposting – Section 43 of the Anti-Social Behaviour Act 2003
- Dog Fouling – Section 3 Dogs (Fouling of Land) Act 1990
- Exposing vehicles for sale on a road - section 6 of the Clean Neighbourhoods and Environment Act 2005

- Carrying out restricted works on a motor vehicle on a road - section 6 of the Clean Neighbourhoods and Environment Act 2005

4.13 No decisions have yet been taken with regards to locations for initial deployment, although Harlesden and Willesden town centres and Wembley Central, particularly Ealing Road have been suggested. This will be agreed after need is formally validated, and with input from the Waste Enforcement Team and Veolia.

4.14 The number of fixed penalties issued will be closely monitored throughout the period along with assessing how the service is operating on the ground.

4.15 To help to ensure that the service is cost neutral, it is proposed to suspend the offer of a reduced payment for litter-related FPN's for the period of the pilot.

## **5.0 Customer care**

5.1 The contractor's relationship with any members of the public would necessarily be conducted in a professional, courteous, and helpful manner with due care and consideration given to special situations and circumstances. The contractor must ensure that staff employed on the contract wear their ID at all times. In the event of a complaint or dispute arising as to their conduct it would be investigated by the contractor and a report produced to the council. These reports will be regularly monitored and discussed.

## **6.0 Added Value**

6.1 In addition to on-street enforcement, the contractor is also able to provide the following:

- 'No cost' provision of back office support and administration
- Trade waste and residential waste investigations
- Dealing with juvenile offenders and education through schools.
- Delivering a bolt on service aimed at investigating failures to recycle domestic waste correctly.
- Positive contribution to the reduction of street litter by intelligence-led patrols
- Working with the police to target other types of antisocial behaviour.

6.2 Any enforcement activity is the final stage of promoting a cleaner borough, and having a more visible presence will also have a wider impact on littering and other environmental offences across the borough. In addition the Communications Team will ensure that this initiative is a fully integrated part of the messaging in the current 'Love Where You Live' campaign, developing a range of activities to support the initiative and to highlight that any littering is likely to result in a fine.

## **7.0 Financial Implications**

7.1 It is proposed that the pilot contract with Kingdom Security Limited will be on a payment by results, cost neutral basis.

7.2 Kingdom Security Limited's business model is based on income received from the serving of fixed penalty notices in relation to environmental offences. For every valid £80 FPN issued Kingdom Security Limited would receive £46 as a payment from the council. For every FPN paid the council will receive the income. In practice, not all

valid FPNs would in due course be paid, and it would be reasonable for budget planning purposes to assume some level of bad debts.

- 7.3 Initial assumptions by the service, although they would have to be refined, are that four officers would be deployed, each issuing an average of five valid FPNs per day, of which in due course 70% would be collected. Based on these initial assumptions 5,200 valid FPNs would be issued (assuming no weekend working), generating a payment from the council of about £0.24m. The payments to the council, on this model, would be about £0.29m, generating a surplus of some £50,000 over the period of the pilot.
- 7.4 This would need to be tested during the early months of the pilot, in order that a competitive procurement could then take place for the continued provision of the service, assuming that the results of the pilot in that period were considered favourable. Amongst other things this pilot would need to show that the actual collection rate was at least 58% in order for the solution to be cost neutral.
- 7.5 It is proposed that any additional income generated by the initiative would be utilised to fund any additional costs to the council (such as additional legal support to pursue non-payment, etc.) and to support provision of additional equipment for environmental education and enforcement campaigns with Safer Brent Partners

## **8 Legal Implications**

- 8.1 Part IV of the Environmental Protection Act 1990 (EPA) contains powers and duties to enable certain bodies to manage litter and associated environmental issues on the land for which they are responsible. Section 18 of the Clean Neighbourhoods and Environment Act 2005 (CNEA) amends section 87 of the EPA by extending the offence of littering to apply on all types of land, whether public or privately owned, on the land itself or in water. Section 19 of the 2005 Act amending Section 94A of the EPA as insert by Section 22 of the CNEA enables an authorised officer of a litter authority (individuals other than their own employees) to issue Fixed Penalty Notices to a person has committed an offence under the EPA 1990. An authority may use its fixed penalty receipts to spend in the course of enforcement functions under Part 4 of the Environmental Protection Act 1990; section 43 of the Anti-social Behaviour Act 2003; Chapter 1 of Part 6 of the Clean Neighbourhoods and Environment Act 2005; and such other of its functions as may be specified in regulations made by the appropriate person (any of the authorities functions).
- 8.2 A one year pilot contract with Kingdom Security Ltd is proposed, with evaluation taking place throughout, and with a full procurement to take place during the course of that year should the pilot prove to be successful.
- 8.3 Based on the information set out in the body of the report, the proposed contract with Kingdom Security Limited is a service concession contract. Services concessions contracts fall outside the scope of the existing EU procurement legislation but, it is recommended that if there is a cross border interest in the arrangement, it will be caught under the EU Treaty and so subject to the general obligations of transparency (including a duty to advertise), equal treatment and non-discrimination. Given the nature of services to be provided by Kingdom Security Limited and the short duration of the proposed contract, it is considered that the proposal will not contravene these general duties.



- 8.4 It is considered that the value of the contract to Kingdom Security Limited is likely to be a Medium Value Contract under the Council's Standing Orders (CSO) and Financial Regulations. Contract Standing Order 96(a) provides that for contracts with an estimated value below the EU Procurement Regulations threshold, tenders shall be invited for Medium Value Contracts. However, Contract Standing Order 84(a) provides that subject to compliance with domestic and European legislation, the Cabinet may agree an exemption from the requirement to procure in accordance with Contract Standing Orders where there are "good operational and/or financial reasons". For the reasons detailed in paragraph 8.3 it is not considered there is a breach of domestic or EU legislation. Members are referred to the reasons set out in paragraph 3.5 and will need to consider whether these constitute good operational and / or financial reasons for awarding a one year pilot contract directly to Kingdom Security Limited rather than carrying out a formal tendering process.
- 8.5 The Environmental Protection Act 1990, provides that the litter authority to which a fixed penalty is payable "may make provision for treating it as having been paid if a lesser amount is paid before the end of a period specified by the authority".
- 8.6 On that basis and in order to deliver a cost-neutral solution, Cabinet is asked to note that the Strategic Director of Regeneration and Environment intends to suspend the offer of reduced payment for litter-related FPN's for the period of the pilot in accordance with Part 4, Paragraphs 2.4 and 2.5 of the Council's Constitution.
- 8.7 As indicated in paragraph 4.9, the council will provide an administrative base for Kingdom Security Limited's staff at the Civic Centre on an ad hoc basis. This will require the Kingdom Security Limited to enter into a licence arrangement governing the occupation of their staff whilst at the Civic Centre.

### **Contact Officers**

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Head of Service, Public Realm,  
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Chris Whyte,  
Operational Director, Environmental & Employment Services,  
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Email: chris.whyte@brent.gov.uk

**LORRAINE LANGHAM**  
**Strategic Director Regeneration & Environment**

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# EA SCREEN – Litter Patrols

## Department Person Responsible

Regeneration & Environment – Chris Whyte/ Rob Anderton

## Created Last Review

24 February 2016

## Status Next Review

24 February 2017

## Screening Data

1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

This should be read in conjunction with the Cabinet report –Tackling ASB and fly-tipping with uniformed street patrols

2. Who is affected by the proposal? Consider residents, staff and external stakeholders.

Any resident, business owner or visitor to the borough.

3. Could the proposal impact on people in different ways because of their equality characteristics?

- No. We would not expect the proposal to impact differently on people because of their protected characteristics. We have specifically stated that those under 18 or those suffering from mental illness or serious mental health issues should not be served with FPNs as we identified that there was a risk to these groups.

4. Could the proposal have a disproportionate impact on some equality groups?

Enforcement will be targeted at particular problem hotspots so there is a risk that some equality groups could be adversely affected by this initiative, in proportion with the demography of the target area. It is also possible, that some groups of people may be more likely to drop litter than others, for example because they are not aware of the law.

In order to ensure this risk is managed and mitigated, the Contractor will actively monitor enforcement activity and will routinely provide management information to the Council (including a detailed breakdown of enforcement action taken across all equality groups). The council will therefore be in a position to promptly take action should any adverse impact be identified in practice.

5. Would the proposal change or remove services used by vulnerable groups of people?

No

6. Does the proposal relate to an area with known inequalities?

Yes

Most of the areas that will require this new intervention comprise perceptible and well established cultural and /or ethnic communities.

7. Is the proposal likely to be sensitive or important for some people because of their equality characteristics?

No

8. Does the proposal relate to one of Brent's equality objectives?

Yes


1. To know and understand our communities

2. To involve our communities effectively

To ensure local public services are responsive to different needs and treat users with dignity and respect – Will ensure that a high quality service is provided that is mindful of equality considerations and meets the individual residents and visitors.

**Recommend this EA for Full Analysis?**

No

 <p><b>Brent</b></p>	<p style="text-align: center;"><b>Scrutiny Committee</b> 5 April 2016</p> <p style="text-align: center;"><b>Report from the Strategic Director of Children and Young People</b></p>
<p style="text-align: center;"><b>National Adoption Reform Proposals</b></p>	

## 1.0 Summary

- 1.1 The purpose of this report is to provide information to the Council's Scrutiny Committee, as requested, about the proposals for adoption reform contained within the government's Education and Adoption Bill 2015 and how the local authority is responding to these proposals.

## 2.0 Recommendation

- 2.1 The Scrutiny Committee is requested to review, comment on and question the contents of this report to ensure it is satisfied with current progress in reforming adoption services.

## 3.0 Background

- 3.1 In June 2015 the Department for Education published 'Regionalising Adoption'<sup>1</sup>. This was followed the same month by the introduction of the Education and Adoption Bill. Government's view is that structural change will help to:

- Speed up the process and markedly improve the life chances of neglected and damaged children.
- Improve adopter recruitment and adoption support.
- Reduce costs.

- 3.2 Lords' amendments to the Bill are currently being considered by the House of Commons with Royal Assent likely within the next few months.

- 3.3 The issues that the government is seeking to address within adoption reform are as follows:

- *Inefficiencies*. The current system is fragmented with around 180 agencies, both Local Authority and Voluntary Adoption Agencies

(VAA), recruiting and matching adopters for only 5000 children per year. The majority of agencies are operating at a very small scale and this hinders strategic planning and economies of scale.

- *Timeliness of placing children.* Whilst there has been significant improvement in the performance of Local Authorities in placing children swiftly with adoptive families there is further progress that can be made. This is particularly the case with harder to place children, often older, within a sibling group or with a disability.
- *Adopter recruitment.* Again there has been improvement in both the number of adopters recruited and the timescales to achieve this. However, whilst the number of approved adopters nationally is now greater than the number of children waiting, many of these adopters are less willing to consider those children who are harder to place.
- *Adoption support.* The help that is offered to families after adoption is the responsibility of Local Authorities. However it is currently fragmented and characterised by a combination of in-house and spot-purchased arrangements with often significant variations between local authority areas.

**3.4** The specific proposal within the Education and Adoption Bill 2015, as it relates to adoption reform, is to support the creation of regional adoption agencies, as the preferred delivery structure to ensure the issues identified above are resolved. Government has asked the sector to propose the most suitable method of scale and scope for these regional agencies and has provided funding to achieve this. It is the intention that by the end of the current parliament there will be a regional adoption agency in place for every part of England. There are powers within the Bill to force a Local Authority or VAA to join a regional agency if no action is taken.

**3.5** It is likely that there will be either one large regional adoption agency created for London or a smaller collection of sub-regional agencies. These will bring together all adoption services that are currently being delivered by Local Authorities and VAAs.

**3.6** Brent's adoption management and performance is monitored at 6-monthly intervals by the Corporate Parenting Committee. The most recent report is attached at appendix 1, for those Members who wish to understand further detail about current arrangements.

## **4.0 The London Position**

**4.1** Under the previous government a National Adoption Leadership Board was created to oversee improvements across the sector. Adoption reform work

across London is co-ordinated by the London Adoption Board (LAB), which is accountable to the Association of London Directors of Children's Services. The LAB is made up of representatives from the London sub-regions and includes both Local Authorities and VAAs. Brent is represented at the LAB by the London Borough of Ealing, who represent all of the authorities within the West London Adoption Consortium.

- 4.2** The LAB is taking the lead in responding to the regionalisation agenda and ensuring there is a co-ordinated response from all agencies. The vision for adoption work within London, as expressed by the LAB is to ensure that children and adopters are at the heart of service change. The 'Regionalising Adoption, Vision for London' document can be found at appendix 2. For agencies the vision is to recognise existing expertise and that change must aim to minimise complexity whilst promoting a flexibility of approach.
- 4.3** The key design criteria for a London model are to ensure it is child focused, to reduce inconsistencies of support offered, to consider the options to pool resources and to maintain good links to Local Authorities who will remain responsible for the child's journey through to adoption.

## **5.0 Progress Update**

- 5.1** The LAB is currently within a 'scope and define' period, as agreed by the DfE that is seeking to identify the most suitable delivery model for a regionalised adoption service for London. There have been a number of engagement and consultation events with adopters and staff working within adoption services across London over the last 3 months. These have included the Brent Strategic Director for Children's Services and the Lead Member for Children's Services.
- 5.2** A proposal will be presented to London Directors of Children's Services in April that will, if agreed, be given to the DfE to consider funding a delivery stage of the regionalisation programme. Whilst it is not possible to fully predict at this stage the likely move to a regionalised approach, current indications suggest this will not be until December 2017. London is a more complex regionalisation project than other areas, primarily due to the number of agencies involved. The Minister of State for Children and Families wrote to all Adoption Agencies in February 2016 to request that time was taken to ensure that the arrangements were not rushed and would lead to transformative change.
- 5.3** The type of regional adoption agency currently under main consideration is a London-wide agency with some services being delivered locally. Should this not be achievable then smaller sub-regional groupings will be considered.

## **6.0 Financial Implications**

**6.1** One of the likely benefits of the regionalised approach will be the realisation of economies of scale. The management of Brent's adoption responsibilities are likely to require fewer resources once the regional agency is established. Although regionalisation will lead to a financial saving from 2017/18, Children and Young People's Services had already offered a saving of £108,000 as part of its 2015/16 savings package on the assumption that adoption reform would have taken place sooner. These savings were however delivered through alternative efficiencies delivered within the Placements' budget. The forecast savings will be clarified during the 2016/17 financial year once the identified model is confirmed and implementation plans are enacted.

## **7.0 Legal Implications**

**7.1** The Education and Adoption Bill intends to make provision about joint arrangements for carrying out local authority adoption functions in England, with the aim, amongst other things, of increasing the performance of adoption services.

**7.2** Clause 13 of the Bill would give the Secretary of State a new power to direct one or more local authorities to make arrangements for any or all of their specified adoption functions to be carried out on their behalf by one of the local authorities named or by another adoption agency. The Secretary of State can either name which adoption agency should carry out these functions, or instruct the local authorities to determine who should carry out the functions. This means that if the Bill is passed by Parliament the government will have the power to remove the adoption function from a local authority it considers failing within its adoption duties and to pass these responsibilities to another agency.

**7.3** In May 2015 Government Minister Edward Timpson stated that the new powers, "will require councils to combine their adoption functions if they fail to join together services under their own steam within the next 2 years." However within the current Bill there is no reference to a waiting period. The possibility remains that in the final Act of Parliament a time limit may be imposed upon local authorities. The position will have to be revisited once the Bill receives royal assent and becomes legally binding.

## **8.0 Diversity Implications**

**8.1** The proposals for adoption regionalisation aim to improve services to children most in need of adoption and the families who care for them. To this end, those children most in need of adoption and currently least likely to find a permanent home through this route will benefit most from these proposed changes.



**8.2** Any proposed changes must ensure that current progress to achieve adoption more quickly for children is not delayed due to the structural changes that will be required.

## **9.0 Staffing Implications**

**9.1** It is highly likely that the regionalisation approach will require a restructuring of children's social work services as they relate to adoption. This will be a complex and detailed undertaking as it would involve the co-ordination of approximately forty separate adoption agencies. The DfE has indicated that funding will be available to support the transition from current to future service delivery models.

**9.2** Staff within the service have been kept regularly informed regarding progress towards regionalisation and some have taken part in the current consultation. Regular communication from the LAB is planned over the coming months to ensure a consistent approach and understanding for staff at all levels.

## **Appendices**

1. Corporate Parenting Committee November 2015: Brent Adoption Service Report, 1<sup>st</sup> April – 30<sup>th</sup> September 2015.
2. London Adoption Board Vision Statement

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**STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE  
GAIL TOLLEY**

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<sup>i</sup> <https://www.gov.uk/government/publications/regional-adoption-agencies-programme>

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 <p><b>Brent</b></p>	<p><b>Corporate Parenting Committee November 2015</b></p> <p><b>Report from the Strategic Director of Children and Young People</b></p>
<p>Brent Adoption Service Report 1st April –30<sup>th</sup> September 2015</p>	

## **1.0 Summary**

- 1.1 The purpose of this report is to provide information to the Council's Corporate Parenting Committee about the general management of the adoption service and how it is achieving good outcomes for children.
- 1.2 This report details the activity of Brent's adoption service from April 1<sup>st</sup> – September 30<sup>th</sup> 2015.

## **2.0 Recommendations**

- 2.1 The Corporate Parenting Committee is requested to review, comment on and question the contents of this report. This is to provide evidence that the management of the adoption service is being monitored and challenged in order to promote good outcomes for children. This is in line with standard 25.6 of the Adoption National Minimum Standards (2014).

## **3.0 Background**

- 3.1 Our 2015-16 Adoption Statement of Purpose highlights the outcomes that the service aims to support:
  - Children are entitled to grow up as part of a loving family that can meet their developmental needs during childhood and beyond.
  - Adopted children should have an enjoyable childhood, benefit from excellent parenting and education, enjoying a wide range of opportunities to develop their talents and skills leading to a successful adult life.
  - Children, birth parents/guardians and families, and adoptive parents and families will be valued and respected.

**3.2** Since the 1<sup>st</sup> April 2014, adoption services have been delivered through two teams:

- A Placements Assessment and Recruitment Team – responsible for the recruitment, assessment and training of prospective adopters, as well as family finding and support for them post approval up until Adoption Order.
- An Adoption and Post Permanency team – responsible for family finding for children with an adoption plan; statutory social work responsibility for children subject to a Placement Order up until Adoption Order; supporting adoptive families, Special Guardians and birth families and providing a counselling and intermediary service for adopted adults and their birth relatives.

#### **4. Performance Data**

4.1 The most recent set of national adoption scorecards were published in December 2014, covering the 3-year period 2012-14 and were presented to the July 2015 Corporate Parenting Committee.

4.2 The next set of adoption scorecards covering the reporting period 2012-13 to 2014-15 will not be released until the end of this calendar year. Whilst it is not yet possible to provide comparative data, Brent performance against the two most significant indicators has continued to improve:

- **A1** (The time taken from a child entering care to being placed for adoption): 544 days. This is a 9% improvement against the previous reporting period.
- **A2** (The time taken from the Local Authority receiving court authority to place a child for adoption and a match being approved): 197 days. This is a 36% improvement against the previous reporting period.

4.3 Projections have been made for the current reporting year, based on performance achieved to date and planned activity until 31<sup>st</sup> March 2016. This updated adoption timeliness data shows the following continued performance improvements. As at 30<sup>th</sup> September 2015 the indicators were as follows:

- **A1:** 492 days.
- **A2:** 180 days.

#### **4.4 Child related data – 1<sup>st</sup> April – 30<sup>th</sup> September 2015**

- In the first six months of this reporting year 1 child was adopted.
- At the 30<sup>th</sup> September there were 10 Looked After Children with an adoption plan who had not yet been adopted. The details of these children's cases are as follows:

- Five children are placed for adoption.
  - Two are living with foster carers where the adoption application has been made.
  - Two children have not yet been made subject of Placement Orders – in these cases there is background family finding from the adoption team.
  - One child's plan is changing away from adoption.
- Three children's plans changed away from adoption during this period. In one case a subsequent assessment of the birth parents resulted in the child remaining in the care of his parents. In another case the court determined that a family member should care for the child under a Special Guardianship Order and Supervision Order to the local authority in which the family member lived. In the third case the child's complex mental health needs resulted in no links with prospective adopters in over 5 years. The child's plan is now one of long-term fostering with his current foster carer.
- As stated in previous reports, all Local Authorities continue to report a reduction in the number of children being made subject to placement orders. A placement order is the court authorisation that a child can be formally placed with approved adopters. The Department for Education recently provided quarterly data suggesting that new placement orders have continued to fall; from 1,550 in quarter 2, 2013-14 to 740 in quarter 1, 2015-16, a decrease of 52%. Brent has also seen a reduction in numbers of children with placement orders and as a result it is projected that there will be 6-8 adoptions made this reporting year. However our own analysis and auditing of children entering care confirms that all children's plans are effectively scrutinised and adoption prioritised where it is in that child's best interests.
- The child adopted during this reporting period was Brent's first Fostering for Adoption arrangement, an initiative aimed at reducing the time a child spends in foster care before moving to his/her permanent family.

#### **4.5 Adopter Recruitment**

- At 30<sup>th</sup> September 2015 Brent had 15 approved adoptive households for children where a child had not yet been matched or placed. The number of children requiring adoption and not yet matched or placed continues to be lower than the number of approved adopters.
- During the reporting period the service received 47 enquiries about adoption. Many people following this enquiry were signposted to our monthly information evenings. The enquiries received have resulted in 4 ongoing adoption assessments and 4 adoptive households being

approved during the reporting period. Of the 4 on-going adoption assessments, 2 are in stage one and 2 are in stage two of the process.

- Three Brent approved adoptive households were matched to children within the reporting period. Two of the families waited between 3-6 months after approval. In the other case the adopters waited more than 12 months for a suitable match, although there had been extensive support offered to assist with family finding.
- Brent continues to attract adopters from a diversity of backgrounds in order to best meet the variety of needs of our Looked After Children. However, in line with the general profile of adopters nationally, the majority of Brent adopters currently waiting to be linked or matched to children are of white British or Asian heritage.

#### **4.6 Adoption Support**

- In 2014-15, 47 families received a post-adoption support package (not one-off advice). This support was primarily provided through financial allowances which are reviewed and means tested but also includes lifestory work, strategies for managing difficult behaviour and advice on managing emotional issues within families brought about through contact with birth families.
- In the six months between 1<sup>st</sup> April and 30 September 2015, 9 new families have requested adoption support. Of these families four have had successful applications to the Adoption Support Fund (ASF) following an assessment. Two further ASF assessments are in process. Brent also successfully submitted a joint West London Adoption Consortium ASF bid for therapeutic parenting support where three Brent families will attend and benefit.

### **5. The Adoption and Permanence Panel**

#### **The Adoption and Permanence Panel**

- 5.1** The purpose and role of the Adoption and Permanence panel was set out in detail within a previous Brent Adoption Service Report (1<sup>st</sup> April - 30<sup>th</sup> September 2014) to the Corporate Parenting Committee.
- 5.2** The Panel continues to meet once a month in respect of all matters concerning adoption. During this reporting period the adoption panel Chair stated her overall satisfaction with the quality of work presented to panel and the effective gatekeeping role undertaken by the panel advisor. The Chair reported that panel continues to be a critical friend to the Local Authority and uses tracking data effectively to ensure that work is within regulatory guidelines. The Local Authority has also considered and implemented practice recommendations of panel in a number of cases.

- 5.3** A joint annual training day for adoption panel members and the adoption team staff is held and the last one was delivered in January 2015 by the British Agency for Adoption and Fostering. The next training day has been scheduled for November 2015.
- 5.4** In line with statutory guidance, a central list of panel members is used on a rotating basis to ensure members maintain regular links with Brent and current issues in adoption. The central list consists of an independent chair, an independent vice chair, other independent members including a birth mother with experience of adoption, an adopted person, a former Looked After Child and a foster carer from another Local Authority. There are also panel members employed by Brent, including representatives from education, health, the probation service and Children's Centres as well as an elected member. All panel members contribute to an annual appraisal and have the opportunity to attend any additional relevant training provided by Brent and the West London Adoption Consortium.
- 5.5** Panel feedback from prospective and approved adopters and presenting social workers has remained consistent in confirming good or excellent comments regarding the panel process and conduct. Feedback concerning the performance of the social work casework is provided to the Agency Decision Maker who ensures this is given to the Head of Service, Placements, for follow up with individual staff or, should the issues be more systemic, broader service improvement. A recent example would be concerns about whether religious or cultural beliefs had been sufficiently questioned when considering if prospective adopters could unconditionally accept an adopted child. This led to a further piece of work to reassure both panel and Local Authority of the prospective adopters' commitment.
- 5.6** During the period 1<sup>st</sup> April – 30<sup>th</sup> September 2015 five panels were held with thirteen specific cases discussed during these sessions. Within this group:
- Three households were recommended as suitable to adopt.
  - Four children were recommended to be placed for adoption with specific carers
  - The long-term fostering matches of eight children were discussed (four individual children and two sibling groups of two). All were recommended except for one individual child's match that was deferred pending confirmation of a current DBS for the carer.

All of the recommendations made to the Agency Decision Maker were ratified.

## **6. Service Improvement**

- 6.1** Over the last six months, the service has continued to improve outcomes for children with adoption plans in the following ways:

- Through effective tracking of timescales at initial and monthly permanency planning meetings at a team manager level, supplemented by quarterly tracking at Head of Service level for children with an adoption plan. This effective oversight continues to contribute to a reduction in the period of time from a child becoming Looked After to being placed for adoption.
- By ensuring that adoptive families have been assessed and then enabled to access the ASF. This has provided families with targeted therapeutic support when it has been most needed.
- By refining and improving the preparation training for prospective adopters in conjunction with other West London Local Authorities.
- By providing our adopters waiting for a suitable child with a regular support group whereby they can meet with other families to discuss concerns, hear other experiences and ensure we provide services appropriate to individual families' needs.

**6.2 Adoption Support.** A summary of the general activity undertaken in this area was provided within the Brent Adoption Service Report (1st April - 30th September 2014) to the Corporate Parenting Committee.

- The Post Adoption Centre (PAC) 1-year education project ended in September 2015. The project targeted support to children within schools where there were concerns about behaviour and attainment. Each authority within the consortium nominated schools within their borough with whom PAC then worked. Activity was focused on direct work with nominated children and the staff group to encourage longer-term changes within staff understanding. Key outcomes were increased confidence from educational professionals in dealing with children who had been permanently placed within families and also an improvement in relationships between schools and families receiving the support. Consideration is now being given within the West London consortium whether an ASF bid can be submitted for project continuation.
- As described earlier in this report, a number of successful applications have already been made to the ASF, as the Local Authority was ready to make these applications from the start of the programme in May 2015.

**6.3 Involving Adopters.** Many adopters continue to remain closely involved with the service.

- Approved adopters are involved in speaking to prospective adopters at information evenings and preparation groups.
- Adopters are invited to attend relevant training for foster carers where there are crossover issues.



- As described above, in response to the expressed need for adopters waiting for a match we established our 'Next Steps' support group. This takes place bi-monthly and covers a range of issues relevant to the adoption process.
- A bi-monthly Adopters' Support Group for families with children is well established and feedback is positive about the supportive nature of the group. A crèche is provided for this group. Many of the participants in the group attended our annual adopters' picnic that was held in July at a local park.

**6.4 Adopter Feedback.** One formal complaint was received from a Brent approved adopter during this reporting period. This related to dissatisfaction with the process of approving an adoption allowance. The adopter has taken the matter to Stage Two of the corporate complaints' process and this had not been resolved at the time of completion of this report.

**6.5 Staff Engagement.** Staff have contributed to service development during the reporting period. A number of staff attended a large conference on 'brain based parenting', run by the American academic Dan Hughes. Staff who attended then provided a presentation to colleagues within a staff forum. The adoption team also attended a joint event with other boroughs to promote educational attainment for adopted children. Staff also take responsibility for the delivery of adoption preparation courses across other West London authorities.

## **7. Broader adoption issues and the future**

**7.1** As described in the October 2014-March 2015 report to the Corporate Parenting Committee, Brent chairs the West London Adoption Consortium (WLAC). The workplan for the consortium was completed, ensuring agencies are clearer of their responsibilities. An example of collaborative success has been a joint funded ASF project. The WLAC co-ordinator is also now located within the West London Alliance and this is already providing greater effectiveness by sharing administrative support allowing the co-ordinator more time to focus on child and family activities within the workplan.

**7.2** During this reporting period the Education and Adoption Bill was published. Local Authorities will be encouraged to establish regional adoption agencies within 2 years with the risk of these services being removed if sufficient progress is not made. There has been significant activity within the London Adoption Board and regional consortia to agree on future direction for adoption services within London. The Department for Education has made funding available to adoption agencies to consider how this may best be achieved within each region and the London Adoption Board, on behalf of all adoption agencies within London, submitted a bid in

early September. The DfE have determined that the London bid has been successful and has been categorised as a 'Scope and Define' bid. This is because the delivery model is currently unclear. Support is needed to determine the best model and to start to lay foundations for moving to this. This will include producing an options appraisal, deciding on which model to pursue and agreeing a plan for delivering this. The DfE have been clear that any bid and proposal must engage Voluntary Adoption Agencies (VAAs) fully in the design stage, working with them in the spirit of co-production and that this pan-London activity should not get in the way of smaller scale collaborations. The bid will be further scoped before the end of this calendar year with clearer proposals available for each Local Authority to consider and determine what the best model upon which to move forward is.

Appendix – Adoption Newsletter Winter 2015

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**STRATEGIC DIRECTOR OF CHILDREN AND YOUNG PEOPLE  
GAIL TOLLEY**

# Regionalising Adoption Vision for London

## Background

The DfE paper *Regionalising Adoption* proposes the move to regional adoption agencies in order to speed up matching, improve adopter recruitment and adoption support, reduce costs, and improve the life chances of London's most vulnerable children. London is committed to ensuring that regionalisation delivers the best, most timely outcomes and experiences for both children and adopters.

This paper sets out the vision for London based on extensive consultation.

## Vision

**Our vision is to ensure that all London's children who require adoptive families receive excellent services that meet their needs leading to excellent outcomes for them and their adoptive family.**

**For children** where adoption is the best option, we will:

- Ensure that the child and the child's journey is foremost in the new service design.
- Maximise the opportunity to find a loving family as quickly as possible.
- Provide support from the start of their journey through to adulthood, with a proactive and flexible offer to meet their educational, health and emotional needs.
- Involve children and young people in the development of the regionalised service.

**For prospective adopters and adopters**, we will:

- Provide clear, realistic and welcoming communication from first enquiry to post-adoption.
- Ensure that they are equipped to meet their children's current and future needs through high quality training and guidance.
- Deliver evidence-based assessment and approval processes within a consistent timeframe.
- Reduce time taken from approval to matching.
- Provide consistent post-adoption support across the region.
- Increase the diversity of adoptive parents.
- Engage with potential adopters and adoptive parents in the design of the regionalised service.

**For birth parents** of children being adopted, we will:

- Provide consistent access to support throughout London e.g. counselling and contact.

**For local authorities (LAs)**, we will:

- Share learning across the region, and between the local authority and voluntary sector.
- Achieve savings and cost efficiencies, making the best use of public money.
- Match the supply of adopters to the children awaiting adoption across the region.
- Minimise complexity and ensure that barriers are not created between organisations.
- Be adaptable and responsive to manage future changes e.g. demand, legislation.
- Develop a model that allows flexibility in the level of service for individual LAs.
- Engage with universal services to enable consistent provision of adoption support.
- Identify opportunities for regionalised services to support other routes to permanence.
- Involve practitioners working in adoption services in the development of the model.
- Engage with VAAs and ASAs throughout the development of the regionalised model.

**For voluntary adoption agencies (VAAs) and adoption support agencies (ASAs), we will:**

- Create an organisation that recognises and utilises the expertise within the voluntary sector.
- Recognise and respond to demand and funding challenges in the voluntary sector.
- Engage with VAAs, ASAs and LAs throughout the development of the regionalised service.

### **Key Design Criteria of model**

- Child-centred, focussed on achieving the best outcomes for all London's children in need of an adoptive placement.
- Pan-London solution ensuring sufficient numbers of children and reducing any "postcode lottery" of provision across the capital and improving support for adopters.
- Regional focus on capacity and sufficiency ensuring equality of provision.
- Effective and high quality delivery of all statutory duties in relation to adoption and adoption support across London, utilising "Freedoms and Flexibilities" available to local authorities enshrined in amendments to the Children and Young Persons Act 2008.
- Creates an ability to work flexibly around a new London offer.
- Encompasses aspects of other permanency options into the future.
- Commits to close collaboration between all stakeholders.
- Considers the options for pooling resources and sharing responsibilities, including the legal functions currently performed by individual boroughs.
- Maintains and builds a clear relationship with London boroughs who remain responsible for the journey of the child.
- Works closely with VAA partners.
- A cost efficient and effective delivery approach enabling local authorities to deliver significant cost savings in adoption services whilst maintain high quality provision to children and families.
- The majority of funding for the regionalised model will go towards direct work to increase stable, secure, adoptive families for London's children.

### **Governance**

Partners will work together under the strategic leadership of ALDCS, LAB as the multi-agency responsible body, and an executive steering group made up of representatives from LAs, VAAs and London Councils.



*Clinical Commissioning Group*

## **Scrutiny Committee**

5 April 2016

### **Report from**

**Brent Council Strategic Director of Adults and  
Community Wellbeing**

**and**

**NHS Brent Clinical Commissioning Group Chief  
Operating Officer**

**Brent and Harrow Systems Resilience Group  
Update on Winter 2015/16 and Planning for 2016/17**

### **1.0 Summary**

- 1.1 The purpose of this paper is to provide the Brent Scrutiny Committee with an update on the progress to date made by the Brent and Harrow Systems Resilience Group (SRG) with regard to managing winter pressures in 2015/16 and the impact that this has had on performance.
- 1.2 The paper provides details about developing winter plans for 2016/17 which build on lessons learned from initiatives commenced in 2015/16 as well as detail about performance against the Delayed Transfers of Care (DTC) performance standard, which is a key performance target of the Better Care Fund plan.
- 1.3 Over the past winter, there have been cautious signs of improvement which suggest that the internal process and flow work that LNWH have undertaken combined with the efforts of the wider system partners through the SRG and winter plans have made a positive impact on performance.

### **2.0 Recommendations**

- 2.1 The Scrutiny Committee are requested to:

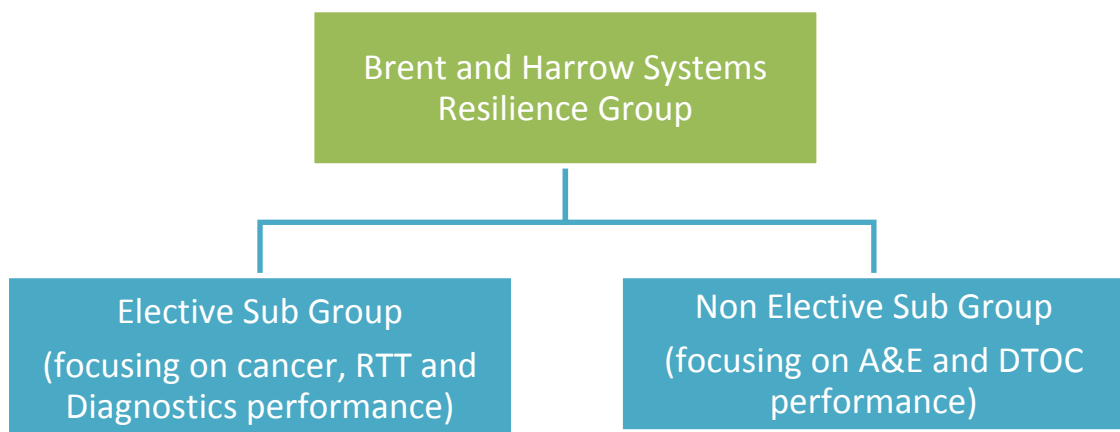
- Review the progress made with managing winter demand
- Note the factors that need to be addressed to improve DTOC performance
- Note the plans being developed for 2016/17, building on successful initiatives in 2015/16

### 3.0 Detail

#### Introduction

- 3.1 SRGs are the forum where all the partners across the health and social care system come together to undertake the regular planning of service delivery. SRGs plan for the capacity required to ensure delivery of the key NHS constitutional standards, which include:
- Referral to Treatment Time (RTT) is within 18 weeks
  - Cancer diagnosis and treatment within 32 and 62 days of referral
  - A&E waits no longer than 4 hours
  - Diagnostic waits no longer than 6 weeks
- 3.2 SRGs offer a powerful opportunity to improve care for patients by, for example, fully integrating emergency healthcare development with primary care (where most unscheduled care takes place). SRGs have helped to establish more patient-centred care and are encouraging shared learning across health and social care communities by working in partnership.
- 3.3 The introduction of the Better Care Fund also brought additional opportunities for working across health and social care. The presence of all health providers and commissioners, as well as local authorities and social care partners, on these groups was crucial to delivering an integrated approach.

#### System Resilience Group overview



- 3.4 The Elective Sub Group of the SRG oversees the delivery of elective projects that have been clinically agreed by members of the SRG. The group also oversees the performance management and quality assurance of the schemes. In doing so, the elective subgroup identifies gaps in the delivery of target outcomes and initiates collaborative task and finish groups. Risks are managed collaboratively through an agreed risk mitigation plan, and significant risks are escalated to the SRG.

- 3.5 The Non Elective Sub Group oversees the delivery of non-elective projects that have been clinically agreed by members of the SRG. Following on from the paper submitted in February 2014 the non-elective group focused on projects such as support for internal flow review, continuing care assessment and nursing home beds to support outflow from Northwick Park. There is substantial focus on implementation and monitoring of winter plan initiatives and performance of Delayed Transfers of Care (DTC).

#### *Winter Plans*

- 3.6 Brent's Better Care Fund Scheme 3 is the Brent Winter Plan, which comprises all of the integration solutions being implemented in Brent that will support reduction in DTC and improve hospital discharge for complex patients by delivering higher quality more streamlined discharge from hospital. This scheme is looking at changing the way health and social care professionals work together in the hospital setting, as well as commissioning possible community services that could support hospital discharge more effectively. For example through developing the bed based care home market to support complex patients within the community.
- 3.7 The hospital based initiatives that were implemented as part of the Brent Winter Plan this year and which will continue to be progressed in 2016/17 are integrated solutions to enable faster and more supportive discharges during the winter period, taking pressure off acute beds. The plans consider the wider system changes and initiatives in North West London and are based on practical ideas that would aid both social care and the local NHS to work together to deliver realistic support during the busy winter period. The 16/17 plans will build on the learning from 15/16 and include:
- Colocation of social workers on the hospital site to improve communications between health and social care (four Hospital Discharge Social Workers moved to Northwick Park Hospital in December 2015, further work is required to move the remainder of the team)
  - Daily DTC dashboard and conference calls where stakeholders from across Brent and Harrow take part when the system is under pressure as per the surge and escalation process (live from September 2015)
  - Opening of 43 new modular beds on the Northwick Park Site (live 18<sup>th</sup> February 2016)
  - Targeted support from housing colleagues at a weekly "housing surgery" at Northwick Park and Willesden Community Hospitals to review the pipeline of patients approaching discharge and identify pathways out of hospital for those patients who do not meet the criteria for homelessness legislation and who do not have any social care needs (live from December 2015)
  - 7 day working by social care to support discharges at weekends (live from December 2015)
- 3.8 In 2016/17, the **West London Alliance** is progressing plans to implement an initiative where a single local authority will be the lead for each hospital (for example, Brent Council would be the lead local authority for Northwick Park Hospital and take on all discharges for Hounslow, Tri-borough and Ealing residents for next winter) and follow a discharge to assess model. The lead authority model will mean that hospitals only have to follow one procedure and each Borough minimises its risk as they are involved earlier in planning a person's discharge, thus allowing for the identification of the most appropriate form of ongoing care and likely reducing the number of people in residential and nursing care.
- 3.9 The discharge to assess model will allow for the earlier, safer discharge of people who require ongoing support and time for further assessment, but who do not have to

stay in an acute setting for this to be achieved. Discharge to assess is the process whereby assessments post hospital admission and decisions regarding long term care needs or appropriate services post discharge are made in the person's pre admission place of residence. Brent partners have confirmed that this is an ambitious move and will require a culture shift in all agencies in addition to community resources to enable this model.

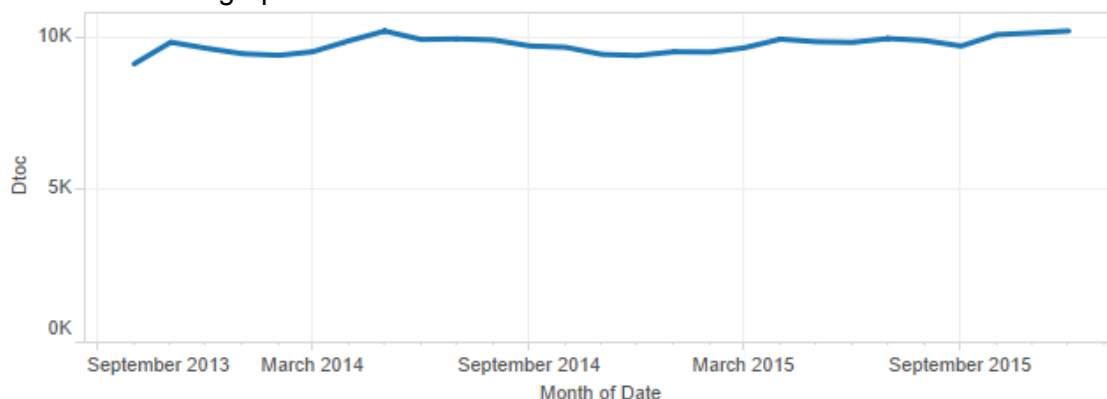
- 3.10 At present, work is underway to pilot reciprocal social work assessments in Northwick Park Hospital for Ealing and Tri-borough. It is anticipated that this model will form the basis of a single approach, one model for Adult Social Care hospital discharge that will be aligned to hospitals across NWL. This will include colocation of appropriate hospital discharge functions within the hospital setting. A task and finish group made up of local CCG, Acute, Council and WLA staff have been working together to progress this work over the past couple of months.
- 3.11 As part of the broader strategic view there is a need to integrate the functions necessary to support complex hospital discharges and implement new ways of integrated working. A phased approach is being implemented in Brent, initially co-locating the Council's social work discharge team into Brent hospitals and supporting them to develop new /different ways of integrated working with the other discharge teams. Some social workers are already co-located and are working in different ways (e.g. ward rounds, MDTs, proactively picking up referrals, educating ward staff), with accommodation to house the remainder of the team being actively pursued with a view to full colocation by end of April. Space is very limited but some options have been identified and currently are awaiting decision by LNWHT senior management.
- 3.12 Brent has already put in place a small number of community based initiatives in 15/16. It is now planning to develop these as well as bring on line new ideas, designed to make a positive impact and contribution to DTOC and to support discharge of complex patients for the 16/17-winter period.
- 3.13 To date the following community based initiatives have been implemented, and are jointly commissioned between Health and Social Care. This together with the hospital based initiatives is designed to enable faster and more supported discharge from hospital during the winter.
- Additional social worker capacity and additional purchasing capacity to provide faster searching, identifying, arranging and managing placements for complex cases has been put in place and is likely to be repeated in 16/17.
  - Night sitting service - Night sitting service to spot purchase support as required at night to facilitate effective transition from hospital to home is in the planning stage for 16/17. This will help reduce unnecessary hospital admissions due to night needs and to facilitate hospital discharges to the community where there is a high level of need for transition from hospital to home.
  - Home from hospital service - is being planned for the 16/17-winter period. This will aid speedier recovery and greater independence for patients discharged from acute hospitals.
  - Additional step down beds have been jointly commissioned between Health and Social Care to improve the flow of patient back in to the community from the hospital.

#### *Delayed Transfers of Care (DTOC)*

- 3.14 Nationally and locally there is a focus on health and care economies, led by the SRG, effectively managing delayed transfers of care. An article analysing the best and worst regions for delayed transfers of across the UK published by the Health Service



Journal (16<sup>th</sup> February 2016) indicated that LB Brent, along with most of NHSE London area, performed better than the national average. However, there is an increasing trend for LB Brent over the period September 2013 to September 2015 as illustrated in the graph below:



Source: Health Service Journal (16th February 2016)

- 3.15 Whilst it is encouraging that local performance is better than UK averages, there is still scope for improvement and the SRG Group have identified the following trends that need to be addressed if performance is to be maintained (in the context of growth) and/or improved.
- 3.16 Market capacity, particularly related to EMI nursing and Continuing Care placements is a contributing factor in DTOCs. As people's needs become more complex, and as we keep people at home for longer, when a residential or nursing placement is required then it can be difficult to find an appropriate placement that can manage a higher level of complexity and/or challenging behaviour. The increasing incidence of people with dementia has made this issue more acute. Quality within the market is also a concern, and the available capacity can be impacted when there are concerns about a provider, if a provider has a formal embargo in place or if a provider has had a poor CQC inspection. Recently, capacity issues in North West London have been compounded by increased referrals from Central London to Outer London residential and care homes. BCF scheme 5 will focus on addressing quality and capacity in the market.
- 3.17 An emerging trend is the number of non-Brent & Harrow DTOCs at Northwick Park Hospital (NWP) which has risen significantly compared to last year; and, that in the last week they have constituted more than 50% of DTOCs on the NWP site. Ealing, Barnet and Hillingdon patients now appear regularly on the DTOCs list for both NWP and CMH sites.
- 3.18 The Housing assessment process is complex and lengthy but required to determine eligibility and appropriateness of proposed housing solutions. There is a need to identify opportunities where health and housing might be able to work differently to streamline the process and/or assess the potential for an intermediate solution.

### Conclusion

- 3.19 The health and care system partners across Brent and Harrow have created a robust System Resilience Group, which continues to provide constructive challenge and leadership to partners whilst working collaboratively to address identified areas for improvement. An article in the Brent and Kilburn Times on 10<sup>th</sup> December highlighted that the performance at LNWH marks an improvement of patients being seen within the 4 hour waiting time. The November figures demonstrated that 85.5

% of patients at LNWHT received care within the four-hour waiting time in the last week of November in comparison to the same time period last year when the figure dropped below 68%.

3.20 Since February 2016, performance has been maintained and there have been days where the performance has met the 95% national standard. These cautious signs of improvement suggest that the internal process and flow work that LNWHT have undertaken combined with the efforts of the wider system partners through the SRG and winter plans have made a positive impact.

3.21 The challenge for the SRG going forward is to ensure that there is a proactive approach to system resilience throughout the year, ensuring that systems and processes that are effective are embedded into core business and integrated structures, where appropriate. The intelligence and lessons learned from ongoing monitoring and evaluation of initiatives needs to inform future planning and developments.

#### **4.0 Financial Implications**

4.1 The financial implications of implementing winter plans and initiatives have been met through the Better Care Fund plan, the CCG's winter resilience budget and the Council's Adult Social Care budget.

#### **5.0 Legal Implications**

5.1 There are no legal implications of note.

#### **6.0 Diversity Implications**

6.1 The winter plan and Better Care Fund plans aim to engage and empower the diverse communities of Brent and the wider health economy across London to deliver improved outcomes and service user experiences.

#### **7.0 Staffing/Accommodation Implications (if appropriate)**

7.1 Not applicable

#### **Contact Officers**

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## Scrutiny Committee

5 April 2016

### Report from the Strategic Director, Children and Young People

#### Update on Access to Affordable Childcare

##### 1.0 Summary

This is a requested update on the paper brought to Scrutiny in June 2015. It considers the challenge of providing access to affordable, quality childcare in Brent.

Currently childcare for 0 – 4 year olds is delivered through a strong Private, Voluntary and Independent (PVI) sector as well as through schools in the borough, with an almost 50/50 split between the two sectors for delivery of the free entitlement for 3 and 4 year olds. An increasing number of childminders too are offering the free entitlement for 2, 3 and 4 year olds.

Much work has been done to stimulate growth of childcare places through capital and new place funding, most recently for implementation of the free entitlement for eligible two year olds. There is good availability of places across the sectors and across most wards in the borough.

The quality of childcare provision has been evidenced to be key in ensuring that children thrive and develop at or exceed age related expectations. The local authority's Early Years quality improvement team have also worked very closely with the PVI sector in particular to raise the quality of provision and this has resulted in the highest number of Good or Outstanding Ofsted gradings the sector has had to date.

Increasing the take-up of free early education places is a priority. There has been a reduction from 92% to 86% of all children aged 3 and 4 years taking up their entitlement since 2013. This is considerably lower than the England average of 96%. As at March 2016, 66% of all eligible children aged 2 years for the early education entitlement are taking this up. This represents substantial growth throughout 2015 and into 2016.

Affordability remains a key priority for Brent, with 1 in 2 parents reporting that they do not find childcare costs affordable. There has been some improvement in parents' perceptions of affordability with 50% agreeing/ strongly agreeing childcare is affordable as compared with 44% in 2013. Brent families pay on average 2.5% less than the London average for nursery places. Families pay 6.5% more than the London average for childminder places. Out of school clubs,

on the available data, have also become more expensive in Brent than the London and England averages<sup>1</sup>.

The proposed expansion by the Government of the free entitlement for 3 and 4 year olds from 15 hours per week to 30 hours per week where the parent/s are working will provide the sector with new challenges and opportunities. There is concern around delivering additional hours without a significant increase in the rate of funding and for some, lack of suitable accommodation or adequate staffing also pose problems. The local authority will be working closely with childcare providers in the borough to support both the maintained and PVI sectors to prepare for the expansion.

## **2.0 National context**

Parents currently have access to help with childcare through 15 hours of free early education for 38 weeks of the year for all three and four year-olds. The 40% most disadvantaged two year-olds can also access 15 hours of free early education. The government's commitment to extending this free entitlement to 30 hours a week from September 2017 for children of working parents will provide significant help to many families and will undoubtedly influence decisions around return to work for many parents.

Additionally, help with the costs of childcare is also available through the childcare element of Working Tax Credits, soon to be replaced by Universal Credit; and through employer-supported childcare vouchers, soon to be replaced by the tax-free childcare scheme.

Clearly, adequate funding is a factor in enabling quality, as are adequate training and support in order to ensure that the quality of provision is raised in weaker settings, whether these are schools or in the PVI sector, and quality is maintained where settings are already Ofsted Good or Outstanding. This is in the context of reduced funding and therefore targeting of resources at areas of highest need such as weaker settings and pooling of existent funding streams through partnerships to maximise value and return, particularly between schools and the PVI sector, will be the way to achieve the best results under constrained circumstances.

## **3.0 Brent context**

### **3.1 Childcare provision**

The borough currently has 113 PVI providers, 186 childminders, 4 nursery schools and nursery classes in 53 primary schools through which families can access childcare, either at no cost for 15 hours a week or through a combination of free hours and fee paying hours.

In the last few years, we have seen a steady increase in the number of both childminders and PVI providers in the borough being graded Good or Outstanding by Ofsted. This is due to a combination of higher levels of qualifications in the sector, more targeted support at different levels of need from Brent Council's Early Years Quality Improvement Team and other support from the Central Early Years team in terms of business support, early years

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<sup>1</sup> Primary schools will often provide out of school clubs for their own pupils. This data is not reported to, or comprehensively collected by the Council.

public health support and training and wider continuing professional development.

Full-time funded nursery places (25 hours a week) are being offered in some maintained schools and nursery schools for children meeting Free Schools Meals criteria. This will be of help to those low-income families who are able to access this, but as not all schools are offering 25 hours places, an element of postcode lottery and in-equity exists. Furthermore, there are no funded full time places in the PVI sector, and families can only access a maximum of 15 hours a week of funded early education in this sector.

**Table 1. Number of Brent childcare places by type of provider.**

*Source: Brent Early Years and Family Support Childcare Sufficiency Assessment 2016*

Type of Childcare	Number of Places 2013	% of total places 2013	Number of Places 2015	% of total places 2015
Out of School Club	1,042	10.8%	1,081	10.3%
Holiday Scheme	590	6.1%	790	7.5%
School Nursery Class	2,485	25.7%	2,555	24.2%
Childminder	1,020	10.6%	1,540	14.6%
Day Nursery	3,703	38.3%	3,822	36.3%
Playgroup/ Pre-School	211	2.2%	282	2.7%
Children's Centre with Childcare	355	3.7%	259	2.5%
Independent School with Under 5s Nursery	257	2.7%	223	2%
<b>Total</b>	<b>9,663</b>	<b>100%</b>	<b>10,552</b>	<b>100%</b>

Whilst there has been a push from Ofsted encouraging the development of two year places in schools, in practice, this has proved challenging. Few schools in the country are currently offering provision for two year olds and issues have included capacity and space for expansion. Brent is no exception, the main focus over the last few years has been to address the acute shortage of school age places rather than use existing space to develop more childcare provision in schools.

### 3.2 Cost of childcare

Table 2. Average hourly childcare costs in Brent

#### Average hourly fees

	Average rate for under 2s	Average rate for over 2s
<b>PVIs</b>	£5.45 (from 47 respondents)	£5.25 (from 58 respondents)
<b>Childminder</b>	Average hourly rate £6.02	

The average cost of childcare in the PVI sector is set out in the table above and the range for PVI settings is from £5 an hour to £15 an hour. The picture of affordability is variable. Whilst parents frequently cite the cost as the reason for not using childcare, a parental survey carried out for Brent's Childcare Sufficiency Assessment (CSA) in 2016 to which we had 900 responses, revealed that 50% of respondents agree/strongly agree that childcare is affordable compared to 44% in the 2014 CSA.

Notwithstanding this, affordability is likely to remain a key issue for many parents in Brent. Brent residents have lower incomes and experience significantly higher levels of deprivation and poverty than the national or London averages. Over a third of children live in poverty within Brent. This is also higher than both the London and national averages. For some parents therefore, even with help with childcare costs through the free entitlements and Tax Credits, childcare could still be unaffordable.

A further contributing factor to the take up of childcare in Brent has been cultural perceptions and traditions. There are communities who historically are more reluctant to use formal childcare as they prefer to use relatives or indeed feel that children are too young and would be better off at home. For these families, the high cost of childcare is an added reason to justify their children not being in formal childcare. We now have community Parent Champions who are promoting the benefits of childcare as free early education, but it is likely to take time for the message to be accepted and mind-sets changed.

### 3.3 Take up of the free entitlement for 2, 3 and 4 year olds

The Government expanded eligibility for 2-year olds for a 15-hour funded early education entitlement. Between 2013/14 and 2014/15, the number of eligible 2 year olds rose from 749 children to 2,342 children in Brent.

As at end March, there were 1,292 two year olds accessing the offer of free early education and childcare. This represents an uptake of 66% among two year olds who are eligible for the offer in Brent.

Table 3. NEG 2 take up

Year	Count	% of eligible children	England Average
As at January 2015	990	45%	58%
Apr-Jun 2015	1076	54%	
Jul-Sep 2015	1096	55%	
Oct- Dec 2015	1430	70%	
Jan-Mar 2016	1292	66%	

As at January 2016, 86% of the three and four year olds resident in Brent are claiming their free entitlement to early education and childcare. This is down from last year when it was 92% and much less than the England average of 96%.

Reasons for this low take up include:

- A rate of net migration means families recently arrived to Brent who may have English as an additional language and may be unaware of their entitlement to free early education. This influx is also reflected in the ongoing pressure on school places.
- Feedback from our Childcare Sufficiency Assessment parental focus groups suggests reluctance on the part of some communities/ groups to use formal childcare because they wish to care for their children full time or in some instances a preference for childcare that meets cultural / religious expectations.

Table 4. NEG 3 and 4 take up

Year	Count	% of eligible children	England Average
2010	6,690	84%	96%
2011	7,060	84%	95%
2012	7,390	85%	96%
2013	7,730	89%	96%
2014	8,070	92%	97%
2015	7,860	86%	96%

Table 5. Take up of the free entitlement for 2, 3 and 4 year olds (Nursery Education Grant (NEG) 2 and NEG 3 and 4)

	<b>NEG2 in PVI settings/ childminders (January 2016 Spring Headcount)</b>	<b>NEG3 and 4 in PVI settings /Childminders (January 2016 (Spring Headcount)</b>	<b>3 and 4 years olds in school nurseries.(October 2015 Schools Census)</b>
Wembley	325	1124	601
Kingsbury	183	663	493
Harlesden	316	499	482
Willesden	106	170	418
Kilburn	159	415	438
<b>Total</b>	<b>1089</b>	<b>2871</b>	<b>2432</b>

### 3.4 Quality of provision

The Ofsted gradings of Brent childcare providers are at the highest levels to date. We currently have 15 PVI settings in Brent judged as outstanding by Ofsted, 8 of which were inspected under the new framework. We have 13 childminders across Brent with a judgment of outstanding by Ofsted, and just under 90 with a Good judgement. Over 85% of childminders, who have children on roll, are providing a good, or better, level of care and learning to children. Quality inspections of childminders since the start of 2016 have all resulted in good or outstanding judgments

### 3.5 Early Years Pupil Premium (EYPP)

The objective of the Early Years Pupil Premium (EYPP) is to provide nurseries, schools and other providers with additional support for disadvantaged three and four year olds. Three and four year olds are eligible for the EYPP if they are accessing the early education entitlement and if they meet the following eligibility criteria:

They are in a low income family. Their parents are in receipt of one or more of the following benefits:

- Income Support
- Income-based Jobseekers Allowance

- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- the guaranteed element of State Pension Credit
- Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on –paid for 4 weeks after they stop qualifying for Working Tax Credit

Or they have been:

- looked after by the local authority for at least one day
- have been adopted from care
- have left care through special guardianship; or
- are children subject to a child arrangement order

The EYPP has been widely promoted across PVI settings and schools and take-up is increasing. To date, approximately £90,000 has been paid to settings in the borough for the EYPP.

### **3.6 30 hours of free childcare for working parents**

From September 2017, the government proposes to extend the free entitlement for 3 and 4 year olds to 30 hours per week for working parents. The new entitlement to 30 hours free childcare is intended to support working parents with the cost of childcare and enable them, where they wish, to return to work or to work additional hours.

The additional 15 hours will be available to families where both parents are working (or the sole parent is working in a lone parent family), and each parent earns, on average, a weekly minimum equivalent to 16 hours at national minimum wage (NMW) or national living wage (NLW), and less than £100,000 per year. Working parents will include employed and self-employed persons. Parents do not necessarily need to actually work 16 hours a week, but rather their earnings must reflect at least 16 hours of work at NMW or NLW, which is £107 a week at the current NMW rate. This includes those parents on zero hours contracts who meet the criteria.

It is estimated that 6,470 3 and 4 year olds in the borough are in working households (calculation based on a GLA projection of 9,500 3 and 4 year olds in 2017 and an employment rate of 68.1% in the borough) and will be eligible for the new entitlement.

### **3.6 Provision for children with special educational needs or a disability (SEND) and Children in Need (CIN) (September 2015)**

<b>Locality</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>Grand Total</b>
Harlesden	2	2	19	48	49	120
Kilburn	1	12	18	33	46	110
Kingsbury		7	18	34	27	86
Wembley	4	11	29	60	77	181
Willesden	3	11	30	31	50	125
Out of Area	1	2	12	12	27	54
<b>Grand Total</b>	<b>11</b>	<b>45</b>	<b>126</b>	<b>218</b>	<b>276</b>	<b>676</b>



Due to the level of the support they often require, affordable childcare can be a particular challenge for families who have children with SEND. Some families have reported that they are charged increased fees by PVI providers in order to offer an increased ratio or other support. This increased cost often places affordable childcare out of reach of these families and results in one or more of the parents having to stay at home in order to look after their child.

Brent has a multi agency panel that provides the funding equivalent to an additional 15 hours childcare to nurseries in order to meet the additional costs. This covers costs such as increased staffing, specific training so that staff can meet their needs or specialist resources that enable the child to access the learning opportunities within the nursery. As of March 2016, there are 125 children being supported through this funding, making childcare for children with SEND more affordable. Due to increasing numbers of children with SEND, the threshold is set at a high level and only the most complex cases receive this support.

## 6.0 Conclusions

This report has outlined the current context with regard to childcare provision in the borough. Data suggests there is currently no shortfall in place availability but that there will be a need to revisit this analysis in the medium / longer term to take into consideration factors such as the increase in birth rate mentioned earlier in the document, the impact of raised awareness of childcare options or new government initiatives. Key areas for consideration will be:

- While new birth figures give an indication of approximate numbers of families who will require childcare, these figures do not take into consideration parental demand for places. Demand for nursery places can be localised depending on parental demand for a particular type of nursery (e.g. Montessori) or provision with an outstanding Ofsted judgement. Quality improvement work across childcare settings must be on going to ensure that quality provision is available across the borough, providing choice and minimising the risk of very localised demand that may be challenging to meet.
- Welfare reforms and other legislative changes relating to benefits could mean more families, including those with children under five, returning to work and increasing the demand for flexible and affordable childcare. Pilot schemes such as our DHP childcare subsidy were successful and achieved their objectives of supporting parents to remain in work during the first 6 months of their new employment.
- The government's plan to extend the free entitlement for 3 and 4 year olds to 30 hours per week for working parents from September 2017 is likely to impact the sector both in terms of sufficiency and sustainability. Providers have made it very clear that without adequate funding for this, they will not be able to offer 30 hour places. For some providers, suitable premises and shortages of qualified staff all pose barriers to delivering this entitlement. A consultation is currently taking place with early education providers in the borough to understand their plans (if any) for expansion to offer 30 hours per week and any challenges that they are

anticipating with regard to this. The results from the consultation will be used to inform the roll-out of the extension in the borough.

Whilst some significant challenges lie ahead, these also provide opportunities for reviewing existing practices and exploring new ways of working, This will include exploring flexible networks of childcare provision in the borough and providing business support workshops to PVI providers and schools to not only help them plan for the expansion of the free entitlement to 30 hours, but to help with the overall sustainability of the setting.

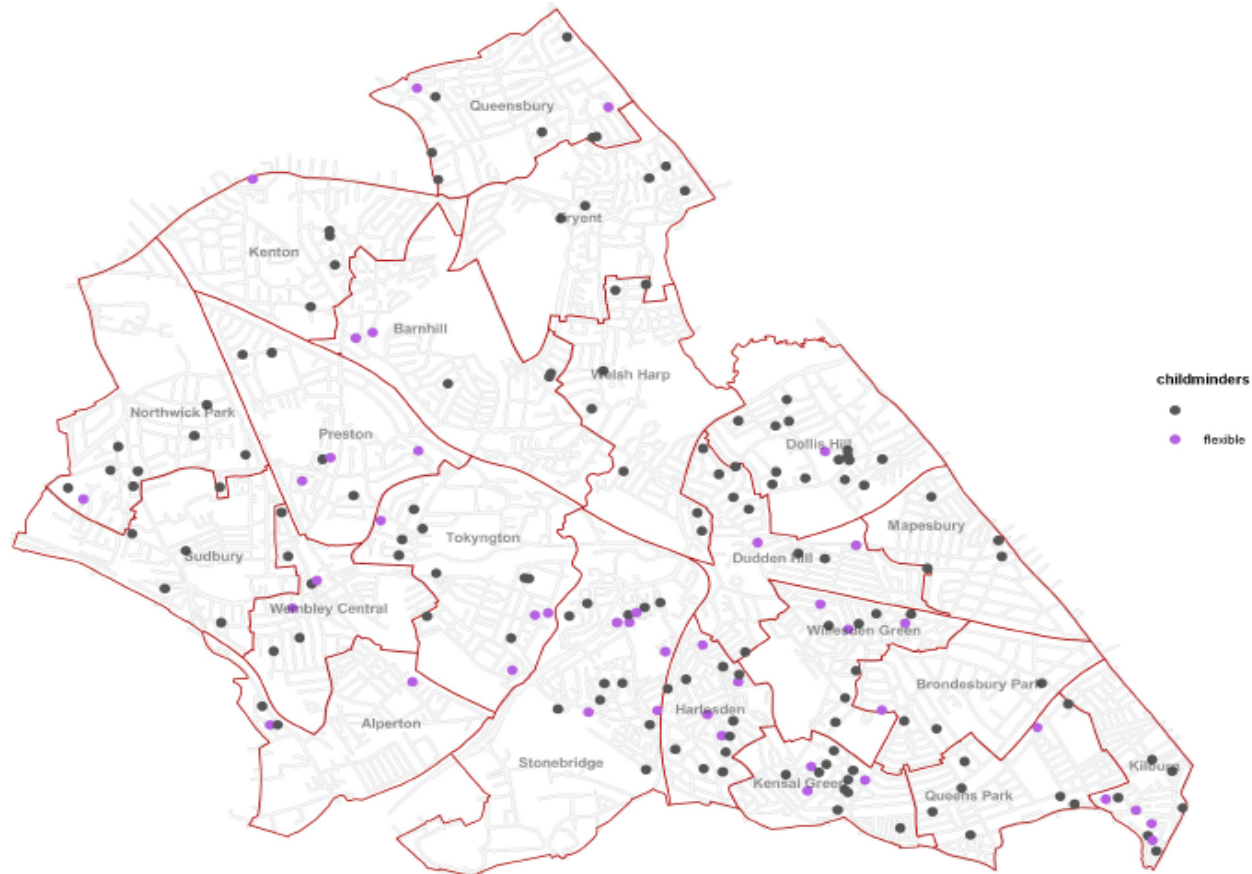
**Contact Officer**

**Sue Gates,  
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**Sasi Srinivasan  
Operations Manager, Early Years and Family Support**

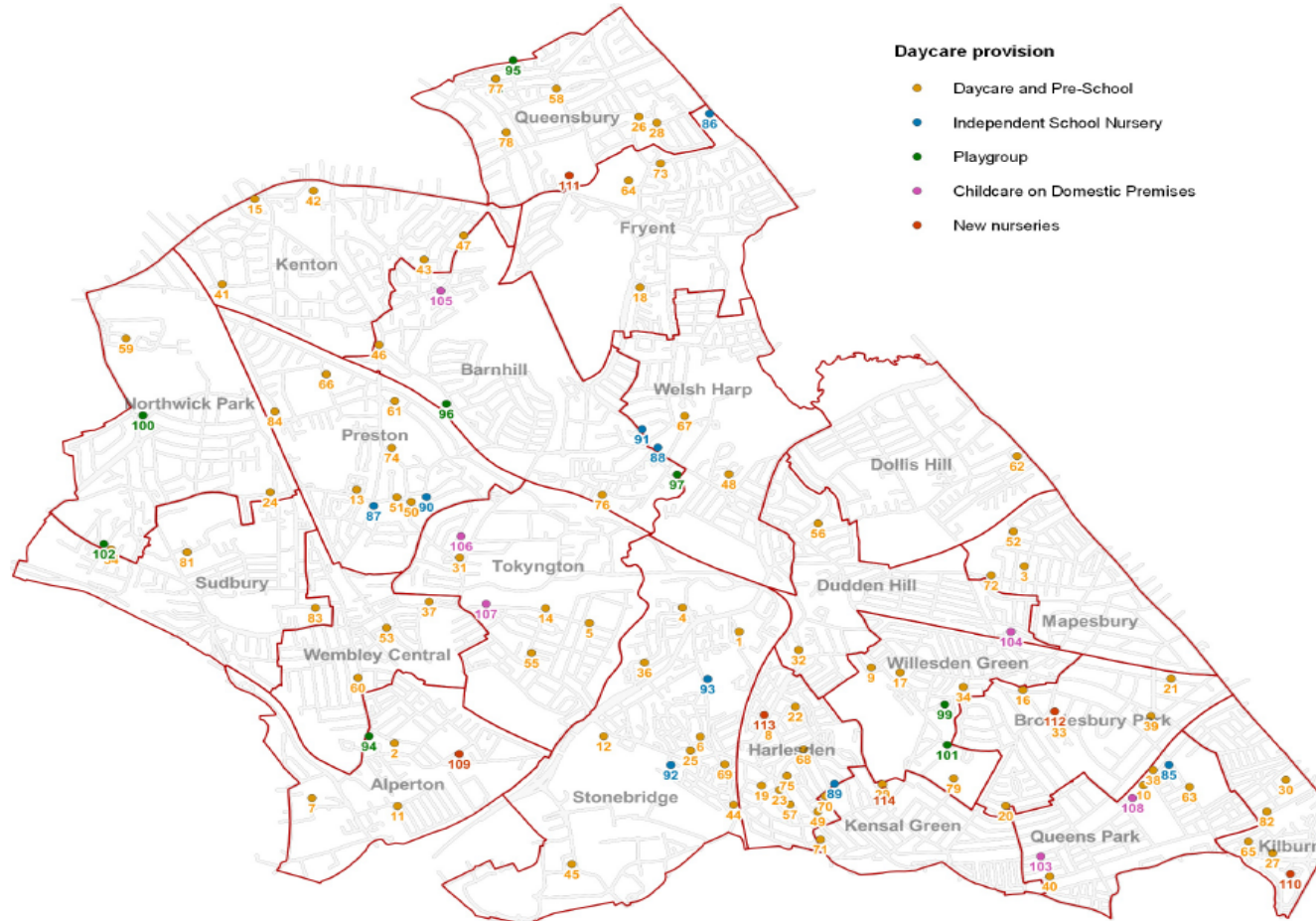
## Appendix 1: Childminder provision in Brent

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Source: Brent Childcare Sufficiency Assessment 2016

## Appendix 2: Day-care provision, by type, across Brent



Source: Brent Childcare Sufficiency Assessment 2016



**Scrutiny Committee**  
5 April 2016

## **Report from the HR Director**

For Information

Wards Affected:  
ALL

### **Progress report on the HR and Equalities review**

#### **1.0 Summary**

A review of HR Policies & Equalities was carried out in October 2014 by Councillor Michael Pavey. The methodology used included review of documents and policies, discussions with managers and focus groups with staff. The review also engaged support from the Local Government Association (LGA) and other external experts in order to ensure objectivity and fairness. The findings and recommendations from the review were incorporated into an action plan that was approved by the Scrutiny Committee in April 2015. The HR and Equalities review action plan is owned by the Corporate Management Team (CMT) and overseen by the Equalities Committee. The detailed progress update on the action plan is attached as Appendix 1.

A peer assessment team reviewed equalities in Brent for the 'Excellent' level in the Equality Framework for Local Government (EFLG). The LGA peer team visit took place between 30 June and 2 July 2015. The peer report identified a number of excellent activities and initiatives across the council, and provided positive feedback on its HR policies and equality initiatives across all service areas. The conclusion of the team was that the council is extremely close to achieving the 'Excellent' level in EFLG, and they requested to return at a time of the council's choosing to re-assess progress following a number of recommendations.

The LGA peer team made five recommendations, namely:

1. Corporate Management Team to report on progress on the Equality Strategy action plan after the first six months
2. Effectively address the building accessibility issues of the new Civic Centre
3. Implement the recommendations in the latest Annual Workforce Equalities report
4. Evaluate the effectiveness of the new Equality Committee
5. Progress on the recommendations in the HR Review action plan.

This report presents a progress update on the HR and Equalities review action plan and the council's assessment for 'Excellence' in EFLG with particular focus on the five recommendations made by the LGA peer team.

#### **2.0 Recommendations**

Members of the Scrutiny Committee to note the progress on the HR and Equalities review action plan and on the council's assessment for 'Excellence' in EFLG.

### 3.0 Progress on the assessment for 'Excellence' in EFLG

At the time of writing this report, the Equality team are compiling the evidence pack to demonstrate progress against the five recommendations made by the LGA peer team during their visit. This will be sent to the LGA peer team and the council should be notified of the final outcome of its assessment for 'Excellence' in EFLG by the end of April 2016.

Please see below an outline of the progress achieved to date against each of the five recommendations.

#### 3.1 **Recommendation 1:** Corporate Management Team to report on progress on the Equality Strategy action plan after the first six months

Brent's new Equality Strategy and Action Plan were launched in April 2015. Progress against the Equality Strategy action plan is reported to CMT on a quarterly basis. To date, the significant majority of actions have been implemented or are on target for completion. The detailed progress update on the Equality Strategy action plan is available in **Appendix 2**.

#### 3.2 **Recommendation 2:** Effectively address the building accessibility issues of the new Civic Centre

One of the main reasons for the peer team's decision not to award Excellent after their first visit to the council was related to the new Civic Centre and *'the significant outstanding remedial action from by the Access Audit completed in 2014'*. The peer team felt the Council needed to expedite and complete the majority of the recommendations in the Access audit report and to identify a mechanism to ensure that disability access is maintained at the highest level in all council buildings.

Significant progress has been achieved since the LGA peer team visit and the Facilities Management Team have reported progress to the Equalities Committee (in October 2015 and January 2016, respectively). The reports are available on the [Committee's webpage](#).

Since the peer review in November 2015, the Council won the 2015 BDF Disability-smart premises award in recognition of the accessible and inclusive Civic Centre building, which was also recognised for becoming a best practice example in the government's Accessible Britain Challenge.

In December 2015, Brent was also awarded with the DWP Disability Confident Employer status, which demonstrates the Council's commitment to ensuring that its facilities, services, working environment and employment practices are accessible and inclusive to people with disabilities.

In their January meeting the Committee praised the efforts of the Facilities Management Team and recognised the progress achieved within a short space of time. The team is committed to continue to carry out annual building user surveys that will help inform further improvements to the building in future.

In addition to the annual survey, the facilities team also consults with relevant disability groups such as the Dementia Awareness Group, the Disability Forum and other relevant groups (e.g. Staff Disability Network) for their views on improvements to council buildings. The Team delivered a presentation at the International Day of People with Disabilities and sought feedback from attendees on their experience of the Civic Centre and its facilities, some of which have been incorporated in future improvement plans.

### **3.3 Recommendation 3:** Implement the recommendations in the 2014-15 Annual Workforce Equalities report

Following approval by the Diversity Reference Group and CMT, the 2014-15 Annual Workforce Equalities report was published on the web in September 2015, as required by the Equality Act 2010.

The report contained a number of recommendations to further enhance the diversity profile and experiences of the Council's workforce, and promote workplace inclusion. The significant majority of the recommendations contained in the report have already been implemented or are on target. These include:

- 3.3.1 Investors in People (IIP) Accreditation - in September 2015 the Council successfully retained its IIP Silver Level status
- 3.3.2 Development and roll out of mandatory training on unconscious bias for recruiting managers – all hiring managers are required to complete the e-module prior to selection and interviews
- 3.3.3 Review of the equalities monitoring questions on the Council's recruitment system – a new recruitment system (Taleo) was implemented in October 2015. The new system now ensures that equality reporting requirements are met
- 3.3.4 Establishment of staff equality networks - four staff equality networks (Cultural Diversity, Disability, Gender and LGBT+) now meet quarterly. The networks are led by each of the Strategic Directors. The chairs of the networks are invited to Diversity Reference Group meetings
- 3.3.5 Development of guidance for managers on making workplace adjustments for staff with a disabilities or long-term health conditions - Guidance was developed and communicated to staff in June 2015
- 3.3.6 Diversity profile of Brent's workforce - in early October 2015 Brent Council was the only Local Authority shortlisted for the Race for Opportunity Awards 2015 and a finalist in the Transparency, Monitoring & Action Award category. This is a very high recognition for the council's best practice in workforce diversity monitoring and ensuring that its workforce is representative of the communities it serves
- 3.3.7 CMT to consider voluntary workforce equalities targets – a report on voluntary workforce targets was taken to CMT in October 2015 and the decision was to retain current monitoring arrangements as they were considered to be significantly robust. In addition, a Collaborative Mentoring programme aimed at fostering regular dialogue between staff and senior managers was developed in December 2015 and launched in January 2016
- 3.3.8 Development and launch of the Aspire Leadership & Development programme that aims to 'grow our own talent', particularly from under-represented groups BAME – the programme was launched in December 2015, with the first cohort of staff starting the programme in March 2016. A total of 38 employees will participate in the course which commenced in March 2016.

### **3.4 Recommendation 4:** Evaluate the effectiveness of the new Equality Committee

The Equalities Committee was established on 13 July 2015 with the following Terms of Reference (ToRs):



ToR 1: To ensure the Council's plans and practice reflect current and future equalities legislation and guidance.

ToR2: To oversee the Council's achievement and maintenance of the Excellent Standard in the Equalities Framework for Local Government.

ToR 3: To monitor the progress of the Equalities & HR Policies Review Action Plan.

At the time of writing this report, the Committee has met on three occasions. The agenda and papers of the Committee meetings are available on the [Council's website](#).

Since inception, the Equalities Committee has effectively completed its objectives set out in the Terms of Reference (ToR), as follows:

**ToR 1:** To ensure the Council's plans and practice reflect current and future equalities legislation and guidance.

Since its establishment the Equalities Committee has played an important role in ensuring that the Council is compliant with its equalities duties. The Committee's strong focus on compliance with legislation and best practice is evidenced by the Committee's reports on council's Equality Impact Assessment process (October 2015) and council's approach to corporate complaints related to equality and diversity (January 2016). These reports demonstrated that the organisation has robust systems in place to ensure that equality and diversity related issues and implications are effectively considered.

In addition the Committee's contributions to the Members' Development programme, Brent Council has become the first London Borough to achieve the 'gold standard' Charter Plus Award for Elected Member Development. The assessment noted that Members have a strong understanding of their roles and duties, and articulated the value of collecting information from their casework and work within their community, to inform the council's policies and priorities.

**ToR 2:** To oversee the Council's achievement and maintenance of the Excellent Standard in EFLG.

The Committee has focussed on ensuring that the Council is working to address the recommendations identified by the LGA peer team. Their scrutiny of accessibility issues in Brent Civic Centre (Recommendation 2 of the peer team report) is a very good illustration of the Committee's positive impact. The Committee reviewed two reports on the Accessibility of the Civic Centre in October 2015 and in January 2016.

At the time the final report was produced by the peer team only one third of the actions listed in the 2014 Brent Civic Centre Access Audit were completed. As of 3<sup>rd</sup> March 2016, as a result of the proactive scrutiny of the Committee, 95% of the actions identified in the Access Audit have been completed. The detailed progress update is available in Appendix 3.

**ToR 3:** To monitor the progress of the Equalities & HR review action plan.

Cllr Pavey's action plan is a permanent item on the Equalities Committee agenda and forward plan. Please refer to Recommendation 5 below for detailed information on the current progress against the action plan.

Examples of the positive impact and outcomes achieved from the work of the Equalities Committee:

***Council's Leadership and Development programme***

As a result of the Committee's contributions to the content of the programme, all participating staff will be supported by mentors and coaches throughout the



programme. Also, those staff who haven't been successful will receive feedback and will have access to a training and development support package to help them enhance their skills and enable them to apply for future cohorts of the programme.

### ***Council's Collaborative Mentoring programme***

Initially planned as a reverse mentoring activity, this initiative evolved into an enhanced programme of opportunities aimed at fostering a regular dialogue and interaction between senior managers and staff. As a result of the discussions between officers and Committee members, the Collaborative Mentoring programme now incorporates initiatives such as shadowing and back to the floor days, reverse mentoring circles, live web chats with senior managers and 360 Degree Feedback for senior managers (including the Chief Executive).

### ***Regular engagement with staff***

The Leader of the Council, the Chair of the Equalities Committee, who is also the Lead Member for Equality and Diversity and the Chief Executive are proactively engaging with staff on a regular basis. Examples include (non-exhaustive list):

- Question time sessions for staff (16th Dec 2015)
- Participation in 'Break Barriers, Open Doors' events (e.g. Black History Month, Staff Awards, International Day of People with Disabilities, LGBT History Month, International Women's Day, White Ribbon campaign, etc)
- Messages from the Chief Executive encouraging staff to shadow her (December 2015).

Overall feedback from staff is that they appreciate these opportunities to interact with Members and the Chief Executive.

## **3.5 Recommendation 5: Progress on the recommendations in the HR review action plan.**

Councillor Pavey's HR and Equalities review action plan sets out four key priority areas, each of which is owned by a Strategic or Operational Director:

- 3.5.1 Achieving consistency in staff progression and diversity at management levels. Lead owner: **Lorraine Langham**
- 3.5.2 Achieving excellence in employment practices. Lead owner: **Mildred Phillips**
- 3.5.3 Achieving excellence in employment and management practice. Lead owner: **Phil Porter**
- 3.5.4 Supporting excellence by better communication and by involvement of elected members. Lead owner: **Lorraine Langham**

At their January meeting, Committee members noted the significant progress made on Councillor Pavey's action plan.

At the time of writing this report, the significant majority (86% or 55 out of the 64) of actions in Councillor Pavey's action plan have been completed or are ongoing. 11% (seven) actions are on target for completion by the end of the financial year. The remaining 5% (three) actions where a slippage in the timescales was acknowledged in the October 2015 Committee meeting are now back on track: the development and launch of a Leadership and Development programme (two actions) and the development of the Collaborative mentoring programme. The detailed progress update on the HR and Equalities review action plan is available in Appendix 1.

## **4.0 Financial Implications**

There are no financial implications arising from this report.

## **5.0 Legal Implications**

There are no legal implications arising from this report.

## **6.0 Diversity Implications**

The HR and Equalities review action plan aimed to systematically embed best practice across the council with regard to equality and diversity to ensure that all staff are treated with fairly, and that staff and residents from under-represented groups are provided with equal access to employment and development opportunities.

## **7.0 Staffing/Accommodation Implications**

The council is committed to being an equal opportunities employer and growing own talent from under-represented staff groups and from local communities.

### **Background papers**

Appendix 1 – HR and Equalities review action plan  
Appendix 2 – 2015 -16 Equality Strategy action plan  
Appendix 3 – Access Audit Accessibility Tracker

### **Contact officer**

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**Scrutiny Committee  
Forward Plan 2016  
March 2016**

<b>Date of Committee</b>	<b>Agenda items</b>	<b>Responsible officers</b>
Tuesday 5 April 2016	<ul style="list-style-type: none"> <li>• Adoption – implications of changes to national policy guidance.</li> <li>• Access to affordable childcare</li> <li>• Equalities and HR Policies and Practices Review – update on implementation of the recommendations</li> <li>• Current Status of Systems Resilience Group and Winter Pressure update – Request moved to 5<sup>th</sup> April</li> </ul>	<p>Gail Tolley, Strategic Director Children and Young People</p> <p>Gail Tolley, Strategic Director Children and Young People</p> <p>Stephen Hughes, Strategic Director of Resources</p> <p>NHS London and Brent CCG – Phil Porter Strategic Director of Community and Wellbeing</p>
Tuesday 26 April 2016	<ul style="list-style-type: none"> <li>• Overall impact of the Benefit Cap in Brent after two years of implementation</li> <li>• Housing pressures in Brent</li> <li>• Employment Skills and Enterprise Strategy update on progress</li> </ul>	<p>Lorraine Langham, Strategic Director of Regeneration and Environment</p> <p>Phil Porter, Strategic Director of Community and Well-being</p> <p>Lorraine Langham, Strategic Director of Regeneration and Environment</p>

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