



Our Ref: Local Authorities/Leicestershire

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For the Members of the Children and Families Overview and Scrutiny
Attention of: Committee

Dear Members of the Children and Families Overview and Scrutiny Committee,

Leicestershire County Council: Scale of Budget Cuts for the Educational Psychology Service.

The Association of Educational Psychologists is an independent trade union and it represents some 90% of educational psychologists who are currently in practice in England and Wales. I am writing to you on behalf of our members employed by Leicestershire County Council.

I refer the "Questioning by Members of Overview and Scrutiny" document, which appears at the end of the Agenda page of your proceedings. It is considered relevant to the content of this letter.

At your meeting on 1 September 2014, Children and Families Overview and Scrutiny Committee considered, at Agenda Item 10, a report from the Director of Children and Family Services entitled, 'Service Developments and Plans to Meet MTFs Savings'. The report contained an appendix i.e. 'Appendix A – 19 February 2014 County Council Meeting' (a copy is attached for your reference).

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The Children and Families Overview and Scrutiny Committee made the following decision:

"That the implications of the planned programme of departmental savings across Children and Family Services, required as part of the County Council's MTFS and Transformation Programme, be noted."

In 'Appendix A' it is stated that the, 'Reduction in the Educational Psychology Service', which is reference S14, would be £240,000 for the financial year 2015/2016 and sustained at that level for 2016/2017 and again for 2017/2018.

The figure of £240,000 represents an 18% cut to the service and, consequently, unless alternatives can be found and agreed, there will be some redundancies arising from it.

However, at a meeting of a group called the 'Children and Young People's Service Transformation Board' held some 11 days earlier i.e. on 20 August 2014, which was also attended by the Director of Children and Family Services, the minutes record:

"Educational Psychology Service: The Board noted that the agreed saving for 2015/2016 was £391,000 and [would] remain for the period of the MTFS."

So that means a cut of £391,000 for 2015/2016 which will be sustained for the years 2016/2017 and for 2017/2018. We are not at all clear who "agreed" the savings of £391,000.

This is an increase in the level of the cut agreed by the democratically elected Members of Leicestershire County Council on the 19 February 2014 of some £151,000. Or put another way, it raises the cut from 18% to 29%.

We are surprised that this 'decision' was not reported to Overview and Scrutiny and is not reflected in the minutes of your meeting.

In addition, we have looked through Leicestershire County Council's website for evidence of an 'elected Member' decision in the proceedings of meetings of the various Council Committees since 19 February 2014 that would authorise such an increase and we have failed to find one.

If there is such a minuted decision, then we would be grateful if you could direct us to it.

However, if this 'decision' does not enjoy transparent elected Member support, then we would view it as being 'ultra vires' and any dismissals for reason of redundancy resulting from it would also be considered 'ultra vires' and therefore would arguably be unfair dismissals.

On 2 October 2014, I wrote to Sam Weston, in Democratic Services, to advise him that I intended to write to the members of the Children and Families Overview and Scrutiny Committee about this matter. However, I did agree that he could first try and secure an explanation from Children and Family Services. He contacted Gillian Weston in Children and Family Services.

I attach that correspondence for your reference.

The key part of the response from Children and Family Services is as follows:

“The service considered the options to achieve the full saving in the 2015/16 financial year and provided proposals that honoured the services commitments to schools for the 2014/15 academic year. However, to do that it was deemed necessary to implement a restructure commencing in September, part way through the financial year. As a result the savings need to be delivered over 7 months and therefore need to make a greater reduction in the service, this reduction delivers a full financial year saving of £391,000.

The governance arrangements within the Children and Families Department surrounding the delivery of departmental savings are through the department’s Transformation Board, the proposed restructure delivering savings of £391,000 was agreed at this Board on August 20th following extensive discussions within the department and with the service manager.”

This response is not satisfactory for the following reasons:

1. Firstly, it appears to confirm that there is no democratic accountability for the “agreed” decision of Transformation Board to increase the saving from £240,000 to £391,000.
2. Secondly, just because the proposed £240,000 savings have to be ‘shoe-horned’ into seven months rather than twelve months, that does not explain why the saving for 2015/2016 has to be a whopping £391,000.

What I think it may mean is that, because the redundancies are starting part-way through the financial year, that they have to be at a greater level than they would have been if the redundancies had been implemented for the start of 2015/2016 in order to achieve a saving of £240,000. Consequently, if they are sustained at that level into 2016/2017 and 2017/2018 then the full year savings for those years would be £391,000, as a direct consequence of a decision to start later in the year 2015/2016. There is clearly no democratic accountability that would allow the Children and Family Service to sustain a £391,000 cut to the Educational Psychology Service in years 2016/2017 and 2017/2018. That is not what Appendix A says about the Educational Psychology Service.

3. Thirdly, I am very mindful of the fact that one of the key questions, Overview and Scrutiny is expected to consider is: *“Who has been consulted and what has the response been? How, if at all, have their views been taken into account in this proposal?”*.

My concern is that the schools do not appear to be aware of the full implications of what is being proposed in 2016/2017 and 2017/2018. Their Educational Psychologist Service is now apparently planned to ‘fall off a cliff’ in September 2015 and I am not at all sure that that was either the intention of the elected

Members on 19 February 2014 or what the schools would envisage is going to happen.

Finally, on your same agenda, you considered the implications of and the responsibilities arising from the Children and Families Act 2014 and allied Code of Practice published in July 2014.

Now is not the time to be cutting educational psychologists by 29% as their statutory role has been enhanced and expanded as a result of the legislative changes. They ought, for example, to be playing a key role in the new EHC plans.

The Association of Educational Psychologists is confident that the £240,000 in savings can be achieved through income generation, if the service is allowed to trade to its capacity, and, accordingly, the impact of redundancies can be mitigated fully.

When we are eventually consulted over the savings to be made, this argument will form the centre-piece of our submission.

In the meantime, we are keen to establish what the level of the savings authorised is and see the audit-trail behind that decision.

We wait to hear from you.

Yours faithfully,



Stuart Moules
Regional Officer (North)

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- Attachment 1: Email trail between Stuart Moules and Sam Weston dated 2 October 2014 16:37
- Attachment 2: Email trail between Stuart Moules and Sam Weston dated 2 October 2014 14:14
- Attachment 3: Letter dated 2 October 2014 from Stuart Moules for the Attention of Members of Children and Families Overview and Scrutiny Committee
- Attachment 4: Appendix A

Copy to: AEP members in Leicestershire