

HEALTH AND WELLBEING BOARD

28 OCTOBER 2014

Title:	Children's Emergency Duty Team (EDT) Shared Service: 4 Boroughs Children's Emergency Duty Team (EDT) Service
Report of the Cabinet Member for Children's Social Care	
Open Report	For Decision
Wards Affected: All	Key Decision: No
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Sponsor: Helen Jenner; Corporate Director of Children's Services	
Summary: In 2013 the London boroughs of Barking and Dagenham, Havering, Redbridge and Waltham Forest agreed in principle to merge their Children's Emergency Duty Teams (EDT) and to have a single Children's EDT partnership for the four boroughs which will be known as the 4 boroughs Children's EDT Service. Redbridge Children's Trust agreed to be the host authority. The EDT service is a statutory service and the 4 Boroughs Children's EDT Service actually became operational on the 1 May 2014. The service is funded through Children's Services social care budget. The cost of the service to LBBB is at present £257,000 per annum (total cost of £771,000 over the life of the partnership agreement). Due to this being a partnership agreement with other Local Authorities, it was not realised at the time that formal approval from LBBB Cabinet or LBBB Health and Wellbeing Board should have been secured prior to commencement of this statutory service. Portfolio agreement was sought as advised and is documented. Without retrospective approval from either body, Legal Services are unable to seal the contracts underpinning this Local Authority partnership arrangement. Therefore and in line with the Council's Contract Rules the Health and Wellbeing Board is being formally approached to give retrospective approval, effective from 1 May 2014 for the entering into of a three year legal partnership agreement for the delivery of the 4 Borough Children's EDT Service with the the London boroughs of Havering, Redbridge and Waltham Forest	
Recommendation(s) The Health and Wellbeing Board is recommended to: 1. Approve the entering into of a three year legal partnership agreement, effective from 1 May 2014, for the delivery of the 4 Borough Children's EDT Service with the the London boroughs of Havering, Redbridge and Waltham Forest.	

Reason(s)

1. This decision will support the Council's Priority of "enabling social responsibility" by protecting the most vulnerable and keeping children healthy and safe.

1. Introduction and Background

- 1.1 The Emergency Duty Team (EDT) in Barking and Dagenham has previously been delivered in partnership with LB Havering (LBH) providing out of hours emergency duty cover for both Adult and Children's Social Care.
- 1.2 In October 2011 the London Borough of Redbridge (LBR) met with LBH and the London Borough of Barking and Dagenham (LBBD) via East London Solutions to review existing arrangements for Children's EDT and how these could be progressed jointly. Subsequent to this meeting the work was expanded to include Waltham Forest (LBWF).
- 1.3 A number of options were explored and considered:
 - **Option 1.** For each borough to revise its EDT model at an individual Borough level. Whilst this was considered to be a viable option it is not being recommended as developing a single borough approach would mean that the value for money benefits that could be achieved through a joint approach namely, joint management, flexible rotas, and a resilient service would not be achieved.
 - **Option 2.** Explore a broader based joint working solution. Given the nature of EDT it is important that boroughs respond to emergencies in a timely way. Therefore, to take forward a joint arrangement with partners outside of East London would increase risk of delayed response and therefore this was not considered a viable option.
 - **Option 3.** Explore a joint working solution with four boroughs providing a Children's EDT Service across Havering, Barking and Dagenham, Waltham Forest and Redbridge.
- 1.4 In 2013 the London boroughs of Barking and Dagenham, Havering, Redbridge and Waltham Forest agreed in principle to merge their Children's Emergency Duty Teams (EDT) and to have a single Children's EDT partnership for the four boroughs which would be known as the 4 boroughs Children's EDT Service. Redbridge Children's Trust agreed to be the host authority.
- 1.5 The EDT service is a statutory service and the 4 Boroughs Children's EDT Service actually became operational on the 1 May 2014. The service is funded through Children's Services social care budget.
- 1.6 Out-of-hours emergency duty services for Adult Social Care is being carried out by NELFT under a Section 75 National Health Service Act 2006 Agreement, and has been so since the 1 May 2014.

2. Proposal and Issues

- 2.1 Before the 4 Boroughs Children's EDT Service became operational on the 1st May 2014 and as TUPE applied to the recommended model of service delivery, Human Resource (HR) Leads worked closely with Service Leads to ensure that any risks from the transfer and any restructure were minimised. All relevant Human Resources (HR) policies and procedures were followed to ensure that employees were consulted appropriately both pre- and post transfer.
- 2.2 The cost of the new model of service delivery is broadly neutral, but there may be scope for a reduction in these costs over time and it is envisaged that savings may be achieved through further standardisation/ rationalisation of staffing and support costs across the four boroughs. The initial costs of the service have been split based on 2012/13 costs until the end of March 2015, following which a review of apportioned costs will be undertaken.
- 2.3 The total cost of the new 4 Boroughs Children's EDT Service is £890,199 per annum and the cost to LBBB is at present £257,000 per annum (total cost of £771,000 over the life of the partnership agreement), which is commensurate with the expenditure per annum on this service by LBBB prior to the new arrangement and does not, therefore, represent any increase in expenditure.
- 2.4 Although the service has been running since 1 May 2014 partnership contracts were only sent out for signing by LBR in June 2014. Due to this being a partnership agreement with other Local Authorities, it was not realised at the time that formal member level approval from LBBB Cabinet or LBBB Health and Wellbeing Board should have been secured prior to commencement of this statutory service. Without retrospective approval from either body, Legal Services are unable to seal the contracts underpinning this Local Authority partnership arrangement.
- 2.5 This report therefore proposes that the Health and Wellbeing Board give retrospective approval, effective from 1 May 2014, for the entering into of a three year legal partnership agreement for the delivery of the 4 Borough Children's EDT Service with the the London boroughs of Havering, Redbridge and Waltham Forest

3 Consultation

- 3.1 LBBB was part of a Project Board comprised of senior managers across the four Boroughs tasked with managing, reviewing and developing the proposals. Full and formal consultation was held with staff and trade unions throughout the process in accordance with the Council's HR procedures.

4 Mandatory Implications

4.1 Joint Strategic Needs Assessment

The JSNA shows a continued rise in the child population and this growth has been factored in to the new service model with Havering, Redbridge, and Waltham Forest.

(Implications completed by: Matthew Cole, Director of Public Health, LBBB)

4.2 Health and Wellbeing Strategy

This service is a key extended hours safeguarding service and is key to achieving priorities relating to children in the strategy.

(Implications completed by: Matthew Cole, Director of Public Health, LBBDD)

4.3 Integration

The 4 Boroughs Children's EDT Service is an integrated Local Authority approach that will provide a high quality value for money service. This integrated approach will enable management costs to be shared and will improve working relationships between EDT staff and daytime duty teams with improved and consistent communication and practice.

4.4 Financial Implications

(Implications completed by: Patricia Harvey, Interim Group Manager – Children's Services)

4.4.1 The Social Care and Complex Needs total budget for 2014/15 is £32.6m and reporting within this is a budget allocation for the Children's Emergency Duty Teams (EDT).

4.4.2 The initial agreement of the 4 Boroughs shared apportioned costs is currently based on 2012/13 costs and is due for review after March 2015.

4.5 Legal Implications

(Implications completed by: Daniel Toohey, Principal Corporate Solicitor, Legal and Democratic Services)

4.5.1 This report is seeking approval from the Health and Wellbeing Board (HWB) to enter into a three year arrangement with the London Boroughs of Havering, Redbridge and Waltham Forest for the provision of a statutory function, namely the Children's Emergency Duty Team Shared Service.

4.5.2 Due to the value of this arrangement being in excess of £500,000 formal HWB minutes will be required in order for Legal Services to seal the contract documentation.

4.5.3 Legal Services has reviewed the contract documentation and advised the responsible directorate accordingly throughout the process. Legal Services note that there are no procurement implications for this partnership agreement as this is not an agreement which is subject to the Public Contracts Regulations 2006.

4.5.4 Under rule 7.3 the HWB has the same power as Cabinet to authorise the award of contracts.

4.5.5 Legal Services will be on hand to assist the responsible directorate in the sealing of the contract documents and should any further queries arise throughout the contract period.

4.6 Risk Management

The partnership agreement has been specifically tailored to ensure that aspects such as monitoring, accountability and collaboration for effective functioning of the EDT, are all addressed.

4.7 Patient/Service User Impact

The service will be delivered from two location hubs Barking and Dagenham and Havering (hub 1) and LBR and LBWF (hub 2). The potential for one hub to cover the other should multiple and/or prolonged emergencies arise should lead to a more resilient service and improved outcomes for service users.

5. Non-mandatory Implications

5.1 Crime and Disorder

Not applicable.

5.2 Safeguarding

The new EDT service is required to adhere to all the Council's local safeguarding procedures. These are explicitly addressed within the service specification that forms a schedule of the contract that has been scrutinised by the Council's Legal Department.

5.3 Property/Assets

The EDT service was previously located in Butler Court. This accommodation has been released and Redbridge have accommodated the new service at no additional cost to Barking and Dagenham, Havering, and Waltham Forest.

5.4 Customer Impact

An Equalities Impact Assessment screening assessment was undertaken and indicated that there are no assessed service impact outcomes as a result of the change in service delivery.

An initial Equalities Workforce Assessment (EWA) was completed indicating no adverse impact.

5.5 Contractual Issues

Partnership agreements have been issued by LBR and these have been reviewed by the LBBB Legal Department who are now waiting to sign and seal the agreements.

5.6 Staffing issues

An HR work stream with HR leads from the three employing boroughs worked closely with Service leads to review and manage the HR implications and risks. The preferred approach entailed a TUPE transfer of staff from LBBB and LBWF to deliver the Children's EDT service.

In order to achieve an aligned service a review of the structures and roles was undertaken. All relevant HR policies and processes were followed to ensure employees were consulted appropriately both pre and post transfer and to ensure risks from the transfer and any restructure were minimised. Costs arising from this implementation were shared between the four participating boroughs.

Public Background Papers Used in the Preparation of the Report:

- None

List of Appendices:

- None