

By: Anna Taylor - Scrutiny Research Officer

To: County Council - 13 March 2025

Subject: **County Council review of Decision 24/00093 - Future of Commissioned Services at Seashells and Millmead Family Hubs**

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Summary: Full Council is required, in accordance with the call-in arrangements detailed in section 17.73 of the Constitution, to review or scrutinise Executive Decision 24/00093.

In considering the Executive decision, in response to the referral of the decision by the Scrutiny Committee on 29 January 2025, the Council may:

- (a) Agree that the decision be implemented
  - (b) Express comments but not require reconsideration of the decision, or
  - (c) Require implementation of the decision to be postponed pending reconsideration of the matter by the Cabinet, taking into account the Council's comments
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## Introduction

1. Decision 24/00093 – Future of Commissioned Services at Seashells and Millmead Family Hubs was taken on 17 January 2025.
2. A call in request was submitted by Mrs Meade (Labour Group) and Mr Barry Lewis (Green and Independents Group) prior to the call-in deadline.
3. The reasons for the call-in were duly assessed by Democratic Services, including an investigation into whether any issues raised in the call-in were adequately addressed by the decision paperwork, committee reports, responses to written questions or committee debate. The call-in was determined to be valid under the arrangements set out in the Constitution. Call-in reasons must be clear, correct and align to one or more of the following criteria under s17.67 of the Constitution: Members can call-in a decision for one or more of the following reasons:
  - a. The decision is not in line with the Council's Policy Framework,
  - b. The decision is not in accordance with the Council's Budget,
  - c. The decision was not taken in accordance with the principles of decision making set out in 8.5, and/or
  - d. The decision was not taken in accordance with the arrangements set out in Section 12.
4. The full call-in request is set out in the attached document (a), submitted by Ms Meade and Mr Lewis. Whilst not all aspects of the call-in were considered valid, Reasons 1 and 5 put forward in the call-in were assessed as valid. The reasons

for this determination made by Democratic Services are set out below and were presented to the Scrutiny Committee during the initial call-in consideration.

### **Call-in Reason one: Best Value Duty**

As it is set out in the call-in document, this reason highlights the requirement for decisions to evidence consideration of best value. This is addressed to a significant degree as the reports explore detailed consideration of various options and financial implications along with considering needs assessment comparisons across other Wards. However, recognising the significant public interest in the community value aspect for this particular decision, more explicit explanations relating to how Community Value was considered would provide clarity.

### **Reason five: Explanation of the options considered and giving reasons for decisions**

As it is set out in the call-in document, this reason highlights a range of arguable information gaps and technical queries. While the majority of these do not necessarily meet the call-in criteria, the assertion that further clarification is needed on the consideration around potential use of Year 4 Family Hub funding and the materiality of the legal or procurement risks on alternative options are best explored by the Scrutiny Committee, recognising the prior Cabinet Committee recommendation.

5. As some elements of the call-in were deemed valid, the full call-in process was triggered.
6. In determining the validity of any call-in, no judgment is made by Democratic Services as to whether the decision itself is flawed, inappropriate or invalid. Where some individual reasons submitted for an overall valid call-in are not assessed as valid, this does not mean they merit no consideration as part of any subsequent call-in meeting. Call-in is a procedural tool to safeguard against the implementation of decisions which meet the criteria in section 17.67 and where further discussion by Members to clarify the decision is required. The call-in reasons were assessed as valid on the basis that further information was required, pursuant to section 17.67, to evidence compliance.
7. In accordance with the requirements for progressing a valid call-in, the Scrutiny Committee considered the matter within 10 working days of the confirmation of validity.

### **Scrutiny Committee consideration of the call-in**

8. On 29 January 2025, the Scrutiny Committee met to consider the call-in. The Scrutiny Committee was advised in the papers that Members should consider the reasons set out by the Members calling-in the decision, the documentation already available and the response from the Executive given at the meeting, giving due regard to the information made available during questioning and discussion on the item.

9. The Scrutiny Committee considered the call-in reasoning, with explanations provided by both Members responsible for the call-in. Members debated the issues, including usage figures of the Family Hubs, gaps in information provided and further clarification on the potential use of the Year 4 Family Hub funding and the materiality of the legal or procurement risks of alternative options.
10. Following the debate, the Scrutiny Committee unanimously agreed the following motion:
  - a. That implementation of Decision 24/00093 be postponed pending review by the full Council.

### **Comments from the Scrutiny Committee**

11. Comments expressed during the debate are summarised below (these represent the views put forward by Members of the Committee):
  - a. Members claimed that the decision was inconsistent with the Council's Policy Framework in relation to Best Value Duty, in so far as it was argued that the high footfall and positive support for the Commissioned Hubs indicated they offered good and popular services, making them best value when compared with the less popular alternative Hub facilities.
  - b. Members considered that Seashells and Millmead provided the best value and served the community effectively, particularly vulnerable families, and it was important to consider community impact when decisions were made.
  - c. Members raised concerns about the financial analysis, including the lack of funding plans and lack of detailed costings for alternative service provisions.
  - d. Clarification was sought over differing usage figures available for the Family Hub buildings and the data on which this decision was based on, with queries arising based on information collected and shared by an individual member of the Committee.
  - e. Concerns raised about the lack of detail surrounding the savings made by not renewing the contracts.
  - f. Further information sought about existing contracts and contract extension requirements – confirmation was requested around legality of a contract extension.
  - g. Further information sought about what the Year 4 additional family hub funding from central government could be used for.
  - h. Clarification over whether the family hub funding could be used for 0-25years, not only early years.
  - i. Concerns over accuracy of the EqIA
  - j. Differing accounts of engagement with Swale Borough Council over the potential move of Family Hub services to the Sheppey Gateway.
12. After the debate, the Committee resolved, with a unanimous vote, to refer the matter to full Council for review.

## Consideration by Cabinet

13. As a consequence of the Scrutiny Committee's decision, section 17.73 of the Constitution applies:

"If the Scrutiny Committee refers a decision to the full Council, it shall be considered at the next meeting of the Council when the Council may either:

- (a) Agree the decision be implemented
- (b) Express comments but not require reconsideration of the decision, or
- (c) Require implementation of the decision to be postponed pending reconsideration of the matter by the Cabinet, taking into account the Council's comments."

14. Section 17.74 of the Constitution requires that before a decision is reviewed by full Council, it must be formally reconsidered by Cabinet, in light of the comments made by the Scrutiny Committee. That provides an opportunity for the Executive to confirm, amend or rescind the decision before it is subject to any further debate by the wider Council membership.

15. Cabinet met on 4 March 2025 where the decision was formally reconsidered on the basis of a report which set out the comments expressed by the Scrutiny Committee (paragraph 10 above).

16. Cabinet resolved the following:

- a. NOTE the comments and views expressed by Scrutiny when agreeing to refer the matter to Full Council
- b. CONFIRM the decision will be progressed to Full Council unchanged at this time.
- c. AGREE to present further information to support Full Council consideration of the call-in

17. Key points from the Cabinet discussion are summarised below:

- a. The Cabinet Member had been considering carefully the questions raised by the Scrutiny Committee, whilst keeping in mind the policy context set by the Council and the requirement to deliver Family Hub Services to families, children and young people consistently across Kent.
- b. Particular reference was made to points raised by stakeholders about co-location of services and potential reach. The original decision had therefore been amended to include the option of delivery of outreach services by the KCC Family Hub Team, in recognition of the consultation responses which expressed considerable concern about those two issues.
- c. Careful consideration had also been given to the issues raised over the available data. It was noted that data relating to delivery of Family Hub Services as determined by the Department for Education had to be the key data as part of consideration of the proposals but the Cabinet Member

confirmed that other information being provided by relevant stakeholders was being also being taken into account.

18. The Cabinet expressed a view that given the resolution by Scrutiny, further debate and discussion should be reserved for the County Council meeting. Cabinet therefore resolved to note the comments expressed by Scrutiny and confirm that the decision be progressed to Full Council without amendment to allow review and consideration of the original decision.

### **County Council review or scrutiny**

19. As per the Cabinet consideration on 4 March 2025, a response to the points made by Scrutiny has been provided and is included as Appendix 1 for this item.
  20. The call-in request is provided in full as Appendix 2 to ensure Members have clear sight of the formal reasons this matter was progressed to the Scrutiny Committee via the official call-in process. This report, at section 4, outlines which elements of the call-in were assessed as valid.
  21. In addition, the original decision documentation is provided as appendices to support the due consideration of the matter. These are Appendices 3 to 8.
  22. Members are invited to debate the matter, giving due consideration to the specific issues raised in the call-in, the points raised by the Scrutiny Committee as part of their debate and the comments made by Cabinet as part of its reconsideration of the decision.
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### **Recommendation:**

The Council may, having reviewed Executive Decision 24/00093, resolve one of the following:

- a. Agree that the decision be implemented
  - b. express comments but not require reconsideration of the decision, or
  - c. require implementation of the decision to be postponed pending reconsideration of the matter by the Cabinet, taking into account the Council's comments
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## **Appendices**

Appendix 1 – Executive Response

Appendix 2 – Full call-in submission

Appendix 3 – [24-00093 - Decision Report](#)

Appendix 4 – [24-00093 - Record of Decision](#)

Appendix 5 – [Service Offer Comparison](#)

Appendix 6 – [Commissioned Family Hub Contracts Consultation Report](#)

Appendix 7 – [Draft Responses to Consultation Feedback](#)

Appendix 8 – [Commissioned Family Hub Contracts Decision EqIA](#)

## **Background documents**

- a) [Agenda for Cabinet on Tuesday, 4th March, 2025, 10.00 am](#)
- b) [Agenda for Scrutiny Committee on Wednesday, 29th January, 2025, 10.00 am](#)
- c) [Agenda for Children's, Young People and Education Cabinet Committee on Thursday, 21st November, 2024, 2.00 pm](#)
- d) [Agenda for County Council on Thursday, 7th November, 2024, 10.00 am](#)

## **Contact Details**

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