

Briefings for Partnership Board Members Affected by Cluster Changes

November to December 2011 Collated Questions and Answers

Questions about the changes for Children's Centres;

1.Reasons behind cluster decisions

Q: How were the decisions made on clusters and which centres would merge/separate?

A: The decisions were based on consideration of the number of children under five in the notional catchment areas covered by the various centres, the level of deprivation and an analysis of the way in which families had used the centres. They were designed to ensure that all communities could continue to access services locally, in the current communities.

Q: We have concerns over the clusters in relation to public transport as not everyone has access to a car. Was this, and the cost implications for parents, taken into account when deciding on the clusters?

A: Travel distances were considered and we have attempted to make it as easy as possible for parents to access a local centre by making use of existing buildings to deliver services as far as possible.

Q: What if the redrawing of boundary lines means that a centre user has been displaced?

A: Children's centres are available to all families in Hampshire. Families will still be able to use the centre they currently use and feel most closely affiliated to. Families do not need to live within a notional catchment area to access a particular centre.

Q: Will third party providers be able to make changes to the merged / separated centres within a cluster?

A: No, the arrangement of centres within a cluster is fixed and cannot be changed.

Q: Can the borders be changed by the new providers?

A: No. If parents wish to attend another centre to access a service, they can. It is recognised and accepted by Hampshire County Council (HCC) that some families access services in Hampshire when they live in another County.

Q: What will the smallest third party area be?

A: One cluster.

Q: Are the names of the centres going to be lost?

A: It is not anticipated that there will be an immediate change to the children's centre names following award of contract. Any proposed name change would need to be consulted upon with parents and stakeholders in the children's centre NCA.

Q: Is there any chance that buildings will close?

A: This situation would be rare. It would only occur where a current third party provider owns the building, is not successful in bidding for the management of the centre and will not lease the building to the new provider.

Q: Can we stop the new providers from combining three centres into one building?

A: We expect providers to use all of the existing buildings where possible.

2. The selection of providers

Q: Do we know how many organisations are putting in tenders and who they are?

A: We have had 17 bids involving at least 32 organisations with all clusters attracting more than one bidder.

Q: Will partnership boards have a role in reviewing the tenders?

A: No.

Q: Will the assessment of the tender take into account the particular needs of the local area?

A: HCC will be rigorously assessing tenders to ensure that contracts are offered to organisations that demonstrate their competence to meet local needs.

Q: Will Hampshire County Council take into account previous performance of third party providers?

A: Those who tender have to demonstrate their competence to do the job. The evidence they provide will be carefully scrutinised in accordance with Public Procurement Regulations..

Q: What happens if there are no bids for a cluster?

A: At least one tender application has been received for each cluster.

Q: When will we know the outcome of the tender process, i.e. who has won the contracts?

A: HCC will make the decisions in February and they will be announced in March/April 2012.

Q: How long will the contracts for the third party providers be for?

A: Two years initially plus options to extend for further periods of up to three years subject to performance, funding and potential changes in government legislation.

Q: Why is the decision for 2 years only?

A: The reason for the break in contract at particular points is due to the availability of funding and potential changes in government legislation.

Q: At the end of the contract, will the contract be a sellable asset of the third party?

A: No.

Q: Is the timeline you have shared with us today now agreed as the final one, or are you going to move the goalposts again?

A: The timeline is the one that we intend to adhere to. However, tendering processes are complex and involved. There is no guarantee that the timeline will remain unchanged.

Q: Can a tenderer sub-contract, i.e. can a third party get a current provider to continue to deliver services as part of a sub-contract arrangement?

A: Yes this is possible.

3. The handover from HCC to providers

Q: What happens to the budget for the portion of the 2012-2013 financial year until 23 April 2012?

A: A pro-rata payment will be made.

Q: How much of a handover can be expected between the previous organisation running the centre (HCC or third party) and the new third party provider?

A: The handover period (also referred to as the mobilisation period) is expected to be approximately 6 weeks.

Q: We also have a nursery run by HCC, how can the children's centre and nursery run successfully side by side?

A: Many centres already have childcare provision delivered within the children's centre by third parties and they run very successfully side by side. We are confident that, with careful planning, this can be achieved for other centres.

Q: We currently have good relationships with our school and other organisations that share our site. What's going to happen to these?

A: We believe these are important for the future and will support children's centres in ensuring that these good relationships are maintained through the transitional period.

Q: Will centre leaders and staff have to purchase their training, or will this be offered by HCC?

A: The new provider will be responsible for the professional development of the staff they employ. However, some professional development activities such as the centre leader forums, area meetings and other training relevant to all centres will still be available.

4. Maintaining quality and accessibility of provision

Q: Will the self assessment process and annual conversation continue?

A: Yes. It is expected these will continue to operate in a similar way.

Q: How will HCC measure the performance of external providers who take over the contracts to ensure quality is maintained? Will partnership boards be able to see the Key Performance Indicators (KPIs) that are used to measure performance?

A: HCC will continue to monitor quality and performance on a quarterly basis. Providers will discuss KPIs with partnership boards and it is important that partnership boards continue to engage and have a positive influence on what centres do.

Q: As the centres will now be part of a cluster, will the reach figures apply to the individual centres or to the cluster?

A: Reach will still be monitored for individual children's centres, not least because this is how they will be inspected by Ofsted. When delivering services as a cluster, each centre will need to be clear how many families from their NCA attend and what the outcomes are for them.

Q: Is Ofsted changing the way it does inspections in 2013?

A: In August 2011, Ofsted revised its evidence forms for use from September 2011. There is no indication of any further changes at this time. Please refer to the Ofsted website for further information.

Q: What can be done to ensure the ethos of the centre is maintained and the particular needs of the community are met?

A: There will be minimum standards of delivery for centres to meet. HCC has already got robust experience of monitoring the quality of delivery in centres managed by other organisations and intervening when necessary. It will be reviewing the performance of centres and has the ultimate sanction of terminating the contracts if organisations don't meet standards.

Q: How will safeguarding be monitored and who will check to ensure that safeguarding policies and procedures are in place?

A: This will continue to be part of HCC's quality and performance framework and is also checked by Ofsted. Contracted organisations will have their own policies and procedures but will need to ensure these keep children safe.

Q: If a provider does not deliver services to the standard HCC requires, will financial penalties be imposed? Would HCC withhold part of the funding?

A: HCC has the option to terminate the contracts from providers who consistently fail to deliver the required services,

Q: Will the Job Centre Plus advisers continue?

A: Yes. Anyone with a child under 5 will have access to an adviser in a children's centre from 2012.

Q: Where centres are situated very close to the County border, will families from outside of Hampshire be able to access the centre's services?

A: Yes, just as they are currently able to.

Q: When the children's centre was set up, the deprivation rate was 38%, now it will be 64% with the merged centres. Is there less incentive to look at the more deprived areas? Will it lead to a loss in service? Have the figures been miscalculated?

A: No the figures are correct. The cluster must still focus on the families who are most in need. Any organisation will need to evidence that they are delivering to meet the needs of the most needy families. Partnership boards will still need to focus on supporting and challenging the centre to see that it does this.

Q: Are HCC proposing that that the new providers will be able to charge for some services that are currently provided free?

A: Where some activities provided are above the core offer of the centre, the new provider may charge for this service.

Q: Are there likely to be benefits of sharing resources and practitioners across the cluster?

A: We believe that a single organisation managing centres across a cluster will be able to enhance services to families through creative use of staff and other resources.

5. Questions about the future of Partnership Boards

Q: Is there a statutory requirement for a provider to have a partnership board?

A: There is a statutory requirement for children's centres to have an advisory board. Hampshire's current governance model requires that there should be one partnership board per centre.

Q: Will new providers be able to change/ignore governance arrangements once they take over?

A: All new providers will have to comply with contractual obligations and will ensure that HCC governance arrangements are adhered to.

Q: Can partnership boards push the case for not merging the boards?

A: Merging partnership boards is seen as necessary because it is likely to be difficult for two or more partnership boards to continue to operate effectively under one centre leader and with one budget. However, once we know who the providers are, Governor Services will discuss the specific circumstances of each set of centres and try to establish an agreement with providers and partnership boards about what will work best for the community.

Q: Will there be a transitional period for trialling what works/what does not work for partnership boards?

A: Yes

Q: Will the governance model change before partnership boards need to merge or separate?

A: At the moment it is not clear if central government will issue revised statutory guidance about partnership boards.

Q: What is the timescale for reviewing the governance model?

A: We are awaiting information from central government. Until the statutory guidance changes, Hampshire County Council will continue to operate using the current model.

Q: Will our liabilities change over the new governance model? Are partnership boards going to become legal bodies like schools' governing bodies?

A: We are awaiting information from central government.

Q: What will the impact be for partnership boards? For centres like Branches and Links that are now joint but will separate, will there be two partnership boards or one?

A: Some partnership boards will be unaffected by the changes and some will need to either merge or separate. Some of the final arrangements where boards are currently merged within the same cluster will depend upon the providers who take over the contracts. These providers may wish to keep the existing arrangements in place.

Q: It would seem common sense to have one partnership board across a cluster, for example, West Havant. Will this happen?

A: Currently there is a requirement to have a partnership board in place for each children's centre. These arrangements are already set out by HCC as part of the tender process. A cluster provider could suggest such an arrangement to HCC but it would only be agreed if it could be demonstrated that specific partnerships within local communities would not be at risk.

Q: If partnership boards are merging, will parent forums also need to merge?

A: Parent forums will be encouraged to remain attached to their centres as HCC values the local involvement of parents.

Q: Could partnership boards set up local 'working groups' that feed into a merged partnership board and can discuss the issues of their own centres?

A: Yes, as long as the arrangement does not create too many different groups that are too dependent on centre leaders and volunteers' time to be effective. Discussions will need to take place with Governor Services and Services for Young Children about exactly what methods would best maintain local representation in the work of partnership boards.

Q: What is the maximum size of a partnership board?

A: 15. When interim partnership boards were first set up, transitional members could stay for a period of two years. It is probable that this will happen again.

Q: Will the 3/3/3 split continue?

A: Yes. We will wish to maintain a balance of different sources of influence.

Q: Will there be a third party post on the partnership board?

A: Yes, this is part of the existing governance model. Some organisations have, however, decided not to use their entitlement to a place and that frees up a provider post for someone else.

Q: Will the third party post on the partnership board be an additional place?

A: No, not if it was part of the original constitution. In the case of a partnership board without such a third party post currently, the constitution would need to be adjusted. Governor Services will assist with these matters.

Q: What will happen to partnership board chairs in the situation where two boards will merge?

A: The merged partnership board would elect its own chair.

Q: We have a vacancy and there is a parent who is very keen to join the partnership board and she lives in one of the new merging areas. Could she join the partnership board?

A: Yes, encourage her to join but explain the situation.

Q: What level of information will the third party provider be expected to provide the partnership board with (e.g. level of detail for finance) to enable partnership boards to carry out their role effectively?

A: This is a matter for discussion primarily between the partnership board and the new provider. Partnership boards need sufficient information to carry out their strategic advisory role.

Q: Will the provider always have the final say?

A: Providers will have the responsibility to deliver services and are accountable for the delivery of provision against the terms and conditions of the contract.

Q: What if one partnership board in a cluster does not share the same opinion of the provider as another partnership board? For example, if they do not agree that the provision/service delivery is acceptable?

A: This could occur due to the individual circumstances of a particular centre, eg. staffing/recruitment issues may impact on service delivery at one centre whereas all other centres in the cluster could be running smoothly. Partnership boards, within a cluster, however, should not feel that they need to have a consensus and where there are concerns/issues these should be raised at the earliest opportunity, firstly to the centre leader and then to the CCSO.

Q: If there are three partnership boards merging, where would the meetings be held?

A: This would need to be discussed and agreed by the members. It may be helpful to rotate the meetings to allow members to attend. The partnership board would need to consider expenses, car sharing and crèche facilities to help the members.

Q: In the current climate, when localism is being encouraged across all areas, is merging partnership boards not counter-productive?

A: The partnership boards would continue to have a local focus and representation and appropriate arrangements should be made to ensure that the valuable contributions made at a local level are not lost.

Q: What happens if a centre is de-twinned, how will it find members?

A: Governor Services will support the centre to find new members in the same way as when we set up interim partnership boards a few years ago. Parent and practitioner forums would be key.

Q: How much can a centre manager get involved in discussions on the future shape of the partnership board?

A: They can be very involved. However, they must always ensure that they do so within the remit and scope of their role while adhering to the current rules pertaining to the governance model.

Q: Can we start to have discussions between now and April with the members of partnership boards from the other centres we will merge with?

A: Yes. The briefing sessions were meant to help partnership board members get to know their new colleagues. We would recommend you share the dates of the Spring and Summer meetings with each other to help facilitate building relationships at an early stage

Q: Where centres are merging, how will the partnership board manage the difference in working practices, policies and procedures?

A: As in any change process, it will take time for people to get used to different ways of working and develop as a team. It may be possible for Governor Services to bring partnership boards and contracted organisations together for cluster meetings so that some of these issues can be ironed out early in the changeover. It will be useful for merged partnership boards to allow time for discussion of such issues at their first meetings.

Q: Currently HCC inform the content discussed in partnership board meetings. This ensures boards are kept up to date on a range of matters. How can this be maintained?

A: Guidance is available and this will be something Governor Services, in liaison with Services for Young Children, can talk to providers about once it is known who they are.

Q: Are Governor Services currently paid for by the Local Authority?

A: Some of our services are. Training costs are top sliced from budget allocations so that no centre pays for the training of its partnership board members. Children's centres are invoiced for the cost of a Governor Services clerk if they choose to use one.

Q: Will Governor Services continue to support clerking after 2012 and will training still be available?

A: Governor Services will continue to provide a clerking service which can be purchased either centrally, by the new providers for a cluster, or by an individual centre. Governor Services will still be available to answer telephone and email queries and clerks who are

not employed by HCC will be welcome to attend any clerking training available although there may, in future, be a charge for this.

Q: Do the new providers have to purchase the clerking services offered by HCC?

A: No. As is the current situation for third party managed centres, there is no requirement to use HCC's service.

Q: Is it optional for the partnership board to have a clerk?

A: No. It is part of the governance model that there should be a clerk, However, it does not have to be a discrete role, Some third party organisations already use some of their admin staff's time for this role.

Q: Can a partnership board member be expected to take minutes/do clerking?

A: It is not good practice for this to happen and not what the governance model requires. Placing a member in this position prevents him/her from fully participating in the meeting. Good clerking arrangements are part of being an effective partnership board.

Q: Will minutes from partnership board meetings be monitored?

A: Governor Services do not have the resources to routinely monitor all partnership board minutes but we will continue to use them to inform support where issues arise in a centre or the Local Authority has concerns.

Q: How can the quality of minutes be assured if Local Authority clerks are not in place?

A: Partnership board members and, in particular, the chair, have responsibility for seeing that the minutes of their meetings are useful, accurate documents. If there are concerns, they need to be raised with the member of staff and, subsequently, the centre manager, if the problems cannot be resolved. New clerks will need to be briefed, coached or trained to do the job.

Q: What on-going support will be available from Governor Services?

A: New providers will have the opportunity to continue to buy into the clerking service. Local Authority funding for partnership board training has been allocated until March 2013 but further work needs to be done to determine whether or not it will allow the current level of provision to be maintained. The programme has therefore not yet been planned beyond March 2012. It may be that Governor Services moves away from providing mainly centre-based training courses and delivers more cluster training.

Q: Is there a requirement to take up training after March 2013?

A: There has never been a legal requirement for partnership boards to undertake training. However, Ofsted inspections of children's centres across the country have made it clear how important training is to the effectiveness of partnership boards. The training that has been provided here has been recognised as contributory to the good and outstanding ratings given to Hampshire partnership boards.

Q: How do partnership board members gain access to the Governor Services website?

A: Go to www.hants.gov.uk/education/governors where all members of the public can see some material. Click on the governors' login button (top right) and follow the instructions to get your ID. You can then use it to have access to all our guidance documents. We put the most relevant material for partnership board members in our children's centres section.

6. Questions about staffing

Q: With regard to merging, will there be issues in terms of staffing and supporting separate boards?

A: There are already a range of models of management in place, some of which include the management of a number of centres by one centre leader who works with several boards. However, where there are concerns and issues, this needs to be discussed by individual partnership boards once the new providers are known.

Q: Will current centre staff be protected and what support will they have to take on new roles?

A: Staff will transfer to the new providers in accordance with TUPE [Transfer of Undertakings (Protection of Employment) Regulations] which protects employees in the event that the business in which they are employed changes hands, in particular to ensure that their employment rights are safeguarded. Staff will continue to be supported through the transition especially through the CCSOs (Children's Centres Support Officers).

Q: What will happen to temporary staff?

A: Staff on temporary or fixed term contracts that end prior to the contract start date will have their situation confirmed early in 2012. Temporary contracts that go beyond the contract start date are likely to transfer to the new organisation for the remaining period of the contract. This will be confirmed during the mobilisation period.

Q: Will there be a guarantee of a job for staff, for example, for two years after the new providers start?

A: There is no specified timescale governing when a new provider can seek to introduce changes to the terms and conditions of transferred staff.

Q: If the contract is awarded on 7 March, there will not be a lot of time to get things in place by 23 April 2012.

A: The Children's Centres Team is working with all centres to consider operational issues during the transitional mobilisation period.

Q: How can we address staff anxieties?

A: The best way is to listen to staff and to reassure them that we are all working to keep them informed. If they have specific personal anxieties then they should be encouraged to raise these with their line-manager. The HCC web pages also contain information for staff that they may find reassuring and helpful. The Children's Centres Team is holding meetings or surgeries to talk through any concerns and staff briefings have been arranged for March 2012.

Q: What will happen in the cases where centres are merging? If there are two centres but only one centre leader, who will get the use of that person's time?

A: The staffing model will be determined by the new provider.

Q: If there is one service provider for a whole cluster, does this mean that there will only be one manager?

A: The staffing model will be determined by the new provider.

Q: Who is carrying responsibility for a centre if the manager is not present at all times?

A: It is not an uncommon model to have one manager running several centres with no detriment to service delivery. This already happens in some Hampshire centres.

Q: Have there been any compulsory redundancies among centre managers yet?

A: HCC have not and will not be making any children's centres staff compulsorily redundant.

Q: Is Hampshire County Council (HCC) aware of the support provided to centres by volunteers?

A: Yes. HCC has always acknowledged the valuable volunteer involvement and practical input to centres. As part of the implementation of the new arrangements, we intend to ask volunteers if we can provide their contact details to the new providers so they can continue to be involved.