



EXECUTIVE DECISION NOTICE

SERVICE AREA:	CHILDRENS SERVICES Childrens Social Care
SUBJECT MATTER:	THE MISSING FROM HOME SERVICE
DECISION:	That it be DETERMINED that: <ol style="list-style-type: none">1. The statutory duty for undertaking return interviews for children who go missing from home or care is at the expiry of the current contract delivered by Tameside Children's Services.2. It is noted that TUPE will apply to the transfer of this service to the Council
DECISION TAKER(S):	Councillor Bill Fairfoull
DESIGNATION OF DECISION TAKER (S):	Deputy Executive Leader
DATE OF DECISION:	8 December 2021
REASON FOR DECISION:	<p>The decision is needed to ensure that the Council is able to fulfil its statutory duties in relation to children who go missing from home or care.</p> <p>These duties are currently delivered via a contract with a national provider that is due for renewal from the 31 March 2022.</p> <p>The proposal is that this contract be delivered by Childrens services directly, which would involve TUPE considerations for staff currently involved with the delivery of the service.</p>
ALTERNATIVE OPTIONS REJECTED (if any):	Undertake an open and competitive procurement process for a contract with a revised service specification.
CONSULTEES:	Barnardos – current contract provider Young people
FINANCIAL IMPLICATIONS: (Authorised by Section 151 Officer)	<p>The proposal will trigger the TUPE process. At this stage it is not clear if the Council would enhance any of the workers terms and conditions to harmonise them with Council staff terms and conditions. As a minimum it is anticipated that the workers would be enrolled into the Greater Manchester Pension Fund. Based on this assumption and the TUPE information provided by Barnardo's; the proposed change to service delivery proposal could generate recurrent annual savings of approximately £26.7K. There will also be one-off costs such as the purchase of laptops and mobile phones estimated at £4K.</p> <p>The provisional budget for proposed change to service delivery the service does not include any budget for weekend enhancements or bank holiday payments. There is a risk that due to the requirement for return interviews to be completed within 72 hours there may be occasions when staff have to work weekends or bank holidays. Due to the cyclical nature of</p>

	<p>the missing from home interviews, staff may need to complete overtime which would increase costs. Given that the Missing from Home Service is a statutory service any sickness absence or maternity leave will need to be covered which would also create an additional cost pressure. to the Council.</p>
<p>LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)</p>	<p>The Council has a statutory duty to safeguard and protect the welfare of children who go missing from home or care.</p> <p>As set out in the main body of the report this service was initially delivered as part of the service being provided by Barnardos.</p> <p>A review of the delivery of that service has been completed which again is detailed in the main body of the report and it is being suggested that better outcomes can be achieved if part of the service is delivered directly by the Council. Members will also have to be content that this proposal will represent good value for money for the Council, which is addressed in the financial implications although it should be noted there are a number of unknowns and not a fully costed up business plan. It is likely any savings will be marginal and therefore it is important that there are definite service improvements and the additional benefits set out in the report.</p> <p>It is important that advice is sought from STAR in relation to the termination of the current contract and the retendering of the parts of the service, which are still to be delivered by external partners.</p> <p>The transferring of part of the service to the Council is likely to trigger the Transfer of Undertakings Protection of Employment Rights Regulations (TUPE), which requires staff who are currently wholly or mainly assigned to the service that is to be transferred to transfer their employment to the Council. The regulations have particular requirements in relation to consultation and pension provisions. Therefore it is critical that the service works closely with both finance and HR in delivering this transfer.</p>
<p>CONFLICT OF INTEREST:</p>	<p>None declared</p>
<p>DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:</p>	<p>N/A</p>
<p>ACCESS TO INFORMATION:</p>	<p>The background papers relating to this report can be inspected by contacting the Report Writer, Sally Dickin by:</p> <p> Telephone: 0161 342 5680</p> <p> E-mail: sally.dickin@tameside.gov.uk</p>



Signed 
Councillor Bill Fairfoull, Deputy Executive Leader

Dated: 8 December 2021

EXECUTIVE DECISION REPORT

SERVICE AREA:	CHILDREN'S SERVICES Childrens Social Care
SUBJECT MATTER:	FUTURE OF THE MISSING FROM HOME SERVICE
DATE OF DECISION:	8 December 2021
DECISION TAKER(S):	Councillor Bill Fairfoull
DESIGNATION OF DECISION TAKER (S):	Deputy Executive Leader
REPORTING OFFICER:	Tracy Morris - Assistant Director – Childrens Services
REPORT SUMMARY:	The report provides an overview of the statutory requirements and background information on the service delivery in Tameside. It provides details about the work that has been done as part of the review of the current provision and in planning for the proposed changes. The report further explains the proposals being put forward and implications that these entail.
RECOMMENDATION:	It is recommended that: <ol style="list-style-type: none"> 1. The statutory duty for undertaking return interviews for children who go missing from home or care is at the expiry of the current contract delivered by Tameside Children's Services. 2. It is noted that TUPE will apply to the transfer of this service to the Council.
JUSTIFICATION FOR THE DECISION:	The decision is needed in order to ensure that the Council is able to deliver its statutory duties in relation to children who go missing from home or care. Recent benchmarking and internal review suggests that having a single in house service for conducting statutory return interviews would: <ul style="list-style-type: none"> ○ Improve the effectiveness of the return interviews in terms of delivering improved quantity and quality ○ Reduce the handoffs between the statutory partners and the service and reconcile the data management systems
ALTERNATIVE OPTIONS REJECTED (if any):	Undertake an open and competitive procurement process for a contract with a revised service specification.
CONSULTEES:	Elected members via board
FINANCIAL IMPLICATIONS: (Authorised by Section 151 Officer)	The proposed service delivery changed will trigger the TUPE process. At this stage it is not clear if the Council would seek enhance any of the workers terms and conditions to harmonise them with Council staff terms and conditions, this process will be considered by HR colleagues a review of the financial impact would need to be reconsidered at this point. The financial implications assume that the workers would be

	<p>enrolled into the Greater Manchester Pension Fund. Based on this assumption and the TUPE information provided by Barnardo's; the proposed change to service delivery proposal could generate recurrent annual savings of approximately £26.7K. There will also be one-off costs such as the purchase of laptops and mobile phones estimated at £4K.</p> <p>The provisional budget for proposed change to service delivery does not include any budget for overtime, weekend enhancements or bank holiday payments as the staff concerned are not contracted to work any. There is a risk that due to the requirement for return interviews to be completed within 72 hours, there may be a need for staff to work outside contracted hours to achieve the statutory requirement, which would give rise to a budget pressure. The information presented currently suggests overtime is not a requirement for the service.</p> <p>As this is a demand led service, times of peak demand could lead to overtime, cover for sickness and maternity would have to be carefully considered given that the Missing from Home Service is a statutory Any cover of this nature would create an additional cost pressure to the Council.</p>
<p>LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)</p>	<p>The Council has a statutory duty to safeguard and protect the welfare of children who go missing from home or care.</p> <p>As set out in the main body of the report this service was initially delivered as part of the service being provided by Barnardos.</p> <p>A review of the delivery of that service has been completed which again is detailed in the main body of the report and it is being suggested that better outcomes can be achieved if part of the service is delivered directly by the Council. Members will also have to be content that this proposal will represent good value for money for the Council, which is addressed in the financial implications although it should be noted there are a number of unknowns and not a fully costed up business plan. It is likely any savings will be marginal and therefore it is important that there are definite service improvements and the additional benefits set out in the report.</p> <p>It is important that advice is sought from STAR in relation to the termination of the current contract and the retendering of the parts of the service, which are still to be delivered by external partners.</p> <p>The transferring of part of the service to the Council is likely to trigger the Transfer of Undertakings Protection of Employment Rights Regulations (TUPE), which requires staff who are currently wholly or mainly assigned to the service that is to be transferred to transfer their employment to the Council. The regulations have particular requirements in relation to consultation and pension provisions. Therefore it is critical that the service works closely with both finance and HR in delivering this transfer.</p>
<p>CONFLICT OF INTEREST:</p>	<p>None</p>

DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:	N/A
ACCESS TO INFORMATION:	<p>The background papers relating to this report can be inspected by contacting the report writer, Sally Dickin by:</p> <p> Telephone: 0161 342 5680</p> <p> E-mail: sally.dickin@tameside.gov.uk</p>

1 INTRODUCTION

- 1.1 In January 2014 the Department for Education (DfE) published statutory guidance on children who run away or go missing from home or care. This required local authorities and other named statutory partners to make arrangements to ensure that their functions are discharged with a view to safeguarding and promoting the welfare of children. This includes planning to prevent children from going missing and to protect them when they do.
- 1.2 Return interviews are described by the statutory guidance as more in-depth than safe and well checks. It states '*The interviews should in most cases be completed within 72 hours of a child returning home*'. The statutory guidance defined an independent person as the following 'an independent person (i.e. someone not involved in caring for the child) who is trained to carry out these interviews and is able to follow-up any actions that emerge.'
- 1.3 In Tameside the Missing from Home duty was met by incorporating the new function into the existing independent visitor and advocacy service, contracted to Barnardo's.
- 1.4 Barnardo's currently works with Tameside to deliver this important service and commissioned staff are co-located with the Multi Agency Safeguarding Hub (MASH) Team.

2 BACKGROUND FOR DELIVERY IN TAMESIDE

- 2.1 In March 2020 there was a review of the missing from home service, through the governance of the Tameside Safeguarding Children Partnership (TSCP) as there were amplified concerns about children missing during the pandemic conditions when the Government announced the national response through a lockdown.
- 2.2 The service review considered the systems in place between police reports of missing, response from children's service and the effectiveness of the commissioned service for return interviews. There was a service mapping exercise that took place in January 2020 and this identified systems problems with the Greater Manchester Police (GMP) i-ops process, children's services systems and Barnardo's. In summary there were too many handoffs to make effective the 72 hour requirement of return interview.
- 2.3 Reviews of other models were undertaken with a number of considerations based on the following principles:
- 2.4 Improving the effectiveness of the return interviews (quantity and quality)
 - Reducing the handoffs between the statutory partners and the commissioned service and reconcile the data management systems
 - Improving data intelligence on 'why' children go missing and developing local knowledge of key risks of geographical areas, perpetrators and people who pose a risk
- 2.5 Improving the strategic oversight and plan so that resources deployed are focussed on key priorities. A significant feature of the current model is that whilst the return interview service produces some data on children it is featured on their characteristics and not on wider intelligence which is associated with police suspects, associates etc. There is no 'read-over' to inform service planning and no direct communication with the missing police officers.
- 2.6 As part of the review there was comparison with a neighbouring local authority model and in June 2020 Stockport responded to our request to consider benchmarking with the missing children service. Stockport had recently remodelled their service, having previously commissioned a third sector charity to deliver their return interviews. They did this on the principles that the local intelligence (both soft and hard), was not informing sufficiently the safety planning. At a cost of £80,000 Stockport employed two workers (not qualified social workers) and business support to work within the MASH and significantly, they had agreed with GMP that the workers would have access to the police information systems, allowing for

the quick transfer of intelligence. The return home officers are managed by a separate manager which allows for the independent scrutiny required for the model to meet the statutory guidance. Stockport considered that this remodelled service allows for reduced handoffs between the statutory partners and supports the development of local intelligence of the factors that pull children into going missing from home / care.

3 INSOURCING: BRINGING THE SERVICE ‘IN-HOUSE’; MAINTAINING INDEPENDENCE AND MANAGEMENT

3.1 Bringing the service in-house would deliver the benefits described above in relation to the experience of Stockport. The proposed proposed change to service delivery will affect four individuals and TUPE means that they will transfer in on their existing contract of employment at the rate of pay that they are currently employed on. As such, the TUPE process will need to be undertaken ahead of the transfer and will include consultation with the affected employees.

3.2 The current budget in relation to the contract is £147.7K. The following proposed budget is identified for the service using TUPE information supplied by Barnardo’s.

Staffing details	Annual Budget (including employer NI and GMPF employer contribution)
1 x WTE Project Worker– 37hr post – associated post costs – 4% pension contribution, 26 days annual leave, .40p mileage.	£28,400
1 x PTE Project Worker– 22hr post – associated post costs – 4% pension contribution, 26 days annual leave, .40p mileage.	£16,800
1 x WTE Senior Project worker– 37hr post– associated post costs – 4% pension contribution, 26 days annual leave, .40p mileage.	£33,800
1 x HTE Team Manager– 18hr post - associated post costs – x% pension contribution, 27 days annual leave (based on 5yrs service) pro rata, .45p mileage.	£28,300
1 x PTE Secretarial Asst – 4% pension contribution. 83.2hrs annual leave, .40p mileage	£9,000
Staffing Sub Total	£116,300
ICT and Mileage costs	£4,600
Total Proposed Budget	£120,900
Annual Saving	£26,800

The saving identified in the above is in *addition* to that delivered by re-profiling the budget for the independent visitor and advocacy service as a separate retender and which is currently delivered as part of of a single combined tender as described in 1.3.

3.3 The current manager is identified as working 25% of their time on this contract and is unlikely to be subject to TUPE arrangements. It is currently being explored if the management responsibilities can be merged with an existing manager’s role currently in the Council’s staffing establishment. This will deliver a *further* cashable saving to the budget of the team who’s current manager will be re-profiled to part time.

- 3.4 The Missing service would be located within the MASH as an outreach service. Missing referrals would be triaged more quickly with access to GMP iops system and workers within the MASH management could be despatched quickly to conduct return home interviews. At weekends the Missing service would link with the Emergency Duty Team (also under the MASH management structure). MASH do not case hold so this would ensure independence of management from case-holding Social Work teams.
- 3.5 As well as the savings identified there will be efficiency benefits; generous modelling of the contracted provision suggests only 32% of worker time is spent actually interviewing our children with a further 40% spent on preparation and writing up. A significant 22% was spent on working with Tameside's MASH. A focus on the 68% of the working time not interviewing children will give additional capacity for multi-agency response to the issues arising from missing. The location of the workers within Tameside will give much greater control over that 68% and focused redesign of their roles.
- 3.6 The reduction in costs and increased productivity are anticipated to offset the wider costs of TUPE from proposed change to service delivery but further modelling is needed with colleagues from Human Resources and Finance.
- 3.7 The statutory guidance defined an independent person as the following: 'an independent person (i.e., someone not involved in caring for the child) who is trained to carry out these interviews and is able to follow-up any actions that emerge.' This allows for in-house service to provide return interviews with the requirement that the management of the service lies outside of the service directly responsible for the case management of the child. This would mean that the service could move into Tameside children's service but be managed through a different arm of children's service.

4 ALTERNATIVE OPTION: RE-TENDERING

- 4.1 The current arrangements will expire at the end of the financial year and if the proposed change to service delivery set out in this report is not progressed, will need to be retendered.
- 4.2 The opportunities for delivering a saving will be more limited as a new tenure would necessarily include management costs, which are negated in the proposed change to service delivery model, thus giving a financial return.
- 4.3 The opportunities to use the surplus capacity currently identified within the workers covered by the TUPE envelope would be given to the successful provider, which could be mitigated against by better contract management and clearer tenders. Re-contracting the tender would entail a redesigned and more specific performance framework, which would improve performance but would not deliver all the anticipated benefits.

5 CONCLUSION

- 5.1 Based on a review of the current arrangements and learning from the benefits that Stockport documented by proposed change to service delivery the service, it is anticipated that this will improve the effectiveness of the service area and should also bring about a saving. This will mean a better service for young people of the Borough that will increase our ability to effectively safeguard and respond to vulnerable young people who go missing. An increased understanding of the profile and contextual nature of the missing may also improve our ability to reduce and prevent future missing episodes.

6 RECOMMENDATIONS

- 6.1 As set out at the front of the report.