

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

Report Title:	Hillside and Fernbank - Feedback on Early Years Strategy & Consultation Process
Meeting for:	Children & Young People Scrutiny Commission
Date:	28 February 2022
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1. Report Summary

- 1.1. A letter from Hillside and Fernbank Parents was received at the CYP Scrutiny Commission held on 1 November 2021. The letter raised issues with how Hackney residents were being consulted on the proposed early years strategy.
- 1.2. This report sets out the Council's response to specific questions raised in the letter regarding the proposed closures of two Children's Centres - Fernbank & Hillside.
- 1.3. Since CYP Scrutiny on 1 November 2021, the consultation concluded with the pause of the proposal to close Fernbank and Hillside Children's Centres, in order to complete a wider review of provision with further engagement this year.
- 1.4. The consultation summary has been published on the council website as of 1st March 2022.
- 1.5. Hackney Education will report to Scrutiny later this year on follow up activity linked to the outcomes of this consultation.

2. Response to Questions

- 2.1. **This consultation is only open for 8 and a half weeks (16 September - 16 November) as opposed to 12 weeks which is best practice in public consultation**

Response

In considering how long to run the consultation for, we considered the Childcare Act 2006 and the Apprenticeships, Skills, Children and Learning Act 2009. These Acts place a duty on local authorities to consult before making significant changes to children's centres. Local authorities are required to consult those affected by the proposed changes, with particular attention given to disadvantaged families, allowing 'adequate' time to give feedback.

The consultation, though uploaded on 14 September 2021, was launched on 15 September to 16 November 2021. This gave residents and service users affected by the proposed changes 9 weeks to complete the survey which, at the time, we felt was sufficient to collect feedback.

Whilst consideration was given to commencing the consultation in August 2021, it was felt that any consultation during the summer may have disadvantaged individuals due to summer holidays. Also, as children's centres closed in August for two weeks for recess, children's centre staff would not have been available to support families to have their say during that period.

The criticism of the campaign group is acknowledged and we will take this into consideration for any future consultations.

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

2.2. The consultation documents are not clear about the scope to influence through the exercise as is recommended in best practice

Response

The consultation documents were set out on the website inviting residents to have their say. The consultation set out:

- The background and context
- What we are proposing
- Who we want to hear from
- Other ways to take part
- What happens next

We feel that the consultation documents provided the scope to influence, but we accept that further background information would have been helpful.

2.3. A meaningful consultation on a topic of this nature should be proactively seeking views from relevant stakeholders - it is not clear what steps have been taken to reach interested parties beyond a letter to parents in the centres at risk of closure and invitation to a one-off meeting lasting one hour.

Response

The consultation was underpinned by an engagement plan. In addition to uploading the consultation on both the Council and the education service website, with letters and texts to parents registered on the Hackney wide children's centre database, the consultation was also promoted through the following channels:

- An article in the borough-wide newspaper, Hackney Today (see page 7 of the [13 September edition](#) - Children's Centres Consultation - have your say on proposed closures), signposting the consultation to all residents and businesses in the borough.
- A further article in the October Hackney Life council information paper (see [page 11- have your say on proposed closures](#)) also sent to all homes and businesses in the borough
- Promotion of the consultation on the council's social media channels
- Promotion of the consultation in the council's e-newsletters
- Promotion of the consultation on the council's news site
- Promoted through the Hackney Council for Voluntary Sector e-bulletin sent out to community, voluntary and faith groups in the borough.
- Informal consultation meetings were held with staff affected by the proposal.
- Consultation meetings with parents impacted by the proposals were held on 6 October, 7 October, 5 November and 9 November. The meeting on the 5 November took place with parents from Shoreditch Trust. Further drop-ins were held with youth organisations such as Hackney Quest to capture the voice of young people.
- Posters and paper copies of the consultation were sent to all children's centres to make available for parents requiring hard copies. Outreach, stay and play workers and family practitioners also provided 121 support at drop-ins to explain the questionnaire and to help parents & carers who needed additional support to have their say.

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

- Briefings circulated to schools, settings, childminders, community organisations, health partners and commissioned providers and agencies working with children and families to assist interested parties to have their say.

2.4. It is not clear whether Hackney has a consultation standard / code of practice and if so, how this exercise complies with it.

Response

Hackney abides by four engagement principles that help to ensure that our consultation & engagement activity is meaningful and effectively engages our audiences. We strive to ensure that engagement with residents and stakeholders is:

1. **TIMELY** - Build time into planning for service changes, savings proposals, and new projects, for meaningful public consultation and service user engagement and that we will allow the maximum time that is practical for consultation and engagement within any project.
 - a. The consultation was carried out for 9 weeks until 16 November and we considered this being extended for an additional 4 weeks until 17 December, which would have given a consultation timeframe of 13 weeks.
2. **MEANINGFUL** - Engage residents, businesses, staff and stakeholders to help them shape proposals that will affect the services they use and deliver, or the areas where they live and work. Involve, where appropriate, people with co-production and user testing.
 - a. In addition to the online mechanisms of engagement, we held face to face meetings across the borough, particularly with service users of the two centres proposed for closure: Fernbank and Hillside. All the feedback received will inform the decision made regarding the proposals.
3. **INCLUSIVE** - Diverse outreach methods, engaging people in their communities, rather than expecting them to come to us. Work to boost engagement with under-represented groups to ensure that we're hearing balanced views and the voices of those most affected.
 - a. As detailed above, we've used a variety of engagement methods to ensure that those affected by the proposals were aware of the consultation and able to take part. The consultation summary explaining the purpose of the consultation and online questionnaire was included on the Council's online consultation platform, citizen space. The consultation was also signposted via the [Hackney Education website](#), the [Local Offer website](#) and the Council's social media channels.
 - b. Consultees were encouraged to respond online, however, for those that prefer a paper copy, these were available from their local children's centre. Staff at the centres were also able to support service users who needed this to complete the questionnaires or had any questions about the consultation.
 - c. Posters promoting the consultation were displayed at children's centres and libraries across the borough.
 - d. The consultation was promoted in the Council's free publication Hackney Today, in the September edition (page 7) and the October edition of Hackney Life (page 11). Hackney Today and Life are distributed to all households and businesses in the borough and are also available through self-service points across the borough. The paper has the widest circulation of all local publications, going to more than 108,000 businesses and households in the borough.

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

4. **DIRECT** - Engage directly with our residents and businesses where possible, not on the mediation of community leaders, representative groups, and the voluntary sector, while still acknowledging what a vital role they can play in helping to facilitate engagement.
 - a. We wrote to all current users of the two centres proposed for closure, letting them know about the consultation and encouraging them to respond to the consultation. Given the impact of the proposed closures on the users of these centres, events were held so that current users could ask any questions about the proposals. The events were held on:
 - i. Wednesday, 6th October, 5pm to 6pm, Fernbank children's centre
 - ii. Tuesday, 7th October, 5pm to 6pm, Hillside children's centre
 - iii. Friday, 5 November, Shoreditch Trust parents meeting
 - iv. Tuesday, 9 November, 5pm to 6.45pm, Oldhill School and children's centre

- 2.5. **On September 13th, Hackney Today published an article regarding the proposed closure of the two children's centres prior to that evening's Cabinet Meeting where Cabinet then approved the Early Years Strategy. The public consultation then only opened two days later on September 15th.**

Response

The consultation proposal article was published in Hackney Today, the Council's newspaper, on the day of the 13 September 2021 Cabinet meeting in order to meet the quarterly paper's distribution timetable. The next edition of Hackney Today was due out in December 2021 -- after the consultation closing date.

Hackney Today has the widest circulation of all local newspapers (going to 108,000 businesses and households) and is an essential broadcast tool in ensuring as many people view the consultation, and have opportunity to comment on it, as possible. It was, therefore, critical that a consultation of this size appeared in it.

The consultation went live two days after Cabinet, following approval of the strategy by councillors. Had the strategy not been approved, the consultation would not have gone live, and a clarification would have appeared on the consultation website, as well as in the next edition of the Council's newspaper.

- 2.6. **The report about the Early Years Strategy which went to cabinet for approval on the 13th September did not contain details of the proposed closures, only about the strategy and loose wording around 'reconfiguration'.**

Response

The savings proposals to close these children's centres at the time of drafting the Cabinet report, were going through the budget process and had not yet been formally agreed. As the budget had yet to be finalised, the report to Cabinet in September did not expressly refer to the proposal. Instead references are made to reconfiguring children's centres and making savings, which all services are expected to make.

- 2.7. **The proposed Early Years Strategy is a standard process by which the Council reviews policy. The closure of the nurseries has to do with the overall budget of the Council, and what it is considering for the upcoming 2022/23 financial year. These two issues are different and should be consulted on separately.**

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

Response

The consultation focused on both proposals affecting children's centres and on the Early Years Strategy. Whilst there was a requirement to consult on children's centres, there was no requirement to consult on the strategy. However both involve key parts of the early years provision across our borough, so consulting jointly was a reasonable approach.

- 2.8. **The online survey does not allow for views to be given as to why respondents agree/disagree with the closure of the two centres (question nine) - only to question five - not allowing residents to give relevant views in relation to this very significant proposal.**

Response

In addition to the survey, the clerked consultation meetings and consultation email address, provided an opportunity to capture resident's views. We accept that it would have been helpful to have included space specifically about the closures for an open response. Notwithstanding this, respondents also had the alternative option of emailing the consultation email address which was widely available.

- 2.9. **The way in which the consultation survey question about the closures is presented is leading - the information presented is highly selective and present the closures of the children's centres and the other plans within the Early Years Strategy as mutually exclusive when they are not. This is misleading and could influence the way in which people respond to the question.**

Response

All of the proposals related to children's centre service delivery. However, the only proposal with a direct financial impact, related to the proposed closure of the children's centres. Although we do not accept that the questions were misleading, we would welcome further information about this.

- 2.10. **It is not clear whether the £1m budget cut to Early Years Services is commensurate with cuts across the whole budget. If it is not, we would like to understand on what basis the decision that cuts were necessary for the youngest and most vulnerable residents of Hackney.**

Response

The finance section of the Cabinet report notes that all Council services are asked to contribute to the Council's deficit. Early Years are considering a contribution of £1 million which is 10% of Early Years discretionary budget. This does not include the ring fenced funding from the designated schools block for the provision of early education for eligible two, three and four year olds.

It should also be noted that Hackney spends considerably more on children's centres in comparison to other local authorities.

- 2.11. **The consultation documents contain insufficient information about/references to the data on which decisions have been based**
- 2.11.1. **The consultation states: "Over the past two years, we've listened to hundreds of residents – parents, carers, those who would like to become mothers and fathers in the future, as well as other professionals who work with families – to ensure this strategy reflects what is most important to them."**

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

How were residents spoken to? Was this representative? On what basis were residents responding to questions about priorities? Were they aware of the potential uses of their views? Is there a write up of this evidence?

Response

1,403 parents responded to the children's centre engagement in 2019. The engagement sought feedback from users of children's centres to find out the services they value most and how they could be improved in the future. Feedback was also sought on childcare subsidies, following changes to the fee structure.

The most popular services used within the last 6 to 12 months of the engagement were stay and play activities (34.79%), followed by family support and parenting programmes (10.18%), childcare (10%) and child and family health - antenatal and postnatal (9.65%).

The summary report is available here:

<https://education.hackney.gov.uk/sites/default/files/document/Childrens%20Centres%20Engagement%20Summary%20Report%20August%202019.pdf>

- 2.11.2. **The documents lack any detail on the expected costs and benefits of the proposals or as compared to alternative models explored.**
- 2.11.3. **The consultation survey states: "The centres are situated in an area where increasing numbers of children are attending independent settings, up from 1345 in 2020 to 1446, with fewer children in the community attending mainstream provision" - What is this 'area' referenced? How are the boundaries defined and how does this relate to the location of the proposed closures? How does this relate to vacancies in the same area rather than borough-wide as referenced? The statistic given without this detail is meaningless. Donna Thomas herself, in her evidence to the scrutiny commission on 6th October stated that research showed that families travel from all over the borough to access childcare so the number of children attending independent setting in the immediate area is not entirely relevant.**
- 2.11.4. **The map included in the strategy and consultation is at best, not fit for purpose and at worst, misleading in terms of how it illustrates availability of existing childcare provision across Hackney. For example, it does not include any detail of the ages provided for (e.g. some settings do not offer childcare for under twos), quality of provision, hours of operation (i.e. full time v part time, term-time or year-round), nor the cost of places. In at least one case, provision marked on the map has closed down. Anyone answering the consultation would not necessarily know what this means and could assume there is sufficient provision when agreeing/disagreeing with the proposals to close two centres.**

Response

As set out in point 2 above, we accept that further background information about the options appraisal would have added to the published consultation paperwork.

The map in the consultation document is the current map of provision and was included to show the location of the children's centres.

It is unusual for maps to indicate specific detail about settings as this would considerably increase the size of the map. Specific information about settings is, however, available on the childcare list available on Hackney Education's website and from the Family Information Service. Settings open and close throughout the year, maps are updated less frequently.

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

All of the children's centres which the consultation is concerned with were up to date on the map when the consultation commenced.

- 2.11.5. **The consultation survey states: "There are five centres within walking distance of each other, which would allow children to conveniently attend the remaining 3 centres." This is misleading - there are parents who already travel to Hillside nursery from the North West side of the borough for whom the remaining three centres would not be 'conveniently' located. The statement presents the case as though all affected families live between the five centres which is simply not the case. This could unfairly influence people responding to the survey to agree with closures.**

Response

Children's centre planning is not predicated on where parents live or travel from, nor can it be. Parents travel from across the borough and from out of the borough. Planning is, therefore, centred on the number of centres within a geographical area. In this case, there are 5 centres within pram pushing distance from each other. All, with the exception of one Centre, have vacancies.

- 2.11.6. **No information is shared in the consultation documentation about the criteria for assessment of the two particular centres for closure. This was provided verbally at a one-off meeting for parents only of the two affected centres.**

- 2.11.7. **When a parent who wasn't able to attend requested a copy of the minutes from the Fernbank meeting in a follow up email they were told by Donna Thomas that they didn't exist but that our feedback had been 'captured' by the consultation team. This means there is no way of sharing the information or feedback gathered there with e.g. parents not able to attend or to other local stakeholders.**

Response

The criteria for assessment was discussed at the parents meetings and included in the frequently asked questions. Parents were informed at the beginning of the meeting that minutes would not be available, and that the feedback captured by the clerk would feed into the consultation report which would be made public at the end of the consultation.

- 2.11.8. **No information has been given about the numbers of families affected**
- 2.11.9. **No information has been given about the other options considered in the**
- 2.11.10. **development of these proposals and why these conclusions have been reached.**
- 2.11.11. **It is not clear from the consultation documents whether an equality impact assessment has been undertaken in relation to the new Early Years Strategy and proposed closures and what this has found.**
- 2.11.12. **It is not clear from the documents whether the proposals were developed based on a recent childcare sufficiency assessment or not. The last assessment in the public domain appears to have been conducted in March 2020 - this information is over 12 months old and likely to be out of date, not least because of the impacts of COVID.**
- 2.11.13. **It is not clear if any other comprehensive needs assessments have been undertaken in the development of the new Early Years Strategy and if so, what this has found.**

Response

We accept that further background information would be helpful.

CYP Scrutiny Commission Report: Response to Questions regarding Early Years Strategy & Consultation Process

- 2.12. **The proposal to close two Children's Centres, which currently offer excellent services and care to local families, will make the lives of over 100 families worse and less supported. These centres have been serving local people for decades and are trusted by the community. Closing these centres will increase inequality and division in an area of the borough that is already struggling with these problems.**

Parents at affected settings have been told they will need to send their children further away, to childminders (which is a completely different form of childcare and one which many parents don't want for their children), to private nurseries which are unaffordable, or to provision for under twos which doesn't yet exist at Woodberry Down. These are not reasonable alternatives.

Response

The second paragraph above appears to contradict the earlier statement in point 11.5 above, "*... there are parents who already travel to Hillside nursery from the North West side of the borough for whom the remaining three centres would not be 'conveniently' located*".

The challenge to the Council in 11.5 is that parents travel from all over the borough and from out of borough for childcare. In our engagement with parents and carers, they cited that they may have to travel further. However, parents already travel a distance in order to take up childcare for a number of reasons, such as to access provision on route to work, study, or close to family networks.

Reference was also made about private nurseries being unaffordable. A minority of private nurseries charge less than children's centres such as Phoenix House, some charge roughly the same as children's centres, and others charge considerably more.

A parent at the meeting enquired about whether baby places could be considered as part of the development at Woodberry Down, and was informed that this was a consideration. We also have another children's centre in the N16 area, also considering extending their baby places.

As set out in points 2, 11.4 and 11.12 above, we accept that further background information that underpinned the proposal would have been helpful.