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KIDS AND CO

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**Purpose of Report**

1. I have requested a call-in of the decision of Cabinet, in relation to Kids and Co Nurseries (Minute C104(1)/Jan/13). The reason I have requested the call-in is that we believe that the decision of Cabinet was not taken in accordance with the following principles as set out in the Council's Constitution :-

**Proportionality**

We believe the decision to close the service is disproportionate because of the failure of Officers to undertake a thorough options appraisal and full consideration of the costs to implement the recommendations.

We believe a fundamental review of the service should have been undertaken to look at fees, staffing, structures etc to ensure an objective decision was made.

Redundancy cost of £170,000 plus the costs incurred when the service re-located 3 years ago of £350,000 (total cost of £520,00) does not represent efficient or appropriate use of public money.

**Due consultation and the taking of professional advice from Officers**

The Cabinet decision was based on inadequate and incomplete advice. Information provided to Cabinet Members was incomplete i.e. audit of places and Equality Impact Assessment.

The closure of the service will result in a loss of 180 childcare places and information was not provided at the meeting to prove there are enough places available. We do not believe a decision should have been made without this information being made available.

**Respect for Human Rights**

We believe the Equality Impact Assessment submitted to Cabinet was incomplete as the section on page 8 relating to disabled people's impairments was not complete as the Council was awaiting information from parents and carers.

The following points should also be noted in relation to the potential impact on Protected Characteristics detailed on page 6

- Potential Impact – there will be a **negative** impact in **5** of the 9 protected characteristics

- **Potential Level of Impact** – there will be a Medium impact in 4 of the 9 protected characteristics, there will be a high impact in 1 Of the 9 protected characteristics and there will be a nil impact in 4 protected characteristics

We believe the Equality Impact Assessment should have been completed before any decision was made

**Explaining what options were considered and giving reasons for the decision**

Due to lack of information and analysis from Officers, Cabinet Members were not able to give full consideration of the 10 options outlined in the report. We believe that there was also a failure by Members to give reasons why representations by UNISON and parents were rejected.

The decision to close will impact in the region of 180 families in Darlington as well as 44 staff and their families and we believe the Council owes them a fair and transparent process. It should also be noted that staff and parents have indicated their intention to submit a complaint to the Council's Corporate Complaints Team about the process which might ultimately lead to a complaint to the Local Government Ombudsman

**Councillor Kelley**