

CABINET

22nd MAY 2018

OUT OF HOURS CHILDREN'S SOCIAL CARE EMERGENCY DUTY SERVICE

Report of the Director for People

Strategic Aim:	Meeting the health and well-being needs of the community	
Key Decision: Yes	Forward Plan Reference: FP/071117	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr R Foster, Portfolio Holder for Children and Young People (Safeguarding)	
Contact Officer(s):	Rebecca Wilshire, Head of Children's Social Care	01572 758258 rwilshire@rutland.gov.uk
	Karen Kibblewhite, Head of Commissioning	01572 758127 kkibblewhite@rutland.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves a Local Authority Services Agreement with Leicestershire County Council for the provision of the out of hours Children's Social Care Emergency Duty Team as set out in Section 4 of this report.

1 PURPOSE OF THE REPORT

- 1.1 To request approval from Cabinet to enter a further agreement under the Local Authorities (Goods & Services) Act 1970 with Leicestershire County Council for the provision of the out of hours Children's Social Care Emergency Duty Team for Rutland.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Children's Social Care is a statutory service for the purposes of ensuring children and young people are safeguarded. The Local Authority in the area where the child lives is responsible for making provision for the child, so long as it is necessary. The Children Act 1989 places a duty on Local Authorities to take reasonable steps to identify a child in need of support and services.
- 2.2 Local authorities are required to ensure that there is a minimum service available 24 hours per day, seven days per week to receive concerns and alerts regarding children, where there are safeguarding concerns and where a child or young person is considered to be at risk of immediate harm.
- 2.3 The current provision for Rutland is provided by Leicestershire County Council. This agreement expired on 31st March 2018 and was extended by four months with Portfolio Holder agreement in order to negotiate service levels and ensure that the current Agreement remains fit for purpose and in line with recent legislative changes. This extension expires on 31st July 2018.

3 CURRENT PROVISION

- 3.1 Leicestershire County Council have provided the out of hours Children's Social Care Emergency Duty Team (EDT) for Rutland since 2013, prior to which there was a Leicester, Leicestershire and Rutland arrangement for the provision for the Emergency Duty Team.
- 3.2 The service provides a manned telephone line from 5pm until 8.30 am Monday to Thursday, and from 4.30pm on Fridays until 8.30am on Monday mornings. Coverage is also provided on all public Bank Holidays. Any member of the public or professional with concerns relating to children's safeguarding or other urgent issues can contact the Out of Hours Emergency Duty Team during those hours and speak to a Qualified Social Worker.
- 3.3 The service includes joint working with the police to deal with any safeguarding referrals where a child or young person needs emergency protection, and undertaking child protection enquiries with the police as needed to ensure children are safeguarded and a response provided within the RCC set timescales.
- 3.4 The Team have access to Rutland's case management system for children and young people so they can access up-to-date records as they are dealing with calls and inquiries. They also provide:
 - a) Advice and Guidance to families who call in for support;
 - b) Advice and support to foster carers who have concerns for a child looked after in their care;

- c) Support to children and young people where an appropriate adult may be needed;
- d) Support for any children or young people in care who suffer a placement breakdown, including locating an alternative placement.

4 FUTURE PROVISION

- 4.1 It is proposed that the current agreement with Leicestershire County Council is renewed. The existing service meets the required standards and fulfils the Council's responsibilities.
- 4.2 The Agreement would commence on 1st July 2018 and is proposed for a period of three years with an option to extend for a further three years in annual increments, subject to the satisfactory performance and ongoing agreement of both local authorities.

5 CONSULTATION

- 5.1 This proposal is made following consultation with the Portfolio Holder.

6 ALTERNATIVE OPTIONS

- 6.1 The service could be provided in-house by the Children's Social Care Team. However, this would require a significant additional investment: in order to ensure the full coverage overnight, on weekends and on bank holidays, we would require an additional four to five social workers working on a rota basis, as well as additional management and supervisory capacity. The investment and staff team needed to provide the level of coverage would be disproportionate to the numbers of calls received. This alternative was therefore discounted.
- 6.2 The service could be provided by another local authority on Rutland's behalf. This was discounted:
 - The two authorities share a Local Safeguarding Children's Board and therefore have the same safeguarding procedures, response times and requirements of partners, including the police and health providers; there is therefore less chance of errors caused by differing procedures.
 - Rutland and Leicestershire also have the same health providers and police constabulary, therefore the points of contact within partner agencies are the same; this includes the key roles of Designated Named Nurses for Child Protection and Children Looked After within health, and the lead officers within the Child Safeguarding Investigation Unit in the police.
 - The relationships needed to ensure effective and efficient information sharing and response times are already in place – were the provision to be delivered by another local authority, those points of contact and relationships would need to be established, and given the low level of calls for Rutland residents would likely take some time to build.

7 FINANCIAL IMPLICATIONS

- 7.1 The current cost of the service is calculated on a proportionate basis of the overall cost of the service delivery. The current service value is £28,864 per annum, with the current extension having been agreed at the pro-rata cost. The service has remained at the same funding level for the past four years.
- 7.2 The service represents value for money for Rutland: it would cost considerably more to run the service in-house; and the overall cost to RCC benefits from the economies of scale of being part of a much larger service.
- 7.3 The cost of the Service is to be negotiated with Leicestershire County Council prior to commencement. It will remain within the allocated budget for the service as set out in the Medium Term Financial Plan. Any changes to the cost (in either direction) will only be considered in line with:
- i) Any changes to the requirements on the service;
 - ii) Any changes to the cost of the staffing structure proposed to meet the requirements and justification of these.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The Council has a statutory duty for safeguarding children and young people. The Children's Act 1989 outlines responsibilities of the Children's Social Care provision - these responsibilities are not limited to day time services, and must be available whenever a safeguarding concern is raised.
- 8.2 Such an Agreement under the Local Authorities (Goods and Services) Act 1970 falls under Regulation 12 (7) of the Public Contracts Regulations 2015: "*contracts which establish or implement co-operation between contracting authorities*", which permits exemption of contracts between public bodies (also known as 'public-public contracts') from public procurement.
- 8.3 The Corporate Procurement Manager and Legal are satisfied that the cumulative conditions of Regulation 12 (7) are met and the Agreement can be lawfully entered into.
- 8.4 Leicestershire County Council is concurrently seeking approval to enter the agreement.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 The provision of Children's Social Care Emergency Duty Team is key to ensuring the safeguarding of vulnerable children and young people in Rutland. This will have a positive impact on those families and carers who have responsibility for a vulnerable child or young person, as well as the child/young person themselves.

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 The Council is required by Section 17 of the Crime & Disorder Act 1998 to take into account community safety implications. The provision of the Emergency Duty Team should contribute to the safety and reduction of risk to vulnerable children and young people through effective support and intervention.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 The service will improve children and young people's health and wellbeing by reducing risk to them and ensuring that concerns are dealt with in a timely manner.

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 The provision of an Emergency Duty Team in Children's Social Care is necessary to meet the statutory duties held by local authorities.
- 12.2 The current provision is effective and can continue on the same arrangement and cost as it is currently provided.

13 BACKGROUND PAPERS

- 13.1 There are no additional background papers to the report.

14 APPENDICES

- 14.1 None.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.