

**CHILDREN, FAMILIES & EDUCATION -  
RESOURCES AND INFRASTRUCTURE POLICY  
OVERVIEW AND SCRUTINY COMMITTEE**

**Wednesday, 24th November, 2010**

**10.00 am**

Council Chamber, Sessions House, County Hall,  
Maidstone







## AGENDA

# CHILDREN, FAMILIES & EDUCATION - RESOURCES AND INFRASTRUCTURE POLICY OVERVIEW AND SCRUTINY COMMITTEE

**Wednesday, 24 November 2010 at 10.00 am**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Christine Singh**  
Telephone: **01622 694334**

*Tea/coffee will be available before the meeting*

### **Webcasting Notice**

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

By entering the meeting room you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured then you should make the Clerk of the meeting aware.

### **Membership**

- Conservative (11): Mr C J Capon (Chairman), Mr T Gates (Vice-Chairman),  
Mr D L Brazier, Mr R L H Long, TD, Mr R J Parry,  
Mr K H Pugh, Mrs J A Rook, Mr K Smith, Mr B J Sweetland,  
Mr M J Whiting and Mr R Tolputt
- Liberal Democrat (1): Mr M J Vye
- Church Representatives (3): The Reverend N Genders and Dr D Wadman
- Parent Governor (2): Mr B Critchley and Mr P Myers
- Teacher Advisers (6): Mr T Desmoyers-Davies, Mrs J Huckstep, Miss S Kemsley,  
Mr R Straker, Mr S Thompson and Mr J Walder

### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

<b>Item No</b>		<b>Timings*</b>
<b>A COMMITTEE BUSINESS</b>		
A1	Introduction/Webcasting	10.00 am
A2	Substitutes	
A3	Declarations of Interests by Members in items on the Agenda for this meeting	
A4	Minutes of the meeting held on 20 July 2010 (Pages 1 - 14)	

## **B ITEMS FOR DISCUSSION**

Verbal Update by the Deputy Cabinet Member and Group Directors (Pages 15 - 20) 10.10-10.40 am

This verbal update will be accompanied by written details on:

- (a) New Academies
- (b) Comprehensive Spending Review
- (c) School Organisation
- (d) Local Democracy Week

B2	Financial Monitoring (Pages 21 - 24)	10.40-10.50 am
B3	Budget 2011/12 and Medium Term Financial Plan 2011/12 to 2012/13 (Pages 25 - 46)	10.50-11.20 am
B4	Change to Keep Succeeding (Pages 47 - 104)	11.20-12.00 pm
B5	Admissions Reports	12.00-12.20 pm
	a) <u>11+ Selection in West Kent</u> (Pages 105 - 108)	
	b) <u>Primary School Admissions</u> (Pages 109 - 112)	
B6	Capital Maintenance Budget (Pages 113 - 118)	12.20-12.30 pm
B7	Children, Families and Education Directorate Risk Register 2010/2011 (Pages 119 - 136)	12.30-12.40 pm
B8	Children, Families and Education Annual Complaints report 2009/10 (Pages 137 - 152)	12.40-12.50 pm

## **C SELECT COMMITTEE WORK**

C1	Select Committee Update (Pages 153 - 154)	12.50-13.00 pm
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### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

*\*All timings are approximate*

Peter Sass  
Head of Democratic Services and Local Leadership  
(01622) 694002

**Tuesday, 16 November 2010**

*Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.*

**KENT COUNTY COUNCIL**

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**CHILDREN, FAMILIES & EDUCATION - RESOURCES AND  
INFRASTRUCTURE POLICY OVERVIEW AND SCRUTINY  
COMMITTEE**

MINUTES of a meeting of the Children, Families & Education - Resources and Infrastructure Policy Overview and Scrutiny Committee held at Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 20th July, 2010.

PRESENT: Mr C J Capon (Chairman), Mr T Gates (Vice-Chairman), Mr D L Brazier, Mrs A D Allen (Substitute for Mrs J A Rook), Mr K H Pugh, Mr K Smith, Mr B J Sweetland, Mr M J Vye, Mr R Tolputt and Mr M J Whiting

CHURCH REPRESENTATIVES: The Reverend Canon J L Smith

TEACHER ADVISERS: Mr T Desmoyers-Davies and Mr J Walder

ALSO PRESENT: Mrs S V Hohler, Mr G Cooke and Mr L Christie

IN ATTENDANCE: Ms R Turner (Managing Director Children, Families and Education), Mr K Abbott (Director Resources and Planning Group), Ms C McKenzie (Greener Kent Manager), Mr G Ward (Director, Capital and Infrastructure Group) and Mrs C A Singh (Democratic Services Officer)

**UNRESTRICTED ITEMS**

**31. Declarations of Interests by Members in items on the Agenda for this meeting**  
*(Item A2)*

Mr Whiting declared an interest on Item B4 as his employer was a sponsor of the Spires Academy, Sturry, Canterbury. Mr Christie also made a declaration on Item B4 as his daughter was a teacher at one of the schools being discussed.

**32. Minutes of the meeting held on 15 April 2010**  
*(Item A3)*

RESOLVED that the Minutes of the meeting held on 15 April 2010 are correctly recorded and that they be signed by the Chairman.

**33. Deputy Cabinet Member and Service Directors' - Verbal Update**  
*(Item B1)*

*(Verbal Report by Mr G Cooke, Deputy Cabinet Member for Children, Families and Education, Mr K Abbott, Director of Resources and Planning and Mr G Ward, Director of Capital Programme and Infrastructure)*

*(Mr L Christie, Leader of the Labour Group was present for this Item and was given permission to speak by the Chairman)*

(1) The Chairman asked Mr Cooke to give his verbal update. Mr Cooke spoke on the pace of the changes coming from Central government that affected the services of the CFE Directorate. He advised Members of meetings that had taken place with headteachers and Members of the County Council keeping them informed of the changes, in particular those affecting mainstream schools, special schools and academies and the halting of the Building Schools for the Future programme (BSF).

(2) Mr Cooke advised Members that although there were more financial savings that had to be made, the front line services would be protected, although this may be more difficult to achieve in the future. He advised that on 26 July there would be an announcement by the Secretary of State and preparations needed to be in hand of where the capital programme would be targeted.

(3) Mr Cooke was pleased to announce two Kent School Honours and congratulated Ms Helen Tait, Headteacher at Sandgate Primary School and Folkestone Academy who received a CBE for services to education in Kent and Mr Michael Stevens, Chair of Governors, Oakwood Park School, Maidstone, who received an MBE for voluntary services to education. The Chairman asked for a letter to be sent to each of them passing on the Committee's congratulations.

(4) Members were given the opportunity to ask questions and make comments, which included the following:

(5) In response to a question by Mr Pugh, Mr Ward advised that consultants had been appointed through the procurement process, for their experience on elements of strategic finance and for technical advice when the first BSF contract was being drawn up. Mr Ward said that he would, if required to, submit a report giving more detail to a future meeting.

(6) In reply to a question by Mr Brazier, Mr Ward advised that large amounts of money had been spent on the BSF programme, which included transport surveys etc but felt this would not be wasted. He was positive about education capital investment, following the announcement by Ht Hon Michael Gove, Secretary of State for Education that the education capital was reducing by 50%. He considered that whilst a significant reduction, 50% of what was being spent was a significant amount at £10-£12m for secondary schools. This was, however, clearly dependent upon the priorities set by Government.

(7) In response to a question by Mr Christie, Mrs Hohler advised that stopping the BSF in wave 4 in Thanet and Gravesham meant that only half of the proposed schools had been rebuilt. The Cabinet had and continued to put out press releases on its disappointment for those 2 areas. The Cabinet had also written to the Secretary of State for Education to persuade him to reinstate the building of those remaining schools in wave 4.

(8) In response to a question by Mr Pugh about the Isle of Sheppey Academy, Mr Ward advised that the local authority was responsible for the delivery of the new build part of BSF. The Academy was in wave 4 the designs were agreed and the contractual obligations were going through. The Isle of Sheppey Academy was in the same position as the other remaining schools in wave 4. KCC had committed £6m along with the government funding.

(9) RESOLVED that:-

- (a) a report giving more detail on the consultants that had been appointed for elements of strategic finance advice and for technical advice when the first BSF contact was being drawn up to be submitted to a future meeting; and
- (b) the responses to Members questions and the verbal updates be noted.

**34. Restructure of the CFE Directorate**  
(Item B2)

*(Report by Mr K Abbott, Director of Resources and Planning, Ms R Turner, Managing Director, Children, Families & Education Directorate and Mrs S Hohler, Cabinet Member for Children, Families & Education)*

*(Mr L Christie, Leader of the Labour Group was present for this Item and was given permission to speak by the Chairman)*

(1) Members considered a report that gave an overview of the CFE restructure, consultation feedback, details of the recruitment process, service planning and model of delivery, savings made and planning for pressures ahead.

(2) Mrs Turner introduced the report advising that the restructuring of the Children Families and Education Directorate and the review of the Local Children Services Partnerships had helped to reduce the Directorate's budget by 10%. After completing phases 1 and 2 the review was now in phase 3 which would be completed by the end of July.

(3) Members were given the opportunity to make comments and ask questions which included the following:

(4) In response to questions that referred to page 37 regarding the Select Committee on Extended Services and page 45 on Early Years by Mr Vye, Mrs Turner explained that she wanted to assure Members that Extended Schools was still a focus that learning continued before school, after school and during the school holiday periods with a connection to family life too. There was a need to build a sustainable model with schools themselves generating that work to be kept going even in light of what may happen with the grants. The School Improvement Officers would have this in their sights. She mentioned that support would also be given by the Family Liaison Officers and the Preventative Services Managers who would have this within their role. Raising standards and settings within Early Years this was still a priority.

(5) In reply to a question by Mr Smith, Mrs Hohler advised that there was agreement to reform the Members Monitoring Group on Attainment, which would allow a small cross party group of Members the opportunity to meet in private to discuss the outcomes of the OFSTED inspection reports in depth.

(6) In reply to a question by Mr Desmoyers-Davies, Mrs Turner considered that with any process where staff were experiencing change there could be a dip in moral,

which needed to be picked back up again to move things forward with following the restructure. In managing that change there was a need to work in partnership with the Trade Unions. There was now an organisational model that was fit for purpose and more sustainable than previously with a streamlined commissioning centre and twelve local districts. She concluded that the Directorate would be judged by the results of its services for children and young people in Kent. Ms Turner noted Mr Desmoyers–Davies view that the process for his trade union members had been unsatisfactory.

(7) In response to questions by Mrs Allen, Mrs Turner advised that there would be twelve Preventative Services Managers, one per district, and their role would be the bridge between universal services that were provided for all young children and young people including; health, early years, schools, colleges and at the extreme end; safeguarding, special education, extreme disability and child protection. They would also be managing Children Centres within their locality, Family Liaison Officers and Parent Support Advisors and a range of preventative services identifying early indicators of need. The vision was that this role would help the Social Workers and Family Support Assistants get off the back foot, which was where they were at present with the increased demand for their services. The twelve appointments had now been made and their names would be circulated to Members.

(8) With regards to the review of the Kent Children's Trust, Ms Turner explained that the majority of the review was complete. There was now a Strategic Board and a Commissioning Group of Chief Officers, which sat below the Strategic Board as the Executive. The establishment of twelve Local Children's Trust Boards, that would look at the needs of children and families and linked them with the schools and other services within their districts was still being carried out and would be established from September onwards.

(9) In response to a question by Mr Christie, Mrs Hohler said that she categorically did not feel that the timing of the restructure had influenced schools to apply for academy status. She had received emails from headteachers who said that they were going to apply for academy status because of the financial incentive but still wanted to work with the County Council. Mrs Hohler felt confident that KCC would retain a good working relationship with all schools.

(10) In a follow up question, Mr Christie felt that the schools were offered more money; the CFE restructure was to save money as there was £6.2m less input into education, he suggested that Mrs Hohler's response did not negate the fact that the restructure, which he said was financially driven had an impact on the schools decision. Ms Turner said that the restructure would yield nearly £9m in savings, which was necessary but it was delivering a much more focused level of service. Schools were use to a level of support from the local authority and schools would be getting a more focused level of support than they had before with the new structure model.

(11) In reply to questions by the Reverend Canon Smith, Mr Cooke felt that the new structure of the CFE Directorate was fit for purpose. He advised that there was going to be a huge opportunity to look at the way services were delivered to the public in an efficient and cost effective way whilst maintaining the level of service. Ms Turner confirmed that the Children's Trust Board meetings would still have the



regular attendance of all partner agencies and would seek to engage, General Practitioners.

(12) In reply to a question by Mr Sweetland, Ms Turner explained that the District and Borough Councils still had a significant role particularly in housing and leisure services. In terms of delivery, CFE was looking at its commissioning role in the future where the district and borough councils may play a role. Mr Cooke added that it was a matter of forging partnerships with both tiers of local authorities.

(13) Mr Vye paid tribute to the staff in Advisory Services Kent and thanked them for all their hard work and wished them well for the future.

(14) In response to follow up questions by Mr Vye, Mr Abbott advised that £8.367m was the savings made through the CFE restructure, which exceeded the savings in the budget referred to on page 25 of the report. This was due to identified savings for 2011 and because there were saving identified at the end of the process of the restructure. The full savings would be known later because of protected salaries for colleagues that may have posts that in the future may be lower paid than their current role.

(15) Ms Turner agreed to forward a hard copy of the Ofsted inspections which were published by district and reminded Mr Vye that the Members Monitoring Group would be set up to enable Members to interrogate the information in private.

(16) RESOLVED that:

(a) the responses to Members questions and comments be noted as detailed in paragraphs (4)-(15); and

(b) the support of this POSC be given to the CFE Directorates new arrangements as they commence and bed down from the 1 September 2010 onwards and the report be noted.

### **35. CFE Financial Outturn and Unit Operating Plan Outturn for 2009/10**

*(Item B3)*

*(Report by Mrs S Hohler – Cabinet Member for Children, Families and Education and Mrs R Turner – Managing Director, Children, Families and Education)*

*(Mr K Abbott, Director of Resources and Planning and Mr G Ward, Director of Capital Programme and Infrastructure were present for this item)*

(1) The Committed debated a report that summarised the 2009/10 financial outturn, together with annual operating plan outturn information, for each of the Service Units within the Children, Families and Education Directorate together with the financial and key activity and performance outcome.

(2) Chairman asked Mr Abbott then Mr Ward to introduce the report. Mr Abbott highlighted the key points which included the following:

(3) The CFE Directorates overall outturn position was a net underspend of £2.238m as set out in appendix 1 of the report.

(4) Mr Ward then spoke on the capital programme advising that there was an underspend of £1.4m, highlighting that the County Council met in February when it had improved its budget and reflected the variations from the position of the budget in January.

(5) Members of the Committee were given the opportunity to make comments and ask questions which included the following:

(6) Mr Smith reminded Members that the CFE Budget Informal Member Group (IMG) had been set up with 2 Members from each of the 3 CFE POSCs. The inaugural meeting of the CFE Budget IMG would be held on 30 July 2010 at 10.00 am. This meeting would cover the rudiments of the CFE budget. Additional meetings would be set up to discuss the budget to report back to this Committee and the Joint POSC.

(7) The Chairman advised that the Teacher, Church and Parent Governor Representatives on the Committees were welcome to attend the IMG.

(8) Mr Vye referred to a drift of expenditure on the Advisory Service, which had been demand lead in the past and how this would be met in the future, Mr Abbott advised that he would report the detail to Mr Vye outside the meeting and added that in primary schools there was a pressure brought to bear in terms of the previous governments timetable on the National Challenge and the local authorities need to respond to it, which may not necessarily exist in the future in the same way. There were pressures which were addressed in building the budget but had been tied up in where the budget had been directed in reducing the resource through the restructuring.

(9) In response to a question by Mr Desmoyers-Davies, Mr Ward explained that the 'poor monitoring information' referred to on page 73 paragraph 4.3.4 was a reflection of judgement on the information provided by the school, it was reflecting information given by the school on where they were on a project in terms of the outturn and their information proved incorrect.

(10) In a follow up question, Mr Desmoyers-Davies asked what scrutiny had been undertaken on the accuracy of the information provided by schools. Mr Ward advised that the schools had a budget for projects as they were commissioning the work, the local authority did not have the monitoring regime that provided the resources to check the information. This was an individual low level scheme that was being managed by a school.

(11) RESOLVED that:

(a) the revenue and capital financial outturn for 2009/10 and changes to the capital programme be noted;

(b) the performance outturn for 2009/10 be noted; and

- (c) a Budget Informal Member Group (2, 2, 2) (from each of the 3 CFE POSCs) be set up to meet and discuss the 2011/12 budget on a regular basis over the next 6 months in order to get a fuller understanding of the implications of potential budget reductions and report back to the this POSC in November 2010 and January 2011.

### **36. New Academies and Free Schools Proposals and the broader emerging Government agenda for Schools Reform**

*(Item B4)*

*(Report by- Mr K Abbott, Director, Resources and Planning, Mr G Ward, Director, Capital and Infrastructure, Ms R Turner, Managing Director, Children, Families & Education Directorate and Mrs S Hohler, Cabinet Member for Children, Families & Education)*

*(Mr L Christie, Leader of the Labour Group was present for this Item and was given permission to speak by the Chairman)*

(1) The Committee discussed a report that gave an update on the coalition Government's new academies and free schools proposals together with information on the emerging broader Government agenda for Schools Reform and summarised the proposals in the Academies Bill and highlighted the key implications and concerns for local authorities and schools. It also provided a preliminary outline of key elements expected to feature in the coalition Government's second Education Bill expected around mid-October.

(2) The Chairman asked Mr Abbott to introduce the report. Mr Abbott advised that 16 Kent schools had formally voted to convert to academy status and on Friday, 16 July the Secretary of State agreed in principle to five of those schools converting to academy status from 1 September 2010, which were; the Hayesbrook School, Tonbridge, Fulston Manor School, Sittingbourne, Dartford Grammar School for Boys and Canterbury High School with its federated Primary School. Other schools may be agreed this week.

Mr Abbott felt that the decision on those five schools one week before the end of term, with no legislation in place at this stage, meant that it would not be possible for the processes of Transfer of Undertakings (Protection of Employment) (TUPE), land, property and financial transfer issues to be completed by 1 September in line with the Department for Education (DFE) expectation. Mr Abbott advised that he had already written to the 16 schools that wished to convert to academy status to initiate work in terms of the transition planning with them. The schools all recognised the issue of the timing and were happy to work with the local authority in planning what would happen and when. The position would vary school by school depending on the school's status and the property and land issues that arose. He explained that concerns had been raised with the Local Government Association (LGA) and the Association of Directors of Children's Services Ltd (ADCS) for many weeks but to date little had been received by way of answers from the DFE.

(3) In response to a question by Mr Tolputt, Mr Abbott explained that there was a need to distinguish between the new academies and the free schools. The new academies in terms of the land transfer would receive a 125 year lease and in terms of the site they would get what they were entitled to in line with statute and current regulations. For free schools it was different, there was a process that was set out on page 102, paragraph (3), where free schools were located would be determined by the group establishing the free school, which was different to academies, and for existing maintained schools converting.

(4) Mr Christie made a declaration of interest as his daughter was a teacher at one of the schools mentioned by Mr Abbott in paragraph (2) above, which was noted by the Committee.

(5) In response to our questions by Mr Christie, Mr Abbott advised that he was not aware of the position of nursery schools inspected as outstanding but agreed to find out and advise Members outside the meeting.

(6) Mr Abbott explained that there was now an expectation that it would be good practise for the schools to consult parents and communities regarding their plans to convert to academy status but as things stood at present there was no formal requirement for that to happen.

(7) Mr Abbott referred the Committee to appendix A, page 118, advising that this was grouped on the basis of those schools that achieved 'outstanding' in their Ofsted inspection were given the option to be fast tracked to convert to academy status if they wished to pursue this. He agreed to circulate the analysis on this to Members.

(8) Mr Abbott went on to advise on the financial impact of the schools converting to the new academies status, explaining that it did depend on what the government did beyond this year. Referring to page 118 he explained that as a school moved to new academy status it would take its formative budget, a neutral impact on the local Authority (LA) and the school. For central services, from the DFE's published ready reckoner, the 15 schools (*now 16*) would receive £4.249m paid by the DFE. The amount removed from the LA budget would be £736k. That £736k would go to those schools, along with a lot of costs. There would be some impact on the LA but this would be minor as a lot of the costs would go to those schools. The issue would come if all those schools were to convert in a full year; the DFE would currently have to find £3½m top up to reflect other central services, which currently the DFE was not removing the funding from local authorities for. (*If all schools were to go then this would reveal large figures as reflected in the table on page 118*). From the DFE's Customer Impact Assessment it was aware of the sustainability issues in the future of this top up if there was the sort of take up that the government was hoping to achieve with the new policy. The DFE had said in its published document that it would be speaking with departments, communities and local government on how to fund that in the future. With the LA's experience of Grant Maintained schools and funding this was similar to the model of 15 years ago. There was concern that the government may have to come back to LAs to remove all of the £4.2m not just the £736k for those 15 schools. If the Government continued as things stood there would be less impact, if they looked for full recovery for new academies central services there would be a big issue for local authorities if a significant number of schools moved to new academy status. It was hoped that there would be

confirmation on this in the Autumn alongside the Comprehensive Spending Review (CSR) announcement.

(9) In reply to a question by Mr Walder, Mr Abbott explained that the LA was not the current employer for a number of these schools. This would be an issue for the governing body of those schools as the first 5 schools that had been approved by the Secretary of State for academy status were all foundation schools. One of the reasons for writing to all 16 schools that had voted for converting to academy status was to make clear the point that the arrangements and the governments expectation that consultation with TUPE etc was done over the Summer break was not possible. Mr Abbott felt that November would be a far more realistic time to begin the consultation, in terms of the legal processes that schools would need to go through.

(10) In reply to a comment by Mr Smith, Mr Cooke suggested that it was about how the local authority's role developed with the schools what ever type of school they were. Mr Abbott added that the 8.7% referred to the dedicated Schools Grant, KCC was in the bottom quartile, there were other South East LAs that were 17%, nationally some were in the 20%, which was all a reflection of where authorities had saved money in the past on budgets saving delegated funding to schools, some authorities still managed on a central basis, there was a reason for the variance because of decisions made over many years by both Members and the Schools Funding Forums. The 8.7% did not cover what was the top up of £3½m, which related to the base budget, the council tax and the government general grant.

(11) In reply to a question by Mr Whiting, Mr Abbott advised that the LA had no formal role in the Secretary of States decision the Diocese Boards and Education Boards did. The process for the LA was through a weekly conference call with the DFE when it sought information they should know regarding the schools that wished to convert to academy status. The LA provided a matrix of information about loans; current budget positions etc but had no role in the decision.

(12) Mr Ward added that regarding the leasing/loaning of land the current advice was still being looked at. Regarding the current academies the land would revert back to the local authority even if it were a foundation school and it would be leased/licensed back for 125 years. He advised that in one case the LA leased back less land that was handed back that was in part to deliver a receipt that the authority wished to contribute to building an academy. He felt that the expectation was that the LA would have to lease back the land the school had to date with the 16 schools. Mr Cooke added that whilst the authority was not part of the consultation process it was campaigning in specific areas but as far as the schools were concerned the position of the authority to date had been to remain strictly neutral, what ever the school wished to do the LA was respecting their autonomy to make that considered decisions.

(13) Mr Abbott advised that to date there had been no proposals received for a free school in Kent. He understood that the earliest that a free school could be established was September 2011.

(14) In response to questions by Mr Christie, Mr Ward advised that the Harnessing Technology Grant made free Broad Band available to Primary and Secondary schools up to a prescribed band width. The CFE Directorate was working on the

basis that the Harnessing Technology Grant would end this financial year, so had been working with schools to ensure that the Broad Band continued to exist. The reduction outlined in the report on page 102 paragraph 3.2 of £1.35m or 25% of what had been lost as a result of the decision of free schools. Since the initial announcement of saving there had been addition savings made on the Harnessing Technology Grant, which had totalled £2.7m or 50%. This was not an issue for the current financial year for schools as the grant ran until August 2011. This meant that there would be an increase in cost for the schools Broad Band facility from 1 April 2011.

(15) In response to a question on petitions, Mr Adams advised that there was already existing legislation that places a duty on the local authority to consider parental representations, which meant that it was currently possible for members of the public or groups of the public, to ask the local authority to bring about some form of structural change in the locality. The legislation was silent on what constituted parental representation as to whether it was an individual or a group of one thousand parents. Mr Adams considered that these issues may simply go to the Department for Children Schools and Families (DCSF) or DEF officials and the Secretary of State as oppose to the legislation that the local authority worked within which would require public consultation.

(16) In reply to questions by Mr Tolputt, Mr Abbott advised that free schools and the new academies would not be able to get their insurance cover from the local authority, the government had recognise that and as part of the settlement package there was an additional top up grant of £60-£100 k for the academies.

(17) The Reverend Canon Smith announced that he was retiring. The Reverend Canon Smith was originally appointed to the former Education Committee in 1999. This was his last meeting with the County Council.

(18) RESOLVED that:

- (a) the Members wished to formally thank the Reverend Canon Smith for all his work on the Education Committees over the years and wished him a long and happy retirement;
- (b) Mr Abbott agreed to circulate the analysis regarding information on appendix A, page 118 and find out the position of nursery schools inspected as 'outstanding' and report back to Members outside the meeting; and
- (c) the report be noted.

### **37. Special Educational Needs Transport-Informal Member Group** *(Item B5)*

*(Report by Mr G Ward, Director, Capital Programme & Infrastructure)*

(1) The Committee considered a report on the progress on work undertaken by the SEN Transport Informal Member Group (IMG), which included interviewing Mr Harlock, Head of Commercial Services and Mr Myers, Parent Governor of a SEN

school and considering papers prepared on Manchester City Council's concept of 'Independence Training' and the devolution of transport budgets to schools.

(2) RESOLVED that:

- (a) agreement be given to the concept of 'independence training' and how it could be applied to benefit some of the pupils within our special schools, it is suggested that an independence scheme could be developed and piloted in Kent, with tailoring to meet the requirements of locality and pupil need;
- (b) the devolution of transport budgets to schools be investigated as a viable means of both reducing the future costs of SEN student home-to-school transport and improving the quality of the service to the young people;
- (c) the reduction of statements and the subsequent transport requirements be investigated: and
- (e) the SEN Transport IMG Members be thanked for the work they had undertaken, which had now concluded.

*(Following the meeting Mr Horne, Chairman of the SEN Transport IMG advised the Democratic Services Officer that he had attended the Bower Grove School, Maidstone, to speak with the Headteacher, Mr Phipps and to observe the children accessing and leaving the school by various modes of transport. He wished the Members to know that the children accessing the transport were severely handicapped and the transport was used effectively. Mr Phipps had advised him that he would be considering self management of the transport provision for Bower Grove school primarily because of the problems with the transition arrangements with new contractors)*

### **38. Admissions**

*(Item B6)*

*(Report by- Mr G Ward, Director, Capital Programme & Infrastructure)*

(1) The Chairman asked Mr Ward to introduce the report. Mr Ward highlighted that there had been a major change with casual school admissions. Currently up until this September primarily the local authority (LA) were responsible for admissions from reception year onwards but if a parent moved into an area they would approach the local school, for what ever age their child was, if the school had a place the school would let your child into the school, which was a simple local process. From 1 September the process would change, the parent would have to apply to the local authority that would look at the places available in the area and then contact the school to arrange the placement and then formally write to the parent. Mr Ward felt that the Admissions Team were prepared but were unaware of how much more addition work this would entail.

(2) With regard to page 124 paragraph 3(1) of the report, Mr Vye requested a fully researched, detailed report disaggregated by area to include; the published admission number of schools; grammar schools and others, the passes at the Kent Test, the number of passes at headteacher appeals, the number of independent appeals and the number of successful appeals and the final percentage of the

cohort going to grammar school for 2010, to be submitted to the next meeting of this POSC.

(3) In response to a question by Mr Pugh, Mr Ward advised that the LA coordinated the admissions process to all schools in Kent but each school had its own admission arrangements. With regard to academies and foundation schools they could set their own admission arrangements but the LA administered it all through the process. There were approximately 100 different admission authorities in Kent. In a follow up comment Mr Pugh expressed his frustrations in trying to assist a pupil entering a school on the Isle of Sheppey. Mr Ward read out the admissions criteria for the school and advised that the LA had to abide by the criteria. Mr Cooke concurred advising that there were regulations that needed to be followed and that any variations made to the admissions criteria had to be carried out through consultation.

(4) RESOLVED that:

(a) agreement be given to the request for a fully researched, detailed report disaggregated by area to include; the published admission number of schools; grammar schools and others, the passes at the Kent Test, the number of passes at headteacher appeals, the number of independent appeals and the number of successful appeals and the final percentage of the cohort going to grammar school for 2010, to be submitted to the next meeting of this POSC; and

(b) the responses to Members questions and the report be noted.

### **39. Sustainability and Climate Change Update** *(Item B7)*

*(Report by- Ms R Turner, Managing Director Children Families and Education Directorate and Mrs C McKenzie, Sustainability and Climate Change, Environment, Highways and Waste Directorate)*

(1) The Committee considered a report that summarised the progress made against the work carried out on Climate Change and the implementation of the Environment commitments and the ISO14001.

(2) The Chairman asked Mrs McKenzie to give a brief introduction. Mrs McKenzie highlighted some of the progress that the CFE Directorate had made and the future challenges that the directorate faced for the coming years that included; over the last year the Kent Environment Strategy had been reviewed and updated. The original Strategy governed what the directorate and the local authority did within Kent as a whole. A lot of the activity underneath the Strategy had a lot of good activity and projects but the outcomes did not change. She felt that it was important that what was carried out in the future with the policy within CFE directorate and within KCC as a whole was taken in context with the Kent Environment Strategy.

(3) All CFE buildings had been assessed to display an energy certificate which was an energy performance requirement, 350 schools, that were applicable for an energy certificate had been assessed with an average rating of 'D', which was



better than average. Half of the schools were better than that cohort of schools. In terms of demonstrative savings within CFE; business miles had been reduced by less than 1% with a saving of £49k and in the last 6 months CFE had participated in 'BT MeetMe' telephone calls but there was still a lot of potential in those areas. Schools waste contracts included more recycling offers and a food trial had been undertaken, extending to the Family Centres and the Children's Centres.

(4) For CFE there would be a continued focus on energy and carbon reduction, which she felt was a big challenge for CFE because of the size of its estate. The carbon omissions did go up last year primarily because of the schools estate due to extended opening hours, older buildings 'school that never sleeps' and more ICTs. There had been progress in reducing business mileage but there was still a lot of potential to reduce business mileage and cost savings that could be delivered. There was also a need to improve on the activity around water and energy investment if significant savings were to be made. Mrs McKenzie advised that different funding streams were being looked at with an awareness of the uncertainty of budgets and the issue of the new academies and free schools policy being introduced at this time but reminded Members that KCC was still responsible for the academies and free schools etc carbon omissions which was a complicated situation as KCC would not have any control over those schools. Mrs McKenzie concluded by highlighting the need to look at climate change risk and the potential for green jobs.

(5) Members were given the opportunity to ask questions and make comments which included the following:

(6) In reply to questions by Mr Pugh, Mrs McKenzie advised that KCC was working with the district and borough councils through the Climate Change Programme via a network and the Climate Change Plan. She felt that retrofit was one of the trickiest issues for KCC. She confirmed that there were a myriad of grants for businesses and residents but the picture was very confused. She gave the example of the Warm Front Grant, a domestic retrofit grant, available to vulnerable residents, the take up in Kent was only 5% and that could be worth approximately £150m to Kent. She also confirmed that KCC was working directly with the business community to try to streamline getting access to grants and working with the rest of the public sector to see how retrofit could be carried out with a consistent approach. KCC was lobbying government to have a streamlined consistent approach to grants to improve the take up of grants by Kent residents and businesses to allow KCC to make small pots of money go further.

(7) In reply to a question by Mr Smith, Mrs McKenzie advised that she was aware that an area of Ms Sue Dunn's, Head of 14-24 Innovation Unit, work did cover Priority 7 [support and development of green jobs and businesses in Kent] within construction. Mrs McKenzie advised that her Team were looking at some of the spin offs such as training and apprenticeships. There was a lot of potential; both KCC and the district and borough councils were looking at taking on a number of educational placements.

(8) In response to questions by Mr Sweetland, Mrs McKenzie advised that LASER was the main energy contractor for Kent schools. She felt that in terms of business mileage reduction Mr Sweetland was correct that 3.5% was a start and that figure was rising but there was huge potential to increase that reduction, there was a need to challenge the way KCC did things and the amount of meetings that were

held. With regards to 'BT MeetMe' 10% of the accounts used, the overall savings for Kent were quite significant and with more use there would be huge savings, this was difficult to challenge but there was more buy in now because of the revenue savings that had been demonstrated mostly during the bad weather conditions in the Winter. She concluded on the issue of Management Challenge, advising that her Team had brought in the Environment Board business mileage that had also been difficult issue to tackle. Mr Ward added that CFE had set a target of 5% for business mileage but had a disappointing result in not reach that target. He explained that colleagues that did use 'BT MeetMe' during the bad weather had reverted back to type. He felt that with the restructure and reduced staffing levels, staff would need to work smarter using tools such as BT MeetMe.

(9) RESOLVED that:

- (a) the responses to questions and comments made by Members be noted; and
- (b) the overall progress made by KCC and the CFE Directorate on climate change and environmental issues be noted;

#### **40. Select Committee Update**

*(Item C1)*

*(Report by Mr P Wickenden, Overview, Scrutiny and Localism Manager)*

(1) The Members considered a report that highlighted the progress of the Select Committee on Extended Services and invited suggestions for the Select Committee Topic Review Programme.

(2) RESOLVED that:

- (a) the progress of the Select Committee on Extended Services be noted; and
- (b) Members agreed to forward their suggestions of any items for inclusion in the Select Committee topic review programme to the Democratic Services Officer and the report be noted.

By: Gary Cooke, Deputy Cabinet Member Resources, Capital Programme & Infrastructure  
Keith Abbott, Director of Resources & Planning  
Grahame Ward, Director Capital Programme and Infrastructure

To: Resources and Infrastructure Children, Families & Education Policy Overview Committee

Date: 24 November 2010

Subject: Deputy Cabinet Members and Service Director's Verbal Update

Classification: Unrestricted

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**The Deputy Cabinet Members and Service Director's Verbal Update includes:**

**Budget for CFE**

Detailed information is also provided in Items B2 and B3 of the agenda.

**Academies**

The latest position on the number of outstanding schools converting to academy status is as follows:

- 5 Schools have already transferred to the new 'Academy Status'.
- 2 schools are due to transfer on 1<sup>st</sup> November 2010.
- 3 Schools are due to transfer on 1<sup>st</sup> December 2010.
- 5 Schools are due to transfer on 1<sup>st</sup> January 2011.

The financial impact of the Local Authority budget will be updated at the meeting.

**Comprehensive Spending Review**

**Local Authority**

- Overall resource savings to councils of 28 per cent over the four years.
- Ring-fencing of some local government revenue grants will end from 2011-12. The number of separate core grants will be radically reduced from over 90 to fewer than 10, excluding schools, police and fire. More than £4 billion of revenue grants will be rolled into formula grant.
- The Department for Communities and Local Government is devolving over £1.6 billion to local government.

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\* The verbal report is accompanied by a written report relating to this topic.

- The Govt. is ending the previous top-down performance framework for councils. LAs will be able to cease reporting any of the 4,700 local area agreement targets.

### **Schools: Revenue**

- The 5 to 16s schools budget will rise by 0.1 per cent in real terms each year. In total this equates to an increase of £3.6 billion, which includes the new £2.5 billion pupil premium and includes funding for the increase in pupil numbers.
- A number of grants are being mainstreamed into the Dedicated Schools Grant (DSG). We have concerns that whilst the current cash value of these is being protected at a national level, their distribution between local authorities could be varied
- A number of emerging budget pressures are surfacing since the Comprehensive Spending Review announcements. The new Carbon Reduction Commitment (estimated to cost KCC schools over £1m per annum), confirmation that the Secretary of State that the settlement for schools assumes efficiencies of £1billion nationally through procurement and back office savings.

### **Schools: Capital**

- Government confirmed education Capital being reduced by 60%.
- Indications suggest that some of this reduction may also be applied to schools' Devolved Formula Capital grants
- The Govt. will provide £15.8 billion of capital over CSR period for new schools, rebuilding or refurbishing the 600 schools that were approved for continuation through the Building Schools for the Future and Academies programme and investing in new school provision in areas of demographic pressure.
- The Govt. will transfer responsibility for the revenue costs of local government Private Finance Initiative projects from local government to the sponsoring department to remove perverse incentives for projects to be delivered through PFI.

### **\*BSF & James Review**

- We have received confirmation of funding but still have some uncertainty about the scale of support as Government indicated an overall expectation of 40% reduction for the Isle of Sheppey and Skinners' Kent academy.
- No further announcements have been made about the other BSF and Academies projects in the pipeline, although the confirmation of the support for only the 600 schemes already agreed suggests that there will be no support for any of our BSF schemes that were stopped. The Sebastian "James" Review of education Capital is expected to report by the end of the year. We have some sense of direction, but do not know how the Government will react to proposals.

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\* The verbal report is accompanied by a written report relating to this topic.

## **School Organisation**

### **Federations**

The Governing Bodies of the following schools have begun consultation on federating:

- Oak Trees and Bell Wood Primary Schools, Maidstone - with effect from 12 January 2011. Federation to be led by Mrs R Wiles, Advisory Headteacher.
- Loose Infant and Junior Schools - with effect from 1 April 2011. The federation to be led by Mrs J Pye, Headteacher of Loose Junior School.

### **Diocesan and Payne Smith CEP School**

At the meeting of SOAB on 9 November 2010 the Board received a proposal to consult on the possible amalgamation of Diocesan and Payne Smith (DPS) school and Kingsmead Community School, both in Canterbury. The proposal is to amalgamate both schools and establish a new Voluntary Controlled 2FE school on the Kingsmead site. This would provide a greatly improved learning environment for all students and secure the long term future of both schools, providing greater organisational flexibility, economies of scale and potentially better standards for all. Funding for the extensive improvements which would be undertaken would come from joint contributions from both KCC (up to £2m from money set aside for the acquisition of a new greenfield site which is no longer available) and a substantial contribution from the Diocese of Canterbury using the proceeds of a capital receipt from the sale of the DPS site. The proposal is for the two schools to amalgamate from September 2012 subject to the outcome of extensive public consultation to take place beforehand. The intention is for the Diocese of Canterbury to submit an application to the Secretary of State for exemption from the requirement to run a competition process. Depending on the outcome of this application and the progress of the public consultation, a final decision would be made by the Cabinet Member by the end of the current academic year (without competition) or by January 2012 (following a competition process).

### **Services for Schools**

- CFE has run 12 District Headteachers' Meetings to launch the new district structures and introduce the CFE district teams, and to propose a traded services vehicle with schools, in order to provide sustainable support for schools who won't all need this, where feedback from schools has been received on what services they would like to receive from the Local Authority.
- A 'Services for Schools' Group, comprising of Officers, plus Sarah Hohler, Gary Cooke and Bryan Sweetland has met. The group are focussing on three main strands:
  1. Ensuring that there is a clear offer of services to academies from 1 January 2011

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\* The verbal report is accompanied by a written report relating to this topic.

2. Bringing together all KCC trading activities with schools in line with the “Change to keep succeeding” proposals
3. Undertaking work to look at the advantages and disadvantages of the various trading models that could be adopted

### **School openings**

#### **St John's**

- A new £25 million building for St John's Catholic Comprehensive School in Gravesend was officially opened by the Archbishop of Southwark Peter Smith on 15<sup>th</sup> September.
- The stunning school has been designed to help transform the way students learn. A key part to the design is open plan rooms and a new ethos where students take more responsibility for their own learning. The iconic building features a Cathedral-like "heart" space and first floor art loft with floor to ceiling windows.
- Funding for the school came through BSF.

#### **St George's**

- A new £21 million building and refurbished facilities at St George's CoE Foundation School was officially opened by the Right Reverend Trevor Willmott, the Archbishop of Dover on 29 September 2010.
- Funding for the school came through BSF.

#### **Sissinghurst**

- Gary Cooke attended a 'Topping Off' ceremony at the new site on 9<sup>th</sup> September. Mrs Penfold, the Headteacher, laid the first roof tile.
- This is a 5 class voluntary aided (VA) primary school on a new site replacing the existing unfit for purpose school. The total cost of the build amounts to £4.7m of which £3.954m is Government grant (Targeted Capital Fund) and £746K funded by the Local Authority. In addition in accordance with the arrangements for VA schools the Local Authority was required to purchase the new school site (at a cost of £425K) - The new school is scheduled to be finished by April 2011

#### **Grange Park**

- Her Royal Highness Sophie Countess of Wessex, Patron of the National Autistic Society, opened Grange Park School's new building on Tuesday 21 September 2010.
- Grange Park is a special school for secondary aged pupils with Autism Spectrum Conditions.
- The new school has been built adjacent to Wrotham School to allow greater links between the two school communities, including offering a more flexible curriculum. This means better integration opportunities and easier access to mainstream lessons for some pupils
- The architects have incorporated the latest knowledge on sensory perceptual issues into the design to provide an environment, which minimises impact on pupils with autism. The design was also minimised the environmental impact.

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\* The verbal report is accompanied by a written report relating to this topic.

### **Local Democracy Week**

- The Cabinet and Deputy Cabinet Members visited a variety of schools during the week to foster the knowledge of local democracy and promote the idea of democratic participation at a local level. Members were very impressed by the pupils they met, who they felt were brimming with incisive and interesting questions.

### **Schools Funding Forum**

- An update will be provided at the meeting.

### **Kent Schools Admissions Forum**

- An update will be provided at the meeting.

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\* The verbal report is accompanied by a written report relating to this topic.

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By: Keith Abbott, Director, Resources and Planning Group  
Grahame Ward, Director, Capital and Infrastructure Group  
Rosalind Turner, Managing Director, Children, Families & Education Directorate  
Sarah Hohler, Cabinet Member for Children, Families & Education Directorate

To: Resources and Infrastructure – Children, Families & Education Policy Overview Committee

Date: 24 November 2010

Subject: **Financial Monitoring**

Classification: *Unrestricted*

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Summary: *To provide an update on both the revenue and capital budget monitoring for 2010/11 financial year for Children, Families and Education Directorate*

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## **Introduction**

1. This report is the second to this Committee on the forecast outturn against budget for the Children Families and Education (CFE) Directorate for 2010/11 financial year, and is based on the exception monitoring report which was presented to Cabinet on 11 October 2010.

## **August Exception Monitoring Report - Revenue Budget**

2. (1) In summary, the directorate is projecting a balanced budget excluding schools and including asylum and management action of £59k. The summarised position for the Directorate is provided in Table 1 below.

Table 1 – CFE Revenue Budget Monitoring Summary Position

Portfolio	Cash Limit £000s	Variance		Movement £000s
		This month £000s	Last report £000s	
Schools	918,811	3,401	3,401	0
Asylum	1,337	606	606	0
CFE (other)	-713,380	-547	-347	-200
Directorate Total	206,768	3,460	3,660	0
Management Action	n/a	-59	-259	200
Directorate Total after management action	206,768	3,401	3,401	0

(2) The pressure on this portfolio (including Asylum) has reduced by £200k this month to £59k (+£606k Asylum and -£507k CFE other). The movement relates to the 16+ service where a review of high cost placements is currently underway following the significant pressure on the budget reported in the previous monitoring report. Where appropriate, and in harmony with the wishes of the individual child, the team are looking to transfer children to lower cost supported lodgings. Early indications suggest that a reduction of £200k from the previous forecast may be achievable, reducing the pressure on this service to £1,503k. The review is ongoing and the provider Catch 22 is working hard to bring costs down. Any further progress in containing this pressure will be reported in future monitoring reports.

### **Delegated Schools Budgets**

3. (1) Following the Secretary of State's announcement that outstanding schools could convert to academy status and the passing of the Academies Act 2010, the latest position is as follows.

(2) In total, 18 schools (including 4 primary schools, 2 of which are in a federation with secondary schools) have applied for academy status.

(3) At the time of writing this report, nine schools have converted.

Westlands School and Woodgrove Primary School	1/9/2010
Highsted Grammar School	1/10/2010
Castle Community College	1/10/2010
Fulston Manor School	1/10/2010
Canterbury High School and Canterbury Primary School (previously Beauherne)	7/10/2010
Sandwich Technology School	1/11/2010
Swanley Technology College	1/11/2010

(4) At the present time the Local Authority is anticipating the remaining nine schools to covert as follows:

Dartford Grammar School (Boys)	1/12/2010
Meopham Primary School	1/12/2010
Hayesbrook School	1/12/2010
Weald of Kent Grammar School	1/1/2011
Chatham House Grammar School Clarendon House Grammar School (as hard federation)	1/1/2011
Tonbridge Grammar School	1/1/2011
St Stephen's Junior School, Canterbury (see note below)	1/1/2011
Highworth Grammar School	1/1/2011

Note: awaiting Secretary of State Agreement

(5) The forecast drawdown of schools reserves, currently estimated at £3.401m, will be revised in the next full quarterly monitoring return to reflect the latest position on schools converting to academy status and also to reflect the forecast drawdown of school reserves from schools' half yearly monitoring returns.

#### **August Exception Monitoring Report - Capital Budget**

4. (1) The forecast for the portfolio has moved by -£0.482m since the last month. Projects subject to re-phasing and overall variances affecting 2010-11 are:
- Primary Improvement Programme (-£0.759m, rephasing -0.761m): the major changes on this programme relate to projects at St Matthews PS (-£0.565m) and Beaver Green Community PS (-£0.120m).
  - St Matthews – the planned start date for this project was late July. Temporary accommodation is required to accommodate the vacated classrooms which are to be demolished. The decision was made to delay the project by six weeks rather than hiring temporary accommodation over the summer vacation period.
  - Beaver Green - the discovery of asbestos on site has caused delays to the project resulting in the need for rephasing.
  - Overall there is a residual variance of -£0.074 which results from several minor movements.
  - Dartford Campus (+£0.309m, real variance): this relates to additional works required associated due to the relocating of Adult Services from the old Yeomans Building on the Dartford Campus site to accommodation within North West Kent College.
  - The Bridge (-£0.237m, real variance): the settlement of contractor claims on this project have now been agreed and are significantly better than previously expected resulting in a net project saving. The saving of

prudential borrowing on this project has been used to fund most of the additional costs on Dartford Campus.

- Modernisation Programme 2008-11 (+£0.207m, real variance): the additional costs, funded by developer contributions, relate to early costs for the proposed scheme at Maidstone Grammar School for Girls.

**Recommendations:**

5. Members of the Resources and Infrastructure Children, Families and Education Policy Overview and Scrutiny Committee are asked to note the projected outturn figures for both the revenue and capital budgets for the directorate as at the August exception monitoring report.

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*Background Documents:*  
Cabinet 11 October 2010

By: Keith Abbott, Director, Resources and Planning Group  
Rosalind Turner, Managing Director, Children, Families & Education Directorate  
Sarah Hohler, Cabinet Member for Children, Families & Education Directorate

To: Resources and Infrastructure – Children, Families & Education Policy Overview Committee

Date: 24 November 2010

**Subject: BUDGET 2011/12 AND MEDIUM TERM FINANCIAL PLAN 2011/12 TO 2012/13**

Classification: Unrestricted

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**Summary:** This report identifies the proposed strategy for determining next year's budget and the financial plans for the following years. This includes an initial analysis of Spending Review 2010, the likely impact on the overall funding for KCC, the indicative cash limit for the Children, Families and Education portfolio, and the latest indications of likely pressures facing the Children, Families and Education portfolio.

**Recommendation:** Members are asked to review and comment on the pressures outlined for the Children, Families and Education portfolio and to identify their priorities in order to meet the indicative cash limit.

## **FOR COMMENT**

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### **Introduction**

1. (1) The Autumn Budget Statement is due to be presented to Cabinet on 29<sup>th</sup> November 2010 and will set out the proposed budget strategy following the Spending Review announcement on 20<sup>th</sup> October. Even after the Spending Review announcement we will not know the full impact on the County Council's grants until we get the provisional Local Government Finance settlement. Indications are that we will not receive this settlement information until early December, and it is not until that point that we expect to receive details from the Department for Education on the detailed School Budget settlement.

(2) The Spending Review and Local Government Finance announcements will give us the final detail but we have been planning based on a likely scenario of a 5% per annum reduction in cash terms in Government grants. This assumption was based on the Chancellor's statement in his emergency budget that unprotected spending departments

should plan for a 25% reduction in real terms from the forthcoming spending review.

(3) The overall for position for the County Council was that we estimated the combination of reduced grant allocations and demands for budget pressures would amount to a gap of £340m over the next four years (a reduction of 36% in real terms on KCC's net budget). The gap for the next two years was estimated at £136m.

## Background

2. (1) Provisional cash limits for 2011/12 and 2012/13 were approved by the County Council on 18<sup>th</sup> February 2010 in the Medium Term Plan (MTP) for 2009/12. The approved MTP for the Children, Families and Education portfolio is included as appendix 1. These provisional cash limits will be updated for known changes such as transfers of activities or staff between portfolios and identified as base budget adjustments in monitoring reports.

(2) We are proposing that the provisional cash limits are updated for unavoidable pressures. These may be new pressures, changes to pressures identified in the existing published MTP, or resisting previously identified pressures. In all cases the amounts included as budget pressures have been thoroughly scrutinised to ensure only legitimate unavoidable pressures have been included in cash limits. Any pressures arising from individual portfolio proposals which are not unavoidable will have to be met within existing cash limits through corresponding savings elsewhere in the portfolio.

(3) Portfolios have been set targets for budget savings via the indicative cash limits on a priority-led basis to target savings according to highest relative spend and KCC priorities for services as outlined in the consultative document "Bold Steps for Kent". In setting these targets we have been clear that we need to drive out as much as possible from efficiency savings. These indicative cash limits are intended to give members and officers an indication of the magnitude of the savings needed in order to close the £136m gap and will be revised before the draft budget is published to take account of the specific proposals contained therein.

(4) The revised indicative cash limit for the Children, Families and Education portfolio is summarised in table 1 below.

Table 1	2011/12 £000s	2012/13 £000s	Total £000s
<u>Existing Approved MTP</u>			
Base	213,173	198,788	213,173
Base Adjustments	-215	0	-215
Pressures	6,389	4,198	21,226
Grants (e.g. DSG)	-4,266	-2,642	-17,547
Savings & Income	-6,636	-3,098	-9,734
Total Existing MTP	208,445	197,246	

New Base Budget Adjustments	-225	0	-225
New & Changed Pressures	4,800	0	2,612
Savings Target	-14,232	-16,229	-28,273
Proposed Cash Limit	198,788	181,017	181,017

### Latest Developments: National Context

3. (1) The outcome of the Spending Review 2010 was announced on 20<sup>th</sup> October and set out the Government's **national spending plans** for 2011/15. The Spending Review gives us an overall indication of the Government's spending priorities by department but does not give us detailed grant settlements. We are anticipating provisional grant settlements in early December.

(2) The overall spending plans are in line with the reductions outlined in the emergency budget in June and the spending review just gives us a clearer indication which departments are to be protected and when reductions will start to bite for different Government departments. The announcements on Formula Grant for local authorities show that the reductions are front loaded with the biggest reductions in 2011/12.

(3) Other than Formula Grant (which now includes the transfer of Area Based and specific grants into the Formula Grant) we do not have any information on the scale of reductions in other government grants or when the reductions might hit. At this stage we are assuming these reductions will be in line with ministerial statements on the average reduction.

(4) The Spending Review announcement includes a confusing comparison of cash reductions in Government Department spending (referred to Department Expenditure Limits) and quoted real terms reductions in grants. Ministers have stated that councils will face an average loss of grant of 7.25% in real terms in each of the next 4 years, although we are concerned that the front loading of reductions in Formula Grant will mean that this average could disguise in year differences. The impact of distributional changes as Area Based and specific grants are transferred into the formula (as well as changes to the formula methodology) are also likely to result in further variations from this average for individual authorities.

(5) As outlined in paragraph 3.2 we do know the cash reductions in Formula Grant. This shows a reduction of £4.1bn over the next two years (14.4%) and £5.6bn over the four years (19.6%). These reductions **include** the extra £1bn for personal social services and the £0.7bn Council Tax Freeze Grant.

(6) In summary the Spending Review has confirmed the following changes to the national funding arrangements for local government:

- The overall reduction in grants to councils of an average of 7.25% in real terms in each of the next 4 years.
- Reduction in the baseline Formula Grant of £7.2bn reduction in cash terms over the next four years but with savings front loaded into 2011/12. This equates to a 29.2% reduction in cash terms (35.6% real terms) over four years with 22.4% cash reduction (25.6% real terms) in the first 2 years
- Transfer of £3.4bn of Area Based and Specific Grants into Formula grant. These transferred grants are subject to differential increases or reductions over the two/four year period which marginally change the overall reductions
- The allocation of a new £1bn grant for Social Services within the Formula Grant (with a further £1bn to be administered as a specific grant from Department of Health)
- The allocation of a new £0.7bn grant to honour the pledge to support councils in freezing Council tax increases for 2011/12. This grant provides funding for the four year period and thus earlier fears that a freeze would not be sustainable have been alleviated for this spending review period.
- Introduction of a new, un-ringfenced Early Intervention Grant to local authorities. This grant will amount to £2 billion by the end of the spending review period and will include funding for Sure Start and other preventative services for children, young people and families.

(7) Over the last 2 years inflation initially declined in the wake of the recession in autumn 2008/winter spring 2009 but has been rising since autumn 2009 and has only recently started to marginally decline. Throughout the period other than for a brief period in summer 2009 inflation has exceeded the Government's 2% target for CPI. Inflation remains as one of the most significant pressures on our budgets and resisting inflationary pressures through negotiating with suppliers remains a key strategy to balance the budget.

(8) There are different indices used to measure inflation which enable an annual rate of underlying inflation to be calculated:

Retail Price Index (RPI) – This is the traditionally accepted measure for inflation and has been calculated continuously since June 1947. In the past it is used by the government to update pensions, benefits and index-linked gilts. However, in his Emergency Budget the Chancellor announced that in future all benefits, tax credits and public sector would be updated by CPI rather than RPI (with a guaranteed increase of at least 2.5% for state pensions). RPI is still commonly used to update contracts, and is often taken into account in wage bargaining

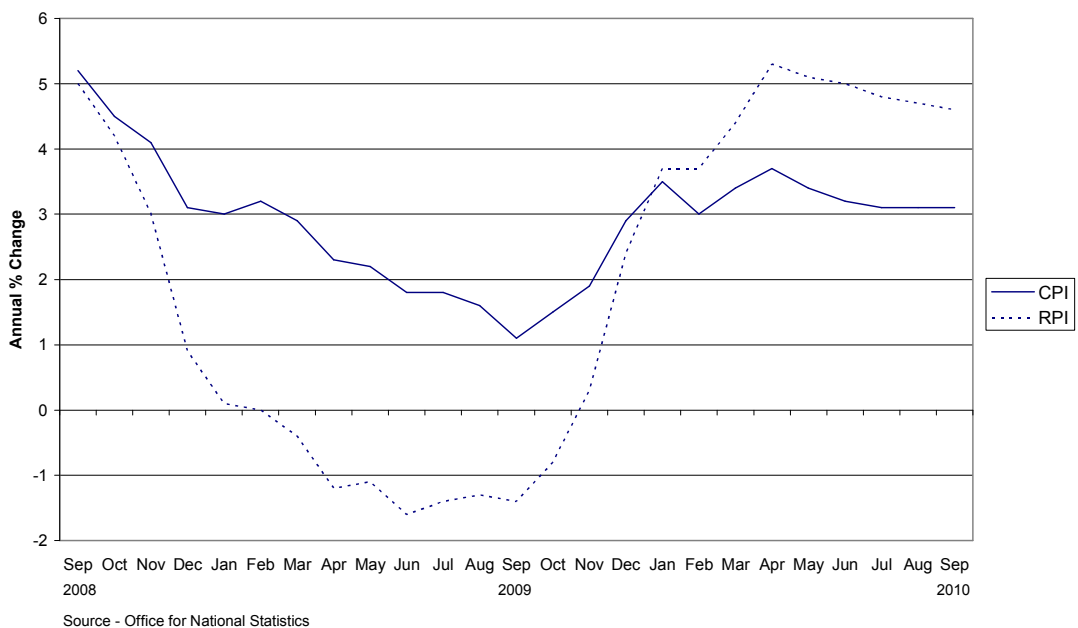
Consumer Price Index (CPI) – This is the measure now adopted by Government for targets on the economy. It is based on harmonised



consumer index prices (HCIP) and enables comparison on internationally agreed standards throughout Europe. It does not include mortgage interest or indirect taxes but does include some financial services not included in RPI.

Beneath the headline figures for RPI and CPI there are detailed indices for individual areas of spending such as energy, housing, food, etc. We use projections of the detailed indices in determining inflationary pressures rather than the general all items index (for some contracts we use specific indices where these are written into the contract terms).

(9) The chart below shows the changes in the all items indices of inflation over the last 2 years.



### Latest Developments: National Context (Schools)

(1) The Department for Education has confirmed that the total schools' budget will rise by £3.6 billion in cash terms by 2014-15. This equates to 0.1 per cent real terms growth in each year of the spending review. At the same time, the Secretary of State has also confirmed the introduction of a Pupil Premium from September 2011, which by 2014-15 will equate to £2.5 billion nationally.

(2) The other significant headline for schools from the CSR announcements is confirmation that a number of specific grants are having their ring fencing removed and will be mainstreamed into the Dedicated Schools Grant. Whilst the current cash value of these is being protected at a national level, their distribution between local authorities could be varied.

(3) Whilst these announcements represent a favourable outcome compared to most other parts of public sector, some of the other decisions

made by Government will put pressure on the schools' budget. These include:

- a) The new £2.5 billion Pupil Premium has to be funded from the £3.6 billion increase
- b) The national increase in pupil numbers has to be funded from the £3.6 billion increase
- c) The new Carbon Reduction Commitment – estimated to cost KCC schools over £1m per annum will have to be paid from the schools' budget.
- d) In addition, we already know that the Harnessing Technology Grant has been stopped early, which means schools' Broadband costs have to be absorbed by schools.
- e) The extension of the free Early Years entitlement to disadvantaged two year olds has to come out of the total schools' budget

(4) At the moment the Department for Education are considering the method for allocating the pupil premium to local authorities and ultimately Schools. If the government dictates the mechanism for distributing the pupil premium, probably according to registered Free School Meal (FSM) entitlements, we should, therefore, expect budget changes at school level to be highly variable. Schools with high FSM and a rising roll should see some cash increases, whereas schools with static rolls and low FSM would almost certainly see budget reductions.

(5) The government points out that it expects schools to be able to make procurement and back office savings of around £1 billion that can be re-invested. It is highly likely that the Department for Education will achieve this by setting a negative minimum funding guarantee percentage. The Treasury press release suggested £1.1 billion could also be "freed-up" as a result of the public sector freeze.

(6) On 9 November, the local authority launched a Schools Funding Formula Review consultation which aims to remove some of the current funding anomalies brought about by previous government grant initiatives. The Local Authority with the Schools' Funding Forum has undertaken detailed work throughout the summer months before finalising the proposals to consult on. The pupil premium risks introducing new anomalies. The purpose of this new funding is fully supported but we would like to see it distributed in a way that is consistent with our local formula, which already recognises disadvantage, and enables all schools to see some benefit over this difficult four year period. The consultation closes on Friday the 17 December.

## **Revenue Budget Strategy**

5. (1) Following the Spending Review announcement we have reviewed our assumptions about the overall gap. We remain confident at this stage that our overall strategy for a gap of £340m over four years is still realistic. However, in light of the front loading of the reductions in Formula Grant we are now estimating that the magnitude of savings needed to balance

estimated grant reductions and pressures for 2011/12 and 2012/13 is £153m. At this stage this revision to the targets for the first two years has not been reflected in the indicative cash limits subject to confirmation of provisional grant settlements in early December.

(2) The Directorate's strategy in meeting these indicative cash limits is clearly about protecting front line services, particularly those relating to Specialist Children's Services and to look at efficiencies across the rest of the Directorate. Identifying areas for savings over the medium term is particularly difficult at this point in time as we are waiting for the publication of the Education White Paper. In addition we are eagerly awaiting the details of next month's funding announcements to see what impact the un-ringfencing of specific grants will have on the Directorate's budget.

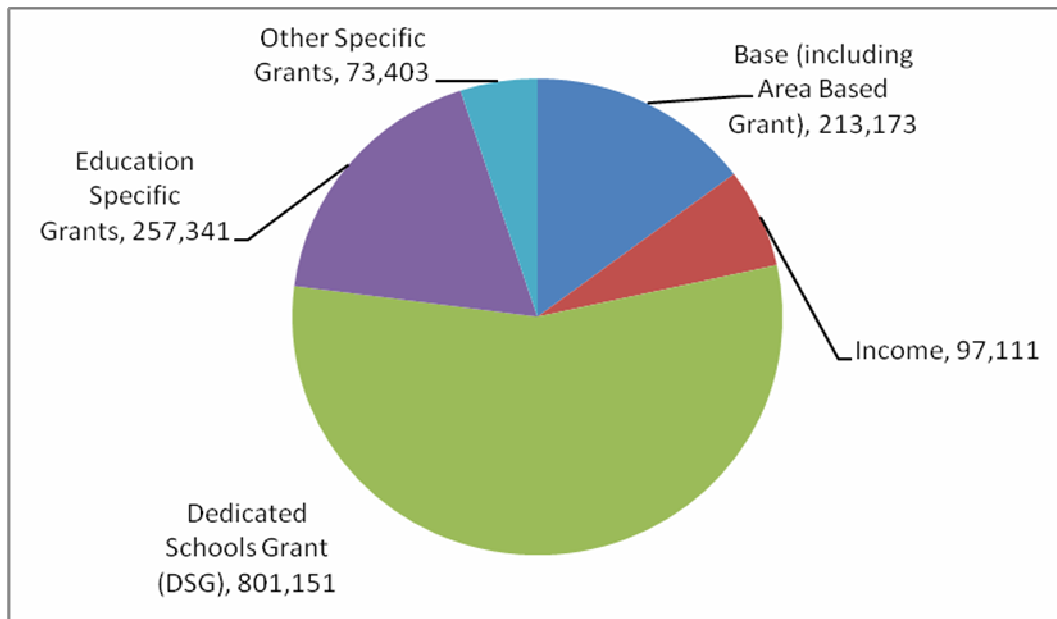
### The current budget and medium term priorities

6. (1) The current budget for the portfolio(s) under the oversight of this POSC is as follows:

	Gross spend £'000	Income £'000	Net spend £'000
Portfolio controllable	1,442,179	-1,229,006	213,173

The majority of the gross budget of £1,442.2k is funded from specific grants. An analysis of the funding source is provided below for information.

	£'000s
Base (including Area Based Grant)	213,173
Income	97,111
Dedicated Schools Grant (DSG)	801,151
Education Specific Grants	257,341
Other Specific Grants	73,403
Total	<u>1,442,179</u>



Further detail is outlined in Appendix 1.

(2) In very brief summary this budget provides for the following outcomes, outputs and/or service improvements:

- Provide advice, support and challenge to 570 schools, 740+ private, voluntary and independent early years providers
- School place planning and admissions & transport for Kent pupils
- Support and train 7,500+ school governors
- Work with 570 schools to develop extended services for children and families
- Provide a range of services (residential care, fostering, adoption) to 1,180 Kent Looked After Children
- Provide assessment and care plans for children in need and a range of safeguarding and family support
- Provide support to 870 unaccompanied asylum seeking children
- Support over 6,400 pupils with statements of special educational need
- Support the Kent Children's Trust and Local Children's Service Partnerships and Kent Safeguarding Board.
- Information, advice and support for over 250,000 children and families in Kent

(3) As reported in the quarterly monitoring reports there are spending pressures/savings in the following areas:

- Residential Care (+£745k). This pressure relates to high demand for independent sector provision partially offset by an underspend on secure accommodation.
- Fostering Service (+£1,538k). This pressure relates to a high demand for independent and in-house fostering partially offset by underspend in the county fostering team.

- 16+ Service (+£1,703k). This pressure relates to increased demand for residential and in-house foster care placements. In addition this includes pressure on section 24/leaving care payments.
- Assessment & Related (-£2,400k). This underspend relates to a high level of social worker vacancies.
- Asylum Seekers (+£606k). This pressure relates to the costs incurred in continuing to support young people categorised as All Rights Exhausted & naturalised.
- SEN Transport (-£1,500k). This underspend relates to the full year effect of successful contract renegotiations, coupled with on-going contract reviews.
- Mainstream Home to School Transport (-£638k). This underspend relates to a fall in the number of children requiring transport and contract renegotiations.

Further detail is outlined in Appendix 2.

(4) As outlined in the proposed cash limits we are proposing to provide additional funding of £4,800k for 2011/12 to cover unavoidable pressures in the Specialist Children's Services group:

- Fostering £1,500k  
Whilst a review is currently being undertaken of all high cost placements, it is anticipated that some of this demand will continue for the medium term
- 16+ Children's Services £1,500k  
This pressure arises from significant demands on this service from a peak in the number of children turning 16. There have been a high number of children transferring to this service in high cost placements, resulting in a pressure on residential care, in-house fostering and Section 24/Leaving Care payments (including supported lodgings).
- Other Preventative Services £500k  
This pressure is largely due to a continual rise in the demand for these services particularly on both direct payments and the day care budgets
- Independent Sector Residential Care £1,300k  
In the current year the service has seen an increase in the number of children placed in independent sector residential placements

## **Recommendation**

7. Members are asked to
- (i) note the latest information arising from the Spending Review 2010
  - (ii) comment on the proposed additional funding for pressures included in the indicative cash limits and outlined in paragraph 6.4
  - (iii) identify priorities for delivering the indicative cash limits

*Contact officer:*

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Background documents: *None*

Other useful Information *None*

## Appendix 1 – Existing 2010/13 Medium Term Plan and 2010/11 Revenue Budget

### Appendix 1 – Section 1 Medium Term Plan

<b>Children, Families &amp; Education Portfolio Revenue Budget</b>				
	Staffing FTE	2010-11 £'000	2011-12 £'000	2012-13 £'000
<b>Base budget</b>		<b>210,117</b>	<b>213,173</b>	<b>208,445</b>
<b>Base Budget Adjustments - Internal</b>	16.0	209	-215	0
<b>Base Budget Adjustments- External</b>		0	0	0
<b>Total Base Adjustments</b>	<b>16.0</b>	<b>209</b>	<b>-215</b>	<b>0</b>
<b>Revised Base Budget</b>	<b>16.0</b>	<b>210,326</b>	<b>212,958</b>	<b>208,445</b>
<b><u>PRESSURES:</u></b>				
<b>Pay:</b>				
All	Non-Kent Scheme (non DSG)	211	0	0
All	Non-Schools (DSG)	356	632	725
		<b>567</b>	<b>632</b>	<b>725</b>
<b>Prices:</b>				
All	Transport	1,279	753	777
All	Social Care Provision	324	882	1,075
All	Other	0	7	8
All	DSG	1,978	1,551	1,599
		<b>3,581</b>	<b>3,193</b>	<b>3,459</b>
<b>Unavoidable Government/Legislative Pressures:</b>				
Non DSG:				
Res	Phasing of student award reductions	164	0	0
C&I	Administration of casual admissions to primary schools	4.0	55	39
SCS	Tribunals Courts and Enforcements Act 2007	15	17	0
Res	School workforce census	18	0	0
Res	Increase in early education entitlement to 15 hours per week	5,779	0	0

SCS	Net cost of asylum		1,337	0	0
	<b>Sub-total non DSG</b>	<b>4.0</b>	<b>7,368</b>	<b>56</b>	<b>0</b>
<b>DSG:</b>					
Res	Free school meals		26	27	0
Res	Academy central recoupment (LACSEG adjustment)		350	180	14
Learning	Alternative curriculum PRU places - increase rate to £9k per place		300	500	0
	<b>Sub-total DSG</b>		<b>676</b>	<b>707</b>	<b>14</b>
<b>Total Unavoidable Government/Legislative Pressures</b>		<b>4.0</b>	<b>8,044</b>	<b>763</b>	<b>14</b>
<b>Demand/Demographic Led:</b>					
<b>Non DSG:</b>					
SCS	Legal Services		202	0	0
SCS	SEN transport		470	0	0
Res	Home to College Transport		280	0	0
Res	Pensions		550	0	0
C&I	Maintaining disused school buildings		700	0	0
SCS	Fostering service		1,193	0	0
SCS	Special guardianship orders		390	0	0
SCS	Section 17 payments		600	0	0
SCS	16+ service		1,022	0	0
SCS	Therapeutic fostering		150	0	0
	<b>Sub-total non DSG</b>		<b>5,557</b>	<b>0</b>	<b>0</b>
<b>DSG:</b>					
Res	Free School Meals		625	0	0
Res	Maternity in schools		300	0	0
SCS	Independent non maintained special schools		500	0	0
Res	Admissions appeals		100	0	0
SCS	Pupil Referral Units		1,000	0	0
	<b>Sub-total DSG</b>		<b>2,525</b>	<b>0</b>	<b>0</b>
<b>Total Demand/Demographic Led</b>			<b>8,082</b>	<b>0</b>	<b>0</b>
<b>Schools Budget/Block:</b>					
Schools	Schools delegated budgets		29,902	14,658	14,241
Schools	Less: Adjustment for change in pupil no's		-2,653	-3,815	-2,922
Schools	Less: Adjustment for academies (School Budget Share)		-15,573	-8,292	-680
<b>Total Schools Budget/Block</b>			<b>11,676</b>	<b>2,551</b>	<b>10,639</b>



**Service Strategies & Improvements:**

Non DSG:				
C&I	Prudential borrowing	334	0	0
C&P	Software licences - FYE from 2008/09	28	0	0
Res	Criminal Records Bureau re-checks and Independent Safeguarding Authority	544	0	0
SCS	Partnership with parents	133	0	0
All	Change management programme	750	-750	
<b>Total Service Strategies &amp; Improvements</b>		<b>1,789</b>	<b>-750</b>	<b>0</b>
<b>Total Pressures: Non DSG</b>		<b>4.0</b>	<b>16,528</b>	<b>948</b>
<b>Total Pressures: DSG</b>			<b>17,211</b>	<b>5,441</b>
<b>Total Pressures</b>		<b>4.0</b>	<b>33,739</b>	<b>6,389</b>

**SAVINGS AND INCOME:****Grant Increases:**

Non DSG:				
Res	New Specific Grant for increase in early education entitlement	-5,779	0	0
<b>Sub-total non DSG</b>		<b>-5,779</b>	<b>0</b>	<b>0</b>
DSG:				
Res	Dedicated School Grant (DSG) increase before adjustments	-33,454	-16,649	-16,903
Res	Less: Adjustment for change in pupil no's	2,789	3,911	2,928
Res	Less: Adjustment for academies (School Budget Share)	15,573	8,292	680
Res	Less: Adjustment for academies (Local Authority Central Spend Equivalent Grant)	350	180	14
<b>Sub-total DSG</b>		<b>-14,742</b>	<b>-4,266</b>	<b>-13,281</b>
<b>Total Grant Increases</b>		<b>-20,521</b>	<b>-4,266</b>	<b>-13,281</b>

**Income Generation:**

Non DSG:				
Learning	Charging schools	-300	-160	-180
SCS	CSS Training income target	-200	0	0
Res	Other miscellaneous income targets	-160	0	0
<b>Sub-total non DSG</b>		<b>-660</b>	<b>-160</b>	<b>-180</b>
DSG:				
Res	School rates rebates income target	-100	0	0
SCS	SEN recoupment income	-1,125	0	0

	<b>Sub-total DSG</b>		<b>-1,225</b>	<b>0</b>	<b>0</b>
	<b>Total Income Generation</b>		<b>-1,885</b>	<b>-160</b>	<b>-180</b>
	<b>Savings and Mitigations:</b>				
	Non DSG:				
Res	Transfer of student finance function to Student Loan Company	-25.0	-414	-178	0
C&I	Mainstream home to school transport		-417	0	0
Learning	Support to Sheppey reorganisation	-1.0	-50	0	0
SCS	Administration staffing and infrastructure costs	-8.0	-300	0	0
SCS	Day care		-15	-10	0
C&P	Head of Service and PA		-48	0	0
SCS	Education Psychologists		-83	0	0
SCS	Web based Arete system		-100	0	0
Learning	Restructure/Efficiency - Learning Group	-53.2	-2,429	-1,562	0
SCS	Restructure/Efficiency - Specialist Children's Services Group	-13.8	-175	-109	0
C&P	Restructure/Efficiency - Commissioning & Partnerships Group	-31.5	-536	-209	0
Res	Restructure/Efficiency - Resources and Planning Group	-19.4	-975	-109	0
C&I	Restructure/Efficiency - Capital Projects and Infrastructure Group	-4.1	-52	-32	0
SCS	Out county/residential provision		-200	0	0
SCS	YOS Board post inspection recommendations resisted		-90	0	0
SCS	Independent sector residential care		-350	0	0
SCS	Direct Payments		-80	0	0
SCS	Day care		-61	0	0
C&I	Mainstream home to school transport		-270	0	0
Learning & SCS	End of T2010 targeted funding		-180	-70	0
All	Better targeting of spend on Property Maintenance		-159	0	0
	<b>CED Delegated</b>				
Res	Services provided by CED		-258	-281	0
	Target reduction in net spend		0	-2,741	-3,222
	<b>Sub-total non DSG</b>	<b>-156.0</b>	<b>-7,242</b>	<b>-5,301</b>	<b>-3,222</b>
	<b>DSG:</b>				
Learning	Administrative Officer		-15	0	0
C&P	CAF/LP - removal of one-off set up funding for CAF co-ordinators		-115	0	0
Res	Academy central recoupment (LACSEG)		-350	-180	-14
C&I	Removal of temporary funding for PESE IT		-85	0	0

	system				
Learning	Restructure/Efficiency - Learning Group	-14.0	-464	-336	0
SCS	Restructure/Efficiency - Specialist Children's Services Group	-5.0	-115	-85	0
SCS	Transition arrangements		-100	-200	-200
	Target reduction in net spend		0	-374	518
	<b>Sub-total DSG</b>	<b>-19.0</b>	<b>-1,244</b>	<b>-1,175</b>	<b>304</b>
<b>Total Savings and Mitigations</b>		<b>-175.0</b>	<b>-8,486</b>	<b>-6,476</b>	<b>-2,918</b>
<b>Total Savings and Income</b>		<b>-175.0</b>	<b>-30,892</b>	<b>-10,902</b>	<b>-16,379</b>
<b>Budget controlled by this portfolio</b>		<b>-155.0</b>	<b>213,173</b>	<b>208,445</b>	<b>206,903</b>

**Note:** The responsibility for post 16 education transfers from the Learning Skills Council to the LA on 1 September 2010. At this point in time the LSC have not been able to provide any financial information to include in this Medium Term Plan.

Appendix 1 – Section 2  
**CFE Revenue Budget approved by County Council on 18 February 2010  
and recast for the new CFE structure**

	Gross £'000	Income £'000	Net £'000
Delegated Schools Budgets	981,229	-80,517	900,712
Early Years Free Entitlement Budgets	40,239		40,239
<b><u>Learning Group</u></b>			
Early Years & Childcare	19,339	-107	19,232
Standards and School Improvement (Primary)	9,173	-286	8,887
Standards and School Improvement (Secondary)	9,472	-435	9,036
Workforce & Professional Development	3,515	-1,886	1,629
14-19 Entitlement	4,583	-1,400	3,183
Learners with Additional Needs (excl MCAS)	8,780	-693	8,087
MCAS	2,391	-98	2,293
Total Learning Group	57,253	-4,905	52,348
<b><u>Specialist Children's Services Group</u></b>			
Residential care	11,082	-882	10,200
Fostering Service	29,899	-227	29,673
Adoption Service	7,179	-50	7,129
Other Preventative Services	15,787	-533	15,254
16+ Service	7,738	0	7,738
Children's Support Services	4,001	-1,362	2,639
Assessment and Related	33,279	-1,705	31,574
Asylum Seekers	13,859	0	13,859
Special Educational Needs and Resources	16,423	-6,720	9,702
Special Educational Needs Transport to Schools	18,740	0	18,740
Independent Sector Provision	12,215	-697	11,518
Attendance & Behaviour Service	29,332	-10,691	18,642
Educational Psychology Service	3,470	0	3,470
Integrated Processes	1,149	-259	890
Children's Centres	21,064	-187	20,876
Integrated Looked After Children's Service	1,646	0	1,646
Total Specialist Children's Services	226,862	-23,314	203,548
<b><u>Commissioning and Partnership Group</u></b>			
Commissioning	16,561	-1,699	14,862
Safeguarding	3,845	-332	3,513
Management Information	2,325	-31	2,294
Strategic Planning, Partnerships and Democratic	3,986	-1,490	2,496

Services

Total Commissioning & Partnerships Group	26,717	-3,552	23,165
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**Resources and Planning Group**

Finance (including Awards and Asylum Finance)	8,968	-1,362	7,606
Home to college transport	1,787	-367	1,420
Personnel & Development	16,871	-1,519	15,353
Communication and Information Governance	443	-10	433
Managing Directors Support Services	892	-98	794
Strategic Management	1,287	-24	1,263
Grant income and contingency	18,959	-1,089,825	-1,070,866
Support Services purchased from CED	9,673	0	9,673
Total Resources and Planning Group	58,880	-1,093,204	-1,034,324

**Capital Programme and Infrastructure Group**

Capital Development Unit (excl Health and Safety)	21,235	-17,190	4,045
Health & Safety / Outdoor Education	634	-321	313
BSF/PFI/Academy Unit	432	0	432
Business Support and Client Services	6,344	-4,837	1,507
Strategic Technology and Digital Curriculum	1,638	-682	956
Admissions and transport	2,004	0	2,004
Mainstream Home to School Transport	15,601	-484	15,117
Area Children's Services Officers	669	0	669
Total Capital Programme and Infrastructure Group	48,557	-23,514	25,043

Budget Controlled by this Portfolio	1,439,737	-1,229,006	210,731
full year effect of CFE restructure savings	2,442		2,442
	1,442,179	-1,229,006	213,173

Appendix 1 – Section 3  
Portfolio Subjective Revenue Budget

	Non Delegated £'000	Schools Delegated £'000	2010-11 Spending Plans £'000
<b>Employee Costs</b>			
Salaries and Wages	152,521	748,575	901,096
Pension and Severance Payments	9,011	0	9,011
Training Expenses	6,806	5,584	12,390
Other Employee Costs	631	7,517	8,148
<b>Total Employee Costs</b>	<b>168,969</b>	<b>761,676</b>	<b>930,645</b>
<b>Premises Costs</b>			
Repairs, Alterations and Maintenance	2,706	19,026	21,732
Energy Costs	883	16,254	17,137
Rent	7,457	0	7,457
Rates	1,912	10,324	12,236
Other Premises Costs	4,882	15,267	20,149
<b>Total Premises Costs</b>	<b>17,840</b>	<b>60,871</b>	<b>78,711</b>
<b>Transport Costs</b>			
Vehicle Running Costs	576	0	576
Hire and Pool Car Charges	76	0	76
Home to School / College Transport	36,447	0	36,447
Public Transport (Clients)	1,544	0	1,544
Members and Staff Car Allowances and Travel Expenses	4,221	0	4,221
<b>Total Transport Costs</b>	<b>42,864</b>	<b>0</b>	<b>42,864</b>
<b>Supplies and Services</b>			
Equipment, Supplies and Transfer Payments	7,046	97,186	104,232
Book Fund	0	0	0
Communications and Computing	4,948	17,388	22,336
Members and Staff Expenses (Excl. Travel)	301	0	301
Grants and Subscriptions	49,781	0	49,781
Levies and Other Costs	4,091	5,223	9,314
Free School Meals	3,993	0	3,993

Social Services Payments	2,040	0	2,040
Examination Fees	133	9,603	9,736
Professional Fees	22,222	20,379	42,601
Service Agency Agreements	6,271	0	6,271
PFI Development Costs	14,532	0	14,532
<b>Total Supplies and Services</b>	<b>115,358</b>	<b>149,779</b>	<b>265,137</b>
<b>Third Party Payments</b>			
Highways Contracts	0	0	0
Waste Contracts	0	0	0
Transport Contracts	58	0	58
Social Care Contracts	45,308	0	45,308
Other	26,508	0	26,508
<b>Total Third Party Payments</b>	<b>71,874</b>	<b>0</b>	<b>71,874</b>
Central Support Costs & Internal Recharges	40,448	0	40,448
Capital Financing Costs	0	0	0
Capital Expenditure Financed by Revenue	186	10,000	10,186
Contribution to/from(-) Reserves	2,314	0	2,314
<b>GROSS EXPENDITURE</b>	<b>459,853</b>	<b>982,326</b>	<b>1,442,179</b>
<b>Income</b>			
Contributions	-9,553	-10,211	-19,764
Sales	-225	-26,718	-26,943
Fees and Charges	-1,896	-9,501	-11,397
Other Income	-4,328	-3,052	-7,380
Internal Income	-31,627	0	-31,627
<b>Total</b>	<b>-47,629</b>	<b>-49,482</b>	<b>-97,111</b>
Specific and Supplementary Grants	-199,051	-932,844	-1,131,895
			-
<b>TOTAL INCOME</b>	<b>-246,680</b>	<b>-982,326</b>	<b>1,229,006</b>
<b>NET EXPENDITURE</b>	<b>213,173</b>	<b>0</b>	<b>213,173</b>

**Appendix 2 – 1<sup>st</sup> Quarters CFE Directorate revenue budget monitoring details  
(based on the interim CFE structure)**

Budget Book Heading	Cash Limit			Variance			Comment
	G	I	N	G	I	N	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	
<b>Children, Families &amp; Education portfolio</b>							
<b>Delegated Budget:</b>							
- Delegated Schools Budgets	1,026,175	-80,967	945,208	3,401	0	3,401	Estimated drawdown of reserves following 21 schools converting to academies
- Early Years free entitlement budget	40,135	0	40,135	0	0	0	
<b>TOTAL DELEGATED</b>	<b>1,066,310</b>	<b>-80,967</b>	<b>985,343</b>	<b>3,401</b>	<b>0</b>	<b>3,401</b>	
<b>Non Delegated Budget:</b>							
<u>Learning Group:</u>							
- Early Years & Childcare	6,274	-92	6,182	0	0	0	
- Advisory Service Kent (ASK) - Early Years	9,708	-15	9,693	30	-30	0	
- ASK Primary	6,001	-400	5,601	46	-46	0	
- ASK Secondary	3,297	-276	3,021	50	-50	0	
- ASK Strategic Development	3,545	-1,615	1,930	0	0	0	
- ASK Partnerships & Professional Development	2,446	-544	1,902	0	0	0	
- International Development	94	0	94	0	0	0	
- 14 - 24 Unit	5,660	-2,524	3,136	31	-31	0	
- School Organisation	925	0	925	0	0	0	
- School Governance	737	-467	270	0	0	0	
- Extended Services	3,889	-563	3,326	0	0	0	
- Minority Community Achievement	1,699	-116	1,583	0	0	0	
- Specialist Teaching Service	4,195	-535	3,660	0	0	0	
- Local Children's Service Partnerships	69,211	-9,487	59,724	0	0	0	
- Group Savings from restructure	-2,893	0	-2,893	0	0	0	
Total Learning Group	114,788	-16,634	98,154	157	-157	0	
<u>Specialist Children's Services Group:</u>							
- Residential Care	10,253	-2,014	8,239	935	-190	745	High demand for independent sector residential provision partially offset by underspend on secure accommodation



Budget Book Heading	Cash Limit			Variance			Comment
	G	I	N	G	I	N	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	
- Fostering Service	25,571	-254	25,317	1,537	1	1,538	High demand for Independent fostering allowances and in-house foster care placements partially offset by underspend in the county fostering team
- Adoption Service	7,400	-40	7,360	-32	0	-32	
- Other Preventative Services	10,371	-425	9,946	497	0	497	Increased demand of direct payments and daycare provision for children with a disability
- 16+ Service	7,738	0	7,738	1,703	0	1,703	Increased demand for residential care and in-house foster care placements, pressure on section 24/leaving care payments
- Childrens Support Services	3,939	-1,400	2,539	-205	5	-200	Underspend on social work professional training
- Assessment & Related	33,850	-1,242	32,608	-2,400	0	-2,400	Staff vacancies
- Asylum Seekers	15,568	-15,111	457	606		606	Costs incurred in supporting young people categorised as All Rights Exhausted & naturalised
- Special Educational Needs (SEN) & Resources	16,813	-6,723	10,090	0	0	0	
- SEN Transport to Schools	18,740	0	18,740	-1,500	0	-1,500	Lower costs resulting from contract renegotiation & fewer children than budgeted level.
- Independent Sector Provision	12,215	-697	11,518	0	0	0	
- Attendance & Behaviour Service	9,227	-1,695	7,532	0	0	0	
- Educational Psychology Service	3,692	-13	3,679	0	0	0	
- Common Assessment Framework & Contactpoint	538	-108	430	0	0	0	
- Group Savings from restructure	-290	0	-290	0	0	0	
<b>Total Specialist Children's Services</b>	<b>175,625</b>	<b>-29,722</b>	<b>145,903</b>	<b>1,141</b>	<b>-184</b>	<b>957</b>	
<b>Commissioning &amp; Partnership Group:</b>							
- Strategic Planning & Review	2,049	0	2,049	-160	0	-160	NFER survey not due to be completed in 2010-11
- Policy & Performance (Vulnerable Children)	6,089	-1,077	5,012	0	0	0	
- Management Information	2,433	-117	2,316	0	0	0	
- Commissioning	14,810	-1,477	13,333	0	0	0	
- Business Planning & Management Unit	7,490	-465	7,025	177	22	199	Additional costs relating to the children social services legal services
- Group Savings from restructure	-536	0	-536	0	0	0	
<b>Total Commissioning &amp; Partnerships Group</b>	<b>32,335</b>	<b>-3,136</b>	<b>29,199</b>	<b>17</b>	<b>22</b>	<b>39</b>	

Budget Book Heading	Cash Limit			Variance			Comment
	G	I	N	G	I	N	
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	
<b>Resources &amp; Planning Group:</b>							
- Finance	4,254	-1,128	3,126	0	0	0	
- Awards	5,453	-603	4,850	207	0	207	Staffing pressure resulting from handover of work to the Student Loans Company. High demand for home to college transport
- Personnel & Development	17,311	-1,519	15,792	-417	0	-417	ISA scheme has been put on hold and underspend on school crossing patrols
- Communication & Information Governance	426	-10	416	0	5	5	
- Managing Directors Support	822	-25	797	0	0	0	
- Strategic Management	1,523	-6	1,517	-15	0	-15	
- Grant income & contingency	3,650	-1,122,237	-1,118,587	0	0	0	
- Support Services purchased from CED	9,415	0	9,415	0	0	0	
- Group Savings from restructure	-975	0	-975	0	0	0	
<b>Total Resources &amp; Planning Group</b>	<b>41,879</b>	<b>-1,125,528</b>	<b>-1,083,649</b>	<b>-225</b>	<b>5</b>	<b>-220</b>	
<b>Capital Programme &amp; Infrastructure Group:</b>							
- Capital Strategy Unit	19,199	-17,041	2,158	-30	8	-22	
- BSF/PFI/Academy Unit	432	0	432	0	0	0	
- Client Services	6,439	-4,480	1,959	22	110	132	Under-recovery of income relating to the cleaning & refuse collection contract
- Facilities Management	1,880	-203	1,677	0	0	0	
- Strategic Technology & Digital Curriculum	8,974	-600	8,374	-30	41	11	
- Health & Safety	608	-295	313	0	0	0	
- Admissions & Transport	1,416	0	1,416	0	0	0	
- Mainstream Home to School Transport	16,025	-484	15,541	-733	95	-638	Fall in the number of children requiring transport and contract renegotiations
- Group Savings from restructure	-52	0	-52	0	0	0	
<b>Total Capital Programme &amp; Infrastructure Group</b>	<b>54,921</b>	<b>-23,103</b>	<b>31,818</b>	<b>-771</b>	<b>254</b>	<b>-517</b>	
<b>TOTAL NON DELEGATED</b>	<b>419,548</b>	<b>-1,198,123</b>	<b>-778,575</b>	<b>319</b>	<b>-60</b>	<b>259</b>	
<b>Total CFE portfolio</b>	<b>1,485,858</b>	<b>-1,279,090</b>	<b>206,768</b>	<b>3,720</b>	<b>-60</b>	<b>3,660</b>	
<b>Assumed Mgmt Action</b>				<b>-259</b>	<b>0</b>	<b>-259</b>	
<b>Total CFE portfolio after mgmt action</b>	<b>1,485,858</b>	<b>-1,279,090</b>	<b>206,768</b>	<b>3,461</b>	<b>-60</b>	<b>3,401</b>	this relates to the schools delegated budget and will be funded by a reduction in the schools reserves

By: Jeff Hawkins, Transformation Programme Manager  
To: Resources and Infrastructure Policy Overview and Scrutiny Committee 24 November 2010  
Subject: Change to Keep Succeeding  
Classification: Unrestricted

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Summary: "Change to Keep Succeeding" is a report by the Group Managing Director on the transformation of the County Council's operating framework.

The Resources and Infrastructure Policy Overview and Scrutiny Committee will be given a presentation on the report, the management structure it proposes, and the process for consulting with staff.

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## Background

1. "Change to Keep Succeeding" sets out a proposed new structure for the senior management of Kent County Council. It was presented to meetings of the Council's Cabinet, Scrutiny Board and Cabinet Scrutiny Committee in the week commencing 11 October 2010.
2. Following Cabinet and Cabinet Scrutiny, on 15 October Kent County Council started a period of formal consultation on the proposed new senior management structure with the 25 staff impacted by this proposal. At the same time a wider informal consultation was commenced which is open to all staff and partners. The consultation period ends on 3 December 2010. A report will then be made to full Council on 16 December 2010 for a revised management structure and plans for the implementation of that structure.
4. The target is to implement the change in structure, subject to consultation and the decision of the County Council on 16 December, by 4 April 2011.

## Recommendation

5. The Resources and Infrastructure Policy Overview and Scrutiny Committee is requested to consider these proposals and to note that the matters raised by members at this and other member meetings to which this matter is to be reported will be fully considered as part of the consultative process.

Background Documents: *none*

J L Hawkins  
Transformation Project Manager, Sessions House room 1.68, extension 8103

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**By:** Paul Carter, Leader of the Council  
Katherine Kerswell, Group Managing Director

**To:** Cabinet

**Date:** 11 October 2010

**Subject:** “Change to keep succeeding”  
The transformation of the Council’s operating framework

**Classification:** **Unrestricted**

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**SUMMARY:** This report outlines the work to date on a programme to ensure that the Council continues to deliver successfully in the face of the most significant changes facing local government in the external financial and policy context. It needs to be read in conjunction with the draft medium term plan which is being launched for consultation - “Bold Steps for Kent” as this is proposing the draft new strategic vision for the Council which the organisational framework of the Council needs to be able to support and deliver upon. A supplementary and more detailed report will be circulated prior to the meeting on 11<sup>th</sup> October due to the closing date of the consultation period upon which that part of this report needs to rely. As this further report will include details of the proposed new structure and information about members of staff, its status may be “exempt”.

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## 1. Introduction

(i) To reduce the scale of the £156bn public deficit, to repair the nation’s public finances and to restore confidence in the national economy, the Government has embarked on a radical plan to reduce public spending. The Comprehensive Spending Review will settle the landscape for public service funding in late October. And the following month the Council will receive a clearer view of the provisional settlement in its external revenue funding. This will present elected Members and officers of the Council with our biggest challenge for a generation. Over the next four years it is likely that some £340m needs to be reduced from the Council’s net revenue budget in order to reduce spending and absorb the pressures we face. But the Council does not face this challenge alone – aside from the health service (which has to contain its intrinsic growth pressures rather than substantially reduce its base budgets) most public agencies in Kent and beyond face similar challenges. However, unlike most other public agencies, Kent County Council has the capabilities to meet these challenges head on. For when faced with challenges of this scale the Council needs to draw on its strengths of excellence and innovation.

(ii) Success is a springboard for future success. But simply repeating the success of the past will not be enough to meet the challenges of the future.

Instead the Council needs to make sure that its organisation and services are sufficiently agile to lower their costs to meet the coalition government's challenge on public sector costs and the Authority will need to evolve against the background of significant changes in other sectors including Health, Education, while sustaining and improving service outcomes. Individual services need to continue to strive to be ever more cost-effective but the overall organisation needs also to embrace an ethic of collective cost-effectiveness. This will require a more linked and connected organisation that is able to reap the benefits of scale, lower the cost of organisational infrastructure, and foster higher levels of overall productivity.

(iii) The Council needs to grasp the opportunities of the Government's decentralisation and localist agenda to revive enterprise and employment across Kent. It needs to help shape the future of education and healthcare across Kent to assure ever better life-chances for Kent's people. And it needs to make sure that its own organisation is sufficiently agile so as to continue to lower costs, raise productivity and secure ever better standards of customer service.

(iv) The proposed changes to the senior management arrangements to be outlined in the following appendix to this report (once consultation has closed) will seek to achieve the above and also to make the overall organisation leaner and fitter for future purposes. Without doubt, Kent benefits from the considerable talents and energies of the Council's most senior managers. But these benefits are not without significant cost to the taxpayer. In lowering costs and raising productivity, all layers of management need to be examined to assure cost-effectiveness and fitness for purpose. And it is crucial that the Council's senior management arrangements are reviewed to assure Members that value for money is secured and that these managers can together drive through the essential changes that are required across the County.

(v) In usual times, top-level organisational changes can help drive change throughout organisations. In times of tightening fiscal constraint they are essential to drive even deeper change throughout services and organisations. These top-level changes need to be approached in a disciplined and corporate manner. This is why I am proposing a coherent approach that secures Council-wide improvements in managerial culture, direction, and co-ordination. In particular I am mindful that during a period of major spending reductions, the conventional risks to service delivery pale against the potential risks of failure when services are being delivered on (an average of) three-quarters of their current budget. Controls based on single service or professional domains need to be strengthened by newly fashioned corporate controls to enable Members to better govern the risks to be faced over the next four years.

(vi) In order to deliver sustainable levels of budget savings over the coming four years we will require organisational courage and resilience from Members and officers alike. But these virtues are not of themselves sufficient. The Council needs to ensure that its senior managers are able to execute the changes that are required over the coming period. These senior managers need to possess the competencies and capabilities to take the

whole organisation forward and they need to possess the collective confidence to take the next bold steps.

## **2. OUTCOME OF THE INFORMAL CONSULTATION PROCESS**

(i) The response to the initial informal consultation has been positive with nearly 200 members of staff already offering comment on the design principles. The comments are predominately positive in nature to the proposals contained within the draft design principles. Eight meetings were also held with managers about these design principles and feedback from those meetings is also being incorporated into the final draft recommendations for Cabinet.

(ii) All the feedback received will be collated and reported to Cabinet to inform their decisions and thinking about the way forward. They will also be used to assess the value of the draft design principles that have been circulated and the design of the Council's operating framework that will then flow from these.

## **3. PROJECT PLAN**

Detail of the sequence and timing of the implementation steps will be provided in the following report. The detail of this will need to be based around the final recommendations of any proposed changes to the operational framework to be made to Cabinet.

## **4. PROPOSED NEW ORGANISATIONAL STRUCTURE.**

The supplementary report to follow will cover:

- Details of the proposed directorates' structure,
- The proposed senior posts in each directorate and the business activity reporting into these roles.
- Outline job descriptions for each of the proposed senior roles
- A list of the current posts that it is proposed are deleted and a list of the new posts that it is proposed to create.
- Details of proposals to create a number of new companies to deliver Council services. The detail of these new company models will need to also be developed during the consultation period.

## **5. REVIEW OF REWARD POLICY FOR SENIOR POSTS**

(i) Cabinet is asked to agree to a review, by the HayGroup, of the appropriate salary levels for the proposed senior posts. The review will take account of the level of responsibility and accountability of each proposed role and recommend an appropriate level of salary taking account of internal relativities and market rate. The review will be completed between the 18<sup>th</sup> October and 5<sup>th</sup> November.

(ii) The current salaries for senior posts are "spot" salaries, i.e. there is a rate for the job and no salary scale. Some senior posts have a contractual entitlement to a performance payment which applies a percentage lump sum

bonus according to the level of performance. However, these payments were frozen last financial year and will not be paid for this current financial year. It is proposed that senior managers are consulted during the formal consultation period on bringing senior performance pay in line with the Total Contribution Pay scheme in place for all other Kent County Council staff on the Kent Scheme of terms and conditions of employment. This proposal includes removing the current contractual bonuses for senior staff.

(iii) At the end of the formal period of consultation, all proposals for any changes to the terms and conditions for these proposed senior posts will be put to Personnel Committee for consideration before being reported to Cabinet on 16th December.

## **6. PROCESS FOR APPOINTING TO SENIOR POSTS**

(i) Details of the process and timeline for populating the proposed senior level posts will be included in the supplementary report. This could include Member panel interviews preceded by assessment centres. Before any such arrangements like this can be agreed to, it will be necessary to follow the Council's process outlined in the Council's Blue Book of terms and conditions of employment.

(ii) This will of course be followed in deciding whether individual senior managers are "slotted" (i.e. automatically placed) to the proposed posts in the structure. This means that an individual may be slotted if all the following criteria are met:

- the job must be the same grade as before the re-organisation,
- there must be the same number of jobs (or more) as job holders
- the job is deemed 75% the same type of work in term of job accountabilities, activities and broad objectives

(iii) Then there is no recruitment process either internal or external and the employee whose job has been altered by this process is slotted in to the new job. This can only be assessed at the end of the consultation process and following the full Council's final decision on the proposals.

## **4. CORE VALUES AND BEHAVIOURS**

(i) This change programme is aimed at enabling Kent County Council to alter the way it operates so that it can meet the new challenges it is facing. It cannot therefore be solely about the organisation structure, but must also lead to a new organisational culture.

(ii) It is therefore proposed that an external provider is procured to engage with staff across the Authority and with Members and senior managers to design a set of draft values and behaviours. This process when shared with staff has been warmly welcomed as a means of being involved in shaping the Council and ensuring we can deliver as well in the future as we have in the past.



(iii) These values and behaviours will be put forward for discussion and agreement at the County Council meeting on 16<sup>th</sup> December. Once agreed these values and behaviours will drive all aspects of the Authority's HR strategy.

## **5. EXIT MANAGEMENT PROCESS FOR SENIOR POSTS**

It is suggested that a voluntary redundancy process is introduced, to be offered to any of the senior managers affected by the restructure proposals at the start of the process. Details of the process for this together with proposals around notice periods, appeals against decisions made and alternative job search support will follow in the supplementary report.

## **6. RECRUITMENT TO ANY POSSIBLE VACANT SENIOR POSTS**

It is critical to the stability of the organisation, the continuation of excellent service delivery and the success of the many significant change programmes being undertaken that any senior posts left vacant are filled as soon as possible. The standard Kent County Council personnel process will be applied to any post that is not filled by a priority candidate, and the post will be advertised to internal staff with external candidates being sought contemporaneously if required. This has worked very successfully in the past and it is hoped that if such a circumstance arises of a vacant post needing to be filled, internal staff are able to come forward and be assessed for the vacancy.

## **7. FINANCIAL IMPLICATIONS**

(i) The Council is facing significant financial challenge more so than at any time in its past by virtue of the economic conditions of the country and the forthcoming comprehensive spending review that is proposing to reduce Council budgets between 25% to 40%. Officers have been working on a series of options to increase the efficient working of the Council and to review ways in which services can be delivered to reduce costs whilst maintaining quality to meet this level of reduction.

(ii) The management costs and organisational structure costs of the authority must be examined along with all other costs within the Council. This process will naturally contribute to the savings required. Details of the proposed savings will be available once consultation has closed and a final draft proposal for Cabinet can be created. Other savings proposals that will affect staffing arrangements in the Council will undoubtedly follow in the budget proposals that will be presented to Members later this Autumn / Winter. Effective corporate programme management will ensure alignment and enable any possible double counting to be dealt with.

## **8. RISKS**

(i) It is important early on in this work to highlight a number of possible risks facing the Council from these proposals. A fuller risk register will be supplied

following the closure of consultation and the draft proposals being able to be concluded.

(ii) This proposed change process is happening at a very congested time for this Council. The Council along with all others in the public sector is facing unprecedented external policy and financial changes. Local people's expectations from services and what they are willing to pay for them is also changing fundamentally. We are in the process of discussing with Members and the Scrutiny committees the Council's new medium term plan "Bold Steps for Kent" which is considering a brand new focus and way of working for the next four years. The draft medium term plan is also on this Cabinet's agenda for approval for consultation.

(iii) It is imperative that the process of transforming our operational framework, preparation of the Council's medium term financial plan and the development of the medium term plan dovetail and absolutely align. They are all intricately related and the individual success of each of them relies upon the success of all.

(iv) The Group Managing Director's role is to ensure the co-ordination of such major developments and also to plan and manage the risk of non-alignment by working very closely with key officers in the Council. Therefore these programmes will be programme managed through the Group Managing Director's office and the Corporate Management Team will be the programme board for these activities. The programme office resource is in place to support this.

(v) It is important to be clear about the need to ensure accurate financial control is maintained throughout this change. This risk will be strongly mitigated by the programme management approach, the corporate management team's role as the programme board and very strong input from the financial services division into the programme team that is already in place.

(vi) In addition to the risk being mitigated by the effective programme management resource, another possible mitigation of this risk could be to delay one or several of these programmes that are occurring at the same time.

(vii) "Bold Steps for Kent" the new medium term plan, has to take place in this timeframe. Our current medium term plan "Towards 2010" has concluded and this Council needs to be clearly focused on dealing with the new policy challenges facing us and being able to plan for and deliver Members' ambitions for the next four years.

(viii) The transformation of the Council's operating framework is intrinsically linked to making certain that the Council can deliver "Bold Steps for Kent" the new medium term plan, which requires of us a new integrated delivery model and new ways of working.

(ix) The new medium term plan “Bold Steps for Kent” also supports and enables many of the proposals currently being developed to deliver the new medium term financial plan and the estimated £340m of reductions that the Council may have to find over the next four years.

(x) The medium term financial plan clearly has to take place at this time to deliver the Council’s budget and respond to the outcome of the comprehensive spending review on the 20<sup>th</sup> October. The changes proposed by this report will enable many of the financial reductions that will be necessary to be made.

(xi) If we are to avoid a period of managed decline we need to deliver our services at lower cost and in different ways. If we halt the organisational change that this report contemplates we face a different risk of “salami slicing” of services and being unable to deliver the quality of service that Kent is renowned for. It is important that the costs of how this organisation delivers its services are considered and challenged as much as the costs of what we deliver in actual services.

(xii) Kent has a national reputation for being able to seize opportunities at the right moment. If we fail to align these three programmes effectively and not maximise the support they give to each other and manage the pace of each through a co-ordinated and resourced programme office we run the different risk of losing the benefits of these processes and prolonging the period of turbulence for this organisation.

(xiii) Another two risks of all these programmes and in particular the subject of this report are the risks to morale and leadership capacity. Members will be able to see from the responses from staff to this informal consultation (those received to date) that they talk about the uncertainty that they all feel. There are also comments welcoming the fact they we are facing up to this and want to involve staff in how we deal with the situation. There has also been very positive support expressed in the managers meetings about taking up this difficult situation with their teams to help manage the transition and deal with the uncertainty that the external policy changes and financial environment are driving.

(xiv) As our services have to be reduced and the policy challenges we are facing and also wish to create ourselves are changing, we need to examine the most senior posts that we have in this organisation. We must ensure that they along with all the other roles and services are fit for purpose and that the overhead costs that they represent are appropriate. The period between our current operational framework to any different framework that Members agree will need to be very carefully managed through a transition programme to ensure effective capacity is available to keep the programmes of the Council going.

(xv) All areas of this Council are being reviewed and challenged as part of the process to find the £340m reductions needed over the next four years. There is the risk that if we fail to examine the costs of our most senior management structures and whether they are designed in the most effective way for our

future, we will give a contradictory message to the rest of our staff about the different values placed upon roles at different levels in the Council. That is clearly not part of the values of this authority and it is important that we must be seen to be demonstrating explicitly the equity and fairness of the approach that we take to examining all costs at all levels and in all services.

(xvi) This Council can be proud of the fact that we have a strong pool of resilient and steadfast managers who have met such challenges as this in the past and have managed the transition and uncertainty that is necessary in such a turbulent period.

(xvii) Cabinet must also consider in assessing the options that this report will place before them a slightly different type of risk. The risks above can be described as a type 1 risk. The risk of something going wrong that can then either be mitigated or put right.

(xviii) here is also the type 2 risk that needs to be considered. This is the risk of not doing something, that if you had done it – it would have delivered the future you are seeking to achieve.

(xix) The consequence of a type 2 risk in relation to this report and the proposals that are to follow; is that changing the organisation at a later date when the opportunities we are seeking to take advantage of have moved on could be much more costly and damaging for us. The external demands of the policy changes from the new government and the financial reductions we will have to find show no sign of slowing down or reducing, indeed they seem to be accelerating. Cabinet will need to consider the cost of change now in all its dimensions or a possible much increased cost at a later date.

## **9.RECOMMENDATION**

Cabinet is asked to note and agree as appropriate the proposals put forward in this report and to note that further recommendations will follow in the supplementary report.

**Note:** *This report will also be discussed at a meeting of the Scrutiny Board which is taking place on 11 October on the rising of the Cabinet meeting and a meeting of the Cabinet Scrutiny Committee taking place on Friday 15 October 2010*

**Background documents:** The First Bold step Informal consultation document

**Katherine Kerswell**  
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**Amanda Beer**  
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## **Change to keep succeeding Appendix 1**

### **The challenges facing us**

1. As described in the Cabinet report already circulated, KCC is facing; along with all other local authorities and public service agencies, an unprecedented level of and pace of change. The challenges facing the Council arise from three main sources.
  - From the changing patterns of needs and demands from service users and local residents.
  - From the financial reductions that are being applied to public spending generally.
  - From the fundamental changes planned by the Government to public sector policy and our own Kent new policy ambitions in the draft medium term plan “Bold Steps for Kent”.
2. The needs and demands of our public do change and are changing rapidly and if we are not equally nimble in responding to them we can appear rigid or fixed in terms of the style of our service delivery and our ability to change our cost base. The demographic changes we are facing in Kent are significant enough on their own but they accompany further social and economic change as well as the fast paced changes in local peoples’ use of media technologies such as Face Book campaigns, electronic petitions and the widespread use of direct contact email. KCC has embraced the transparency agenda and this will yield further avenues for media technologies to engage with the delivery of our services and our functioning as a Council.

### **The demographic challenge**

3. Over the next eighteen years the total population in Kent is predicted to increase by 18%, which is higher than the growth predicted for the whole of England and the South East. The particular population growth trend that we need to be mindful of in thinking and planning for our future is the growth of the over 85 population. At one level this should be absolutely celebrated as many more people are living past this age than ever before.
4. Over the next eighteen years the percentage of over 85’s in our total Kent population will increase by 99% from a population of 38,700 to 77,400. (ONS – 2008 –based sub national population projections) In contrast our younger population group of 4-10 year olds only increases by 12% between 2009 and 2019 and then remains constant after that.
5. This clearly has major issues for a wide range of services we provide and certainly is not restricted in its impact to adult social care services. The principle that its not just adding years to life but life to those years means each of our services must think very hard how we address this significant increase in our over 85 population.

## **The service delivery challenge**

6. Essentially, future needs and demands for public services will differ in character from those of today – they will not simply differ in the level or amount we deliver. People want more appropriate, more flexible, more personally tailored and responsive services. They want more self-organised services and they expect, wherever practicable, for services to be made available online. How people privately consume goods and services will continue to influence their expectations of our services.
7. In order for us to be able to meet our future challenges, KCC, local government, indeed all public institutions and agencies will need to be more agile in how they organise themselves. The stress will rightly be on redesigning services, on reshaping the systems of service delivery, and on revising “service user pathways” such as in care for elderly people with specific conditions, and really maximising the use of the latent potential of our Gateways. But to do so will require us to be much more flexible in how we finance our services and how we shape our functions and activities. We must also be very clear this does not simply apply to how we work on our own, but increasingly we will be working with our partners and we will need to be flexible and agile in the many differing types of relationships that will emerge.
8. Eight briefing sessions with 219 of the Council’s managers have taken place over the informal consultation period. We have discussed the changes that the Council will have to face over the next period. We have also discussed between us the new policies that the Coalition Government is introducing. Members will see from Appendix 2, a summary of the responses from those sessions. One of the very consistent themes raised in those discussions was the impact of the level of financial reductions that we have to plan for and contemplate ahead of the 20<sup>th</sup> October CSR announcement and also the effects that this could have on local jobs and services in our county.

## **The financial challenge**

9. The Government have adopted a broad plan for public sector reductions. The current plan is for 85 per cent of the planned reductions to come from public spending cuts. The period of private sector recession of 2008-9 is being followed by period of public sector retrenchment from 2010-14.
10. At the very broadest level this presents a background of considerable uncertainty for KCC and its public sector partners in the county, all of whom face the challenge of planning for this future. Nationally local government has had to deliver efficiencies of around 3% a year. As an excellent authority KCC has delivered above that level at around 4% a year. This has required significant focus and activity by the organisation and Members. The level of reductions we are expecting from the CSR announcement translates roughly into reducing our spending by up to eight per cent each year for the coming three years.
11. Efficiencies of three or four per cent can be planned for by way of productivity improvements and the like. Ongoing cumulative reductions of eight per cent are significantly much more demanding – to determine, and then to implement.
12. They require some bold steps to be taken.

## **The policy challenge**

13. The Coalition Government has published an ambitious agenda for fundamentally altering the nature of public service in this country. It has resonated very closely with the future vision for public services that the County Council set out in the Leader's paper "Bold Steps for Radical Reform" in January 2010.
14. Kent's history of innovation, delivery of quality services and strong relationships with Whitehall places us in an enviable position to develop many of these new ideas and bring additional advantages for example through investment in new service models, by a government willing to see its ideas being tested and trialled. All throughout the meetings with managers their willingness to try new ideas and pride in the history of innovation and entrepreneurialism of their Council was very evident and staff are getting ready to step up to these new challenges.
15. The fact that we have two externally driven major changes of a policy framework and a financial framework is significant. We must avoid the pressure of such a reduction in our funding to feel that the future has to be one of managed decline and a timid future then emerging.
16. This point was raised in the consultation process and many staff opted for creating a new future and not just face an endless "salami slicing" of Council services. Their responses are very true to a core aspect of KCC – that of facing up to our future and changing it for the better. That characteristic will be essential for us going forward and managing these challenges. We need to be able to take advantage of the new ideas that are emerging about public services and really offer a different future for public services in Kent. These draft structure proposals aim to enable that capacity to be in place as soon as possible and to aid the financial reductions we must face.
17. The structure charts that are included with this report for Cabinet to approve as a consultation draft for the organisation and our partners, attempt to capture the challenges we face and to enable the County Council to fully respond to the new opportunities in the changing financial and policy environment both from our own draft medium term plan "Bold Steps for Kent" and the Government's radical agenda.
18. A series of design principles were developed and circulated in a leaflet "The first bold step" to all staff to create a debate about what was facing us as a Council and whether we are currently organised and operating in a way that enables us to deal with that future in the most effective manner. The summary of the comments received back from staff is attached at Appendix 2. There are a wide range of comments, both critical and supportive and I have responded to each, full copies of which are available in the Member's Information Point as well as to each Member of Cabinet and the Scrutiny Boards overseeing this report. Overall there is a positive sense of energy and desire to change some of the ways that we operate as an organisation, most notably on how we connect internally and operate as one organisation. Many

of the design principles were supported and they have shaped the draft structure proposals placed before Members today.

19. The changing nature of the delivery of public services will require KCC to think very carefully about the current way it is organised. As recently as Sunday 3<sup>rd</sup> October the Secretary of State for Communities and Local Government – Eric Pickles MP made a statement of how local government must end duplication and increase its productivity, He urged us all to share more services between Councils and between other public agencies. The proposals in this restructure rise to the challenge that the Secretary of State has thrown out to all local government in ensuring we are joining ourselves up as an organisation and making the use of our internal systems much more productive. This will enable an easier connection to be made as one Council with partners when needing to join up services together.
20. It will also enable us to create new forms of service delivery vehicles with our key partners in Schools and with GP's. It will also help us to deliver more effectively in localities, joining decision making with our other partners in District Councils, the Police and Health and other local organisations to really tailor our services to the particular needs of that locality. The intention is that this locality approach does not stop at the district level but can explore closer delivery with our parish and town Councils and in local neighbourhoods.
21. All of this is exactly in line with the Secretary of State's determined vision for the future of local government delivery. On coming into office the Secretary of State declared his priorities to be;

“localism, localism and localism – but not necessarily in that order”.

22. In the face of that drive to join up and also increase our productivity; how we internally organise our business support resources also needs to alter so that we are connected and integrated as one organisation. We can then become much more efficient and productive in how we use those systems and processes – a “one pass” approach and (leading to much more effective and coherent ) can then effectively integrate with others.

### **Explanation of the structure in general and process for staff impacted**

23. In addition to the text below which describes the main themes that the proposed structure is attempting to deliver, it may be helpful for Members to look at the structure diagrams. These are portrayed in two ways, a traditional organogram of posts and reporting lines showing the whole Council and a more detailed picture outlining the top two tiers of management posts in each proposed Directorate that are directly impacted by this proposed restructure consultation. The array of functions that are shown (in the grid boxes) for that Directorate then would lie within their areas of responsibility if those senior posts at first and second tier were approved. Please note these are not all current service teams but also denote capacity and functions that will need to be created.
24. Please also note that the areas described as functions and any staff or managers within those are **not** affected at this stage by any of these restructure proposals. If at a later stage further re-organisation is required then that will be dealt with, within the terms and conditions of the KCC's employment policies. Appendix 5 of this report lists the current senior



management posts that are directly impacted by these draft structure proposals. It needs to be explicitly understood that these are the **only** posts which are affected by this process.

25. Those post holders are **not** placed formally at risk by this consultation process. That can only happen if and when Members take their final decision on the proposals at the Full Council meeting on the 16<sup>th</sup> December. It will only be at that stage that it will be possible to determine whether any of the current posts have altered significantly and therefore whether any of the post holders are then formally at risk. The Director of Personnel and Development and the Group Managing Director will be writing formally to all senior officers directly impacted by this process on Friday 15<sup>th</sup> October following the outcome of Cabinet Scrutiny Board. Formal consultation can only begin following the outcome of that meeting. However all senior staff are being briefed on the morning of the 11<sup>th</sup> October so that they are fully aware of the draft structure proposals and can ask any additional information about the process that they require. The Corporate Management Team have also all been informed of these proposals on Friday 8<sup>th</sup> October, either in a meeting or by receiving copies of the proposals due to other meetings preventing them attending.
26. It is very important to be aware that the posts at the second tier level do **not** all carry the same level of seniority, size of job or price tag for that job. The inclusion of director level posts in this way represents the first visible sign of implementing the design principle of a flatter structure leading to fewer management tiers between the top of the organisation and the front line.
27. There are a number of posts that have been designated “director” that have a very singular focus such as waste and procurement. These have been included in the most senior tiers of management as they are such significant areas for the Council and to give them a very clear focus and priority.
28. By virtue of the design principle that was endorsed by staff, this structure is aiming to connect all business support services together in one Directorate serving the whole of the Council. There are two posts in that Directorate however that are also members of the Corporate Management Team with the same first tier status as the Corporate Directors leading Directorates. These two posts are Corporate Director Finance and Corporate Director Human Resources. The reporting lines and day to day operational activity of these two divisions need to be part of the Business Strategy and Support Directorate but they play such a significant role in the life of this authority that they will be formally members of the Corporate Management team and enable to enact their strategic role in full. It is also critical for the statutory role of the Chief Finance Officer post that it is a member of the Corporate Management Team in order to be able to fulfil its duty.
29. The Corporate Director Business Strategy and Support has also been designated as Deputy Managing Director. This will ensure continuity of organisational leadership in the absence of the Managing Director. The current job title of the post of Group Managing Director is proposed to be altered through this process to Managing Director. This is now possible due to the other Directorates being re-titled away from being Managing Directors in their own right and also denoting the one Council – one organisation design principle.

## **Detail regarding the role of the Corporate Director**

30. The post of Corporate Director denotes the most senior tier – first tier of management in the authority and membership of the Corporate Management Team. The Corporate Director along with all other first and second tier posts will share identical responsibilities in their job descriptions in regard to overarching responsibilities for being focused on; our customers, working with partners, leading services, leading people, performance, finance and risk. In addition they will also have the specialist responsibilities in line with their Directorate's functions.
31. The Corporate Director is the overall managerial head of the Directorate and as such has a key responsibility for ensuring its smooth running. The post has to have a strong relationship with the business partners who will support the operation of that Directorate. The Corporate Director is also a strategic policy client initiating the development of major policy via the Director of Business Strategy and the resources in that division and in close liaison with their Cabinet portfolio holder. The design of the business strategy division is to ensure a holistic approach can be taken to policy and strategy development in the Council and that the staff working there are able to cross fertilise ideas and develop their thinking in the broadest context of the direction of the Council as a whole.
32. Corporate Directors will still as happens currently take the lead on a number of cross cutting issues and themes that are critical for the smooth running of the organisation. Health and Safety and Equalities are two very obvious areas of work that both require the most senior posts in the authority to champion.
33. Those Directors and Corporate Directors who have responsibility for the business partner relationships for their particular functions with other Directorates are also designated Heads of Profession". This covers finance, human resources, property, IT, communications, consultation and engagement The Director of Governance and Assurance is also the Head of Profession for legal services.
34. The Chief Officer Group has been redesigned over these last three months into a Corporate Management team (CMT) and its new way of working is in line with the design principles. It will be a key element in ensuring effective corporate working and that new silos don't replace the old.
35. CMT's role is primarily in two areas. One is giving advice to Members. In large-scale multi-functional local government there are, inevitably, competing claims for resources, assets, facilities, services and political attention. In this context one key feature of corporate management is the requirement to advise Members on how best to balance differing interests and how best to weigh competing claims. Members may require a plurality of views but these must first be considered through a corporate lens – policy, service and managerial issues need to be considered in the round and not simply through the prism of one singular service domain. This if not counteracted can be a major driver of silo behaviour.
36. The other is managerial leadership. The Council's services, functions and activities are all directed to improve outcomes for the people of Kent. The

Council's top team are collectively responsible for the coherence of management direction and controls – operationally, strategically and corporately. The team is responsible for overall results, the stewardship of resources, the Council's corporate reputation and its effective risk management (results, resources, reputation and risks).

37. The Chief Officer Group whilst it has clearly undertaken a number of the above roles in the past has not operated as explicitly as the new terms of reference of the Corporate Management Team describe. This new Corporate Management Team role is critical for the smooth operation of the new operating framework of the authority.
38. In the face of all our challenges the Corporate Management Team must absolutely share one responsibility that of explicitly challenging all our areas of service and practice to ensure we are truly delivering the best we can. This is not just a question of ensuring that the things we are doing are being done in the right way. But also in the light of the significant financial, and policy changes both nationally and of our own volition that we are now doing the right things.

#### **Delivering the new vision of the authority – delivering the design principles**

39. It may seem odd in a report to Members that is primarily about draft structure proposals to say that the future operating framework cannot just be about a structure. Throughout the consultation and in the manager's meetings, we have discussed a way of looking at the organisation through a number of areas, one of which is the structure. We have also discussed the style of the Council – how it works, the systems we use, our shared values, the skills, our staff need, etc. Staff strongly responded to this and have endorsed that we need to develop other aspects of the way we work and organise ourselves and not solely focus on the structural arrangements of services and reporting lines as important as they are.
40. The earlier report that was circulated to Cabinet refers to the development of a new set of shared values and workplace behaviours that will be designed by staff for staff. This too has been welcomed in the feedback as a means of engaging the Council and making the design principles really come to life in our day to day interactions.
41. The Council will shortly be consulting on its draft medium term plan "Bold Steps for Kent". The outline of this was captured in the first design principle which shared with staff the three proposed ambitions for Kent; to grow the economy, tackle disadvantage and put citizens in control. The way we will work to deliver that, will be through operating as one Council and very much focused on the localities of Kent with our partners. The role of KCC in speaking out for the whole of Kent and its needs is also captured in this principle and the need for us to stand up for our county and ensure our needs and demands are clearly understood.
42. The structure proposals have been developed in line with the thinking in "Bold Steps for Kent" and will strongly support the new ambitions and provide capacity to implement the direction of travel for public services in KCC and the whole of Kent that is outlined in there.

#### **43. Draft proposals for consultation on the future structure of Kent County Council**

44. It is proposed to create five Directorates – Business Strategy and Support, Customer and Communities, Enterprise, Families, Health and Social Care and Education, Learning and Skills. These Directorates aim to deliver the design principles that have been consulted upon with staff. (see Appendix 2)
45. They are also intended to reflect the three draft Council and county wide ambitions contained within the draft medium term plan “Bold Steps for Kent”. These are 1. Growing the Economy – Enterprise Directorate, 2. Tackling Disadvantage – Education, Learning and Skills Directorate and Families, Health and Social Care Directorate and 3. Putting the Citizen in Control – Customer and Communities Directorate. The Business Strategy and Support Directorate contains the policy development and intelligence function for the whole Council and contributes overall to the whole plan. These descriptions are not intended to suggest that the other Directorates would not contribute to any of the other ambitions but to show a correlation between their focus and the Council’s ambitions for the future.
46. One of the design principles was to enable the Council to work as a more integrated organisation rather than as a series of federated services. This is an essential shift if we are going to be able to focus completely on the delivery of “Bold Steps for Kent” and those three overarching ambitions. It is also an essential shift if we are to be able to channel our delivery into a series of locality delivery boards and the integrated frontline of the authority to meet the pattern of service delivery that local people require at the price we can afford.

#### **Education, Learning and Skills Directorate**

47. Overall the Directorate will focus upon ensuring strategic leadership and the County Council’s championship of high quality learning opportunities from early years through to 19+. It will make sure that there is genuine choice and diversity in provision to meet the needs and aspirations of all children, young people, and parents, with information advice and guidance so they can make the appropriate choices. It will coordinate and facilitate collaborative working amongst schools, keeping Kent at the leading edge of educational practice. It will also ensure the coordination of admissions, home to school transport, special needs education and link closely with the children’s services team to ensure every child is attending and flourishing in school. Finally it will be keeping a very close eye on standards and achievement, making sure support and intervention is there when required.
48. Capacity has been created within the proposed Directorate to develop with our community of Schools, Head teachers and Governors, a number of new vehicles to provide them with continuing professional development, school improvement, curriculum development and a really strong range of school support services which many of them access currently. It is envisaged that this type of new vehicle will enable us to support both the thinking of the new Department of Education in the greater independence they wish to see schools having and also to continue to support the large number of Kent schools who currently value a very close working relationship with us. This model as a “best of both worlds” approach has been broadly welcomed in recent meetings with head teachers.

49. The proposed Directorate also signals a move to recognise the new policy thinking within the Department of Education on the “every child matters” policy framework of integrated children’s services. There have been significant advantages gained from this policy framework. There have however been some losses mostly in the relationship with adult social services in terms of being able to conduct a real integrated assessment and develop properly integrated continuous care pathways for clients. The proposed structure tries to rebalance our service delivery models so that we are able to regain these elements and also retain the excellent work that has been done to date in this county on the integration of children’s services.
50. The current Children, Families and Education Directorate has re-organised itself to ensure in the twelve district areas of our county, there are integrated children’s services for school support, children’s social care services and preventative services such as children’s centres. These operate with a series of twelve locality boards and an over arching Kent Children’s Trust Board. This is a valuable forerunner of the thinking that is being proposed within the draft medium term plan “Bold Steps for Kent” and the 12 locality district boards and it will be essential to learn from its experiences in the development of the model being proposed for the whole Council.
51. The proposal in this draft structure is to support and maintain those links in the localities of integrated children’s services but to designate the line management “home” of targeted Children’s services as the proposed Families, Health and Social Care Directorate. Throughout the proposed consultation period there will be a number of bills and white papers published by the Government. Amongst them is expected to be an Education White Paper. This will give us further guidance on what the residual statutory duties of the local authority are likely to be in regard to education and may also discuss what the future statutory role of the Director of Children’s Services could be. The consultation period should allow enough time to take into account any proposed changes and give us the flexibility to respond.
52. Bearing in mind the current statutory requirements, it is proposed that a protocol be produced to ensure that the accountability of the Director of Children’s Services is properly maintained and not fettered by a different reporting line arrangement. The reporting links to the statutory role of the Lead Member must also be maintained pending any national review. The current statutory guidance on the role of the DCS does not insist that there has to be a direct reporting relationship of these posts.

### **Families, Health and Social Care Directorate**

53. This Directorate will focus on the continued delivery of high quality adult social care services; develop a new model of integrated delivery of social care with our health partners and others, develop the new role of Public Health and work to ensure the Council is able to support the GP practices in the county facing their new agenda as commissioners. The Directorate will maintain the high standards of care practice for children and continue to champion safeguarding for adults and children throughout all the Council’s services. It will also seek to deliver new models of more integrated assessment and care pathways with the addition of the children’s services division and commissioning, assurance and delivery of services for other vulnerable groups.

54. The draft structure proposals for this Directorate show this as the new home of the Director of Children's Services and the line management arrangements and the locality connections to integrated children's services as described above. It must be emphasised that the dotted line is to represent a real living relationship of the services across these two Directorates.
55. This Directorate is also home to the significant range of adult social care services that are provided by the Council, both their commissioning and provision. The future of direct delivery and possible integration with health services or with other models of delivery are very current. The role of Transition Director in this Directorate is to enable the future model of service delivery to be developed for Members and also to ensure the new relationship with the GP's and their responsibilities under the Health White Paper can be properly developed.
56. Safeguarding is a critical issue for all services in the Council but most notably for adult and children's social care services. Whilst the personal responsibility and activities within the different social care teams – adults and children's, will continue unaffected, there is potential to draw together the support services to the safeguarding boards, training and promotion and the commissioning of and oversight of any investigative work that may need to happen. Whilst adults and children's safeguarding practice have a different legal basis, there are many similarities within the culture, approach and core workload of these different teams to promote and ensure safeguarding is a live issue for all our staff. The function would also be expected to look across the Council and raise the profile of safeguarding for everyone.
57. In this Directorate there is also the role of the joint post of the Director of Public Health. The post holder at present is shared between the two primary care trusts in Kent – Eastern and Coastal Kent and West Kent and ourselves. We share a third of the costs of the post each. The national changes proposed by the Department of Health are as wide ranging as the national policy changes to education. It is certainly one of the most significant policy proposals of this Government. Health is being redesigned to move the majority of commissioning decisions into GP practices, new roles for local authorities are being developed and new roles at a national commissioning body level are also being developed.
58. Kent County Council has a proud history of involvement with health and pioneered the development of Health Watch which has been mirrored by the Government in their new policy framework. We will need to see the Public Health White Paper when it is published and the further detail that will emerge from the Department of Health over the next few months as to how this role will develop. There are very likely to be many changes in this area that we will need to discuss with Members as and when the picture becomes clear.
59. Within this Directorate there is also a new division headed by a Director of Supporting People. This division is intended to house significant commissioning activity to vulnerable groups, via the supporting people commissioning body we have, for children's health and for children's social care. There is also the critical role closely related to commissioning as a function, that of quality assuring the delivery of social care. The safeguarding new function has been referred to above and will be placed here. Youth Offending and KDAAT whilst needing to retain their existing links to the

community safety function will focus on delivering particular support to the vulnerable people in need of those particular services.

### **Enterprise Directorate**

60. Overall this Directorate focuses upon three key areas, the delivery of the regeneration of our county, the planning and environment issues that are associated with that and the delivery of major contracts that affect every single resident in Kent.
61. Growing the Economy is one of the three proposed Council and county wide ambitions in the new draft medium term plan “Bold Steps for Kent”. The County Council has made a bid with Essex to create a Local Enterprise Partnership to really drive the growth of the two very significant economies in the south east. The Government has announced the £1bn Growth Fund that we will seek to access for significant work in the LEP. We will continue to invest monies ourselves as a Council in growth activity. We have also made a very strong bid to HM Treasury as part of a place based budgeting bid for the nationally controlled funding stream that is spent within our county.
62. This bid if successful will enable us to decide how that money is most effectively spent. The delivery of this integrated funding stream will be from this Directorate. The regeneration policy development will be led from the Business Strategy and Support Directorate as part of the overall integrated policy unit and will commission this work in the Enterprise Directorate in consultation with the Cabinet Member and Corporate Director for Enterprise. This integrated approach to policy development supports the concept of the “one Council” that ensures that any major initiative is thought through in the context of the whole Council and not just a part.
63. Our highways and waste disposal services are essential in maintaining the quality of life in our county and the smooth passage of all our residents in their daily lives. These are mostly “invisible” services in that their actual provision by the County Council is often invisible to the residents that use them day to day but they are critical and fundamental services to all of us. They become instantly visible and a very high priority if things are not working smoothly. The focus of these two divisions – Highways and Waste will be to ensure just that and that we take forward the very exciting waste agenda that we have embarked upon with our District and Borough colleagues.
64. The Directorate also houses the development control and environment activity of the Council, our keen focus on the rural parts of our county and of course our coastline. The quality of the environment of Kent is very precious to this Council and the very many people visiting and living in the county and this will be a key role for this Directorate to be able to continue to develop partnerships and invest in these services at a time of real financial pressure for the authority.
65. The Directorate will also newly house the re-purposed commercial services operation we have but it will be housed with other services where we believe there could be a significant advantage if those services could be developed in a different way.
66. This should not be presumed to be on the same business model as our current very successful commercial services division that has operated to

date. The Coalition Government is encouraging the public sector to develop a wide range of new and alternative vehicles for public service delivery – social enterprises, employee buy outs, mutuals, joint ventures etc, which will all contribute strongly to local economic growth and enterprise. This division will help the Council to explore these models. As the Prime Minister said on 6<sup>th</sup> October

“The countries that succeed will be those that find new ways of doing things, new ways of harnessing the common good, better alternatives to the old-fashioned state. I am saying to the people who work in our public services - set up as a co-operative, be your own boss, do things your way. I am saying to business, faith groups, charities, social enterprises – come in and provide a great service.”

67. This division will also house the project resources for the major regeneration activity that may continue to be invested in by us and our partners. As explained above it will also provide the engine room for any implementation of combined expenditure if we are successful in our Place Based Budgeting proposal on regeneration monies spent in Kent. We will learn more about that after the 20<sup>th</sup> October and the spending review announcement.

### **Customer and Communities Directorate**

68. The purpose of this Directorate can be summed up very simply as owning the “front line” for the whole Council. It could be thought of as a “Directorate of the front line” – and by that we mean both the physical buildings, the call centre and web access. The Council has made a significant investment over recent years in the Gateways – jointly run with our partners. This has been nationally recognised as excellent practice. This Directorate will have a clear focus on developing the Gateway model across all our public access buildings and re-engineering services to take full advantage of delivering an integrated front line to the public and delivering savings from that.

69. The Directorate will also be home to a range of services that share a similar characteristic in that the public choose to use them – i.e. “they come to us”. In addition to the Gateways, there are the registrar service, libraries and our parks. It will also house key strategic services for the Council from community safety and public protection to adult learning, skills and youth services. These services have a particular significance in relation to the Kent economy.

70. This will require a significant change programme to re-engineer services so that the reality of the frontline service can really fulfil the vision of the Gateway model. There are also a number of new approaches to service delivery that will need development. The draft medium term plan “Bold Steps for Kent” contains a proposal to create locality delivery boards. The intention is to pilot a number of these next April. A resource will need to be created to develop these pilots. We have also made two further place based budgeting bids one building on the leading edge work on the Margate Task Force and another building on earlier work around offender management that paved the way for many of the Total Place pilots that then took place nationally. If these bids are successful then the activity will be driven from here. This division is also home to KCC’s commitment to create the Big Society. “Bold Steps for Kent” raises a number of ideas such as a Big Society Bank, working more closely with volunteers etc, and all this work will be developed from here.



71. The Directorate will also be home to the new integrated division of Communications, Consultation and Community Engagement. This is a key design principle that has been warmly welcomed. Concerns have been raised about needing to ensure flexibility in communicating to different groups and this is acknowledged in the design principle itself. This division will also co-ordinate all external consultation activity and will also connect the engagement activity that takes place with all areas of Kent but at present is not internally as connected as it could be. We are losing the opportunity to add a whole Council value to this engagement. Further work will be needed to establish what connections with the teams currently involved in community engagement should look like and how embedded in Directorates or drawn together in this division the service should be.

### **Business Strategy & Support Directorate**

72. The provision of a sound, efficient corporate support and strategy function is an essential component in enabling the effective operation of KCC as a public service provider delivering a range of services to the community. Therefore whilst the role of this area of business is self-evident – *how* it is set up and the business model it follows invariably depends on the wider political, financial and policy pressures the organisation must respond to.

73. In responding to the increasingly clear direction set by the Coalition Government for the future of public services it is clear that a number of key principles are critical success factors

- Efficiency
- Effectiveness
- Customer Experience
- Intelligent commissioning
- Engagement

74. Priorities will now have to be set across and between different services – rather than simply within them - in order to deliver the size of the financial savings required by the Treasury. The challenge will not be to become more efficient at doing what is currently being done, but to focus resources on doing the right things. This will require the political and managerial leadership of the authority to continually evaluate what services to provide, how they should be delivered,

75. The role of BSS therefore must be to structure itself and its business model around meeting the changed needs of the organisation – it must therefore:

- Continue to provide transactional support services, but seek to provide these at ever-lower cost to the organisation.
- Support the political and managerial leadership in its strategic decision making role in regard to the prioritisation and value of services.

76. These core activities are the driving force behind structural changes that provide support for:

- A clear separation of the activities that are about ‘deciding’ what should be provided from those responsible for providing services
- An overall reduction in layers of management
- Professional and technical support services and resources to be delivered from a single point and not replicated in individual services

- Priorities to be set in relation to the identified needs based on independent, sound, accurate, reliable data.
77. Therefore central to ensuring KCC is fit for the future is the need for a strong corporate function to offer clear intelligence and effective controls for the organisation in support of its strategic decision-making role, whilst professional, technical and other support services are grouped together to provide consistency, economies of scale and remove unnecessary duplication.
78. Within this Directorate is a new business strategy division. The division would undertake high-quality policy analysis, to provide in-depth professional advice in support of Cabinet and CMT in their strategic decision-making role. The division would act as an integral driving force behind the decisions of Cabinet/CMT, with the functions to ensure they have the capacity to provide the full range of analysis and advice required.
79. This will be a mix of generalist and service specialists networked into the service delivery, partnerships and national and local government policy framework that are able to provide sound evidence based advice and judgement on service policy questions and opportunities in support of Cabinet and CMT. This policy function handles both strategic and specialist policy activities to support the business of the Council, including strategic and spatial planning, regeneration, social and education policy. In addition this function would allow Directorates to access high quality, professional policy advice and support, from specialists with service specific-knowledge. It would also provide the capacity for specific one-off pieces of work on behalf of Cabinet/CMT, as and when the need arises.
80. Partnerships work would be directed by, and inform, organisational strategy in a way that is targeted towards specific objectives. Delivering through and with partners will be a core requirement over the medium to long term and the management and support of partnership arrangements to drive this agenda forward needs to be mainstreamed into the strategic decision making process of the authority.
81. The Business Intelligence Unit would focus on providing the information and research capability that drives meaningful and effective prioritisation and decision making. The logic behind this is both the fundamental role they play in effective, evidence-based strategy & prioritisation, and the critical mass of core skills sets required for these functions.
- Horizon scanning
  - Knowledge management
  - Needs/ demands analysis function
82. Monitoring and management of KCC's progress against strategic objectives as set by Cabinet/CMT. Working closely with the business review and audit functions, Performance Management will provide the strategic decision-makers of the organisation and external regulators with robust, timely information about how well services are performing, identified reasons for performance variance and options and solutions open to resolve against poor performance. The information gathered by the function will also feed into the analysis and prioritise phases of strategic decision-making, by allowing Cabinet/CMT to gain a holistic understanding of what is working well and what isn't.

83. The corporate and business support to all the Directorates of the authority will be conducted through this Directorate. This includes the key support functions that underpin the business of the whole authority (Finance, Information Technology, Law, HR and Property) as well as governance and democratic support. The overriding objective should be for all our support functions to be provided at the lowest possible cost whilst meeting appropriate business need. Economies of scale require and a 'one Council' approach necessitates the continued provision of support services in Directorates no longer can be afforded. Effective market understanding and sound commissioning / procurement skills should ensure an ability of corporate support services to cater for even the most service specific of Directorate requirements.
84. In order to make the model work all corporate support functions should be grouped together. However, a strategic interface does not necessarily mean that support functions would be delivered to a one-size-fits-all business model. Different support services to different services must recognise their different market conditions and complexities which mean there may be different business solutions as to the most cost effective way to provide these services to the organisation. For any support service there are a number of business models that will be explored by service managers to ensure provision in the most effective way. These will be explored throughout this consultation period.
85. As mentioned earlier in the report there are two Corporate Directors also housed within this Directorate. They are first tier officers who are Members of the Corporate Management Team providing strategic advice and guidance to the operation of the whole authority. They also deliver significant operational activity that supports the smooth running of the whole Council. Therefore on the basis of the design principle they need to be based here. The two statutory posts that reside in this Directorate (Monitoring Officer and Chief Financial Officer) have at all times a clear and direct relationship with the Managing Director even though there is no direct reporting relationship.
86. The post of Director of Governance and Assurance has been created so to reflect the increased need of the authority to build upon its current governance environment and to ensure in the light of the very significant changes both policy wise and financially that we are facing, the Council is spending its money wisely and taking its decision well. It is also intended over time to explore how we could develop our currently very successful legal services into a company
87. Property continues as a division in this structure but will change to become the corporate landlord and home of all the Council's capital development activity.
88. The HR Division will also draw together all the learning and development activity currently undertaken within Directorates to achieve greater economies of scale and coherence within the development programmes of the Council's staff. Some of this training is also directed at the Council's partners and wider related workforces. This will of course be maintained through this new function.

## Conclusion

89. Cabinet have before them a draft proposed structure for consultation and new ways of working within the Council. There are also actions contained within the previous report that will enable us to ensure that we can shape the whole of the Council's operating environment and not just the "reporting lines".
90. There have been three weeks of consultation with staff and eight meetings with 219 managers to assess whether in the face of all that we see in the future – policy changes both here and nationally and financial changes to name a few – we are still fit for purpose in our current arrangements.
91. The Managing Directors and Executive Directors and Director of Finance and HR have had a number of 1:1 meetings with the Group Managing Director about these ideas and have had two meetings as sub groups of CMT (due to annual leave) on 1<sup>st</sup> September and the 8<sup>th</sup> September and one CMT discussion on the final draft this week – 5<sup>th</sup> October. It is a very difficult balancing act being both consultee and affected by a developing process and being able to fully discuss matters in a personally disinterested way. I do acknowledge that some members of CMT would have liked more involvement. However I believe the way it has been structured has enabled them to properly influence my advice to Cabinet.
92. A wide range of views have been received, and overall although Members can clearly judge for themselves from the feedback that they have it is my view there is a broad level of support for change and a recognition that we cannot stay the same.
93. Many of them say – "let's see what we could change into" and these draft structure proposals offer that alternative view. This is a genuine consultation and many of the early ideas on what the structure could look like have been altered by the feedback received so far.
94. A risk register is attached as Appendix 3 for Cabinet's assessment in their consideration of their decision to proceed with this consultation. It is important that this is fully considered in the decision process.
95. There are two particular types of risk that Cabinet must consider. There are the type 1 risks that are very clearly laid out in the register and the mitigating actions that are in place or are proposed. There are also the type two risks that if we do not take this decision now – what are the consequences of not acting in the light of all the challenges we face. If this is as successful as it is believed and will position the Council to be able to deal with its challenges in a stronger and more effective way than if we stay as we are – what additional benefits and opportunities do we risk for the people of Kent and our staff.
96. A community impact assessment is also contained as Appendix 4 assessing the implications and impact of this decision to formally consult on a new structure.
97. In the previous report to Cabinet already circulated paragraph 7. ii) indicates that this restructure must of course contribute to the savings that the council needs to make in response to the CSR shortly to be announced. It is also recognised good practice for any organisation to be constantly assessing

whether its managerial overheads are at the right price and are organised in the most cost effective way for the current and developing circumstances for that organisation. At this stage it is not possible to accurately quantify a amount- although human resources estimate a potential saving of at least £500,000 from these proposals.

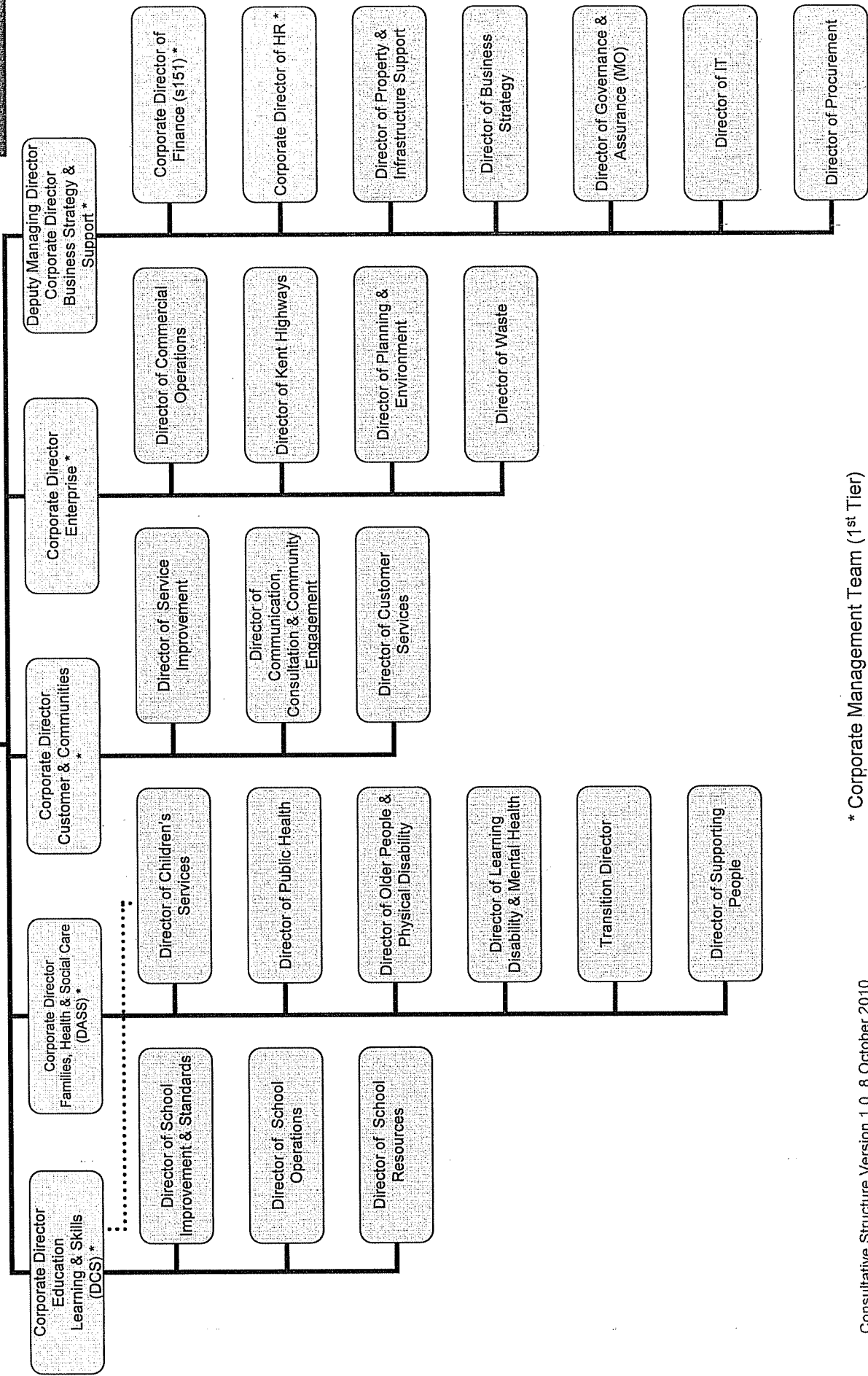
98. Whilst that is undeniably useful, what is much more important is whether or not the council's structure and its managerial resources are organised in the best way possible to deliver the quantum of savings that we know we must.

The real value in this redesign is that it provides the platform as we work through the changes for major savings to be delivered.

99. I commend these draft structure proposals to Cabinet to endorse for formal consultation until the 3<sup>rd</sup> December 2010. The outcome of that consultation process will then be brought before Full Council for its decision on the 16<sup>th</sup> December 2010.



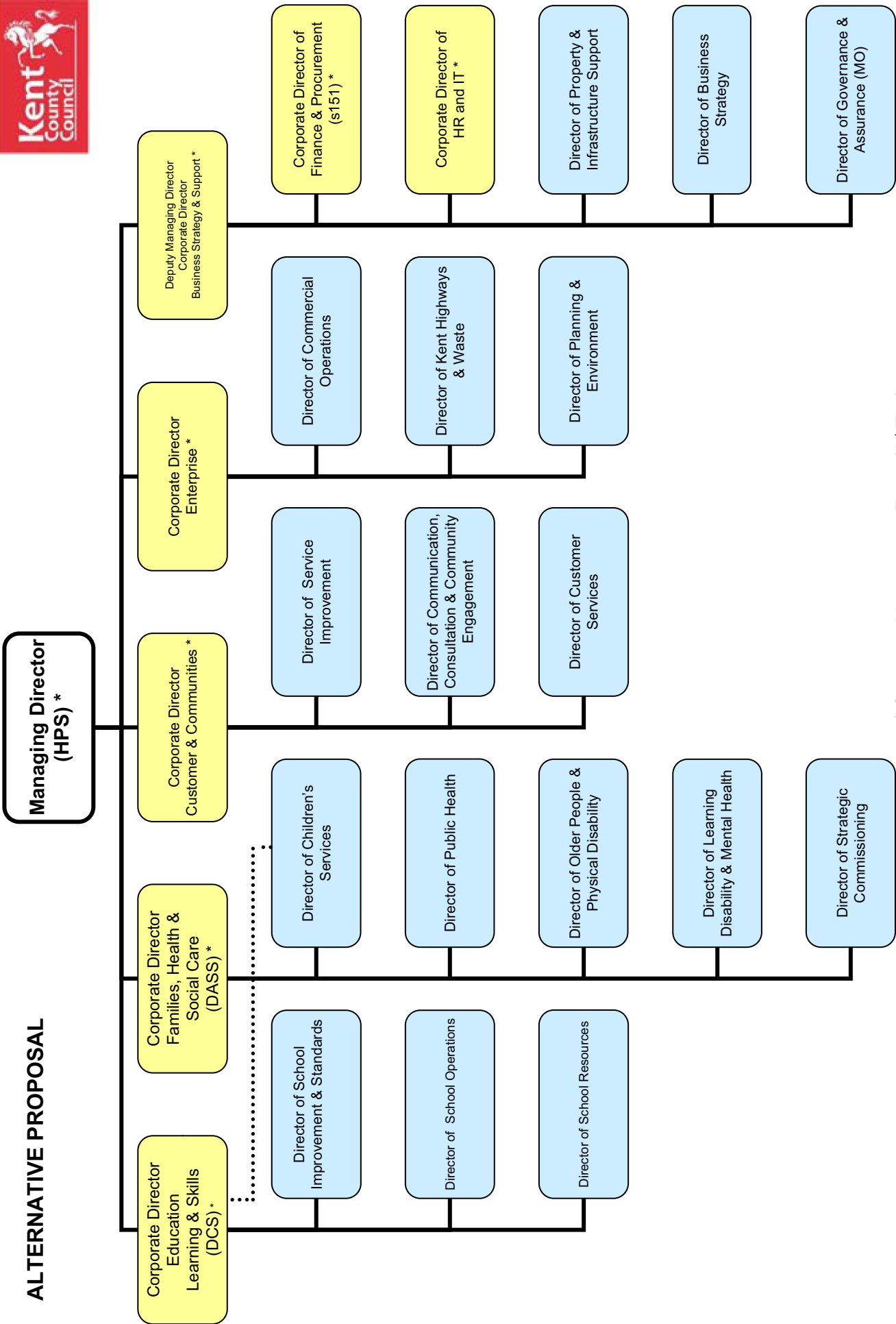
**Managing Director (HPS) \***



\* Corporate Management Team (1st Tier)



# ALTERNATIVE PROPOSAL



\* Corporate Management Team (1st Tier)

**CORPORATE DIRECTOR**  
**Education, Learning & Skills**  
**(DCS)**

<b>Director of School Improvement &amp; Standards</b>	<b>Director of School Operations</b>	<b>Director of School Resources</b>	<b>Dotted line relationship to Director of Children's Services</b>
<p>Early years and Childcare Standards and School Improvement</p> <ul style="list-style-type: none"> <li>* Primary School Improvement</li> <li>* Secondary school improvement</li> <li>* Special school improvement</li> </ul> <p>Standards and School Improvement            14-19 Entitlement            Careers guidance            Connexions</p>	<p>Association of Schools Governor Services            Information and support for parents            Financial Awards            Admissions &amp; Transport commissioning            Attendance and Behaviour            Assessment of Learners with Additional Needs            Planning &amp; Provision            Children and YP disability (including SEN, health assessment and transition planning)            Educational Psychology            Specialist services</p>	<p>Education finance,            Schools personnel service            Development of a schools company/vehicle to include:            Property            Personnel            Traded services            Continuous professional development            School improvement service</p>	<p>This means that connections are maintained to the team around the child and the team around the school            Links with the 12 district teams, locality boards and the Children's Trust</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.



**CORPORATE DIRECTOR**  
**Education, Learning & Skills**  
**(DCS)**

<b>Director of School Improvement &amp; Standards</b>	<b>Director of School Operations</b>	<b>Director of School Resources</b>	<b>Dotted line relationship to Director of Children's Services</b>
<p>Early years and Childcare</p> <p>Standards and School Improvement</p> <ul style="list-style-type: none"> <li>▪ Primary School Improvement</li> <li>▪ Secondary school improvement</li> <li>▪ Special school improvement</li> </ul> <p>14-19 Entitlement</p> <p>Careers guidance</p> <p>Connexions</p>	<p>Association of Schools</p> <p>Governor Services</p> <p>Information and support for parents</p> <p>Financial Awards</p> <p>Admissions &amp; Transport</p> <p>Commissioning</p> <p>Attendance and Behaviour</p> <p>Assessment of Learners with Additional Needs</p> <p>Planning &amp; Provision</p> <p>Children and YP disability (including SEN, health assessment and transition planning)</p> <p>Specialist services</p> <p>Educational Psychology</p>	<p>Education finance, Schools personnel service</p> <p>Development of a schools company/vehicle to include:</p> <ul style="list-style-type: none"> <li>▪ Property</li> <li>▪ Personnel</li> <li>▪ Traded services</li> <li>▪ Continuous professional development</li> <li>▪ School improvement service</li> </ul>	<p>This means that connections are maintained to the team around the child and the team around the school</p> <p>Links with the 12 district teams, locality boards and the Children's Trust</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

**CORPORATE DIRECTOR**  
**Families, Health & Social Care**  
**(DASS)**

<b>Director of Supporting People</b>	<b>Director of Children's Services (dotted line to DCS)</b>	<b>Director of Older People &amp; Physical Disability</b>	<b>Director of Learning Disability &amp; Mental Health</b>	<b>Transition Director</b>	<b>Director of Public Health</b>
Youth Offending service (dotted line to youth service & link to attendance & behaviour service) Child Health Commissioning of Commissioning of specialist care Quality assurance of health and social care Safeguarding Adults and Children Supporting People KDAAT	Children's Services West Kent (Initial duty and assessment, child protection and long term care, prevention including children's centres) Children's Services East Kent (ditto) Children's Services Mid Kent (ditto) Corporate Parenting (includes, including adoption and fostering, Unaccompanied Asylum Seeking Children and care leavers) Links with the 12 district teams, locality boards and the Children's Trust (joint commissioning with partners to support vulnerable young people)	HoS Ashford /Shepway HoS Dover /Thanet HoS Canterbury /Swale HoS Maidstone / Malling HoS South West Kent HoS Dartford, Gravesham & Swanley Head of Strategic Commissioning OP / PD Contracts & Procurement Planning & Market Shaping	HoS LD – WK HoS LD – EK Head of Strategic Commissioning LD&MH Contracts & Procurement Planning & Market Shaping MH Partnership arrangement with KPMT VPN Manager	Community Health Trust development team (commissioning & back office) Development team to create social enterprises Relationship to Director of Service Improvement	Public Health Intelligence Commissioning of provision Health promotion Case management of Healthwatch

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

**CORPORATE DIRECTOR**  
Families, Health & Social Care  
(DASS)

Director of Strategic Commissioning	Director of Children's Services (dotted line to DCS)	Director of Older People & Physical Disability	Director of Learning Disability & Mental Health	Director of Public Health
<p>Children's Health Commissioning</p> <p>Children's social care Commissioning</p> <p>Supporting People</p> <p>Strategic Commissioning OP / PD &amp; LD &amp; MH</p> <p>Contracts &amp; Procurement</p> <p>Planning &amp; Market Shaping</p> <p>Quality assurance of health and social care</p> <p>Safeguarding Adults and Children</p>	<p>Children's Services West Kent (Initial duty and assessment, child protection and long term care, prevention including children's centres)</p> <p>Children's Services East Kent (ditto)</p> <p>Children's Services Mid Kent (ditto)</p> <p>Corporate Parenting (includes, including adoption and fostering, Unaccompanied Asylum Seeking Children and care leavers)</p> <p>Links with the 12 district teams, locality boards and the Children's Trust (joint commissioning with partners to support vulnerable young people)</p>	<p>HoS Ashford /Shepway</p> <p>HoS Dover /Thanet</p> <p>HoS Canterbury /Swale</p> <p>HoS Maidstone / Malling</p> <p>HoS South West Kent</p> <p>HoS Dartford, Gravesham &amp; Swanley</p>	<p>HoS LD – WK</p> <p>HoS LD – EK</p> <p>VPN Manager</p> <p>Transition support to Directorate to create for e.g. Community Health Trust</p> <p>Development team (commissioning &amp; back office)</p> <p>Development team to create social enterprises</p> <p>Relationship to Director of Service Improvement</p>	<p>Public Health Intelligence</p> <p>Commissioning of provision</p> <p>Health promotion</p> <p>Case management of Health watch</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

**CORPORATE DIRECTOR**  
Customer and Communities

<b>Director of Service Improvement Need close links to Director of Business support</b>	<b>Director of Customer Services</b>	<b>Director of Communication, Consultation and Community Engagement</b>
<p>Re-engineering resource Change resource Developing Models for externalising service delivery, e.g outsourcing/mutuals/social enterprises Locality Delivery Team Place based budgeting delivery of offender management proposals Margate Task force Place based budgeting delivery of Margate task force proposals Supporting independence Welfare reform Kent supported employment Building social capital (SILK) Big Society Volunteering</p>	<p>Gateway Delivery Contact Centre Business web development Health watch Libraries &amp; Archives Registrars Arts &amp; Kent Film Office Sport, Leisure &amp; Olympics Extended Schools Youth Service Community learning &amp; Skills Adult Learning Adult Apprenticeships Countryside Access - PROW Country Parks &amp; Kent Downs AONB Emergency Planning Community Safety Trading Standards</p>	<p>Engagement / public involvement Community Liaison Business partners- Directorate communications Internal Communication Employee Engagement Media and Operations Events Digital &amp; Moving Images</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

CORPORATE DIRECTOR Customer and Communities		
Director of Service Improvement Need close links to Director of Business support	Director of Customer Services	Director of Communication, Consultation and Community Engagement
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Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

**CORPORATE DIRECTOR**  
Enterprise

<b>Director of Waste Management</b>	<b>Director of Kent Highways</b>	<b>Director of Commercial Operations</b>	<b>Director of Planning &amp; Environment</b>
Waste Management	Community Operations Network Management Transport & Development Technical Services Countrywide Improvements	Kent Scientific Services Visit Kent Locate in Kent Produced in Kent Tourism Project management capacity Commercial Services Delivery of regeneration projects and any place based budgeting proposals on regeneration	Development Planning (MWF & LDF's) Planning Applications Environmental Programmes & Partnerships (rural agenda & climate change) Natural Environment & Coast Gypsy & Traveller Unit Heritage Conservation

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

**CORPORATE DIRECTOR  
Enterprise**

<b>Director of Kent Highways and Waste</b>	<b>Director of Commercial Operations</b>	<b>Director of Planning &amp; Environment</b>
<p>Community Operations</p> <p>Network Management</p> <p>Transport &amp; Development</p> <p>Technical Services</p> <p>Countywide Improvements</p> <p>Waste Management</p>	<p>Commercial Services</p> <p>Kent Scientific Services</p> <p>Visit Kent</p> <p>Locate in Kent</p> <p>Produced in Kent</p> <p>Tourism</p> <p>Project management capacity</p> <p>Delivery of regeneration projects and any place based budgeting proposals on regeneration</p>	<p>Development Planning (MWF &amp; LDF's)</p> <p>Planning Applications</p> <p>Environmental Programmes &amp; Partnerships (rural agenda &amp; climate change)</p> <p>Natural Environment &amp; Coast</p> <p>Gypsy &amp; Traveller Unit</p> <p>Heritage Conservation</p> <p>Emergency Planning</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

**CORPORATE DIRECTOR**  
**Business Strategy & Support**  
**And Deputy Managing Director**

<b>Corporate Director of Finance (Chief Financial Officer - S151)</b>	<b>Director of Business Strategy</b>	<b>Director of Governance and Assurance (Monitoring Officer)</b>	<b>Director of Property and Infrastructure Support</b>	<b>Corporate Director of HR</b>	<b>Director of IT</b>	<b>Director of Procurement</b>
<p>Audit &amp; Risk</p> <p>N.B. direct access to Mo &amp; Hops whenever required.</p> <p>Financial Services</p> <p>Business partners</p> <p>- Directorate</p> <p>Finance</p> <p>Financial Management</p> <p>Strategic Finance</p>	<p>Corporate policy</p> <p>Europe / International</p> <p>Public affairs</p> <p>Public health</p> <p>Economic development</p> <p>Regeneration strategy</p> <p>Strategic planning – spatial &amp; transport.</p> <p>Strategic assets</p> <p>Social policy</p> <p>Education strategy</p> <p>Customer strategy</p> <p>Engagement strategy</p> <p>Performance Management &amp; Monitoring</p> <p>Business Intelligence &amp; service review</p> <p>Partnership support</p> <p>External Funding</p> <p>Cabinet Office</p>	<p>Information resilience and transparency</p> <p>Corporate data protection</p> <p>Democratic Services</p> <p>Legal Services (transition to external arms length trading organisation)</p> <p>Elections</p> <p>Coroners</p>	<p>Capital &amp; infrastructure support</p> <p>Strategic Asset &amp; Enterprise Fund</p> <p>Delivery of Total Place activity</p> <p>BSF, PFI &amp; Academies</p> <p>Directorate PFI &amp; development (KASS)</p> <p>Business partners</p> <p>Directorate – Property</p> <p>Office Transformation</p> <p>Estates management &amp; property operations</p>	<p>HR Business operations (includes graduate scheme)</p> <p>HR Employment Strategy</p> <p>Organisation development (including embedded – learning and workforce development)</p> <p>Business partners</p> <p>Directorate – HR</p> <p>Business support – case work</p> <p>Directorate HR</p> <p>Health and Safety</p>	<p>ICT</p> <p>commissioning</p> <p>ICT operations</p> <p>Kent Connects</p> <p>Business partners -</p> <p>Directorate IT</p>	<p>Procurement team</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.



**CORPORATE DIRECTOR**  
**Business Strategy & Support**  
**And Deputy Managing Director**

Corporate Director of Finance & Procurement (Chief Financial Officer - S151)	Director of Business Strategy	Director of Governance and Assurance (Monitoring Officer)	Director of Property and Infrastructure Support	Corporate Director of Human Resources & Information Technology
<p>Audit &amp; Risk</p> <p>Financial Services</p> <p>Financial Management</p> <p>Business partners - Directorate Finance</p> <p>TP Procurement team</p>	<p>Corporate policy</p> <p>Europe / International</p> <p>Public affairs</p> <p>Public health</p> <p>Economic development</p> <p>Regeneration strategy</p> <p>Strategic planning – spatial &amp; transport.</p> <p>Strategic assets strategy</p> <p>Social policy</p> <p>Education strategy</p> <p>Customer strategy</p> <p>Engagement strategy</p> <p>Performance Management &amp; Monitoring</p> <p>Business Intelligence &amp; service review</p> <p>Partnership support</p> <p>External Funding</p> <p>Cabinet Office</p>	<p>Information resilience and transparency</p> <p>Corporate data protection</p> <p>Democratic Services</p> <p>Legal Services (transition to external arms length trading organisation)</p> <p>Elections</p> <p>Coroners</p>	<p>Capital &amp; infrastructure support</p> <p>Strategic Asset &amp; Enterprise Fund</p> <p>Delivery of Total Place activity</p> <p>BSF, PFJ &amp; Academies</p> <p>Directorate PFI &amp; development (KASS)</p> <p>Business partners Directorate – Property</p> <p>Office Transformation</p> <p>Estates management &amp; property operations</p>	<p>HR Business operations (includes graduate scheme)</p> <p>HR Employment Strategy</p> <p>Organisation development (including embedded – learning and workforce development)</p> <p>Business partners Directorate – HR</p> <p>Business support – case work Directorate HR</p> <p>Health and Safety</p> <p>ICT commissioning</p> <p>ICT operations</p> <p>Kent Connects</p> <p>Business partners - Directorate IT</p>

Please note: The headings listed below the 1<sup>st</sup> and 2<sup>nd</sup> tier Director posts are intended to be indicative of the functions contained within that division and directorate.

## **Appendix 2**

### **The First Bold Step**

#### **Report on the informal consultation process**

#### **Informal Consultation process**

1. The leaflet 'The first bold step – proposals for consultation with staff on a new KCC' was published on KNet on Wednesday 9 September following agreement by private cabinet and the Conservative Group to this. Hard copies were sent to home addresses for all staff without access to KNet.
2. This was an informal consultation, not done to meet an obligation under employment law, and with no mandated timescale. Three weeks were allowed to the submission of responses from staff.
3. All staff were invited to respond with their views. Responses could be made electronically or in hard copy. Consultation closed on Friday 1 October at which point:
  - 4,000 copies had been distributed
  - 7878 copies were accessed or downloaded from KNet
  - 319 responses had been received: 41 in hard copy and 278 online
  - 170 staff members have requested to be involved in further activity to transform KCC.
4. Responses could be made anonymously and with the implication that staff could speak openly, freely and without recrimination. All responses have been read by Katherine Kerswell who has responded personally to every respondent who opted to include their e-mail address.
5. Comments were predominantly positive and supportive, though some questioned the value of consultation. Most welcomed the proposals for change and overwhelmingly recognised the need for change now. Many advocated a reduction in the cost and number of senior managers, or were fearful that the cost savings would fall disproportionately on front-line staff and service delivery. A large number of comments were specific to their service and directorate, often focussing on improvements to process and cost savings.
6. Comments were wide ranging. A summary of the responses is provided below from paragraph 10 onwards.

7. In addition to seeking responses by email and hard copy, feedback was sought from senior staff through meetings with Katherine Kerswell. In all, 242 senior staff were invited to, and 219 attended, 1 of 8 meetings between 9 September and 30 September at which Katherine presented and sought feedback on whether we should change the organisational framework in order to be able to respond to the very different policy and financial context facing us and our own plans under Bold Steps for Kent. Meetings were all held at Sessions House and each meeting included a question and answer session. There was a balanced mixture of all directorates at every meeting.
8. As part of each 90 minute meeting, feedback was sought from staff on:
  - 8.1. likes and dislikes – “how I feel about KCC”.
  - 8.2. their view of current KCC values in practice
  - 8.3. ‘horizon scanning’ - what risks did they see that would need to be recognised and managed as we transform the organisation.
9. Feedback was by individual rather than by groups, unprompted in that individuals could comment on any aspect of KCC, not prioritised or ranked or given a position in a range, and not moderated or challenged. The feedback provides a simple unedited snapshot of managers’ opinions of KCC and by implication of themselves. A summary of the feedback is below. It was very evident after the first two meetings that feedback from managers in each meeting was broadly the same in what it praised KCC for and what it criticised KCC for.

### **Summary of the responses from the Informal Consultation**

10. The responses received to “The First Bold Step”, whether at meetings with managers or as written responses, are summarised below. Appropriate direct quotes are included in italics.
11. The following general themes were evident:
  - 11.1. There is appetite for change: we are realistic about the financial situation, and we accept the need to change and do it now. No one denied the financial situation or proposed delaying change.
  - 11.2. The engagement of staff in the process of change is seen as wholly positive and we want more not less communication. A very few individuals thought information was being withheld and that there were *fake consultations when decisions are pre-made*.
  - 11.3. KCC is seen as a good employer. There were a small number of negative comments, but the majority view was that we: *value staff; value staff contribution; train staff; are a fair employer; a good employer; and have good pay and pensions, we are inclusive*.

11.4. We like our colleagues. We are *fair, kind, polite, fun, have respect for each other* and are *caring*. We are *principled, honest, show courage, are dedicated, committed* and *hard-working* and we are a *loyal workforce*.

11.5. We are critical of our management style.

12. **Our strategy** was accepted. Staff showed their approval of the strategy through their endorsement of *support for vulnerable people, support for the local economy* and a *desire, if not always followed through, to put the customer first*. There were the following challenges to the strategy:

- in addition to tackling disadvantage we should continue to provide high quality services for the rest of the population
- we should not lose sight of children and young people's services as a priority
- our commitment to grow the economy should not be at the expense of the environment.

13. **Our structure** was accepted.

13.1. No one disagreed with a flat structure and no alternative types of structure were proposed. There were only three comments on structure and they proposed:

- three directorates: one for each of the three ambitions of our strategy
- KASS and Children's Services to combine
- the federated system be retained.

13.2. There was a very strong dislike of silos. Among managers 15.2% (i.e. 33) explicitly cited silos as something they disliked about the way KCC worked: *it is sometime easier to work with partners than with other parts of KCC, silo mentality between directorates, silos within directorates; deliberately duplicate to self-protect, protect budgets rather than deal with problems*. There were 2 comments that thought we worked well across directorates. In comparison there were over 50 comments to the contrary on silos, duplication and failure to share information

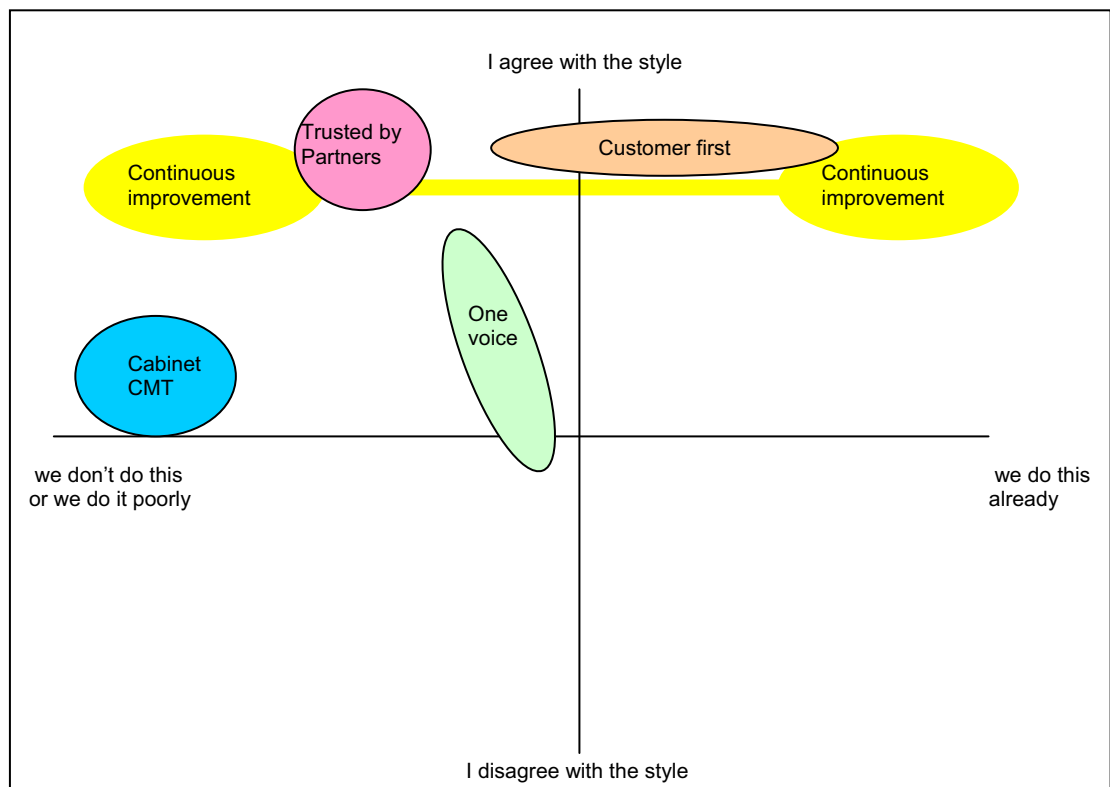
14. **Our systems**

14.1. While some thought we manage well, others were critical of the way we manage and are managed – and that criticism came from managers. We *micromanage, we overmanage; we have top heavy oppressive management; we are obsessed with protocols and process and tick boxes. We talk big about empowering*

managers but it does not happen; we have a treacle layer which can be insular and resistant. There is favouritism, ego and he/she who shouts loudest gets heard. We are not decisive.

14.2. Gateways were welcomed. There were reservations about their implementation and whether staff will be adequately trained to deal with service issues.

15. **Our shared values.** No one thought we had a set of shared values, although some were confident they had a set of shared values within their directorate. No proposals were made for shared values.
16. **Our style** drew the largest response. There was broad agreement with the styles, but considerable disagreement over the extent to which we currently exhibit those styles. Below is a diagrammatic representation of where the responses fell:



### 16.1. We put the customer first

- Staff accepted this without exception as a style we should have for external customers, and showed a massive commitment to public service. But staff were largely silent on how we should treat internal customers.
- Many thought that we already put the customer first, but a substantial number thought we *spoke of putting the customer first but in practice did otherwise*. Specific comments were:

*we are controlling; we pretend to consult; we don't really want to know what the public thinks.*

#### **16.2. We communicate as one voice as one unified organisation**

- Staff largely accepted this as a goal. They want us to speak out for Kent as a whole and communicate clearly and more often. Some comments show discomfort over 'one voice' as it *stifles debate* and is *Orwellian*. *One respondent thought we should retain separate cultures and styles.*
- We are not a unified organisation as evidenced by the comments objecting to silos and duplication throughout the organisation. Autonomy and the flexibility to make local decisions found favour with a few respondents.

#### **16.3. Cabinet and CMT work as a joint team with clear roles**

- A small number thought the *administration is clear about what it wants* and *liked the experienced leadership at MD level.*
- But the substantial majority of comments were negative. *No joint working with the senior leadership team; CMT in-fighting and 'them and us' between the centre and the directorates; too many plans and directives with mixed messages; business planning is meaningless and non-responsive; and we challenge Government on regulation but we still over-regulate and monitor internally.* It must be noted that all of these quotes came from managers.

#### **16.4. Everyone is hungry for continuous improvement**

- Staff accepted this style without exception, but have polarised views on our current performance
- Many staff said we already practiced this style: *we are innovative, creative, willing to change, forward thinking and willing to take risks and try new things.*
- A greater number disagreed. Many thought we failed to innovate, others said we are *big on rhetoric of creative and challenging thinking but the reality is we are risk averse; we are resistant to change; it has to be like that because that's how we have done is for years; governance restricts innovation; we don't deliver but strategise well; we fail to act on what we hear, we know best and fail to learn from the past; and we are sometimes dazzled by our own brilliance.*

#### 16.5. **Our relationship with partners should be based on trust**

- Staff accepted this style without exception, but we do not practice it. A few thought *we work well with partners* but most spoke of a poor relationship: *we preach at prospective partners; we are autocratic with partners, we are dismissive of partners and districts, we think we know best and we are arrogant.*

17. **Our skills.** The general view was that we value staff training and staff appreciate that, but otherwise this style generated little comment.

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(template source: Risk and Audit)

completed by: Jeff Hawkins, Transformation Programme Manager  
completed 7 October 2010

**Change To Keep Succeeding**

Objective: to deliver a new organisational framework

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Control Measure	Assessment of Mitigated Risk (with controls in place)		
		Impact	Likelihood		Impact	Likelihood	Risk Rating
RA 1	the change to the framework is happening at the same time as other demands on KCC: external policy changes and financial changes; planning and delivering the new medium term plan. That places great demands on KCC management resources.	5	4	This change in framework is being led by the Group Managing Director and supported by a programme manager reporting directly to her. CMT is the Programme Board, and the programme has weekly visibility at CMT. (It is the role of GMD and CMT to lead the organisation through major change and manage the inherent risks, and it essential that CMT and their direct reports are committed to the change).  A project plan and timeline are in place, a project team established, risks are identified and mitigation steps already taken.  Transition planning is taking place and a detailed transition plan is being developed.  CMT will discuss and examine the different proposals and create models for new ways of working.	3	3	9

**Type 2: the consequence of NOT implementing the new framework at this time:**

1. It is imperative that the process of delivering a new operational framework dovetails and aligns absolutely with the preparation of the Council's medium term plan and delivery to that plan over the next four year.
2. The success of each of these relies upon the success of the others.
3. If we do not make these savings we may have to resort to managed-decline and be unable to deliver the quality of services that Kent is renowned for.





## Managing Business Risks - Risk Assessment

Appendix 3

(template source: Risk and Audit)

completed by: Jeff Hawkins, Transformation Programme Manager  
completed 7 October 2010

### Change To Keep Succeeding

Objective: to deliver a new organisational framework

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Control Measure	Assessment of Mitigated Risk (with controls in place)	
		Impact	Likelihood		Impact	Likelihood
RA 3	<p>Senior managers do not support the new framework and actively resist the changes.</p> <p>Partners and key stakeholders - headteachers, governors etc - do not support the changes.</p>	3	3	Full consultation is taking place in order to engage staff in the process of change and allow them to influence the outcome.	2	2
RA 4	<p>staff morale falls and impacts on service delivery</p>	3	4	<p>Elements of the new operational framework will be designed with staff and managers to create relevant new solutions and buy-in.</p> <p>Early contact, regular communication and other meetings with partners and stakeholders to explain our ideas.</p> <p>Proposals have been made for voluntary redundancy and for filling vacant posts according to standard protocols (i.e. the Council's 'slotting in', priority candidate, and redeployment processes)</p> <p>Full consultation and engagement has taken place and staff have welcomed the fact that we are actively pursuing change. The risk to morale is limited to senior staff who are impacted by these proposals.</p> <p>Uncertainty damages morale; moving quickly and decisively will reduce this risk.</p> <p>Communication plans are in place and for most staff and most services any proposed changes to, and consultation with, the senior management will not impact their day-to-day delivery of service.</p> <p>It is the role of senior managers to show leadership during change.</p> <p><b>Type 2: the consequence of not changing the framework</b></p> <p>1. Failure to tackle silo-working may actually have a worse effect on morale. Staff expect change and are ready for it.</p> <p>2. Maintaining the current culture may worsen staff morale as the informal dialogue so far has indicated a positive desire among staff for change</p> <p>HR is ready to appoint replacements following the standard processes of looking first for internal candidates to 'act up' as interims.</p>	3	2
RA 5	<p>Staff who are not successful in being 'slotted in' or redeployed to a new post as a priority candidate may leave.</p>	3	3		2	3

# Managing Business Risks - Risk Assessment

Appendix 3

(template source: Risk and Audit)

completed by: Jeff Hawkins, Transformation Programme Manager  
completed 7 October 2010

## Change To Keep Succeeding

Objective: to deliver a new organisational framework

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Control Measure	Assessment of Mitigated Risk (with controls in place)		
		Impact	Likelihood		Impact	Likelihood	
RA 6	consultation is legally challenged causing delay	5	2	Mitigation has already taken place: - we are allowing longer than statutorily necessary - we are communicating widely and frequently - we have a robust process that is legally defensible - meetings have been held, and will continue to take place, with the Trades Unions	4	1	4
RA 7	HR division does not have the resources to manage the HR elements of the project or produce the new HR structure in time for 1 April 2011	3	3	HR have scoped the requirement and dedicated staff to this project	3	2	6
RA 8	Finance division does not have the resources to recast the 2011/2 budgets to align with the new structure, or create the new accounting structure and controls, possibly due to being occupied by other major projects (Oracle release 12 in Nov 2010 and IFRS)	5	4	Finance are currently scoping the work. Extra resources will be provided if necessary.  The workload will be eased by: - restructuring at directorate level: individual outward-facing services will not be restructured but will either not move or move in their entirety to a new directorate structure - all moves will take place at the end of the FY - so no need for mid-FY adjustments - finance can reassess their current workload priorities in the light of Member decisions today as this proposed new structure was outside their knowledge when the business plan for the division was set in April 2010.	4	3	12

**Type 2: the consequence of NOT implementing the new framework on 1 April 2011**

The work will become more complex, and maintaining proper financial controls made more difficult if the change does not align with the year end.

## Managing Business Risks - Risk Assessment

Appendix 3

(template source: Risk and Audit)

**Change To Keep Succeeding**  
 Objective: to deliver a new organisational framework completed by: Jeff Hawkins, Transformation Programme Manager  
 completed 7 October 2010

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Control Measure	Assessment of Mitigated Risk (with controls in place)		
		Impact	Likelihood		Impact	Likelihood	Risk Rating
RA 9	The change in framework weakens financial controls	5	3	Finance are engaged on scoping the changes necessary. The work to ensure robust financial controls in the new organisational framework will be itemised in the transition plan.  The change at a single date (1 April) means we avoid the intermediate states (and their associated risk of confusion over accountability) which are inevitable if the changes are done as a sequence over time.  <b>Type 2:</b> taken at face value this risk could be used to advocate not changing the framework at any date	3	3	9
RA10	The change to a new framework causes confusion over accountabilities and responsibilities (not just financial matters, but accountabilities and responsibilities for services in general )	4	4	The changeover applies only to Tier 1 and tier 2 managers.  Responsibility for services and finance will need to be clarified through the transition plan and the 'D Day' handover plan  A single changeover date for all affected will be planned for to reduce the opportunity for confusion among staff in general.	2	2	4
RA 11	Actions 'in flight' and responsibilities are dropped or lost during the change to a new framework (not just financial matters, but accountabilities and responsibilities for services in general )	3	3	We will have a scrupulous transfer of all activities including (a) a default destination for activities in each existing directorate - anything that is not itemised goes to the default destination and (b) a small close down team to make sure there are no trailing edges in any directorate that closes.	3	1	3
RA 12	Changes to IT may not be made in time	5	3	IT are already working with HR and finance to identify changes to systems, and examining changes to IT support systems. The next stage is to identify whether, as a result of the new structure, staff need access to additional applications (a service moving to a new directorate may need access to some of that directorate's internal systems)	3	3	9

# Managing Business Risks - Risk Assessment

(template source: Risk and Audit)

completed by: Jeff Hawkins, Transformation Programme Manager  
completed 7 October 2010

## Change To Keep Succeeding

Objective: to deliver a new organisational framework

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Rating	Risk Control Measure	Assessment of Mitigated Risk (with controls in place)		Risk Rating
		Impact	Likelihood			Impact	Likelihood	
RA 13	Service delivery suffers as a result of changes to top-level structures, and performance drops	3	4	12	Individual services are not being restructured, but continue unchanged except that the reporting line to a director may change on 1 April  This 'no change' message for services will be repeatedly communicated.  Detailed planning will take place for every directorate to identify every exception to the 'no change' rule. The new directorates will be expected to nominate a transition manager to ensure that all the necessary steps are taken in advance to ensure smooth operation from 1 April.  We aim to fill tier 1 posts in January 2011. Tier 1 appointees will be 'designate' until 1 April 2011 giving them time to prepare for a new role.	3	2	6
RA 14	Adverse media coverage. Staffs openness about the areas for improvement could be portrayed by the media in a manner that is damaging to KCC's reputation	4	3	12	By starting the savings on efficiency at the top tiers of management, the changes should be seen in a positive light. The positive support of staff for the changes is a factor that supports us - we need to maintain that support through engagement of staff. It is the sign of an excellent organisation that it is willing to examine how it currently operates and be frank and open about itself and look for ways to improve.	4	2	8

# Managing Business Risks - Risk Assessment

(template source: Risk and Audit)

**Change To Keep Succeeding**  
 Objective: to deliver a new organisational framework completed by: Jeff Hawkins, Transformation Programme Manager completed 7 October 2010

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Rating	Risk Control Measure		Assessment of Mitigated Risk (with controls in place)		Risk Rating
		Impact	Likelihood		Impact	Likelihood			
RA15	<p>Not able to plan for the 2011/12 budget. Within the planning for the four-year MTFP - as well as ensuring we are able to achieve overall balance and implementation of any proposals - it is clearly essential that we have proposals costed and ready to balance the 2011-12 budget. This could be disrupted by the change programme.</p> <p>Impact of these proposed changes to senior management and disturbance to existing management teams may undermine the ability of senior officers to support KCC in implementing the significant actions that are likely to be required for the MTFP and the reductions we may face of between 25% - 40% in funding</p>	5	4	20	<p>These changes to management arrangements are being widely consulted upon, have been preceded by a widely-held informal consultation, and officers are well aware that change is underway. The responses have shown a broad recognition of the need for change and awareness of the difficulties we have from our current style of working.</p> <p>The timing of this process is well ahead of the actions necessary for any implementation of the MTFP, and any changes to senior management arrangements should be in place by the end of January 2011. Any vacancies that may arise from this process will, in the first case, be filled by internal acting-up interims to ensure continuity.</p> <p>CMT as the programme board for the change programme and for the MTFP should ensure that work is not carried out in two separate but parallel workstreams but is co-ordinated.</p> <p>A separate workstream with the programme board will oversee the detailed activity necessary to compile the budget proposals for 2011-12 and ensure actions are prepared/pursued appropriately. This will be reported separately to CMT.</p>	5	2	10	
RA16	<p>There is currently a safeguarding inspection into Children's social care. It is important that the inspectors do not make any invalid assumptions about the impact upon the service of the consultation or the proposed change to</p>	5	3	15	<p>KK and RT will speak directly with inspectors to explain and allay any concerns</p>	5	1	5	



## Managing Business Risks - Risk Assessment

Appendix 3

(template source: Risk and Audit)

completed by: Jeff Hawkins, Transformation Programme Manager

completed 7 October 2010

### Change To Keep Succeeding

Objective: to deliver a new organisational framework

Risk No	Challenges	Assessment of Inherent Risk (with no controls in place)		Risk Control Measure	Assessment of Mitigated Risk (with controls in place)	
		Impact	Likelihood		Impact	Likelihood
RA17	Risk of opposition to the business support directorate model	4	3	Detailed transition planning provides the opportunity to address concerns and, within the remit of a business support directorate, to adjust the delivery of service. Workshops will be held with staff and managers to design new processes for business support.	2	3
RA18	Risk of opposition to the new Education and Families model from headteachers and partners	4	3	<p><b>Type 2. Failure to implement the business support directorate</b></p> <p>Retention of the current federated model of business support within directorates perpetuates the duplication of effort and silo-working and their associated cost - something which staff have identified as a feature of KCC that needs to change.</p> <p>Consultation and explanation of the model. Reassurance around Children's Trusts and Locality Boards. Await guidance from Government on new role</p>	2	2

**EQUALITY IMPACT ASSESSMENT SCREENING GRID**

**“Change to keep succeeding”. The transformation of the Council’s operating framework.**

Minority strand	Could this policy, procedure, project or service affect this group differently from others in Kent? YES/NO	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO	Assessment of potential impact HIGH/MEDIUM/LOW/ NONE/UNKNOWN		Reason for assessment
			Positive	Negative	
Age	Yes	Yes		Medium	<p>Younger employees may be more likely to have shorter service than others and be less experienced.</p> <p>Younger workers may be impacted in terms of redundancy payments, or in terms of pay progression given the proposal involves staff potentially affected will receive pay based on performance based on the Total Contribution Pay Scheme (TCP).</p> <p>Older staff should also not be treated less favourably over younger staff on the grounds of age.</p> <p>The proposed evaluation of roles by Hay Group will ensure equal opportunities and alignment of pay / roles.</p>



APPENDIX 4

Disability	Yes	Yes	Medium	<p>The recruitment process may require reasonable adjustments to be made for staff with disabilities covered by the Equality Act 2010.</p> <p>The new posts may require reasonable adjustments to be made for staff with disabilities covered by the Equality Act 2010.</p> <p>Managers will need to be aware of disabilities in the above and ensure staff are not treated less favourably as a result.</p>
Sex (Gender)	Yes	Yes	Low	<p>Female senior officers are under-represented compared to the KCC workforce (65% v 84%).</p> <p>Female staff may also have shorter service due to caring responsibilities.</p> <p>Female staff are also more likely to have primary caring responsibilities or be part time.</p> <p>Most post-holders are however full-time.</p>

APPENDIX 4

Gender Reassignment	No	No	No	None	None	Gender reassignment should not be a factor in this project, either in recruitment or in performing the roles.
Race	No	No	No	None	None	As above
Religion or belief	No	No	No	None	None	As above
Sexual orientation	No	No	No	None	None	As above
Marriage & Civil Partnership	No	No	No	None	None	As above
Pregnancy & Maternity	No	No	No	None	None	As above

## Current Posts Impacted

**Chief Executive's Department**

Executive Director of Strategy and Business Support  
 Director of Finance (s.151)  
 Director of Law & Governance (MO)  
 Director of Personnel & Development  
 Director of Property  
 Director of Commercial Services  
 Director of Strategic Development Unit & Public Access  
 Director of Public Health

**Children, Families and Education**

Managing Director Children, Families & Education  
 Director of Commissioning and Partnerships  
 Director of Capital Programmes and Infrastructure  
 Service Director - Learning  
 Director of Resources and Planning  
 Service Director - Specialist Children's Services

**Communities**

Managing Director – Communities  
 Director of Cultural Services  
 Director of Community Safety & Regulatory Services  
 Director of Youth Services & Kent Drugs Alcohol Action Team  
 Director of Policy & Resources

**Environment, Highways & Waste**

Executive Director, Environment, Highways & Waste Directorate  
 Director of Environment & Waste  
 Director of Integrated Strategy & Planning  
 Director of Kent Highway Services

**Kent Adult Social Services**

Managing Director, Kent Adult Social Services  
 Transforming Social Care - Lead Officer  
 Director of Strategic Business Support  
 Director of Operations  
 Director of Commissioning & Provision x 2

NB: These are the only posts directly impacted by this process.

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By: Grahame Ward – Director, Capital Programme & Infrastructure  
 Rosalind Turner, Managing Director, Children, Families & Education Directorate  
 Sarah Hohler, Cabinet Member for Children, Families & Education Directorate

To: Resources and Infrastructure - Children, Families & Education Policy Overview Committee

Date: 29 November 2010

Subject: 11+ Selection in West Kent

Classification: Unrestricted

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Summary: This report supplies information requested at the last meeting about the numbers of children assessed suitable for admission to grammar school in the Tonbridge, Tunbridge Wells and Sevenoaks areas in the academic year 2009-2010, and the schools they entered in September 2010.

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### Introduction

1. (1) For many years there has been more demand for places in the grammar schools in Tonbridge and Tunbridge Wells than can be met. Changes in legislation intended to manage school admissions fairly and consistently (in particular the School Admissions Code 2010), have highlighted problems faced by those Kent children who cannot be offered a place at their nearest Kent grammar school on National Offer Day, which falls at the beginning of March. The Local Authority (LA) is obliged to offer one school place to every Y6 mainstream pupil on National Offer Day, and we have received adverse publicity in previous years by the offering of available places at grammar schools in other parts of Kent, some a long way from applicants' homes. Last year, children who could not be offered a grammar school place were instead offered places at local schools and academies which do not select their intake.

(2) Recently, parents resident in Sevenoaks complained to the Office of the Schools Adjudicator (OSA) that the admissions policies of certain grammar schools, which gave priority to the highest scoring applicants, were reducing access to their closest grammar schools, as places were allocated to children without regard to where they lived. The LA supported these complaints with its own objections to the admission arrangements of The Judd, Skinners and Tonbridge Grammar Schools. The OSA did not uphold any of these objections. Among the points considered was the fact that waiting list and appeal processes mean that children initially turned away from these schools in March may, nevertheless, have obtained places by the start of the new academic year in September.

### Position in West Kent

2. (1) **Numbers of Children Assessed suitable for Grammar School**

- The information held on the PESE database uses school returns, rather than individual pupil addresses, and does not distinguish between Tonbridge, Tunbridge Wells and Sevenoaks, so it may be of limited usefulness, but is provided as an indication of approximate figures.
- In the 2010 round, 395 boys (38% of the local cohort) and 428 girls (42% of the local cohort) were assessed suitable for grammar school on the basis of their test results. In total, this is 823 children, or 50% of the local cohort. The cohort figure is likely to be higher than stated because reliable year group figures for Independent Schools are not available, so the percentage figure is slightly inflated.
- After the Headteacher Assessment stage, a further six boys and 17 girls from WK “inner” schools were assessed suitable for grammar school – 23 pupils in all, bringing the totals to 401 boys and 445 girls, 846 children, or 41% of the local cohort.
- In this context, the third question asked about the number of children who obtained grammar school places is taken to refer to the number of WK “inner” children with high school assessments offered a grammar school place on appeal. Seventeen children meet this description, one boy and 16 girls, bringing the totals to 402 boys and 471 girls.

(2) **Number of Grammar School Places**

- The Published Admission Numbers (PANs) of the local grammar schools are:

<b>WEST KENT</b>	
Judd School (Boys)	125
Tonbridge Grammar School (Girls)	140
Weald of Kent Grammar School (Girls)	150
Skinner’s School (Boys)	115
Tunbridge Wells Girls’ Grammar School	140
Tunbridge Wells Grammar School for Boys	180

- There are 850 places, 420 for boys and 430 for girls

(3) **Numbers Entering the WK Grammar Schools in September 2010**

- The following figures were supplied by Management Information from the Year 7 count taken in October 2010.

<b>School Name</b>	<b>PAN</b>	<b>Roll Oct 2010</b>
Tunbridge Wells Girls’ Grammar School	140	154
Weald of Kent Grammar School	150	171
Tonbridge Grammar School	140	152
Tunbridge Wells Grammar School for Boys	180	180
The Judd School	125	126
The Skinner’s School	115	123
<b>Total</b>	<b>850</b>	<b>906</b>

(4) **Proportions of Intake from Outside the Normal Intake Area**

- The following table is based on information provided to the Office of the Schools Adjudicator (OSA) as background to the complaints against the admissions arrangements of the West Kent Grammar Schools, which give priority to high scoring pupils. Figures take account of the primary school attended by the pupils rather than their home address, so are indicative rather than exact. (Schools which give priority to local candidates may still admit children from further a field if they also give priority to siblings.)

School Name	WK Inners	%	Other Kent	%	OOC	%	Total
Tunbridge Wells Girls' Grammar School	100	65	54	35	0	0	154
Weald of Kent Grammar School	103	60	68	40	0	0	171
Tonbridge Grammar School	48	32	86	57	18	12	152
Tunbridge Wells Grammar School for Boys	115	54	62	34	3	2	180
The Judd School	39	31	77	61	10	8	126
The Skinners' School	36	29	72	59	15	12	123
<b>Total</b>	<b>441</b>	<b>49</b>	<b>419</b>	<b>46</b>	<b>46</b>	<b>5</b>	<b>906</b>

*\*The figures quoted for "Other Kent" include primary schools inside the PESE scheme (e.g., Maidstone), but not in Tonbridge, Tunbridge Wells or Sevenoaks South, and primary schools in areas served by comprehensive schools (e.g., Paddock Wood).*

(5) **Grammar Assessed Pupils from West Kent Not Attending Local Grammars**

- As at 1 March 2010, there were 27 pupils from the primary schools in Tonbridge, Tunbridge Wells and Sevenoaks South who had not been offered local grammar school places. Of these, 18 were offered places in schools which do not select their intake, including church comprehensives, and nine were offered places in grammar schools outside West Kent (one in a grammar school outside Kent).
- From the appeal information available, two girls originally offered non-selective places subsequently gained local grammar school places on appeal, and one in a girl opted for a place in the Independent Sector. It is possible that some children have also been accommodated through waiting lists, but if so, the LA has not been advised of this.
- Many places offered on appeal went to pupils with grammar assessment who lived outside the WK "PESE" area.

**Recommendations:**

3. Members are asked TO NOTE the information and identify any other information required.

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*Background Documents:*  
None

*Other Useful Information*  
None



By: Grahame Ward, Director, Capital Programme & Infrastructure  
Rosalind Turner, Managing Director, Children, Families & Education Directorate  
Sarah Hohler, Cabinet Member for Children, Families & Education Directorate

To: Resources and Infrastructure - Children, Families & Education Policy Overview Committee

Date: 24 November 2010

Subject: Primary Admissions

Classification: Unrestricted

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Summary: This paper is in response to a question raised by the joint POSC meeting of the POSCs concerning the commissioning, demographics and funding of primary schools and their fitness for the future.

---

### Introduction

1. (1) As set out in the summary above, this paper provides information in response to a question raised. Some of what was requested at the Joint POSC is outside of the remit and responsibility of this particular POSC, and we have asked the Learning POSC to address the elements for which they are responsible.

(2) The rest of this report picks up in the following sections the following issues:

- (a) Commissioning and demographics
- (b) Funding
- (c) Building condition

### Commissioning and Demographics

2. (1) The overall provision of primary school places (and schools) is driven by actual pupil numbers and future projections based upon both new housing development and population growth (new births).

(2) Whilst at a County-wide level this is easier to calculate and manage, it becomes much more of a challenge at a locality level. The impact of the current economic situation has made the challenge even more difficult, with planned housing developments being deferred or cancelled e.g., the Eastern Quarry development. Improved transport e.g. High Speed Rail is also likely to impact upon the popularity of particular locations.

(3) The position of our primary estate in terms of places and roll numbers in the 2009/10 academic year was as follows:

	Numbers	%
Net Capacity	117,276	100.0
Pupil Roll	106,097	90.47
Surplus Places	11,179	9.53

(4) The forecast position over the next few years reduces the anticipated surplus as follows:

	%
2010/11	8.71
2011/12	7.26
2012/13	5.47
2013/14	3.71
2014/15	2.18

(5) The position is, however, somewhat different across the County, with district surpluses ranging from 5.89 to 14.46% in 2009/10 to - 4.83 to 9.17 in 2014/15. Within these figures will be variations within particular localities.

(6) The forecasting ahead of surpluses (and shortfalls) identifies the districts where we need to take action to secure additional pupil places, and it is our Area Education Officers who take this forward, in consultation with local schools and identify particular needs and how they can be addressed.

- (7) The options available to address local forecast shortfalls include the following:
- Provision of a new school
  - Expansion of an existing school(s) with or without additional classroom provision.
  - Redefining catchment areas.
  - Improvement of existing schools

### **Funding**

3. (1) The Capital funding of new pupil places basically comes from:

- (i) developer contributions [Sc.106] - which is the assumed route for new primary schools arising from new housing development;
- (ii) government grant or supporting borrowing; or
- (iii) the County Council who meet its funding responsibilities from Capital Receipts or prudent borrowing.

(2) We await government announcements on the amount of Capital funding that will be available for new facilities over the next few years.

### **Building Condition**

4. (1) Elsewhere on the agenda is a paper on school building maintenance.

<b>Recommendations</b>
Members are asked TO NOTE the information

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*Background Documents:*  
*None*

*Other Useful Information*  
*None*

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By: Bruce MacQuarrie, Head of Capital and Infrastructure Support

Rosalind Turner, Managing Director, Children, Families & Education Directorate

Sarah Hohler, Cabinet Member for Children, Families & Education Directorate

To: Resources and Infrastructure Children, Families & Education Policy Overview & Scrutiny Committee

Date: 24 November 2010

Subject: Capital Maintenance Budget

Classification: Unrestricted

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Summary: This report provides information on school building maintenance, the arrangements that exist for the prioritisation of projects for inclusion within the capital programme and funding needs.

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## Introduction

1. (1) The latest capital monitoring forecasts 2010-11 capital spend on the maintenance of school buildings at £14.08m as against an initial allocation provided for within the Budget Book of £8.744m, subsequently increased to £10.488m by inclusion of funding rolled forward from 2009-10. The funding has been brought forward from future years.

(2) The money set aside within the budget is used to fund a programme of planned major maintenance work, reactive work to address urgent health and safety issues and to avoid school closure, planned maintenance inspections, condition surveys and a small programme of accessibility projects. Over the years the balance between planned and reactive work has shifted with more now responding to urgent requirements.

(3) The County Council undertakes condition surveys of all schools over a three year cycle; the surveys record school condition in a range of categories A- D with D being the worse and priorities 1-4 with 1 being the most urgent. For the purposes of assessing backlog we monitor maintenance identified in the categories D1, D2, C1 and C2, this is currently recorded as £97.881m of which £17.018m is D1.

(4) In addition to funding retained centrally schools have access to Devolved Formula Capital (DFC) to be used on asset management priorities and ICT. Schools allocation for DFC for the current financial year totals £23.089m. At the end of the 2009/10 financial year the schools had £37.7m in revenue and £13.9m in capital reserves.

### **Maintenance Backlog and Programme Details**

2. (1) The last four years have seen a significant reduction in the recorded maintenance backlog from £146.6m in 2006-07 to the current figure of £97.8m. Whilst this has been in part due to the delivery of past maintenance programmes the greatest impact has been a result of the significant programme of investment in the refurbishment, modernisation and replacement of the school estate including the Kent Six Schools PFI programme, the delivery of the Modernisation Programme, Special School Review Programme and the delivery of the first BSF projects. In addition the taking out of use of accommodation through school reorganisation as part of the implementation of the Kent Primary Strategy 2006 has removed backlog. The backlog of maintenance at schools moving to Academy status has also been removed from our records of backlog. For schools that have moved to Academy status up to 31 October 2010 this totalled £15.5m.

From the total backlog of £97.8m the following significant areas are identified:

Roofing	£21.9m
Mechanical Services including boilers and heating	£24.5m
Electrics	£13m
External doors, window walling	£18.3m

2. (2) Appendix 1 details the programmes, inspections and surveys supported by the budget spending line “annual planned maintenance programme”

(i) **Major Maintenance**-the overarching aim of the planned programme of major maintenance is to keep schools safe, dry and watertight. Projects are identified having regard to work that is recorded as D1 within school condition surveys. As this is greater than the funds available this is further informed by maintenance history, eg boiler failures, roof leaks, planned maintenance inspections and school premises development visits.

(ii) **Reactive Maintenance**-money is set aside for reactive work. Projects funded are those to address urgent health and safety issues and to avoid school closure. Looking at spend so far committed this year, £937K is for

boilers and heating, £720K for roofing and £411K for fire safety work either recommended or the subject of an enforcement order. With regard to the latter fire safety legislation is retrospective. In 2009/10 some 30% of the total maintenance spend was on reactive work.

(iii) **Planned Maintenance Agreements**-These are a range of maintenance inspections required by law and include for such things as 5 year full electrical tests, lift inspections, boiler inspections, gas pressure testing and fire alarm inspections

(iv) **Asbestos and Legionella Surveys**-the County Council is required by law to have adequate processes in place for the control and management of asbestos and risk of legionella. National guidance is provided by approved codes of practice which set out recommendations for regularity of surveys and management and control actions. Asbestos surveys are undertaken every three years and legionella surveys every two years. The funding set aside provides for the surveys and in the case of asbestos immediate remedial work which may be identified such as the removal or sealing of asbestos. In addition to the County arranged and funded surveys schools have responsibility for ongoing monitoring and inspection arrangements. The County Council provides training and awareness raising to enable schools to carry out their responsibilities.

(v) **Schools Access Work**-this programme has been used to fund work to support projects to improve access to schools, primarily to enable disabled pupils to have access to all areas of the curriculum. For the last 3 years the Government has provided supported borrowing to fund the latter

(vi) **Conditions Surveys**-the County Council undertakes condition surveys of all school premises. The current arrangements have been in place since 1999-2000 and were originally required by Government and were a requirement to enable the release of grant and supported borrowing. The County Council has retained the process; the data gathered is used to inform spending decisions, support bids for funding and to monitor progress.

### (3) **Governance**

The Asset Management Plan has not been revisited for some years but its priorities remain, that is the need to ensure that facilities meet health and Safety requirements, that premises are safe dry and watertight and the delivery of 190 days education to every pupil.

Whilst final responsibility rests with Members the School Capital Group a sub group to the School Funding Forum has specific responsibilities to advise on priorities and criteria for programmes of school building maintenance and improvement work.

### (4) **Reasons for forecast overspend**

Given that spending on planned maintenance, asbestos and legionella surveys is to a great extent a fixed sum, when looking at the need to make budgets savings

these have to be made from the funding set aside for proactive and reactive maintenance. We have sought to reduce our proactive planned programme to maximise funding for reactive work but this has still been insufficient to contain spend within the original budget. In looking at the latest forecast spending as shown in Appendix 1, of the 7 headings identified all are within budget other than that for reactive maintenance

### **Future needs**

3. There has been considerable success over the last few years in reducing the size of the maintenance backlog. Schools moving to academy status will also take their maintenance backlog with them  
However reduction in future levels of capital investment will reduce the number of whole school replacement and modernisation projects that can be undertaken and with them our ability to continue to make further significant reductions of the maintenance backlog over the medium term plan. It is therefore likely that pressures will remain at existing levels for the life of the next medium term plan.

### **Next Steps**

4. The current forecast overspend on maintenance will be met from within the capital budget. Planning is now underway for the coming medium term plan; this will need to have regard to future funding requirements including those for school building maintenance. Much is dependent on government announcements over the size and arrangements for future capital allocations.

### **Recommendations:**

5. (1) Members are asked to: Note the information provided about maintenance spending and that pressures on this budget are likely to continue for the life of the MTP.
- (2) The forthcoming announcements on the size of and arrangements for future capital funding together with the transfer of schools to academy status will have implications for this budget and the position will need to be reviewed.

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## MAINTENANCE BUDGET vs FORECAST 2010-11

Appendix 1 Resources and Infrastructure Children, Families and Education Policy Overview Committee		
	<b>Original Budget</b> (£8,744m increased to £10,488m to include 2009/10 roll over)	<b>Forecast Expenditure</b>
<b>MAINTENANCE PROGRAMME</b>	<b>£'000</b>	<b>£'000</b>
Major Maintenance Work	3000	3000
Reactive Maintenance	2418	5850
Planned Maintenance Agreements (PMA)	2520	2520
Asbestos Surveys	460	460
Legionella Surveys	150	350
Schools Access Works	1440	1440
Condition Surveys	500	460
<b>TOTAL</b>	<b>10488</b>	<b>14080</b>

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By: Rosalind Turner, Managing Director Children, Families and Education  
 Sarah Hohler, Cabinet Member for Children, Families & Educational Achievement

To: Children Families and Education Policy Overview Scrutiny Committee

Date: 23<sup>rd</sup> November 2010

Subject: Children, Families and Education Directorate Risk Register 2010-2011

Classification: Unrestricted

Summary: This report presents the updated risk register for Children Families and Education Directorate for 2010- 2011

**Introduction**

1. (1) All Directorates’ Risk Registers are considered by the appropriate Policy Overview Scrutiny Committee.

(2) Risk Registers ensure that potential major risks to the people of Kent and to KCC are clearly identified and effective management action is taken to either prevent their occurrence and/or mitigate their effects. The risks identified directly feed into the Strategic and Business Planning processes. Risk management is part of our performance management process and is embedded throughout KCC and CFE.

(3) The Children, Families and Education Risk Register 2010-2011 has now been reviewed and the updated register as at September 2010 is attached for information.

**Format of Risk Register.**

2. All Directorates Risk Register are standardised. A 5x5 matrix is used to rank the scale of risk in terms of likely occurrence and impact (see below). This gives an overall score which categorises risks as high, medium or low, enabling management action to be prioritised.

<b>↑</b> Likelihood	<b>Very likely</b>	<b>5</b>					
	<b>Likely</b>	<b>4</b>					
	<b>Possible</b>	<b>3</b>					
	<b>Unlikely</b>	<b>2</b>					
	<b>Very Unlikely</b>	<b>1</b>					
<b>RISK RATING MATRIX</b>			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
			<b>Minor</b>	<b>Moderate</b>	<b>Significant</b>	<b>Serious</b>	<b>Major</b>
			<b>Impact</b>				

## **Monitoring of Risk**

3. The risk register is monitored and reviewed periodically. The CFE Senior Management Team has a strategic role in identifying future potential risks, reviewing the risk register, and ensuring that controls are in place to manage the risks.

### **Recommendations**

4. Members of the Children Families and Education Policy Overview Scrutiny Committee are asked to note the contents of the updated 2010-2011 CFE Risk register.

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*Background Documents:*  
None

*Other Useful Information:*  
None

**Children, Families and Education Directorate**  
**DRAFT RISK REGISTER 2010-11**  
**DATE: September 2010**

Key: © - Incorporated into quarterly Core Monitoring reports

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
<b>Objective: Maintaining year on year financial balance</b>								
1	Impact of political, legislative and financial changes including the consequences of the current UK economy, budget pressures and impacts from the end of grants (March 2011.)	<ul style="list-style-type: none"> <li>• Demand- led budgets overspend resulting in inappropriate short term action to offset overspends.</li> <li>• Position made more difficult as less flexibility under new national funding arrangements.</li> <li>• Delivery of Medium Term Plan and savings required are not achieved.</li> <li>• Cancellation of some grants mid academic year with some school staff enrolled and funding removed leaves a financial short fall.</li> <li>• Partners withdraw from Kent Children's Trust due to national political, legislation and financial developments.</li> <li>• Impact of mainstreaming specific grants into the Dedicated School Grant and the consequences of this impact on national redistribution and the level of funding.</li> <li>• Impact of Dedicated Schools Grant consultation resulting in a new schools formula 2011-2014.</li> <li>• Impact of SEN transport policy and potential implications for pressure on budget of transfer of LSC responsibilities for SEN/LLDD young people.</li> <li>• Unaccompanied Asylum Seeking Children Funding- potential pressure on numbers combined with a clear requirement to reduce unit costs to £150/wk for 18+ care leavers, as provided by the UK Border Agency.</li> <li>• Future of School Lunch Grant standards fund unknown.</li> <li>• Much Continued Professional Development activity funded through</li> </ul>	SMT Keith Abbott	<ul style="list-style-type: none"> <li>• 3 year forecast planning.</li> <li>• Increased training for school staff and Governors.</li> <li>• Negotiation with Schools Forum provided extra funding.</li> <li>• Increased user involvement.</li> <li>• Demographic planning.</li> <li>• Business Planning.</li> <li>• Finance and Activity Monitoring.</li> <li>• Contracting and Procurement Controls.</li> </ul> <p>Existing Budget Management procedures</p> <ul style="list-style-type: none"> <li>• Continue to model effects of Academies Act.</li> </ul>	<ul style="list-style-type: none"> <li>• Regular robust financial, resource and performance monitoring and management.</li> <li>• Core monitoring to be developed to include business plan monitoring.</li> <li>• Review of Transport Policy and integration of SEN and Disability with mainstream policy and arrangements.</li> <li>• Provide more creative solutions for SEN and Disability transport.</li> <li>• Raise awareness among schools of policy and budget implications of transport arrangements.</li> <li>• Develop project plan to reduce unit costs.</li> <li>• Focus on new Commissioning Unit to map, commissioned services, measure impact and support decommissioning of those services not providing Value For Money.</li> <li>• In some cases</li> </ul>	Ongoing	I = 5 L = 5 R = 25	I = 4 L = 5 R = 20 <b>HIGH</b>

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
		<p>grants and unknown future for planning. Schools reducing engagement with professional development and training reducing potential income generation and negative impact on quality of provision.</p> <ul style="list-style-type: none"> <li>Academies Act results in reduced Dedicated School Grant and LA central spend equivalent grant. (Academy proportion LACSEG is not based on the actual costs of the services supplied to the individual schools. Resources moved from lower performing maintained schools to outstanding academies. Particular pressure on early years funding and central services from PFI cost pressures on DSG.)</li> <li>Academy conversion grant and additional funding further increases divide between schools.</li> <li>Academies do not purchase central services from Local Authority e.g. Outdoor Education. School broadband.</li> <li>Available surplus funds to loan schools diminish as number of academies increases.</li> <li>Statutory responsibility for funding low incidence SEN for pupils in academies as outlined in Academies Act .</li> </ul>		<ul style="list-style-type: none"> <li>Issue of loans is now included within the Commercial Transfer Agreement.</li> </ul>	<p>services will have to be adjusted to reflect available resources</p> <ul style="list-style-type: none"> <li>Creation of a new School Financial Services team to enhance existing services, develop new services and improve the way we deliver services to schools.</li> <li>Await details of the school reform White Paper including details of Government plans for a pupil's premium for children who are from deprived background, a simplification of admissions, a fresh look at and possible simplification of the SEN code, a major review of school and academy funding.</li> </ul>			
<b>Objective: Maintain CFE's good reputation</b>								
2	CFE does not receive a favorable outcome from unannounced inspection.	<ul style="list-style-type: none"> <li>Increased likelihood of full KCT partner announced inspection.</li> <li>Poor outcome likely to lead to reduced overall rating for Children's Services.</li> </ul>	SMT Joanna Wainwright Helen Davies	<ul style="list-style-type: none"> <li>Existing internal performance management processes/controls to monitor progress against national performance including: <ul style="list-style-type: none"> <li>Corporate Performance Management Group.</li> <li>Other positive internal inspection reports.</li> <li>Understanding of new and revised inspection framework requirements.</li> <li>Monthly performance reports to SMT.</li> <li>Joint Strategic Needs Assessment.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Regular robust performance monitoring and management.</li> <li>Continuing development of outcome measures and performance management. Including core monitoring being developed to include business plan monitoring.</li> <li>Ensuring all KCT partners are fully aware of statutory responsibilities.</li> </ul>	Ongoing	I = 5 L = 5 R = 25	I = 4 L = 4 R = 16 <b>HIGH</b>

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
				<ul style="list-style-type: none"> <li>Service user complaints.</li> <li>KCT needs assessment and CYPP review.</li> <li>KCT planning toolkit.</li> <li>Planning for unannounced visits.</li> <li>Implementation of Improvement Action Plan.</li> <li>KCTB Change Management Programme.</li> <li>KCT Participation working group.</li> <li>KCT Equality and diversity champions.</li> <li>KCT workforce development strategy.</li> <li>LAC Pledge.</li> <li>Locality based social care teams including Preventative Services Managers.</li> </ul>	<ul style="list-style-type: none"> <li>Development of new CYPP for 2011.</li> <li>Social worker recruitment activity.</li> <li>Value for money activity.</li> <li>KCT Preventative strategy.</li> <li>SMT quarterly performance boards.</li> </ul>			
<b>Objective: Effective early intervention for vulnerable children and young people</b>								
3	Impact of political, legislative and financial changes including medium term planning savings.	<ul style="list-style-type: none"> <li>Increasing demand on services beyond CFE's control including:               <ul style="list-style-type: none"> <li>© The increase in rate of referrals to social services and the capacity for duty teams to progress to initial assessment.</li> <li>© Increase in the number of children that are the subject of a child protection plan.</li> <li>© Large number of LAC placed by other local authorities place burden on existing service structure.</li> </ul> </li> <li>Increase in abandonment rates to Kent Contact and Assessment Service, leading to a child protection risk.</li> <li>© Impact on vulnerable children unable to access services.</li> <li>Potentially lowering Child Protection thresholds in terms of resourcing need.</li> </ul>	Rosalind Turner SMT Helen Davies	<ul style="list-style-type: none"> <li>Implementing the new CFE Structure which focuses on prevention and early intervention through 12 Preventative Service Managers.</li> <li>Increase in common assessments.</li> <li>Kent Safeguarding Board.</li> <li>CAF/Lead Professional implementation plan and Project Board.</li> <li>Complaints monitoring.</li> <li>Management and decision making allocation of all Child Protection to a Social Worker.</li> <li>Practice based commissioning, CYPP and needs assessments in place – identifies key priorities.</li> <li>Looked after children: KCC has been successful in influencing government agenda including legislative changes in</li> </ul>	<ul style="list-style-type: none"> <li>Emerging roles of 4 newly appointed commissioning officers.</li> <li>Development of new Preventative Strategy.</li> <li>Integrated processes subject to greater scrutiny under inspection arrangements i.e. sampling of CAF assessments during annual safeguarding inspection visits.</li> <li>New and enhance telephony system to improve prioritization of response.</li> <li>Development and training programme to minimize inappropriate referrals.</li> <li>Kent's response to</li> </ul>	Ongoing	I = 5 L = 5 R = 25	I = 4 L = 5 R = 20 <b>HIGH</b>

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
		<ul style="list-style-type: none"> <li>Reduction on external inspection ratings.</li> <li>Shortfall in funding available for local co-ordination delays implementation of Lead Professional Function and Common Assessment Framework (CAF.)</li> <li>Partners withdraw from Kent Children's Trust due to national political, legislation and financial developments.</li> <li>Loss of grant and movement of some funding streams from the LA to GPs and Schools could reduce the ability to deliver preventative services and impact on need to reduce inappropriate referrals to children's social care</li> </ul>		<p>Children and Young Persons Bill. LAC pledge in place.</p> <ul style="list-style-type: none"> <li>Targeted social worker recruitment activity.</li> <li>Hidden Harm Strategy</li> </ul>	<p>the Laming review.</p> <ul style="list-style-type: none"> <li>Implementing the action plan from the Unannounced Inspection (July 2010), and any outcomes from the Safeguarding Inspection (Oct 2010)</li> <li>Commissioning register development. This will support planning activity.</li> </ul>			
4	National requirement for agencies to share information to safeguard children is not met.	<ul style="list-style-type: none"> <li>Failure to share information or lack of timely interventions between agencies results in death or abuse of a child.</li> <li>Loss of control of information.</li> <li>Data unavailable to support management control.</li> <li>Risk to child if information is unavailable or not shared between agencies.</li> </ul>	SMT Joanna Wainwright Helen Davies	<ul style="list-style-type: none"> <li>Kent Safeguarding Board.</li> <li>Multi-agency working through Local Children's Trust Boards.</li> <li>Well trained, high quality staff with clearly defined reporting structure.</li> <li>CAF and lead professional guidance in place.</li> <li>Multi agency child protection policies in place.</li> <li>Multi-agency Project Board for lead professional function and CAF in place.</li> <li>Multi-agency Information Community Agreement for Children and Young People agreed by Kent Children's Trust Board.</li> <li>Information sharing guidance forms part of the two-day training course for practitioners on CAF and lead professional.</li> <li>Integrated Children's</li> </ul>	<ul style="list-style-type: none"> <li>Local co-ordination to ensure implementation of CAF and lead professional functions.</li> <li>CAF subject to greater scrutiny under i.e. sample of CAF assessments part of annual safeguarding visit.</li> <li>Trialing and implementation of eCAF.</li> <li>Build Health actions into Children and Young People Health Commissioning Plan that will be agreed by PCTs and KCC. Needs to include guidance for local commissioners on local brokering where necessary.</li> <li>Development of</li> </ul>	Ongoing	I = 4 L = 4 R = 1	I = 3 L = 4 R = 12 <b>MEDIUM</b>



	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
				<p>System.</p> <ul style="list-style-type: none"> <li>• KCTB Change Management Programme.</li> <li>• Data Quality and data cleansing exercise involving frontline staff/managers and administration staff.</li> <li>• KCTB Change Management Programme.</li> </ul>	<p>coherent county wide strategy and protocols on sharing information between agencies.</p> <ul style="list-style-type: none"> <li>• Management Information Unit to build relationships with academies to maintain availability of information.</li> <li>• Continued development of ICS exemplars to meet business needs</li> <li>• Data quality and data cleaning plan to be prioritised and enacted.</li> </ul>			
5	<p>Inability to retain/recruit sufficient levels of social workers</p> <p>There has been limited success of national and international campaigns. Historically it has been difficult to recruit Children's Social Workers and this is a problem nationally.</p>	<ul style="list-style-type: none"> <li>■ Failure to deliver safe statutory services.</li> <li>© Unallocated cases.</li> <li>© Breakdown of placements.</li> <li>© Legislation differences/ language barriers/ UK process e.g. CAF.</li> </ul>	Rosalind Turner SMT Helen Davies	<ul style="list-style-type: none"> <li>• Visits to front line teams to listen to successes and concerns.</li> <li>• National social work task force.</li> <li>• Children's Services Recruitment Group monitors Social Work vacancies and agrees strategies for urgent situations.</li> <li>• Active strategy in place to attract and recruit social workers through a variety of routes including a recruitment campaign in USA – to date 27 social workers recruited from USA arrived on 7<sup>th</sup> February 2010 .</li> <li>• Recruitment calendar ensures we recruit Newly Qualified Social Worker's annually. KCC will approach final year students at universities in the next few weeks.</li> <li>• Targeted recruitment activity has taken place at recruitment fairs to raise the profile of Kent,</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing work to recruit final year Social Work students.</li> <li>• Ongoing development of further strategies to support recruitment e.g. qualification routes through Open University.</li> <li>• Disseminate best practice to secure stable Social Work staffing.</li> <li>• Children's Services to consider Recruitment Coordinator role to ensure that all Social Work applications receive attention.</li> <li>• Children's Services Realignment to review pay grading for SW team leaders and also support for Step into Management programme.</li> </ul>	Ongoing	I= 5 L=5 R=25	I=5 L=4 R=20 <b>HIGH</b>

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
				<p>a few social workers have been recruited in this way.</p> <ul style="list-style-type: none"> <li>• Ready for Practice scheme targeted at MA social work students.</li> <li>• Social workers also recruited from Northern Europe via Jacaranda.</li> </ul>	<ul style="list-style-type: none"> <li>• Review 'growing our own' social workers.</li> <li>• Consideration to be given to converting some social work posts to assistant social worker posts, changing the skill mix of the teams.</li> <li>• Welcome ideas from staff on how to boost current recruitment campaigns and how to retain good front line social workers, social work assistants, supervisors and team managers.</li> </ul>			
<b>Objective: All children and young people living in Kent have access to education, employment or training.</b>								
6	New legal duty on LA to co-ordinate school admissions at any age at any time is not met.	<ul style="list-style-type: none"> <li>• Negative impact in which a growing numbers of children and young people are waiting for a school place.</li> <li>• Parental and school expectations are not met.</li> <li>• Legal cases for failure to educate.</li> <li>• Children not fulfilling their potential.</li> </ul>	Rosalind Turner Keith Abbott	<ul style="list-style-type: none"> <li>• Referral process and systems to identify children not in school.</li> <li>• Children Missing Education Guidance.</li> </ul>	<ul style="list-style-type: none"> <li>• Admissions process in place.</li> <li>• Managing the media, parental and school expectations and potentially challenging the government position.</li> <li>• Consulted on and published admission schemes for primary and secondary schools.</li> <li>• Children with statements are given place at named school before oversubscription criteria is applied to other applicants.</li> <li>• Appeals process in place.</li> </ul>	From September 2010	I = 5 L = 5 R = 25	I = 4 L = 4 R = 16 <b>HIGH</b>
7	Provision does not match the level of pupil	<ul style="list-style-type: none"> <li>• A growing number of children and young people are not educated locally.</li> <li>• Parental and school expectations are</li> </ul>	SMT Keith Abbott Grahame Ward	<ul style="list-style-type: none"> <li>• Kent Primary Strategy Group.</li> <li>• Budget monitoring of</li> </ul>	<ul style="list-style-type: none"> <li>• Continue briefings and media representation.</li> </ul>	Ongoing	I = 4 L = 4 R = 16	I = 4 L = 3 R = 12

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
	need - the affect of adjusting to changes in pupil demographics.	<ul style="list-style-type: none"> <li>not met.</li> <li>Budget implications e.g. transport.</li> </ul>		<ul style="list-style-type: none"> <li>schools.</li> <li>Member led School Organisation Advisory Board.</li> </ul>	<ul style="list-style-type: none"> <li>Continue full public consultations.</li> <li>Members briefing and media representation.</li> </ul>			<b>MEDIUM</b>
8	Inadequate Alternative Provision for pupils excluded from mainstream school.	<ul style="list-style-type: none"> <li>Failure to provide suitable education for pupils excluded from mainstream school or an academy.</li> <li>Devolution results in a poorly executed commissioning process.</li> <li>Standard of external providers inadequate to meet need.</li> <li>Implications of new framework for OfSTED judgments and zero notice inspections.</li> </ul>	SMT Helen Davies Head of ABS	<ul style="list-style-type: none"> <li>In-year Fair Access protocol to ensure timely access to education for pupils permanently excluded from school, hard to place pupils and those identified as not having an education place.</li> <li>Additional funding identified through the Medium Term Plan to enhance buildings and resources for Alternative Provision.</li> <li>Rigorous approval process in place for commissioning of decommissioning of provision.</li> <li>Member and Director commitment to the identified commissioning process.</li> <li>High level of support being offered to PRU Heads and PRU Managers to ensure OfSTED requirements are fulfilled from PRU School Improvement Partners.</li> <li>Oversight of Manager for Standards in special schools and PRUs.</li> </ul>	<ul style="list-style-type: none"> <li>Full commissioning programme to be operational for September 2010.</li> <li>Staff have been appointed to cover commissioning and contract compliance.</li> <li>Training to be provided to Local Children's Trusts to ensure they are able to fulfill their responsibilities.</li> </ul>	On-going	I = 5 L = 4 R = 20	I = 5 L = 3 R = 15 <b>MEDIUM</b>
9	Statutory raise in participation age is not met.	<ul style="list-style-type: none"> <li>Failure to meet statutory requirement</li> </ul>	Rosalind Turner SMT Sue Dunn		<ul style="list-style-type: none"> <li>Realign to 6 planning forums to deliver the refreshed 14-19 priorities.</li> <li>Implement a Project plan for rising the participation age.</li> </ul>	Ongoing	I = 5 L = 5 R = 25	I = 5 L = 4 R = 20 <b>HIGH</b>
10	Changes to 16-19 funding	<ul style="list-style-type: none"> <li>Major impact on provider's budgets. Standard of provision and learners</li> </ul>	Rosalind Turner SMT	<ul style="list-style-type: none"> <li>Undertaking of an analysis of data to</li> </ul>	<ul style="list-style-type: none"> <li>Early modeling and briefing with</li> </ul>	Ongoing	I = 5 L = 5	I = 4 L = 5

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
	<p>including:</p> <p>A reduction in unit cost of 16-19 provision</p> <p>A move to 'lagged learner number funding' (student numbers)</p> <p>The transfer of independent specialist college funding from YPLA to Local Authority</p> <p>Unknown outcome from Wolf review of vocational education.</p>	<p>choice reduced.</p> <ul style="list-style-type: none"> <li>Insufficient courses or not the right skills base provided to support the economy.</li> <li>Implications for staff.</li> </ul>	Sue Dunn	<p>produce an interim commissioning statement for planning post 16 programmes.</p> <ul style="list-style-type: none"> <li>The YPLA will directly fund FE and Worked-Based Learning.</li> <li>Strategic planning lead remains with LA.</li> <li>Six 14-19 planning and commissioning officers have been appointed.</li> </ul>	<p>providers.</p> <ul style="list-style-type: none"> <li>Needs analysis to identify knowledge gaps and data. required to plan for services.</li> <li>Realign to 6 planning forums to deliver the refreshed 14-19 priorities.</li> <li>Progress 139a statement process to monitor LLDD FE and out of county placements.</li> <li>Increase employer engagement in curriculum development.</li> <li>Implement a Project Plan for pupil funding changes – evaluate and review regularly to ensure the system is working.</li> <li>Continue to monitor national changes and develop/ align and support providers and students accordingly.</li> </ul>		R = 25	R=20 <b>HIGH</b>
11	Removal of EMA	<ul style="list-style-type: none"> <li>Increases numbers of NEET in the county.</li> </ul>	Rosalind Turner SMT Sue Dunn	<ul style="list-style-type: none"> <li>Area wide prospectus and common application process.</li> <li>Refreshed 14-19 priorities agreed and in place</li> </ul>	<ul style="list-style-type: none"> <li>Monitor impact on NEET cohort.</li> <li>Implement learner support systems to support disadvantaged learners - monitor 6 monthly.</li> </ul>	Ongoing	I = 5 L = 5 R = 25	I =4 L = 5 R=20 <b>HIGH</b>
12	Unknown outcome from review of Connexions	<ul style="list-style-type: none"> <li>The formation of an all age career service.</li> <li>16-19 year olds do not have the best preparation to progress into Higher Education or employment.</li> <li>Local Authorities take over the</li> </ul>	SMT Sue Dunn	<ul style="list-style-type: none"> <li>Area wide prospectus and common application process.</li> <li>Refreshed 14-19 priorities agreed and in place.</li> </ul>	<ul style="list-style-type: none"> <li>Monitor impact on NEET cohort.</li> <li>Implement learner support systems to support disadvantaged</li> </ul>	Ongoing	I = 5 L = 5 R = 25	I =4 L = 5 R=20 <b>HIGH</b>

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
		responsibility and funding for advice and guidance services from Connexions.			learners - monitor 6 monthly.			
<b>Objective: Children and young people in Kent achieve their academic potential</b>								
13	Strategies and investment do not result in raising standards of attainment, particularly at Early Years and Primary stages.	<ul style="list-style-type: none"> <li>Impacts on external inspection ratings. (Schools, academies and sixth form colleges rated as outstanding will be removed from routine inspection.)</li> <li>© Vulnerable children, such as looked after children fail to reach their potential.</li> </ul>	SMT Merril Haeusler	<ul style="list-style-type: none"> <li>Reorganisation of CFE to align all learning under Service Director - Learning and includes:</li> <li>Primary district heads of standards and school improvement.</li> <li>Primary standards and school improvement partners.</li> <li>Primary teaching/ learning advisers.</li> <li>Manager for Standards in Special Schools and Pupil Referral Units (PRUs)</li> <li>Special School and PRU Improvement Partners</li> <li>Re-focused Early Years team to support and challenge in vulnerable settings.</li> <li>Schools performance is regularly monitored.</li> <li>Schools that do not maintain high performance will be subject to an Ofsted inspection.</li> <li>Head teacher for all LAC and care leavers in place to raise LAC attainment.</li> <li>Strategies are in place with resources focused on raising attainment and are regularly evaluated to ensure effectiveness.</li> <li>Early Years and Key Stage 2 are priorities in the CYPP and CFE Medium Term Plan.</li> <li>Enhanced performance monitoring and 'deep dive' analysis</li> <li>Specialist Teaching Service (STS) Support for</li> </ul>	<ul style="list-style-type: none"> <li>Await details of the school reform White Paper including details of Government plans for a pupil's premium for children who are from a deprived background, a simplification of admissions, a fresh look at and possible simplification of the SEN code, a major review of school, academy funding and curriculum changes.</li> <li>Championing of inclusion and achievement via Learners with Additional Needs.</li> <li>Plans to establish new approaches to and protocols for joint working between School Standards and Improvement and Learners with Additional Needs.</li> </ul>		I = 5 L = 5 R = 25	I= 5 L= 3 R=15 MEDIUM

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
				<p>children and young people with learning difficulties and/or disabilities</p> <ul style="list-style-type: none"> <li>Minority Community Achievement support for children and young people from Black and Minority Ethnic communities (including Gypsy Roma Traveler) and/or with English as an Additional Language.</li> </ul>				
14	<p>Needs of all pupils are not met due to changes to the national curriculum/ and government plan's to introduce a 'minimum entitlement.'</p> <p>(Including changes to 14-19 provision and stopping introduction of Phase 4 diplomas.)</p>	<ul style="list-style-type: none"> <li>Reduction in standards of achievement</li> <li>Standard of provision and learners choice reduced.</li> <li>Learners disengagement</li> </ul>	SMT Merril Haeusler	<ul style="list-style-type: none"> <li>Secondary district heads of standards and school improvement.</li> <li>Secondary teaching/ learning advisers.</li> <li>Manager for Standards in Special Schools and Pupil Referral Unit (PRU).</li> <li>Special School and PRU Improvement Partners.</li> <li>Schools performance is regularly monitored. Schools that do not maintain high performance will be subject to an Ofsted inspection.</li> <li>Head teacher for all LAC and care leavers in place to raise LAC attainment.</li> <li>Strategies are in place with resources focused on raising attainment and are regularly evaluated to ensure effectiveness.</li> <li>National Challenge Board in place with the majority of schools already showing improvement.</li> <li>Specialist Teaching Service Support for children and young people with learning difficulties and/or disabilities.</li> <li>Minority Community Achievement support for</li> </ul>	<ul style="list-style-type: none"> <li>Await details of the school reform White Paper including details of Government plans for a pupil's premium for children who are from a deprived background, a simplification of admissions, a fresh look at and possible simplification of the SEN code, a major review of school, academy funding and curriculum changes.</li> <li>Championing of inclusion and achievement via Learners with Additional Needs.</li> <li>Plans to establish new approaches to and protocols for joint working between School Standards and Improvement and Learners with Additional Needs.</li> </ul>		I = 5 L = 5 R = 25	I= 5 L= 3 R=15 MEDIUM

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
				children and young people from Black and Minority Ethnic communities (including Gypsy Roma Traveler) and/or with English as an Additional Language.				
15	Impact of Academies Act/ Free Schools	<ul style="list-style-type: none"> <li>▪ The attainment gap between schools could widen. (The programme was initially established to raise standards by breaking the cycle of underperformance and low expectations in underperforming schools.)</li> <li>▪ Academies are their own admissions authority and are free from following some of the National Curriculum.</li> <li>▪ Academies (at least those previously rated as 'outstanding') become free from inspections.</li> <li>▪ Relationship strain/ communication problems with academies/ free schools – data, admissions, finances, service satisfaction.</li> <li>▪ Further freedom for Academies in the delivery of 14-19 education, relaxing the requirements in the current Funding Agreement.</li> <li>▪ Academies are not required to have a designated teacher for children in care.</li> <li>▪ Significant change to LA's role in education.</li> <li>▪ Reduced staff capacity in the LA leads to increased number of schools in Ofsted category and lack of intelligence for early intervention, particularly with schools moving out of LA control.</li> </ul>	SMT Merril Haeusler Grahame Ward		<ul style="list-style-type: none"> <li>• Initially, outstanding schools have been given the right to opt in to Academy status. It is anticipated that new academies will support a poorer performing school.</li> <li>• All other schools will be able to apply for academy status. This will not take place before September 2010.</li> <li>• Continue to model effects of Academies Act.</li> </ul>		I = 5 L = 5 R = 25	I= 3 L= 4 R=12 MEDIUM
16	The needs of pupils with SEN are not met due to local and national changes in SEN provision including the Government's aim to 'end the bias towards inclusion'	<ul style="list-style-type: none"> <li>▪ Pupil's individual needs are not met.</li> <li>▪ Staff morale reduced after various policy changes.</li> <li>▪ Parent's confidence reduced.</li> <li>▪ Increasing demand for places in Kent's special schools and some SEN units.</li> <li>▪ Government's aim creates difficulties ensuring mainstream schools include SEN pupils.</li> </ul>	SMT Helen Davies	<ul style="list-style-type: none"> <li>• Continued extensive training of school and specialist staff.</li> <li>• New options for children with Autism in Ashford including a new secondary therapy service.</li> <li>• Children and young people with a Statement of SEN within the</li> </ul>	<ul style="list-style-type: none"> <li>• Immediately develop a new SEN strategy to describe and develop a continuum of provision to meet the needs of all CYP with SEN. Special schools will play a key role in the development of this</li> </ul>	September 2010	I = 5 L = 5 R = 25	I= 5 L= 3 R=15 MEDIUM

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
	(through SEN green paper due in Autumn 2010.)			<p>Partnerships will be prioritized.</p> <ul style="list-style-type: none"> <li>• Meetings with parents to ask for their views.</li> <li>• Funding is not being reduced and there are no changes to the pilot arrangements in respect of children with Very Severe and Complex Needs, in that there is no separate funding for new cases.</li> <li>• The new cross-county arrangement for funding new cases of children with Social and Emotional Difficulties will also continue. Very Severe and Complex Needs funding for existing children with Social and Emotional Difficulties will remain until each child leaves their current school.</li> <li>• Commitment remains to the principle of looking for ways of meeting the needs of children and young people locally where possible.</li> <li>• KCC recognise the need for, and contribution that can be made by, specialist units and centres.</li> <li>• Increases in the number of pupils placed in a unit above budgeted levels will continue to be funded.</li> </ul>	<p>work.</p> <ul style="list-style-type: none"> <li>• Develop an effective communication strategy to ensure the meaningful participation of parents, carers, children and young people.</li> <li>• Formal consultation with all parties.</li> <li>• Funding increases will be agreed where the Local Authority is asking lead schools with SEN Units to meet the needs of more pupils and where the lead school budget allocated provides less than the previous Unit funding formula would have provided for this number of children.</li> <li>• Any changes to funding arrangements, these will be considered first by the Funding Forum followed by an all-schools consultation. No any changes would be before September 2011.</li> <li>• Very Severe and Complex Needs funding will transfer over time to the three Behaviour Emotional and Social Difficulties special schools and five Behaviour and Learning special schools.</li> </ul>			



	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
					<ul style="list-style-type: none"> <li>Commence revised SEN strategy.</li> </ul>			
<b>Objective: Ensure regulatory and statutory Health and Safety Compliance</b>								
17	Health and Safety procedures are not implemented correctly across CFE.	<ul style="list-style-type: none"> <li>Accident or incident to pupil, member of staff or customer could bring legal action for damages and potential prosecution.</li> <li>Ill-health to member of staff from work: leading to absence, and costs of replacement staff. May lead to loss of specialist expertise.</li> <li>Risk of prosecution under Corporate Manslaughter Act. (implemented 6.4.08)</li> <li>Asbestos - further breaches of asbestos regulations may result in the LA being prosecuted.</li> <li>Health and Safety issues around work experience placements.</li> </ul>	Grahame Ward Sally-Anne Clark  All Managers  SMT	<ul style="list-style-type: none"> <li>Robust policies, procedures and guidelines.</li> <li>Induction training for head teachers.</li> <li>Regular health and safety training courses provided for staff.</li> <li>Management of contractors policy and training in place.</li> <li>Management system for asbestos in all premises.</li> <li>Regular Governor training.</li> <li>Health and safety team in place to deal with issues and provide advice.</li> <li>Corporate Audit programme in place.</li> <li>Annual Monitoring Returns required from schools to monitor compliance with H&amp;S.</li> <li>Finance team assist in monitoring compliance.</li> <li>Occupational Health policies, advice and assessments.</li> <li>Training available for carrying out DSE assessments.</li> <li>Moving and Handling policy, assessments and training.</li> <li>Corporate stress policy and risk assessment.</li> <li>Corporate work and well-being initiatives.</li> <li>'An A to Z of posture care' distributed to over 600 primary schools.</li> </ul>	<ul style="list-style-type: none"> <li>Train batches of school staff in accident procedures.</li> <li>Raise level of follow up on accident reports received.</li> <li>Management training for Heads and LA managers still outstanding.</li> <li>New generic risk assessments produced for teams and schools to adapt.</li> <li>Raise level of involvement with property staff on reducing risks from legionella and asbestos.</li> <li>Health and Safety Unit staff to contribute to partnership initiatives that reduce the risks.</li> <li>Produce high quality investigation reports for the HSE, at their request, as an alternative to an HSE investigation.</li> <li>New Health and Safety and Work Experience Policy implemented</li> </ul>	Ongoing  As required, in response to incidents	I = 5 L = 4 R = 20	I = 5 L = 3 R = 15 MEDIUM
<b>Objective: CFE provides robust and effective technological systems</b>								
18	Harnessing	<ul style="list-style-type: none"> <li>Increased subscription costs to schools</li> </ul>	Alan Day	<ul style="list-style-type: none"> <li>Communication has taken</li> </ul>	<ul style="list-style-type: none"> <li>Survey of existing</li> </ul>	Ongoing	I = 4	I = 3

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
	Technology Grant reduced by 50% in-year, and no further funding for 2011 onwards.	for their broadband and other services from August 2011. <ul style="list-style-type: none"> <li>If schools leave Kent's 'School's Broadband', quality of service and capacity for Federation / collaboration / communication would be greatly reduced.</li> </ul>		place with representative groups, schools and districts to present business case for unified approach to schools broadband.	broadband subscribers to assess the impact of charging on the likelihood of schools to move to other suppliers. <ul style="list-style-type: none"> <li>Continue to communicate the benefits of a county-wide broadband network.</li> </ul>		L = 4 R = 16	L = 4 R = 12 <b>MEDIUM</b>
19	System renewal of adoption process and foster payments.	<ul style="list-style-type: none"> <li>Lack of an electronic Adoption process.</li> <li>Foster Payments are not made correctly or in a timely manner.</li> </ul>	SMT		<ul style="list-style-type: none"> <li>Testing and implementation of adoption feature.</li> <li>Testing and implementation of new Foster Payments System.</li> </ul>		I = 4 L = 4 R = 16	I = 3 L = 4 R = 12 <b>MEDIUM</b>
20	Proposed closure of Becta on 31 March 2011.	<ul style="list-style-type: none"> <li>Reduced ICT access to support educational attainment, particularly for disabled children.</li> </ul>	SMT	<ul style="list-style-type: none"> <li>Continually review the situation as information becomes available.</li> </ul>	<ul style="list-style-type: none"> <li>DfE Equality Impact Assessment states closure of BECTA does not mean pupils and schools will not receive support to deliver Information Communication Technology.</li> </ul>		I = 4 L = 4 R = 16	I = 3 L = 4 R = 12 <b>MEDIUM</b>
<b>Objective Effective commissioning processes, universally implemented to ensure compliance, vfm and effective service provision</b>								
21	Lack of common commissioning arrangements result in legal challenge, poor vfm and inferior service for c&yp	<ul style="list-style-type: none"> <li>Inappropriate services commissioned</li> <li>duplication and poor vfm</li> <li>Breach of legislation and legal challenge with financial implications</li> <li>Core services for c&amp;yp not delivered</li> <li>Significant financial liability as a result of failure to decommission in a timely fashion.</li> <li>Poor performance or failure to deliver services to required standard</li> </ul>	Joanna Wainwright SMT	<ul style="list-style-type: none"> <li>Senior Commissioning Officer and 4 Commissioning Officers in post to support commissioning and review processes</li> <li>Process established for CYPP development</li> <li>Commissioning Register established</li> <li>Existing legal framework</li> <li>Contract review underway for two major providers</li> <li>Commissioning and Partnerships procurement and contracting and wider commissioning services</li> </ul>	<ul style="list-style-type: none"> <li>Commissioning framework to be agreed by SMT</li> <li>SMT to agree application across CFE</li> <li>Commissioning register to be finalised and key issues to be linked to action plan</li> <li>SMT to be made aware of key issues from commissioning register</li> <li>Role of Commissioning Officer to be</li> </ul>	On - going	I=4 L=5 R= 20	I=3 L=4 R=12 <b>MEDIUM</b>

	Risk	Implication	Accountable manager	Existing controls	New tasks / action plans	Date	Inherent rating	Residual risk
				reviewing roles and responsibilities	<p>highlighted by RT in letter to LCT Board</p> <ul style="list-style-type: none"> <li>• Joint commissioning work plan to be agreed following commissioning review</li> <li>• Commissioning team trained to deliver commissioning training by CSP</li> </ul>			

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By: Joanna Wainwright, Director Commissioning & Partnerships  
Rosalind Turner, Managing Director, Children, Families & Education Directorate  
Sarah Hohler, Cabinet Member for Children, Families & Education Directorate

To: Resources and Infrastructure, Children, Families & Education Policy Overview and Scrutiny Committee

Date: 24 November 2010

Subject: CFE Annual complaints report 2009/10

Classification: unrestricted

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Summary: This report provides information on the complaints and representations received in 2009/10 about services provided by the Children, Families and Education Directorate.

### **Introduction**

1 (1) Local Authorities have a statutory requirement to produce an annual complaints report in respect of Children's Social Services, under the Children Act 1989 Representations Procedure (England) Regulations 2006. The statutory guidance states that this should be presented to staff and to Members and be made available to the regulator and the general public. In Kent this report is extended to include information about complaints and enquiries received across the Directorate.

(2) While there are no statutory requirements in relation to complaints about education services provided by the Local Authority, all non-statutory complaints, comments and compliments should be managed in accordance with corporate policy, procedure (revised in 2009) and timescales. The revised corporate procedure shares timescales and some other requirements with the statutory procedure and therefore data on complaints and representations will be more consistent and comparable across KCC in 2010/11.

### **Complaints management in CFE**

2. (1) An independent review in 2009 of the Directorate's complaints arrangements identified the need for a unified complaints system for the whole directorate built upon the practice established in Children's Social Services. In

2009/10 complaints about the rest of the directorate were recorded on a separate database by administrative staff on a part-time basis in addition to normal duties. The need for this work to be resourced and managed in a more consistent way is supported by the data for 2009-10 which is inconsistent and unreliable.

(2) Since April 2010 complaints for the whole directorate received by the Managing Director have been managed by the Customer Care Team, with additional staff on a temporary basis, in addition to its responsibilities in relation to Children's Social Services. The Customer Care Team sits within the Commissioning and Partnerships group within CFE, outside of the direct line management arrangements for front-line services. These arrangements should provide greater consistency in management and recording, and therefore more comparable data on feedback about services provided to children and young people for both senior management within CFE as well as corporate performance monitoring purposes.

(3) The workload of the Customer Care Team is under review with a view to the team taking on complaints made direct to service units, subject to resources and, in particular, the capacity of the team to continue to fulfil the statutory requirements under the Children Act 1989 Representations Procedure (England) Regulations 2006.

(4) CFE continues to operate a robust and effective complaints procedure in accordance with statutory requirements.

### **Complaints and Representations about Children's Social Services**

3. (1) Children's social services work with the most vulnerable children and families in Kent. Much of the work is focussed on intervening in family life and is governed by complex legislation, guidance and policy. Included in the legislation is a requirement to operate a robust complaints procedure for children and those closely involved with them. This provides children and other service users with the right to be heard, the opportunity to resolve issues and to take matters further if they are not resolved, an additional safeguard for vulnerable people, and information which contributes towards service development.

(2) All Looked After Children in Kent are advised how to complain. Information is also provided in leaflets, cards, on the website and via partner organisations, so that all children in receipt of services, and the adults in their lives, are encouraged to exercise their right to complain.

(3) There are three stages to the statutory complaints procedure:

- Stage One - Local Resolution,
- Stage Two – Investigation,
- Stage Three - Complaints Review Panel.

Where a complaint is not resolved at Stage One, or Stage One is unreasonably lengthy, the complainant has the right for the complaint to be considered at Stage Two (Investigation Stage). This involves a thorough investigation into the issues and consideration of the complaint by an off-line Investigating Officer and an Independent Person. Complainants have the right for their complaints to progress to a Complaints Review Panel if they remain dissatisfied and the main issues are not upheld at Stage Two. There are two stages to the Corporate Complaints Procedure.

### **Representations made to the local authority about children's social services**

<b>Type of Record</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/9</b>	<b>2009/10</b>
Enquiry	69	94	98	126
compliment	36	36	71	66
Corporate complaints procedure	50	89	73	98
Statutory complaints	189	178	193	200
<b>Complaints total</b>	<b>239</b>	<b>267</b>	<b>266</b>	<b>298</b>

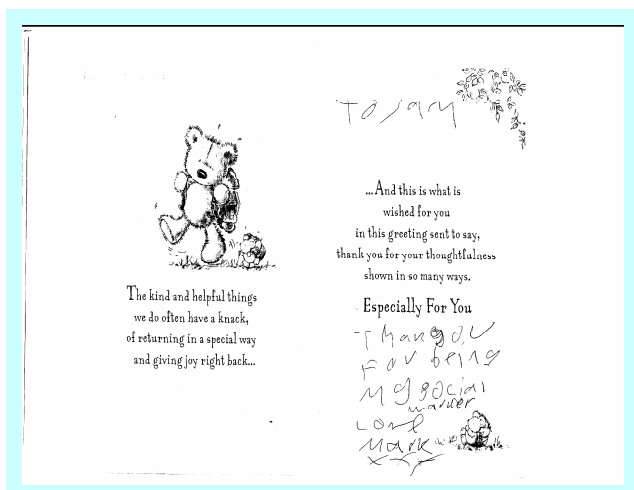
#### 4. (1) Contact method

In 2009/10 103 statutory complaints were made by letter and 46 by email. One was received via the KCC website. 48 were made by telephone, one by fax and one by text message.

#### (2) Issues raised via democratically elected representatives

MPs' letters are usually registered as enquiries but, if the constituent is eligible, the MP is advised of the person's right to make a statutory complaint. One enquiry from an MP in 2009/10 subsequently led to a statutory Stage Two complaint investigation. The General Election may have affected the number of enquiries received. Complaints made directly to Kent County Councillors from people eligible to access the process are required to be registered as statutory complaints.

(3) Compliments Unsolicited representations made to the local authority from people eligible to complain, which provide positive feedback about services, are registered as compliments.



I have known X for about ten years and it was entirely down to X that I was able to return living with my mother... I will never forget X for her determination to return me to my family.  
(child – under 16)

The compliments recorded in 2009/10 were about the following services.

Adoption	1
Child Protection	6
Children in Need	16
Children with Disability	25
Duty Service	2
Family Group Conferencing	2
Family Support	2
Fostering	3
Looked After Children	9
<b>Total</b>	<b>66</b>

KCC social workers are a dream! I work with other authorities and – lets say – things are different!!!  
(Headteacher - about work with two Looked After Children)

Me & my partner have a long history of using class A drugs and X has never faltered...we so admire her commitment to us in our recovery. We feel we can trust her and talk to her on all levels. I honestly feel that if it wasn't for X that we may have lost (child) to the system.  
(parent)

Compliments were made by the following groups.

Advocate for child or young person	1
Client (child or young person)	6
Close relative	7
Foster carer	7
Headteacher or school governor	4
Health professional	2
Legal professional	6
Other	2
Other Local Authority	4
Parent	22
Police	1
Prospective adopter	1
Service provider	2
Voluntary organisation	1

I am writing to pass on my gratitude for the support you provided during Operation K. This is a complex, long-term criminal investigation into child abuse and related matters which we are hopeful will result in successful prosecutions.  
(Detective Chief Inspector - Kent Police)



**The number of statutory complaints at each stage and those considered by the Local Government Ombudsman**

	2007/8	2008/9	2009/10
Stage One – Local Resolution	177	187	198
Stage Two – Formal Investigation	42	30	25
Stage Three – Complaints Review Panel	6	5	0
Local Government Ombudsman referral	21	16	20

5. (1) Despite increased pressures upon local staff, efforts to resolve complaints early have continued and this is reflected in the data which shows a continuation of the trend towards greater numbers of complaints received and resolved at the first stage, and fewer escalating. The number of Stage Two investigations carried out in 2009/10 represents 12.5% of the total number of statutory complaints received (cf 24% in 2007/8). This trend began in 2008 following a policy decision that local managers should usually meet, or at least speak with complainants about their complaints in addition to providing a written response, coupled with an emphasis in training sessions on resolving complaints early. Staff are also encouraged to continue to seek to resolve complaints when they have escalated to Stage Two or beyond. Five of the Stage Two complaints registered in 2009/10 were withdrawn before the investigations finished.

(2) KCC has a contract with Action for Children to fulfill the statutory requirement for an Independent Person to be involved in Stage Two investigations. Action for Children continues to report that complaints have become more complex and time-consuming. This view is supported by Investigating Officers. As local staff work harder to address complaints at an early stage, those that do escalate tend to be complaints which are more complex and difficult to resolve.

(3) Complainants may contact the Local Government Ombudsman at any time but the Ombudsman will refer them back to the Local Authority as premature if it has not had the opportunity to consider the complaints under its own procedures. Some people complain to the Ombudsman if they are refused access to the statutory complaints procedure on the grounds of ineligibility. In respect of the 20 children’s social services complaints considered by the Ombudsman in 2009/10, 7 were premature and 13 were referred to the LGO’s investigative team. The outcomes were as follows:

Maladministration causing injustice	1 complaint from 2007/8 about Direct Payments policy (now changed), details in last year’s annual report
Local settlement	1 complaint A meeting with the family about contact could have been planned better to avoid confrontation between family members. £250 given for distress, time and trouble.
No maladministration	2 complaints
Discretion not to pursue	6 complaints
Outside jurisdiction	1 complaint
Decision pending	2 complaints currently under investigation

(4) Corporate complaints procedure

98 complaints were received which fell outside the legislation and followed the corporate, two-stage complaints procedure introduced in 2009. Approximately half of these complaints were from close relatives or from parents about a process such as a Section 47 investigation or Section 7 report, which does not fall under the statutory procedure. If a complainant is not satisfied with the response at the first stage under the Corporate complaints procedure, the Head of Service will consider the complaint at the second stage and decide, in discussion with the customer care manager, if an independent investigation is necessary. By definition, non-statutory complaints in children's social services are not from people directly affected by the service and/or are not about statutory functions for which the Local Authority is wholly responsible. The majority of these complaints in 2009/10 were disputing decisions taken by, or the role of the Local Authority in, a court of law.

**Which Customer Groups made the complaints**

6. (1)  
Statutory complaints

<b>Originator</b>	<b>2007/8</b>	<b>2008/9</b>	<b>2009/10</b>
Child or young person	19	29	26
Parent	122	116	149
Close relative	15	31	8
Carer	2	5	5
Foster carer	8	5	4
Other professional	5	0	0
Legal representative	1	4	4
MP	5	0	1
Prospective adopter	0	2	1
Special Guardian	0	1	0
<i>Total</i>	<i>178</i>	<i>193</i>	<i>200</i>

Of the 25 Stage Two complaints, 18 were from parents, two from foster carers, and five from children/young people. Six of the close relatives were grandparents and two were adult siblings of the client.

**The types of complaints made**

7. (1)

Allegation of racism	1
Attitude of staff	15
Behaviour of staff	20
Child protection	2
Confidentiality	3
Delay	18
Direct payment	1
Disputed decision	66
Foster carer(s)	3
Housing	1
Lack of information	6
Lack of respite care	2
Lack of support	54

Personal information	2
Request for service	1

(2) Attitude and behaviour of staff

Most complaints about the attitude of staff were about social work intervention at an early stage (often duty and almost all about children in need) alleging that the intervention was personally motivated. One complaint alleged that child protection intervention was racially motivated; it was not upheld. Other complaints were that parents felt ignored or not taken seriously, often alleging bias in favour of the other parent.

(i) More of the complaints about behaviour of staff related to child protection cases; four were from fathers who felt staff focussed on allegations made against them rather than supporting them, other parents and grandparents felt ignored, and some mothers found staff rude and contact with social workers distressing.

(ii) Two complaints were about the social worker having put a note through the door on a compliment slip which other people, including children, had been able to read.

(3) Delay

More of the complaints about delays were upheld. In particular, nine were about the waiting time for an OT assessment and one about the length of time after the assessment was completed for Direct Payments to be processed. Four complaints were direct from children and young people: three had been waiting a long time for a laptop and one (16+) had been waiting for furniture. One complaint was about funding delays related to a dispute with another local authority.

(i) Although these have been subjects for complaints in past years, only one complaint in 2009/10 related to a delay in receiving CP minutes, and only one was about a client staying in foster care for too long with little activity towards reuniting the family.

(4) Disputed decision

This was the largest category of complaints and seventeen were from children or young people. Four young people were unaccompanied asylum seekers complaining about their accommodation (two supported by Shelter citing the Southwark judgement), and five wanted to stay with foster carers. The latter has been the most common subject of complaint made by children and young people in previous years.

I've got a good friendship with (foster carer) and will need to call round to her place for a chat to sort out my problems. I know loads of people in my area...I don't want to go and live somewhere where I don't know anybody.

I got mixed up with a wrong group because I had too much time on my hands...I just want a chance to do well and if I fail, or go back to my old ways, I would expect the placement to close. I am not ready for independence. I don't want to leave and I am really worried that I will not be able to cope...

(i) Other complaints from children and young people were about possessions lost in a placement move, continuing support no longer wanted, choice of school, information about a forthcoming CP conference, and risk assessment of the young person's boyfriend.

(ii) Most disputed decisions were from parents; many were estranged fathers who felt that they were not as involved as they should be in decision-making processes, and a number were mothers who complained that they had been misunderstood and misrepresented in reports, assessments and plans. A number of fathers complained that, as the police had dropped charges, social services should cease to see them as a risk to children.

(5) Lack of support  
Complaints about lack of respite care have reduced significantly from previous years.

(i) Two children/young people complained about lack of contact with, and information about, their siblings. Two young people were anxious about level of support to enable them to manage their accommodation.

(ii) A number of complaints were from family members acting as carers who did not receive the level of support they had expected.

My brother, who is a minor, came to live with me and has been living with me since then. Unfortunately, I have not had any support or help from anyone for the time he has been living with me. We are homeless as we are living in one room in a shared house.

(ii) A number of complaints were from estranged fathers who felt excluded and complained that their concerns/referrals about the mothers' parenting were not taken seriously. Two complaints were about invitations to meeting; in one case an injunction should have prevented contact between partners and in another the hostility between family members was known. Two complaints were from parents of disabled children about the transition process (this has been a common theme in previous years). A number of parents, particularly mothers, felt unsupported because of a lack of communication.

Now I am happy that X is safe but as his father should I or he at least get a choice? And I am concerned about Y, shouldn't he be with X if there are concerns about his welfare? All I have tried to do is to make sure my children are safe...

(iv) Communication issues featured highly in complaints about lack of support.

## The outcome of complaints

### 8. (1)

Statutory complaints closed in 2009/10

<b>outcome</b>	<b>Statutory</b>	<b>Non-statutory</b>
Explanation	146	63
Apology	20	9
Advice given	1	0
Issue resolved	9	2
Practice issues addressed	3	0
Complaint withdrawn	6	2
Financial settlement	2	1
Meeting offered	7	3
Issue addressed in court	0	1

It should be noted that complaints can have more than one outcome and that "Apology" is recorded only when fault has been identified. Explanation remains the most common outcome of a complaint. "Issue resolved" is recorded when the complainant has agreed resolution, usually in a meeting, before the written reply is sent.

## 9 Details about advocacy services provided under these arrangements

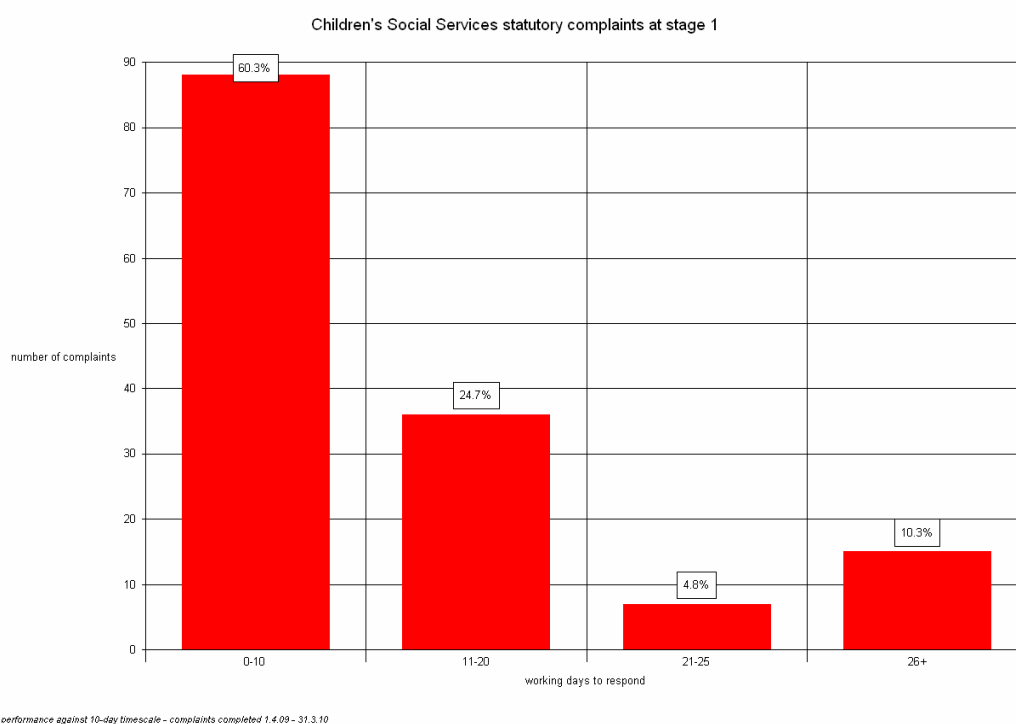
9. (1) It is a requirement for the Local Authority to offer an advocate to a child or young person making, or wishing to make, a complaint. Children's Social Services has contracts with Upfront for Looked After Children, and with Action for Children for Children in Need. Action for Children also provides an independent help-line for children and associated adults to contact when they want help in resolving issues at an early stage.

(2) 16 complaints were received on behalf of children and young people via advocates that they had approached themselves. Nine had approached the Upfront Advocacy service, one NSPCC (subsequently supported by Action for Children), one used an advocate from Voice and three used Shelter. Two complaints were received on behalf of children from relatives: an uncle and a grandfather.

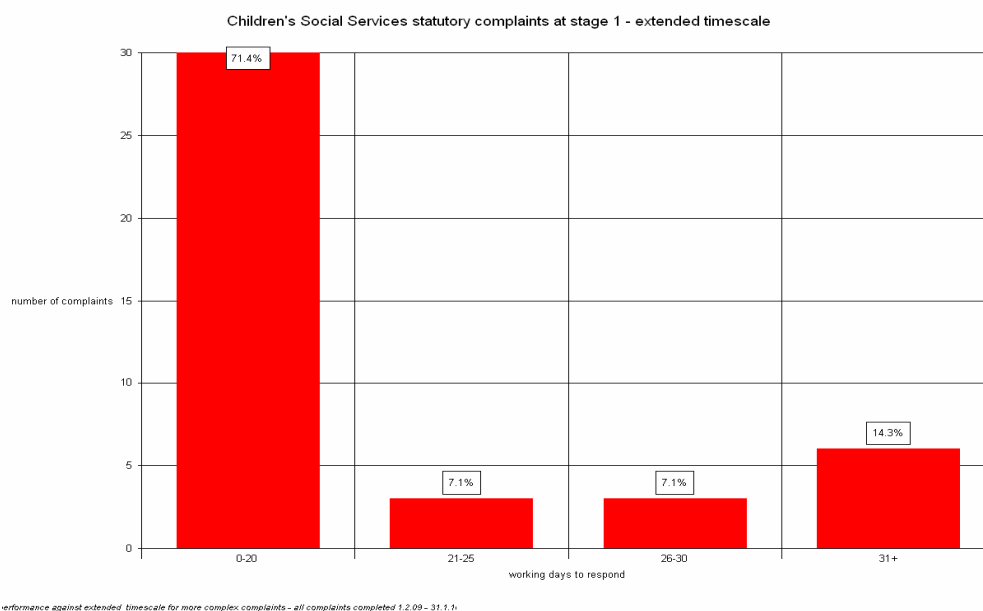
(3) Ten children complained direct to the County Council and were offered advocates. Six declined, two were supported by advocates from the Upfront Advocacy service, one was supported by a sibling and one by a friend/interpreter.

## Compliance with timescales, and complaints resolved within extended timescale

10. (1) The Local Authority must consider and try to resolve Stage One complaints within 10 working days of the start date. This can be extended by a further 10 working days where the complaint is considered to be complex.



(2) Timescales have been extended for particularly difficult or complex cases, when more than one agency or service is involved or when complaints are bound up with other processes such as court proceedings and safeguarding procedures.



(3) Overall 80% of statutory complaints were completed within 20 working days.

(4) The Local Authority should consider Stage Two complaints within 25 working days of the start date (the date upon which a written record of the complaints to be investigated has been agreed) but this can be extended to 65 working days where this is not possible. Only one Stage Two complaint was completed within 65 working days in 2008/9. Investigating Officers and Action for Children report a continuation in the trend of increased complexity in the subject of complaints making a 25 day target unachievable. In most cases investigators have been able to work within the 65 day timescale, when staff have been available for interview and files are available and in good order. A major contribution to the failure to meet the 65 day target remains staff availability for adjudication meetings.

### **Learning the Lessons from Complaints**

11. (1) Problems with staffing levels were highlighted by a number of complaints about, for example, delays in providing Occupational Therapy assessments and unallocated cases.

(2) Most lessons learned were practice issues. While individual issues raised have been addressed at a local level, some problems appear to be common across the county for example, the use of compliment slips for messages when families are not in, recording issues, meetings arranged in schools, and the quality and appropriateness of standard letters. Communication remains a common theme in complaints. Some complaints could have been avoided had more care been given to the choice of words in information provided.

(3) At least three practice issues resulted in action taken at a county-wide level, namely protocols with KASS for joint assessments, guidance for foster carers, the possible need for a mechanism for linking siblings' files, and the need for guidance on sharing conference reports with parents where the content is considered likely to cause family disputes.

(4) Safeguarding issues raised were mostly local issues and not widespread except for those relating to unallocated cases and have been addressed on a case-by-case basis locally. One complaint highlighted the lack of understanding about the process for handling cases of suspected Fabricated or Induced Illness. Similar concerns have been raised in previous years.

(5) A piece of work is to be carried out with the Children's Social Services Professional Development Unit to ensure that practice issues arising from complaints are addressed in the core training programme.

### **Summary of statistical data about the age, gender, disability, sexual orientation and ethnicity of complainants**

12. (1) Diversity information is gleaned from the client system. In addition, a form is sent with every complaint acknowledgement seeking information on the

ethnicity, gender and age of complainants. Because of the low response rate Customer Care also verbally ask complainants who telephone.

Ethnicity of complainants 2009/10

<b>Ethnicity</b>	<b>Number of Complainants</b>	<b>% of known</b>	<b>% Kent population (2001 census)</b>
Not known	110		
White British	78	87%	94.1%
Indian	0	0%	0.9%
Asian other	1	1.1%	0.4%
African	3	3.3%	0.2%
Caribbean	1	1.1%	0.04%
Any other ethnic group	2	2.2%	2%
White and black African	1	1.1%	.08%
White other	4	4.4%	0.8%
<i>total</i>	<i>200</i>		

### (2) Age

One of the main purposes of the introduction of the complaints procedure was to provide a voice for children and young people. While closely associated adults also have the right to complain about how they are affected by services, it is important that we continue to seek ways to make the procedure more accessible to children.

Age of complainants 2009/10

<b>Age</b>	<b>number</b>	<b>%</b>
Under 16	10	5%
16-19	16	8%
20-24	9	4.5%
25-59	42	21%
60-64	2	1%
65+	4	2%
Not known	117	58.5%
<i>Total</i>	<i>200</i>	<i>100%</i>

### (3) Gender

28 complaints were received jointly from both parents, 65 complainants were male and 107 were female.

### (4) Disability

66 complainants said they were not disabled, 7 were disabled and 127 not known.

(5) Sexual orientation data has not been collected in past years. This was added to the complaints database as a new category in 2010-11.

(6) Diversity information was received and recorded in relation to less than half of the Children's Social Services complaints in 2009-10. The groups represented in known cases appear to reflect the ethnicity of the general population in Kent. Data on the numbers of children making complaints about children's social services is known and indicates that children and young people feel able to complain and are appropriately supported by advocates. The



proportion of complaints received from unaccompanied asylum-seeking young people indicates that the complaints procedure is accessible to that group of clients.

### **Review of the effectiveness of the complaints procedure**

13. (1) District and Unit managers usually sign off complaints at the first stage and Heads of Service are copied into all complaints about their services. Weekly summaries of all live complaints were provided for the Managing Director, Director of Specialist Services and the Director of Commissioning and Partnerships.

(2) Actions needed and practice issues to be disseminated are discussed and agreed at each meeting to decide the outcome of stage 2 investigations and are shared more widely as appropriate.

(3) The Customer Care Team responded to a number of team/unit requests for information about complaints relating to their services over the year for example, for the inspection of the Fostering service and for the annual report on the Adoption Service. A presentation and workshop session on Learning the Lessons from Complaints was provided for a Disabled Children's Service awayday using anonymised summaries of all complaints received about the service across the county. Anonymised examples of complaints were also used in other training sessions, notably for newly qualified social workers, overseas social workers, and in letter-writing workshops.

(4) During 2009/10 the following training sessions for staff were provided:

- One day training by the Local Government Ombudsman for Investigating Officers,
- Two letter-writing workshops for Team Leaders responding to complaints at stage 1
- Three sessions in formal training for NQSWs using "Complaints Made Easy",
- Four sessions for overseas social workers using "Complaints Made Easy",
- Two sessions for administrative staff using "Complaints Made Easy", and
- Three days for administrative staff in dealing with difficult situations.

(5) Investigations at Stage Two are carried out by an Investigating Officer who may be any member of staff at Team Leader level and above, jointly with an Independent Person from Action for Children as set out in the statutory guidance. The following staff acted as Investigating Officers in 2009/10.

County manager Family Group Conference Service  
4 Independent Child Protection conference Chairs

Policy Officer  
 Fostering Training and Development Manager  
 2 Fostering Team Leaders  
 Practice Supervisor, Therapeutic Reparenting Programme  
 Out of Hours Social Worker  
 C&F Practice Supervisor  
 Team Leader, Adoption Support  
 4 C&F Team Leaders  
 District Manager  
 Principal Social Worker  
 County Projects and Property Services Manager  
 16+ Team Leader

(6) Investigations can be very time-consuming and it is often difficult to predict the full extent of the investigation at the outset. It is not unusual for Investigation Officers to carry out much of this work in their own time. A working group was set up at the beginning of the year to review the role of Investigating Officers at Stage Two with particular emphasis on the support for staff undertaking the role. The group comprised a District Manager, several experienced investigators and a team leader whose service had been the subject of several complaints in the preceding six months. The outcome included changes to the written guidance for investigators and the recommendation that experienced staff should be available to act as “buddies” to staff taking on the role for the first time. An important change to the guidance was clarification of supervision for the Investigating Officer in the role, namely the officer’s own supervisor (usually the District Manager or Head of Service), except where the manager is not a social work practitioner in which case the Customer Care Manager would ensure other arrangements are put in place.

(7) Investigating Officers make a valuable contribution, not only in relation to the process for the individual complaints under investigation but also in sharing lessons learned and practice issues across the county.

**Complaints relating to the “Education” part of the Directorate**

14. (1) The majority of complaints, enquiries, compliments and school issues recorded in 2009-10 were received by the Managing Director. 12 were received by email, 2 by telephone and the rest by letter.

Type of record	2007/8	2008/9	2009/10
Complaints	217	231	173
Enquiries	110	180	146
compliments	2	0	15
School issues	57	56	58

(2) Complaints

The above totals may not accurately represent the volume of complaints received and are not comparable with previous years. There are inconsistencies and inaccuracies in the data recording and some complaints, and indeed compliments, made direct to teams may not have been captured on the database. It is possible that there was some double-counting in previous years but it is likely that true number of complaints received in 2009/10 is higher than indicated in the recorded total for 2009/10.

(3) Enquiries

Enquiries from MPs form the majority of records logged as enquiries. The largest group of enquiries were about SEN provision and the second largest group were enquiries about admissions and home to school transport. Many enquiries were in relation to a disputed decision.

(4) School issues

(i) There is a separate, statutory process for complaints about schools. When complaints about schools are received by the Local Authority complainants are advised of their right to access the schools' complaints procedure. However, they are also recorded on the database as "school issues" so that intelligence gained from the complaints can be disseminated to staff supporting the schools. In a number of cases managers were asked to intervene to assist in the resolution of a complaint or to provide support and advice.

(ii) Since 1 September 2010 Kent has been included in the pilot for the changes to be introduced by the Apprenticeship, Skills, Children and Learning Act 2009. This means that the Local Government Ombudsman is now the final stage for complaints against schools and the Local Authority no longer has a formal role in school complaints although it may advise and assist. The LGO will be providing training for schools in complaints handling in 2010-11.

(5) Compliments

As with complaints, it is anticipated that the true number of compliments should be higher. It should be expected that numbers will increase with staff awareness of the need to record customer contact. The compliments recorded in 2009-10 are spread across the range of the directorate's services.

(6) Complaints to the Local Government Ombudsman

(i) The majority of complaints about Kent County Council received by the Local Government Ombudsman in 2009-10 were in respect of education services (101 of 161). Of the 116 which were handled by the LGO's investigative team, 86 concerned education. Of 29 local (financial) settlements made in relation to complaints investigated, 25 were education complaints. The largest group of settlements (21) concerned applications and appeals for admissions to schools. The remainder were in relation to home to school transport, two complaints about the failure to provide education while a child was

out of school and one about the way the Council dealt with a child's special educational needs which resulted in the loss of half a year's education.

(ii) A meeting was held with the LGO to discuss the concerns raised. The LGO has described this meeting as useful and, as a result, training was provided for panellists, presenting officers and appeal clerks.

(7) Equality Implications

Diversity recording has been patchy for complaints in relation to education services in the past and therefore there is room for improvement. This information has been sought from every complainant since April 2010.

**Recommendations**

Members of the Resources and Infrastructure Policy & Scrutiny Overview Committee are asked to note the information

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*Background Documents: None*

*Other Useful Information: None*

By: Overview, Scrutiny and Localism Manager

To: Resources and Infrastructure Policy Overview and Scrutiny Committee - 24 November 2010

Subject: **SELECT COMMITTEE - UPDATE**

Classification: Unrestricted

Summary: To update the Committee on the current topic review programme and to invite suggestions for future Select Committee topic reviews.

### Select Committee Topic Review Work Programme

1. (1) There are currently no Select Committee topic reviews in the work programme which fall under the remit of this Policy Overview and Scrutiny Committee.

(2) The current work programme consists of the following:-

- Renewable Energy – which is due to submit its final report to the Cabinet in November 2010 and County Council in December 2010.
- Extended Services (previously called Extended Schools) – which is due to submit its final report to the Cabinet in November 2010 and County Council in December 2010.
- Educational Attainment of Pupils and Schools in Areas of High Deprivation – which is due to start its work in the Autumn of 2010
- Dementia which is due to start work in the Autumn of 2010 and report to County Council in April 2011.
- The Student Journey – new Select Committee agreed at Scrutiny Board on 3 November 2010 – due to start its work in Spring 2011.

### Suggestions for Select Committee Topic Reviews

2. At the Scrutiny Board it was agreed that Members would be asked to consider whether there are any topics that they would like to put forward for consideration for inclusion in the future topic review programme. If Members do have any suggestions could they contact the Democratic Services Officer for this POSC.

### 3. Recommendations

Members are asked to note the current Select Committee topic review programme and to advise the Democratic Services officer of any items that they would like to suggest for inclusion in the Select Committee topic review programme.

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Background Information: *Nil*

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