

OFFICER DECISION NOTICE



Reading
Borough Council
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This notice is to be used for the following types of officer decisions. (Select one option).

☒ **A.** Decisions taken by officers under a specific express delegation from Council or a Committee.

☐ **B.** Decisions taken by officers under a general delegation from Council or a Committee, which relates to (i) a permission or a licence, or (ii) the rights of an individual, or (iii) a contract or expenditure over which materially affects that relevant local government body's financial position.

1. Title of decision:	Brighter Futures for Children Ltd (BFfC) – Novation of Contracts to Reading Borough Council (RBC)
2. Date of the decision:	27 June 2025
3. The decision maker:	Acting Executive Director for Resources

4. Decision details:

To authorise the Novation of existing Contracts, circa 200, from Brighter Futures for Children to Reading Borough Council.

Following the Council's decision not to extend the Contract with Brighter Futures for Children Ltd (BFfC) beyond 31 March 2026. All services currently provided by BFfC will be brought in-house on 1 October 2025. As part of this transition, all existing contracts held by BFfC will be novated to Reading Borough Council (RBC), transferring all rights, obligations, and liabilities to RBC. This ensures continuity of service delivery and legal compliance, as BFfC will cease to exist following the transition.

5. Reasons for the decision:

Council approved (inter alia) the following resolution in relation to the Brighter Futures for Children Ltd service contract:

(2) *That by 1 April 2026, services currently provided by BFfC, including all remaining support services, be brought in house to be delivered directly by the Council;*

(3) *That the Executive Director of Resources, in consultation with the Leader of the Council, the Lead Councillors for Children and Education, the relevant statutory officers and Chair of the Board, be authorised to:*

i. Transfer all staff from BFfC to the Council;

- ii. *Remove the secure designated pension arrangements between BFfC, the Council*
- iii. *Novate all BFfC contracts to the Council;*
- iv. *Take all steps legally required to close the BFfC Company;*
- v. *Make any changes required to the Terms of References for Committees to reflect the change of delivery model and remove reference to the Company and contract within the Lead Councillor portfolios;*
- vi. *Make any other necessary amendments to the Council's Constitution and Scheme of Officer Delegation to reflect the changes of the delivery model;*

In relation to item 3(iii), Brighter Futures for Children Contracts Transition Programme Board set up the Brighter Futures for Children Commercial Workstream to inter alia, facilitate Novation of all existing contracts from Brighter Futures for Children to Reading Borough Council. Contracts have been categorised into three broad departments, namely, Education, Social Care and Corporate Services.

6. Alternative options considered (if any) and rejected:

None.

7. List of open Background Papers:

None.

8. List of confidential or exempt Background Papers:

None.

9. Any other matters taken into consideration:

<input type="checkbox"/> Legitimate expectation of consultation	<input type="checkbox"/> Procedural requirements
<input type="checkbox"/> Public Health implications	<input type="checkbox"/> Environmental or Climate Change
<input type="checkbox"/> Health and Safety	<input type="checkbox"/> Risk Management implications
<input type="checkbox"/> Transparency of Information (FOI etc)	<input type="checkbox"/> Privacy Impact Assessments
<input type="checkbox"/> Human Rights Act Duties	<input type="checkbox"/> Equality Impact Assessment
<input type="checkbox"/> Corporate Parenting	<input type="checkbox"/> Community Safety
<input type="checkbox"/> Regulatory duties	<input type="checkbox"/> EU withdrawal
<input type="checkbox"/> Armed Forces Covenant	<input type="checkbox"/> Other

Details of the matters taken into account:

None.

10. Legal considerations

The Council has the power to bring services back in-house or terminate the Contract early by mutual agreement with BFfC. To give effect to the transition, the Council will novate all existing Contracts. This is necessary because BFfC will cease to exist as a legal entity and therefore cannot remain the contracting party. Through novation, all rights, obligations, and liabilities under the current Contracts will transfer to RBC. This legal mechanism ensures that the Council becomes the new party to each Contract, allowing services to continue seamlessly and without disruption.

11. Financial considerations

Financial advice has been taken through the Project Board

12. Internal consultations

All relevant services have been consulted via the Project Board.

Sections 13- 18: To be completed only for Decision A (express delegation from a Council)

13. The name of the Delegating Authority:

Council

14. Date of the meeting:

28 January 2025

15. Minute number:

32(3)(iii)

16. The delegation given by the Council:

That the Executive Director of Resources, in consultation with the Leader of the Council, the Lead Councillors for Children and Education, the relevant statutory officers and Chair of the Board, be authorised to:

- i. Transfer all staff from BFfC to the Council;
- ii. Remove the secure designated pension arrangements between BFfC, the Council and the Pension Fund;
- iii. Novate all BFfC contracts to the Council;
- iv. Take all steps legally required to close the BFfC Company;
- v. Make any changes required to the Terms of References for Committees to reflect the change of delivery model and remove

	<p>reference to the Company and contract within the Lead Councillor portfolios;</p> <p>vi. Make any other necessary amendments to the Council's Constitution and Scheme of Officer Delegation to reflect the changes of the delivery model;</p>
17. The name of any member of the committee who declared a conflict of interest in relation to the decision:	None
18. Any councillor or officer required to be consulted prior to the exercise of this delegation and details of their response.	<p>The following councillors and officers were consulted via email on 27 June 2025, and their response is as follows:</p> <p>Leader of the Council - Approved, 27 June 2025</p> <p>Lead Councillor for Education - Approved, 01 July 2025</p> <p>Lead Councillor for Children – Approved, 27 June 2025</p> <p>Assistant Director of Legal and Democratic Services - Approved, 27 June 2025</p> <p>Chief Finance Officer – Approved, 27 June 2025</p> <p>BFfC Chair of the Board – Approved, 1 July 2025</p> <p>Chief Executive – Approved, 30 June 2025</p>