Consultation

Did you take part in either of the Scottish Government consultation exercises which preceded the Bill and, if so, did you comment on the financial assumptions made?

1. Yes, the Getting it Right for Every Midlothian Child Partnership responded to the September 2012 consultation. We asked how the extension of the responsibility for care leavers would be funded and also requested clarification of where the resources would come from to fulfil the new order for kinship carers.

Do you believe your comments on the financial assumptions have been accurately reflected in the FM?

2. These have not been addressed in the FM, although clarifying the source of funding for implementing the Bill’s measures was perhaps not in the remit of the FM.

Did you have sufficient time to contribute to the consultation exercise?

Costs

If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the FM? If not, please provide details?

3. Nil or minimal additional costs are included for planning and reporting under the various provisions of the bill and this may be the case, provided that the requirements are satisfied by the current plans and reports that are prepared. If planning and reporting is required to be carried out in a particular way or using particular templates or in line with specific guidance then, especially if they must be done in addition to existing arrangements, the costs could be greater than those estimated.

4. The arrangements that will need to be made to fulfil the Named Person role will be complex and will require reorganisation of duties and/or recruitment of staff within Local Authorities in order to put in place a robust referral and response system that works both during term time and also during school holidays, in order to ensure that referrals are dealt with throughout the year, not just during school term time. The FM looks at the costs of training teaching and school support staff and for backfilling posts, but not at this wider perspective.

5. There is a task to be carried out to set up secure arrangements for transferring children’s records between the NHS and Councils (and thence to schools) when the Named Person responsibility moves as the child starts school. This will require staff time from the NHS and all local authorities to agree protocols,
devise and test procedures, train staff etc. It is not clear from the FM whether this will be done centrally or be the responsibility of the regional NHS Boards and Local Authorities.

6. It is also not clear from the FM whether it takes account of the need to recruit trained staff and the likelihood of having to recruit untrained staff and train them as there will not be a pool of unemployed people with the necessary specialised training, qualifications and experience. It refers to staff costs provided by a local authority but does not clarify whether this is ongoing staff or reflects the additional cost of recruiting new staff. The Bill will require more midwives, health visitors, teachers and school administration staff, childcare staff, family counsellors etc. In some cases it may take years before staff are fully trained but in the mean time quality of services must be maintained and deadlines met, otherwise there is the risk of poor inspection reports or judicial review, or even Scottish Ministers exercising their enforcement powers – which includes the power to transfer assets and staff.

7. Potentially more support will be required from local authorities to childcare and early learning providers to assist them in expanding to meet the additional provision and the complexities that result, such as additional staff, more hours for staff, compliance with employment, health and safety regulations, building work to expand premises.

Do you consider that the estimated costs and savings set out in the FM and projected over 15 years for each service are reasonable and accurate?

8. Midlothian Council is in the process of carrying out an options appraisal, including costing, for the increase in early learning and childcare hours and these estimates come in significantly below the figures in the FM (once they have been extrapolated using the population aged under five in Midlothian as a proportion of the Scottish population).

9. Local characteristics such as high proportion of care leavers/kinship carers etc could lead to disproportionate costs (rather than savings), particularly for small local authorities and those where kinship care is promoted rather than residential care. It is noted that the FM has an extremely wide range of estimates, with the savings in the upper estimate coming in at up to nine times that of the lower estimate. The extension of the support provided to care leavers in practice could be very costly to local authorities.

10. The references to case studies and the work of local authorities in the costings is useful, however there is no guarantee that the savings that are estimated in the FM will be applicable in each local authority’s local context and if the expected savings as a result of the shift to prevention and early intervention do not materialise or are less than expected organisations could be left with unsustainable services. In some cases the FM offsets these savings in the short term, where in fact it may be many years, and in some case a generation or longer, before the provision of, and funding for, some services can be reduced. This transitional period where existing services must be continued and new, preventative, services put in place will be extremely tough to fund unless there is provision from central government.
If relevant, are you content that your organisation can meet the financial costs associated with the Bill which your organisation will incur? If not, how do you think these costs should be met?

11. Many of the organisations in the Getting it Right for Every Midlothian Child Partnership, and in particular Midlothian Council, are already under financial pressure and it will be very difficult to find funds and resources to meet the additional duties of the Bill. This may be most severe regarding the additional hours of childcare/early learning which, based on the figures in FM, are estimated at up to £1.8 million per year for Midlothian Council.

Does the FM accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

12. The notes and details of the methodology used to calculate the estimates in the FM are welcomed and have been very useful in considering the implications of the Bill and the risks that come from it.

13. It has been noted, however, that some costs are likely to accrue earlier, for example the Children Affected by Parental Substance Misuse guidance has been adopted from June 2013 in the Lothians, far earlier than the dates in the Bill. This will result in the planning, restructuring, changes to procedures and practices and staff training taking place years in advance of the timescales in the FM.

14. There is also a necessarily wide range in figures provided for certain provisions, reflecting the uncertainty in the projections but this does make it difficult for organisations and the partnership to plan for the Bill.

Wider Issues
Do you believe that the FM reasonably captures costs associated with the Bill? If not, which other costs might be incurred and by whom?

15. The FM takes account of various costs, for example the costs of training and backfilling posts in Education as a result of the Named Person, however systems must be devised and put into place and additional people trained in order to provide the Named Person service over the holiday periods. This may require quite a lot of resource and reorganisation within local authorities.

Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

16. The final costs will not be apparent until after all the legislation has been finalised and passed. There could yet be changes in many things, such as the definition of support to be provided to care leavers, kinship carers etc that could have a significant impact on the limited monies available.