



Summons to and  
Agenda for a  
Meeting on  
1 April 2010  
At **10.00 am**



DEMOCRATIC SERVICES  
SESSIONS HOUSE  
MAIDSTONE

Tuesday, 23 March 2010

To: All Members of the County Council

Please attend the meeting of the County Council in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 1 April 2010 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

### **A G E N D A**

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the meeting held on 18 February 2010 and if in order, to be approved as a correct record. **(Pages 1 - 12)**
4. Chairman's Announcements
5. Questions **(Pages 13 - 20)**
6. Report by Leader of the Council (Oral)
7. Comprehensive Area Assessment **(Pages 21 - 26)**
8. Revised Kent Scheme Pay Structure and Appraisal **(Pages 27 - 32)**
9. Appointment of the Group Managing Director **(Pages 33 - 34)**
10. Statutory and Proper Officers of Kent County Council **(Pages 35 - 44)**
11. Active Lives Now: The Future of Adult Social Care in Kent 2010-2013 **(Pages 45 - 46)**
12. Safeguarding Children in Kent: Defending and Developing the Service **(Pages 47 - 96)**
13. Motion for Time Limited Debate  
Mr T Prater will move and Mrs T Dean will second:-

(1) Kent County Council, believing in accountability to the taxpayer, notes the recent campaigns by the Taxpayers Alliance and George Osborne MP to ensure greater disclosure to the public of what their money is being spent on.

(2) Council also notes the recent move by the London Mayor to publish online details of all GLA expenditure over £1000, detailing all payments for goods and services.

(3) Council believes that the publication of all Council items of revenue expenditure of £1,000 and above; and capital expenditure of £10,000 and above will improve transparency and therefore accountability.

(4) Therefore, Council resolves to instruct the Director of Finance to bring forward proposals, compiled from existing data and at the lowest possible cost, to publish online from 1 July 2010, details on all such items of Council expenditure on a monthly basis within three months of the transaction.

14. Minutes for Approval - Governance and Audit Committee - 1 December 2009 **(Pages 97 - 100)**
15. Minutes for Information **(Pages 101 - 120)**
- (a) Planning Applications Committee – 8 December 2009, 21 January and 17 February 2010
  - (b) Regulation Committee – 26 January 2010
  - (c) Electoral and Boundary Review Committee – 8 March 2010



Peter Sass  
Head of Democratic Services and Local Leadership  
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## KENT COUNTY COUNCIL

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MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 18 February 2010.

**PRESENT:**

Mr J A Davies (Chairman)  
Mr W A Hayton (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr A H T Bowles, Mr D L Brazier, Mr R Brookbank, Mr J R Bullock, MBE, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr A R Chell, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J Cubitt, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr K A Ferrin, MBE, Mr T Gates, Mr G K Gibbens, Mrs E Green, Mr M J Harrison, Mr C Hibberd, Mr P M Hill, OBE, Mr D A Hirst, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne MBE, Mr E E C Hotson, Mr M J Jarvis, Mr A J King, MBE, Mr R E King, Mr J D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J Ozog, Mr R J Parry, Mr R A Pascoe, Mr T Prater, Mr K Pugh, Mr W Richardson, Mr L B Ridings, Mr M Robertson, Mrs J A Rook, Mr A Sandhu, MBE, Mr J D Simmonds, Mr C P Smith, Mr K Smith, Mr M V Snelling, Mrs P A V Stockell, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J Wedgbury, Mr C T Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe

IN ATTENDANCE: Peter Gilroy (Chief Executive), Geoff Wild (Director of Law and Governance) and Peter Sass (Head of Democratic Services and Local Leadership)

### UNRESTRICTED ITEMS

#### 1. Apologies for Absence

The Chief Executive reported apologies from the following Members:

Mr Robert Burgess  
Mrs Valerie Dagger  
Mr Roger Frayne  
Mr Roger Gough  
Mr James Scholes  
Mr Bryan Sweetland

#### 2. Declarations of Interest

The following Members declared personal interests and remained in the meeting for the consideration of the relevant items:

Mrs Allen – as a trustee of the Citizen's Advice Bureau in Dartford (item 7)  
Mr Brookbank – as a trustee of the Citizen's Advice Bureau in Swanley (item 7)  
Mrs Rook – as her daughter was in receipt of a student loan (item 7)

Mrs Whittle – as her two year old child was in a private nursery in Maidstone (item 7)

**3. Minutes of the meetings held on 10 December 2009 and if in order, to be approved as correct records.**

RESOLVED: That the Minutes of the two meetings held on 10 December 2009, are correctly recorded and that they be signed by the Chairman.

**4. Chairman's Announcements**

**(a) Death of Mr Martin Jackson**

The Chairman formally advised the County Council of the death of Mr Martin Jackson on 28 December 2009, former County Councillor for the Ashford No 3 electoral division from 1973 to 1977.

Following tributes from Mr Christie and Mr Richard King, the Council stood in silence in memory of Mr Jackson and then passed a resolution in the following terms:

**RESOLVED that this Council desires to record the sense of loss it feels on the death of Mr Jackson and extends to his family and friends its heartfelt sympathy to them in their sad bereavement.**

**(b) New Year's Honours**

The Chairman formally advised the Council of the following Awards in the New Year's Honours list:

Honorary Alderman Peter James Morgan, who was awarded the MBE for services to the community in Sittingbourne.

Ms Jenny Robson, Head of the Minority Communities Achievement Service (Children, Families and Education Directorate), who was awarded an MBE for services to education.

**Resolved: that this Council records its sincere congratulations to Honorary Alderman Peter James Morgan and Ms Jenny Robson for the Honours they have received.**

**(c) Mr Roger Frayne – extension of period of absence**

**Resolved:** that in view of the continued absence of Mr Roger Frayne, County Councillor for the Dover Town Division, due to ill health, the Council formally approves his continued absence, in accordance with Section 85(i) of the Local Government Act 1972.

**(d) Petition from Mr Parry**

The Chairman announced the receipt of a petition from Mr Parry in relation to a safe road crossing in Crockham Hill, Sevenoaks, which he handed formally to Mr N J D Chard, Cabinet Member for Environment, Highways and Waste, for investigation and formal response.

**(e) Gravesham Borough Council – Local Councillor Shadowing Scheme**

The Chairman welcomed a delegation of young people from the Borough of Gravesham who were taking part in the Local Councillor Shadowing Scheme, which was running throughout February and March. The aim of the scheme is give young people between the ages of 13 and 19 the chance to shadow their local representatives and learn more about local democracy.

**(f) Mr Steve Leidecker**

The Chairman advised the County Council that Mr Steve Leidecker, Director of Operations, Kent Adult Social Services, would be retiring in March 2010 after over 20 years' service with KCC. On behalf of all Members of the County Council, the Chairman thanked Mr Leidecker for his great contribution to Adult Social Services and the way in which he had shown such passion and commitment. The Chairman added that he would be sorely missed by his many friends and colleagues in the organisation.

**(g) Poppy Appeal Awards and Launch of Cadet 150**

The Chairman advised the County Council that he had attended the above event with the Vice Lord Lieutenant of Kent, which was to recognise the work of the cadets for the Poppy Appeal and to celebrate 150 years of the cadet movement. The Chairman stated that 300 young people were present at the event and there were many more like them throughout the County who commit considerable amounts of time to their units, supported by adult leaders. The Chairman added that, in this day and age when so much is said about the youth of today in derogatory terms, it was refreshing to know that the cadets were a shining example and a true representation of young people in our Country. He congratulated them all.

**5. Questions**

Under Procedure Rule 1.18, 5 questions were asked and replies given.

**6. Local Act for amendment of Road Traffic Regulation Act 1984 - The Kent County Council (Filming on Highways) Bill**

(1) Mr K Lynes moved, Mr N Chard seconded the recommendations on page 12 of the Blue Book.

Resolved unanimously: that the Resolution of the County Council passed at its meeting on 15 October 2009 approving the deposit of the Kent County Council (Filming on Highways) Bill as now deposited be, and is by this Resolution, confirmed.

**7. Medium Term Plan 2010/13 (Incorporating the Budget and Council Tax Setting for 2010-11)**

(1) Mr J Davies moved Mr W Hayton seconded that:-

- (a) Procedure Rule 1.12(2) be suspended in order that the meeting be extended to 5 pm;

- (b) Procedure Rule 1.30 be suspended in order that the Leader be allowed to speak for a maximum of 15 minutes, the Leader of the Liberal Democrat Group and the Leader of the Labour Group for 10 minutes with the Leader being given a 5 minute right of reply;
- (c) Procedure Rule 1.30 be suspended after presentations by Cabinet Members on their portfolios in the period of general debate that follows in order that speeches can be limited to 3 minutes, and
- (d) Procedure Rule 1.36 be suspended in order for the mover and seconder of the original motion to be permitted to speak on more than one occasion.

*Carried without a vote*

(2) Mr P Carter moved Mr J Simmonds seconded a motion to amend the recommendations on pages 32 and 33 of the 'Blue Book' and to approve the contents of the 2010-11 Budget and Medium Term Plan 2010-13 and to approve the following proposals:

- (a) the Revenue and Capital Budget proposals for 2010-11;
- (b) the Revenue Budget requirement of £943,244,149;
- (c) the Capital Investment proposals of £505,431,000, together with the necessary use of borrowing, revenue, grants, capital receipts, renewals and other earmarked capital funds, external funding and PFI, subject to approval to spend arrangements;
- (d) the Prudential Indicators as set out in Appendix D of the attached Medium Term Plan;
- (e) the Revenue and Capital Budget proposals as presented in the 2010-11 Budget Book (Draft for County Council) for:

- Children, Families and Education;
- Adult Social Services;
- Environment, Highways and Waste;
- Communities;
- Regeneration and Economic Development;
- Public Health & Innovation;
- Localism & Partnerships;
- Corporate Support Services & Performance Management; and
- Finance;

**Adjusted by:**

- (i) **Deduct £1.663m from "Asylum Seekers" net cost (Children, Families & Education Portfolio, p9, line 4) to reduce the net cost of Asylum Seekers to £1.337m.**
- (ii) **Deduct £0.400m from "Strategic Development Unit" (Corporate Support Services & Performance Management Portfolio, p50, line 1) to reflect net savings from the ending of the contract for Kent TV (£0.500m) with £0.100m retained for running a new Kent Digital service on the 'kent.gov.uk' website leaving a total of £350k for the new service.**



- (iii) **Add £0.400m to “Contribution to Reserves” (Finance Portfolio, p55, line 12) to transfer the net savings from Kent TV to the Economic Downturn Reserve.**

- (f) that final recommendations in relation to the Schools Budgets and Dedicated Schools Grant (DSG) be delegated to the Cabinet Member for Children, Families and Education (CFE);
- (g) a total requirement from Council Tax of £569,448,669 to be raised through precept to meet the 2010-11 budget requirement; and
- (h) a Council Tax as set out below, for the listed property bands:

Band								
Council Tax for Band at 2.1% increase	A	B	C	D	E	F	G	H
£	698.52	814.94	931.36	1,047.78	1,280.62	1,513.46	1,746.30	2,095.56

All items above would have consequential amendments to the Medium Term Plan and Budget Book.

- (2) Mrs T Dean moved Mr M Vye seconded that the recommendations set out in paragraph 36 (e) be amended as follows:-

**AFFECTING THE BUDGET BOOK**

- (a) Reduce 2.1% council tax rise to zero. This would reduce the overall funding by £111.691m.
- (b) Deduct £1.337m from “Asylum Seekers” (Children, Families & Education Portfolio, p9, line 4) (Reduce net cost of the Asylum Service to £nil).
- (c) Deduct £0.100m from “Strategic Development Unit” (Corporate Support Services and Performance Management Portfolio, p50, line 1) (do not retain £0.100m for running costs of Kent Digital service on kent.gov.uk).
- (d) Deduct £0.200m from “Kent Department of Public Health” (Public Health and Innovation Portfolio, p43, line 1) (Cease Health Watch).
- (e) Deduct £0.153m from “Corporate Communications” (Corporate Support Services & Performance Management Portfolio, p49, final line) (Remove budget for Around Kent).
- (f) Reduce PR budget by 20%, reducing overall budget by £0.750m.
- (g) Extend over the medium term period the decision by Chief Officers not to receive bonus payments, reducing pay budget by £0.100m.
- (h) Deduct £1.000m from “Modernisation of the Council” (Finance Portfolio, p55, line 5) (Reduce Modernisation of the Council budget by £1.000m by minimising the number of staff redundancies).
- (i) Deduct £0.110m from “Democratic Services Core Service” (Localism & Partnerships Portfolio, p45, line 1) (Reduce the budget for Members’ Allowances by £0.110m).
- (j) Deduct £5.130m from “Kent Highway Services Group” (Environment, Highways & Waste Portfolio, p29, line 1) (Improve the outcomes from existing contract arrangements and reduce overheads).

(k) Increase “Contribution from Reserves” by £2.811m (Finance Portfolio, p55, line 12) (Increase the use of the Economic Downturn Reserve).

Items (f) and (g) would affect a number of budget lines throughout the budget book, but not materially.

All items above would have consequential amendments to the Medium Term Plan and Budget Book.

**AFFECTING THE REPORT, BUDGET REQUIREMENT AND COUNCIL TAX**

The recommendations set out in para 35 (b) will be amended to read as follows:-

The revenue budget requirement of £931,553,000

The recommendations set out in para 35 (g) be amended to read as follows:-

A total requirement from Council Tax of £557,758,000 to be raised through precept to meet the 2010-11 budget requirement; and

The recommendations set out in para 35 (h) be amended to read as follows:-

A Council Tax as set out below, for the listed property bands:

<b>Band</b>								
Council Tax for Band at 0.0% increase	A	B	C	D	E	F	G	H
£	684.18	798.21	912.24	1,026.27	1,254.33	1,482.39	1,710.45	2,052.54

(3) The Chairman put to the vote the amendment set out in (2) above when the voting was as follows:-

For – 7

Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr G Koowaree, Mr M Robertson, Mr T Prater and Mr M Vye.

Abstain – 3

Mr B Cope, Mrs E Green and Mr W Hayton.

Against – 63

Mrs A Allen, Mr M Angell, Mr R Bayford, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mr L Christie, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mr M Dance, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr G Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A King, Mr J Kirby, Mr J Kite, Mr P Lake, Mrs J Law, Mr R Lees, Mr J London, Mr R Long, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Pascoe, Mr K Pugh, Mr W Richardson, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe.

*Lost*

(4) Mr L Christie moved Mrs E Green seconded that the recommendations set out in paragraph 36 be amended as follows:-

**AFFECTING THE MEDIUM TERM PLAN**

Amend Medium Term Plan – Page 6 – Para 1.22.

Add new paragraph at end to read:

“Recognising the limitations of two-tier working and collaboration we will positively pursue the prospect of Unitary Authorities in Kent, both because of the potential significant efficiency savings and the transparent accountable democracy such Authorities can provide.”

**AFFECTING THE BUDGET BOOK**

There is no impact on the budget book.

**AFFECTING THE BUDGET REQUIREMENT AND COUNCIL TAX**

There would be no net effect of this amendment on the overall budget proposed and consequently no amendments to the existing other recommendations before Council in relation to the levying of a precept and setting of council tax.

(5) The Chairman put to the vote the amendment set out in (4) above when the voting was as follows:-

For – 2

Mr L Christie and Mrs E Green.

Abstain – 8

Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr W Hayton, Mr G Koowaree, Mr T Prater, Mr M Robertson, Mr M Vye.

Against – 62

Mrs A Allen, Mr M Angell, Mr R Bayford, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mr M Dance, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A King, Mr J Kirby, Mr J Kite, Mrs J Law, Mr R Lees, Mr P Lake, Mr J London, Mr R Long, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Pascoe, Mr K Pugh, Mr W Richardson, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe.

*Lost*

(6) Mr L Christie moved Mrs E Green seconded that the recommendations set out in paragraph 36 (e) be amended as follows:-

**AFFECTING THE BUDGET BOOK**

(a) Deduct £0.640m from the pay budget. This to be achieved by savings from all staff earning £100,000 or more per annum. This target will be informed by

undertaking a review of whether these posts and the full reward packages offer value for money to the council tax payers in the current economic climate.

(b) Increase provision for staff pay by £0.640m to increase the pay bill by 1% for all those earning less than £18k per annum (fte) on the Kent Scheme Grades, plus those on the affected Kent Scheme pay scale, subject to negotiations with the representative bodies for these grades. The £0.640m excludes the costs of schools' staff, which would be met from the increase in the Dedicated Schools Grant.

The proposed amendments at (a) and (b) above would affect most lines in the Budget Book. However these amounts will not be material to those individual lines.

The proposed amendments would have consequential amendments to the Medium Term Plan and Budget Book.

### **AFFECTING THE BUDGET REQUIREMENT AND COUNCIL TAX**

There would be no net effect of this amendment on the overall budget proposed and consequently no amendments to the existing other recommendations before Council in relation to the levying of a precept and setting of council tax.

(7) The Chairman put to the vote the amendment set out in (6) above when the voting was as follows:-

#### For – 9

Mr I Chittenden, Mr L Christie, Mr D Daley, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr R Lees, Mr M Robertson and Mr M Vye.

#### Abstain – 2

Mr W Hayton and Mr T Prater.

#### Against – 55

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mr M Dance, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A King, Mr J Kirby, Mr J Kite, Mrs J Law, Mr R Long, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr K Pugh, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe.

*Lost*

(8) Mr L Christie moved Mrs E Green seconded that the recommendations set out in paragraph 36 (e) be amended as follows:-

### **AFFECTING THE BUDGET BOOK**

(a) Deduct £0.200m from “Kent Department of Public Health” (Public Health and Innovation Portfolio, p43, line 1) (Cease Health Watch).

(b) Increase Older people: Other Services by £0.200m (Kent Adult Social Services Portfolio, p21, line 5) (Additional support to Citizens Advice Bureaux).

The proposed amendments at (a) and (b) above would have consequential amendments to the Medium Term Plan and Budget Book.

**AFFECTING THE BUDGET REQUIREMENT AND COUNCIL TAX**

There would be no net effect of this amendment on the overall budget proposed and consequently no amendments to the existing other recommendations before Council in relation to the levying of a precept and setting of council tax.

(9) The Chairman put to the vote the amendment set out in (8) above when the voting was as follows:-

For – 9

Mr I Chittenden, Mr L Christie, Mr D Daley, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr T Prater, Mr M Robertson and Mr M Vye.

Abstain – 1

Mr W Hayton.

Against – 62

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mr M Dance, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A King, Mr J Kirby, Mr J Kite, Mr P Lake, Mrs J Law, Mr R Lees, Mr J London, Mr R Long, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Pascoe, Mr K Pugh, Mr W Richardson, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe.

*Lost*

(10) Mr L Christie moved Mrs E Green seconded the recommendations set out in paragraph 36 (e) be amended as follows:-

**AFFECTING THE BUDGET BOOK**

(a) Deduct £0.100m from the “Strategic Development Unit” (Corporate Support Services and Performance Management Portfolio, p50, line 1) (do not retain £0.100m for running costs of Kent Digital service on kent.gov.uk).

(b) Deduct £0.400m from the “Contribution to Reserves” (Finance Portfolio, p55, line 12) (do not transfer savings from Kent TV to the Economic Downturn Reserve).

(c) Increase “Supporting Independence” by £0.500m (Communities Portfolio, p34, line 1) (Set up a pilot scheme to pay employers to provide apprenticeships for vulnerable young people).

The proposed amendments at (a) to (c) above would have consequential amendments to the Medium Term Plan and Budget Book.

**AFFECTING THE BUDGET REQUIREMENT AND COUNCIL TAX**

There would be no net effect of this amendment on the overall budget proposed and consequently no amendments to the existing other recommendations before Council in relation to the levying of a precept and setting of council tax.

(11) Mr Christie with the permission of his seconder, withdrew his amendment following a commitment given by the Leader that he would ask Officers to have a serious look at identifying one-off monies from the 2009/10 underspend or Performance Reward Grant income to provide additional funding for supporting apprenticeships for vulnerable young people.

(12) Mr L Christie moved Mrs E Green seconded the recommendations set out in paragraph 36 (e) be amended as follows:-

**AFFECTING THE BUDGET BOOK**

(a) Reduce Council Tax rise to 1.86%. This would reduce the overall funding by £1.337m.

(b) Draw down £1.337m from the Economic Downturn Reserve to fund the reduction in Council Tax

The proposed amendments at (a) and (b) above would have consequential amendments to the Medium Term Plan and Budget Book.

**AFFECTING THE BUDGET REQUIREMENT AND COUNCIL TAX**

The recommendations set out in para 36 (b) will be amended to read as follows:

The revenue budget requirement of £941,907,000

The recommendations set out in para 36 (g) be amended to read as follows:-

A total requirement from Council Tax of £568,112,000 to be raised through precept to meet the 2010-11 budget requirement; and the recommendations set out in para 36 (h) be amended to read as follows:-

A Council Tax as set out below, for the listed property bands:

<b>Band</b>								
Council Tax for Band at 1.86% increase	A	B	C	D	E	F	G	H
£	696.90	813.05	929.20	1,045.35	1,277.65	1,509.95	1,742.25	2,090.70

(13) The Chairman put to the vote the amendment set out in (12) above when the voting was as follows:-

For – 9

Mr I Chittenden, Mr L Christie, Mr D Daley, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr T Prater, Mr M Robertson and Mr M Vye.

Abstain – 1

Mr W Hayton

Against – 63

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mr M Dance, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mrs J Law, Mr R Lees, Mr P Lake, Mr J London, Mr R Long, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Pascoe, Mr K Pugh, Mr W Richardson, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe.

*Lost*

(14) The Chairman put to the vote the Motion as set out in (1) above when the voting was as follows:-

For – 63

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mr M Dance, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mrs J Law, Mr R Lees, Mr J London, Mr R Long, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Pascoe, Mr K Pugh, Mr W Richardson, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe.

Abstain – 1

Mr W Hayton.

Against – 9

Mr I Chittenden, Mr L Christie, Mr D Daley, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr T Prater, Mr M Robertson and Mr M Vye.

*Carried*

(15) RESOLVED that the contents of the 2010-11 Budget and Medium Term Plan 2010-13 and the following proposals be approved:

- (a) the Revenue and Capital Budget proposals for 2010-11;

- (b) the Revenue Budget requirement of £943,244,149;
- (c) the Capital Investment proposals of £505,431,000, together with the necessary use of borrowing, revenue, grants, capital receipts, renewals and other earmarked capital funds, external funding and PFI, subject to approval to spend arrangements;
- (d) the Prudential Indicators as set out in Appendix D of the attached Medium Term Plan;
- (e) the Revenue and Capital Budget proposals as presented in the 2010-11 Budget Book (Draft for County Council) for:

- Children, Families and Education;
- Adult Social Services;
- Environment, Highways and Waste;
- Communities;
- Regeneration and Economic Development;
- Public Health & Innovation;
- Localism & Partnerships;
- Corporate Support Services & Performance Management; and
- Finance;

**Adjusted by:**

- (b) **Deduct £1.663m from “Asylum Seekers” net cost (Children, Families & Education Portfolio, p9, line 4) to reduce the net cost of Asylum Seekers to £1.337m.**
- (c) **Deduct £0.400m from “Strategic Development Unit” (Corporate Support Services & Performance Management Portfolio, p50, line 1) to reflect net savings from the ending of the contract for Kent TV (£0.500m) with £0.100m retained for running a new Kent Digital service on the ‘kent.gov.uk’ website leaving a total of £350k for the new service.**
- (d) **Add £0.400m to “Contribution to Reserves” (Finance Portfolio, p55, line 12) to transfer the net savings from Kent TV to the Economic Downturn Reserve.**

(f) that final recommendations in relation to the Schools Budgets and Dedicated Schools Grant (DSG) be delegated to the Cabinet Member for Children, Families and Education (CFE);

(g) a total requirement from Council Tax of £569,448,669 to be raised through precept to meet the 2010-11 budget requirement; and

(h) a Council Tax as set out below, for the listed property bands:

Band								
Council Tax for Band at 2.1% increase	A	B	C	D	E	F	G	H
£	698.52	814.94	931.36	1,047.78	1,280.62	1,513.46	1,746.30	2,095.56

All items above would have consequential amendments to the Medium Term Plan and Budget Book.



**Question No. 1**

**COUNTY COUNCIL MEETING**

**1 April 2010**

**Question by Mr M J Harrison to the  
Cabinet Member for Corporate Support and Performance Management**

It is now almost 6 weeks since the last snow and ice were surrounding County Hall and copious amounts of salt and grit were spread over the entire front entrance (County Road) to County Hall. Whilst it did a worthwhile job at the time there is still a large amount of this grit still laying all over the footway and steps into County Hall. There is also an unsightly mess of discarded rubbish and cigarette ends in both the roadway and the Pay and Display car park.

My question to the Cabinet Member is: "Can he please tell me who is responsible for the cleanliness and upkeep of these areas? May I suggest that a power hose might well do the job?"

**Response**

Kent Facilities Management is responsible for gritting the front steps in icy conditions and Highways grit the pedestrian areas. The car parks are swept daily by the porters first thing in the morning.

Smokers do continue to use the car parks and open areas during the working day, but we do not provide ash trays.

**COUNTY COUNCIL MEETING**

**1 April 2010**

**Question by Mr L Christie to the Cabinet Member for Environment,  
Highways and Waste**

"Many residents pay for Vehicle Crossovers to their houses and many do not. What action is he taking to ensure that fairness is applied and all residents are treated equally? For example - How many prosecutions have been initiated against offenders over each of the past 3 years? How many warning letters have been issued over that same period and with what success rate? Is he prepared to initiate discussions on a strategy to seek fairness in the system?"

**Response**

Residents wishing to have a vehicle crossing over the footway to their property are covered by both planning and highway legislation. Specific criteria are laid down that must be met before any approval for a vehicle crossing can be provided. Highway safety is a priority when considering any application.

The Highway Service applies a standard and consistent approach when considering any application. This will include there being adequate space available to park a car off-highway.

On occasions we do identify where a driver may be crossing the footway without the appropriate vehicle crossing. In this situation the highway inspector will arrange for a letter to be sent to the property owner/occupier. They will either have to stop crossing the footway or apply for a vehicle crossing.

Failure to comply would result in the matter being passed to the enforcement team and could result in formal legal action. As an example, in West Kent we have issued 115 enforcement related letters since June 2009. Whilst a number of formal actions have been pursued none have resulted in prosecutions by KCC in the last 3 years.

I strongly support fairness and would be content to initiate a discussion.

**COUNTY COUNCIL MEETING**

**1 April 2010**

**Question by Mr M J Vye to the Leader of the Council**

Given the disturbing information received by Members of this Council about the impact on staff morale and services of proposals for staff restructuring; will the Leader give his personal guarantee that all Members of the Council will have the opportunity to scrutinise all proposals for staff/unit restructuring across all the Directorates and describe the action he will take to ensure this occurs in sufficient time to influence the final decisions made.

**Response**

Decisions on staff restructurings and re-organisations are delegated to officers by the County Council. Following the changes agreed at the County Council, scrutiny of all officer decisions is now a matter for the new Scrutiny Board, which may then ask the relevant Policy Overview and Scrutiny Committee to examine a particular matter. Members may request, but not require, the implementation of such decisions to be delayed until the scrutiny process has been completed.

The Authority's consultation process with staff has been agreed with our recognised Trade Unions, represents best practice and is effective. Members of staff have clear opportunities to raise issues or concerns about a reorganisation with their line manager, personnel representative or trade union representative during the consultation period.

COUNTY COUNCIL MEETING

1 April 2010

Question by Mr M Robertson to the  
Cabinet Member for Environment, Highways & Waste

Does the Cabinet Member not agree with me, that it was disingenuous of the Council to use regional television to encourage residents, who have suffered damage to their vehicles through longstanding unrepaired potholes, to submit compensation claims when it was quite clear that the Council was not going to accept the vast majority of these claims, and had little intention of recompensing people that have suffered losses through the Council's long term neglect of the road network in this County; this being witnessed by the fact that the recent financial monitoring report to EHW POSC actually boasts that ***"The Insurance Section continues to work closely with Highways to try to reduce the number of successful claims and currently the Authority manages to achieve a rejection rate of claims, where it is considered we do not have any liability, of about 75%."***?

Response

If a person has a legitimate claim against the Highway Authority, we want to make sure that they have the knowledge of how to make this claim. Under the 1980 Highways Act, a legitimate claim is likely if one of the following conditions arises:

- (a) KCC knew about a dangerous defect in the road and had failed to do anything about it within a reasonable time; or
- (b) KCC had no means of finding out about a dangerous defect in the road because we did not have a proper system of inspection and repair.

KCC has a comprehensive system of inspection and repair which complies with its statutory duties and therefore we would expect to have a high rejection rate for claims. We have a duty of care to our council tax payers and where we are not found to have breached the two conditions mentioned, we will defend robustly any claims made against us.

**COUNTY COUNCIL MEETING**

**1 April 2010**

**Question by Mr T Prater to the Cabinet Member for Finance**

What additional costs in delivering Council Services, including delivering home care, are anticipated above the budgeted costs for 2009-10 and 2010-11 given the current high cost of fuel?

**Response**

We are not anticipating incurring any net additional costs in 2009/10 over and above the approved budget, in fact the latest budget monitoring report is forecasting on overall net under spend of just over £7m excluding schools and asylum. As in every year this net position is made up of a number of variations (both under and overspends) from the original approved budget which are covered in detail in the quarterly and exception budget monitoring reports to Cabinet. We are not forecasting any pressures relating to fuel costs as we made provision for significant pressures within the approved budget.

We have made provision in the 2010/11 budget approved by the County Council at the last meeting to cover the base budget implications of any variations which occurred during 2009/10, plus our best estimate for unavoidable pressures which we anticipate arising during the year. Inevitably these are the estimated impact of future pressures and there will be some variations which materialise during the year. It would be improper and unlawful for the County Council to approve a budget which knowingly made inadequate provision for known factors.

The transport budgets across all directorates have been increased by some £2m in 2010/11, most of which reflects the rising cost of fuel.

**COUNTY COUNCIL MEETING**

**1 April 2010**

**Question by Mr P W A Lake to the  
Cabinet Member for Children, Families and Education**

About 100 pupils in Kent, who have been assessed suitable for grammar school, have failed to gain a place, because places have been given to pupils outside Kent, from as far away as Beckenham and Bromley. Will the Cabinet Member for Children, Families and Education tell me what steps are going to be taken to ensure that all Kent children are offered a place in the future? In the short term will grammar schools in West Kent be ordered to reconfigure their intake to allow Kent children currently denied a place to get the education they are entitled to? Why operate a selective system if you cannot successfully carry it out?

**Response**

This year, just 4% of pupils did not get one of their preferred schools. This was just over 500 pupils and just over 100 of these had passed the Kent test and named a grammar school preference. There are sufficient grammar school places in West Kent for Kent children but, under current legislation, we cannot prevent Kent schools offering places to children from out of county. It should be noted that there is almost an equal number of Kent pupils attending schools outside of the county as there are children outside Kent choosing Kent schools. This is parental choice. This year, 15% fewer out of county children were offered places in the Tonbridge and Tunbridge Wells grammar schools than last year (65 children in 2009 this year 55).

I would like all Kent schools (not just grammar schools) to have admissions criteria favouring children who live within a certain radius of the school and who come from named Kent parishes (so as not to disadvantage rural areas). Going to a school near home reduces travel, makes attendance at out of hours events easier and helps build communities. Some schools already have such a policy and this does not seem to have an adverse effect on results.

Foundation schools, Voluntary Aided schools and Academies are their own admissions authorities and the LA has no legal power to order the schools to change their admissions arrangements if they are set within the legal parameters. In my view, these schools should be supporting and prioritising their local communities, it is an issue I intend pursuing and have engaged the services of a recently retired adjudicator to help me through the maze of legislation surrounding the very complicated admissions process with a view to improving it.

**COUNTY COUNCIL MEETING**

**1 April 2010**

**Question by Mrs Dean to the Cabinet Member for Environment, Highways  
and Waste**

In view of the public interest in the issue of Street Lighting will the Cabinet Member for Environment, Highways and Waste please agree to defer his decision on Street Lighting Policy until it has been able to be discussed by members of the EHW POSC?

**Response**

Yes.

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By: Paul Carter, Leader of the Council  
David Cockburn, Executive Director of Strategy, Economic Development & ICT

To: County Council – 1 April 2010

Subject: Comprehensive Area Assessment

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## **1. Summary**

1.1 In 2009 the Audit Commission launched the Comprehensive Area Assessment (CAA) process as the successor to the Comprehensive Performance Assessment (CPA). The CAA provided a judgement by the commission of the performance of individual organisations through an Organisational Assessment report and a judgement of the effectiveness of partnership working in and Area Assessment report.

1.2 Although KCC has expressed significant reservations about the CAA process (as recently as in the report to Cabinet in October 2009), it remains the national system for England until at least the end of 2010 and so the judgements published about Kent and KCC play a significant part in how the area and the authority are viewed.

1.3 Claire Bryce-Smith is the Audit Commission CAA lead for Kent & Medway and is presenting a summary of the CAA picture in Kent to members today. This report highlights the key findings published in December 2009, relating to activities and outcomes in 2008/9.

1.4 Kent excels in both reports. Kent County Council is joint top among all county councils in England – it is one of only three county councils that are “performing excellently”. So, for the eighth year running, Kent County Council has scored the highest possible overall rating. The county is also singled out for exceptional achievement. In the partnership assessment, Kent gets two exceptional accreditations for improving young peoples’ education and skills, for providing job opportunities to match Kent’s growing economy and for the Gateways, which bring a wide range of public, community and voluntary services under one roof.

## **2. Extracts from the Audit Commission reports**

### **2.1 Kent – the county**

The Area Assessment paid tribute to how Kent partners were working together to improve life in Kent.

Direct quote from the Audit Commission:

“Kent’s public services deserve recognition for two exceptional and innovative areas of work. One is “the wide range of training and learning opportunities and support available for young people, adults and families to improve their skills.”

The second is “the pioneering chain of Gateway one-stop shops across the county. These bring a wide range of public, community and voluntary services under one roof, making it easier and more convenient for local people to use them.”

Direct quote from the Audit Commission on the Green Flag on improving skills

“Kent Partners show a strong commitment to improving local peoples’ skills to meet Kent’s economic needs so everyone benefits. Even in the current recession, Kent’s economy is growing and the future levels of growth planned for the county are ambitious. A range of partners from the business community, the public sector, education providers and community groups are working together, investing in facilities, courses and apprenticeships and helping people into better jobs. A wide range of opportunities for the development of the skills of young people and adults are available.”

Direct quote from the Audit Commission on the Green Flag for Gateways

“A pioneering chain of one-stop high street shops across Kent is improving the way people can get local services. The county and district councils have worked to bring local services together under one roof, from benefits through to housing advice and adult social care. This makes it more convenient for people to find out what they want to know about services in one visit. Before the one stop shops, people often had to contact individual organisations or departments spread across a number of locations. The bright and welcoming Gateway shops are fully accessible to disabled people, such as wheelchair users. They provide free internet access and contain self-help kiosks for paying bills. Many people say they like using the Gateways and numbers accessing services have risen rapidly.”

Further comments from the Audit Commission on Kent as a county:

“Kent is one of the largest counties in England with a population of over 1.4 million. People in Kent feel safer than most other places. Crime rates are low and are falling lower still with good partnership working.”

“Many more people in Kent are healthier and living longer, but there are still big variations between and within areas. The quality of health services are improving, but not fast enough.”

## **2.2 Kent County Council – the organisation**

The Audit Commission said:

“Kent County Council clearly understands what matters to Kent residents” and “targets these with great effect”. The council has demonstrated “clear innovation and significant outcomes in a number of its key priority areas, exceeding challenging targets in many cases”. Important services such as adult social care, safeguarding children and education are good. “Leadership is farsighted and strong” and “the council has an excellent track record in delivery, providing confidence for further improvements”.

Kent County Council has nine priorities that it seeks to deliver for the people of Kent, as follows:-

### Economic success – opportunities for all

Direct quote from the Audit Commission:

“The council has continued to be proactive in boosting jobs, supporting businesses during the recession with much success. The council makes good use of its considerable purchasing power to support small local businesses.”

### Learning for everyone

Direct quote from the Audit Commission:

“Secondary schools perform well overall and more sixth forms are good or better than seen in similar areas or the country overall. More special schools are good or better than is the case nationally or in similar areas and the local authority fostering and adoption agencies, and private fostering arrangements, are all good. A large programme is underway to rebuild schools to a high standard across the county and this is the largest scheme in the country.”

### Preparing for employment

Direct quote from the Audit Commission:

“The council’s approach to improving skills and helping younger people into work is extensive. There is a wide range of vocational programmes and apprenticeship schemes. These, importantly, work closely with employers and training providers to make sure skills training fits with the needs of local employers.”

“Numbers of apprenticeships employed directly by councils in Kent is increasing. As a result, the county council and partners are on track to achieve 750 apprenticeships in the public and private sector by 2010....This is impressive. Nearly all those who complete their apprenticeships get employment.”

### Enjoying life

Direct quote from the Audit Commission:

“The council has received national recognition for its work in promoting and boosting participation in sport in the build up to the 2012 Olympic Games. The highly successful Kent School Games won the council beacon status for 2009. This award recognises innovative practice. Promoting Kent as a centre for the arts continues, and the Turner Contemporary Gallery in Margate is on track to open next year. Accessing a whole range of public services and advice and support from voluntary and community organisations is being made easier and more convenient through the bright and welcoming, pioneering network of Gateway shops, found in seven town centres across Kent.”

### Keeping Kent moving

Direct quote from the Audit Commission:

“A comprehensive package of measures to keep Kent moving and reduce congestion is delivering success. This includes, the large scale roll out of the Kent Freedom Pass for use by 11 to 16-year-olds on buses, which is helping to reduce the school run, ‘town centre’ congestion, as well as promoting independence.” Other “actions include using better technology to improve traffic flows through to promoting and providing more choice in how people can travel. Better ways of keeping traffic moving are helping to reduce congestion in the busy centre of Maidstone. This is reducing journey times and is helping to improve local air quality.”

#### Environmental excellence and high quality homes

Direct quote from the Audit Commission:

“Overall streets and public places in Kent are clean and well-kept. Households in Kent produce more waste than average but levels are falling fast. A number of campaigns and initiatives are helping to reduce the amount of waste being put into bins. This is good for the environment because less waste needs to go to the incinerator and landfill.”

“The council is successfully reducing the impact of its own services on the environment by promoting a range of actions. Recycling at County Hall is high and business miles have been cut. Many more empty homes have been brought back into use as a result of successful partnership working with the district councils.”

#### Improved health, care and wellbeing (staying healthy)

Direct quote from the Audit Commission:

“The council is doing well to improve people’s health. The Kent Healthy Schools Programme ... is on target to reach 100 per cent of all Kent schools by December 2009. Council activities are improving the sexual health of young people. More than 8,000 young people have access to advice on sexual health.”

#### Improved health, care and wellbeing (independent living)

Direct quote from the Audit Commission:

“Among a range of findings was excellent work done by the council in delivering preventative services. Fewer people in Kent need care or treatment in hospitals or care homes. People who have long-term needs and their carers are supported to live as independently as they choose, and have well-timed, well co-ordinated treatment and support.”

#### Stronger and Safer Communities

Direct quote from the Audit Commission:

“Crime levels in Kent have fallen and remain low. Reducing crime is an important priority for the police, all councils, health services and other partners working together across Kent. Progress is good and improvements are likely to continue. More people say they feel safe, and in higher numbers, than elsewhere in the country. Work with Kent Police, and Kent Fire and Rescue, on joint initiatives has led

to innovative ways of engaging with those ... most likely to be killed or seriously injured.”

Finally, under ‘Prospects for Improvement, this is what the Audit Commission said about our use of resources:

“The council has an excellent track record of delivery, and continues to beat tough targets to make efficiency savings to reinvest in services to residents. The council has balanced and achieved its budget for 10 years while exceeding its savings plans and delivering services the public wants. The council has a strong control over costs maintaining council tax at relatively low levels.”

### **3. Recommendation**

This report is for information only, but following the presentation from Claire Bryce-Smith, there will be an opportunity for Member questions.

Contact details

Robert Hardy

Head of Performance Improvement and Engagement

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01622 221343

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By: Paul Carter – Leader of the Council  
Roger Gough – Cabinet Member, Corporate Support Services and Performance Management  
Peter Gilroy – Chief Executive

To: County Council – 1 April 2010

Subject: Revised Kent Scheme Pay Structure and Appraisal

Classification: Unrestricted

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Summary: This paper outlines the proposed changes to the Kent Scheme Pay structure and its associated performance based progression and seeks the County Council's endorsement.

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## **1. INTRODUCTION**

- 1.1. Over recent years a number of significant improvements have been made to the County Council's local pay arrangements including a revised job evaluation process, single status, a new grade structure and Total Contribution Pay. KCC has placed itself ahead of much of the public sector, and indeed some in the private sector. All the improvements have been achieved whilst protecting staff, our services and council tax payers.
- 1.2. These improvements are seen as part of an ongoing review and developments which will maintain position and advantage as an employer, and optimise value for money for the authority are continually considered. There is scope for a better relationship between performance and reward and "incremental progression" is outdated, providing little value to managers, employees or the organisation.
- 1.3. This report proposes a transformation of the Council's pay structure to modernise and support performance management. This is being introduced to assist managers and the business deliver services and provide better recognition of personal delivery of business related targets. It has been the subject of previous discussion and agreement at Cabinet, Chief Officer Group as well as Personnel Committee.

## **2. CONTEXT**

- 2.1. The rigidity of the current incremental structure does not support a performance management culture well as incentives and progression are constrained by the value of pay progression points. Consequently the value of "good" performance throughout the year is 2.7%. Those that are able to achieve an "excellent" rating, on 12 months excellent performance are rewarded with approximately a 4% increase. Such a differentiation does not encourage higher levels of performance, nor does it accurately reflect the difference in level of performance.

2.2. Any redesign of the pay structure and progression must be made on the following principles:-

- Simplicity – easy for everyone to understand
- Minimal bureaucracy
- Consistency with a degree of flexibility to meet local requirements
- Encouraging high performance
- Complying with Equality requirements

### **3. PAY STRUCTURE**

3.1. In considering potential models, a number of other organisations of similar size and context have been assessed. All organisations require some form of pay progression. The current proposal has taken the best aspects of other schemes but is designed to provide us with a system that specifically meets the needs of our organisation at the current time. The model provides a foundation for further development and growth without the need to go back to the basic structure.

3.2. The revised model is based upon Pay ranges, which are common practice outside the public sector and provide an opportunity to make a transition to a more flexible pay structure, with greater ability to set levels of reward dependant upon performance. Appendix 1 provides an illustration of how the ranges will look compared to the current scheme. The removal of increments for all grades is a significant principle and to the best of our knowledge unprecedented in Local Government.

3.4. The rate of progression and relative value of appraisal ratings will be set by Kent County Council after the Total Contribution Pay assessments. This has the dual benefit of separating the assessment discussion from the financial implication, leaving the manager able to determine level of performance without restriction, and of the organisation setting the value of the ratings across all of KCC from the identified total budget, with an appropriate level of differentiation for those performing at a higher level.

### **4. APPRAISAL**

4.1. Our current appraisal system is now relatively well embedded in practice and has developed the formal nature of a review for all staff that was not present previously. However in recent years the vast majority of assessments result in the “good” rating (approximately 90%). A number of factors that drive this, not least that the model has a middle choice for managers, but also significantly that the “good” description is too broad. It is therefore proposed that the model is reduced to four levels, Outstanding, Exceeding required standard, Achieving Required Standard and finally Requiring Performance Improvement. Final descriptors for the ratings and more importantly clarity of definition is yet to be finalised. Those staff who are the subject of formal Capability and Performance procedures will have no assessment and receive no increase in pay. Appendix 2 provides an illustration of the conversion from the current to the proposed appraisal ratings.

4.2. It is critical that managers are suitably confident and competent with the new model. They should see this as a tool to assist them delivering their objectives



and apply it in a fair way which objectively separates out the differences in personal contribution levels and rewards them accordingly. This will require both commitment and resources to ensure that any revised scheme has a reasonable chance of success. A comprehensive development programme for managers on managing performance, utilising the revised scheme, will be provided for managers.

- 4.3. The development of the Reward Strategy to date has been undertaken in partnership with our recognised trade unions. However this latest development does pose a risk of a collective' dispute and Unison have already expressed their objection, although they are continuing to participate in discussions.
- 4.4. The transition to the revised scheme is predicated on being cost neutral. It neither requires additional funding, beyond project costs, nor is it expected to deliver direct savings.

## **5. IMPLEMENTATION**

- 5.1. In recognition of the nature and magnitude of the change, a project team has been established and includes representatives from Directorates, and Corporate Personnel & Development and Finance. Consultation has now concluded and despite the use of various forms of communication has produced very little response. The communication has to date included Team Briefing, extra mail messages, leaflets, and manager presentations to staff that we will continue throughout the year, supplemented with performance management training for managers. The project budget to facilitate the change of structure and associated processes has been set at a maximum of £300k.
- 5.2. Transition to the new structure is from April 2010. Whilst the appraisal ratings will not be used until the end of the year, these will be apparent to all staff from the beginning of the process.
- 5.3. The consequence of the change of structure and appraisal scheme will not impact on existing staff immediately, and therefore it is quite possible that any adverse reaction might not be realised until March 2011. In anticipation of this significant investment of time has and is being made to ensure that staff receive the key messages.

## **6. CONCLUSION**

- 6.1. The move to the new Kent Scheme Pay and progression scheme will be a significant change. It would represent an important step in the further progression towards achieving a high performance culture where individuals are rewarded according to what they achieve in their job and how they achieve it. Success will be dependant upon support from Members, Chief Officers and senior managers.
- 6.2. In making this transformation of pay structure and progression, the level of potential challenge from staff, trade unions and managers should not be underestimated. There will be many that doubt the principles and purpose and will seek to challenge and undermine. The resolve and commitment of both Members and Chief Officers is therefore critical.

## **7. RECOMMENDATIONS**

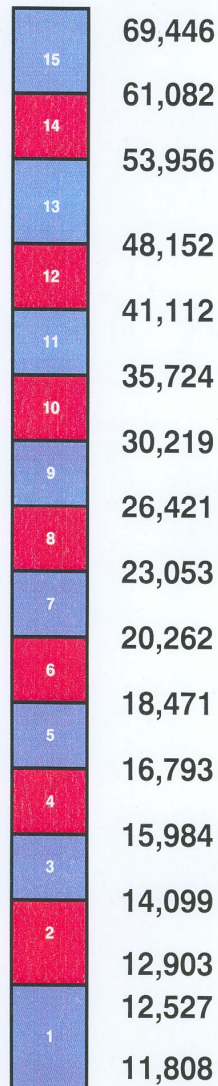
- 7.1. County Council are asked to note and endorse the proposed pay structure and appraisal model.

Amanda Beer  
Director of Personnel & Development

Paul Royel  
Head of Employment Strategy

PAY POINT	£
1	11808
2	12161
3	12527
4	12903
5	13291
6	13689
7	14099
8	14523
9	14957
10	15407
11	15984
12	16218
13	16440
14	16793
15	17140
16	17799
17	18471
18	19156
19	19668
20	20262
21	20923
22	21599
23	22297
24	23053
25	23819
26	24771
27	25600
28	26421
29	27202
30	28015
31	28823
32	29427
33	30219
34	31076
35	32001
36	33045
37	33934
38	34833
39	35724
40	36630
41	37523
42	38376
43	39319
44	40215
45	41112
46	41992
47	43357
48	44684
49	45842
50	47000
51	48152
52	49326
53	50481
54	51637
55	52799
56	53956
57	55122
58	56555
59	58025
60	59534
61	61082
62	62669
63	64300
64	65971
65	67686
66	69446
67	71252

**Proposed Kent Scheme salary range**



## APPRAISAL RATINGS

(1) Exceptional	—————	(1) Outstanding*
(2) Excellent	—————	(2) Above Required Standard*
(3) Good	—————	(3) Achieving Required Standard*
(4) Incomplete	—————	(4) Requiring Performance Improvement*
(5) Poor		<b>Under Performance &amp; Capability</b>

Not Assessed – 9 months combined period not achieved to allow appraisal rating to be established.

All TCP ratings must be supported by completed TCP appraisal paperwork

\* - Definitions still to be formally agreed

By: Director of Law and Governance  
To: County Council – 1 April 2010  
Subject: APPOINTMENT OF GROUP MANAGING DIRECTOR  
Classification: Unrestricted

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Summary: The Council is requested to endorse the appointment of Katherine Kerswell to the post of Group Managing Director.

#### FOR DECISION

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1. On 11 March 2010 a meeting of the Personnel Committee was held for the purpose of undertaking interviews for the post of Group Managing Director. Mr Leslie Christie also attended this meeting as an observer at the invitation of the Committee Chairman, Mr Paul Carter.
2. The Personnel Committee interviewed four candidates for the post and unanimously resolved that Katherine Kerswell, currently the Chief Executive of Northamptonshire County Council, should be recommended to the Council as the new Group Managing Director.
3. In accordance with the Constitution (Appendix 2 Part 6) I recorded the name of the person to be offered the appointment and sent this information to the Cabinet asking that any objections to the making of an offer be submitted to me by 15 March 2010. With that time having elapsed and no objections having been received Cabinet has also given its support to the appointment.

#### **Recommendation**

4. The Council is requested to endorse the recommendation of the Personnel Committee to appoint Katherine Kerswell as the Council's Group Managing Director.

Geoff Wild  
Director of Law and Governance  
Ext 4302

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By: Leader of the Council  
Director of Law & Governance

To: County Council 1 April 2010

Subject: Statutory and Proper Officers of Kent County Council

Classification: Unrestricted

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Summary: This report seeks approval of the designation of individual officers as statutory and proper officers of the Kent County Council.

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1. This report reviews the position of the statutory and proper officers within the authority. The situation was last reviewed in 2002 and updated recommendations for the posts to be designated as proper officers are set out in the attached table.
2. The report also reflects the fact that the role of Head of Paid Service is now designated within KCC as Group Managing Director
3. Under the terms of the Constitution, responsibility for recommending to the Council the designation of individual officers as statutory and proper officers rests with the Personnel Committee.
4. The Local Government Act 1972 and other legislation require local authorities to make specific statutory appointments and designate proper officers to carry out particular roles and carry specific responsibilities.
5. Prior to the passing of the 1972 Act, it was the practice in Acts of Parliament to name, by reference to a post, a specific officer of the council to deal with particular activities or to undertake a specific function on the council's behalf. However, in order to leave councils free to decide for them selves who should be responsible for particular tasks, the 1972 Act abandoned this concept. Instead, numerous references are made now in legislation to the term 'proper officer' who is, in fact, the officer designated by the Council to carry out a particular task. The officer can, of course, be a different officer for different purposes.
6. The designations were considered and approved by the Personnel Committee at its meeting on 27 January 2010. Also the Selection and Members Services Committee has agreed that the County Council should be asked to approve the post of Overview, Scrutiny and Localism Manager being designated as the County Council's Scrutiny Manager in accordance with Section 31 of the Local Democracy, Economic Development and Construction Act 2009.
7. Recommendation

That the County Council approves the designation of individual officers as statutory and proper officers of the Kent County Council as set out in the attached table.

Geoffrey Wild  
Director of Law & Governance

Background Documents: The Constitution and reports submitted to the Personnel Committee and the Selection and Member Services Committee on 27 January 2010



## STATUTORY AND PROPER OFFICERS

Any enactment, instrument or local statutory provision passed prior to the Local Government Act 1972		
Purpose		Officer
Any reference to the Clerk of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council		Director of Law & Governance
Any reference to the Treasurer of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council		Director of Finance

Local Authority Social Services Act 1970		
Section	Purpose	Officer
6(A1)	Appointment as Director of Adult Social Services	Managing Director (Adult Social Services)

Agriculture Act 1970		
Section	Purpose	Officer
67(3)	Appointment as Agricultural Analyst	Public Analyst

Local Government Act 1972		
Section	Purpose	Officer
83	Witness and receive declarations of Members' acceptance of office	Head of Democratic Services & Local Leadership
84	Receive written notice of Members' resignation from office	Head of Democratic Services & Local Leadership
88(2)	Convene Council meeting for election to vacant office of Chairman	Head of Democratic Services & Local Leadership
89(1)(b)	Receive notice of casual vacancy from two local government electors	Head of Registration & Coroners
100B(2)	Decide on the exclusion of reports and agendas from public inspection	Head of Democratic Services & Local Leadership
100B(7)(c)	Decide whether copy documents supplied to Members should also be supplied to the press	Director of Law & Governance
100C(2)	Produce a written summary of proceedings taken by a committee in private	Head of Democratic

		Services & Local Leadership
100D(1)	Compile a list of background papers to a committee report	Managing Director responsible for preparing report
100D(5)(a)	Identify background papers that disclose facts or matters on which a report is based	Managing Director responsible for preparing report
100F(2)	Identify which documents contain exempt information that are not available for Members	Head of Democratic Services & Local Leadership
115(2)	Receive from officers any money and property committed to their charge in connection with their office	Director of Finance
146(1)	Sign statutory declaration to enable transfer of securities in the event of a change of name of the Council	Director of Finance
151	Responsibility for the administration of the Council's financial affairs (Chief Finance Officer)	Director of Finance
191(2)	Receive applications from Ordnance Survey for assistance in surveying disputed boundaries	Executive Director, Environment, Highways & Waste
210(6)-(7)	Exercise residual functions in relation to charities	Director of Law & Governance
225(1)	Receive and retain deposited documents	Director of Law & Governance
229(5)	Certify photographic copy documents	Director of Law & Governance
234(1)	Sign public notices, orders and other documents on behalf of the Council	Group Managing Director or other officer where the document to be authenticated relates to a delegated power
236(10)	Send copy byelaws to district councils	Director of Law & Governance
238	Certification of copy byelaws	Director of Law & Governance
Sch.12 Pt.I Para.4(2)(b)	Sign summonses to attend meetings	Head of Democratic

		Services & Local Leadership
Sch.12 Pt.I Para.4(3)	Receive written notice that a Member wants a summons sent to an alternative address	Head of Democratic Services & Local Leadership
Sch.29 Pt.II Para.41(3)-(5)	Appoint interim superintendent registrars or interim registrars of births and deaths pursuant to the Registration Service Act 1953 Exercise powers provided by the local scheme of organisation of the Registration Service pursuant to the 1953 Act Prescription by the Registrar General of duties of proper officers under the Registration and Marriage Acts	Head of Registration & Coroners

Local Government Act 1974		
Section	Purpose	Officer
30(5)	Give public notice of Local Government Ombudsman's report	Head of Democratic Services & Local Leadership

Local Government (Miscellaneous Provisions) Act 1976		
Section	Purpose	Officer
41	Certifying copy resolutions and minutes of proceedings	Head of Democratic Services & Local Leadership

Highways Act 1980		
Section	Purpose	Officer
59(1)	Certify that extraordinary expenses have been incurred in maintaining the highway by reason of damage caused by excessive weight	Executive Director, Environment, Highways & Waste
193(3)	Certify that additional expenses have been incurred in the execution of wider than normal street works	Executive Director, Environment, Highways & Waste
205(3)-(5)	Undertake duties as specified in the schedules in relation to private street works	Executive Director, Environment, Highways & Waste
210(2)	Certify amendments to estimated costs and	Executive

	provisional apportionment of costs under the private street works code	Director, Environment, Highways & Waste
211(1) 212(4) 216(2)-(3)	Make final apportionment of costs as detailed in the schedules under the private street works code	Executive Director, Environment, Highways & Waste
295(1)	Issue notice requiring removal of materials from non-maintainable streets in which works are due to take place	Executive Director, Environment, Highways & Waste
321	Authenticate notices and other documents	Director of Law & Governance
Sch.9 Para.4	Sign plans showing proposed prescribed improvement or building lines	Executive Director, Environment, Highways & Waste

#### Representation of the People Act 1983

Section	Purpose	Officer
35	Appointment as Returning Officer for local elections	Group Managing Director
67(7)(b)	Receive declarations and giving public notice of election agents' appointments	Head of Registration & Coroners
82(4)	Receive declarations and giving public notice of election agents' or candidates' election expenses	Head of Registration & Coroners
131(1)	Provide accommodation for holding election court	Head of Registration & Coroners

#### Weights and Measures Act 1985

Section	Purpose	Officer
72(1)	Appointment as Chief Inspector of Weights And Measures	Director Of Community Safety & Regulatory Services

#### Local Government Finance Act 1988

Section	Purpose	Officer
116(1)	Notify external auditor of meeting under the Act to consider a report from the Chief Finance Officer	Director of Finance

Local Government and Housing Act 1989		
Section	Purpose	Officer
2(4)	Hold the Council's list of politically restricted posts	Director of Law & Governance
4	Designation as Head of Paid Service	Group Managing Director
5(1)	Designation as Monitoring Officer	Director of Law & Governance
5(7)	Nomination to act as deputy in the absence of the Monitoring Officer	Head of Democratic Services & Local Leadership
15-17	Receive notification of the formation of a political group, changes in membership, names of group leaders and deputies, and group nominations to sit on committees	Head of Democratic Services & Local Leadership

Food Safety Act 1990		
Section	Purpose	Officer
27(1)	Appointment as Public Analysts	Public Analyst
49(3)	Sign any document authorised or required to be given, made or issued by the Food Authority	Director Of Community Safety & Regulatory Services

The Local Government (Committees and Political Groups) Regulations 1990		
Regulation	Purpose	Officer
	Notifications to and by the Proper Officer	Head of Democratic Services & Local Leadership

Education Act 1996		
Section	Purpose	Officer
532	Appointment as Chief Education Officer	Managing Director (Children, Families & Education)

Local Government Act 2000, section 22 Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000		
Regulation	Purpose	Officer
3	Produce a written statement of executive decisions made at meetings	Group Managing

		Director
4	Produce a written statement of executive decisions made by individual Members	Group Managing Director
5	Make a copy of written statements of executive decisions and associated reports available for public inspection	Head of Democratic Services & Local Leadership
6	Make available for public inspection a list of background papers	Head of Democratic Services & Local Leadership
12	Publish key decisions of the Council	Head of Democratic Services & Local Leadership

Local Government Act 2000, section 34  
Local Authorities (Referendums)(Petitions and Directions) Regulations 2000

Regulation	Purpose	Officer
34	Publish the verification number of electors for the purpose of petitions under the 2000 Act	Director of Law & Governance

Regulation of Investigatory Powers Act 2000, section 30  
The Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000

Regulation	Purpose	Officer
2	Authorise the carrying out of directed surveillance or the conduct or use of a covert human intelligence source	Director Of Community Safety & Regulatory Services, Chief Internal Auditor, Director of Law & Governance, Head of Planning Applications Unit, Principal Planning Officer (Enforcement), Head of Public Rights of Way, Public Rights of Way Officer (Enforcement), Head of Trading Standards (TS), TS Area Managers, TS Operational Manager

Freedom of Information Act 2000

Section	Purpose	Officer
36	Qualified person to confirm or deny whether disclosure of information is likely to prejudice the effective conduct of public affairs	Director of Law & Governance

The Local Authorities (Standing Orders)(England) Regulations 2001

Regulation	Purpose	Officer
Sch. 1, Part	Functions in relation to notifying Executive of	Director of Law

II, Paras. 5 and 6	appointments, dismissals, etc.	& Governance
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Children Act 2004		
Section	Purpose	Officer
18	Director of Children's Services	Managing Director (Children, Families & Education)

Local Democracy, Economic Development and Construction Act 2009		
Section	Purpose	Officer
31	Designation of Scrutiny Manager	Overview, Scrutiny & Localism Manager

- In the event of the Group Managing Director (Head of the Paid Service) not being available to deal with matters for which s/he has been designated the proper officer, the Director of Law & Governance be authorised to act as proper officer in his/her absence.
- In the event of any other designated officer being unable to fulfill his/her duties as proper officer, his/her deputy be authorised to undertake such duties instead.
- Notwithstanding the above, a proper officer may at any time delegate or authorise other officers to perform the designated duties on his/her behalf.

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By: Graham Gibbens, Cabinet Member for Adult Social Services  
Oliver Mills, Managing Director, Kent Adult Social Services

To: County Council – 1 April 2010

Subject: Active Lives Now: The Future of Adult Social Care in Kent 2010-2013

Classification: Unrestricted

Summary: Presenting Kent Adult Social Services' new three year strategy- Active Lives Now that sets out how we will begin to make the vision described in Active Lives into reality.

## Background

1. (1) Since 2000, Kent County Council has had a rolling ten-year vision of how Adult Social Services will develop. 'Active Lives' underpins the work of Kent Adult Social Services and the personalisation agenda. The vision was revised in 2006/7 so that the KASS Directorate had a fresh vision, developed following full consultation and produced by an informed panel of service users and carers. The Directorate has been implementing the vision and in 2008/9 restructured in order to deliver self directed support and personal budgets.

(2) The key drivers have been:

- a. The National Agenda of transforming adult social care, with personalisation and choice at the heart of this agenda. This has been supported by the Social Care Reform Grant.
- b. Our own local vision for transformation- Active Lives for Adults and the delivery of self directed support.
- c. KASS facing significant increases in demand for services balanced against increased public expectation that services should meet needs based upon the individual, giving them choice and control.
- d. The recession and indications that public sector funding would be reduced.

(3) In light of these challenges Cabinet asked the Directorate to produce a three year strategy that would focus on how we were going to deliver the priorities set out in Active Lives during this time. This would set Active Lives within the developing national and local context and clarify the Directorate's priorities in a time of reducing public expenditure and resources.

## Developing the Strategy

2. (1) The strategy has been co-produced by members of the public, service users and carers, staff and management teams. The strategy was developed from:

- a. The views of members of the public who were invited to an event in July 2009 to talk about their priorities. A small editorial board of users and carers then met together to comment on earlier draft versions.

- b. Latest National guidance and policy including the Green Paper on the Future of Social Care and Kent's response encapsulated in the Kent proposition and the implementation of the national monitoring process through the Milestones Measures<sup>1</sup>. In order to support the process of change the Association of Directors of Adult Social Services and the Local Government Association have worked in partnership with the Department of Health and other key stakeholders (including the Care Quality Commission - CQC) to establish a set of national milestones against which we can judge progress.
- c. KASS' transformation agenda: Active Lives for Adults (ALfA) is made up of a number of projects and programmes including the Good Day Programme, Whole Systems Demonstrator Programme, Older People's Modernisation and the Self Directed Support Project. It is delivering a structure that supports people to develop their own personalised solutions through an increasingly responsive market place.
- d. Relevant research, evaluations and performance outcomes, including areas identified with Care Quality Commission for further action, Joint Strategic Needs Assessment, health inequalities strategy and demographic and population forecasts.

### **Next Steps**

3. (1) Following the draft document being debated at County Council it will be subject to further consultation and discussion, with a view to the Strategy being finalised in the Autumn.

(2) Once the Strategy has been signed off an easy read executive summary will be produced. The Strategy will be reviewed annually and we will report our progress to Members, service users and carers.

### **Recommendation**

4. (1) County Council is asked to COMMENT on the draft strategy attached separately to the papers.

Contact:  
Nick Sherlock  
Head of Planning and Public Involvement  
7000 x6175 / 01622 696175  
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<sup>1</sup>Putting People First: Progress Measures for the Delivery of Transforming Adult Social Care Services Sept 2009

To: (i) Cabinet, 29 March 2010;  
(ii) Vulnerable Children Policy Overview & Scrutiny Committee - 31 March 2010;  
(iii) County Council, 1 April 2010

By: The Chief Executive

Subject: Safeguarding children in Kent: Defending and Developing the Service

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Summary: the report marks the final stage of the review commissioned by the County Council in December 2008, to be undertaken by the Chief Executive, of the arrangements in Kent for protecting vulnerable children. It gives an overview of the Review Team's assessment of arrangements in their local and national contexts and sets out a number of recommendations for consideration by the County Council.

#### FOR DECISION

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1. This report marks the final stage of the review commissioned by the County Council in December 2008. Previous written reports have been presented to the Children's Champions Board in February and July 2009 and these have been supplemented by verbal reports to that Board in May 2009 and March 2010. The Chief Executive and his Review Team thank the Children's Champions Board, and the Chairman, Ann Allen in particular, for their continued keen interest and their enthusiasm and support for taking this forward over the last 16 months.

2. Protecting vulnerable children is a critical responsibility for the County Council with its 'corporate parent' responsibilities and so the Chief Executive and his Review Team are pleased to be able to present their report to Cabinet and the Vulnerable Children Policy Overview & Scrutiny Committee for discussion and comment, en route to full Council, who initially commissioned it.

#### Recommendations to the County Council

3. The County Council is asked to:
- (a) note the contents of the report;
  - (b) consider its response to the recommendations set out in the report; and
  - (c) decide how it would wish to take forward its responses to the report and the recommendations.

Martyn Ayre  
Senior Policy Manager (Corporate Policy)  
01622 694355 [martyn.ayre@kent.gov.uk](mailto:martyn.ayre@kent.gov.uk)

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Previous committee references – Children's Champions Board, 12 February 2009; 20 May 2009; 21 July 2009, 10 March 2010.

Background documents – relevant reports are cited and referenced throughout the main body of the report.

**Safeguarding children in Kent: defending and developing the service**  
**Foreword by the Chief Executive, Peter Gilroy OBE**

*It is hard to imagine a service provided by public services more critical than that of protecting vulnerable children. In Kent, the County Council plays an absolutely pivotal role and I think that, despite the high stakes of the very occasional – and virtually inevitable - failure, we should be proud of the responsibility we have and the competent way we go about meeting that responsibility.*

*Most of all, we should give our whole-hearted support to those professional practitioners, their supervisors and support staff, who carry the burden of that responsibility day to day on our behalf. Being a Social worker with child protection responsibilities is without doubt one of the most difficult high risk occupations in the public sector. As we know from recent events, even when a single human error is made, it can have tragic consequences. It is at times like these we need to be most supportive as well as publicly standing up to be held to account where systemic failure or professional incompetence or negligence are the causes.*

*We – all of us - need to bear in mind that social workers are dealing with complex, dysfunctional and at times dangerous individuals and families. It is not a job for the faint-hearted – it requires a sound value base and personal resilience. It is not just about social workers. Fieldwork staff – and this must include police colleagues and health visitors – are best served by continuity and sound working personal relationships as it is this group who are needed 24/7 for this high risk work. It is not covered in detail in this report but over-regulation, rather than protect children, may well have the unintended consequences of diminishing individual and family responsibility and sound professional judgement.*

*I am pleased to commend my report and its recommendations to the County Council for its consideration. It portrays a service that is just about coping with some difficult pressures but with its morale intact. My recommendations about how arrangements might be improved, as befitting my professional background as a social worker, are offered as those offered by a critical friend. Preparing this report has, of course, relied on the assistance and goodwill of many colleagues and agencies including academic colleagues from Christ Church and Kent Universities, to whom I offer thanks on behalf of myself and my fellow reviewers, Peter Thomason and Martyn Ayre.*

*It is always invidious to single out individuals but in particular, our thanks go to Joanne Purvis in the Corporate Performance Management Team for her sterling work during the critical early stages of the review; to Ann Allen as Chairman of the Children's Champions Board for her support and sponsorship throughout; to Penny Davies, the Kent Safeguarding Children Board Manager and Kay Weiss and her team in Children, Families & Education for their unstinting efforts in providing information – and advice!*

**Safeguarding children in Kent: defending and developing the service.**

**Report to County Council, 1 April 2010**

**Executive Summary**

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*“.....the job social workers do is critical to the nation. They play an essential role in protecting children and young people from harm and supporting people of every age. The work they do can be difficult and very demanding, requiring careful professional judgements that can make all the difference to those they serve.”*

*(Extract from ‘Building a safe and confident future’, the final report of the Social Work Task Force, November 2009)*

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1. This is the final report of the review of child protection arrangements commissioned by the County Council in December 2008, following the publication of the urgent Joint Area Review in Haringey carried out in response to the death in 2007 of Baby Peter.
2. The quote with which this Executive Summary begins is not intended to diminish the role of other professionals and agencies in protecting vulnerable children from harm, abuse or neglect. Together with other key frontline professionals, particularly Police Officers and Health Visitors, Social Workers face the difficult daily task of protecting the most vulnerable in our society.
3. That said, the skills, expertise and professional training of Social Workers, together with their statutory obligations, give them a unique and pivotal role in child protection work. As the initial report in February 2009 concluded, *“....whilst systems and procedures play important roles, the protection of vulnerable children fundamentally relies on sound professional practice by social workers and others, armed with skills in assessing risk, skills in working directly with families and in a spirit of ‘respectful scepticism’, and skills (and confidence in those skills) to make inherently difficult judgements and who are supported to exercise those skills by sound professional supervision, training and management...”*

4. As this report will show – and the previous reports by the Review Team have shown - much has already been done in Kent to assess the robustness and integrity of child protection arrangements in Kent and where necessary, steps have already been taken by KCC and by the Kent Children Safeguarding Board to further strengthen those arrangements.
5. Although the death of Baby Peter was very tragic and its aftermath has perhaps seen a further erosion of public confidence, it is important to keep recent events in perspective and in their historical context. The rate of child deaths in the UK was more than halved between 1970 and 1995. Using Home Office statistics, the NSPCC states that “On average, 67 children in England and Wales are killed at the hands of another person every year” – whilst approximately 38,000 children are on child protection plans at any one time. As recent research indicates, the incidence of child homicide in the UK is the lowest in the English-speaking world and compares favourably with the majority of European countries. It is noteworthy, however, that in contrast to these data, public perceptions of risk and safety are also influenced by other factors such as, for example, the purpose and requirements of the Criminal Records Bureau. Despite its undoubted value, the existence of the CRB has been said by some commentators to have the unintended consequences of creating a ‘background’ climate of mistrust and undermining the personal, as opposed to state, responsibility for the protection of vulnerable people.
6. Notwithstanding the recent publicity surrounding the death in November 2008 of a very young baby in Kent and her father’s recent conviction for manslaughter, the position for children in Kent is one of much greater safety than the national picture. The national rate for violent child deaths in England and Wales in 2006 is reported in Professor Colin Pritchard’s most recent research as 17 per million. Using comparable data for violent child deaths in Kent between 1997 and 2009, the incidence is 6 per million – or two-thirds less than the national incidence.
7. That said, complacency is the enemy of the maintenance of high practice standards. Constant vigilance and the pursuit of improvement are essential – reliance on good practice standards, policies and procedures can only give solid assurance if compliance with them is diligently monitored. As this report indicates, referrals have continued to rise over the last year and recruitment and retention of Social Workers in Children’s Social Services has continued to be an ongoing challenge in Kent, just as elsewhere.
8. In this final stage of the review, the Review Team have sought to relate the assessment of local arrangements to the national developments that have flowed from Lord Laming’s Progress Report of March 2009 and the subsequent key policy and regulatory developments by which the Government has responded to his recommendations. With this in mind, this report commends some proposals for a strategy for defending and developing child protection services for the County Council and the Children, Families & Education Directorate to consider.

9. On 18 March 2010, a number of key national reports on safeguarding vulnerable children were published by the Government. These include:

- “The Government’s Response to Lord Laming – One Year On”, setting out the government’s view of progress;
- Sir Roger Singleton’s first annual report to Parliament in his capacity as the Government’s Chief Adviser on the Safety of Children, setting out his view of progress on implementation of Lord Laming’s 58 recommendations;
- the revised statutory guidance, “*Working Together to Safeguard Children*”.

10. As these important and highly relevant reports were published only the day before this report, it has not been possible to consider their findings and reflect them in this report. Accordingly, it is suggested that an analysis of the main messages and implications of these reports is incorporated into the detailed response and action plan that is recommended below..

11. In summary, the review recommends:

- The main elements of the proposed strategy should be the basis for further detailed review and refinement by the **Managing Director of Children, Families & Education Directorate, the Director of Specialist Children’s Services** and their staff, including an analysis of the national reports published on 18 March 2010.
- The **Kent Safeguarding Children Board** should give positive consideration to undertaking a multi-agency peer review of a sample of current child protection cases to assure itself about practice standards across agencies. (See Paragraph 20)
- The **Kent Safeguarding Children Board** should identify and report on steps taken to improve the culture of openness and exchange between member agencies and its actions to establish greater accountability to the KSCB for child protection standards within member agencies. (See Paragraph 21)
- The independent Chair of the **Kent Safeguarding Children Board** should present an annual report to the Kent County Council. It is also recommended that this report is also taken to all other relevant public bodies in Kent at Board level. (See Paragraph 22)
- **Kent Children’s Social Services** should make regular use of the Social Work Task Force’s organisational self-appraisal tool to ensure it is achieving high standards as a social work employer. (See Paragraph 43)



- The **Kent Safeguarding Children Board** should, as a standard practice deliver multi-agency seminars and targeted training following every serious case review to ensure that the lessons from the reviews are quickly and efficiently promulgated. (See Paragraph 52)
- **Kent Children's Social Services** should maintain a continuous review programme to ensure the adequacy of administrative support services and systems for social workers with a view to reducing professional social work time spent on administration and increasing the direct client contact time. (See Paragraph 57)
- **Kent Children's Social Services** should establish partnerships with other local authorities to share approaches aimed at minimising the administration workload of social workers and to seek shared solutions through the joint development of efficient, casework-oriented, and user-friendly information technology programmes. (See Paragraph 57)
- **Kent Children's Social Services** and the **Kent Safeguarding Children Board** should ensure a good standard of referral information through training programmes and quality assurance audits with partner agencies. (See Paragraph 58)
- Urgent action should be taken by **Kent Children's Social Services** to reduce the rate of abandoned calls to the Kent Contact and Assessment Service, based at Kroner House. (See Paragraph 60)
- **Kent Children's Social Services** should give high priority to the current review of their staff supervision policy with the objective of making professional social work supervision a guaranteed and protected element of the service with protected time for practitioners and supervisors. (See Paragraph 62)
- The **Kent Safeguarding Children Board** should develop in partnership with appropriate academic and other training institutions electronic and interactive training packages that can be used for workplace training and team development of skills necessary for child protection work across and specific to agencies. (See Paragraph 63)
- **Kent Children's Social Services** should establish a trainee scheme for suitable candidates for professional social work training and provide financial assistance through training professional training in return for a contractual commitment to remain in employment with the county for a minimum of two years after qualifying. (See Paragraph 66)

- **Kent Children's Social Services** should seek to establish a number of bursaries or sponsored places on suitable social work training courses. (See Paragraph 67)
- **Kent Children's Social Services** should establish close partnerships with suitable centres of academic excellence to develop training and research programmes that will meet the demands of child protection social work. (See Paragraph 70)
- The **Kent Safeguarding Children Board** and **Kent Children's Social Services** should develop training initiatives that will ensure that all professionals in the course of their qualifying training have joint training modules to increase the shared professional understanding of child protection work and to establish a core of inter-professional skills and knowledge. (See Paragraph 70)
- **Kent Safeguarding Children Board** and **Kent Children's Social Services** should seek to establish a multi-agency specialised training unit, ideally in partnership with all agencies, within the county aimed at developing the necessary skills for working with difficult uncooperative families. (See Paragraph 71)
- **Kent Children's Social Services** should establish robust mechanisms for providing advice and alerts to senior managers and to elected Members and which will also provide reassurance to social workers that their professional values and ethics are being promoted and safeguarded. (See Paragraphs 72 and 73).
- **The Leader and Chief Executive/Group Managing Director** should arrange with the Director of Children Services, the Director of Specialist Children's Services and the independent chair of the Kent Children's Safeguarding Board an annual programme of reporting to Cabinet and full Council to provide an open and systematic approach to quality assurance. This programme should be managed through the Managing Director for Children, Families & Education and the Director of Specialist Children Services and coordinated by Corporate Policy, supported with advice from a reference group comprising frontline practitioners. (See paragraphs 72 and 73)

## **SAFEGUARDING CHILDREN IN KENT: DEFENDING AND DEVELOPING THE SERVICE**

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This report concludes the review of Kent County Council's child protection services undertaken at the request of elected Members in December 2008. It provides an overview of the process and its findings and, within the context of national developments, recommends elements for a strategy for maintaining an effective standard for safeguarding children who may be at risk of abuse or neglect.

Previous reports have been presented to the Children's Champions Board on:

- 12 February 2009
  - 20 May 2009 (verbal report)
  - 21 July 2009
  - 10 March 2010 (verbal report)
- 

*"... the job social workers do is critical to the nation. They play an essential role in protecting children and young people from harm and supporting people of every age. The work they do can be difficult and very demanding, requiring careful professional judgements that can make all the difference to those they serve."*<sup>1</sup>

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### **Introduction**

1. In response to the national concern about standards of child protection raised by the reviews and inspections in the London Borough of Haringey following the death of baby Peter Connolly, Kent County Council resolved that an independent review of Kent Children's Social Services safeguarding practice should be undertaken by the Chief Executive<sup>2</sup>. In view of the important multi-agency responsibilities for protecting children, the review was extended to include three distinct components:

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<sup>1</sup> Introduction to *Building a safe and confident future*, the final report of the Social Work Task Force: November 2009, Department of Children, Schools and Families.

<sup>2</sup> Kent County Council meeting of 11.12.08

- Assessing if children are properly protected by Kent Children's Social Services
  - Assessing if other relevant agencies in Kent are discharging their child protection responsibilities effectively
  - Assessing the impact of national developments on the current and future protection of children in Kent
2. **Phase I** of the review concentrated on Kent Children's Social Services and reports presented to the Children's Champions Board during 2009<sup>3</sup> indicated that the child protection processes of Children's Social Services are operating effectively and that responses to new and existing referrals where a child may be at risk of abuse or neglect are timely and appropriate. In accordance with the request by the Secretary of State for Children Schools and Families to all local authorities in November 2008, the safeguarding review paid particular attention to the shortcomings identified in Haringey by formal inspections following the death of baby Peter Connolly. Although the review found some of the Haringey features could be identified as stress factors in Kent Children's Social Services (e.g. staff shortages, time-consuming requirements of the national Integrated Children's System of computerised recording and rising rates of child protection referrals), they did not represent an immediate and high level of risk in managing existing child protection cases and the response to new child protection referrals was timely and professional. In common with most local authorities, Kent is managing its service under considerable pressure and the commitment and dedication of practitioners, managers, and administrative staff is indispensable to the maintenance of an effective standard of service in the face of increasing referral rates. Due to the variety of pressures on social services departments, it is important that there is constant vigilance and that prompt management action is taken to resolve pressures that may impinge on the organisation's ability to respond in an appropriate and timely manner is monitored safe operation of the child protection process.
3. **Phase II** of the review concentrated on the inter-agency aspects of child protection and involved the Kent Safeguarding Children Board (KSCB) as "the key statutory mechanism for agreeing *how the relevant organisations in each local area will co-operate* to safeguard and promote the welfare of children in their locality, and for *ensuring the effectiveness of what they do*."<sup>4</sup>

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<sup>3</sup> See reports and minutes presented to the Children's Champions Board meetings of 12.02.09, 20.05.09, and 21.07.09.

<sup>4</sup> Children Act 2004 and statutory guidance contained in *Working Together to Safeguard Children* (2006), Paragraph 3.2 (the italics have been added for emphasis).

For a child protection system to be effective, all agencies<sup>5</sup> with responsibilities for the safe care of children must have robust and efficient child protection processes and there must be good inter-agency communication and co-operation in identifying and assessing children who may be at risk of significant harm and in working together to implement child protection plans.

4. This phase of the Safeguarding Review has involved working closely with the KSCB's Performance Sub Group in a programme of appraising its member agencies' own quality assurance reviews and in a further review of their inter-agency responsibilities.
5. The commitment of the KSCB has been very positive and the work of its Performance Sub Group has been useful in forming a view regarding the fitness of collective agency child protection processes. However, the complexity of member agencies' internal review processes and the understandable need to balance the nurturing of good relationships, with discretion, have meant that the review team has been unable to form a really detailed view of how the individual agencies operate.
6. Although member agencies of the KSCB will have complied with the Secretary of State's request that all agencies should undertake their own reviews of practice pending the completion of the national review by Lord Laming, only Kent Children's Social Services, through the process of this review, have decided to make their findings public. It is the review team's opinion that this may have been a missed opportunity for all agencies to increase transparency and the public understanding of the complexities and challenges that face all agencies engaged in child protection. The review team would strongly encourage partners to share the results of these internal reviews with their partner agencies on the KSCB. Although it is assumed that the management boards of individual agencies are satisfied the process has been completed to a satisfactory standard and that action has been taken where improvements are indicated, a greater sense of co-ordination could certainly have been achieved if a more open approach had been adopted. The function of the KSCB in monitoring and ensuring the effectiveness of child protection within and between agencies is constrained unless member agencies adopt a more open attitude.
7. The KSCB is actively considering measures aimed at improving this situation by seeking the agreement that all member agencies will formally notify the Performance Sub Group of any child protection audits they are conducting

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<sup>5</sup> Agencies with specified responsibilities for child protection and the duty to co-operate are defined by Section 11 of the Children Act 2004.

together with details of the methodology, results when completed, and where deficiencies are identified, further reports regarding remedial action. Agreement to this development will considerably enhance the effectiveness of the KSCB and will provide an additional and transparent element of accountability for its member agencies.

8. Despite the lack of detailed insights that can be given regarding other agencies' internal review processes, the KSCB has clearly started to make good progress in assessing three critical questions relating to child protection work:
  1. What works well in terms of inter-agency partnership practice in safeguarding children?
  2. What gets in the way in terms of multi-agency working partnership practice in safeguarding children?
  3. Are there any actions you would like the Board to take forward?

Response to these questions was varied and is the subject of continued appraisal. However, the following generalised opinions are evident and will form the basis of further action by the KSCB:

**What is working well in inter-agency child protection work?**

9. In response to the first question, much is working well already. Many respondents set great store on direct contact between referrers and those social workers – and police officers – involved in responding to allegations of child abuse or neglect. This is seen as a key means of improving mutual understanding. Such direct contact may be in connection with individual referrals or via MARAC meetings or other local forums for multi-agency case-discussion and learning. This has been reflected in the emphasis the Performance Monitoring Sub Group has placed on encouraging the development of local face-to-face mutual quality-assurance activity. The importance of front-line professionals from different agencies developing mutual awareness of and confidence in others' work is a repeated theme.

**What gets in the way of good inter-agency child protection work?**

10. The response to the second question indicated a general concern regarding a lack of awareness of respective roles and responsibilities which undermines good effective working between agencies. This is reported as a concern by some colleagues from, for instance, district councils, for whom dealing with child protection is a less frequent and non-core activity.
11. A further impediment to good inter-agency working was identified as the differential interpretation of thresholds for intervention, especially around the circumstances that deem a referral to be one of 'child protection' or a 'child in need'. Put at its simplest (and that has inherent difficulties), some agencies

who refer cases to CSS for assessment and investigation regard their referral as one of child protection but, from their viewpoint, CSS appears to underestimate the seriousness of their concerns by treating it as a 'child in need' referral. In the absence of hard data, it is not possible to put a figure on the frequency of differential interpretation – or professional difference of opinion, as some might term it – but it seems a sufficiently frequent occurrence for several respondents to remark upon this as an impediment to more effective joint working. This difficulty has also been identified as a factor in the review of serious case reviews undertaken by Edinburgh University (see Paragraphs 15 - 18).

12. This situation may be exacerbated by incidents of actual or perceived lack of feedback from CSS (as cited by some referring agencies), the poor quality of some referrals (as cited by comments from, primarily, CSS colleagues), and the apparent reluctance of all parties to utilise local escalation protocols to resolve differences of opinion. All of these factors can contribute to an area of potential and unresolved risk.
  13. For important colleagues who are nevertheless working in 'non-core' agencies, the less clear relationship between safeguarding and protection is an issue which leaves some uncertain as to where they should be focussing their resources and activities. Also, some still feel unengaged in and confused about other "Every Child Matters" policy initiatives such as the Common Assessment Framework (CFA), Contact Point and Single Point of Access (SPA) or bemused by the sometimes off-putting associated plethora of jargon, acronyms, and mnemonics.
  14. Issues about specifying, assuring and accessing training; the robustness with which policy and practice guidance is disseminated from the Board across all partner agencies in a timely and comprehensive manner and comments about confidentiality as inhibiting the exchange of referral information round off the kinds of concerns that agencies identify as inhibiting more effective work.
- Serious case reviews**
15. Another dimension by which the effectiveness of inter-agency work can be judged is the findings of Serious Case Reviews (SCRs). The KSCB is to be applauded for the research it commissioned in June 2009 from the University of Edinburgh and the NSPCC Centre for UK-wide Learning in Child Protection to analyse the 24 Serious Case Reviews that took place in Kent between 2000 and 2009. Members must remember that the 24 SCRs studied represent a very small and atypical sample of outcomes for the many thousands of vulnerable children and young people on child protection plans who have been protected and supported by social workers, the police, health professionals and other agencies in Kent over that period.
  16. The findings of the overview of these reviews reflect many of the themes identified in national surveys of serious case reviews. Of particular interest is the reviewers' opinion that many of the cases were highly individualised and although some involving long-term neglect could be considered as fairly

typical of this type of case, “others contained unique and complex factors which are far less likely to be familiar to professionals”. Further, they found “There was also a distinct absence of risk factors in some cases.”

17. From this small, but important, sample of serious child protection cases, the review drew attention to the prevalence of the following factors:
- Mental health problems in parents
  - Housing problems
  - Volatile family relationships
  - Professional differences in interpretation of procedures and thresholds
  - Difficulties in working with parents (problems of maintaining focus on the needs of the child; over-optimism regarding parental capabilities or sustained improvements; accepting parental explanations without question; dealing with intimidating, hostile and manipulative parents)
  - Ensuring an adequate tracking system for adults who may pose a risk to future children (e.g. fathers who have abused children, then leave the family and establish new relationships and produce new children)
18. With the exception of the need to establish reliable tracking and alerting systems for adults who pose risks to future children, awareness of many of the above factors can be raised through focused multi-disciplinary training programmes.

### **Conclusion to Phase II**

19. Despite the factors identified, the review team member co-opted to the Performance Monitoring Sub Group found there was no evidence to suggest significant risk or clearly dysfunctional working in the inter-agency child protection processes. Those items that do need attention are not matters which are, of themselves, unique to 2009 but nevertheless have been highlighted by the reactions to the Baby Peter case. What these commentaries indicate is, perhaps, that the greatest enemy of consistently good safeguarding practice is complacency. Like painting the Forth Bridge, the Board’s work can never be completed.
20. Nevertheless, the advice of the review team is that the Performance Monitoring Sub Group consider again the quality assurance benefits of a multi-agency peer-review of a sample of current cases of children who are subject to child protection plans to assure themselves about practice standards across agencies, in addition to the actions it has already taken and continues to take to implement the learning from the 2009 Section 11 review.
21. Furthermore, the KSCB should continue to develop a culture of openness and exchange between its member agencies and it should be active in encouraging greater sharing. If necessary, this should include both self- and mutual criticism with regard to joint child protection work.
22. Transparency and public trust in the functioning of good child protection services in Kent will be considerably enhanced by comprehensive annual



reports by the Safeguarding Board to the County Council and other public bodies

23. **Phase III** of the review is intended to place the findings of Phase I and II in the context of national factors and developments influencing the child protection functions of local authorities and other agencies. In formulating strategies to preserve the current standard of service in Kent and to develop and improve it where necessary, it is essential that account is taken of circumstances and influences, some of which are beyond the direct control of the local authority, that will influence its ability to provide an effective child protection service and the manner in which it is delivered. These are discussed in the following paragraphs.

### **National factors influencing local authority child protection services**

24. In order to defend and develop the current standard of service, it is necessary to take account of the wider context within which the local authority discharges its statutory child protection duties. This involves an understanding of the historical context, the need for proportionate responses, current developments in the social work profession, and current and anticipated financial constraints. The implications of each will need to be taken into account in formulating a strategy for maintaining and improving child protection services.

#### **The historical context**

25. Current child protection processes have been shaped significantly by the experience of previous child abuse tragedies. Most current child protection processes (e.g. the establishment of measures to co-ordinate the work of different agencies, the child protection conference, and identifying individual children as being specifically in need of protection) have their origins in a sequence of formal inquiries commencing with the death of Maria Colwell in 1974.<sup>6</sup> In recent years, the inquiry into the death of Victoria Climbié<sup>7</sup> chaired by Lord Laming and his recent review of national child protection services<sup>8</sup> have had extensive implications for children's services in general, as well as being the precursors of this review. The Victoria Climbié Inquiry concluded there was a gross failure of the system of public agencies responsible for protecting vulnerable children from deliberate harm and made 108 recommendations for amending and improving child protection services. The subsequent progress report made a further 58 recommendations for improving child protection services. These and the previous

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<sup>6</sup> Report of the Committee of Inquiry into the care and supervision provided in relation to Maria Colwell. HMSO, 1974.

<sup>7</sup> The Victoria Climbié Inquiry report by Lord Laming. HMSO, 2003.

<sup>8</sup> The Protection of Children in England: A Progress Report by Lord Laming. HMSO, 2009.

recommendations arising from over 70 major inquiries held since Maria Colwell have led to the construction of a child protection process whose purpose is not only to ensure an adequate response where children are at risk of abuse but which also aims to avoid the systemic failures which led to previous tragedies. In this sense recommendations from inquiries may be considered reactive and corrective to previous failures.

26. Concurrent with the developments arising from child death inquiries, research and initiatives aimed at improving the service to children in the public care system and in wider society have also influenced national policy and legislation. For example, the publication of *Child Protection: Messages from Research* in 1995<sup>9</sup> drew attention to the relatively poor outcomes for children taken into local authority care and proposed that family support should be the preferred option to protect the majority of children from abuse and neglect. More recently, government policy initiatives have significantly affected the nature of children's services. The *Every Child Matters: Change for Children* programme and the associated Children Act 2004 have expanded all agencies' responsibilities. All children's services are being more closely integrated in order to improve the outcomes for all children and there is a general requirement that not only should children be protected from deliberate harm (i.e. part of the outcome of "staying safe") but *all* children should also achieve the four additional outcomes of being healthy, enjoying and achieving, making a positive contribution, and achieving economic well-being. Although many initiatives have included elements of child protection, their scope has often had the global objective of aiming to improve outcomes for all children *in addition* to those considered to be at risk of significant harm. This broadening of objectives, unless properly resourced, can have the unintended consequence of diminishing the resources and focus necessary for the effective protection of children.
27. The developments arising from research and these comprehensive child welfare policies are to be welcomed and services aimed at preventing family breakdown and the stresses that may lead to abuse or neglect are preferable to intervening after abuse has occurred. However, the commendable emphasis on improving outcomes for all children and narrowing the gap between disadvantaged and normally achieving children has placed considerable demands on children's social services departments and their partner agencies: demands that are *additional* to the statutory requirement to protect children at risk of significant harm.<sup>10</sup>
28. Both strands of policy and service development (i.e. the "corrective" arising from identified shortcomings and the "prospective" arising from research and

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<sup>9</sup> Compiled by the Dartington Social Research Unit. HMSO 1995.

<sup>10</sup> Children Act 1989, Section 47.

policy aspirations) are necessary for the improvement of child protection practice and for improving outcomes for children whose life chances are affected by abuse or other disadvantage. However, expanding child welfare aspirations and the introduction of new procedures and policies carry the risk of monopolising organisational and professional attention to an understandable but risky degree.

29. Such a preoccupation can diffuse the focus on existing child protection fundamentals. For example, the publication of *Messages from Research* in 1995 (see Paragraph 26) prompted an appropriate examination of practice to ensure that children should remain in the care of their families of origin wherever possible and emphasised the importance of family support. Whilst inappropriate removal of a child is damaging, the simplistic implementation of policies to keep children at home can have the unintended consequence of engendering an organisational and professional resistance to removal, making it an action of last resort only justified by incontrovertible proof of serious harm. In attempting to conform to this new emphasis in practice development, it is possible that children were left in risky home environments when there was little potential for improvement. There is evidence that the numbers of children registered as being at risk of abuse declined dramatically following the publication of *Messages from Research* which in turn, influenced the guidance issued in the first edition of *Working Together to Safeguard Children* in 1999. In 1991, 49,000 children were recorded on English child protection registers. By 2000, the new guidance and effect of the family support emphasis of the Children Act 1989 had resulted in the total dropping to 35,000, a reduction of nearly 30%.<sup>11</sup> It is unlikely that the actual incidence of child abuse and neglect had achieved a similar reduction in the same period.
30. Although it could be argued that too many children had been placed on child protection registers before the change of emphasis engendered by the above publications, the marked change in registrations can also be seen as evidence of a pendulum effect where responses to high profile cases or research results in an unintended over-correction. This view is supported by the fact that the number of children, nationally, who are the subjects of child protection plans<sup>12</sup> subsequently increased from 25,700 in 2002 to 37,900 in 2009.<sup>13</sup> This increase of 48% suggests a compensatory adjustment to a previously over-enthusiastic application of the guidance of 1999. A similar example is suggested by the changing pattern of the primary category of

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<sup>11</sup> Office for National Statistics: "Children on child protection registers: by gender and category of abuse, 2000". Social Trends 32.

<sup>12</sup> Child protection registers were discontinued in 2008 but a child with a formal child protection plan is the equivalent to a child who would previously been placed on a child protection register.

<sup>13</sup> "Referrals, assessment and children and young people who are the subject of a child protection plan, England – Year ending 31 March 2009, DCSF.

registration which has shifted over the years from the majority of cases being registered for physical abuse, to a subsequent majority of registrations for sexual abuse, to the current predominance of registrations for neglect. These changes appear to reflect public and media preoccupations which may often influence policy initiatives. Again, it is unlikely that the *actual* incidence of each of the categories of abuse has changed in proportion to each other; the fluctuations are more likely to be the result of professional over-reaction as, for example, in the high profile given to the so-called “satanic abuse” of children in the 1980’s.<sup>14</sup>

31. Changes in the reactions to child protection concerns illustrate the inherent problems of achieving a proportionate response that achieves the objective of protecting children from abuse and neglect but which also avoids unwarranted interventions. Although concerns must be investigated and assessed, a disproportionate response is damaging in its effect on the children and families concerned and wastes resources. Despite advances in knowledge and skills in this difficult area of social work practice, a significant element of child protection work is dependent on professional judgements and a balance of risk factors. These judgements are inevitably influenced by the media presentation of the very small percentage of child protection failures which in turn affect the thresholds which trigger referrals to social services. Evidence of this is apparent in the tensions regarding thresholds and interpretation of “risk” and “need” revealed by the recent work of the Kent Safeguarding Children Board (see Paragraphs 11 and 17).
  
32. In order to ensure that children are properly protected and that interventions are appropriate and proportionate, it is important that new policies and their objectives are thoroughly understood throughout all levels of organisations. Assessment and interventions must be based on comprehensive and professionally objective criteria rather than any unintended bias that may be projected onto new initiatives. It is also important that the focus and energy absorbed by new initiatives does not diminish the sustained and careful application of established policies and practice necessary for safe and effective child protection. The achievement of this level of understanding and balance is largely dependent on organisations having the capacity to understand thoroughly the intention behind new initiatives and procedures and not merely the mechanical processes involved in their implementation. Managers may require expert advice (from within or external to their agency) to fully appraise the implications of new national initiatives and practitioners will require the time to complete the necessary training. In social work, professional supervision is an essential safeguard to ensure that new initiatives are applied appropriately in individual cases.

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<sup>14</sup> “Extent and Nature of Organised and Ritual Abuse”, J.S. La Fontaine. HMSO, 1994.

33. To avoid responses being skewed by an over-emphasis on the latest research or inquiry findings, the question is not only to assess how we are doing in relation to the latest tragedy (as in the current emphasis on ensuring we do not have similar shortcomings to those identified in Haringey) but whether we have a robust system capable of protecting all children where there is concern about abuse or neglect. A searchlight that illuminates only selected areas of the whole terrain of the child protection process can leave other areas dangerously in the dark! The strategy which is recommended for defending and developing child protection services in Kent includes measures that are intended to maintain a balanced response to the demands of new developments and initiatives.

**The wider concept of “safeguarding”**

34. Reference has been made to the *Every Child Matters* initiatives aimed at improving a broad range of outcomes for children. These included the concepts of staying safe and “safeguarding” and the replacement of Local Child Protection Committees by Local Safeguarding Children Boards.<sup>15</sup> The concept of safeguarding includes protecting children from physical abuse, sexual abuse, emotional abuse, and physical neglect. However, local authorities and partner agencies are also required under the Staying Safe Action Plan<sup>16</sup> and its associated Public Service Agreement<sup>17</sup> to take action to safeguard children from harm arising from bullying, Internet use, crime, road traffic accidents, and a number of other sources of potential risk.
35. The aim of improving the safety of all children cannot be criticised and there is evidence that progress has been made in meeting the goals established in this broadening of objectives. The Government’s “Staying Safe Action Plan” aimed to “help all children and young people to stay safe” and responses to the consultation process associated with this strategy indicated “The majority of respondents of all ages felt that children and young people in general are currently safe, secure, and well looked after, although there was still concern about some specific issues.”<sup>18</sup>
36. This broadening of concept from child protection to safeguarding has placed increased demands on social service departments and partner agencies. It is creditable that advances have been made in the general safeguarding of children but it is important that attention and organisational energy is not

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<sup>15</sup> Children Act 2004, Section 13 and Working Together to Safeguard Children (2006 Edition), Ch 3.

<sup>16</sup> Published by the Department of Children, Education and Families in 2007.

<sup>17</sup> PSA No 13, July 2009.

<sup>18</sup> Responses from the *Staying Safe* consultation, 2007.

spread too thinly over a broad range of objectives. Current policy directives suggest the need for three levels of safeguarding<sup>19</sup>:

1. Universal
2. Targeted
3. Responsive

For the effective protection of children who are at risk of significant harm from abuse or neglect, it is essential that social services and other organisations directly responsible for identifying and protecting this group should place a high priority on the targeted and responsive elements of safeguarding, i.e. child protection.

### **Themes from serious case reviews and inquiries**

37. Overview reports collating common themes in child protection failures have been published by the Department of Health and subsequently, the Department of Children, Schools and Families.<sup>20</sup> In the national inquiries and in serious case reviews, there is a marked correspondence of themes that have contributed to failures to provide adequate protection. Although caution should be exercised in generalising these findings (only half of the children subject of 189 serious case reviews conducted between 2005 and 2007 were known to their local social services department) and not all of them featured in the recent survey of Kent serious case reviews (see Paragraphs 15 -18), it is depressing that these themes do not appear to alter over the years. Broadly, they are:

- Factors indicating risk of abuse or neglect were evident in most cases but not necessarily shared amongst agencies to give a more compelling case for intervention
- Associated with the above: poor inter-agency communication
- Failure to comply with agreed child protection procedures
- Problems presented by non-compliant families or those who disguise their non-compliance and the need for “respectful uncertainty” on the part of professionals

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<sup>19</sup> Staying Safe Action Plan

<sup>20</sup> The most recent being *Understanding Serious Case Reviews and their Impact – A Biennial Analysis of Serious Case Reviews 2005-07*, DCSF, June 2009.

- Fixed thinking on the part of professionals (reluctance to change assessments in the light of new information)
  - Poor record keeping
38. If these factors are to be guarded against, agencies must have the processes to keep practice under constant review and to ensure practitioners and managers have the time for good reflective supervision and training. Agencies need to focus on what Lord Laming describes as “doing the relatively straightforward things well”.<sup>21</sup>

### **Proportionality**

39. Intervening in the lives of families where children are at risk of abuse demands a high level of professional skill and experience. It places emotional demands on practitioners who, on occasion, may also face physical risk. The work patterns are unpredictable and require flexibility from individual workers and from the agency. It involves a high level of professional responsibility to ensure that interventions are appropriate; that children are not removed unnecessarily from families; that their lives are not disrupted and at the same time, are not placed at risk. All this has to be achieved in the face of increasing referrals. In the year ending 31 March 2009, local authorities in England recorded a total of 547,000 referrals for children who were in need (including those possibly at risk of abuse or neglect). Of these, 349,000 (64% of the original referrals) received an initial assessment and of those that had an initial assessment, 120,600 went on to be subject to a comprehensive or “core” assessment. This resulted in 37,900 children and young people being made the subject of a child protection plan (i.e. only 7% of the original 547,000 referrals).<sup>22</sup> Many of the children who were not made subject to child protection plans had other needs identified which would have required the allocation of a social worker and often required additional services from other agencies. The high risk cases have to be managed as part of the total and increasing demands on social work departments. It is to their credit that most children and families receive an appropriate service and that most children who are known to social services as being at risk of abuse are protected.
40. Although only one child death is a tragedy, it is important to place child abuse fatalities in the context of the successes of the current system. The rate of child injury deaths in the UK more than halved over the 25 years between 1970 and 1995.<sup>23</sup> Statutory reviews of *all* deaths of children under

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<sup>21</sup> The Victoria Climbié Inquiry report by Lord Laming. HMSO, 2003

<sup>22</sup> DCSF: *Referrals, assessment and children and young people who are the subject of a child protection plan, England – Year ending 31 March 2009*.

<sup>23</sup> Research review by ADSS in briefing notes on issues relating to the Victoria Climbié Inquiry.

the age of 18 conducted by Local Safeguarding Children Boards in 2009 indicate that only 5% were considered to be preventable.<sup>24</sup> Of the 110 deaths that were judged to be “preventable” in 2008-09, only a small number were due to abuse or neglect and of these, not all would have been known to local social services departments. Based on Home Office statistics, the NSPCC proposes that “On average, 67 children in England and Wales are killed at the hands of another person every year”.<sup>25</sup> Due to the complexity of gathering and recording relevant information, these assertions may only be considered as estimates which are probably conservative. However, 67 fatalities compared to 37,900 children being protected would suggest that, for most of the time, our child protection system is operating effectively. The incidence of child homicide in the United Kingdom is low compared with other countries. The USA recorded 1,800 juveniles as the victims of homicide in 1999<sup>26</sup> and more recently Australia indicated that school-age children were twice as likely to be killed and pre-school children 1.5 times as often as in Britain.<sup>27</sup> Attempts at improving the child protection system in England should guard against any potential diminishing of the current level of success.

#### **Current developments in the social work profession**

41. There are significant developments affecting the future of the social work profession which will have major implications for local authorities and their child protection responsibilities. These arise from the recommendations of the recently published final report of the Social Work Task Force<sup>28</sup> which have been accepted in total by government and which are intended to be implemented over the coming years. (Details of the implementation timetable and strategy will be published by the Social Work Reform Board early in 2010.) Of the 15 core recommendations, the following will have particular implications for local authorities in their roles as employers of social workers and providers of child protection services:

- Recommendation 6 – Establishing a national standard for the support social workers should expect from their employers in order to do their jobs effectively
- Recommendation 7 – Establishing clear requirements for employers to ensure regular,

<sup>24</sup> *Preventable Child Deaths in England: Year Ending 31 March 2009*, statistical release by DCSF

<sup>25</sup> Child homicides – Key child protection statistics

<sup>26</sup> David Finkelhor & Richard Ormrod, Office of Juvenile Justice and Delinquency Prevention Bulletin, October 2001.

<sup>27</sup> Medical Journal of Australia as reported in *The Australian*, 5 January 2009.

<sup>28</sup> *Building a safe, confident future* – The final report of the Social Work Task Force: November 2009, DCSF



supportive and reflective casework supervision for social workers

- Recommendation 8 – Providing training and support for frontline social-work managers
- Recommendation 9 – Providing continuing professional development training for social workers
- Recommendation 10 – Providing a national career structure for social workers

42. It is relevant to note that the recommendations apply to *all* fields of social work, i.e. adult care and the whole range of child care responsibilities, of which child protection is but one aspect. The resource implications for local authorities are therefore considerable and extend beyond the boundaries of child protection social work. It is also important to note that due to their very recent acceptance, the resource requirements of these recommendations and their associated cost implications have yet to be estimated at national and local level. It is possible that the newly constituted Social Work Reform Board will address this aspect of implementing the reform programme. However, there is little doubt there will be substantial costs associated with the reforms and many of these will have implications for local authorities. In the current economic climate, where major constraints on public finances are inevitable, local authorities will face difficult decisions regarding the allocation of resources between and within their whole range of services. These decisions will need to be informed by sound professional and managerial information and advice backed by the political will to make what may be unpopular decisions to prioritise spending in order to defend and develop effective child protection services that do not hover at the margins of safety.

43. Whilst awaiting the deliberations of the Social Work Reform Board, local authorities are encouraged to review the operation of their own social services departments to help them move towards the aspirations of the Task Force recommendations. A framework for organisational self-appraisal is included in the Task Force report<sup>29</sup> and is commended to all organisations providing social work services. (A copy is appended to this report.) Whilst the regular management review and quality assurance programme currently operated by Kent Children's Social Services includes many of the review items in the Task Force framework and Phase I of this safeguarding review also addressed some of the items, the regular use of this tool will provide a

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<sup>29</sup> The final report of the Social Work Task Force: November 2009, Annex A: Organisations and workloads.

valuable indicator of how well the department is functioning as a facilitator and supporter of good social work practice.

44. In addition to the implications of the Social Work Task Force recommendations, the government acceptance of all of the recommendations made in Lord Laming's progress report of March 2009 also has profound implications for social work and the authorities responsible for its delivery. There is little doubt that implementing these recommendations will have both practice and cost implications. Recent research completed on behalf of the Local Government Association by Loughborough University<sup>30</sup> outlines the potential costs involved if *all* referrals to children's social services by another professional receive an initial assessment. The research also draws attention to the steep rise in referral rates to social services and the national shortage of qualified social workers necessary to meet this demand.

### **KENT'S ACHIEVEMENTS AND CHALLENGES**

45. Kent has an established record of responding quickly to national developments in social services. Examples of past achievements in the field of children's services and child protection serve to illustrate this:
- Establishment of sound finances for the Kent Child Protection Committee (now the Kent Safeguarding Children Board) long before the majority of similar committees in other local authorities
  - The development of joint training initiatives for social workers and police officers
  - Establishing close training and research links with centres of academic excellence
  - Establishing a career structure to enable experienced social workers to remain in practice with enhanced remuneration
46. These and other innovations have often been introduced at times of change and challenge and have contributed to the consistently favourable inspection results achieved by the county. The same level of application and adaptability will be necessary if child protection services are to be maintained at a safe standard in times of increasing demand, professional change, and financial constraint. Although the implications of the current changes in the

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<sup>30</sup> "Calculating the Cost and Capacity Implications for Local Authorities Implementing the Laming (2009) Recommendations" – Lisa Holmes, Emily Munro, Jean Soper: Centre for Child & Family Research, Department of Social Science, Loughborough University. March 2010.

structure of the social work profession have yet to be calculated in detail and the medium and long-term impact of financial constraints on local authorities may be unclear for some time, it is certain that all local authorities will have to confront the dilemma of meeting increasing demand with restricted or diminishing resources. Previous reference has been made to the national situation regarding child protection. It is relevant to place Kent's situation in comparison with this.

47. **Incidence rates** – Compared with the national rate for violent child deaths of 17 per million of the child population in England and Wales in 2006<sup>31</sup>, Kent Police statistics indicate that between 1997 and 2009 there was a total of 27 murders and attempted murders of children in the county. This averages at two a year and if related to the under 18 year-old child population of the county, gives an incidence of 6 per million; nearly two thirds less than the national incidence.
48. **Referral rates** – In common with national trends, Kent has experienced a substantial rise in referrals to children's social services.

<u>Year</u>	<u>Number of c&amp;f referrals</u>	<u>% Increase on previous year</u>
2006/07	10,515	-
2007/08	12,005	+14%
2008/09	17,360	+22%*

[\* N.B. Prior to 2008/09 a family of children was counted as a single referral, from 2008/09 onwards, each child in a family has been recorded as an individual referral. This accounts for a proportion of the apparent increase in referrals and the percentage increase has been adjusted by Kent CSS to allow a fair comparison with the previous means of recording.]

49. Of all the children and families referrals received by Kent Children's Social Services in 2008/09, 47 per cent received an initial assessment. Of the 8,240 referrals that received an initial assessment, 51 per cent went on to have a comprehensive "core" assessment. At the year end, there were 1000 children who were assessed as being at continued risk of significant harm and were therefore subject to a child protection plan.
50. **Staffing and vacancy rates** – The national shortage of qualified social workers creates difficulties for all social services authorities in recruiting and retaining professional staff. The added pressures of child protection work make this specialism one of the less attractive areas of social work thus

<sup>31</sup> Quoted by Professor Colin Pritchard in British Journal of Social Work, Vol 40, No 2, March 2010.

compounding the problem. Despite active and imaginative recruitment initiatives, Kent experiences similar problems to other authorities in filling its children's social work establishment and in retaining staff in the highly demanding area of intake and assessment work. Illustrative of these difficulties is the variable vacancy rates in individual social work teams in the county. For example, at the end of January 2010, a number of teams (including some Intake and Assessment Teams) had 40 percent vacancy rates and there was a 29 per cent vacancy rate for all social worker posts. Through active recruitment measures, including the employment of social workers from the USA and northern Europe, the overall vacancy rate will drop to 21 per cent as soon as the new workers have completed their induction programmes. Despite the recruitment of overseas social workers and a continued programme of recruitment from social work training courses, the peaks in vacancy rates in individual teams coupled with the marked increase in referral rates places serious burdens on remaining staff which can present a potential risk to maintaining a safe child protection system.

51. **Lessons from Serious Case Reviews** – A recent review of 24 serious case reviews conducted by the University of Edinburgh<sup>32</sup> on behalf of the Kent Safeguarding Children Board indicates that many of the lessons from these serious cases are similar to those identified in national inquiries (see Paragraphs 15 - 18). The review drew attention to the recurrence of some recommendations from the reviews and the common themes of the difficulties in maintaining focus on the needs of children when working with what are often manipulative, intimidating, and hostile parents. The need for adequate resources and training was stressed for all agencies.
  
52. The lessons and recommendations identified by the serious case reviews undertaken by the Kent Safeguarding Children Board are of vital importance to the delivery of a sound child protection system. It is essential that all agencies should give the highest priority to any recommendations concerning their service and should ensure that individual professionals and their organisation as a whole learns the lessons from these reviews. The presence of repeated recommendations suggests there is room for improving the implementation and accountability processes. Although the Kent Safeguarding Children Board is responsible for monitoring the responses to serious case reviews, wider communication of the agency responses and actions will assist in raising the understanding and engagement of professional practitioners, management boards, and elected Members, where they are involved. A significant benefit has been gained from conducting special seminars within agencies and on a multi-agency basis

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<sup>32</sup> "An Analysis of Serious Case Reviews Undertaken by Kent Safeguarding Children Board" September, 2009.

when previous reviews have revealed important lessons. Consideration should be given to the introduction of seminars after each review to ensure the lessons are properly disseminated. Consideration should also be given to presenting an annual report to the County Council which will summarise the year's reviews, their recommendations and actions taken in response by each agency

53. Whilst periods of change bring opportunities, they also bring the risk of losing focus on individual social work cases. It is for this reason that a strategy is necessary for the preservation and development of a sound level of child protection social work.

**A Kent strategy for defending and developing**

54. In seeking to ensure that children are properly protected, it is important to stress that in comparison with the majority of other nations, the United Kingdom is a relatively safe place for children. Furthermore, Kent has a child homicide rate which is substantially lower than the national average. Nevertheless, maintaining and improving that level of safety is not easily achieved and it is necessary to maintain constant review of the service. In the situation where details of the resource implications and the timetable for implementation of the Social Work Task Force recommendations have yet to be established, it is proposed that the main aspects of a strategy to defend and develop Kent's child protection service should concentrate on two elements:

1. Supporting social workers in performing their current responsibilities
2. Preparing Kent Children's Social Services for the future

55. The first element needs to take account of the findings of the earlier stages of this review and the universal factors identified earlier in this report. These three sets of findings can be aggregated and interpreted as the following main areas of pressure:

- Resources
- Demand
- Quality of assessment and intervention

56. **Resources** need to be adequate to meet demands. This entails having sufficient professional social work staff plus administrative and managerial support to meet the demands of current and new referrals to Children's Social Services and to have reliable systems for receiving and responding to referrals. This includes all forms of existing cases and referrals, not just where

children are at risk of abuse or neglect. This is necessary if cases of “need” are not to deteriorate and demand more complex, expensive, or traumatic interventions. In the current national shortage of qualified and experienced children’s social workers, monitoring vacancy rates (particularly in intake and assessment teams) and having effective staff recruitment and retention programmes is an essential element of the strategy. The current monitoring and reporting processes should be continued, kept under regular review, and action taken where shortfalls are identified.

57. The adequacy of administrative support should also be the subject of regular review in order to ensure that professional social work time is directed at core social work tasks rather than administration. Progress has been made locally and nationally by improvements to computerised data systems (the Integrated Children’s System which has been the subject of considerable national criticism) and delegating some input tasks to clerical staff. However, the percentage of professional social workers’ time spent on administrative tasks (e.g. completing forms and inputting and updating electronic records systems) continues to be high. Although precise measurements are not readily available, this is estimated to be as high as 80 per cent, leaving only 20 percent for direct client contact. Means of reducing administration and increasing client contact time should be the subject of continuing review and contact should be made with other local authorities to share experience in this field and, where appropriate, to seek shared solutions through the joint development of efficient, casework oriented, and user-friendly information technology programmes.
58. **Demand** from existing social-work caseloads and from new referrals requires monitoring and managing. Although the initial phase of this review indicated that nearly all active child protection cases are allocated to a social worker and the response to new referrals is appropriate and timely, attention was drawn to the effect that sudden and unpredictable staff absence or vacancies can have in individual teams. Temporary resource deficiencies may coincide with localised peaks in demand necessitating special measures, including prioritising and deferring the allocation of less urgent referrals. In order to ensure appropriate prioritisation and review of any changing circumstances affecting individual cases which may be pending allocation, it is essential that sufficient information is provided by referrers and where this is lacking, action is taken to gather it and to review it regularly. Management processes should be reviewed to ensure there are robust systems for prioritising, and for the frequent monitoring and review of all unallocated cases.
59. Safe and efficient prioritisation is considerably facilitated if referrals are clear and if referring agencies understand and are confident in the thresholds for referral established by Kent Children’s Social Services and the Kent

Safeguarding Children Board. This element of the strategy for the management of demand should be closely linked with the work of the Kent Safeguarding Children Board in the establishment of agreed thresholds, promoting the use of the Common Assessment Framework, and the improvement of referral standards through inter-agency training programmes.

60. **Ensuring prompt and adequate responses** to referrals and concerns from professionals and members of the public depends on robust intake systems that are readily accessible and engender confidence in the referrer and in the professional social workers engaged in first-line responses (including out of hours). Kent has been innovative in establishing a co-ordinated system for receiving referrals and directing them to appropriate duty and assessment teams both in normal office hours and out of hours periods. Inevitably, increasing referral rates for services to both adults and children have placed pressure on this process and continued monitoring and quality control is necessary to ensure the prompt, safe and appropriately prioritised response to all new referrals. The Kent Contact & Access Service (KCAS) is based at Kroner House in Ashford, operating between the hours of 8am and 6pm, taking referrals for Kent Adult Social Services (KASS) and Children's Social Services (CSS). Contact Kent is a 24/7 service, based at Invicta House in Maidstone, providing the initial contact point for all County Council services. The only other dedicated 24/7 public contact services in Kent are those operated by the Police and NHS Direct. Recent reviews of the two KCC call centres – KCAS for social services (both adult and children's services) in Kent and the Contact Kent service - have indicated a discrepancy between the two services in their response potential for new referrals. Concern has been expressed regarding the number of abandoned calls to KCAS (between 15-20 per cent, compared to a national benchmark of 2 – 5%) and occasional backlogs of referrals which may take up to five days to be processed and forwarded to the appropriate social work team. Both the KCAS and Contact Kent need to have a dependable and fast throughput of referral which has the confidence of the social work teams which will be responsible for undertaking assessments or emergency interventions. Continued review and action is required to reduce the abandoned call rate to the 5 per cent standard considered acceptable by most commercial and public call centre services. (Achieving a lower rate is probably impossible as a percentage of callers will change their minds in the process of telephoning.) Consideration is currently being given to further developments in the call centre services of all public agencies in Kent with a view to establishing an integrated system where fast and seamless transfer of calls can be established between agencies. As this is likely to further increase demands on response times, it will be essential for further review and action to minimise delays and abandoned calls. It is suggested that the abandoned call rate in KCAS may pose a potential risk and that this is an issue that can be best tackled through the post Total Place

activity examining the opportunities to move from separate and stand-alone to wholly integrated public access and contact systems. It needs to be appreciated that specialist services need to be better integrated into the multi-agency Gateway developments, exploiting multi-channel access as it is further rolled out.

61. **The quality of assessments and interventions** is a vital aspect of safe child protection practice. Good quality child protection assessments and decisions are dependent upon having suitably qualified and experienced social workers available to meet demands and their having the capacity to complete the often complex tasks involved in child protection work, including time-consuming court processes. However, the nature of child protection work is such that having sufficient professional resources to meet demand is, in itself, not a sufficient condition to guarantee high quality work. It must be acknowledged that social-work intervention is not welcomed in many of the families where there is the risk of child abuse or neglect. Professionals are met frequently with hostility, including threatened or actual physical assault. Parents may be reluctant to comply with child protection plans or they may disguise their non-compliance. Inevitably, there is the risk that the chaotic lifestyles of some families may be reflected in the management of the case and pressures from one difficult case on an individual social worker's caseload may impinge on the other cases. These factors have been recognised as contributing to the failure to protect many of the children that have been the subjects of serious case reviews or public inquiries.
62. The most effective means of ensuring good professional practice on individual cases is undoubtedly by means of "reflective practice" as described by Lord Laming.<sup>33</sup> His contention that "the tradition of deliberate, reflective social work practice is being put in danger because of an overemphasis on process and targets, resulting in a loss of confidence amongst social workers" has been accepted by government and is reflected in Recommendation 7 (see Paragraph 41) of the Social Work Task Force report which requires the provision of regular, high-quality, organised supervision which is "open, supportive, focusing on the quality of decisions, good risk analysis, and improving outcomes for children rather than meeting targets". Meeting this requirement demands that both supervisors and practitioners have the time and opportunity to devote to this very necessary activity. It is encouraging that Kent Children's Social Services has a robust supervision policy aimed at achieving Lord Laming's and the Task Force intentions. This policy was introduced in 2007 and is due for review in 2010. It is strongly recommended that the policy review is given high priority and a report of its effectiveness and

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<sup>33</sup> Lord Laming, "The Protection of Children in England: A Progress Report", HMSO, 2009



any identified needs for amendment or improvement are brought to the attention of senior management at an early date.

63. Due to the wide range of difficulties which may be present in child protection cases, it is also essential that the skills and knowledge of managers and practitioners should be kept up to date by means of personal professional development programmes and training. A child protection social worker may be required to respond to cases involving many complicating factors (e.g. organised abuse, Internet pornography, domestic violence, drug and alcohol abuse, fabricated or induced illness, etc.) and it is vital that their knowledge and skills should be maintained and developed through appropriate training mechanisms. Meeting the varied training needs of a large professional workforce will demand a flexible approach to training methods which should include the development of electronic and interactive programmes that can be used within the workplace for team development and learning. This too, will require adequate resources to finance the requisite training and to release staff to attend training.
64. An adjunct to supporting social workers in achieving good quality work through supervision and training is the quality assurance and audit programmes that maintain a regular appraisal of the overall standard of practice and performance. Kent Children's Social Services has an established and effective monitoring programme that is sufficiently flexible to respond to emergent factors which may be affecting the standards of child protection work. This has been amply demonstrated by the committed and efficient support given to this review by the quality assurance section of Kent Children's Social Services. The continued and robust appraisals undertaken by this section will be an important element of the strategy for defending and developing child protection work.
65. **Preparing Kent Children's Social Services for the future**  
Preparing for the future cannot be approached in isolation from steps that are necessary to preserving a good standard of service in the present. Many of the steps will be identical, only differing in the time needed for implementation. Foremost among actions that will be essential to maintaining the service will be achieving high levels of occupancy of professional social work posts coupled with stability in the workforce. The former will be dependent on a recruitment strategy that is able to present Kent as a professionally attractive employer with good career development opportunities and good staff support systems. Attention to the general elements of the proposed strategy for defending and developing the service, together with action on the specific recommendations of this report will go far in maintaining Kent's positive profile as an employer.

66. Due to the national shortage of qualified social workers and the relatively slow process of adding to the total number in the professional “pool”<sup>34</sup>, additional measures will be necessary to achieve the desired professional occupancy rate. Previously, the county has had considerable success in attracting and developing unqualified individuals with the appropriate potential through trainee schemes, including financial assistance through college courses. The experience of these schemes has been positive in that they have added to the numbers of qualified social workers in the county, many of whom have remained and achieved senior positions. Positive consideration should be given to re-establishing and developing trainee schemes.
67. The number of places available on social work training courses is a limiting factor in the availability of qualified social workers. If the national pool is to grow not only to match the service requirements but also to replace those who have reached retirement age or who have been promoted into senior management positions, the numbers of places on training courses will need to increase. Although this is a national problem, most appropriately met with national solutions, it is possible to gain local advantage through a system of bursaries or county sponsored places on training courses. An initiative of this nature would complement the trainee initiative (see Paragraph 66) to the advantage of training courses, individual students, and the county’s professional workforce.
68. Attracting and developing a professional workforce will only be successful if once engaged, individuals have sufficient job satisfaction and career prospects to induce them to stay. Although an element of staff turnover is inevitable and helps guard against organisational complacency, there are sound professional reasons for establishing stability in the professional workforce. The effectiveness of social work intervention with individuals and with families is considerably enhanced when there is continuity and stability in the professional relationship. High turnover of professional staff results in the regular and rapid change of social workers on individual cases: changes which may hinder progress and which are frustrating and time consuming with each new worker having to “start again” on the case. A stable workforce is more likely to be effective, efficient, and economical.
69. Important contributory factors in workforce stability include good professional support and development prospects. Attention has already been drawn to the vital role of good and regular professional supervision in supporting social workers (see Paragraph 62). It is essential this is maintained as the central pillar of the support given to social workers now and in the future. Complementary to the role of supervision, is the development of knowledge

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<sup>34</sup> It takes three years to complete a social work training course and there is the probability of the introduction of a year’s post-qualifying probationary work before being granted full professional status. There is also a limit to the number of places available on training courses.

and skills through training. Although the quality of social work training is kept under regular review, and the basic three-year course provides a foundation for social work in a wide range of settings, working with families where children are at risk of abuse requires a high level of skill and experience which cannot altogether be provided within the work setting. Specialist training courses are necessary to maintain and develop skills. Social workers will need to have the time available to attend appropriate courses and there needs to be the organisational capacity to enable the integration of new skills and knowledge within individual caseloads and within the wider operational and policy structure of children's social services.

70. A programme of professional training and development obviously needs to meet the needs of the service as well as contributing to individual development. In the past, the county has profited from close links with centres of academic excellence in developing specific training, development and research initiatives (e.g. Birmingham University and specialist training in mental health following the introduction of the 1989 Mental Health Act 1983, Dartington Social Research Unit and services for children in need and child protection). Within Kent, the authority has worked closely with the University of Kent and Christ Church University. Further afield, the authority has established training links with European counterparts and with Harvard in the USA. It is proposed that similar partnerships be established to meet the needs of the demands of child protection work. In acknowledgement of the importance of the need for close co-ordination of the various professions contributing to the safe care of children, training initiatives should not be restricted to social workers but should include other specialists and form a major element of the qualifying and post-qualifying training of professionals in the police service, teaching, health visiting, midwifery, and nurses and doctors in general practice and in accident and emergency units.
71. A particular demand of child protection work for all professionals is the ability to make good assessments and to implement effective child protection plans when dealing with difficult parents and carers who may be aggressive, manipulative, and devious in their attempts to conceal abuse or who give a misleading impression of co-operation. National child protection inquiries and serious case reviews have drawn attention to the need for "respectful uncertainty" (stressed by Lord Laming in his report and recommendations following the death of Victoria Climbié in 2003) however, developing the professional skills and resilience to maintain focus on a child's welfare in the face of obstructive and misleading parents or carers is one that takes time. However, it is such an important aspect of good child protection work that it should be given a very high priority. Consequently, among the training programmes that should be developed through links with academic institutions, it is proposed that emphasis be given to specialist training in

dealing with difficult families. To be effective, this needs to be skill based rather than purely theoretical and there is considerable merit in establishing a specialised training centre equipped with video technology where the whole range of professionals who may be involved with such families can develop skills through role-play with actors and review and appraise their attempted interventions (this model makes an important contribution to the development of skills for emergency workers dealing with major disasters and is likely to have similar advantages for skill development in child protection). The Chief Executive of Kent County Council has had exploratory discussions with the University of Kent and Christchurch College who have expressed their support for the establishment of this facility and Kent Police have indicated their willingness to explore the possibility of sharing their assets and the financial and practical responsibilities with social services. Further inquiry should be undertaken with other agencies with a view of establishing a truly multi-professional training centre.

72. Attracting and retaining qualified professional social workers is also dependent on how the county's practical commitment to professional social work values is perceived by existing and potential employees. Kent has a good record of commitment in this respect and many of the initiatives previously mentioned have contributed to a sense of sound social work values underpinning all levels of the service. However, delivering social services in the largest local authority in England involves a range of management responsibilities where economy, efficiency, and wider political considerations have to sit alongside professional social work values. In order to maintain an effective professional appraisal and input to both the management and the political governance affecting child protection and other aspects of social work in the county, there needs to be robust mechanisms for providing advice and alerts to senior managers and to elected Members and which will also provide reassurance to social workers that their professional values and ethics are being promoted and safeguarded.

*Such measures should be part of a series of checks and balances including those that are currently provided by monitoring and quality assurance measures within children's social services and the overview responsibilities of the Kent Safeguarding Children Board. It is recommended that the overall process should be clearly identified and should include professional advice to those senior executive members of the county council who are individually accountable for the effective delivery of social services (including child protection), i.e. the Leader and Chief Executive. It should also be a clear indicator to the professional social work force that their professional status is valued and is a major factor in the shaping and delivery of services.*

**Summary**

73. The preceding sections of this report have outlined the factors which will be important in preserving and advancing good child protection practice within Kent Children’s Social Services. A strategy for defending and developing child protection work will provide a sense of direction that will enable a balanced approach that will avoid the risks of over-reaction or over concentration on high profile aspects. The strategy should address the following strategy objectives:

<b>STRATEGY OBJECTIVE</b>	<b>PARAGRAPH REFERENCE</b>
Ensuring Kent Children’s Social Services provides a prompt and effective response to all new referrals	2, 56, 60
Improving multi agency collaboration and understanding at agency management level and at practitioner level	9, 51, 59, 60
Ensuring lessons from serious case reviews and their recommendations are given the highest priority in all agencies	18, 52
Ensuring adequate resources to meet the needs of all children failing to meet the <i>Every Child Matters</i> outcomes as well as children who are at risk of significant harm	26, 27, 36, 56, 59
Ensuring the balanced introduction of new policies and initiatives	32, 36
Ensuring a high standard of reflective professional supervision for social workers and protecting the time available for this	38, 62, 69
Achieving a positive work environment which is conducive to good social work practice	43
Ensuring workers from all agencies have the skills to work with difficult, aggressive and manipulative parents and carers and to maintain focus on the needs of the children	51, 69, 71
Ensuring there are high levels of occupancy and stability in the professional social worker establishment	65

74. Although the above table contains the basic elements of a strategy for maintaining and developing child protection services, it should not be considered as definitive. Its individual elements and its total objectives should be the subject of regular review and it should be amended and adapted to meet changing circumstances. This review should take place annually and include a progress report on previously identified recommendations and objectives.

### **Recommendations**

75. The following specific recommendations are considered to be important steps to defending and developing child protection services in Kent. Members are recommended to approve:
- 75.1 The main elements of the proposed strategy should be the basis for further detailed review and refinement by the **Managing Director of Children, Families & Education, the Director of Specialist Children's Services** and their staff, including an analysis of the national reports published on 18 March 2010.
- 75.2 The **Kent Safeguarding Children Board** should give positive consideration to undertaking a multi-agency peer review of a sample of current child protection cases to assure itself about practice standards across agencies. (See Paragraph 20)
- 75.3 The **Kent Safeguarding Children Board** should identify and report on steps taken to improve the culture of openness and exchange between member agencies and its actions to establish greater accountability to the KSCB for child protection standards within member agencies. (See Paragraph 21)
- 75.4 The **Kent Safeguarding Children Board** should present an annual report to the Kent County Council and other relevant public bodies. (See Paragraph 22)
- 75.5 **Kent Children's Social Services** should make regular use of the Social Work Task Force's organisational self-appraisal tool to ensure it is achieving high standards as a social work employer. (See Paragraph 43)
- 75.6 The **Kent Safeguarding Children Board** should, as a standard practice, deliver multi-agency seminars and targeted training following every serious case review to ensure that the lessons from the reviews are quickly and efficiently promulgated. (See Paragraph 52)
- 75.7 **Kent Children's Social Services** should maintain a continuous review programme to ensure the adequacy of administrative support services and systems for social workers with a view to reducing professional social work time spent on administration and increasing the direct client contact time. (See Paragraph 57)

- 75.8 **Kent Children's Social Services** should establish partnerships with other local authorities to share approaches aimed at minimising the administration workload of social workers and to seek shared solutions through the joint development of efficient, casework-oriented, and user-friendly information technology programmes. (See Paragraph 57)
- 75.9 **Kent Children's Social Services** and the **Kent Safeguarding Children Board** should ensure a good standard of referral information through training programmes and quality assurance audits with partner agencies. (See Paragraph 58)
- 75.10 Urgent action should be taken by **Kent Children's Social Services** to reduce the rate of abandoned calls to the Kent Contact and Assessment Service. (See Paragraph 60)
- 75.11 **Kent Children's Social Services** should give high priority to the current review of their staff supervision policy with the objective of making professional social work supervision a guaranteed and protected element of the service with protected time for practitioners and supervisors. (See Paragraph 62)
- 75.12 The **Kent Safeguarding Children Board** should develop in partnership with appropriate academic and other training institutions electronic and interactive training packages that can be used for workplace training and team development of skills necessary for child protection work across and specific to agencies. (See Paragraph 63)
- 75.13 **Kent Children's Social Services** should establish a trainee scheme for suitable candidates for professional social work training and provide financial assistance through training professional training in return for a contractual commitment to remain in employment with the county for a minimum of two years after qualifying. (See Paragraph 66)
- 75.14 **Kent Children's Social Services** should seek to establish a number of bursaries or sponsored places on suitable social work training courses. (See Paragraph 67)
- 75.15 **Kent Children's Social Services** should establish close partnerships with suitable centres of academic excellence to develop training and research programmes that will meet the demands of child protection social work. (See Paragraph 70)
- 75.16 The **Kent Safeguarding Children Board** and **Kent Children's Social Services** should develop training initiatives that will ensure that all

professionals in the course of their qualifying training have joint training modules to increase the shared professional understanding of child protection work and to establish a core of inter-professional skills and knowledge. (See Paragraph 70)

75.17 **Kent Safeguarding Children Board** and **Kent Children's Social Services** should seek to establish a multi-agency specialised training unit within the county aimed at developing the necessary skills for working with difficult uncooperative families. (See Paragraph 71)

75.18 **Kent Children's Social Services** should establish robust mechanisms for providing advice and alerts to senior managers and to elected Members and which will also provide reassurance to social workers that their professional values and ethics are being promoted and safeguarded. (See Paragraphs 72 and 73)

75.19 **The Leader and Chief Executive/Group Managing Director** should arrange with the Director of Children Services, the Director of Specialist Children Services and the independent Chair of the Safeguarding Board an annual programme of reporting to Cabinet and full Council, to provide an open and systematic approach to quality assurance. This programme should be managed through Corporate Policy and supported with advice from a reference group comprising frontline practitioners. (See paragraphs 72 and 73).



# Annex A:

## Organisations and workloads

The Social Work Task Force believes that the people who organise, deliver and receive services are ultimately best placed to understand how local services should work. However, when seeking to make improvement, it can be difficult to find the best starting points for analysis and then action.

As discussed in Chapter 2 of this report, we are presenting an initial framework for helping employers and practitioners to take action now in assessing the “health” of their organisation on the range of issues affecting workload. This framework should be developed further in due course in support of the proposed standard for employers.

The framework looks at 5 key areas which we know all make a significant contribution to the development and delivery of excellent services.

The framework is to support organizations to undertake a self assessment against the 5 areas, identify current strengths and plan to tackle areas for improvement.

The framework is not designed to act as a check list, but as a mechanism to promote debate at all levels of the service.

It can be used at team, service and organisation level. It should be the basis for discussion at each of these levels, with a requirement in place that staff have been involved in the response at each level and a mechanism for recording areas of disagreement. Where this is identified, a mechanism for reviewing the assessment, usually by a manager of another team or at a higher level, should be included.

Each organisation should also clarify how frequently they will undertake a “health check” and what the process for audit and reporting should be, including at least an annual report to lead member for both adult and children’s services.

The framework is not designed to be prescriptive and can be adapted to meet the needs of each organisation. However, the following prompts may be of use in promoting analysis and debate:

### Effective workload management

Vacancy rates – including

- current unfilled posts
- posts covered by agency/temporary staff
- posts which are filled but where staff are absent (e.g. long term sick, maternity leave)
- turnover rates

Workload – including

- numbers of cases held by each full time equivalent
- average hours worked by staff on a weekly basis
- current levels of TOIL and leave to be taken by team members
- number of supervision sessions which have taken place – is this in line with organisational policy?
- staff attendance at CPD opportunities as planned in performance appraisal – how often is training cancelled/re arranged?
- additional responsibilities e.g. student on placement, acting as mentor to other team member, undertaking action research

### Pro active workflow management

- Number of unallocated cases
- Re-referral rates
- Changes in workflow over time (peaks and troughs)
- How unallocated cases are risk assessed
- The escalation process for unallocated cases and alerts to senior managers
- How many cases are allocated to the team/manager/duty
- Delays in transfer of cases between teams
- How often workers are required to cancel meetings with people who use services/other professionals in an average week due to re-prioritisation of work
- Specific blocks to work flow which need to be considered e.g. efficiency of commissioned services, relationships with other agencies, transfer between teams/services
- Is the most efficient use of skills being made within the team and wider service? Are social workers undertaking tasks for which their skills are primarily required or could they be done more effectively by someone with different skills e.g. an administrator, para professional or other professional group either within the service or via a commissioned arrangement?

### Having the right tools to do the job

- Access to equipment – mobile working, IT access including to the internet

- Access to professional services to support case work– translators, legal advice etc
- Access to resources e.g. research, library facilities
- Appropriate office space e.g. desk, office chair, access to quiet space.

### A healthy work place

- Is there a system in place to monitor frequency of supervision and quality of it in order to ensure effective practice is supported?
- Is 360 appraisal in place?
- Is there an employee welfare system in place and are staff aware of how they access it?
- How often do team meetings take place?
- Are staff able to contribute to the agenda?
- Are senior managers accessible/visible in the service?
- How are stress levels monitored on an individual and service basis?
- Is there a whistle blowing process and are staff aware of what this is?
- Are there processes in place to ensure staff welfare e.g. risk assessments of roles/activities, call back/monitoring processes to ensure safety whilst working away from the office base including out of hours?
- What are the sickness levels in the team/service and what is the pattern over time?

### Effective Service Delivery

- Findings from compliments, comments and complaints
- Feedback from service users
- Feedback from stakeholders/other professionals
- Staff survey results
- Exit interview analysis



Version 1.1

**CHILDREN, FAMILIES  
AND EDUCATION  
CHILDREN'S SOCIAL SERVICES  
STAFF SUPERVISION POLICY**

**Document Owner:** Policy and Performance Manager Safeguarding CP & CHIN

**Authorised:** April 2007

**Review Date:** April 2010

**KENT COUNTY COUNCIL  
CHILDREN, FAMILIES & EDUCATION DIRECTORATE  
CHILDREN'S SOCIAL SERVICES  
STAFF SUPERVISION  
POLICY**

## **1. POLICY STATEMENT**

Kent County Council Children Families and Education Directorate and the Children's Social Services Division are committed to ensuring that every member of the social care work force receives good quality effective supervision on a regular basis. It recognises that delivering social care services is a complex and demanding task and that our staff are the key asset in delivering high quality services that make a real difference to our service users lives. In our view, supervision is an integral part of this delivery.

This policy aims to promote a positive, relevant and consistent approach to supervision and a clear framework within which to practice.

The following documents, policies and procedures underpin or connect with this policy and should be consulted as required:

1. KCC Business Plan – Towards 2010
2. Children and Young Persons Plan
3. Children's Social Services Annual Business Plan
4. CFE Recording and File Management
5. KCC Equal Opportunities Policy
6. KCC Policy regarding Bullying and Harassment
7. Staff Induction Procedures
8. Staff Authorisation Policy
9. Case sampling procedures
10. File recording Policy
11. Health and Safety Policy including Prevention and Management of violence to staff and the risk assessment process
12. People Management handbook
13. GSCC code of practice for social care workers and for employers of social care workers
14. DFES common core skills and knowledge for the children's workforce
15. Accountabilities and delegations policy and procedure.

## **2. DEFINITION OF SUPERVISION**

Supervision is defined as "a key place for decision making in social care". Hughes and Pengally 1997.

Within Kent Children's Social Services, the delegations and accountabilities policy outlines a clear structure of accountability for decision making within Children's social services and should be read alongside this document

Supervision will usually take place one to one, in a planned way but can also include group supervision, observation of practice and examination of records. It can also be a conversation between supervisor and supervisee in response to an unexpected task or event that cannot wait until the next planned supervision.

### **3. PURPOSES OF SUPERVISION**

The purposes of supervision include:

- To make and review clear and accountable decisions within casework.
- To ensure good quality case work that maintains a clear focus on the child and operates within agreed standards, timescales, policies and procedures.
- To offer direction, support, guidance and advice.
- To provide a protected space within which feedback is given, good work celebrated and mistakes recognised and rectified.
- To reflect on the personal impact of the work on the supervisee, recognising feelings engendered by casework can be an important tool for decision making, but also to take necessary action to alleviate stress and difficulty.
- To enable the supervisee to reflect and discuss any personal issues which may be impacting on their working life.
- To look at the overall workload to achieve a balance between various cases and the skills and abilities of the supervisee.
- To encourage learning and professional development, recognising the supervisee's learning style and training needs.
- To feed into the supervisee's personal development and action planning process through the Ways to Success and Total Contribution processes.
- To promote awareness of the wider social care agenda both nationally and within Kent County Council and ensure there is an understanding between the Business Plans and overall strategy and the supervisee's role and function.

### **4. OVERARCHING PRINCIPLES**

- The supervision of Children's Social Services staff will have high priority. Every member of staff has a right to regular planned, recorded supervision.
- Supervision will operate within the context of Kent County Council's Equal Opportunities policy. Every supervisee is entitled to fair and equal treatment and encouraged to develop and achieve their potential. Any disagreement between supervisor and supervisee in relation to any potential issues of discrimination regarding race, gender, faith, age or disability must be discussed by both parties with the supervisor's supervisor in the first instance.
- Similarly poor performance will be managed in an open and transparent way within the context of KCC's Performance Management procedures?
- The GSCC Code of Practice for social care workers and the DFES common core of skills and knowledge for the children's workforce will provide the explicit framework of core competencies against which the supervisee's performance will be measured.
- Supervision of qualified social workers must be undertaken by a suitably qualified practitioner at a senior level who is experienced in casework, including child protection, and who has undertaken some formal training in supervision.

- Supervision of differentially qualified staff, for example social work assistants, should also be undertaken by a suitably experienced and qualified practitioner, but this may be a less senior person within a district, for example, a social worker who is keen to develop supervisory skills and experience. In these circumstances it is for the district manager to approve the arrangement and ensure that the proposed supervisor has the necessary skills and support to undertake supervision.
- Supervisors are accountable for the appropriate level of decision making, for overseeing the quality of the casework and the achievement of organisational objectives.
- Within the supervision of staff who are undertaking additional pieces of work, rather than caseholding, the overall responsibility for case work decisions rests with the caseholder and their supervisor and arrangements must be put in place to ensure that communication between the workers and the supervisors takes place in the way outlined for co-working relationships later in this document.
- Every supervisee must take responsibility for their own performance and learning, ensuring it is integrated into their everyday practice.
- The extent and limits of confidentiality within the supervisory sessions will be discussed, agreed and recorded. Situations where there is an unmanageable risk to any person, issues of breaches of the law or contract will be reported. It is expected that the Line Manager will have access to the supervisory records and will review the supervision process within their own supervision with the supervisor.
- A process for handling complaints and disagreements within supervision will be discussed, agreed and recorded. This will usually involve an agreement to involve the supervisor's Line Manager in a 3-way discussion to resolve any issue that the worker and supervisor cannot resolve themselves
- Where a case is being co-worked, particularly if this is across teams, for example between the Disabled Children's Team and Children & Families Team, it is important that both workers and both supervisors meet together every 2-3 months as a minimum for joint supervision. This arrangement would be in addition to the normal communication that would take place between the workers

## **5. MANDATORY PROCEDURES**

- Every member of staff will have an individual supervision contract with their supervisor, subject to an annual review. A formal contract confers importance and status to supervision. The contract will detail frequency and duration of supervision, practical arrangements, agendas, content and dates for review. A suggested format is attached as appendix i.
- The frequency of supervision will be discussed and agreed between supervisor and supervisee and will take into account the skills, abilities and experience of the supervisee and the level and demand of the work for which they are responsible. Newly qualified staff should have weekly supervision for 6-8 weeks, moving to fortnightly thereafter until the end of their first year. Experienced staff should have supervision 3-4 weekly, with a minimum of 1 and a half hours every 4 weeks.
- Additional, unplanned supervision will be available to allow for emergencies or pieces of work that require immediate discussion. All decisions from the



discussions will be recorded on running record by the supervisor or supervisee and captured at the next formal supervision session recording

- Individual supervision should be private uninterrupted time, that is a priority for both supervisor and supervisee. Dates and times should be planned in advance and should not be changed or cancelled without an alternative time being made immediately.
- The supervisor is responsible for recording the content of the supervision. Case Work decisions should be recorded using the agreed format – see appendix ii – and signed by supervisor and supervisee. A copy should be placed on the service users' file. Supervision records in their entirety should be kept in a confidential place and passed to the next supervisor if supervision arrangements change within the district. Supervision records should be archived with the personnel records when a social worker leaves the district whether for a post within Kent or outside it.

The supervisor and supervisee are responsible for jointly drawing up an agenda for supervision and for ensuring this is adhered to within the session.

Both supervisor and supervisee have a responsibility to prepare for supervision. This may include drawing together current information on cases, reflecting on current progress and barriers to learning, identifying training needs, reading new policies or procedures, identifying new research or other material which may be relevant.

- Supervisors should ensure that running records are read and signed off and that every case file is subject to a minimum annual review by the supervisor and audited using the agreed tool – see appendix iii – which will then be placed within the file.
- Every member of staff will have a personal development and action plan in accordance with the CFE Directorate's Performance Management Scheme, Ways to Success and Total Contribution. This plan will be drawn up and reviewed within the timescales laid down.
- The content of supervision will cover each of the following topics on at least a quarterly basis, recognising that the emphasis on each will vary according to individual need.
- Review of case work, ensuring each open case is reviewed at least every two months.
- Review of the impact of the work on the supervisee
- Review of written files and records.
- Awareness and understanding of relevant research, policy, procedures and standards.
- Review of individual professional development.
- Feedback on training and learning opportunities.
- Review of supervisory relationship.

## **6. RESPONSIBILITIES OF SUPERVISOR, SUPERVISEE AND LINE MANAGER**

Supervisor and supervisee share a joint responsibility for the supervisory relationship which should be based on mutual respect and trust and where both feel able to question and challenge assumptions and decisions.

In addition the Line Manager – who may be the Team Leader or District Manager – is responsible for ensuring:

- That all members of staff are receiving good quality regular supervision.
- That training and development opportunities are identified, facilitated and evaluated.
- That supervision records and personal development and action plans are in place, are held confidentially but available, if required, for audit purposes.
- That all files have been audited by the supervisor on an annual basis, as a minimum.
- That policies, procedures and standards are effectively communicated.
- That an open culture of learning and development is promoted, where good practice is celebrated and mistakes are used to learn and develop.

## **7. USE AND REVIEW OF THIS POLICY**

- All newly appointed staff should receive this policy as part of their induction process.
- All newly appointed managers should have the opportunity to read and renew this policy as part of their induction.
- All in house training courses on supervision should use this policy as a basis for the standards and practice of supervision with Children's Social Services.

**AUTHOR Kathryn Lambourn**

**DATE APRIL 07**

**IMPACT ASSESSMENT SCREENING APRIL 07**

**REVIEW APRIL 2010**

**SUPERVISION AGREEMENT**  
**THIS AGREEMENT IS DRAWN UP BETWEEN \_\_\_\_\_**  
**AND \_\_\_\_\_**

1. Supervision will take place in private and be uninterrupted.
2. Supervision will take place – frequency and duration – and will be planned in advance. Every effort will be made not to cancel planned sessions but if this does happen, then an alternative date will be made immediately. Reasons for cancelling supervision should be recorded.
3. Supervision notes will be by the supervisor and a typed copy given to the supervisee. Both parties will sign supervision notes, which will be held in a secure place. Notes relating to specific cases will also be placed on the service user's file.
4. Formal supervision will not reduce opportunities for additional discussion on important matters that are between planned sessions. Any decisions taken in the meetings will also be recorded by the supervisor or supervisee on a running record and captured in the next formal supervision recording in the way outlined above.
5. Both supervisor and supervisee have a responsibility to come prepared for supervision with a clear picture of what they wish to discuss in the session.
6. An agenda will be drawn up at the beginning of each supervision session. Over a 3 month period, supervision will cover all of the following topics:
  - Review of case work
  - Review of the impact of the work on the supervisee
  - Feedback on review of written files and records seen as part of annual audit
  - Discussion of relevant research, policy, procedures and standards
  - Review of individual professional development
  - Feedback on training and learning opportunities
  - Review of supervisory relationship
7. In the event of any disagreement between supervisor and supervisee which they cannot resolve, the issue will be referred to the supervisors Line Manager and discussed in a 3 way meeting.
8. Supervision notes will be shared with the supervisors Line Manager and the supervision process discussed in the supervisor's own supervision. Within these boundaries, supervision is confidential between supervisor and supervisee unless there are implications for the personal safety of any person or breaches of the law or contract.
9. This contract will be renewed annually. The next date of review is

Signed \_\_\_\_\_

Date \_\_\_\_\_

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## KENT COUNTY COUNCIL

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### GOVERNANCE AND AUDIT COMMITTEE

MINUTES of a meeting of the Governance and Audit Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 1 December 2009.

PRESENT: Mr R L H Long, TD (Chairman), Mr M V Snelling (Vice-Chairman), Mr A R Chell, Mr K A Ferrin, MBE, Mr C Hibberd, Mr D A Hirst, Mr P W A Lake, Mr T Prater, Mr R Tolputt, Mr C T Wells and Mr S Manion (Substitute) (Substitute for Mr B R Cope)

ALSO PRESENT: Mr J D Simmonds and Miss S J Carey

OFFICERS: Ms L McMullan (Director of Finance), Mr N Vickers (Head of Financial Services), Mr G Ward (Director Resources), Mr D Tonks (Head of Internal Audit), Mrs J Armstrong (Senior Audit Manager), Ms J Hill (Performance Manager), Ms T Gailey (Public Health Policy Manager) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mr D Wells, Mr Grahame Brown and Mr Gordon Brown of the Audit Commission.

### UNRESTRICTED ITEMS

#### **42. Membership**

*(Item 1)*

The Committee noted that Mr B R Cope had replaced Mr R W Bayford as a Member of the Committee.

#### **43. Minutes - 16 September 2009**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 16 September 2009 are correctly recorded and that they be signed by the Chairman.

#### **44. Draft Annual Work Plan**

*(Item 5)*

(1) The Committee agreed that the introduction of a work plan was a positive step. Ideas for inclusion on the work plan at this stage were a paper to highlight the impact of the Authority's budget on the risk register and an annual report on governance.

(2) RESOLVED that:-

- (a) the draft workplan set out in Appendix A to the report be agreed subject to (1) above;
- (b) a standing item will appear on every agenda, enabling the Committee to review and agree future agenda items; and

- (c) the Terms of Reference of the Committee be reviewed by the Head of Audit and Risk and reported to the next meeting.

#### **45. Annual Audit and Inspection Letter**

*(Item 6)*

(1) Mr M V Snelling made a declaration of personal interest for this item as he was a Director of a number of KCC Commercial Services Trading Companies. He left the meeting for the duration of this item.

(2) RESOLVED to:-

- (a) note that the External Auditors have met the requirement to issue an annual audit letter to the Authority; and
- (b) endorse the actions proposed in paragraph 7 of the report for publication of the annual audit letter.

#### **46. External Audit review of Health Inequalities**

*(Item 7)*

RESOLVED that the Audit Commission's analysis of the nature and causes of health inequalities in Kent be noted.

#### **47. Corporate Governance Indicators**

*(Item 8)*

(1) A revised version of paragraphs 2.14 and 2.16 of the report had previously been published and was tabled at the meeting.

(2) RESOLVED that the report be noted and the action taken endorsed.

#### **48. KCC Annual Complaints report 2008/09**

*(Item 9)*

(1) RESOLVED that the report be noted.

#### **49. Treasury Management**

*(Item 10)*

RESOLVED that:-

- (a) the format for future reporting to the Committee set out in paragraphs 8 to 10 of the report be agreed;
- (b) the quarterly report be noted; and
- (c) the draft Minutes of the Treasury Advisory Group meeting on 3 September 2009 be noted.

## **50. Debt Recovery**

*(Item 11)*

This report was withdrawn. An updated version would be published by the Director of Finance and sent to all Members of the Committee.

## **51. Risks to the County Council arising from the Private Finance Initiative**

*(Item 12)*

RESOLVED that:-

- (a) the report be noted; and
- (b) a further report be brought to the next meeting of the Committee identifying, if possible, the current affordability position resulting from PFI, and an assessment of what would have been spent if PFI had not been utilised.

## **52. e.Payment Project**

*(Item 13)*

RESOLVED that the approach set out in the report be endorsed.

## **53. Internal Audit Reporting**

*(Item 14)*

RESOLVED that:-

- (a) the progress to date against the 2009/10 audit programme be noted, together with the changes to the audit programme set out in Appendix D to the report; and
- (b) the implications for governance set out in paragraph 8 of the report, arising from the outcome of the internal audit programme completed to date, be noted.

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## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 8 December 2009.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs V J Dagger, Mr P J Homewood (Substitute for Mr W A Hayton), Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M Robertson, Mr C P Smith, Mr K Smith and Mr A Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

**84. Minutes - 3 November 2009**  
*(Item A3)*

RESOLVED that the Minutes of the meeting held on 3 November 2009 are correctly recorded and that they be signed by the Chairman.

**85. Site Meetings and Other Meetings**  
*(Item A4)*

The Committee noted that the tour of permitted development sites would be held on Wednesday, 16 December 2009 and that the site visit and public meeting in respect of the Otterpool application in Sellindge would take place on Wednesday, 13 January 2010.

**86. Application SH/09/870 - MCC kiosk to be sited in excavated alcove on the coastal slope to the south of the Leas and two vent stacks for air pressure equalisation of underground pumping station at Land between Clifton Crescent and the Leas, Folkestone; Southern Water Ltd.**  
*(Item C1)*

(1) In granting permission to the application, the Committee asked for three additional Conditions which are listed in (2) below.

(2) RESOLVED that permission be granted to the application subject to conditions including the standard time condition; maintenance of the carbon filter; noise controls; construction hours and measures to prevent mud or debris on the highway; contamination; disposal of soil; drainage and fuel; oil and chemical storage; design; maintenance of the external appearance of the vent stack; the kiosk being painted in a colour to enable it to blend in with its surroundings; and vandal-proofing.

**87. Application CA/09/55 - Extension of Certificate of Lawful Use to include the mechanical sorting and crushing of incoming generally inert waste material to recover a greater percentage of reusable materials at Land to the rear of Kemberland, Fox Hill, Sturry, Canterbury; Mr Martin J Thomas**  
*(Item C2)*

(1) Mr R Mansfield from Jacobs Babbie (the County Council's Noise Consultant) was present for this item and answered questions on the application.

(2) Mr R Stevenson addressed the Committee in opposition to the application.

(3) The Head of Planning Applications Group informed the Committee of discussions he had held with the Environment Agency. These confirmed that there had been substantiated complaints about noise levels emanating from the site. These were, however, unrelated to the substance of this particular application. The Environment Agency had also confirmed that should permission be granted, the developer would need to successfully apply for an updated permit before he could commence operations.

(4) The Committee sought re-assurance on the question of noise emissions and asked for close monitoring of noise levels emanating from the site, particularly in respect of peak levels.

(5) RESOLVED that permission be granted to the application subject to conditions, including conditions covering hours of working; noise controls (including monitoring of peak noise levels); details of acoustic screening; landscaping; waste types and maximum throughputs; maximum traffic movements; sorting and storage of waste to be sited on a hardstanding; fuel storage; implementation and maintenance of the dust suppression system; the site layout including the location and use of the screener and crusher being in accordance with drawing WMG 2a; details of the screener and crusher being submitted and approved prior to being introduced on site; and stockpile heights.

**88. Proposal AS/09/643 - Retention of a mobile classroom unit and replacement with a single storey modular building at Brook Community Primary School, Spelders Hill, Brook, Ashford; KCC Children, Families and Education**  
*(Item D1)*

(1) The Committee agreed to grant temporary permission for a period of 7 years.

(2) The Committee amended the proposed use of the new building condition so that its use would be permitted outside normal school hours on special occasions only.

(3) RESOLVED that permission be granted to the proposal subject to Conditions including conditions requiring the permission being for a temporary period of 7 years; the development being carried out in accordance with the permitted details; limiting the use of the new building as a hall to during normal school

hours and term-time only except on special occasions; and the retained mobile unit being painted dark green within six months.

**89. Proposal TH/09/122 - Outline application for 40 extra care apartments for the elderly including 20 one-bed and 20 two-bed apartments, 20 two-bed apartments, residents' communal areas, staff facilities, car parking and internal access arrangements at former Newington Primary School Infants' site, Melbourne Avenue, Ramsgate; Kent Adult Social Services**  
*(Item D2)*

(1) Mr J D Kirby made a Declaration of Personal Interest as the Cabinet Member for Planning at Thanet DC. He took no part in the decision making on this item.

(2) RESOLVED that:-

(a) Outline permission be granted to the proposal subject to conditions, including conditions to covering the standard time limit for an outline permission; the submission of reserved matters relating to scale, design and landscaping; the development being carried out in accordance with the permitted layout and access arrangements; the height of the building not exceeding that set out in the development hereby permitted (ridge-height not exceeding 11 metres); details of proposed site levels being submitted for approval; the submission of a site investigation and verification plan into risks associated with contamination of the site and measures being taken if contamination not previously identified on the site is found; protection measures for those trees that are to be retained; details of all hard landscaping, including fencing proposed on site; details of foul and surface water drainage; details of pedestrian access arrangements on site; submission of a code of practice covering construction, including measures to mitigate for noise and dust generated by the development and the hours of operation during construction; details of construction vehicle loading/unloading and turning facilities being agreed prior to commencement of the development; details of parking areas for construction vehicles being agreed prior to commencement of the development; measures to ensure that no mud is deposited on the public highway; permanent retention of the vehicle parking spaces and loading/unloading area shown within the application for the lifetime of the site, including the provision of vehicle parking and cycle parking spaces prior to first occupation; removal of the existing 'School Keep Clear' markings and associated signage prior to the use of the development commencing; no external lighting being installed without prior approval; the use of the building being restricted solely for the use applied for; and the implementation of an archaeological watching brief; and

(b) an Informative be added to the decision notice drawing the applicant's attention to the concerns of the District Council and the need to ensure that the detailed design minimises the opportunities for a bland and bulky visual appearance of the extra care apartments through the use of a mix of varying materials and building forms to

break up long elevations, and that consideration should be given to the inclusion of gable features.

**90. Proposal SW/09/851 - New pre-school and nursery facility, together with a School-run Extended Hours Club using three existing mobile classroom buildings at St George's CE Primary School, Chequers Road, Minster-on-Sea; Governors of St George's CE Primary School**  
*(Item D3)*

(1) The Head of Planning Applications Group reported two letters of correspondence in support of the Proposal.

(2) The Committee requested that the parking arrangements be monitored in order to ensure that they were not impacting on the local residents.

(3) RESOLVED that:-

temporary planning permission be granted to the Proposal subject to conditions, including the temporary consent for being for a period of 5 years from the date of permission; removal of the mobile buildings at the expiration of the 5 year period and the subsequent restoration of the site thereafter; the development being carried out in accordance with the permitted details; the use of the mobile buildings being restricted to the use applied for; the car parking facilities on site being retained and kept available for use by the Pre School and Nursery; and the School Travel Plan being updated to include the Pre-School and Nursery within 6 months of first occupation of the building.

**91. County matters dealt with under delegated powers**  
*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.

## PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 21 January 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs V J Dagger, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M Robertson, Mr C P Smith, Mr K Smith and Mr A Willicombe

ALSO PRESENT: Mr N J D Chard

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Wooldridge (Team Leader - Mineral Developments), Mr A Ash (Local Transport And Development Manager(Sevenoaks And Tunbridge Wells)) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### 1. Minutes - 8 December 2009

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 8 December 2009 are correctly recorded and that they be signed by the Chairman.

#### 2. Site Meetings and Other Meetings

*(Item A4)*

The Committee noted that the site visit and public meeting in respect of the Otterpool Quarry, Sellindge application would now take place on Monday, 8 February 2010. The next training session would be on the new Development Framework on Tuesday, 16 March 2010.

#### 3. Application SE/08/675 - Extension of extraction area and continued operation of existing processing and associated manufacturing plant and buildings and other operational areas at Sevenoaks Quarry, Bat and Ball Road, Sevenoaks; Tarmac Ltd

*(Item C1)*

(1) Mr R E Brookbank informed the Committee that he had a personal interest as he was a Member of the Sevenoaks DC Development Control Committee which had discussed the application. He had, however, not participated in this discussion and was approaching the application with a fresh mind. He was also a Member of the Sevenoaks AQMA Working Group but had not discussed the application in this Forum.

(2) Mr K Smith informed the Committee that he had a personal interest as he knew Members of the Kent Downs AONB, who had written to object to the

application. He had not, however, participated in any discussion of the application with them.

(3) Mr R J Parry informed the Committee that he had a personal interest as he was a Member of Sevenoaks TC which had discussed the application. He had, however, not participated or voted in the STC discussions and was approaching the application with a fresh mind. Mr Parry also asked the Clerk to note that he had received a letter from the Kent Downs AONB, who had written to object to the application and also stated that he did not know the letter's signatory; additionally Mr Parry stated that he had not participated in any discussion of the application with Kent Downs AONB. Mr Parry also identified that he was acquainted with some of the listed objectors and then identified the relevant names.

(4) Mr R F Manning made a declaration of personal interest as he had in the past been distantly related by marriage in law to the Chairman of the Kent Downs AONB, who had written to him in objection. He had become acquainted with him without forming any close association.

(5) Mr J F London informed the Committee that he had a personal interest as he was a Member of Sevenoaks TC which had discussed the application. He had, however, not participated in this discussion and was approaching the application with a fresh mind. He was also a Member of the Sevenoaks AQMA Working Group but had not discussed the application in this Forum. He also knew Members of the Kent Downs AONB, who had written to object to the application. He had not, however, participated in any discussion of the application with them. He also identified some of the objectors as people he was acquainted with.

(6) Mr N J D Chard was present for this item pursuant to Committee Procedure Rule 2.24 and spoke. He explained that he was a Member of the Sevenoaks AQMA Working Group but was addressing the Committee in his capacity as the Local Member.

(7) A letter from the Chairman of the Kent Downs AONB objecting to the application had previously been circulated to members of the Committee. It was also tabled at the meeting.

(8) Two further items were tabled at the meeting. These were e.mail correspondence dated 14 January 2010 and 20 January 2010 between Mr Tony Van Gool, a local objector and Mr J Wooldridge, the Principal Planning Officer.

(9) The Chairman adjourned the meeting for a short while to enable its Members to read all the additional correspondence that had been tabled.

(10) The Democratic Services Officer informed the Committee of a petition containing 427 signatures from Seal Parish Council. He read out the full text of the petition.

(11) The Principal Planning Officer stated that he had fully considered all the additional correspondence prior to the meeting but that having done so he did not wish to amend his recommendation in any way.

(12) Three speakers addressed the Committee in opposition to the application. They were Mrs Mary Osborne, a local resident; Mr Robin Watson from Seal PC and Mr John Brigden, a local District Councillor and Member of Sevenoaks TC. Mr Simon Treacy from Tarmac Ltd spoke in reply.

(13) In discussion of this item, the Committee agreed that the applicant should be required to set up a Liaison Group and establish a formal Complaints Procedure. It also added an Informative requesting the applicant to aim to ensure that stationary HGVs did not keep their engines running whilst waiting for the site to open.

(14) The Committee also agreed that the Chairman should write to Kent Highways Services requiring that the highway improvements set out in the Heads of Terms in respect of Bat and Ball Junction should be completed within three years.

(15) On being put to the vote, the Head of Planning Applications Group's recommendations as amended in (13) and (14) above were carried with no opposition.

(16) RESOLVED that:-

- (a) subject to the prior satisfactory conclusion of a Section 106 Agreement to secure the Heads of Terms as set out in Appendix 3 of the report, permission be granted to the application subject to conditions including conditions covering the duration of the permission; linking all operations to the life of the permitted mineral reserves; adherence to the proposed working scheme; hours of working; maximum depth of extraction; no importation of materials for restoration purposes; output of sand extracted and sold from Sevenoaks Quarry (excluding imported materials) being restricted to 320,000tpa; no more than 50% of materials used in the bagging plant being imported from outside Sevenoaks Quarry; the continuation of existing limitations on HGV movements for the Freeland Horticulture and ready mixed concrete operations and on the nature of materials that can be imported for use in the permitted operations; records being maintained and made available to demonstrate compliance with any output, import and related restrictions; measures to prevent mud and debris on the highway; HGV sheeting and wheel cleaning; future car parking arrangements; a scheme for the layout, composition and infrastructure of permissive paths and new footpath; dust mitigation; maximum noise levels; the submission, approval and implementation of an appropriate groundwater monitoring scheme / strategy; controls to prevent pollution and flooding; measures to safeguard the water environment; archaeological and historic landscape work; the production of a Biodiversity Action (management) Plan (BAP) (including mitigation and monitoring programme and other arrangements for ecology / biodiversity interests); a scheme for the long term maintenance and management of the landscape planting proposals; soil handling and storage; aftercare; the setting up of a Liaison Committee; and the establishment of a formal complaints procedure;
- (b) the applicants be informed by Informative of the Committee's wish that he should aim to ensure that stationary HGVs do not keep their engines running whilst waiting for the site to open; and

- (c) the Chairman write to Kent Highways Services on behalf of the Committee requiring that the highway improvements set out in the Heads of Terms in respect of Bat and Ball Junction should be completed within three years.

**4. County matters dealt with under delegated powers**  
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

**5. Mr Jerry Crossley**  
(Item )

The Chairman informed the Committee that Mr Jerry Crossley had been forced to miss his first meeting of the Committee in over twenty years. The Committee passed on its best wishes for a speedy recovery.



## PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 17 February 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr S Manion (Substitute for Mr K Smith), Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M Robertson, Mr C P Smith and Mr A Willicombe

ALSO PRESENT: Mrs J Whittle

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **6. Minutes - 21 January 2010**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 21 January 2010 are correctly recorded and that they be signed by the Chairman.

#### **7. Site Meetings and Other Meetings**

*(Item A4)*

The Committee noted that the next training session would be on the Minerals and Waste Development Framework on Tuesday, 16 March 2010. All Members of the County Council would be invited to attend.

#### **8. Application SH/09/806 - Retrospective application to vary Conditions 1 and 15 of Permission SH/07/589 to allow the erection of a 5.5 m high close boarded fence and the installation of a surface mounted weighbridge at Rear of Century House, Park Farm Close, Folkestone; Jenner Group Ltd**

*(Item C1)*

RESOLVED that permission be granted for the variation of Condition 15 of Permission SH/07/589 to allow for the erection of the close boarded fencing and the installation of the weighbridge as shown on the submitted Drawing Figure 2 Revision 5 (on Page 7 of the agenda papers) dated October 2009, subject to inclusion of the Conditions attached to Permission SH/07/589 covering amongst other matters limitations on stockpile heights; hours of operation; vehicle movements; noise; dust; windblown litter; site layout and the maintenance of the fence and the removal of both the fence and the weighbridge upon cessation of the waste use at the site.

**9. Proposal CA/09/1361 - Erection of a canopy over bike-racks and parents' entrance alley and erection of canopy over reception class play area at St Peter's Methodist Primary School, St Peter's Grove, Canterbury; Governors of St Peter's Methodist Primary School**

*(Item D1)*

- (1) The Head of Planning Applications Group informed the Committee that both references to "Canopy 2" in the recommendations in paragraph 36 of the report should read "Canopy 1".
- (2) The Head of Planning Applications Group reported the proposed amendments to the Proposal put forward by the applicants. The Committee did not approve them because of their impact on the Conservation Area and because of the very close proximity of the canopy to the neighbouring property which would have resulted.
- (3) RESOLVED that subject to the receipt of amended details for Canopy 1 restricting its height to no more than 2.8 metres and its length to no more than 9.25 metres, permission be granted to the proposal, subject to conditions including the standard time requirement for implementation; Canopy 1 being finished in a brown colour; and the development being carried out in strict accordance with the plans (as amended).

**10. Proposals CA/09/1769 and CA/09/1972 - Demolition and removal of existing four classroom temporary structure and construction of a replacement four classroom two storey building; and removal of 2 existing playground shelters and the installation of 3 temporary classrooms on the school playground for a 12 month period during the proposed development at St Mary's Catholic Primary School, Northwood Road, Whitstable; Southwark Diocesan Board of Education and KCC Children, Families and Education**

*(Item D2)*

RESOLVED that:-

- a) permission be granted to Proposal CA/09/1769 for the demolition and removal of an existing four classroom temporary structure and the construction of a replacement four classroom two storey building, subject to conditions including the standard time condition; the development being carried out in accordance with the permitted plans; external materials matching those of the existing teaching block; a requirement to reinstatement any damage to the school playing fields, hedges, fence and surfaces; reinstatement of the temporary access; and control over the transfer of mud from the school field onto the highway from the development whilst the temporary access is in use for construction purposes; and
- b) permission be granted to Proposal CA/09/1972 for the removal of 2 existing playground shelters and the installation of 3 temporary classrooms on the school playground for a 12 month period during the development of the replacement four classroom two storey building, subject to conditions requiring the removal of the 3 temporary mobile classrooms from the site and reinstatement of the application area to school playground within 12 months.

**11. Proposal TW/09/3978 - New multi-use games area (MUGA) with enclosure fencing at St Gregory's Catholic Comprehensive School, Reynolds Lane, Tunbridge Wells; Governors of St Gregory's Catholic Comprehensive School and KCC Property Group**

*(Item D3)*

- (1) The Committee noted the views of the local Member, Mr J R Bullock in support of the Proposal.
- (2) RESOLVED that permission be granted to the Proposal subject to conditions, including conditions restricting the use of the facility to school use; restricting usage to between 0845 and 1900 hours with very occasional weekend use during the same hours in term time only; and requiring car parking spaces within the school to be made available whilst the Multi Use Games Area is being used after school hours.

**12. Proposal MA/09/2245 - All weather sports pitch with floodlighting including ball stop fencing and acoustic noise barrier at Swadelands School, Ham Lane, Lenham, Maidstone; Governors of Swadelands School**

*(Item D4)*

- (1) Mrs J Whittle was present for this item pursuant to Committee Procedure 2.24 and spoke. She made a declaration of Personal Interest as she had applied to become an LEA-appointed Governor at Swadelands School.
- (2) RESOLVED that permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; all trees and hedges within the site (other than the two shown for removal under the development footprint) being afforded the necessary protection and precautionary measures; details of a surface water drainage scheme being submitted to and approved by the County Planning Authority prior to commencement of the development; details of specification and external appearance of the 2m high acoustic fence being submitted to and approved by the County Planning Authority prior to commencement of the development; implementation of an archaeological watching brief ; a post-completion lighting test report being submitted to and agreed by the County Planning Authority before the pitch is brought into first operation; an acoustic fence being installed in accordance with the approved specification prior to the pitch being brought into first operation; a landscaping scheme being submitted to and approved by the County Planning Authority prior to commencement of the development to address under-storey planting along the southern boundary of the site; and the hours of use of the pitch being limited to 0800 to 2200 on Mondays to Fridays, 0800 to 2200 on Saturdays and 0900 to 2000 on Sundays and Bank Holidays.

**13. County matters dealt with under delegated powers**

*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

## KENT COUNTY COUNCIL

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### REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 26 January 2010.

PRESENT: Mr M J Harrison (Chairman) Mr R Brookbank, Mr C J Capon, Mr H J Craske, Mr J Cubitt, Mrs V J Dagger (Substitute for Mr A D Crowther), Mr T Gates, Mr W A Hayton, Mr S J G Koowaree, Mr R J Lees, Mr S Manion, Mr R F Manning, Mr J Ozog, Mr R A Pascoe, Mr J Wedgbury and Mr M Whiting

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Principal Planning Officer Enforcement), Mr C Wade (PROW Team Manager (definition)), Mr S Bagshaw (Head of Admissions & Transport), Mr G Rudd (Assistant Democratic Services Manager) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### 1. Minutes

*(Item 3)*

RESOLVED that the Minutes of the Committee meeting of 10 September 2009 and of the Member Panels held on 27 October 2009, 16 November 2009 and 14 December 2009 are correctly recorded and that they be signed by the Chairman.

#### 2. Update from the Commons Registration Team

*(Item 4)*

RESOLVED that the County Council's participation in the pilot implementation of Part I of the Commons Act 2006 be noted and that the action taken this far be commended.

#### 3. Applications to register land as a Town or Village Green under Section 15 of the Commons Act 2006

*(Item 5)*

(1) A revised version of the report had previously been published and circulated to all members of the Committee.

(2) RESOLVED that:-

- (a) all applications for the registration of land as a new Town or Village Green made under Section 15 of the Commons Act 2006 be dealt with in order of receipt; and

- (b) in exceptional circumstances, where Officers consider that a particular case should be expedited, agreement to depart from the standard policy set out in (a) above be sought from an Informal member Group of the Regulation Committee.

#### **4. Presentation on Home to School Transport (including Home to School Transport Statistics)**

*(Item 6)*

(1) Mr S Manion made a declaration of Personal Interest as his children received free transport from home to school.

(2) Mr C J Capon informed the Committee that he was the Chairman of the Children, Families and Education Resources and Infrastructure Policy Overview Committee which had set up an Informal Member Group (IMG) to consider SEN Home to School Transport issues. He offered to ensure that the views of the Regulation Committee were represented to the IMG.

(3) The Committee asked for additional information on the number of appeals that had been withdrawn before being considered by a Transport Appeals Panel.

(4) RESOLVED that the report be noted.

#### **5. Update on Planning Enforcement Issues**

*(Item 7)*

(1) The Schedules of Contraventions on (part) unauthorised sites and of Alleged breaches on Permitted Minerals and Waste Sites had previously been published and circulated to all members of the Committee.

(2) The Chairman informed the Committee that Mr R E King, the Local Member for the Deal Field Shaw (Shaw Grange) landfill site in Charing had written on behalf of the local residents to thank and congratulate the Committee and its Officers for all the work they had done towards restoring the site.

(3) RESOLVED to endorse the actions taken or contemplated on the respective cases set out in paragraphs 6 to 34 of the report and those contained within the Schedules set out in Appendices 1 and 2.

### **EXEMPT ITEMS (Open Access to Minutes)**

*(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 5 and 6 of Part 1 of Schedule 12A of the Act)*

#### **6. Update on Planning Enforcement issues at Deal Field Shaw, Charing**

*(Item 9)*

(1) The Head of Planning Applications Group reported on the latest enforcement position concerning the Deal Field Shaw (Shaw Grange) former landfill site in Charing.

(2) RESOLVED to endorse the site strategy outlined in paragraphs 4 to 11 of the report.

**7. Enforcement strategy at Four Gun Field, Otterham Quay Lane, Upchurch**  
*(Item 10)*

(1) The Head of Planning Applications Group reported on the latest enforcement strategy concerning the Four Gun Field site at Otterham Quay Lane, Upchurch.

(2) RESOLVED to endorse the enforcement strategy outlined in paragraphs 4 to 10 of the report.

**8. Enforcement strategy for Blu-3 (UK) Ltd/ Construction Haulage Ltd, Unit 10, Detling Airfield, Detling**  
*(Item 11)*

(1) The Head of Planning Applications Group reported the latest enforcement strategy concerning Blu-3 (UK) Ltd/ Construction Haulage Ltd, Unit 10, Detling Airfield, Detling.

(2) RESOLVED to endorse the enforcement strategy outlined in paragraphs 6 to 8 of the report.

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## **ELECTORAL AND BOUNDARY REVIEW COMMITTEE**

MINUTES of a meeting of the Electoral and Boundary Review Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Monday, 8 March 2010.

PRESENT: Mr G K Gibbens (Chairman), Mr A R Chell, Mr M J Harrison, Mr J F London, Mr M V Snelling and Mr I S Chittenden (Substitute for Mr T Prater)

IN ATTENDANCE: Mr G Wild (Director of Law and Governance), Mr G Adey (Head of Registration & Coroners) and Mr P Sass (Head of Democratic Services and Local Leadership)

### **UNRESTRICTED ITEMS**

#### **1. Apologies and Substitutes**

*(Item )*

Mr Sass reported apologies from Mr Bullock, Mr Ferrin and Mr Prater. The Committee noted that Mr Chittenden was present as a substitute for Mr Prater.

#### **2. Declarations of Interest on any items on this agenda**

*(Item 1)*

There were no declarations of interest made by Members in any item on the agenda.

#### **3. Election of Vice Chairman**

*(Item 2)*

Mr M J Harrison moved, Mr A R Chell seconded that Mr J F London be elected Vice Chairman.

*Carried without a vote*

#### **4. Minutes - 2 November 2006**

*(Item 3)*

RESOLVED: that the minutes of the meetings held on 2 November 2006 and 25 June 2009 be approved as a correct record and signed by the Chairman.

#### **5. Review of KCC Election Arrangements**

*(Item 4)*

The Committee considered a joint report from the Director of Law and Governance and the Head of Registration and Coroners on a review of KCC Election Arrangements.

During a debate the following comments were made by Members:

The cost and value of the election screen system was queried. Mr Wild stated that it would be up to this Committee in future to take a view on what facilities were needed on the day of a County Council Election count in 2013 and thereafter.

The Chairman stated that he had been assured that the Job Description for the new Group Managing Director included specific responsibility for performing the duties of the County Returning Officer in all County Council Elections.

Mr Adey confirmed that, for a County Council Election only, the timing of the count was down to the County Returning Officer (CRO), in consultation with the District Returning Officers (normally the Borough and District Council Chief Executives). The CRO had the power to issue a direction to the DROs, as he did for the 2009 County Council elections. However, if the County Council Election was combined with either a Parliamentary or European Election, either the Regional Returning Officer (for European Elections) or the Area Returning Officer (for Parliamentary Elections) could overrule the CRO on the timing of the count. Mr Adey added that the 2013 Elections would be County Council Elections only, unless there was an unscheduled Parliamentary Election. Mr Snelling stated that some of the District Leaders were not happy with the consultation process for the timing of the count for the 2009 County Council Elections.

After further discussion, it was:

RESOLVED: that:

- (1) the CRO makes a direction for a Friday morning count for all future KCC **joint** elections, and in order to give adequate notice this direction is made at least one year prior to the date of the election;
- (2) the proposed Scale of Fees for 2010 be reviewed by this Committee at a meeting in September 2010 and that it also assumes responsibility for authorising and approving the Scale of Fees each year thereafter;
- (3) this Committee agrees to consider and determine whether a fee should be payable in future to the CRO and, if so, whether any part of that fee should be apportioned amongst KCC election staff;
- (4) if joint KCC counts are proposed by DROs for any future KCC elections, these will be subject to the arrangements being agreed in advance by the CRO and respective DROs;
- (5) a post-election audit and reconciliation of district council expenses claims be undertaken through the Internal Audit offices of KCC;
- (6) succession planning arrangements are agreed by the Committee ahead of the retirement of the current Head of Registration & Coroners;
- (7) the Committee endorses and adopts the Election Protocol set out at **Appendix B**, which sets out the procedures and arrangements for the conduct of KCC elections; and

(8) the Minutes of this Committee meeting be referred to the County Council for information.

## **6. Two-Member Divisions**

*(Item )*

In response to a question from Mr Harrison, the Committee agreed to consider a report relating to two-Member Divisions, at its next meeting in September 2010.

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