

4th December 2015

William Powell AM
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA
(By e-mail)

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Dear Mr Powell,

Thank you for your e-mail dated 13th November 2015 attaching the letter from Steven Phillips, Chief Executive Neath Port Talbot County Borough Council.

We appreciate the opportunity to respond to this letter. Nevertheless, I will only respond to the points that are pertinent to Action for Children - Gweithredu dros Blant and not in relation to the Flying Start programme as a whole. The following relates to paragraph 1 on page 2 of the letter from Mr Phillips. More specifically, it relates to Mr Phillip's statement that third party tenders for a service should deliver the said service without reverting to the local council for additional funding.

We agree with this statement in part. However, we have never actually tendered for this service. The service was originally set up over 17 years ago and evolved over the years in a partnership between Action for Children and Neath Port Talbot County Borough Council. We were initially asked to take on these nurseries from the local authority and staff were subject to TUPE on their existing terms and conditions. We are extremely proud to have served the children and families in these communities for that time. However, in the current economic climate, it is no longer financially viable for the charity to operate these services. In 2004, with the introduction of Flying Start, the funding for the service was moved to a grant and we were issued with annual contracts, but we have never formally tendered for the service.

By 2009, it was clear to us that the funding available for the nurseries was unsustainable and we gave due notice to quit, this resulted in the services going out for tender, and we did not apply but were satisfied for the services to be handed to a new provider, with the existing staff being subject to TUPE. However, no organisation submitted a tender application, we assumed that this was a consequence of the price limitations and the TUPE implications. From our perspective, we did not want the families and children to lose out on the services we had provided and so, we agreed to continue the service until a solution could be reached as agreed with the local authority. At this time we delivered other services in Llansawel and with the full understanding of the commissioner were able to pool our resources to cover the funding shortfall in - Croeserw and Glyncorrwg nurseries and also used Llansawel staff to cover for sickness and training absence in the nurseries.

In 2014 we were informed that our funding for Llansawel was ending and so, our ability to support the funding of Croeserw and Glyncorrwg was uncertain. We refute Mr Phillip's claim that we gave notice to Neath Port Talbot County Borough Council to end these services during this period. In fact, we actively explored options for continuing the delivery of this service, but we were unable to secure a solution.

Noddw'r: ei Mawrhydi y Frenhines • Gweithredu dros blant, neu'r Sefydlwyd NCH, fely'i gelwid gynt, ym 1869
Rhifau elusen gofrestredig. 1097940/SC038092 • Rhif Cwmni 4764232 • Cwmni cyfyngedig a gofrestrwyd yng Nghymru a Lloegr.
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Registered charity nos. 1097940/SC038092 • Company no. 4764232 • Limited company registered in England and Wales
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Throughout this time, we continued to provide an excellent service to the children and their families in the area, as is evidenced in our CSSIW inspection reports.

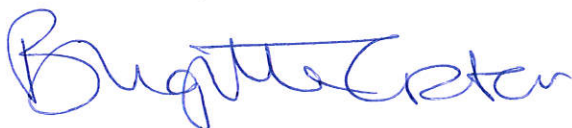
By March 2015, we had still not reached a solution with the local authority and we had no choice but to give 90 days' notice, as it was stated in the contract. In the letter, we acknowledged that the notice would formally end on the 10th June 2015, but we agreed to continue to provide the service until 31st August 2015. This was to enable the service to continue for the remainder of the school year for the benefit of the children and close the service when the children had formally finished. We also refute the claim that "AfC has packed up and left". We reluctantly withdrew from Croeserw and Glyncoerwg due to the level of funding available to deliver the nurseries. We have however continued to run these services at a loss to Action for Children since 2014.

We continue to have good relationships with officers in Neath Port Talbot County Borough Council and provide other services to a high standard within the Neath Port Talbot area some of which are registered with CSSIW and have excellent inspection reports and others which we have been awarded via a tendering process.

Our concern, at all times, is to consider the children, young people and their families who need us most, which is why I am saddened by the implications made in the letter from Mr Phillips. I hope this gives you a more balanced perspective.

If I can be of any further assistance please do not hesitate to contact me.

Yours sincerely



Brigitte Gater
Director of Children's Services