

**CABINET SCRUTINY COMMITTEE**

**Wednesday, 1st June, 2011**

**10.00 am**

**Darent Room, Sessions House, County Hall,  
Maidstone**







## AGENDA

### CABINET SCRUTINY COMMITTEE

**Wednesday, 1st June, 2011, at 10.00 am**  
**Darent Room, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Peter Sass**  
Telephone: **01622 694002**

#### **Membership**

Liberal Democrat (1): Mrs T Dean (Chairman)

Conservative (11): Mr R F Manning, Mr R Brookbank, Mr A R Chell, Mr D A Hirst,  
Mr E E C Hotson, Mr M J Jarvis, Mr R E King, Mr R L H Long, TD,  
Mr M J Northey, Mr J E Scholes Mr C P Smith

Labour (1) Mr G Cowan

Independent (1) Mr R J Lees

Church The Reverend N Genders, Dr D Wadman Mr A Tear

Representatives (3):

Parent Governor (2): Mr B Critchley Mr P Myers

*Refreshments will be available 15 minutes before the start of the meeting*

*Timing of items as shown below is approximate and subject to change.*

*County Councillors who are not Members of the Committee but who wish to ask questions at the meeting are asked to notify the Chairman of their questions in advance.*

#### **Webcasting Notice**

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

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

## **UNRESTRICTED ITEMS**

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

### **A. COMMITTEE BUSINESS**

- A1 Introduction/Webcasting
- A2 Committee Membership  
Members are asked to note that Mr Gordon Cowan has replaced Mr Leslie Christie and has now become the Labour Spokesperson on the Committee.
- A3 Substitutes
- A4 Declarations of Interests by Members in Items on the Agenda for this Meeting
- A5 Minutes of the meeting held on 9 February 2011 ( 1 - 10)
- A6 Minutes of the meeting held on 28 March 2011 ( 11 - 18)
- A7 Follow-up Items from Cabinet Scrutiny Committee ( 19 - 98)
- A8 Informal Member Group on Budgetary Issues held on 1 April 2011 ( 99 - 102)
- A9 Informal Member Group on Budgetary Issues held on 19 May 2011 (to follow)

### **B. CABINET/CABINET MEMBER DECISIONS AT VARIANCE TO APPROVED BUDGET OR POLICY FRAMEWORK**

There are no items for consideration.

### **C. CABINET DECISIONS**

- C1 Putting Children First: Kent's Safeguarding and Looked After Children Improvement Plan & KCC's Workforce Strategy for Children's Social Services ( 103 - 206)  
Mrs J Whittle, Cabinet Member, Specialist Children's Services, Mr M Newsam, Interim Corporate Director, Families and Social Care and Ms A Beer, Corporate Director of Human Resources have been invited to attend the meeting between 10.30am and 11.45am to answer Members' questions on this item.  
  
Mr P Gilroy, the former Chief Executive of Kent County Council, Mrs S Hohler and Mr C Wells, the former Cabinet Members for Children, Families and Education and a representative from Ofsted have also been invited to attend the meeting to answer Members' questions.
- C2 Revenue & Capital Budget Monitoring Exception Report 2010-11 ( 207 - 208)  
Mr M Hill, Cabinet Member, Customer and Communities, Ms A Slaven, Director of Service Improvement and Mr J Turner, Assistant Head of Youth Service have been invited to attend the meeting between 11.45am and 12.15pm to answer Members' questions on a specific aspect of this item relating to the Youth Service.

C3 Appointment of 'Preferred Bidder' on new Kent Highway Services Contract ( 209 - 222)

***This item is provisional dependent on discussions that are due to take place between the Conservative Spokesperson, the Cabinet Member, Environment, Highways and Waste and the Director of Highways. The item will be withdrawn should the concerns of the Conservative Spokesperson be resolved in the course of those discussions.***

Mr D Brazier, Deputy Cabinet Member, Environment, Highways and Waste, Mr M Austerberry, Corporate Director, Enterprise and Environment and Mr J Burr, Director of Highways have been invited to attend the meeting between 12.15pm and 12.45pm to answer Member's questions on this item.

#### **D. CABINET MEMBER DECISIONS**

There are no items for consideration.

#### **EXEMPT ITEMS**

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

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Monday, 23 May 2011**

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

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**KENT COUNTY COUNCIL**

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**CABINET SCRUTINY COMMITTEE**

MINUTES of a meeting of the Cabinet Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 9 February 2011.

PRESENT: Mrs T Dean (Chairman), Mr L Christie, Mr R F Manning, Mr A R Chell, Mr D A Hirst, Ms A Hohler (Substitute for Mr R Brookbank), Mr E E C Hotson, Mr M J Jarvis, Mr R J Lees, Mr R L H Long, TD, Mr R J Parry (Substitute for Mr R E King), Mr C P Smith and Mr K Smith (Substitute for Mrs J P Law)

PARENT GOVERNORS: Mr P Myers

ALSO PRESENT: Miss S J Carey, Mr K H Pugh and Mr J D Simmonds

IN ATTENDANCE: Mr K Abbott (Director Resources and Planning Group), Mr D Shipton (Finance Strategy Manager), Mr A Wood (Acting Director of Finance), Mr P Sass (Head of Democratic Services and Local Leadership) and Mr A Webb (Research Officer to the Cabinet Scrutiny Committee)

**UNRESTRICTED ITEMS**

**2. Minutes of the meeting held on 19 January 2011**  
*(Item A4)*

RESOLVED: that the minutes of the meeting held on 19 January 2011 are correctly recorded and that they be signed by the Chairman.

**3. Minutes of the meeting held on 24 January 2011**  
*(Item A5)*

RESOLVED: that the minutes of the meeting held on 24 January 2011 are correctly recorded and that they be signed by the Chairman.

**4. Follow-up Items from Cabinet Scrutiny Committee**  
*(Item A6)*

*Mr J Burr, Director of Kent Highway Services. was present for this item.*

(1) Mr Christie made the point that, taking into account the volume and timing of the information provided in respect of the Older Person's Modernisation recommendations, it was difficult to do the papers justice. The Chairman explained that she was reluctant to defer discussing the follow-up items, but would return to the Older Person's Modernisation recommendations at the next meeting of the Committee.

(2) Regarding the recommendation relating to gully emptying schedules, the Chairman explained that this would remain outstanding until a report was provided by Mr Burr in the autumn. Mr Kit Smith added that the public should be made aware of

the good work the Council was doing around this issue, including being reported through Joint Transportation Boards (JTBs).

(3) On the Kent Design Guide, the Chairman referred Members to the update provided by Environment, Highways and Waste in the follow-up items report. In light of the announcement by the Secretary of State for Communities and Local Government that maximum parking standards would be delegated to local planning authorities and the fact that the Kent Planning Officers' Group (KPOG) was happy with the Guide, Mr Burr had asked that the Council leave the Guide as it stood.

(4) There was a discussion about whether the previous representations made about the Guide had hindered KCC's relationship with district councils and developers. Mr Burr explained that the time taken to revisit the guide had not helped this relationship, and that the district councils, via KPOG, had asked the Council to leave the Guide as it stood. The Chairman felt that the Kent Design Guide had been pursued by the Committee as far as was possible, and that given the statement by the Secretary of State about planning decisions being taken at a district level, it should be removed from the list of outstanding recommendations.

(5) On the Review of SEN Units, the Chairman expressed disappointment that the report that would be taken to the Children, Families and Education Policy Overview and Scrutiny Committee, and to Cabinet on 18 July 2011, could not be made available sooner, since schools were awaiting guidance on handling the SEN issue. On the Inspection of Safeguarding and Looked After Children Services, the Chairman explained that the Committee were awaiting a copy of the improvement plan in order that it could scrutinise it.

(6) In respect of recommendation 9 of the Older Persons Modernisation item, Mr Sass explained that he had attended a meeting with Mr Wild together with one of his senior solicitors and KASS officers, and that Mr Wild would give his opinion on the validity of the consultation in due course.

(7) There was discussion about Member involvement, in respect of recommendation 11 of Older Persons Modernisation. Mr Christie made the point that the closure of The Limes in Dartford, whilst not in his division, had a knock-on effect on a home that was, and therefore local Members should be involved in issues that had cross-boundary implications. There was consensus that there should be greater Member involvement, and the Chairman expressed disappointment that the Member Information Group had recently been cancelled again. It was felt that the Group Managing Director should be thanked for her response to this issue, but that the Member Information Group should meet as soon as possible.

## **5. Notes of the Informal Member Group on Budgetary Issues held on 27 January 2011**

*(Item A7)*

RESOLVED: that the Cabinet Scrutiny Committee approve the notes of the Informal Member Group on Budgetary Issues held on 27 January 2011.



## **6. Cabinet Scrutiny Committee Protocol**

*(Item A8)*

(1) There was a discussion about the Cabinet Scrutiny Committee protocol, which had been drafted with input from the Chairman and Vice-Chairmen of the Committee. The concept of a protocol was welcomed by Members, and a range of views were expressed about its content, particularly around the participation of witnesses. These views included:

- A reference to ‘the other two political parties’ should be replaced with ‘the other political parties’
- Whether or not the amount of time witnesses would be allowed to speak should be limited
- That the distinction between internal witnesses (i.e. officers and Cabinet Members) and external witnesses should be clarified in the wording
- That the Committee should be flexible in its approach, depending on the issues being debated, but the Chairman should ensure control of the meeting
- A concern whether witnesses should be able to question other witnesses, and whether such questioning has the potential to marginalise members of the Committee
- That the Committee, rather than finding ways of excluding the public from debates, should be seeking more public participation, and that anybody should be able to raise questions

RESOLVED: that the Cabinet Scrutiny Committee Protocol be re-drafted in light of the points raised and be brought to the next meeting for approval.

## **7. Medium Term Plan 2011-13 (incorporating the Budget and Council Tax setting for 2011/12) - Update**

*(Item C1)*

*Mr J Simmonds, Cabinet Member, Finance and Procurement, Miss S Carey, Deputy Cabinet Member, Finance and Procurement, Mr A Wood, Acting Director of Finance, Mr D Shipton, Finance Strategy Manager and Mr K Abbott, Director, Resources and Planning, were present for this item.*

(1) Referring to the Cabinet report of 2 February, Mr Wood gave Members an update on changes to the Budget Book and Medium Term Financial Plan (MTFP) since the draft was considered by the Committee on 24 January.

(2) A key change included an additional £1.3m in the council tax base, due an increase of 0.74% on 2010/11 levels, which was higher than the 0.5% increase originally estimated in the draft. This additional sum had been used to:

- Fund an additional £1m for children’s social services, due to demand-led pressures
- Put an extra £100k into the highways maintenance budget, to mitigate the loss of the Area Based Grant (ABG) from the Department of Transport

- Fund the £70k relating to District Councils' share of the increased tax yield relating to the reduction in the discount on second homes
- The remaining balance had been set aside to fund prudential borrowing on the Rushenden relief road

(3) An additional £2m which had arisen from the surplus on collection funds had been added to the £1.5m contingency that was held in the Finance portfolio for the Children's Social Care Improvement Plan. The contingent sum had not been allocated to the Children, Families and Education (CFE) portfolio as officers had not yet seen the cost of the Improvement Plan.

(4) There were a number of questions about how decisions on the use of the additional £1.3m from council tax had been made, including:

- whether Cabinet Members or Directors had been able to make representations for additional support
- since the sum corresponded to the demand-led pressures in children's social services, what would have been done if the money had not been made available
- whether a 1% pay increase for staff earning less than £21,000 per annum had been considered, since this would cost approximately £1m

(5) Mr Simmonds explained that Budget setting had been a thorough process, with Members kept informed of where savings were to be made. He felt there was a need for communication and consultation with organisations such as those in the voluntary sector, and to work together to achieve the savings, but there was also a need to be resolute in order to balance the books. Later in the discussion, a Member expressed the view that some voluntary organisations could be more efficient, but that the Council needed to support them to achieve this.

(6) On the additional pressure in children's social services, Mr Wood explained that the pressure was not known when the Budget was originally drafted, and had the additional £1.3m not been made available, there would need to be a plan to reduce the numbers in foster care or another £1m of savings would need to be found since the Council was committed to funding the placements.

(7) Regarding the possibility of a pay increase for staff, and the suggestion made by the Chancellor of the Exchequer that those earning less than £21,000 should receive an additional £250, Mr Simmonds reminded Members that the Leader had stated that he would bear in mind the Chancellor's suggestion. He also drew Members' attention to the possible knock-on effects of any increased pay settlement on the Council's partner organisations, since many of their staff earned less than £21,000.

(8) Mr Abbott detailed other changes to the draft Budget, in respect of the CFE portfolio. Savings due to the loss of the ABG, which was ending in March 2011, included:

- £2.3m from Learning Group staffing
- £1.5m to provide start-up grants for extended schools

- £2.3m of activities funded from the retained School Development Grant
- £1.2m for Home to School Transport on the assumption that the grant would be withdrawn (with any continuing entitlement under the Education and Inspections Act 2006 being met through savings in the mainstream transport budget)

(9) Mr Abbott also set out the major elements of activity that had been affected by the reduction in the Early Intervention Grant (EIG). The Grant had been reduced from £61.5m to £50m with £3m being reclaimed in the second year, which amounted to a reduction of £8.5m overall. This was comprised of:

- A £2m reduction to Connexions funding in 2011/12
- A £1.6m reduction to Sure Start Sustainability and Workforce, arising from a 33% staffing reduction in quality and outcomes teams
- A £3.3m reduction to Sure Start Sustainability and Workforce, arising from a saving of over 50% to the graduate leader fund and other training for Private, Voluntary and Independent sector (PVI) providers and a saving of nearly 40% in grants to PVI providers
- A £2.6m reduction in grants to Children's Centres (which were being scaled back, but not closed)

(10) It was also explained that a short term loan would enable £3.1m of the reductions in 2011/12 to be slipped into 2012/13, without any adverse effect on the 2011/12 Budget.

(11) Responding to a question about whether there was still any uncertainty about grants, Mr Abbott stated that there had been a Government announcement the previous day that music in schools would continue to be funded at the same level, and Mr Shipton added that officers were still awaiting news on grants from the Home Office, which amounted to approximately £1.5m.

(12) There was a discussion about the effects of the savings at a local level. Members expressed the view that it was difficult to know what the local effects would be, and it would be necessary to look in more detail throughout the year at Scrutiny Board and the Policy Overview and Scrutiny Committees, to understand their impact. This would also allow local Members to feed back to Cabinet Members the local effects of any reductions.

(13) Responding to a question about whether schools would have sight of their respective budgets during the first week in March, Mr Abbott explained that there had been a delay due to discussions with the Department for Education about varying the minimum funding guarantee for certain Kent schools, but that officers were still aiming to make the information available by 4 March 2011. Mr Simmonds added that school governing bodies could begin making decisions about their budget commitments, given that savings were already expected due to the economic situation.

(14) In relation to respite efficiencies as a result of the EIG reduction, and the possible effect on carers and parents, Mr Abbott explained that this related to previous infrastructure and one-off costs which could now be taken out of the budget, and that services would be maintained at their current levels.

(15) On Kent's position relative to other Councils in the grant settlement, Mr Shipton explained that officers could produce a proper comparison now the final settlements had been published, Kent was still worse off than the average of County Councils, and would receive £152,000 less than under the provisional settlement.

(16) In reply to a question about whether a response had been received from the Immigration Minister to the letter sent by the Council about the pressures caused by asylum seekers, Mr Abbott informed Members that the Leader would be meeting the Minister the following week. Mr Abbott was also due to have a telephone call with the UK Border Agency later that afternoon.

(17) Mr Abbott responded to a query about the £3.3m of Sure Start funding for training and grants to PVI providers mentioned in paragraph 7.3 of the report, and whether this contradicted the statement in paragraph 8.3 that current rates for PVI providers would be maintained. He clarified that the £3.3m represented additional money that was provided for professional training or one-off costs, which was separate from the basic funding for PVI providers which came from the Dedicated Schools Grant (DSG).

(18) Responding to a question about how the 11% saving in the running costs of Children's Centres would be implemented, Mr Abbott explained that the detail still needed to be worked up, but CFE were already looking at a number of ways of saving money. Due to a difficulty in recruiting to posts, there had been pilots where staff and managers were shared between centres, and officers were looking at providing support services to centres across whole districts. Mr Simmonds added that Children's Centres were a flagship policy of the previous Government, and money was wasted in the first three years of the programme, and there was a need to rationalise the operation to ensure the effective delivery of services while maintaining value for money. The Chairman asked that an evaluation of Children's Centres, which had had been carried out by CFE 18 months previously, be circulated to all Members of the Council.

(19) Mr Abbott confirmed that the pupil premium represented a new grant in addition to the DSG, but pointed out that it needed to be seen in the context of the DSG remaining static. The value of the grant was estimated at £12m in 2011/12 but it was likely to treble over a four year period, based on the total amount allocated by Government.

(20) Referring to the announcements that the minimum funding guarantee for 2011/12 would be -1.5%, a question was asked about whether this would mean all schools would see a -1.5% reduction in funding and whether this included the effect of the pupil premium. Mr Abbott explained that the Secretary of State had specified that no school would see a reduction in their budget of more than 1.5% per pupil the following year, and that the pupil premium was outside of the minimum funding guarantee.

(21) On the reduction in funding to Supporting People of nearly £3m, and whether this would affect floating support services, Mr Shipton replied in the affirmative.

(22) There was a discussion about the reduction of subsidised bus routes, and when Members would be made aware of which routes would be affected. Mr Simmonds explained that no route would completely disappear, except a route where the subsidy was benefitting residents of East Sussex rather than Kent, but some services in the late evenings and weekends might be reduced. Miss Carey added that Highways were looking to local Members to increase usage of some of the bus routes and find more cost-effective solutions, and there was also the option of using Member Highway Funds.

(23) The Chairman asked if the option of minibuses operated by schools and voluntary organisations being used by other parts of local communities had been explored, since she had been informed previously that there were issues around insurance and driver training that precluded this from happening. Mr Chell pointed out that a recommendation from the Select Committee on Positive Activities for Younger People was to establish a register of passenger carrying vehicles, and that Highways could speak to the Head of the Kent Youth Service to ascertain what information was already available. Mr Simmonds undertook to speak to the Cabinet Member, Environment Highways and Waste, and the Director of Kent Highway Services and come back to the Committee on this issue.

(24) On the availability of waste disposal, and the potential closure of civic amenity sites or the reduction of opening hours, Mr Wood explained that proposals on this had not been finalised.

(25) There was a discussion about switching off street lights to make savings. Mr Wood explained that the Director of Kent Highway Services was looking at this as a top priority and would be meeting with the Cabinet Member to discuss. Mr Christie pointed out that the previous Cabinet Member had made a commitment that no street lights would be switched off without local consultation.

(26) The Chairman referred to the fact that the Kent Youth County Council was prepared to see a reduction in Connexions. Mr Abbott commented that the feedback from schools had been polarised, with some schools valuing the Connexions service and others less so.

(27) The Chairman asked whether an Equality Impact Assessment had been carried out on the reduction in funding for denominational and selective school transport. Mr Abbott stated that he would check if it had been, but it would be carried out before implementation of the policy in any case. Responding to a request for detail on the safeguards for low-income families and Looked After Children in the implementation of the savings, Mr Abbott stated that this was in the process of being worked up and that he would provide this information to Members.

(28) Mr Abbott informed Members that an announcement from Government on home to school transport more generally was expected soon. The Chairman stated that she had seen a statement that demonstrating membership of a church would no longer be requirement for denominational transport and Mr Abbott undertook to speak to the Head of Admissions and Transport to find out more detail.

## **8. KCC Companies**

*(Item C2)*

*Mr K Pugh, Deputy Cabinet Member, Business Strategy and Support, Mr J Simmonds, Cabinet Member, Finance and Procurement, Miss S Carey, Deputy Cabinet Member, Finance and Procurement and Mr A Wood, Acting Director of Finance, were present for this item.*

(1) Mr Simmonds explained that the protocol was prompted by the increasing number of KCC companies. He felt that the appendix which set out some detail of existing KCC companies could be more up to date, and the protocol was still in the early stages of development. Mr Simmonds explained that expert advice had been sought about the tax implications for the Council, and how the companies should be structured. Mr Wood explained that KCC-owned companies might have a good business case, but this might not be in the interest of the Council as a whole, and this was another reason for the development of the protocol.

(2) Mr Simmonds explained that, since the protocol was at the early stages of development, taking it through the Governance and Audit Committee would enable it to be further refined, and it would then be taken back to Cabinet. Mr Long, as Chairman of the Governance and Audit Committee, suggested that detailed discussion on the protocol could take place at the Trading Activities sub-group of Governance and Audit before it was brought to the full committee.

(3) The Chairman felt that it was not clear who was responsible for appointing a director, since there were references to directors being appointed by the Council, the Cabinet or a Cabinet Member. Mr Wood undertook to feed back this observation during the development of the protocol. In response to a question about what checks were carried out before directors of KCC companies were appointed, Mr Wood confirmed that some checks were carried out, but would find out more information.

(4) Referring to paragraph 4(e) of the protocol, the Chairman inquired why, given the fact that no Member or officer of the Council currently received income from a company, the protocol introduced that possibility. Mr Wood explained that there was not an intention to make any payments, but the paragraph would allow this to be done in specific circumstances. He stated he would be happy to remove this paragraph if required.

(5) Mr Manning inquired about the need for the protocol, what the aspirations for setting up separate companies were, and how the protocol related to how commercial companies operated in practice. Mr Simmonds explained that the protocol was designed to establish how the Council conducted itself in the corporate market, but some companies would involve other partners, and not all companies would be operating solely with a profit motive. There was also a need for the protocol where Directorates may have set up companies for a valid purpose, but these had financial implications, particularly in relation to tax, because they had not been considered corporately.

(6) Mr Pugh referred Members to a KCC document had been in existence since 2006 which incorporated the Companies Act 2006, which covered many of the questions that had been asked by Members. Mr Wood added that this document, which was

referred to in paragraph 2 of the protocol, 'Guidance on Local Authority Companies', answered many of Mr Manning's concerns.

(7) Mr Long inquired whether a company lawyer was involved in the drafting of the protocol, since he felt company law was very complex and it was important to have a specialist. Referring to paragraph 4(a) of the protocol, Mr Long expressed a concern that it may not be within the Council's gift to insist that all KCC companies had their registered office at County Hall, since some of them were joint enterprises. Mr Wood explained that where KCC had a minority interest in a company it might be more difficult to persuade other parties to have a County Hall as the registered office, but this would be a matter for negotiation.

(8) A question was asked about the meaning of an 'active dormant' company, as referred to in the appendix. Mr Long indicated that this may be where a company is on the register of companies and not trading, and Mr Simmonds informed Members that there were instances where the Council had sought to protect the name of an existing KCC company.

(9) Referring to paragraph 19 about possible conflicts of interest, Mr Christie inquired as to what would happen in these cases.

(10) Paragraph 21 mentioned a specific legal obligation for Members and officers to report back their involvement in outside companies, and stated that this happened through the Trading Activities Sub-group. Mr Christie asked about the availability of the minutes of the Sub-group, and Mr Long informed Members that the minutes went on to the full Governance and Audit Committee.

(11) A Member expressed a concern that the appropriateness of KCC entering the marketplace, particularly where KCC may compete with Kent companies, had not been addressed in the protocol. Mr Simmonds explained that a review of KCC companies and their relationship with the Council had been carried out by an outside body. The Chairman also referred Members to the earlier discussion where the business cases of each company would be considered in the context of the Council as a whole, and Mr Long informed Members that all business cases of existing companies had been scrutinised by the Governance and Audit Committee.

RESOLVED: that the Cabinet Scrutiny Committee:

(12) Thank Mr Pugh. Mr Simmonds, Miss Carey and Mr Wood for attending the meeting and answering Members' questions.

(13) Welcome the preparation of the KCC Companies protocol and note that it will be going to the Governance and Audit Committee for approval.

(14) Ask that the Acting Director of Finance provide more detail on the checks that are carried out before directors of KCC Companies are appointed.

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## KENT COUNTY COUNCIL

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### CABINET SCRUTINY COMMITTEE

MINUTES of a meeting of the Cabinet Scrutiny Committee held in the Edenbridge Leisure Centre, Stangrove Park, Edenbridge, Kent on Monday, 28 March 2011.

PRESENT: Mrs T Dean (Chairman), Mr L Christie, Mr R F Manning, Mr R Brookbank, Mr M J Harrison (Substitute for Mr D A Hirst), Mr M J Jarvis, Mrs J P Law, Mr R J Lees, Mr R L H Long, TD and Mr J E Scholes

PARENT GOVERNORS: Mr P Myers

ALSO PRESENT: Mr P W A Lake, Cllr J Scholey, Cllr J Davison, Ms C Lane, Ms S Richards and Mr P Kingham

IN ATTENDANCE: Mr K Tilson (Head of Finance for Policy and Resources), Mr J White (Capital Project Officer), Mr R Aldous (Capital Strategy Manager), Mr P Sass (Head of Democratic Services and Local Leadership) and Mr A Webb (Research Officer to the Cabinet Scrutiny Committee)

### UNRESTRICTED ITEMS

#### **9. Introduction/Webcasting**

*(Item A1)*

(1) The Chairmen welcomed Members, guests and members of the public to the meeting. She explained that it was the first occasion that the Cabinet Scrutiny Committee had met outside of County Hall, and since the issue related to a single location, the best place to discuss it was in the town itself, which would enable local people to attend.

(2) The Chairman explained that meeting would be recorded and would be available on the Kent County Council website within 48 hours. Normally it would be webcast live, but that was not possible from this location.

#### **10. Declaration of Interests by Members in Items on the Agenda for this Meeting**

*(Item A3)*

(1) Mr Brookbank declared that he is a member of the Development Control Committee of Sevenoaks District Council. (Mr John Scholey also declared that he was a member of the Development Control Committee of Sevenoaks District Council, but was not on the Committee when the relevant planning decisions had been taken).

#### **11. Edenbridge Community Centre**

*(Item D1)*

(1) The Chairman explained that, having gained permission from two of the Vice-Chairmen of the Committee, Mr Kingham, the Chairman of Edenbridge Chamber of Commerce would be invited to speak as a witness.

(2) Due to the fact that a number of members of the public had arrived at the meeting, the Chairman felt it appropriate to state the role of the Cabinet Scrutiny Committee and its powers, including the fact that rather than being a decision making body, it could only make recommendations to Cabinet.

(3) Since there were a number of Members, Officers and witnesses, each individual sitting at the table introduced themselves and their role. The Chairman explained that, of these, only Members of the Committee had voting rights.

(4) The Chairman proposed, and Mr Christie seconded, that the members of the public present be able to participate in the meeting. The vote was carried unanimously.

(5) Responding to a number of queries from Members about why the Committee had met in Edenbridge, and what it hoped to achieve, the Chairman explained that she wanted to know:

- Why the centre had taken nine years to get to the current stage.
- How, once built, the centre would be financed and in the event of a funding gap who would be liable
- Any local concerns about the operation of the centre

(6) Mr Aldous gave a presentation on the Edenbridge Community Centre, encompassing:

- History
- Challenges
- The Future; and
- A Summary

(7) Members of the public then had the opportunity to put questions to the Committee. These questions included:

- Why a community centre had been built, instead of a secondary school
- Why the library had been moved to the community centre, when it had worked well in its present location for approximately 50 years
- What KCC would be doing to mitigate the reduction in high street business that would result from the library move
- What proportion of library users and what proportion of Edenbridge residents had been consulted

(8) Mr Lake, the local member for Sevenoaks South, gave an overview of the history of the project, with key reports and events:

- In 2000 delegated powers were withdrawn from Eden Valley School, which had a large deficit and a falling number of students. Tonbridge Grammar School for Girls came on board to help turn the situation around, but student numbers continued to fall.
- In January 2002 the Cabinet Member for School Organisation and Early Years announced that the number of students had fallen to 228, the deficit was still

climbing and that the school would be placed in special measures. He authorised a public consultation on the future of the school with closure as an option.

- In February 2002, following public consultations, there was a proposal document prepared by KCC called 'The Eden Valley Vision' and similarly a proposal document prepared by Edenbridge Town Council called 'The Edenbridge Vision'.
- In July 2002, a report went to Cabinet. Cabinet authorised Officers to undertake a feasibility study with Sevenoaks District Council to develop purpose-built community facilities. Mr Lake felt that the officer appointed to undertake the task was excellent in his youth and community role, but lacked the requisite experience of planning, project management and consultation with a wide range of stakeholders.
- Nothing appeared to have happened for nearly a year, and so in March 2003 Mr Lake sent a memorandum to the Cabinet Member, expressing local concerns at the lack of action and his concern that negotiations with West Kent College had been broken off.
- In response, KCC unveiled 'A Vision for the Future' in May 2003. This document outlined the possible sale of the existing Primary School to build a brand new Primary School on the Eden Valley Site with a community centre as part of the site. That same month, Mr Lake wrote to the then Leader expressing concern at how Education was dealing with the Edenbridge issue, and he felt that Planning had not done their calculations rigorously enough, with insufficient progress with the supermarkets to ensure that there would be deal on the table.
- In January 2004, in response to a previous memorandum from the Deputy Leader, Mr Lake wrote to him Informing him that the go-ahead for a relief road had been given, and that a community centre and primary school would be built on the new site from the proceeds of the sale of the primary school site.
- In July 2004, there was a realisation that the figures just did not add up. The then Leader of KCC wrote to the Leader of Sevenoaks District Council, stating that KCC was totally committed to ensuring that there would be a new community centre in Edenbridge.
- In February 2005, the Leader of KCC wrote to the clerk of Edenbridge Town Council mentioning the 'red-line' application that had been submitted to Sevenoaks District Council.
- In August 2005, it was announced that the centre was again delayed.
- When the new Leader of KCC arrived, he advised the Cabinet Member to take on responsibility for the project.
- Over the next 18 months there were various iterations of the planning application, and in September 2008 it was put before Sevenoaks District Council, and in October the application was approved and the current project manager was appointed.
- In June 2009 Mr Lake managed to prevent the School Organisation Advisory Board from putting an academy in Sevenoaks, and he wrote to the Secretary of State asking him if it would be possible to build an academy in Edenbridge. This request failed, but Mr Lake felt that it would not be possible to build a new school in Edenbridge because of the fact that many existing students from the town were already being schooled in East Grinstead.

(9) The Chairman summarised Mr Lake's comments as follows:

- That over the first 2-3 years the staff appointed to deliver the new community centre were not suitably experienced or qualified
- That there were two occasions when the numbers did not add up, and that after this housing became central to the financing of the centre
- That the small size of the Eden Valley School contributed to the fact it was not delivering an adequate quality of education

(10) Councillor Davison stated that she largely agreed with Mr Lake's summary, and felt that time had mainly been wasted in the middle period of the elapsed 11 years. She also explained that she had chaired a stakeholder group which had pushed for what Edenbridge wanted in its community centre, and felt that the company that had initially been brought in to implement the development had not listened to the views of those whom it had consulted, and this was also a major source of delay.

(11) In response to a question about whether there had been a report produced on the improvement in attainment as a result of the majority of the former students going to other schools, Mr Lake stated that he had spoken to many satisfied parents, but that he was not aware of a report.

(12) Responding to a question about what proportion of people had been consulted, Ms Lane stated that there had been a great deal of consultation, with residents and a user group often being asked for their views. However, she felt that the team at the time were unable to convert the consultees' views into plans for the centre, but that when the final project team came on-board, they took notice of the consultees and took the project forward. Councillor Scholey agreed with the views expressed about the consultation process. He felt that although there had been frequent stakeholder meetings and consultations, the views had not always been listened to.

(13) Mr Kingham expressed a view that only some of the information had been acted upon and he felt that there had not been a proper consultation. He asked how wide the consultation had been and how specific the questions were. In reply to a query about how the consultation papers on page 15 of the agenda pack had been disseminated and when, Mr White stated that there had been a consultation meeting in the centre itself in February 2010. There had also been various other consultation events during 2010; Members of the District Council, Town Council and potential users had attended the annual Town Council meeting; Mr White had written to the Town Council seeking their views; and notices were put up at the centre itself.

(14) A question was asked about whether the Edenbridge Chamber of Commerce had been one of the consultees and Mr White explained that they had not been specifically consulted. On whether the Chamber of Commerce had been in existence throughout the history of the Edenbridge project, Mr Kingham explained that he had only taken over as chairman three weeks previously, but that the Chamber of Commerce had been in existence for a number of decades.

(15) Mr Kingham felt that the views of local business should have been sought, since the relocation of the library affected the 'heart' of the high street, and that the Chamber of Commerce was working to bring vitality back to the high street. He asked how much involvement there would be of Eden Valley businesses in the new centre, and what would be done to help revitalise the town.

(16) Ms Richards informed Members that Orbit Group always insisted on a certain percentage of local labour being used in its projects. Councillor Scholey stated that Edenbridge Town Council was very aware of the needs of the high street and supported local business. Initiatives that it had embarked upon included:

- A full 'health check' being carried out
- A complete refurbishment of parking and other street facilities
- Grants to local trades
- The Eden Valley Festival Fortnight

(17) There was a discussion about the movement of the library from its present location. Referring to page 17 of the agenda, a question was asked about how the decision to move the library had been implemented, and whether there had been further discussions with the local community. Mr White explained that officers had always been upfront about the position of the library, and Ms Lane commented that there had been a stakeholder event in 2006 where over 100 people had attended and made comments.

(18) Responding to a question about why it was felt that the library was better placed in the community centre, rather than its current location, Councillor Davison explained that, since many small libraries were under threat, the prospect of an upgraded fully-fledged facility should be seized. Furthermore, since the library would be much closer to some of the newer housing estates, it would be better placed to encourage younger people to use the library. On the disposal of the existing library site, Mr Kingham sought assurances that, rather than be developed into luxury flats, it be used for an initiative such as developing young businesspeople. Mr Tilson stated that it was not in his gift to give such an assurance but that he would relay this to the Cabinet Member.

(19) The Chairman asked if the library featured in the current review of library facilities. Mr Tilson confirmed that in the Medium Term Financial Plan (MTFP) there were no plans to close the library over the next two years, and that there would need to be a needs analysis and consultation before this could take place.

(20) There was a discussion about the Gateway concept, and if the potential existed for the new community centre to be used as a Gateway. Mr Tilson explained that it would not be a Gateway, but was akin to one since it involved many different public sector agencies. Councillor Scholey explained that with the new community centre, Edenbridge would have two principle points of access for services, the other one being the Edenbridge Town Council office.

(21) Responding to a question about why the project had taken so long, what the complexities were and what lessons could be learned from the process, Mr Aldous explained that there had been many planning difficulties. The site was in a green belt, so there were very strict planning guidelines and any new development would be restricted to the same size footprint, which meant that the original proposal could not be delivered. The fact that the site was on a floodplain added further complications. The fact that planning precedents had been set elsewhere meant that further progress was able to be made later on in the project.

(22) In response to a query about paragraph 5.7 of the report, Mr White explained that, although the wording was not ideal, it conveyed the fact that there had only been two planning objections, which was surprising with a site of that size.

(23) There was a discussion about the long term financial sustainability of the project. Mr White explained that there was a design and build contract rather than a full set of working drawings and in order to ascertain the running costs of the centre, it would be necessary to know the detail provided by the developer over the next two months. There were a number of users lined up for the centre, and until their usage levels were known it would not be possible to put a revenue cost on the running of the centre.

(24) Responding to an inquiry about whether a charging regime for the centre had been worked up, Mr White explained that there was not currently a charging regime, but there were percentages of revenue costs anticipated to be paid by the various partners who would be using the centre, which included Kent Adult Social Services, the Youth Service, the Library, the Citizens' Advice Bureau (CAB), the Baptist Church and the YMCA.

(25) In response to a query about contingency if the various partners decided not to proceed, Mr White stated that KCC was at various stages of negotiation with the partners, but heads of terms had been agreed with the two remaining partners still to be signed up, the CAB and YMCA. He explained the difficulties in these negotiations which arose from the fact that the precise costs could not be known until after two months when more detail would be available. Mr Tilson added that a number of the partners, such as the Baptist Church, the library and the youth service, had already committed a proportion of the capital build costs of the centre. KCC services such as the library also had existing budgets which could be committed to the running costs.

(26) In reply to a question about whether there were associated costs with the abandonment of the current library site, Mr Tilson explained that the authority would be seeking best value for money from the disposal of the site, but that the library service had already set aside monies for the capital investment in the community centre.

(27) A question was asked about how any shortfall in the running costs of the new centre would be met and whether this would fall to KCC. Mr Tilson reiterated that in many cases existing budgets had already been committed, that any reduction in usage would also result in a corresponding reduction in running costs and that in the event of any shortfall the remaining services may be able to put up a pro-rata share. Several Members expressed a view that it appeared that at the current moment, it was not possible to assert that the site had long-term financial sustainability and that ultimately the liability would lie with KCC.

(28) A Member commented that there were many unknowns and there was a gap between political aspirations and what had been delivered and asked who apart from the Cabinet Member, was responsible for ensuring the project was delivered on time. Mr White explained that the lines of communication were shown in the Project Governance diagram and Ms Richards explained that the Orbit Group had entered into a development agreement with KCC and were obligated to provide the development.

(29) The Chairman explained that she had been unable to find a document which encompassed the terms of the agreement on the project, except the report which had been provided to the Committee for the meeting, and expressed surprise that a report had not gone to the Communities Policy Overview and Scrutiny Committee within the previous two years.

RESOLVED: that the Cabinet Scrutiny Committee:

(30) Thank Mr Lake, Mr Tilson, Mr Aldous, Mr White, Cllr Scholey, Cllr Davison, Ms Lane Ms Richards and Mr Kingham for attending the meeting and answering Members' questions.

(31) Express concern to the Leader that neither the Cabinet Member, nor Deputy Cabinet Member were present, despite the attempts made by the officers to find a mutually acceptable date for the meeting. There is a constitutional requirement that Cabinet Members make themselves available for scrutiny, and the purpose of the Cabinet Scrutiny Committee is scrutinise the decisions of Cabinet Members of the collective Cabinet, not to scrutinise the decisions of Officers, which lies with the Scrutiny Board.

(32) Express concern to the Leader and Managing Director that no report to the Communities Policy Overview and Scrutiny Committee or Cabinet during the previous five years could be found. Further that there appeared to be no Cabinet Member decision that would have enabled the development by constructing residential properties.

(33) Ask that the Cabinet Member, Education, Learning and Skills, provide a report evidencing the improved educational attainment which resulted from the transfer of students from the Eden Valley School to other secondary schools.

(34) Express concern to the Corporate Director, Customer and Communities, about the view expressed by witnesses that initial KCC project managers lacked suitable qualifications and experience and that the community consultation, though extensive, was not responsive to community views. In the view of witnesses this was a major cause of:

- the lengthy delay between the commitment given to Edenbridge and delivery of the project
- unrealistic financial projections which required revision
- community concern about the timeliness and completeness of the consultation process in relation to the location of and facilities to be provided within the new centre.

The Committee seeks assurances of how the current process of appointing project managers is more rigorous to ensure competent delivery of projects to agreed timescales and budgets.

(35) Ask that the Cabinet Member, Customer and Communities, ensures that the range of services which will be housed in the new community centre do not duplicate those on offer in the town centre, and that the services provided in both locations are promoted as a 'package'.

(36) Express concern about the long term financial stability of the new community centre, particularly if there is a need for KCC to meet any shortfall in income as a

result of it not being possible to sign up enough non-KCC partners to utilise space in the building

(37) Ask that the Cabinet Member, Customer and Communities, keep local Members and the Cabinet Scrutiny Committee informed of intentions for the existing Edenbridge Library building, and that he consult the Edenbridge Chamber of Commerce and Town Council during the drawing-up of any proposals to ensure that local businesses are engaged.

(38) Ask that the Cabinet Member, Customer and Communities consult with the Edenbridge Chamber of Commerce and Town Council to ensure that the community of Edenbridge benefit from the construction and operation of the new centre where possible.

(39) Ask the Cabinet Member for Customer and Communities to confirm that the Future Library Strategy will not affect the delivery of the community centre library.

(40) Express concern about the impact on businesses as a result of the relocation of the library to the new community centre and ask that the Cabinet Member for Regeneration and Economic Development liaise with the Edenbridge Chamber of Commerce to explore whether Backing Kent Business can help support the regeneration and longer term viability of the business community of Edenbridge High Street.



By: Peter Sass - Head of Democratic Services

To: Cabinet Scrutiny Committee – 1 June 2011

Subject: Follow up items and Decisions from Cabinet Scrutiny Committee – 9 February and 28 March 2011.

Classification: Unrestricted

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Summary: This report sets out the decisions from the Cabinet Scrutiny Committee and items which the Committee has raised previously for follow up

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### **Introduction**

1. This is a rolling schedule of information requested previously by the Cabinet Scrutiny Committee.
2. If the information supplied is satisfactory it will be removed following the meeting, but if the Committee should find the information to be unsatisfactory it will remain on the schedule with a request for further information.
3. The decisions from the meetings of the Cabinet Scrutiny Committee on 9 February 2011 and 28 March 2011 are set out in the table below along with the response of the relevant Cabinet Member.

### **Recommendation**

4. That the Cabinet Scrutiny Committee notes the responses to the issues raised previously.

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01622 694002

Background Information: *Nil*

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## Highways Business Plan IMG – Gulley Emptying Schedules (10 December 2008)

Cabinet portfolio: Mr B Sweetland

Synopsis: The report to Cabinet Scrutiny Committee consisted of the minutes of the Highways Business Plan IMG held on 2 December 2008. During that meeting, it was resolved that gulley emptying schedules would be provided to Members after the County Council elections.

Reason for call-in: The minutes of the Highways Business Plan IMG of 2 December 2008 formed an item on the Cabinet Scrutiny Committee agenda of 10 December 2008. The Chairman asked that the request from the IMG be actioned.

Recommendations and responses:

### **1. Highways Business Plan IMG 02.12.08: That a list of gulley schedules be supplied to all Members after the elections**

*The gulley emptying schedules would be issued to Members in the next few weeks.*

Date of response: 21 July 2010

Date actioned: Not applicable

*Members have received a map showing gulley emptying routes and schedule information would be available in the next few weeks*

Date of response: 15 September 2010

Date actioned: 15 September 2010

*Members will begin to be provided with the gulley emptying schedules from 18 October onwards*

Date of response: 11 October 2010

Date actioned: 19 October 2010

#### Notes:

20.10.10 A spreadsheet detailing the number of gullies in each parish and when they had been or were due to be emptied was circulated to Members on 19 October 2010. At the meeting of the Cabinet Scrutiny Committee on 20 October 2010, the Chairman expressed concern that the information requested by the Committee had still not been received. The Chairman and Vice-Chairmen will be meeting with officers to discuss a way forward

Following a meeting between the Chairman and the Director of Highway Services, a briefing note has been provided to the Committee on this issue, and further information is expected to be provided to Members before the meeting of Cabinet Scrutiny Committee on 8 December.

20.12.10 - details of 'hotspots' was provided to all Members of the Cabinet Scrutiny Committee, and Mr Burr has requested that if Members have any additional local information Highways would be glad to hear from them. A follow-up report on progress will be provided to Cabinet Scrutiny Committee in the New Year

10.01.11 – A report on the interim approach to the delivery of the highway drainage service was provided to the Cabinet Scrutiny Committee on 10 January.

19.01.11 – The Chairman asked that this item remain outstanding until Mr Burr has provided a final report detailing how the schedules will be handled. This report is expected in Autumn 2011.

## **Bold Steps for Kent - The Medium Term Plan to 2014 (8 December 2010)**

Cabinet portfolio: Mr P Carter

Synopsis: The report to Cabinet asked Cabinet to endorse of the latest draft of Bold Steps for Kent and make a recommendation to County Council to approve the final version at its meeting on the 16th December 2010.

Reason for call-in: Members wanted more information on Bold Steps for Kent – The Medium Term Plan to 2014.

Recommendations and responses:

### **5. Ask the Leader that any data on the increase in Small and Medium Enterprises (SMEs) accessing KCC contracts be made available**

*Noted and this will be programmed in within the work stream referred to above*

Date of response: 20 December 2010

Date actioned: Not applicable

*Data on the increase in Small and Medium Enterprises (SMEs) accessing KCC contracts will be made available shortly*

Date of response: 7 February 2011

Date actioned: 8 February 2011

### **8. Ask the Leader that ways of engaging members of the public in the Big Society who are not members of Local Strategic Partnerships or other similar bodies be addressed in the Medium Term Plan.**

*Noted. Officers are working on ideas for how the Big Society can really take effect within Kent and how Kent County Council can help that. There are no assumptions in that work stream that only members of LSP's will be engaged in this.*

Date of response: 20 December 2010

Date actioned: n/a

*Officers are working on how the Council will engage with the people of Kent in this very exciting development and are waiting to see how the Localism Bill shapes some of that engagement.*

Date of response: 7 January 2011

Date actioned: TBC

Note: 19.01.11 The Chairman explained that the original request in recommendation 5 was that evidence be provided to the Committee that the activity being undertaken by KCC regeneration staff was being successful in encouraging more SMEs to access the Council's procurement process. It was resolved that Committee was still awaiting this information.

In respect of recommendation 8, the Committee resolved that it will await a report from officers on their proposals relating to the Big Society.

## Older Person's Modernisation (19 January 2011)

Cabinet portfolio: Mr G Gibbens

Synopsis: The report to Cabinet provided a summary of the consultation, shared the final reports and sought sign-off of the recommendations in order for the Cabinet Member for Adult Social Services to make his decisions. All of the 11 individual Cabinet Member decisions were called in for scrutiny by the Cabinet Scrutiny Committee.

Reason for call-in: Members wanted more information on consultations, the movement away from direct provision of services, comparative costs of public and private sector service provision and other issues.

Recommendations and responses:

**2. Welcome the assurances given by the Managing Director, Kent Adult Social Services, about the appointment of an independent arbiter, who would be able to hear grievances from affected residents who felt their services were not equivalent or better in the future.**

*Noted*

Date of response: 8 February 2011

Date actioned: : 8 February 2011

**3. Ask the Managing Director, Kent Adult Social Services, to provide an example of a typical care contract to the Committee, in relation to concerns about future costs of any care contract in respect of Extra Care Housing,**

*Attached*

Date of response: 8 February 2011

Date actioned: : 8 February 2011

**4. Ask the Managing Director, Kent Adult Social Services, that additional information be provided about ongoing protection of terms and conditions for any staff transferred under Transfer of Undertakings (Protection of Employment) Regulations to new providers, and how long staff would enjoy this protection.**

*Attached*

Date of response: 8 February 2011

Date actioned: : 8 February 2011

**5. Welcome the assurances given by the Managing Director, Kent Adult Social Services, that further information would be provided to the Committee about the frequency of future inspections by the Care Quality Commission (CQC) of new facilities, recognising the fact that CQC does not regulate Extra Care Housing.**

*The Care Quality Commission (CQC) will undertake an inspection programme dependent on risks or concerns highlighted and this is monitored by an annual questionnaire and feedback from service users or their families and statutory organisations.*

*CQC focus on compliance with the Standards rather than making judgments on quality. Within an Extra Care Housing setting, there will be care provision and the organisation providing the care will be regulated by CQC as a domiciliary care provider.*

Date of response: 8 February 2011

Date actioned: : Not applicable

**6. Welcome the continuing assurances given by the Managing Director, Kent Adult Social Services, that staff affected by the Older Person's Modernisation programme would be supported through the changes in the usual way by KCC.**

*Each unit has an allocated officer from Personnel. They will receive 1:1's, training, pensions advice, application support etc. Staff meetings took place from 27 January – 31 January 2011 to confirm these arrangements.*

Date of response: 8 February 2011

Date actioned: : Ongoing

**7. Welcome the commitment from the Managing Director, Kent Adult Social Services, that the Freedom of Information request from Ms Baldwin be responded to as quickly as possible.**

*Attached*

Date of response: 8 February 2011

Date actioned: : 8 February 2011

**8. Request that the Managing Director, Kent Adult Social Services, provide a report on the details of new legislation relating to pension provision in the private sector, and how this will affect the comparative cost of private sector care provision.**

*Attached*

Date of response: 8 February 2011

Date actioned: : 8 February 2011

**9. Request that the Director of Governance and Law be asked to give his professional opinion as to whether a possible lack of advice and information for the public about the fact that choices in the consultation were restricted, due to the conditions of the Private Finance Initiative bid to Government, had invalidated the consultation process.**

*Director of Governance and Law to feedback separately*

Date of response: 8 February 2011

Date actioned: 28 April 2011

**Response from Ian Clark, Principal Solicitor:**

*My understanding is that the original request for an opinion from the Director of Governance and Law was brought about by the threat of judicial review proceedings. That threat was made by Mr. Porter, whose mother is a resident in Bowles Lodge. Despite his solicitors having written to us a couple of times in the intervening months, no application for judicial review has been issued. Technically they are now out of time for doing so, and although they might be able to persuade a High Court judge to let them go ahead notwithstanding, they would have to explain and justify their delay.*

*Their last letter made no reference to judicial review, but said that they were going to proceed with an action for personal injury/clinical negligence. On 23rd March I asked them to let me know what personal injuries had been sustained by Mr. Porter's mother, and who they were accusing of clinical negligence. Five weeks later, they*

have not replied.

*As for the possible lack of information about the PFI, my recollection (and you'll let me know if I'm wrong) is that the majority of those consulted opposed the proposals anyway. If there were an outside chance that the lack of information was relevant, it would only have a chance of leading to a successful judicial review if it could be shown that those consulted had supported the proposals but would not have done so if they'd known about the PFI point. Since the PFI information would probably only have confirmed them in their opposition, I do not believe that the consultation process has been invalidated.*

**10. Welcome the assurance from the Cabinet Member, Adult Social Services, that he will be as flexible as possible about the timeframe for closure of Sampson Court, if there is a reasonable bid from a social enterprise to take over its operation.**

*The closure plans will progress as stated in the report and be achieved by December 2011. If there is a viable proposal for the site to be developed as a Social Enterprise this would take effect following the closure. Organisations who have expressed an interest in the development/ use of the site after it is closed will be asked to submit a full Business Cases for consideration.*

Date of response: 8 February 2011

Date actioned: Not applicable

**11. Express regret that some local Members were not involved more fully in the process of considering the options relating to each site, and ask that the Group Managing Director urgently raise with the Corporate Management Team the issue of full, timely and ongoing involvement of local Members in the development stage of any decisions affecting their division. The Committee would like to draw Members' attention to:**

**A) Paragraph 22 of Appendix 2 Part 4 of the Constitution:**

***Involvement of Local Members***

***22. (1) In exercising these delegations or in preparing a report for consideration by the Cabinet or a Cabinet Member, officers shall consult the relevant Local Member(s) on any matter that appears to specifically affect their division.***

***(2) Any objection by a Local Member to a proposed course of action shall be the subject of consultation with the relevant Cabinet Member.***

***(3) All reports to the Cabinet or a Cabinet Member shall include the views of Local Members.***

**B) Recommendation R6 from the Informal Member Group on Member Information's report of December 2008:**

***R6. A Local Member Notification Protocol be developed, and electronic alerts introduced to systems, indicating when members need to be consulted and informed and by whom, with current contact details.***



**C) Communications from the Director of Governance and Law to Senior Managers, for example from November 2007, reminding officers of the need to keep Local Members informed and involved in matters affecting their divisions, as enshrined in the Constitution.**

**D) Paragraph 4 of the Procedure for writing and preparing reports to Cabinet, Cabinet members, committees and the council (<http://knet2/policies-and-procedures/reports-to-cabinet-cabinet-members-committees-and-the-council/reports-to-cabinet-cabinet-members-committees-and-the-council>):**

***4. For a proposal which relates to a particular area of the County, it is particularly important that you consult all the local Members concerned***

**Response from the Group Managing Director:**

*The Corporate Management Team have been piloting a new Committee report format which contains a trigger to ensure the early consultation and involvement of local Members in any decision making process. CMT will continue to actively explore mechanisms which ensure early Member involvement and will discuss how this can be implemented at its meeting on 8 March.*

Date of response: 31 January 2011

Date actioned: TBC  
(to be discussed on 8 March 2011)

**Response from Kent Adult Social Services:**

- *Cross Party Scrutiny Leads were invited to a confidential briefing on 10 June 2010*
- *All members and local councillors received a communication on 14 June 2010 advising them of the consultation.*
- *All members and local councillors were all invited to initial meetings in their District in June.*
- *Monthly briefings were issued regarding the process throughout the consultation to all 84 Councillors both in hard copy and emailed.*
- *Specific meetings were requested by Members and officers attended.*
- *An additional Member Briefing was held on 26 July giving those who could not attend the initial meetings another chance to see the presentation and discuss the proposals.*
- *The Community Engagement Managers were contacted informing of the consultation and an offer was made to attend any meetings on request.*
- *Borough Councils requested meetings in addition to those planned and officers attended*
- *The relevant Members of Parliament were all informed. Additional information and face to face meetings were provided where requested including a session for East Kent in October.*

Date of response: 8 February 2011

Date actioned: Not applicable

**12. Welcome the assurance from the Managing Director, Kent Adult Social Services, that a list of what the Council expects to be included in any formal agreement about levels of service provided under alternative arrangements for residents be provided to the Committee.**

*The levels of alternative services required through a partnership arrangement will be*

*developed as part of the commissioning process throughout 2011. Services will be provided to the existing residents of Kiln Court, Blackburn Lodge and Doubleday Lodge.*

Date of response: 8 February 2011

Date actioned: TBC

Note: 9.02.11 – Due to volume of papers provided in response to the recommendations relating to the item, Members resolved that they would need more time to consider their contents before discharging any of the recommendations.

## **Budget 2011/2012 and Medium Term Financial Plan 2011 - 2013 (24 January 2011)**

Cabinet portfolio: Mr J Simmonds

Synopsis: Every year the Council sets its Budget for the next financial year and its Medium Term Financial Plan (MTFP). The final Budget and MTFP are approved at County Council in February.

Reason for call-in: Cabinet Scrutiny Committee is part of the yearly cycle of meetings to discuss the Budget. Various elements of the Budget 2011/12 and Medium Term Financial Plan 2011-2013 were discussed during the meeting of the Cabinet Scrutiny Committee.

Recommendations and responses:

**5. Welcome the suggestion given by the Leader that research into implementation of a 'living wage' in Kent be undertaken, including mapping the variations in cost of living across the county.**

*Noted. The Leader will keep the Committee informed as the research develops*

Date of response: 8 February 2011

Date actioned: TBC

**6. Ask the Group Managing Director to consider whether changes to the risks that the Council faces also be reported to the Cabinet Scrutiny Committee, no less frequently than every six months.**

*The principle that members are properly informed and able to discuss the risk register of the council and changes to the risk profile and how it fits with the risk appetite of the authority is essential for good governance. I would want to discuss this request with the Head of Internal Audit and the Chairman of the Governance and Audit committee to ensure that we are dealing with the principle of informing and involving members in risk matters is properly met and handled between the different member bodies that exist. Officers are also reviewing how performance in general is reported to members and I would hope all these matters can be assessed and improvements proposed.*

Date of response: 2 February 2011

Date actioned: TBC

**8. Ask that the Managing Directors of all Directorates affected provide detail of any reductions in funding to the voluntary sector.**

*We are working on this but it is not straightforward and we need to identify that element of spend that represents statutory service provision (and which we would have to incur anyway if it weren't delivered in the voluntary sector) and that which represents genuine contributions to voluntary organisations unrelated to statutory services. We will not be able feed this back to CSC on 9<sup>th</sup> February due to the level of work involved.*

Date of response: 7 February 2011

Date actioned: 14 February 2011

Note:

01.04.11 – Finance are still working on this, as there needs to be clarity around which amounts received by voluntary sector organisations are grants as opposed to amounts paid for them to provide services on behalf of the council.

04.05.11 – Finance will endeavour to provide the rest of this information before the next meeting of Cabinet Scrutiny Committee on 1 June.

## Edenbridge Community Centre (28 March 2011)

Cabinet portfolio: Mr M Hill

Synopsis: A number of decisions were taken by the Cabinet Member at the beginning of 2011 in relation to the former Eden Valley Secondary School site. These were to authorise the sale of part of the former site, to award the contract for construction of the new community centre and the grant of a long lease at the Baptist Church and outline occupational terms at the new centre.

Reason for call-in: Members wished to have more information about the new centre, the time taken for the implementation of the project, and any lessons that could be learned from the process, the long term financial sustainability of the centre and any local concerns.

Recommendations and responses:

- 1. Thank Mr Lake, Mr Tilson, Mr Aldous, Mr White, Cllr Scholey, Cllr Davison, Ms Lane Ms Richards and Mr Kingham for attending the meeting and answering Members' questions.**
- 2. Express concern to the Leader that neither the Cabinet Member, nor Deputy Cabinet Member were present, despite the attempts made by the officers to find a mutually acceptable date for the meeting. There is a constitutional requirement that Cabinet Members make themselves available for scrutiny, and the purpose of the Cabinet Scrutiny Committee is scrutinise the decisions of Cabinet Members of the collective Cabinet, not to scrutinise the decisions of Officers, which lies with the Scrutiny Board.**

*The Cabinet Scrutiny was arranged out of sequence (and location) with the normal Scrutiny meetings which are all in Cabinet Members' diaries. It was made quite clear that the Cabinet Member and Deputy Cabinet Member were not available on 28 March. However, despite that it was decided to go ahead with the meeting. The Cabinet Member has always made every possible effort to attend Scrutiny Committee but on this occasion it was simply not possible.*

Date of response: 21 April 2011

Date actioned: Not applicable

- 3. Express concern to the Leader and Managing Director that no report to the Communities Policy Overview and Scrutiny Committee or Cabinet during the previous five years could be found. Further that there appeared to be no Cabinet Member decision that would have enabled the development by constructing residential properties.**

*To date no request by the POSC agenda setting group which is attended by all political groups has been received, however there have been numerous verbal updates. A report on Edenbridge will be taken back to POSC in September 2011 and thereafter every six months until further notice or as required.*

*Cabinet Member decision 10/01431 was made by Roger Gough (4<sup>th</sup> February 2010) in which it clearly links the need for the residential properties to be part of the enabling development for the scheme.*

Date of response: 21 April 2011

Date actioned: Not applicable

**4. Ask that the Cabinet Member, Education, Learning and Skills, provide a report evidencing the improved educational attainment which resulted from the transfer of students from the Eden Valley School to other secondary schools.**

*The report has been submitted to democratic services.*

Date of response: 21 April 2011

Date actioned: 7 April 2011

**5. Express concern about the view expressed by witnesses that initial KCC project managers lacked suitable qualifications and experience and that the community consultation, though extensive, was not responsive to community views. In the view of witnesses this was a major cause of:**

- the lengthy delay between the commitment given to Edenbridge and delivery of the project
- unrealistic financial projections which required revision
- community concern about the timeliness and completeness of the consultation process in relation to the location of and facilities to be provided within the new centre.

**The Committee seeks assurances of how the current process of appointing project managers is more rigorous to ensure competent delivery of projects to agreed timescales and budgets.**

*The Communities Directorate took the project over in 2006/7 and cannot be held accountable for the issues prior to this. In hindsight, it may have been beneficial for there to have been a dedicated project manager in place from the outset*

Date of response: 21 April 2011

Date actioned: Not applicable

**6. Ask that the Cabinet Member, Customer and Communities, ensures that the range of services which will be housed in the new community centre do not duplicate those on offer in the town centre, and that the services provided in both locations are promoted as a 'package'.**

*There is no intention of duplicating services within Edenbridge and KCC will ensure that the Community Centre complements and works with the services within the town centre and the nearby leisure centre.*

Date of response: 21 April 2011

Date actioned: TBC

**7. Express concern about the long term financial stability of the new community centre, particularly if there is a need for KCC to meet any shortfall in income as a result of it not being possible to sign up enough non-KCC partners to utilise space in the building**

*We are confident that there will be no shortfall in income and a paper to POSC will update Members on revenue funding and costs once the information becomes available later in 2011.*

Date of response: 21 April 2011

Date actioned: TBC

**8. Ask that the Cabinet Member, Customer and Communities, keep Members informed of intentions for the existing Edenbridge Library building, and that he consult the Edenbridge Chamber of Commerce and Town Council during the**

**drawing-up of any proposals to ensure that local businesses are engaged.**

*The Cabinet Member, Customer and Communities will update members on the Edenbridge Library and will ensure that officers consult with the Chamber of Commerce and Town Council on these and other issues.*

Date of response: 21 April 2011

Date actioned: TBC

**9. Ask that the Cabinet Member, Customer and Communities consult with the Edenbridge Chamber of Commerce and Town Council to ensure that the community of Edenbridge benefit from the construction and operation of the new centre where possible.**

*The Cabinet Member, Customer and Communities will ensure that officers consult with the Chamber of Commerce and Town Council to ensure that the construction and operation of the new centre benefits the town.*

Date of response: 21 April 2011

Date actioned: TBC

**10. Ask the Cabinet Member for Customer and Communities to confirm that the impending Library Review will not affect the delivery of the community centre library.**

*Kent County Council is currently carrying out in-depth research into libraries, how they are used and how they could be run in the future to meet local requirements. The study will examine the role libraries play in people's lives, as well as information about communities themselves, so that informed decisions can be taken.*

*The service will then use this information to draw up proposals for the future of libraries in Kent, and later this year a public consultation on the proposals will be publicised prior to any decision being made.*

*The library service will release additional information about the consultation over the coming months to give notice about how people can take part.*

Date of response: 21 April 2011

Date actioned: TBC

**11. Express concern about the impact on businesses as a result of the relocation of the library to the new community centre and ask that the Cabinet Member for Business Strategy and Support liaise with the Edenbridge Chamber of Commerce to explore whether Backing Kent Business can help support the regeneration and longer term viability of the business community of Edenbridge High Street.**

*The Cabinet Member, Customer and Communities will ensure that officers consult with the Chamber of Commerce to determine whether Backing Kent Business can help in this regard.*

Date of response: 21 April 2011

Date actioned: TBC

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**Kent Adult Social Services**  
**Response to recommendations from Cabinet Scrutiny Committee - 19**  
**January 2011.**

**Older Person's Modernisation (19 January 2011)**

Cabinet portfolio: Mr G Gibbens

Synopsis: The report to Cabinet provided a summary of the consultation, shared the final reports and sought sign-off of the recommendations in order for the Cabinet Member for Adult Social Services to make his decisions. All of the 11 individual Cabinet Member decisions were called in for scrutiny by the Cabinet Scrutiny Committee.

Reason for call-in: Members wanted more information on consultations, the movement away from direct provision of services, comparative costs of public and private sector service provision and other issues.

Recommendations and responses:

**1. Thank Mr Gibbens, Mr Mills, Ms Howard and Mr Weiss for attending the meeting and answering Members' questions.**

*Noted*

**2. Welcome the assurances given by the Managing Director, Kent Adult Social Services, about the appointment of an independent arbiter, who would be able to hear grievances from affected residents who felt their services were not equivalent or better in the future.**

*Noted*

**3. Ask the Managing Director, Kent Adult Social Services, to provide an example of a typical care contract to the Committee, in relation to concerns about future costs of any care contract in respect of Extra Care Housing.**

*Attached*

**4. Ask the Managing Director, Kent Adult Social Services, that additional information be provided about ongoing protection of terms and conditions for any staff transferred under Transfer of Undertakings (Protection of Employment) Regulations to new providers, and how long staff would enjoy this protection.**

*Attached*

**5. Welcome the assurances given by the Managing Director, Kent**

**Adult Social Services, that further information would be provided to the Committee about the frequency of future inspections by the Care Quality Commission (CQC) of new facilities, recognising the fact that CQC does not regulate Extra Care Housing.**

*The Care Quality Commission (CQC) will undertake an inspection programme dependent on risks or concerns highlighted and this is monitored by an annual questionnaire and feedback from service users or their families and statutory organisations.*

*CQC focus on compliance with the Standards rather than making judgments on quality.*

*Within an Extra Care Housing setting, there will be care provision and the organisation providing the care will be regulated by CQC as a domiciliary care provider.*

**6. Welcome the continuing assurances given by the Managing Director, Kent Adult Social Services, that staff affected by the Older Person's Modernisation programme would be supported through the changes in the usual way by KCC.**

*Each unit has an allocated officer from Personnel. They will receive 1:1's, training, pensions advice, application support etc. Staff meetings took place from 27 January – 31 January 2011 to confirm these arrangements.*

**7. Welcome the commitment from the Managing Director, Kent Adult Social Services, that the Freedom of Information request from Ms Baldwin be responded to as quickly as possible.**

*Attached*

**8. Request that the Managing Director, Kent Adult Social Services, provide a report on the details of new legislation relating to pension provision in the private sector, and how this will affect the comparative cost of private sector care provision.**

*Attached*

**9. Request that the Director of Governance and Law be asked to give his professional opinion as to whether a possible lack of advice and information for the public about the fact that choices in the consultation were restricted, due to the conditions of the Private Finance Initiative bid to Government, had invalidated the consultation process.**

*Director of Governance and Law to feedback separately*

**10. Welcome the assurance from the Cabinet Member, Adult Social Services, that he will be as flexible as possible about the timeframe for closure of Sampson Court, if there is a reasonable bid from a**

**social enterprise to take over its operation.**

***The closure plans will progress as stated in the report and be achieved by December 2011. If there is a viable proposal for the site to be developed as a Social Enterprise this would take effect following the closure. Organisations who have expressed an interest in the development/ use of the site after it is closed will be asked to submit a full Business Cases for consideration.***

**11. Express regret that some local Members were not involved more fully in the process of considering the options relating to each site, and ask that the Group Managing Director urgently raise with the Corporate Management Team the issue of full, timely and ongoing involvement of local Members in the development stage of any decisions affecting their division. The Committee would like to draw Members' attention to:**

**A) Paragraph 22 of Appendix 2 Part 4 of the Constitution:**

***Involvement of Local Members***

***22. (1) In exercising these delegations or in preparing a report for consideration by the Cabinet or a Cabinet Member, officers shall consult the relevant Local Member(s) on any matter that appears to specifically affect their division.***

***(2) Any objection by a Local Member to a proposed course of action shall be the subject of consultation with the relevant Cabinet Member.***

***(3) All reports to the Cabinet or a Cabinet Member shall include the views of Local Members.***

**B) Recommendation R6 from the Informal Member Group on Member Information's report of December 2008:**

***R6. A Local Member Notification Protocol be developed, and electronic alerts introduced to systems, indicating when members need to be consulted and informed and by whom, with current contact details.***

**C) Communications from the Director of Governance and Law to Senior Managers, for example from November 2007, reminding officers of the need to keep Local Members informed and involved in matters affecting their divisions, as enshrined in the Constitution.**

**D) Paragraph 4 of the Procedure for writing and preparing reports to Cabinet, Cabinet members, committees and the council  
(<http://knet2/policies-and-procedures/reports-to-cabinet-cabinet-members-committees-and-the-council/reports-to-cabinet-cabinet->**

members-committees-and-the-council):

**4. For a proposal which relates to a particular area of the County, it is particularly important that you consult all the local Members concerned**

- › **Cross Party Scrutiny Leads were invited to a confidential briefing on 10 June 2010**
- › **All members and local councillors received a communication on 14 June 2010 advising them of the consultation.**
- › **All members and local councillors were all invited to initial meetings in their District in June.**
- › **Monthly briefings were issued regarding the process throughout the consultation to all 84 Councillors both in hard copy and emailed.**
- › **Specific meetings were requested by Members and officers attended.**
- › **An additional Member Briefing was held on 26 July giving those who could not attend the initial meetings another chance to see the presentation and discuss the proposals.**
- › **The Community Engagement Managers were contacted informing of the consultation and an offer was made to attend any meetings on request.**
- › **Borough Councils requested meetings in addition to those planned and officers attended**
- › **The relevant Members of Parliament were all informed. Additional information and face to face meetings were provided where requested including a session for East Kent in October.**

**12. Welcome the assurance from the Managing Director, Kent Adult Social Services, that a list of what the Council expects to be included in any formal agreement about levels of service provided under alternative arrangements for residents be provided to the Committee.**

***The levels of alternative services required through a partnership arrangement will be developed as part of the commissioning process throughout 2011. Services will be provided to the existing residents of Kiln Court, Blackburn Lodge and Doubleday Lodge.***

# **Domiciliary Care Service** **SPECIFICATION**

## **for** **Extra Care Sheltered Housing**

This document defines the care services purchased by Kent County Council for Extra Care Sheltered Housing schemes

**November 2008**

This material, which was produced in consultation with the Kent Community Care Association, may not be copied or published without the Kent County Council's permission in writing



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# Glossary

## Definitions

When they are used in this Agreement, the terms and expressions set out below in the first column have the meanings set out in the second column:

<b>Agreement</b>	The terms and appendices of this Pre-Purchase Agreement.
<b>Approved List</b>	<p>A list of Organisations that have met our requirements for Approved Provider status.</p> <p>During the lifetime of this contract, non-Approved Providers will be able to make application to be put on the Approved List. This will happen through 'Panel' arrangements that currently exist for other types of Service provision.</p>
<b>Approved Provider</b>	A provider who has met our criteria and is then placed on our Approved List. Organisations on this list may be offered a Call Off Contract and be considered for a Block Contract.
<b>Authorised Signatory</b>	This is the owner of the Organisation or the person that (s)he authorises to act on his/her behalf.
<b>Call Off Contract</b>	See Contract Types.
<b>Care Manager</b>	The person We have deployed to arrange and review domiciliary care services for people who have been found on assessment to be owed a duty under various enactments. In this agreement Care Managers should also be taken to include Care Manager Assistants, Purchasing Officers and any other authorised representative.
<b>Care Plan</b>	A written statement produced by the Care Manager, regularly updated and agreed by all parties. It sets out the social care and support that a Service User requires in order to achieve specific outcomes and meet the particular needs of each Service User.
<b>Care Worker</b>	A member of Staff employed by You to carry out the domiciliary care service.
<b>Commissioners</b>	Members of our Staff who have responsibility for determining what Services will be purchased in order to meet assessed eligible needs.
<b>Continuing Breach</b>	A breach in contractual duty or duties on your part as a result of repeated failures to remedy non-performance or to sustain performance over a reasonable period of time.
<b>Contract Award Letter</b>	The letter from Us to You which communicates our acceptance of your offer to provide the Service. This letter will contain the detail of any contract award.

## Domiciliary Care Services

<b>Hourly Price</b>	The amount payable to the Service Provider for the Service Units delivered to a Service User, in a week, as recorded on the Service Delivery Order.
<b>Contracts Manager</b>	The person who We have authorised to administer our contracts for social care. His or her address will be given in the Contract Award Letter.
<b>Contract Types</b>	<p><b><u>Minimum Guaranteed Service (Block)</u></b></p> <p>One person on duty within each scheme 24 hours per day every day of the year. This includes an additional 2 hours allowance for handover period in each 24 hour day.</p> <p><b><u>Call off Contract</u></b></p> <p>A contract with mutually agreed terms, conditions and price but with no guarantee of purchase. With your agreement We may purchase a Service against this contract at any time during the period of the contract.</p>
<b>Call Off Payment</b>	Payment will be made on an hourly rate for hours provided in excess of the Minimum Guaranteed Service.
<b>Extra Care Housing Schemes</b>	Means the schemes as set out in Appendix One to these contract conditions.
<b>Housing and Facilities Management and Provider</b>	
<b>Mileage</b>	The amount spent on travelling between Service Users. This amount should take account of petrol, depreciation of the vehicle, tax and insurance. <i>(See also Travel Time.)</i>



<b>Minimum Guaranteed Service Payment</b>	<p>Means the payment made each month for the Minimum Guaranteed Service regardless of the hours delivered.</p> <p>This payment will only be made if the total of SDO hours are less than 20 hours per day.</p>
<b>Organisation</b>	<p>The domiciliary care organisation providing personal care for people living in their own home. Each franchise will be treated as a separate Organisation.</p>
<b>Project Agreement</b>	<p>Is the agreement between the County Council and the Housing and Facilities Management Provider, for the provision of Extra Care Sheltered Housing in Kent.</p>
<b>Regulator</b>	<p>The body which is established by statute and to whose regulatory powers You are subject. Currently, this is the National Care Standards Commission. From 1 April 2004 this will be known as The Commission for Social Care Inspection.</p>
<b>Serious Breach</b>	<p>A breach of your duty of care to a Service User by which he or she suffers harm and/or any malicious act by You towards Us.</p>
<b>Service</b>	<p>The domiciliary care that You will provide for a Service User in accordance with the provisions of the Care Standards Act 2000 and terms of this Agreement.</p>
<b>Service Unit</b>	<p>The measure of time by which the Service is purchased (i.e. 1 hour, 3/4 hour and 1/2 hour). The Service Unit begins on arrival at the Service User's home and ends on leaving, unless specified otherwise on the Service Delivery Order. It does not take account of Travel Time.</p>
<b>Service Delivery Order</b>	<p>The Service Delivery Order (SDO) initiates and tailors the Service for a Service User.</p>
<b>Service User</b>	<p>A person who has been found on assessment to be in need of domiciliary care services. You will have an SDO for him or her.</p>
<b>Service User Plan</b>	<p>The written guide produced by the provider in accordance with the regulation 5 of the Domiciliary Care Agencies Regulation 2002.</p>
<b>Site</b>	<p>Is any or all Extra Care Housing Schemes listed.</p>
<b>Specification</b>	<p>Our "Specification For Domiciliary Care Services" which is Appendix 1.</p>
<b>Staff</b>	<p>The employees and workers who carry out the Service for You.</p>
<b>Start Date</b>	<p>The date notified in the Contract Award Letter as the beginning of the contract.</p>
<b>Transaction Data Monitoring</b>	<p>Commonly known as TDM. An electronic financial invoicing process, which requires you to be Visa enabled. TDM matches the invoice to the order given set criteria and makes payment to the provider via the VISA platform.</p>
<b>Travel Time</b>	<p>This is part of the working day spent in travelling between Service Users' homes. Travel time applies to drivers, cyclists and walkers.</p>

<b>Unit</b>	Is any of the apartments and common parts to be provided by the Housing and Facilities Management provider on each of the sites.
<b>We</b>	The Kent County Council and any person to whom We may assign this Agreement. Unless the context otherwise requires, 'Us' and 'our' will also be taken to refer to 'We'.
<b>Working Day(s)</b>	Means Monday to Friday inclusive between the hours of 0900 and 1700, except when these days are Bank Holidays.
<b>You</b>	The legal owner of the Organisation as detailed in Appendix 3 or any person either authorised to act on your behalf or succeeding to your ownership of the Organisation.

# 1. Introduction

In entering into a contract with Kent County Council to provide care services for people living in the Extra Care Sheltered Housing schemes, You are undertaking to comply with the Domiciliary Care National Minimum Standards and Regulations, the law, our Pre Purchase Agreement and this Specification. In addition, You are agreeing to provide the service in the style and manner described in Kent County Council's 'Good Care' guides.

The Service provided is for people (minimum age of 55) who have been assessed as in need by the Local Authority under the NHS and Community Care Act 1990 and associated legislation, and who are living within the Extra Care Sheltered Housing Scheme.

This Specification is for personal care services, delivered to a Service User living in an Extra Care Sheltered Housing scheme. The specific service for each Service User must be delivered in accordance with the requirements of the Service Delivery Order provided by the Care Manager and must not be significantly varied without the prior permission of the Care Manager. Care Managers monitor compliance to Service Delivery Orders through reviews.

This Specification and Addendum states Kent County Council requirements which are beyond, or in addition to, the National Minimum Standards and Regulations. This Specification and Addendum are written, and should be read, in conjunction with the Pre Purchase Agreement. The terms used are the same throughout both documents.

Compliance with the contract will take place through monitoring.

## 2. The Purpose of the Service

The purpose of the care service is to provide the Service User with a good quality of life. It is to help them develop and retain their health, and lead independent, fulfilling lives for as long as possible. Individuals are helped to take greater control of their lives and remain as independent as possible in their extra care sheltered housing scheme.

It involves putting the Service User at the centre of decisions about where they live and how they are cared for. Services are provided in such a way that the Service User feels involved, secure and confident in the care provided to them.

Working with You to achieve this aim, We have set five outcomes We require from the provision of care services. These are explained more fully in the following pages, together with key processes required to support these outcomes.

The Addendum describes your role as to providing personal care, practical support, housing related support tasks and encouragement to Service Users to participate in the range of communal activities.

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### **3. Required Outcomes**

Kent County Council requires Providers to provide high quality personal care, working with Us and the Service User to achieve the following broad outcomes, through the provision of Domiciliary Care services:

- 3.1 Good Quality of Life
- 3.2 Independence
- 3.3 Involvement
- 3.4 Security
- 3.5 Confidence

## 3.1 Good Quality of Life

### ***Defined as:***

*The Service User feeling valued, being able to decide on day to day matters, having influence and making choices in all aspects of his/her life.*

### **Required Outcomes**

Evidence that the Service User:

- ❑ leads a fulfilling life
- ❑ is listened to, and takes part in day to day discussions
- ❑ lives safely in their own communities and homes
- ❑ has physical, mental or emotional needs identified (i.e. sadness or depression) and appropriate assistance sought
- ❑ is shown respect and is not subject to any form of discrimination
- ❑ is given the opportunity to follow their cultural and spiritual beliefs

### **Key processes to support outcomes**

To enable the achievement of the outcomes you must:

- ❑ reflect the needs and wishes of the Service User when structuring the service as agreed in the care plan
- ❑ encourage care staff to build up a relationship of mutual trust and respect with the Service User
- ❑ train staff to recognise signs and symptoms of sadness and depression
- ❑ train staff about adult protection practice
- ❑ have a complaints procedure that has been understood by and shared with your staff and Service Users
- ❑ encourage interaction between the Care Worker and Service User during the delivery of the service
- ❑ have a process in place to alert Care Managers to the need for an Advocate appointment

## 3.2 Promoting Independence

### Defined as:

*The Service User being part of the decision making process, having an input into day to day activities, making choices and encouraged to maximise their independence.*

### **Required Outcomes**

Evidence that the Service User:

- ❑ leads an independent life
- ❑ takes greater control of their life
- ❑ is involved in day to day decisions about the care offered
- ❑ lives independently in their own communities and home
- ❑ experiences and performs useful and meaningful activities with whatever assistance is required
- ❑ develops and maintains maximum independence

### **Key processes to support outcomes**

To enable the achievement of the outcomes you must:

- ❑ encourage care staff to enable the Service User to be as independent as possible
- ❑ encourage the Service User to develop and maintain their skills and abilities to perform functional and meaningful activities
- ❑ encourage the Service User to be involved in agreeing their Support Plan
- ❑ make sure that staff work towards carrying out tasks 'with' the Service User and not 'for' the Service User

## 3.3 Involvement

### Defined as:

*The Service User being informed and enabled to influence the way in which care is provided in a flexible and appropriate way.*

### Required Outcomes

Evidence that the Service User:

- ❑ contributes positively to the support planning process
- ❑ makes informed choices based on sufficient information about alternatives and implications
- ❑ is listened to whether complaining or complimenting the service, or suggesting improvements
- ❑ has minor changes made to his/her care in order to meet day-to-day changing needs

### Key processes to support outcomes

To enable the achievement of the outcomes you must:

- ❑ make sure that the Service User is able to contribute to, and influence, the content of his/her Support Plan
- ❑ make sure that the Service User receives a copy of the Service User's guide describing services provided
- ❑ have a system for reviewing the quality of care which the Organisation arranges
- ❑ have a complaints procedure that has been understood by, and shared with, your staff, Service Users, their advocate or relatives
- ❑ make sure that staff have the necessary skills and confidence to respond positively to the changing needs of the individual Service User and to advise the Care Manager of the changing need



## 3.4 Security

### Defined as:

*The Service User being confident that care is provided in a manner which ensures their safety and well-being.*

### Required Outcomes

Evidence that the Service User:

- is introduced to Care Worker(s) in order to reduce fear of new people
- knows what time visits will take place
- is visited at the appointed time
- knows that their personal information is kept confidential
- knows when and why it is appropriate for their confidential information to be shared
- knows that keys to their home are stored safely and that the security of their home is not compromised
- undertakes individual activities that have been risk assessed and are not restricted from valued activities unnecessarily
- has trust and respect for members of staff and confidence in their abilities
- has confidence that policies and procedures are in place in respect of their safety and that these are understood by staff
- has confidence that staff are aware of probity issues

### Key processes to support outcomes

To enable the achievement of the outcomes you must:

- have a process in place to ensure that the Service User knows in advance about their care visit and any changes in their visit (e.g. change of staff or time)
- make sure that the Service User and their property are protected, have policies and procedures that reinforce the Service User's sense of security, and ensure that these are shared with and understood by staff
- make sure that any keys held at your offices are stored in a secure manner and accessed only by authorised staff
- make sure that the Service User's security code and telephone number(s) are stored appropriately and shared only on a need-to-know basis

- ❑ make sure that staff are easily identified as carers for your Organisation by use of badges, photographs and uniforms
- ❑ make sure that staff know that receipts are required for any purchase made on behalf of the Service User, that the receipts are provided to the Service User, and that loyalty cards of staff are not to be used when purchasing on behalf of a Service User
- ❑ make sure that staff are aware of all probity issues (eg staff must not: knowingly be the beneficiaries of a Service User's will, accept and receive gifts from the Service User, use contact with the Service User for private gain and witness legal documents)
- ❑ have a written risk assessment for the Service User and be sure that staff know of the policies and procedures in place in respect of Service User safety
- ❑ have written environmental risk assessments for the Service User's premises
- ❑ have a planned training and induction programme for staff
- ❑ have a process in place for staff to report ongoing health and safety risks

## 3.5 Confidence

### Defined as:

*The Service User feeling certain that care is received from known and trusted people whose allocation is managed and recorded.*

### **Required Outcomes**

Evidence that the Service User:

- ❑ has continuity of carer(s)
- ❑ is confident that the Contact Book accurately records the care delivered
- ❑ feels confident that assessments of need and Care Plans inform the service delivery
- ❑ knows that records are shared only on a need to know basis
- ❑ knows that they are able to trust the integrity and skill of their carer(s)

### **Key processes to support outcomes**

To enable the achievement of the outcomes you must:

- ❑ minimise the number of Care Workers involved in the care of each Service User
- ❑ make sure that staff have the competence to enter appropriate detail in the individual's Contact Book in an objective manner
- ❑ make sure that staff have the competence to communicate in an appropriate manner when changes happen or become necessary
- ❑ have a procedure in place to ensure confidentiality (eg level of care given, financial matters and security of the premises)
- ❑ have policies and procedures in place to make sure that confidential information is not retained by staff who leave or change roles
- ❑ train staff appropriately, including any specialist training needed to satisfy the Service User's needs

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## 4. Further Requirements

Agencies offering personal Domiciliary Care must be registered with the national regulator (currently the National Care Standards Commission) and must conform to the requirements of the Care Standards Act 2000 and any other law as it applies to them.

This Specification is based on the requirements of the Domiciliary Care National Minimum Standards. We set out below additional requirements, many of which are necessary to ensure links with KCC roles and processes. Monitoring will include compliance with the Specification, the standards and regulations of the National Care Standards Commission and Kent County Council's further requirements.

### 4.1 Support Plan

*[Standard 7 (regulation 14), Standard 8 and Standard 9 of the Domiciliary Care National Minimum Standards refer.]*

**In order to ensure that the Support Plan is regularly reviewed with the Service User and any other relevant person, and changes are made when necessary, we require that:-**

1. You review your records at least once a month to be sure that you receive feedback from your staff, using compliments, complaints and Care Management information, and use this information to inform whether a more formal review is necessary.
2. Your review includes any special requirements of the Service User and forms part of his/her personal record.
3. You consider the Service User's requests, and make changes in the arrangements for the delivery of the services, provided that there has not been a change in the Service User's circumstances or needs, and provided that the change will not lead to a change in the Care Plan. Agreed changes must be notified, in writing, to the Care Manager.
4. Staff refer to the Provider, to make sure that the Care Manager is notified of any increase or deterioration in physical or mental health, and record these changes in the Service User notes maintained by you.
5. You are aware that the SDO and Care Plan are reviewed by the Service User, Care Manager, and any other relevant person after four weeks of the start date, after three months and six monthly thereafter.

## 4.2 Continuity of Carers

*[Standards 13 and 14 (regulation 14) of the Domiciliary Care National Minimum Standards refer.]*

**In order to ensure that the Service User is comfortable with their carer and has reasonable continuity of care, we require that:-**

1. You make sure that no more than three Care Workers (or, if double handling, three pairs of Care Workers) are involved in the care of any Service User at any one time, unless prior agreement has been obtained from the Care Manager;
2. You ask the Care Manager to agree a higher number of Care Workers in instances where the Service User receives an exceptional care package;
3. In instances where you decide to make a change without the agreement of the Service User, you record the reason in the Contact Book and the Service User must be given the opportunity to sign the document indicating their disagreement. The Care Manager must also be informed.

## 4.3 Records

*[Standard 16 (regulation 18) of the Domiciliary Care National Minimum Standards refers.]*

**In order to ensure that records of visits to the Service User's home and details of care given are comprehensive and shared as appropriate, we require that:-**

1. Acceptable standards of literacy in English and the first language of the Service User are used.
2. The Contact Book must be left in the Service User's home at all times, and completed pages only be removed and placed on the Service User's file at your premises after one month.
3. Appropriate sections of the Service User's personal file are accessible to relevant care staff.
4. Staff visiting a Service User for the first time sign the Service User's file to show they have read the relevant sections and are familiar with the Service User's needs.
5. Staff are aware of your policy in regard to confidentiality of records.
6. You allow our authorised staff to see records required by this Specification.
7. You accommodate visits by our authorised staff which may take place at any time and could be unannounced. We will be reasonable in exercising this right.

## 4.4 Security

*[Standard 5 (regulation 13) and Standard 15 (regulation 14) of the Domiciliary Care National Minimum Standards refer.]*

**In order to ensure that the security of the Service User's home is maintained, and is not compromised by any action undertaken by a Care Worker from your Organisation, we require that:-**

1. You make staff aware of the risk of unintended breaches of confidentiality and to make sure staff are able to identify situations in which it may occur.
2. You make sure that staff do not carry with them more confidential information than they need for a week's work programme (e.g. lists of names and addresses).
3. When it is necessary for staff to keep written information detailing passwords or keypad numbers you find a way to preserve security. You must also make sure passwords or keypad numbers are not kept alongside names and addresses.
4. You negotiate with the Service User if a change of staff or a suspected breach of security occurs, to see whether a change of access code number will be acceptable to them.
5. You have policies and procedures in place to make sure that staff who leave or change duties return all written information about their work.
6. Key fobs should not carry the name or address of the Service User on them.

## 4.5 Freedom from Abuse

*[Standards 13 and 14 (regulation 14) of the Domiciliary Care National Minimum Standards refer.]*

**In order to ensure that the Service User is free from abuse and appropriate action is taken where it is suspected, we require that:-**

1. You ensure staff are familiar with the Kent and Medway Adult Protection Procedures and with your own policy and procedure on Adult Protection.
2. You comply with requirements for staff to have criminal record checks and you must comply with requirements as described in Kent County Council's *Recruitment and Selection of Staff* guide.
3. You take positive action to combat discrimination. Service User's needs arising from specific ethnic, religious, cultural, gender, sexuality, disability or age requirements must be identified in their Support Plans. You must ensure that staff are able to meet these needs.

## 4.6 Equalities

**In order to ensure that each Service User is treated with respect and dignity and services are provided which are appropriate to any special needs they might have, we require that:-**

1. You understand and comply with your statutory obligations under equalities legislation, including:
  - having a policy suitable for your business and ensuring that staff are made aware of the necessary procedures and requirements,
  - providing equalities training for all staff, and
  - producing a brief report each year describing the progress you have made in meeting the requirements of the Race Relations Amendment Act 2000.
2. You comply with requirements as described in Kent County Council's *First Steps to Equality*, *Second Steps to Equality* and *Equality and Employment* guides.

## 4.7 Accidents and Injuries

*[Standard 11 (regulations 12,13,14 &15) and Standard 16 (regulation 18) of the Domiciliary Care National Minimum Standards refer.]*

**In order to ensure that your staff are informed and deal confidently with accidents, injuries and emergencies we require that:-**

1. Any accidents or injuries to a Service User that require hospital or GP attendance that the Care Worker has knowledge of, are reported to the Service User's Care Manager and noted in the Service User Contact Book.
2. All staff know your procedures for dealing with medical emergencies.

## 4.8 Transmittable Diseases

**In order to ensure that the Service User, his/her family, staff and visitors are protected from transmittable diseases, we require that:-**

1. You have a policy in relation to transmittable diseases (e.g. HIV/AIDS and Hepatitis A, B and C);
2. You make sure that staff are trained to work safely with all Service Users and follow Kent County Council's *Universal Precautions* at all times.



## 4.9 Transport

**In order to ensure that the Service User is transported safely and appropriately we require that:-**

1. You understand your statutory obligations under current legislation, and have policies and procedures in place to ensure that these are met. This includes ensuring that all vehicles are:
  - taxed
  - appropriately insured
  - MOT'd with a valid certificate, and
  - maintained in accordance with the manufacturer's instructions.
2. When people in wheelchairs are being transported, wheelchair anchor points and grips conform to the relevant British Standard Specification and are used in accordance with the manufacturer's instructions.
3. Staff be assessed as competent in assisting the Service User to enter and exit vehicles.

## 4.10 Open Employment Staff Policy

**In order to ensure that staff benefit from being part of a confident and diverse staff team, we require that:-**

1. You understand and meet your statutory obligations under equalities legislation. You make sure that:
  - victimisation, discrimination and harassment are disciplinary offences, an appointed person in the organisation has responsibility for the effective operation of your policy;
  - you implement your equal opportunity policy and detail what actions are to be taken in implementing your policy;
  - monitor and review the policy; and
  - staff are supported if they are discriminated against by a Service User or Service User's relatives.
2. Training is given in equalities to any member of staff responsible for recruitment and selection.
3. You monitor the ethnic origins of all applicants for employment and those appointed.
4. You make sure that the staff group reflects the ethnic background of the Service User.
5. You make sure that your staff group are knowledgeable of the ethnic background of the Service User.

## 5. Guides, References and Other Useful Documents

### Statutes

Statutes and statutory instruments can be downloaded free of charge at [www.legislation.hmso.gov.uk](http://www.legislation.hmso.gov.uk)

- ❑ Care Standards Act 2000
- ❑ Race Relations Amendment Act 2000
- ❑ Data Protection Act 1998
- ❑ Human Rights Act 1998
- ❑ Public Interest Disclosure Act 1998
- ❑ Disability Discrimination Act 1995
- ❑ Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
- ❑ Management of Health and Safety at Work Regulations 1992
- ❑ Management at Work Regulations 1992
- ❑ Manual Handling Operations Regulations 1992
- ❑ Personal Protective Equipment Regulations 1992
- ❑ Provision and Use of Workplace Equipment Regulations 1992
- ❑ Workplace (Health Safety and Welfare) Regulations 1992
- ❑ NHS & Community Care Act 1990
- ❑ Control of Substances Hazardous to Health Regulations 1989
- ❑ Sex Discrimination Act 1975, 1986
- ❑ Mental Health Act 1983
- ❑ Race Relations Act 1976
- ❑ Health and Safety at Work etc Act 1974

### Staff

- ❑ Criminal Records Bureau Disclosure Service 2000
- ❑ Care Standards Act 2000
- ❑ National Minimum Wage Act 1998 and Regulations 1999
- ❑ Working Time Regulations 1998 and 1999
- ❑ Public Interest Disclosure Act 1998 (Whistle Blowing)
- ❑ Part V Police Act 1997
- ❑ Employment Rights Act 1996
- ❑ Rehabilitation of Offenders Act 1984
- ❑ The Provision and Use of Work Equipment Regulations (1998) (ISBN0-7176-0414-4) are available from the Health and Safety Executive
- ❑ National Association for the Care and Resettlement of Offenders (NACRO) leaflet

### Catering facilities

- ❑ Food Safety (General Food Hygiene) Regulations 1995
- ❑ Food Safety Act (1990)

## **Good Care Guides published by Kent County Council**

- ❑ Older People Living at Home
- ❑ Older People with dementia
- ❑ Administering Medication
- ❑ Personal Relationships and Service Users
- ❑ Recruitment and Selection of Staff
- ❑ Adult Protection
- ❑ Universal Precautions
- ❑ First Steps to Equality
- ❑ Second Steps to Equality
- ❑ Equality in Employment

## **Other Documents**

- ❑ Working Together to Safeguard Children
- ❑ Multi-Agency Adult Protection Policy, Procedures and Protocols for Kent and Medway

**Note:** *Additional 'Good Care Guides' and 'Other Documents' can be obtained from the address below at a nominal price.*

This Specification is the property of Kent County Council. Comments or questions should be forwarded to:

**Kent County Council  
Social Service Directorate  
Service Policy and Standards (Contracting)  
Room 2.38  
Sessions House  
County Hall  
Maidstone  
Kent ME14 1XQ**

**Telephone: (01622) 694907**

**E-mail: [sshqcontracts@kent.gov.uk](mailto:sshqcontracts@kent.gov.uk)**

# 1. ADDENDUM

- 1.1 This Addendum refers to the detail of service provision, the rights of Service Users, the Tasks (service components) of the expected service and the Standards expected of the Care Provider.

## 2. Description of services to be supplied

- 2.1 The range of services to be provided may include personal care and social/emotional support.
- 2.2 As a basic minimum service, You will provide carers to be on duty in the scheme 24 hours a day, every day of the year, to assist in providing personal care, practical support, housing related support tasks and encouragement to Service Users to participate in the range of communal activities.
- 2.3 Waking Night Support - the Care and Support Worker is expected to remain awake throughout the night and be readily available to provide support/assistance in accordance with agreed outcomes in the Care Plan.
- 2.4 In addition to the on site care and support there is likely to be a need for additional care hours to be provided flexibly according to the needs of the individual Service User and their dependency band.
- 2.5 Every resident will have access to the Care Team 24 hours a day for emergency support needs. It is therefore expected that a combination of on site and domiciliary care services are available at the Extra Care Housing Scheme. You will be responsible for achieving this in the most appropriate and cost effective way.
- 2.6 At any time You will respond appropriately to requests for assistance from or concerning a resident within five minutes of receiving the request via the designated call system or other means.
- 2.7 You will be able to provide Services to new residents within the Extra Care Housing Scheme as long as You have seven days' notice of the Service User's move into the Extra Care Housing Scheme and receive a Care Plan from the responsible KASS staff member. If possible, You will arrange to meet a prospective resident prior to their moving into the Extra Care Housing Scheme.
- 2.8 The desired outcome of the service provided to each Service User will be described in the Care Plan.

## 3. LEVEL OF SERVICE

- 3.1 The Guaranteed Minimum Service Level is defined in the Contract Terms and Conditions and means the guaranteed quantity of Service per week for the duration of the Contract that You will be contracted to deliver within each Extra Care Housing Scheme.

3.2 The Guaranteed Minimum Service Level will be subject to change following the annual performance review, which will be carried out on a yearly basis in line with the our Service and Quality Monitoring Review procedures.

3.3 You must ensure that staff are available for induction and training prior to opening. Transitional (i.e. implementation) arrangements will be agreed with Us.

3.4 You must accept all Referrals within the Extra Care Scheme.

## **4. SERVICE COMMENCEMENT**

4.1 If you require additional information, then you shall request the same from the Care Manager prior to commencement of the Service and the Care Manager will use his/her best endeavours to meet any reasonable request.

## **5. TASKS**

5.1 Some support tasks may entail a split of responsibility between You and the Housing and Facilities Management Provider. Such shared responsibility must be discussed in detail and agreed with the Housing Provider at the commencement of the Contract.

5.2 Where there is a split of responsibility for housing related and support activities, the Housing and Facilities Management Provider and You will agree how work will be shared to deliver the activity and this should be documented accordingly.

5.3 If the Service is usually provided by more than one worker, one of the workers involved in providing the Service shall be nominated as The Key Worker. The Key Worker has the responsibility for taking a particular interest in the Service User and their carer as appropriate. The Key Worker shall be stated in the Service User's folder. The Key Worker approach does not take away the responsibility of all workers to support the Service User in an appropriate way but is a way of personalising and co-ordinating the service provision.

## **6. MONITORING AND PERFORMANCE INDICATORS**

6.1 You will be expected to achieve agreed satisfaction levels, (which will vary during the course of the Contract), against the Key Performance indicators as detailed in clause 7.2.

6.2 It is expected that both You and the Housing and Facilities Management Provider will work closely and co-operatively, in accordance with clauses defined in section 9, which may be adjusted during the course of this Contract. The effectiveness of this partnership working will be measured through the performance indicators as specified.

## **7. PERFORMANCE LEVELS**

7.1. The Provider shall be expected to meet all the criteria set through the Commission for Social Care Inspection or the Care Quality Commission.

7.2. In addition, You will be expected to achieve agreed satisfaction levels – which will vary during the course of the Contract – on the following Key Performance Indicators;

	<b>Key Performance Indicators</b>	<b>Initial Target</b>
7.2.1	Overall satisfaction and service provided	Extremely satisfied / Very satisfied 60%
7.2.2	All residents have up to date care and support plan with appropriate risk assessments	100%
7.2.3	Residents receive sufficient visits	90%
7.2.4	Residents receive same care workers	Always / nearly always 95%
7.2.5	Care workers are obliging	90% satisfaction
7.2.6	Care workers are flexible	90% satisfaction
7.2.7	Care workers are responsive in emergencies	90% satisfaction
7.2.8	Care workers are competent to undertake tasks	90% satisfaction
7.2.9	Care workers encourage residents to do things for themselves	90% satisfaction
7.2.10	Tasks are carried out at a time that suits residents	90% satisfaction
7.2.11	Carers are in a rush	60% never
7.2.12	Excellent care workers	95% strongly agree / agree
7.2.13	All complaints are dealt with in agreed timescale	100%

7.3 The performance indicators described in section 7.2 will be subject to further adjustment by the Contracts Manager or their nominated officers.

7.4 An annual review in line with the County Council's Quality and Monitoring Review Process will be conducted by the Contracts Manager to determine the satisfactory achievement of the detailed performance Indicators.

## **8. EXTRA CARE DOMICILIARY SUPPORT TASK LIST**

8.1 At all times the focus will be to 'work with' rather than to 'do for', to encourage and maximise the independence of residents.

8.2 Personal Care comprises personal assistance, but not nursing care, enabling individual Service Users to carry out daily living activities. All tasks should only be carried out following an appropriate risk assessment that should then be followed by the Workers.

8.3 As part of the Service User's social and emotional support, the Services shall enable each Service User to achieve as independent a lifestyle as possible.

8.4 Domestic support may be required as part of an overall package of care.

8.5 It is recognised that the schemes will have a wide range of abilities and disabilities across the 7 districts. The Care Plan formulated by the appointed Care Manager will determine the level of Tasks to be delivered according to the needs of the individual Service Users. Therefore, there may be additional support factors which need to be taken into consideration for certain Service Users and some tasks may have to be shared with the Housing Provider.

- 8.6 This is not an exhaustive list, but gives a broad framework of the tasks that may have to be shared with the Housing and Facilities Management Provider.
- a) Monitoring health and well-being.
  - b) Support with household management and, ensuring the health and safety and security of both individual resident's dwelling and the security of the whole building outside of the required hours of the Housing and Facilities Management Provider and responding to emergency calls.
  - c) Maintaining and developing social contacts and avoiding isolation.
  - d) Helping in social networks and joining in activities.
  - e) Support with household management, ensuring the health and safety and security of both individual resident's dwellings and the security of the whole building outside of the required hours of the Housing and Facilities Management Provider and responding to emergency calls.
  - f) Encouraging and supporting residents to participate in the life of the wider community, including participation where necessary in the range of activities organised by the Housing Provider.

## **9. THE CARE INTERFACE WITH THE HOUSING PROVIDER**

- 9.1 It is recognised that the management and operation of the Interface between the Housing and Facilities Management Provider, We and You will be of paramount importance in terms of delivering the Council's Vision for Extra Care Housing and service delivery to residents.
- 9.2 Experiences show that the relationship between the Housing and Care Provider is so pivotal that a scheme can succeed or fail this is if not planned or managed effectively. Criteria for a successful relationship include the following:
- A shared understanding and commitment to the philosophy of the scheme by all parties with the delivery of a quality cohesive service to residents being the common uniting goal.
  - A strong commitment to joint working by the Council, Housing and Care Provider.
  - An open and trusting relationship characterised by respect of specialisms, and a willingness to learn and tackle problems together.
  - Good working relationships at all levels and effective team working.
  - Clarity of roles characterised by a degree of give and take and flexibility at the edges.
  - Close co-operation and good communication between the Housing and Care Provider.
  - A focus on delivering better outcomes for residents rather than being bound by internal processes.
- 9.4 We have the following expectations of you in relation to your relationship with the Housing Provider:
- 9.4.1 Criteria for a successful relationship include the following:
- That You work with the Housing Provider and a Joint Protocol is drawn up to detail the operation of the interface. This is to be agreed and signed by the Housing and Facilities Management Provider and You.

- The Housing and Facilities Management Provider and You will agree and adhere to a programme of joint training, where joint training will be beneficial i.e. operation of equipment, health and safety relating to the building, fire safety, awareness of roles and processes.
- You in conjunction with Us will involve the Housing and Facilities Management Provider in the development of individual residents' need assessments and support plans in relation to identifying areas of need in relation to housing related support.
- We will also expect You to have the following financial responsibilities:
  - Payment for office related running costs relating to the care staff i.e. payment for telephone lines and calls/operation of fax / photocopier / stationery / contribution to heating and lighting costs.

9.5 Once You have been selected, We may arrange a series of meetings with the Housing and Facilities Management Provider and You, to clarify respective roles and responsibilities and identify areas where flexibility and support will need to be provided. It will be useful to include a meeting, which involves the catering provider so that there is clarity across all operations within the scheme.

9.6 Particular roles and areas of responsibility, which will need to be discussed and agreed, are as follows:

- **Housing Related Support activities** – Where there is a split of responsibility for activities, the Housing and Facilities Management Provider and You will need to agree how You will work together to deliver the activity. In terms of responding to residents' emergency call alarms, You will be responsible for this activity, but Housing and Facilities Management Provider staff will provide some back up support in cases of emergency.
- **Building security** – The Housing and Facilities Management Provider will be responsible for the security of the building during the required hours, however You are expected to assist with maintaining the security of the scheme during these hours i.e. closing doors that should not be open, apprehending suspect visitors etc.

You will be expected to be responsible for maintaining the security of the building. This will include regulating access to the scheme, welcoming and signing in visitors, responding to door security alarms etc. and cooperating and assisting with the Housing Provider's Temperature Management Plan.

- **Maintenance** – The Housing and Facilities Management Provider will generally be responsible for all maintenance activity relating to the scheme, however, You will be expected to have the following roles:
  - Assisting less able residents to report repairs to their homes.
  - Reporting defects in the communal areas to the Helpdesk.
  - Assisting residents with the use and operation of equipment in their homes i.e. setting heating controls, use of telecare equipment.



- **Refuse** – The Housing and Facilities Management Provider staff will be responsible for emptying and clearing rubbish from storage bays on the floors of each scheme, however Care Staff will be expected to assist residents with sorting their refuse for recycling and assisting those who are not able to transport their refuse from their home to the refuse storage areas.
- **Cleaning** – The Housing and Facilities Management Provider will be responsible for the general cleaning of the scheme. You will be expected to be responsible for reporting any spillages/debris to the Helpdesk and informing the Helpdesk when the staff sleepover facility is used so that laundry and cleaning services can be programmed. The Housing and Facilities Management Provider may also be interested in talking to You about their staff undertaking 'emergency' cleaning outside working hours and being reimbursed for the cost of this service.
- **Health & Safety** – Both the Housing and Facilities Management Provider and You will have a joint responsibility for Health & Safety. During the required hours, you will be expected to assist the Facilities and Events Management Team with fire safety procedures.

9.7 **Training and Induction** - In order to foster an ethos of teamwork and joint working at each scheme and across the sites, it is appropriate that joint induction and training is planned between the Housing and Facilities Management Provider and You and facilitated by us when appropriate.

The Housing and Facilities Management Provider will supplement these training and induction sessions with an on-site operational manual and condensed guide/handbook for staff.

9.8 **Good Communication and Close Co-operation** - Housing Provider's Contract Manager, Senior Care Provider Manager, Care Commissioning Manager, catering Manager and County Council. It is suggested that these are held initially, then reverting to quarterly or bi-annually. The team will be working closely together but should the need arise meetings can and will be called to deal with specific issues.

- Facilities & Events Manager, Care Commissioning Manager, Site Catering Manager, Care Provider Manager/Team Leader. These would be held ;
- Scheme and Service Delivery Team meetings – monthly.
- Residents Meetings/Focus Groups – quarterly.
- Pre-planned Allocations Panel Meetings.

Meetings to be supplemented with additional formal communications such as electronic team/staff briefings, and newsletters and scheme/contract information and newsletters for residents.

9.9 **Monitoring of Reporting Arrangements** - There may be some teething problems at first as staff become accustomed to the operation of the building and each other's roles and responsibilities. It is important to be open and

honest with residents about these anticipated initial problems and provide a commitment to early resolution rather than creating an expectation that everything will run smoothly from day one. Residents will be encouraged to provide feedback on any problems, no matter how minor, so that the service can be improved.

9.9.1 In terms of monitoring the management and operation of the care and catering facilities of the schemes, the following indicators and triggers will be used by the Housing and Facilities Management Provider for the improvement of satisfaction with service delivery

- Compliments and complaints.
- Formal and informal feedback from Commissioners, staff, residents and stakeholders.
- Incidents and accidents.
- Focus groups of staff and residents.
- Resident satisfaction questionnaires.
- Stakeholder questionnaires.

# ***TERMS AND CONDITIONS***

This document sets out the terms and conditions of providing domiciliary care services for Extra Care Sheltered Housing of Older People

**November 2008**

This material, which was produced in consultation with the Kent Community Care Association, may not be copied or published without the Kent County Council's permission in writing.



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**Appendix 1      Specification for Domiciliary Care Service**

This Agreement is between:

1. The Kent County Council of Sessions House, County Hall, Maidstone ME14 1XQ (referred to in this Agreement as 'We' or 'Us') and
2. The Service Provider whose name and address is given in Appendix 3 and who owns the domiciliary care organisation (referred to in this Agreement as 'You' or 'your').

## **TERMS AND CONDITIONS OF THE AGREEMENT**

### **1 Definitions**

When they are used in this Agreement, the terms and expressions set out below in the first column have the meanings set out in the second column:

<b>Agreement</b>	The terms and appendices of this Pre-Purchase Agreement.
<b>Approved List</b>	<p>A list of Organisations that have met our requirements for Approved Provider status.</p> <p>During the lifetime of this contract, non-Approved Providers will be able to make application to be put on the Approved List. This will happen through 'Panel' arrangements that currently exist for other types of Service provision.</p>
<b>Approved Provider</b>	A provider who has met our criteria and is then placed on our Approved List. Organisations on this list may be offered a Call Off Contract and be considered for a Block Contract.
<b>Authorised Signatory</b>	This is the owner of the Organisation or the person that (s)he authorises to act on his/her behalf.
<b>Call Off Contract</b>	See Contract Types.
<b>Care Manager</b>	The person we have deployed to arrange and review domiciliary care services for people who have been found on assessment to be owed a duty under various enactments. In this agreement Care Managers should also be taken to include Care Manager Assistants, Purchasing Officers and any other authorised representative.
<b>Care Plan</b>	A written statement produced by the Care Manager, regularly updated and agreed by all parties. It sets out the social care and support that a Service User requires in order to achieve specific outcomes and meet the particular needs of each Service User.
<b>Care Worker</b>	A member of Staff employed by You to carry out the domiciliary care service.
<b>Commissioners</b>	Members of our Staff who have responsibility for determining what Services will be purchased in order to meet assessed eligible needs.

<b>Continuing Breach</b>	A breach in contractual duty or duties on your part as a result of repeated failures to remedy non-performance or to sustain performance over a reasonable period of time.
<b>Contract Award Letter</b>	The letter from Us to You which communicates our acceptance of your offer to provide the Service. This letter will contain the detail of any contract award.
<b>Hourly Price</b>	The amount payable to the Service Provider for the Service Units delivered to a Service User, in a week, as recorded on the Service Delivery Order.
<b>Contracts Manager</b>	The person who We have authorised to administer our contracts for social care. His or her address will be given in the Contract Award Letter.
<b>Contract Types</b>	<p><b><u>Minimum Guaranteed Service (Block)</u></b></p> <p>One person on duty within each scheme 24 hours per day every day of the year. This includes an additional 2 hours allowance for handover period in each 24 hour day.</p> <p><b><u>Call off Contract</u></b></p> <p>A contract with mutually agreed terms, conditions and price but with no guarantee of purchase. With your agreement We may purchase a service against this contract at any time during the period of the contract.</p>
<b>Call Off Payment</b>	Payment will be made on an hourly rate for hours provided in excess of the Minimum Guaranteed Service.
<b>Extra Care Housing Schemes</b>	Means the schemes as set out in Appendix One to these contract conditions.
<b>Force Majeure</b>	Means acts, events, omissions, happenings, or non-happenings beyond the reasonable control of one party which prevent the performance by that party of its obligations in respect of that service. Any act, event, omission, happening, or non-happening will only be considered to be Force Majeure if it is not attributable in whole or in part to the wilful act neglect or omission of the affected party its agents, contractors, sub-contractors or employees.
<b>Housing and Facilities Management and Provider</b>	Means Housing 21 of Leitrim House, Coldharbour Lane, Aylesford, Kent, ME20 7NS or its sub-contractors.
<b>Mileage</b>	The amount spent on travelling between Service Users. This amount should take account of petrol, depreciation of the vehicle, tax and insurance. <i>(See also Travel Time.)</i>

<b>Minimum Guaranteed Service Payment</b>	Means the payment made each month for the Minimum Guaranteed Service regardless of the hours delivered.  This payment will only be made if the total of SDO hours are less than 26 hours per day.
<b>Organisation</b>	The domiciliary care organisation providing personal care for people living in their own home. Each franchise will be treated as a separate Organisation.
<b>Project Agreement</b>	Is the agreement between the County Council and the Housing and Facilities Management Provider, for the provision of Extra Care Sheltered Housing in Kent.
<b>Regulator</b>	The body which is established by statute and to whose regulatory powers You are subject. Currently, this is the National Care Standards Commission. From 1 April 2004 this will be known as The Commission for Social Care Inspection.
<b>Serious Breach</b>	A breach of your duty of care to a Service User by which he or she suffers harm and/or any malicious act by You towards Us.
<b>Service</b>	The domiciliary care that You will provide for a Service User in accordance with the provisions of the Care Standards Act 2000 and terms of this Agreement.
<b>Service Unit</b>	The measure of time by which the Service is purchased (i.e. 1 hour, 3/4 hour and 1/2 hour). The Service Unit begins on arrival at the Service User's home and ends on leaving, unless specified otherwise on the Service Delivery Order. It does not take account of Travel Time.
<b>Service Delivery Order</b>	The Service Delivery Order (SDO) initiates and tailors the Service for a Service User.
<b>Service User</b>	A person who has been found on assessment to be in need of domiciliary care services. You will have an SDO for him or her.
<b>Service User Plan</b>	The written guide produced by the provider in accordance with the regulation 5 of the Domiciliary Care Agencies Regulation 2002.
<b>Site</b>	Is any or all Extra Care Housing Schemes listed.
<b>Specification</b>	Our "Specification For Domiciliary Care Services" which is Appendix 1.
<b>Staff</b>	The employees and workers who carry out the Service for You.
<b>Start Date</b>	The date notified in the Contract Award Letter as the beginning of the contract.
<b>Transaction Data Monitoring</b>	Commonly known as TDM. An electronic financial invoicing process, which requires You to be Visa enabled. TDM matches the invoice to the order given set criteria and makes payment to the provider via the VISA platform.
<b>Travel Time</b>	This is part of the working day spent in travelling between Service Users' homes. Travel time applies to drivers, cyclists and walkers.

<b>Unit</b>	Is any of the apartments and common parts to be provided by the Housing and Facilities Management Provider on each of the sites.
<b>We</b>	The Kent County Council and any person to whom We may assign this Agreement. Unless the context otherwise requires, 'Us' and 'our' will also be taken to refer to 'We'.
<b>Working Day(s)</b>	Means Monday to Friday inclusive between the hours of 0900 and 1700, except when these days are Bank Holidays.
<b>You</b>	The legal owner of the Organisation as detailed in Appendix 3 or any person either authorised to act on your behalf or succeeding to your ownership of the Organisation.



## **2 Interpretation**

- 2.1 Unless the context makes it clear that this is not what was intended, any reference in this Agreement to:
- (a) The singular includes a reference to the plural and vice versa;
  - (b) A person includes a reference to an individual or a firm, partnership, company or corporation;
  - (c) A 'clause' or an 'Appendix' means a reference to a clause or Appendix of this Agreement;
  - (d) Any notice or communication 'in writing' means sent by post or personal delivery or fax.
- 2.2 The headings in this Agreement are for ease of reference only and do not affect its interpretation.
- 2.3 Any reference in this Agreement to any legal enactment, order, regulation or other similar instrument means that which is in force. This includes (for as long as they are in force):
- (a) Any amendments or modifications to any such enactment, order, regulation or other similar instrument, and
  - (b) Any re-enactment of any such enactment, order, regulation or other similar instrument.

## **3 Start and Duration of this Agreement**

- 3.1 This Agreement will begin on the commencement date and continue for a period of 5 years from that date.
- 3.2 We may by giving not less than six month's written notice prior to the expiry date, renew the contract for up to two years on similar or changed terms following agreement with You as to such renewals and terms.
- 3.3 We will agree with You a start date for the Service being provided at each site.
- 3.4 All residents will be allocated a tenancy or leasehold purchase via the Joint Allocations Panel. The Provider will be a member of the Panel, alongside the Landlord and a representative from the County Council's Adult Social Services Directorate.

## **4 Entire Agreement**

- 4.1 This Agreement sets out all the terms and conditions that You and We have agreed as regards the provision of the Service.
- 4.2 It supersedes any representations, documents, negotiations or understandings about the Service, whether oral or written, made, carried out or entered into before the date of this Agreement.

- 4.3 What is set out in the clauses of this Agreement and/or the requirements of an SDO will take precedence if there is any inconsistency or conflict between them and what is set out in your terms and conditions of domiciliary care services for Service Users.

## **5 Contacts**

- 5.1 For the purposes of this Agreement, the Contracts Manager will be your first point of contact for Us and the signatory to this Agreement or such other person as You notify in writing to the Contracts Manager will be our first point of contact for You.
- 5.2 For the purpose of an SDO, your first point of contact for Us will be the Care Manager who is identified on the SDO.
- 5.3 All correspondence relating to this Agreement, from You to Us or vice versa, will be sent in writing to the applicable address shown on Appendix 3 of the Agreement.
- 5.4 All correspondence relating to an SDO, from You to Us or vice versa, will be sent in writing to the applicable address shown on the SDO. Writing may be in a format as described in clause 29.1.

## **6 Review**

- 6.1 We will review this Agreement whenever there is a significant change in our statutory functions regarding the Service.
- 6.2 Otherwise, as a minimum, You and We will re-examine this Agreement within five years of the Start Date and then once during every subsequent five year period.
- 6.3 The Care Manager will review an SDO and Care Plan after one month, after three months and six monthly thereafter. This may not always take the form of a visit to the Service User's home.

## **7 Contracts**

- 7.1 For the purposes of tendering, it is expected that each Extra Care Housing Scheme will have a balance of dependency needs within the community of residents, with a third of residents in each of the high, medium and low dependency groups.
- 7.2 This contract binds You and Us to collaborate in order to use the guaranteed number of hours of Service. This includes your obligation to meet our reasonable requests for a Service. Subject to this provision We will pay You for hours which are not used where We use less than the guaranteed hours.
- 7.3 The Guaranteed Minimum Service Level will be subject to change following the annual performance review which will be carried out on a yearly basis in line with our service and quality monitoring review procedures.
- 7.4 The Service Level for each scheme may increase or decrease to reflect the number of service users receiving a care and support service and/or changes in the dependency bands of the service users.
- 7.5 Full details of this contract will be given in the Contract Award Letter that You will receive (i.e. price, hours, location, variations and reviews).

- 7.6 You must acknowledge that We have entered into a Project Agreement with the Housing and Facilities Management Provider and You must undertake not to wilfully impede the Housing and Facilities Management Provider in the performance of its obligations under the Project Agreement.
- 7.7 You will abide by the principles and practices set out in the Specification and its Addendum in relation the relationship with the Housing Facilities Management Provider across the Extra Care Housing Schemes.
- 7.8 You will participate in the Allocations Panel when new residents move into each scheme. An Allocation Panel would be established for each site. In addition to contribution to the decision making process You will ensure that the panel is kept up-to-date with the dependency profile of the residents, to enable a balanced community model to be maintained.
- 7.9 The end date of the contract will be 26<sup>th</sup> April 2014.

## **8 Price**

- 8.1 The Contract Price will remain fixed for the duration of the contract.
- 8.2 You will be paid the tendered price for each hour of support as detailed in the SDO for each service user in return for your carrying out your obligations under this Agreement.
- 8.3 The Contract Price will include Mileage and Travel Time costs.
- 8.4 You will not charge the Service User or his or her representative for any part of the Service that is deemed to be included in the Contract Price.
- 8.5 If You are requested to provide other additional Services at the request of the Service User or his or her representative, We will regard this as a private arrangement that is outside this Agreement. With the knowledge of the Service User You will notify the Care Manager prior to the commencement of any such arrangement.
- 8.6 The hourly rate and the minimum hours will remain fixed until the Review Date unless the Service Level has been adjusted under the terms of Clause 7.4. Thereafter, the Service Level will be adjusted annually in accordance with the provisions of the Clause 7.3.

## **9 Payment Arrangements**

- 9.1 We will issue you an SDO when a Service User is allocated to You.
- 9.2 You will be required to submit electronic invoices to KCC in the format provided to You in order to receive payment.
- 9.3 The electronic invoice can be submitted for any complete week or number of weeks following the end of the week. For the purpose of this variation the week will always end on a Sunday.
- 9.4 You will be required to be VISA enabled with a specific Merchant ID for TDM.
- 9.5 If We are late in making any payment of the Contract Price then We will pay You in accordance with the Late Payment of Commercial Debts (Interest) Act 1998 and the Amendment to this Act (August 2002).

9.6 Should the amount paid by TDM fall below Guaranteed Minimum Payment of 26 hours per day, reconciliation will be done monthly.

9.7 You will invoice Us at the end of each four week period for the above payment.

## **10 Price Increases**

10.1 On 1 April each year We will review the contract price taking into account and giving due consideration to the known changes in the cost of provision over the previous 12 months as authorised by our elected Members.

10.2 Other than as set out in clause 10.1, the Contract Price will not be increased unless there are exceptional circumstances and We agree. Whether or not We agree will be at our discretion.

## **11 Monitoring Performance**

11.1 You will comply with the performance monitoring arrangements that will be drawn up by Us in consultation with your representatives.

11.2 You will make available to Us, upon request, copies of any Regulator reports, including those that have not yet been released to the public.

11.3 You will keep records that ensure You can demonstrate to Us your performance of this Agreement. Your records will show resource inputs, organisational processes and outcomes related to the Service and Service Users.

11.4 We reserve the right to visit your offices at any reasonable time without giving notice.

11.5 We reserve the right to directly elicit the views of willing Service Users. We will respect their privacy where We do this.

11.6 Following discussion with You, We reserve the right to directly elicit the views of your Staff and to observe the Service provided at the point of delivery.

11.7 We reserve the right to look at your relevant accounts on a regular basis during the life of this Agreement for the purpose of validating your financial viability. We will be reasonable in exercising this right; in particular We will adapt to the Regulator's practice in this area. We will treat any information gained in accordance with the provisions for confidentiality at clause 27.5.

11.8 You will notify Us of any revision to your statement of purpose or Service Users guide within 14 days of publication.

11.9 You will when necessary, with the Service User's consent, allow the Authorised Officers and Care Manager or their deputies access to the Service User's premises for the purposes of monitoring the Contract Standard, including the carrying out of spot checks.

11.10 You will notify us if;

- a) You merge with another organisation or,
- b) You in any way transfer your business to another organisation or,
- c) as a result of any misconduct or mismanagement on your part (alleged or actual)

a regulatory body directs an inquiry into or makes an order of any kind in relation to your affairs; or

- d) Any registration which You must maintain or accreditation which You must hold in order to provide the Service or any related service is withdrawn or cancelled or is threatened to be withdrawn or cancelled.

## **12 Dispute Resolution**

- 12.1 If there is a dispute between You and Us about the interpretation or operation of this Agreement then both of Us will make every effort to resolve the dispute when and where it arises, negotiating on the basis of good faith.
- 12.2 Having done this, either one of Us may notify the other that it wishes the dispute to be referred to a meeting of your representative (as at clause 5.1) and the Contracts Manager who will discuss the issue within 10 Working Days of receiving the notification.

### **Note:**

- (a) If the dispute is not resolved within 20 Working Days of the date of their discussion, then either one of Us may notify the other that it wishes the dispute to be referred to more senior officers on both sides to resolve;
  - (b) If they fail to resolve the dispute within 20 Working Days of its referral to them then either one of Us may notify the other that it wants to try to settle the dispute by mediation in accordance with the Centre for Effective Dispute Resolution (CEDR) Model Mediation Procedure;
  - (c) If You and We do not agree on the identity of the mediator then either one of Us may ask CEDR to appoint one;
  - (d) Both of Us must pay the mediator's fee in equal shares and do what We can to ensure the mediation starts as soon as possible;
  - (e) Any agreement reached as a result of mediation will be final and binding on both of Us, but if the dispute has not been settled within 10 Working Days of the mediation starting then either of Us may instigate litigation proceedings (but not before then).
- 12.3 Using the dispute resolution procedure will neither delay nor take precedence over any use of the default or termination procedures.

## **13 Default**

- 13.1 If either of Us considers that the other is in default of its obligations under this Agreement or an SDO, then the default and a reasonable time-span within which it must be put right must be notified in writing to whichever of Us is considered to be at fault.
- 13.2 Where the default is not put right within the specified time then it may be referred to the dispute resolution procedure contained in clause 12 of this Agreement or the termination procedures contained in clauses 14 and 15 of this Agreement.

## **14 Termination of the Agreement**

- 14.1 You will notify Us without delay if You cannot meet your commitments under this Agreement for a temporary period. In this circumstance and without prejudice to the continuation of this Agreement, We may help You to ensure the continuity of the

Service.

- 14.2 This Agreement may be ended at any time by either of Us giving to the other not less than 6 months prior notice in writing to expire at any time.
- 14.3 We may terminate this Agreement without notice and recover from You the amount of any loss resulting from the termination if You:
- (a) Are in **Serious** Breach of this Agreement;
  - (b) Are in **Continuing** Breach of this Agreement;
  - (c) Are convicted of an offence under the provisions of the Care Standards Act 2000 and regulations thereto and any subsequent amendments;
  - (d) Cease to hold appropriate registration under the Care Standards Act 2000;
  - (e) Become bankrupt or are the subject of any application or arrangement under the provisions of the Insolvency Act 1986 (as amended by the Enterprise Act 2002);
  - (f) Have a winding-up order made (except for the purposes of amalgamation or reconstruction) or a resolution of a voluntary winding-up is made;
  - (g) Have a provisional liquidator, receiver or manager of your business or undertaking duly appointed;
  - (h) Have an administrative receiver as defined in the Insolvency Act 1986 (as amended by the Enterprise Act 2002) appointed;
  - (i) Are in circumstances which entitle the court or a creditor to appoint, or have appointed, a receiver, a manager or an administrative receiver, or which entitle the court to make a winding-up order;
  - (j) Take financial advantage of a Service User or inappropriately solicit money from his or her representative or Third Party;
  - (k) Offer any inappropriate inducements or exert pressure on a potential Service User or his or her representative or Third Party to encourage a choice of your Service;
  - (l) Offer, give or agree to give any gift or consideration of any kind to any of our Officers or elected Members in order to gain an advantage in the performance of this Agreement;
  - (m) Defraud us.
- 14.4 Where there has been a termination by the Housing and Facilities Management Provider of any licence granted to You to occupy premises on all or any of the Sites and in our reasonable opinion the lack of access to those premises prevents You from providing the Service to the Contract Standard, You will be entitled to any of the payments due to You on the date of such termination pursuant to clause 9.

## **15 Termination or Suspension of an SDO**

- 15.1 We will give You not less than 1 working days notice of suspension of the SDO where it

is known that the Service User will not require the Service due to a planned absence. Where such notice is not given, We will pay the agreed rate for 1 day's planned Service to the Service User or any other reasonable period that You and the Care Manager negotiate.

- 15.2 In instances where a Service User is taken to hospital We will pay the agreed rate for 1 day's planned Service in order to ensure continuity of Care Worker if the Service User is not admitted and the Service needs to be re-established.
- 15.3 If a Service User is admitted to hospital, you should retain the Service 'slot' for 2 weeks to ensure continuity of Service when the Service User is discharged. The Care Manager will contact You as soon as the expected length of hospitalisation is known so that You can re-allocate the Service.
- 15.4 In the case of a Service User's sudden death We will pay the agreed rate for 1 day's planned Service to the Service User in lieu of notice.
- 15.5 You or We may terminate a Service Delivery Order, with reasonable grounds to do so, by giving 5 Working Days written notice.

## **16 Emergency Domiciliary Care Services**

- 16.1 If You receive a request for an emergency care service from anyone other than a Care Manager, You will make every effort to contact the Care Manager before agreeing to provide the Service. The Service User will not be required to make any payment to You towards the cost.
- 16.2 If the Service User requires emergency domiciliary care and You cannot contact the Care Manager, We will pay for 1 hour or any other reasonable period that You and the Care Manager negotiate.

## **17 Statutory Obligations**

- 17.1 Both of Us will comply with all relevant current and future legislation applicable to the provision of the Service.

## **18 Insurance**

- 18.1 The onus is on You to ensure that your insurance policies are adequate to cover eventualities pertaining to your business.
- 18.2 You must maintain the following minimum insurance cover:

Public Liability Insurance: £5 million in respect of any one claim which You become legally liable to pay for illness, injury or death to a third party, or loss of or damage to his or her property;

Employers Liability Insurance: £10 million in respect of any one claim which You become legally liable to pay for illness, injury or death of an employee arising out of and in the course of his or her work;

Motor Vehicle Insurance: Third party cover with unlimited indemnity for third party injury and £5 million for third party property damage in respect of any one claim;

Adequate insurance cover to enable You to fulfil your responsibility under this Agreement in the event of material damage which causes the Service to be continued at another or multiple other locations;

Adequate professional indemnity, errors and omissions or malpractice insurance cover in respect of any one claim which You become legally liable to pay for loss or injury caused by any negligent act, error or omission occurring or committed in good faith in the conduct of your activities or duties. This includes the appropriate level of cover for the administration of medication.

18.3 You will procure and maintain the above mentioned insurance with a reputable company or companies.

18.4 You will provide to Us, on request, such information as We may reasonably require to confirm that the insurance referred to above has been effected and is adequate and in force at all times.

## **19 Variation**

19.1 We reserve the right to vary any part of this Agreement at any time as a result of an Act of Parliament or direction of Central Government or outcome of an officially authorised review or audit by or for Us provided that the variation:

(a) Fits within the scope of the Service; and

(b) Is to be effected in accordance with any officially authorised timetable that prevails or any other period that is agreed by both of Us and then notified in writing to You.

19.2 Any non-statutory variation to this Agreement will only be effective when it is in writing and consented to by both of Us.

## **20 Ombudsman**

20.1 Under the Local Government Act 1974, the Ombudsman may investigate a complaint about an action taken by You pursuant to this Agreement. You will co-operate fully with any such investigation and will reimburse to Us any payment We make to any complainant where a finding of maladministration causing injustice is made as a result of a fault on your part.

20.2 You may complain to the Ombudsman about maladministration by Us that caused injustice to You after We have been given an opportunity to consider the complaint. We will co-operate fully with any such investigation and will reimburse to You any payment You make to any complainant where the Ombudsman makes a finding of maladministration causing injustice as a result of a fault on our part.

## **21 Assignment and Sub-Contracting**

21.1 If You want to either assign your interest in this Agreement to any other person or create any security over it or any part of it then You must first obtain our written consent, which should not be unreasonably withheld. Such assignment can only be made to another Approved Provider.

21.2 With the exception of your use of agency staff to cover vacancies in managerial or supervisory positions, You may, subject to clause 21.6, sub-contract the carrying out of your Service obligations under this Agreement only with another Approved Provider.



- 21.3 You should note that our giving You our consent to sub-contract will not relieve You of your obligations under this Agreement and that You will be responsible for the acts, defaults and neglect of any sub-contractor as if they were your own acts, defaults and neglect.
- 21.4 We will pay You as though the Service was delivered by You and You will invoice us accordingly. You will make your own arrangements to pay the sub-contractor.
- 21.5 We will monitor your usage of sub-contracted Staff and will withdraw our consent if We feel the level of usage is excessive.
- 21.6 You must not use self employed persons to provide the Service.
- 21.7 We reserve the right to direct that any individual member of Staff does not provide a Service to any particular Service User.

## **22 Change of Control**

- 22.1 If You have a change of control or there is a change affecting your legal status or that of the Organisation, You will inform Us without delay.

## **23 Partnership and Agency**

- 23.1 Both of Us expressly agree that nothing in this Agreement in any way creates a legal partnership between Us.
- 23.2 You will not hold yourself to be our agent or try to bind Us to any undertaking.
- 23.3 You may, with our consent in writing beforehand, advertise yourself as an Approved Provider to Us.

## **24 Force Majeure**

- 24.1 Any failure or delay by You in performing your obligations under this Contract which results from any failure or delay by an agent, sub-contractor or supplier shall only be regarded as due to Force Majeure where that agent, sub-contractor or supplier is itself impeded in complying with an obligation to You by Force Majeure.
- 24.2 No Party shall be liable to another Party by reason of any failure or delay in performing its obligations under this Contract which is due to Force Majeure where there is no practical means available to the Party concerned to avoid such failure or delay.

## **25 Probity**

- 25.1 You will immediately inform the Contracts Manager of any conflict of interest that has arisen or is likely to arise as a result of You undertaking work for or providing the Service to a third party other than a Service User.
- 25.2 We may seek an alternative provider for some or all of the Service if We have reasonable grounds for believing that such a conflict has arisen or is likely to arise as a result of information received from You or otherwise.

## **26 Declaration of Interests**

- 26.1 You will inform the Contracts Manager in writing if You become aware that any of our Officers or elected Members has or acquires any interest in your business at any time during the life of this Agreement.

## **27 Waiver**

- 27.1 If either one of Us fails to exercise, or delays in exercising any right or remedy, to which it is entitled under this Agreement or at law then this will not constitute a waiver of such right or remedy. It does not mean the provision in question no longer applies and it affects neither the validity of this Agreement nor the right of either of Us to enforce any provision in accordance with its terms.
- 27.2 Nothing in this Contract is intended to create a legal partnership or legal relations of any kind between the parties (including but not limited to the Partnership Act 1890). No Party shall have authorisation to make representations to act in the name of, or act on behalf of, or otherwise bind that Party.

## **28 Data Protection, Copy Right, Freedom of Information and Confidentiality**

- 28.1 Both of Us must comply with the requirements of the Data Protection Act 1998 in so far as they apply to the provision of the Service and/or otherwise to this Agreement.
- 28.2 You will keep confidential any information that We supply to You in connection with this Agreement or that You obtain in the course of providing the Service. Any data that You so gain will be processed only in accordance with instructions in this Agreement and for no other purposes.
- 28.3 In respect of personal data subject to the Data Protection Act 1998, You will take appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental alteration, loss or destruction of or damage to such personal data.
- 28.4 You will not disclose personal data to any third parties other than:
- (a) To Staff and sub-contractors to whom such disclosure is reasonably necessary in order to carry out the Service; or
  - (b) To the extent required under a court order.
  - (c) You will give notice in writing to Us of any disclosure of personal data that You or a sub-contractor may make under part (b) as soon as You are aware of such a requirement.
- 28.5 We will keep confidential any business information obtained from You in connection with this Agreement and We will take all reasonable steps to ensure that our employees do not divulge such information to a third party without your written consent, except as may be required by law.
- 28.6 We will give notice to You, in writing, of any disclosure of personal data that We may be required to make as soon as We are aware of such a requirement.

28.7 Us and You acknowledge that;

- a) All information and data, including personal data, obtained and used in connection with this Contract shall remain the property of the parties and shall be processed for the sole purpose of undertaking their obligations under this Contract and for no other purpose.
- b) We may share information relating to You or this contract with other purchasing, monitoring and regulatory agencies when reasonably judged by Us to be in the interests of the Service User or the provision of the Service. If We subscribes to any formal protocol for sharing information with such agencies then You will be informed in writing, and sent a copy of any such protocol. We may share information relating to You for data matching purposes, in order to contribute to the prevention and detection of fraud in accordance with the requirements of the Audit Commission.
- c) Requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and shall assist and cooperate with Us to enable it to comply with these information disclosure requirements
- d) Our name shall not be used by You in the endorsement of any project or in any other way or for any purpose without our prior written consent, which will not be unreasonably withheld.

## **29 Transfer of Undertaking**

29.1 You will abide by its duties and responsibilities under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) and all other relevant legislation and in particular:

- a) During the 12 months preceding the expiry of this Contract or after We have given notice to terminate this Contract or at any other time as directed by Us and within 15 working days of being so requested by Us, You will fully and accurately disclose to Us any and all information in relation to all Workers engaged in providing the Service including all relevant employees who are to transfer as a consequence of a relevant transfer as We may request, in particular but not necessarily restricted to any of the following:-
  - (i) a list of all employees employed by You.
  - (ii) Agents and independent Care Providers engaged by You.
  - (iii) The total payroll bill (i.e. total taxable pay and allowances including employers contribution to pension scheme) of those personnel.
  - (iv) The terms and conditions of employment of the relevant employees, their age, salary, date continuous employment commenced (and if different) the commencement date, enhancement rates, any other factors affecting their redundancy entitlement and any outstanding claims arising from employment.
- b) You will warrant the accuracy of all the information provided to Us and authorise

Us to use any and all the information as it may consider necessary for the purpose of its business for informing any tenderer for any services which are substantially the same as the Service (or any part thereof).

- c) During the 12 months preceding the expiry of this Agreement or where notice to terminate this Contract for whatever reason has been given, You will allow Us or such other persons as may be authorised by Us to communicate with and meet the relevant employees and their Trade Union or employee representatives as We may reasonable request.
- d) During the 12 months preceding the expiry of this Contract or where notice to terminate this Contract for whatsoever reason has been served, You will not without our prior written consent unless bona fide in the ordinary course of business:
  - i) vary or purport or promise to vary the terms and conditions of employment or any employee employed in connection with the Services;
  - ii) materially increase or decrease the number of employees employed in connection with the Services; or
  - iii) assign or redeploy any employee employed in connection with the Services to other duties unconnected with the Service.

## **29.2 Indemnities**

You will (subject to our and your duty to mitigate the losses) fully indemnify Us and any new Care Providers appointed by Us against all direct, indirect or consequential liability, loss, damages, injury, claims, costs and expenses (including legal expenses) incurred by them as a result of or in connection with the employment or termination of employment of any employee of the Care Provider during any period prior to the date of expiry or termination of this Contract.

## **29.3 Sub-Care Providers**

In the event that You enter into any Sub-contract in connection with this Contract it shall impose obligations on its Sub-Care Providers in the same terms as those imposed on it pursuant to this Clause 7 and shall procure that the Sub-Care Provider complies with such terms. You shall indemnify Us and keep Us indemnified in full from and against all direct, indirect, or consequential liability, loss, damages, injury, claims, cost and expenses (including legal expenses) awarded against or incurred by Us as a result of or in connection with any failure on the part of the Sub-Care Provider to comply with such terms.

## **30 Electronic Business**

- 30.1 You and We will co-operate with each other in order to make the most of information and communication technology as it applies to the provision of the Service and/or otherwise to this Agreement.

30.2 Any demand, notice, or other communication required to be given under the terms of this Contract will be sufficiently served if:

- a) Served personally on the addressee; or
- b) Sent by prepaid first class recorded delivery post, by telex, electronic mail or facsimile transmission to the registered office or last known address of the intended recipient;
- c) and, if so sent will, subject to proof to the contrary, be deemed to have been received by the addressee on the second business day after the date of posting, or on successful transmission, as the case may be.

### **31 Law**

31.1 This Agreement will be considered as a contract made in England and according to English Law and the parties submit to the exclusive jurisdiction of the Courts of England and Wales.

The clauses end here.

This Pre Purchase Agreement is the property of Kent County Council.

Comments or questions should be forwarded to:

**Kent County Council**  
**Social Service Directorate**  
**Service Policy and Standards (Contracting)**  
**Room 2.38, Sessions House**  
**County Hall**  
**Maidstone**  
**Kent ME14 1XQ**

**Telephone: (01622) 694902**

**Fax: (01622) 694915**

**E-mail: [sshqcontracts@kent.gov.uk](mailto:sshqcontracts@kent.gov.uk)**

## Cabinet Scrutiny Committee – 19 January 2011

**4. Ask the Managing Director, Kent Adult Social Services, that additional information be provided about ongoing protection of terms and conditions for any staff transferred under Transfer of Undertakings (Protection of Employment) Regulations to new providers, and how long staff would enjoy this protection.**

BERR's (Department for Business Enterprise & Regulatory Reform) guidance on the matter states the following:

**Q Is there a time limit after the transfer where it is 'safe' for the new employer to vary contracts because the reason for the change cannot have been by reason of the transfer because of the passage of time?** (it is worded like this because no change can be made if that change is associated with the transfer. The 2006 Act deemed that things like harmonising terms and conditions after the transfer is covered by this but it could be argued a number of years down the track the transfer is not the reason for the change).

A. There is likely to be a time when the link with the transfer can be treated as no longer effective. However, this must be assessed in the light of all the circumstances of the individual case, and will vary from case to case. There is no rule of thumb used by courts or specified in the Regulations to define a period of time after which it is safe to assume that the transfer did not impact directly or indirectly on the employer's actions.

As has always been the case there is no set period of time if the change is linked to the transfer, however, the regs don't offer indefinite protection. All our terms change over a period of time so it would be unreasonable for an employer after a satisfactory period of time not to be able to change terms. That said if the change is for an Economic, Technical or Organisational reason the employer can make a change soon after transfer if needs be. Examples may be:

- **Economic reasons** - where the demand for output has fallen to such an extent that profitability of the entity is unsustainable without dismissing staff.
- **Technical reasons** - where the transferee wishes to use new technology and the staff employed by the transferor in the entity do not have the requisite skills.
- **Organisational reasons** - where the transferee operates at a different location and it is not practical to transfer staff.

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## **The Limes Focus Group's Written Statement for the Cabinet Scrutiny Committee**

The Limes Care and Day Centres provides a valuable service to the vulnerable people aged 55+ in North West Kent.

Since the Limes reopened as a care centre, over 1,000 people have been admitted to the Limes and approx. 800 people have been able **to return to their own home** behind their **own front door**, (to quote **Graham Gibbens**). Others have been assessed to require residential or nursing care, for the own safety and dignity. There is already a **bed crisis at Darent Valley Hospital** (DVH) since Queen Mary's Hospital (QMH) A & E, Sidcup closed. There has been a significant increase for patient care at DVH and we have it on good authority that in recent weeks, patients are waiting in corridors and being treated in ambulances.

At December's County meeting, Penny Cole asked for this to be taken into account (as the consultation ended, as QMH A&E shut). Mr Gibbens said he would take this into consideration once he had received the Limes report. Did this happen? **Under the Freedom of Information Act, we want evidence.**

Gareth Johnson has told the Limes Focus Group by email and at a meeting with us, informing that he had spoken to Graham Gibben's personally about the Department of Health's extra £162million that has been made available to local health and care services to spend this financial year on frontline services by the Health Secretary. (see attached). Why wasn't this taken into consideration and investigated? Gareth said he told Graham that he would be willing to go with him to approach Andrew Lansley and request funding, so that the Limes could remain open.

We have no knowledge that an Evaluation Panel had take place for the Limes for the Limes Focus Group proposal.(see attached) to be considered until we received a letter saying that it had not been recommended.

We would like to point out that there was 6 months allowed for consultation and preparation for the outcome report to be published but only 8 working days for 2 committees to debate the recommendations, 1 day later the Cabinet Member announced his decision and only 3 working days for the Cabinet Scrutiny and witnesses to read and prepare for this meeting. Somewhat unfair!

Why weren't the loss of respite beds based at Gravesham Place included in the consultation? Respite carers should have been given the opportunity to have their say, as these beds are now only going to be provided in the independent sector.

Day Centre Service Users are able **to stay in their homes and be independent – behind their own front door**. They socialise and interact with likeminded people and this helps their mental wellbeing. We are confident this supports them in keeping healthy and happy. We are **also provide the venue for the Falls Prevention Exercise Class** promoted by the West Kent NHS Trust Get Active Campaign. (See attached BBC news article).

No information about Sutton Court, as a possible venue for current Day Centre Service Users was passed onto front line staff before the report was published. Is there a copy of this proposal and under the **Freedom of Information Act**, can the Focus Group see this? The Day Centre is not even mentioned in the signed Record of Decision. Why?

**From:** Town, Sandra - ASD  
**Sent:** 01 February 2011 15:51  
**To:** 'Kklb7@aol.com'  
**Subject:** RESPONSE - Freedom of Information Act Request 11/0081

**Attachments:** Written statement for the cabinet scrutiny Jan 11 - Karen Baldwin.doc  
Dear Ms. Baldwin

## **FREEDOM OF INFORMATION ACT 2000– REQUEST FOR INFORMATION**

Thank you for your request for information under the Freedom of Information Act (FOIA) 2000.

I am pleased to be able to provide the following answers to your questions;

### **1. Did the Cabinet Member consider the impact of the closure of Queen Mary's Hospital, Sidcup, in his decision?**

The reports presented to the Cabinet member did include reference to the closure of the Sidcup hospital and how the additional money allocated to promote re-ablement services could address some of this impact. Further consideration was also given to the individuals from Sidcup who would want services closer to home and the London Borough of Bexley would have a duty to provide services for those individuals in partnership with their Health colleagues.

Additional consideration was given after reviewing data on the numbers of referrals to The Limes which was broadly consistent to previous patterns and showed no additional impact from the closure of the hospital.

### **2. Could a copy of the proposal for the service at Sutton Court be shared with front line staff at The Limes?**

The Vicar at Sutton Court contacted opfutures offering space and service development for the individuals at The Limes. A meeting has taken place to discuss the potential development of services and to provide assurances that services could be delivered at that venue, if that is what the individuals would like when The Limes closes.

The service specification has yet to be developed; once it has been developed, it can be shared.

The service could not be put in place before the decision was made as it would pre-judge the decision of the Cabinet member. The work that will take place now is to talk with service users, understand what their needs are and identify services for them that meet those needs and what is important to them. The staff that will be doing this are KCC staff and will need support from staff at The Limes to ensure that the service users are supported individually and positively.

I hope the information we have been able to provide satisfies your request. If you have a query with the information provided, please do not hesitate in contacting me.

If you are unhappy with this response, and believe KCC has not complied with legislation, please ask for a review by following our complaints process; details can be found at this link [http://www.kent.gov.uk/your\\_council/have\\_your\\_say/complaints\\_and\\_comments/complaints\\_procedure.aspx](http://www.kent.gov.uk/your_council/have_your_say/complaints_and_comments/complaints_procedure.aspx) on our website. Please quote reference FOI/11/0081.

If you still remain dissatisfied following an internal review, you can appeal to the Information Commissioner, who oversees compliance with the Freedom of Information Act 2000. Details of what you need to do, should you wish to pursue this course of action, are available from the Information Commissioner's website [http://www.ico.gov.uk/complaints/freedom\\_of\\_information.aspx](http://www.ico.gov.uk/complaints/freedom_of_information.aspx)

Yours sincerely

*Sandra Town  
Information Governance Co-ordinator  
Policy & Service Standards Unit  
Kent Adult Social Services  
3rd Floor, Brenchley House, Maidstone  
01622 221790  
7000 1790*

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**From:** Town, Sandra - ASD  
**Sent:** 20 January 2011 12:37  
**To:** 'Kklb7@aol.com'  
**Subject:** ACKNOWLEDGEMENT - Freedom of Information Act Request 11/0081  
**Importance:** High

Dear Ms. Baldwin

## **FREEDOM OF INFORMATION ACT 2000– REQUEST FOR INFORMATION**

Thank you for your request for information. Your request has been passed to me in my capacity as Information Governance Co-ordinator for the Adult Social Services Directorate to co-ordinate the response.

I acknowledge your request for information under the Freedom of Information Act 2000. Assuming we hold this information, I will endeavour to supply the data to you as soon as possible but no later than 14th February 2011 (20 working days from date of receipt -17th January 2011).

I will advise you as soon as possible if we do not hold this information or if there are exemptions to be considered and/or any costs for providing the

information. Please quote our reference - FOI/ 11/0081- in any communication regarding this particular request.

Yours sincerely

*Sandra Town  
Information Governance Co-ordinator  
Policy & Service Standards Unit  
Kent Adult Social Services  
3rd Floor, Brenchley House, Maidstone  
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## **Purpose of the report**

Following the Cabinet Scrutiny Meeting on the Older Persons Modernisation Strategy held on 19<sup>th</sup> January 2011, the decision was made to update the illustration on the price comparison of KASS residential homes with independent sector residential home factoring the implication of the Pension Act 2008 and the Workplace Pension Reform Regulations 2010.

## **Impact of new pension regulation**

The Pension Act 2008 and the Workplace Pension Reform Regulation 2010 mandates employers to enrol staff automatically into a workplace pension scheme from 2012, unless individuals choose to opt-out.

It focuses on the use of auto-enrolment into workplace pension schemes, from which an individual would need to actively opt-out, to build private saving. This is combined with a minimum employer contribution, and the creation of a pension scheme - now known as the National Employment Savings Trust (NEST) - that could be used by any employer.

In terms of how this policy might impact on the future prices charged by independent sector residential care providers in Kent, the following points should be noted:

1. The policy mandates employers to pay the equivalent of at least 3 percent of the staff salary in contribution to the pension scheme.
2. Staff will pay an additional four percent into the scheme, with a further one percent coming from tax relief.
3. It is set to be introduced in stages with large companies adhering to the rules first
4. **The policy will not necessarily increase the hourly rates paid to staff in the independent sector but raises the possibility of providers demanding a higher rate from KASS so as to pass all or some of the three percent cost which is meant to cover employer contributions into the pension scheme.**
5. Having factored the three percent pension cost, the average care worker hourly rates (inclusive of National Insurance and Superannuation) for the independent sector would be £6.94 and £6.91 in West and East Kent respectively. This is still much lower than the £10.98 hourly rate for KASS (inclusive of on-cost).
6. KASS currently contributes an average of 21 percent into the pension scheme.

<b>Hourly pay rates for independent sector residential care staff - West Kent</b>						
		Excludes employer on-cost				
Staffing category	Basic hourly rates with on-costs (NI plus Superann @3%)	Hourly rates	Enhanced rates	Bank Holiday rates - hourly rate + 50%	Annual Basic Salary	Annual pay with on-costs (NI plus Superann)
Care worker	£6.94	£6.22	N/A	£9.33	£11,999.50	£13,379.44
Senior care worker	£7.84	£7.03	N/A	£10.55	£13,562.14	£15,121.78
Cook	£7.84	£7.03	N/A	£10.55	£13,562.14	£15,121.78
Kitchen Assistant	£6.61	£5.93	N/A	£8.90	£11,440.04	£12,755.64
Domestic staff	£6.61	£5.93	N/A	£8.90	£11,440.04	£12,755.64
Laundry staff	£6.65	£5.96	N/A	£8.94	£11,497.91	£12,820.17
Handy person	£9.19	£8.24	N/A	£12.36	£15,896.44	£17,724.53
Activities coordinator	£8.08	£7.25	N/A	£10.88	£13,986.56	£15,595.01
Registered Manager	£16.03	£14.38	N/A	N/A	£27,741.61	£30,931.89
<b>Hourly pay rates for independent sector residential care staff - East Kent</b>						
		Excludes employer on-cost				
Staffing category	Basic hourly rates with on-costs (NI plus Superann @3%)	Hourly rates	Enhanced rates	Bank Holiday rates - hourly rate + 50%	Annual Basic Salary	Annual pay with on-costs (NI plus Superann)
Care worker	£6.91	£6.20	N/A	£9.30	£11,960.92	£13,336.42
Cook	£6.69	£6.00	N/A	£9.00	£11,575.08	£12,906.21
Kitchen Assistant	£6.61	£5.93	N/A	£8.90	£11,440.04	£12,755.64
Domestic staff	£6.69	£6.00	N/A	£9.00	£11,575.08	£12,906.21
Laundry staff	£6.65	£5.96	N/A	£8.94	£11,497.91	£12,820.17
Handy person	£6.69	£6.00	N/A	£9.00	£11,575.08	£12,906.21
Team Leader	£7.81	£7.00	N/A	£10.50	£13,504.26	£15,057.25
Senior Team Leader	£8.14	£7.30	N/A	£10.95	£14,083.01	£15,702.56
Registered Manager	£14.16	£12.70	N/A	N/A	£24,500.59	£27,318.15
<i>NB: Figures based on 37 hours working week</i>						

<b>Pay rates - KASS residential care staff</b>									
		Excludes employer on-costs							
Staffing category	Mid-point of spinal column	Basic hourly rates with on-costs (supann + NI)	Basic hourly rates without on-costs	Enhanced rates (weekday nights) - hourly rate + 33%	Enhanced rates (weekend day) - hourly rate + 50%	Enhanced rates (weekend night) - hourly rate + 83%	Bank Holiday rates - hourly rate + 100%	Annual Basic Salary	Annual pay with on-costs (supann + NI)
Domestic staff	6	£9.10	£7.10	£9.46	£10.65	£13.01	£14.20	£13,689.00	£17,549.00
Kitchen Assistant	6	£9.10	£7.10	£9.46	£10.65	£13.01	£14.20	£13,689.00	£17,549.00
Handy person	9	£9.96	£7.75	N/A	N/A	N/A	£7.75	£14,957.00	£19,225.00
Admin staff	9	£9.96	£7.75	N/A	N/A	N/A	£7.75	£14,957.00	£19,225.00
Care worker	13	£10.98	£8.52	£11.36	£12.78	£15.62	£17.04	£16,440.00	£21,185.00
Cook	13	£10.98	£8.52	£11.36	£12.78	£15.62	£17.04	£16,440.00	£21,185.00
Team leader	25	£16.04	£12.35	£13.12	£13.12	£16.12	£24.70	£23,819.00	£30,940.00
Senior team leader	32	£19.89	£15.26	£16.03	£16.03	£19.03	£30.51	£29,427.00	£38,366.00
Manager	43	£26.66	£20.38	N/A	N/A	N/A	£26.66	£34,833.00	£45,501.00
<i>NB: Based on 37 hours working week</i>									

Ademola Solanke (FCCA)  
1<sup>st</sup> Feb 2011



**KENT COUNTY COUNCIL**

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**INFORMAL MEMBER GROUP ON BUDGETARY ISSUES**

MINUTES of a meeting of the Informal Member Group on Budgetary Issues held in the Wantsum Room, Sessions House, County Hall, Maidstone on Friday, 1 April 2011.

PRESENT: Mrs T Dean (Chairman), Mr L Christie and Mr R F Manning

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

IN ATTENDANCE: Mr A Wood (Acting Director of Finance), Mr D Shipton (Finance Strategy Manager), Ms L Payne (Corporate Accountant) and Mr A Webb (Research Officer to the Cabinet Scrutiny Committee)

APOLOGIES: Mr P Sass (Head of Democratic Services)

**UNRESTRICTED ITEMS****26. Notes of Previous Meeting on 27 January 2011 (attached for approval)**  
*(Item 1)*

RESOLVED that the notes of the Informal Member Group on Budgetary Issues held on 27 January 2011 were agreed as a correct record.

**27. Loan Agreement with Kent Cultural Trading Limited**  
*(Item 6)*

1) Mrs Dean had pursued, on behalf of some Kent businesses, complaints that KCC subsidised the work of its arms-length trading companies. This has been denied by KCC and the lack of subsidy confirmed by an independent report into their operation.

(2) The loan was originally discussed when the business plan of the company had been reported in May 2010 to the Governance and Audit Committee Activities Sub-Group. The company had now been fully established and proposals had been presented to Mr Simmonds to activate the loan, although he stated that he had not taken the decision yet pending views expressed by the IMG, receipt of further financial details to decide the proposed venture is still viable and advice from the Director of Governance and Law. He would be happy to share the financial information when he received it.

(3) As a medium-risk business the company would probably get a loan at 10-15% APR on the open market, rather than the proposed loan from KCC at 5% above base rate. Mrs Dean expressed a view that this might mean that a KCC company would be competing with other Kent businesses in the marketplace while receiving a preferential rate of interest. Mr Simmonds assured the group this would not be the case and the loan would only be agreed if it was right to do so.

## **28. Budget Book (Final)**

*(Item 3)*

(1) Mr Shipton explained the changes that had been made to the Budget Book since County Council. As well as the resolution that was carried at County Council to increase expenditure on subsidised bus routes, there had been three 'parked' savings which have now been allocated in the final budget book:

- (a) Terms and Conditions for Staff – £2.25m of savings had now been allocated from Finance to service portfolios as per the proposal that went to Personal Committee on 28 March i.e. the difference between the full Total Contribution Pay and the tapering payment to nil for staff at KR14 and above.
- (b) Restructuring savings - £1m had now been allocated according to the latest information on the restructure. When the Budget Book was produced for County Council there were still changes being made to the top tier. Further management savings were expected.
- (c) Communications savings – this could not be allocated until the management structures savings had been finalised as well as the centralisation of the communications function.

(2) The final Budget Book also set out the budget analysed by the new Directorates as well as by (old) portfolios. The intention was to have detail down to Head of Service level (including manager name), but not all the personnel below the top tier had been appointed. Mr Shipton confirmed that the budget will be recast to reflect the new Member portfolios early in the year (County Council report gave delegated authority to do this).

(3) The directorate analysis also included information on the best estimate of FTEs across KCC, based on the number of people currently in post. The intention was to show establishment in future i.e. the number of posts which could be afforded, but this was not possible for 2011/12 as this was not finalised at this stage in the restructure. Updated figures would be shown throughout the year in the monitoring report, and at outturn the actual FTE figures would show where savings had been made.

(4) Members recorded their thanks to the Finance officers for their hard work in preparing the Budget and the improvements to the Budget Book.

## **29. Chancellor's Budget**

*(Item 4)*

(1) An extra £100m had been made available for road repairs over and above the £100m announced in February. In total the two additional allocations equated to £6.5m for Kent.

(2) The chancellor confirmed that authorities would be able to capitalise redundancy costs. However, KCC was proceeding on the basis that for 2011/12 it would be unlikely to be approved to use this power we are a large authority with sufficient reserves.

(3) The rate at which mileage could be reimbursed without incurring tax liability has been increased from 40p to 45p per mile. It was not clear if KCC would change their current reimbursement policy but it was intended that a decision would be put forward soon. Increasing the rate would cost approximately £0.5m for staff, £12k for Members and £35k for volunteers.

(4) The Government had previously announced that the lower rate of National Insurance paid by employers (and employees) in contributory pension schemes could be abolished. This had not been confirmed either way in the Budget and thus a significant potential cost remained for future years' budgets.

(5) Mr Shipton offered to produce a bullet point briefing on the Budget for Members of the IMG.

(6) There was a discussion about changes proposed in legislation around the removal of Government powers to cap Council Tax. Officers explained the proposal was to replace the capping power with local referendums on excessive increases. Mr Shipton agreed to research when the legislation was scheduled to go through Parliament.

### **30. Local Government Finance Review**

*(Item 5)*

(1) This would be a standing item on the IMG agenda. The first phase was expected to deliver proposals by July 2011.

(2) The review was expected to include a proposal that non-domestic rates would go to the LA where they were raised, rather than to central government and then to LAs through a distribution mechanism, although there would still need to be a balancing mechanism, with 'floors' and 'ceilings'.

(3) There was also a proposal to 'float off' self-sufficient LAs with a redistribution between those LAs which were more/less well-off.

(4) Responding to a request for the national distribution of the New Homes Bonus, Mr Shipton undertook to distribute it to the IMG.

### **31. 2011/12 Savings**

*(Item 7)*

*Ms L Payne was also present for this item.*

(1) Given the scale of the reductions (£95m), a more rigorous means of tracking the savings was required. This was also necessary due to the fact that since managers had signed up to certain savings, their responsibilities may have changed due to the restructure.

(2) Any saving over £200k will require a Project Initiation Document (PID) detailing the proposals to deliver the saving and its key milestones. In total this amounts to around 100 PIDs capturing £92m of the £95m savings (balancing savings below £200k would be monitored but not reported individually). Officers will assign a Red, Amber, Green (RAG) risk rating to each PID.

(3) The PIDs would form the basis of reporting the savings back to the IMG each month (as well as to CMT, Cabinet, Governance and Audit Committee and POSCs).

**32. Revenue & Capital Budgets Monitoring Exception Report (Cabinet report attached)**

*(Item 2)*

(1) In response to a query about how KCC had been affected by a higher Retail Price Index (RPI) it was explained that Waste was the only area significantly affected by RPI indices built into contracts. This had been reflected in next year's budget.

(2) Responding to a question on asylum, and whether there was confidence that the pressure of £2.5m would be dealt with, Mr Wood explained that the most likely outcome was a gap of £1.3m, and that figures had been based on this assumption.

**By:** Peter Sass: Head of Democratic Services  
**To:** Cabinet Scrutiny Committee – 1 June 2011  
**Subject:** Putting Children First: Kent's Safeguarding and Looked After Children Improvement Plan & KCC's Workforce Strategy for Children's Social Services

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### **Background**

(1) Members wish to examine in detail whether the implementation of the Improvement Plan and the workforce strategy measures being proposed will bring about the improvement required and that these necessary improvements will be sustained into the future, particularly bearing in mind the cost of implementing the improvement plan. However, Members also wish to discuss the circumstances that led to the Ofsted rating in the first place, and what action was taken in response to the report to the County Council from the former Chief Executive.

### **Guests**

(1) Mrs J Whittle, Cabinet Member, Specialist Children's Services. Mr M Newsam, Interim Corporate Director, Families and Social Care and Ms A Beer, Corporate Director of Human Resources have been invited to attend the meeting between 10.30am and 11.45am to answer Members' questions on this item.

(2) Mr P Gilroy, the former Chief Executive of Kent County Council, Mrs S Hohler and Mr C Wells, the former Cabinet Members for Children, Families and Education and a representative from Ofsted have also been invited to attend the meeting to answer Members' questions.

### **Options for the Cabinet Scrutiny Committee**

(1) The Cabinet Scrutiny Committee may:

(a) make no comments

(b) express comments but not require reconsideration of the decision

(c) require implementation of the decision to be postponed pending reconsideration of the matter in the light of the Committee's comments by whoever took the decision or

(d) require implementation of the decision to be postponed pending consideration of the matter by the full Council.

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**Contact:** Adam Webb      Tel: 01622 694764

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**By:** Jenny Whittle, Cabinet Member for Specialist Children's Services  
Malcolm Newsam, Interim Corporate Director, Families & Social Care

**To:** Cabinet 23 May 2011

**Subject:** *Putting Children First*: Kent's Safeguarding and Looked After Children Improvement Plan

**Classification:** Unrestricted

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**Summary** Seeks endorsement of the Improvement Plan and reports on progress to date

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## **1. The Kent Improvement Plan *Putting Children First***

- 1.1 This was drawn up in response to the findings of the Ofsted inspections which took place in August and October 2010. It sets out the overall strategy and detailed actions to significantly improve services to children in Kent and support for looked after children. It directly addresses the requirements set out in the Ofsted Report and subsequent Improvement Notice from government. More widely, it also seeks to enhance the quality of practice and improve the whole system through which children's needs are assessed and met via a fundamental re-shaping of Children's Services.
- 1.2 The governance arrangements for children's social care improvement were approved by the County Council on 6 April. The Kent Improvement Board, which has an independent chair, Liz Railton (approved by the Parliamentary Under-Secretary of State for Children & Families), meets monthly. That Board signed off the Improvement Plan at its April meeting and the Plan was subsequently emailed to all Members on 7 April, with hard copies left in pigeon holes. It is attached at Appendix 1 for convenience. The County Council also agreed to establish a Children's Services Improvement Panel which is an informal Member group that supports the Families & Social Care Policy Overview & Scrutiny Committee by offering challenge and overseeing the monitoring of progress. That Panel met for the first time on 26 April, and will meet monthly. It in turn is supported by the Corporate Parenting Panel and the Staff Advisory Group.

## 2. Our Approach to Improvement

2.1 The Improvement Plan has been built around six key themes:

- Providing confident leadership and management across children's services
- Putting in place effective front-line practice
- Creating an organisation fit for purpose
- Strengthening partnerships to make a difference
- Becoming the employer of choice in the region
- Robustly managing performance

2.2 Members and officers are determined to deliver rapid, visible and sustainable improvement to our children's services and our approach will be steered by the following characteristics:

- **A sense of urgency** – we know that the current situation is unacceptable and we will not rest until services for children are safe
- **Connection to the Front-Line** - listening, understanding, supporting and taking action to assist front-line staff to do a good job
- **An unremitting focus on what is important** - fixing the most important things first
- **Management grip** - driven by strong performance management and tackling problems as they arise in an ongoing way
- **Intolerance of the unacceptable behaviours** - the first step of our improvement journey will be to eradicate unacceptable practice and unacceptable behaviour
- **Complete transparency** - we will produce information that allows elected members, partners, government and the public to understand our progress. Creating a culture of openness to encourage staff to raise concerns/issues
- **The top priority** for KCC and its partners

### The 10 Core Tasks

2.3 The Improvement Plan will deliver sustained improvement across all of children's services leading to improved outcomes for children and young people within Kent over the next two to three years. Our **core strategy**, however, focuses on tackling those areas of greatest risk first and laying the foundations for more effective practice. The 10 Core Tasks are as follows, and will be implemented over the next six months:



*We will improve the quality of practice by*

Core Task 1. Bringing in a peripatetic team to

- Reduce the number of unallocated cases
- Reduce numbers of incomplete assessments
- Restore timely assessment timescales.

Core Task 2. Strengthening the quality of work undertaken in the assessment teams with external support, monitoring and audit

Core Task 3. Restoring throughput, pruning caseloads and reducing the number of children in need

Core Task 4. Making structural changes for handling initial assessments, fixing Kent Contact and Assessment Service, introducing specialist looked after children teams and ensuring we have the right amount of staff in the right locations

Core Task 5. Strengthening first line management accountability and the quality of supervision through training, development and audit

*We will improve the children's system by*

Core Task 6. Implementing an effective management information and quality assurance framework

Core Task 7. Filling resource gaps by more effective recruitment and putting in place a compelling workforce strategy

Core Task 8. Building an effective commissioning framework and range of preventive services

Core Task 9. Strengthening the Kent Safeguarding Children Board and the Children's Trust arrangements, Common Assessment Framework and threshold arrangements

Core Task 10. Providing front line teams with suitable accommodation, ICT arrangements, infrastructure and support

### **3. Progress to date on the 10 Core Tasks**

- 3.1 On 6<sup>th</sup> April Sanctuary was awarded the peripatetic team contract to provide 30 social workers and six managers for six months. The team is organised in 3 "pods", one in each area (East, Mid and West Kent), and it will be fully operational from early May.
- 3.2 A Duty and Initial Assessment Team (DIAT) development programme was piloted in Swale from 21<sup>st</sup> March and will be rolled out across Kent within six months. The model provides external consultancy and off line support to the

DIAT Teams in order to strengthen practice and improve consistency and managerial grip/decision making across the County. As part of this a Duty Manual is being trialled and refined.

- 3.3 A case management tool (tracker) for new referrals, to ensure duty managers have a firm managerial grip on cases, went live on 4<sup>th</sup> April across the county. All DIATs have received 1:1 training on the use of the tracker to ensure compliance.
- 3.4 Practice standards in relation to child protection and assessment have been agreed, and standards in relation to looked after children are in development.
- 3.5 In addition to the peripatetic team, 26 staff from the Parenting Capacity Assessment Team have been diverted to tackle the backlog since early April. The combination of this, the DIAT improvement programme, and a focus across the service on closing unallocated cases (where appropriate to do so) and improving throughput is beginning to deliver results in terms of timeliness of initial assessments, and improving the number of cases ended relative to the number started each month. Average caseloads have already reduced substantially and now stand at 23.5 per caseholder.
- 3.6 From early May, four additional principal social workers plus a team leader will be placed within the Kent Contact and Assessment Service (KCAS), ensuring that only those contacts that need to be referred to specialist children's services go through to the Duty Teams.
- 3.7 Options are being developed for a structure which facilitates better management of referrals and handling of initial assessments, introduces specialist looked after children teams, and ensures we have the right amount of staff in the right locations.
- 3.8 The supervision training programme has been rolled out to all managers. Information on management capacity and spans of control (e.g. number of staff supervised, scope of experience of staff) has been gathered and is being analysed to inform the development of the quality assurance monitoring process for supervision and management grip. A simple tool for supervisors, to enable district managers, team leaders and supervisors to ensure supervision has occurred and is evidenced on children's files, has been designed and will be piloted in Dover district in May.
- 3.9 A suite of management reports have been developed which now provide weekly information on performance down to team level.
- 3.10 A Performance Management Framework, Quality Assurance Framework and Operational Framework have all been consulted upon and are being finalised ready for formal sign-off and launch.
- 3.11 Weekly and monthly performance monitoring reports have been re-designed and refined and are being used more effectively by staff at all levels to drive service improvements.

- 3.12 Changes are being made to business processes to address key issues. For example, the sign-off process for exemplars (forms) on the Integrated Children's System has been made more robust.
- 3.13 An analysis of current staffing levels, a recruitment plan for the next three years, and an update on actions taken so far in achieving an effective recruitment and compelling workforce strategy has been undertaken. Recommendations will be put to Cabinet for the components needed to ensure a compelling offer is made to attract new and retain existing high quality social care staff.
- 3.14 A Preventative and Early Intervention Strategy has been drafted and will be formally sent out for consultation in early May and the overall Early Intervention and Prevention Commissioning Framework is in development.
- 3.15 A Placement Support Service (PSS) became operational in April. This provides a single point of access for social workers looking to make placements with independent fostering providers seeking to inform KCC of vacancies. Feedback from both social workers and providers has been very positive so far and in the first two weeks of operation, placements were sought and found for all 15 children referred to the service.
- 3.16 A review of the Kent Safeguarding Children Board is underway, led by the new Independent Chair, Maggie Blyth, with the support of an external consultant.
- 3.17 The review of the Kent Children's Trust (KCT) is also underway – specification, project plan and timeline are in place and the desk top review has started. Interviews are now taking place, and in addition a consultation questionnaire on current arrangements is on the KCT website and KCT members and chairs of associated groups have been encouraged to input.
- 3.18 The Ofsted report identified that the Common Assessment Framework (CAF) process in Kent is not working well, so a CAF review and action plan has been developed and discussed with key partners. This includes learning from other authorities. Agreements are in place with partners for renewed CAF training and for this to be part of practitioner induction. The size and scale of the current CAF process is to be reviewed as part of the action plan. Work has also been undertaken to improve the regular reporting of CAF data on a district basis and to specify the improved ICS system requirements for CAF.
- 3.19 Work has commenced on improving the Integrated Children's System (ICS) in Kent, to develop the future strategy for ICS as well as implement the immediate changes in systems use which are required to make it fit for purpose.
- 3.20 The accommodation and needs of staff (including ICT, car parking and reception facilities) have been reviewed, site reports developed, a project register (tracker) established, and prioritisation of action is being undertaken.

All site reports and actions for high priority sites have been agreed with District Managers. A project team to support this priority is now up and running and examples of achievements to date include opening of Thistley Hill reception; a programme of RAM upgrades across Kent during April and May resulting in much quicker operation of laptops and computers; parking alternatives identified for local offices where parking was a particular issue; and some issues of filing and storage being resolved.

#### **4. Impact on Performance**

4.1 Between February and April we have:

- Reduced unallocated cases from 2269 to 973
- Reduced outstanding initial assessments from 1926 to 856
- Reduced outstanding core assessments from 2019 to 1641

4.2 A wealth of performance information is gathered on a weekly and monthly basis. From this, a Member Dashboard has been distilled which sets out current performance and targets for each of 6 key indicators for children's services. This is attached at Appendix 2 (to follow) and will be reported to the Children's Services Improvement Panel every month. The April Scorecard is attached as Appendix 3 (to follow).

#### **5. Next Steps**

5.1 Although staff have worked hard to deliver the progress and improvement set out above, the challenges facing the service are very significant, as are the targets in the Improvement Notice from government. It is imperative that the whole County Council continues to recognise that bringing children's social services up to standard must continue to be the top priority for us all.

5.2 There are many ways in which Members can be kept informed about progress. This is the first of a series of quarterly reports to Cabinet. The Children's Services Improvement Panel will continue to meet monthly and will report regularly to the Families & Social Care Policy Overview & Scrutiny Committee. A briefing for all Members on the Improvement Plan has been arranged for 18 May. The Children's Services Improvement Plan hub is now live on KNet and can be accessed on <http://knet2/directorates/children-families-and-education/csjp>.

## **6. Recommendations**

Further to the endorsement of the Kent Safeguarding and Looked After Children Improvement Plan by County Council, Cabinet is asked to NOTE the progress that has been made.

### **Malcolm Newsam**

Interim Corporate Director Families & Social Care

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# *Putting Children First*

## Kent Safeguarding and Looked After Children Improvement Plan

March 2011

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## Commitment of Improvement Board Members

As members of the Improvement Board, we confirm our commitment to the impacts and actions described in this Improvement Plan. We endorse the actions as appropriate and plausible. We agree to work collaboratively to secure the impacts set out in the plan and to embed the changed practices designed to ensure better and sustainable life chances for the children and young people of Kent.

### List of Board Members:

Signed.....Dated.....  
Liz Railton, Independent Chair

Signed.....Dated.....  
Katherine Kerswell, Managing Director

Signed.....Dated.....  
Jenny Whittle, Cabinet Member for Specialist Children Services

Signed.....Dated.....  
Malcolm Newsam, Kent CC Interim Corporate Director Families and Social Care

Signed.....Dated.....  
Alastair Pettigrew, Kent CC Interim Director of Specialist Children's Services,  
Families and Social Care

Signed.....Dated.....  
Julian Ward, Department for Education (observer)

Signed.....Dated.....  
Maggie Blyth, KSCB Chair

Signed.....Dated.....  
Ann Sutton, Chief Executive, Kent & Medway PCT Cluster

Signed.....Dated.....  
Marion Dinwoodie, Chief Executive, Kent Community Health NHS Trust

Signed.....Dated.....  
Maria Shepherd, Detective Superintendent, Kent Police.

Signed.....Dated.....  
Lorraine Goodsell, Acting Director of Commissioning, Child Health

## **The Kent Improvement Plan**

This document describes the planned actions to improve services to children and/or support looked after children. It outlines immediate as well as longer term actions to embed an understanding of the type of focus that should be maintained, irrespective of various ongoing external and internal challenges.

The actions in this plan are aligned with the actions in the East and West Kent Health improvement plans. Specific actions to be achieved jointly with partners are indicated throughout the plan.

Partners across a range of agencies including Health, Education, Police and Probation have contributed to this plan and will be actively involved in its achievement. See Priority 4 – Strengthening Partnership for particular details.

### **Governance Arrangements**

An Improvement Board was established in February 2011 to support rapid and sustainable improvement of services that safeguard children and/or support looked after children. Its key roles are to agree, monitor and report progress on the actions in the Improvement Plan. This will include monitoring the targets set out in the Kent Improvement Notice issued by the Secretary of State in January 2011 and added to in March 2011. The Board has an independent chair, Liz Railton, who has been approved by the Parliamentary Under Secretary of State for Children and Families. She will report directly to the Minister and the Leader of the Council on progress on a quarterly basis. The Board will meet monthly and its membership will include:

- The Independent Chair
- KCC Managing Director
- KCC Lead Member
- KCC Managing Director Families and Social Care
- KCC Director of Specialist Children's Services, Families and Social Care
- Department for Education observer
- KSCB Independent Chair
- Chief Executive, Kent & Medway PCT cluster
- Chief Executive, Kent Community Health Trust
- Kent Police

The Board's work will also be reported to:

- Kent Children's Trust Board
- Kent Safeguarding Children's Board
- Members of Kent County Council
- NHS PCT Boards, East and West Kent and the Strategic Health Authority via Health partners

## Overall Context

For some years Kent County Council (KCC) has been regarded as a good local authority in relation to children's services, and previous inspections of KCC and its partners have judged children's services to be 'good'. However, following the learning from Haringey, the nature of inspection has fundamentally shifted away from more managed, notified models such as the Joint Annual Reviews, and towards unannounced inspections.

It is now apparent that in Kent, 'good' services have not been consistently underpinned by a culture that secures appropriate levels of transparency, accountability and ownership to result in responsiveness to emerging issues of concern, including the increased demand on specialist services. As a result, safeguarding and looked after children services are currently judged by inspectors as inadequate.

These inspections (conducted by Ofsted and by the Care Quality Commission) have resulted in clarity about the collaborative partnership effort and clear focus now required.

## National and Local Context - Challenges

The improvement actions outlined in the plan are being taken at a challenging time for public services, with significant pressures on resources together with new policies and strategies being formulated and implemented by the coalition government. For Kent County Council, the response to these imperatives includes council-wide organisational structural redesign. The new Families and Social Care Directorate will secure greater alignment of activity across age groups and integration of care pathways. A new strategic commissioning function will also address need and commissioning across all care services and drive a family approach to prevention and support within the council and partnership organisations. The twelve children's trust district boards will be retained, which bring partners together in localities to drive the delivery of the Every Child Matters agenda.

Whilst these contextual features pose challenges, the Council and its partners are determined to maintain a rigorous focus on vulnerable children particularly those in need of safeguarding and being looked after.

## Partnership Vision for Children and Young People

Kent County Council and partners have outlined the following vision for children and young people:

*"In Kent successful achievement exceeds aspiration, diversity is valued and every child and family is supported. Children and young people are positive about their future and are at the heart of joined up service planning. They are:*

- *nurtured and encouraged at home*
- *inspired and motivated by learning*
- *safe and secure in the community and*
- *living healthy and fulfilled lives*

We have an additional vision that the improvement actions lead to:

- Children's needs being identified and responded to at the earliest stage possible to increase the potential for them to achieve their life chances.
- Children who are eligible for specialist children services receive a good quality service.
- Leadership, management and practice that is effective in safeguarding those children that need it.

## **Strengths**

Despite the inspection judgement of 'inadequate' (including some serious and significant areas of concern) there are many commendable aspects of the service currently in place to support vulnerable children. Inspectors highlighted these in their feedback and report. These included:

- Feedback from children and young people (7 to 16 years olds) that they feel safer at school.
- Council Members champion the rights of children and young people through the Children's Champion Board. The Board is well established and has recently developed a clear relationship with the children in care council. As a result young people and Members meet regularly in a variety of settings, some of which are informal at the request of the young people concerned. Both groups speak positively about this process and the progress that is being made.
- The County's diversity and equality strategy and attendant policy and procedures are implemented effectively. In particular, the council and partners have responded well to the challenge of providing services to high numbers of asylum seeking young people. However, the recording of ethnicity on children's records requires attention because there are examples of occasions when this information has not been completed.
- Some good and effective services provide support to looked after children and young people. These include Catch 22, the fostering service (including the treatment and multi-disciplinary team fostering), the adoption service, the service to unaccompanied asylum-seeking children and young people, and the advocacy and support services provided by Action for Children.
- The disabled children's team provides a good service. Effective use of Aiming High investment opportunities has led to improved outcomes such as increased availability of short breaks with foster carers for disabled children.
- Improved and outcome focussed commissioning and the development of the county's own fostering service which has significantly increased choice of

placement and enabled skilled, specialist resources to become available to children and young people.

- Placement stability has increased and young people themselves report very positively about some of the help and assistance they have received from services such as the post-16 team.
- Effective Corporate Parenting focus has produced good outcomes particularly in relation to housing for care leavers.
- The proportion of care leavers in education, employment or training was higher than the statistical neighbour average in 2009 and around the same as the England average. Further progress has been made in 2010 and the proportion is now higher than the England average.
- The customer care service which manages complaints is good and provides effective reporting. Feedback is given routinely to managers and staff and the analysis of complaints is thorough and effective, lending itself to informing service development and management. Learning (*from complaints*) is integrated into training programmes including induction and managers are responsive to complaint feedback.

#### **Strengths identified by the Care Quality Commission (in respect of Health)**

- In Primary Care Trusts (PCTs) and Acute Trusts there is a strong strategic awareness of the importance of safeguarding and a high awareness across health staff.
- Safeguarding policies and procedures are sound and available to staff in all locations visited and there is an extremely good system of safeguarding supervision in place across all services inspected (West Kent).
- Learning from serious case reviews (SCR) amongst health partners is very good.

#### **Areas of Concern**

Ofsted found the following areas for attention and action:

- Action had not been taken to sufficiently address concerns identified through audits or the unannounced inspection of contact, referral and assessments in August 2010.
- There were ineffective quality assurance and performance management arrangements and inconsistency in supervision practice.
- There were capacity challenges in different parts of the County which were not addressed.

- The long term teams hold a mixture of cases (CIN, CP and LAC including cases involved in care proceedings). Priority is frequently given to cases in crisis leaving other cases without the focus required. There is a need to review the effectiveness and impact upon the quality of service provided to looked after children.
- The level of recording of interventions, case planning and reviewing is not adequate and this is compounded by poor implementation of the ICS system which is recognised as being ineffective in supporting the business processes of the organisation. Three disconnected systems including ICS are in place and running in tandem to compensate.
- The limited development of preventative and early intervention services across the partnership and the lack of consistent understanding of thresholds and eligibility for specialist social work services with limited implementation of the Common Assessment Framework (CAF) and the Team Around the Child approach.
- Insufficient level of child centred direct work including in the context of timely assessments of children, young people and their families.
- Agencies do not exercise their safeguarding responsibilities appropriately by ensuring that their referrals contain accurate and sufficient information to enable informed responses to be made.
- Although reducing now, caseloads of front-line workers have been too high. This has been compounded by the current cohort of social workers who are inexperienced and new to the UK needing a higher level of support than experienced workers. As of February 2011 there are significant vacancies at the first-line management level (16 permanent Principal Social Worker vacancies).
- The inspection by the Care Quality Commission (CQC) found that Health providers and commissioners need to secure health assessments for looked after children; screen for substance misuse given the prevalence of substance misuse in over more than half of birth families. They also found that CAMHS support is inadequate with inconsistent community provision for young people between 16 and 18 years.
- Education achievement of looked after children and young people needs to improve as well as the need for reductions in exclusions, improvements in attendance, and greater consistency in the quality of Personal Education Plans.

## **Our Approach to Improvement**

Our action plan has been built around six key themes. These are:

### **Priority One: Providing confident leadership and management across children's services**

- A clear vision and sense of direction
- Modelling professional competence, confidence and self belief
- Providing leadership at every level
- Prioritising and pacing the actions to achieve change so that it is manageable, achievable and sustainable
- Communicating clear expectations throughout the organisation and across the Kent Children's Trust partnership
- Supporting, problem solving and listening (including high quality supervision)
- Rewarding and celebrating excellence
- At all levels, holding people to account for poor performance
- Management that is responsible, proactive and solution-focussed

### **Priority Two: Putting in place effective front-line practice**

- Effective multi-agency early intervention and prevention
- Consistent implementation of thresholds, appropriate management of risk and confidence in knowing when to intervene
- A robust, consistent system for responding to referrals, underpinned by high quality practice standards
- A high quality child centred social work assessment service supported by timely decision making
- A high quality family support service
- Building a range of services which support families and their children at the earliest possible point

### **Priority Three: Creating an organisation fit for purpose**

- Putting in place an effective and sustainable structure
- Ensuring accountability and compliance throughout the organisation
- Establishing clear priorities and aligning resources to meet them
- Promoting a culture that embeds the Kent behaviours and competencies
- Ensuring front-line teams receive the infrastructure support they need
- Front door services delivered from offices that are fit for purpose and adequately supported by IT and other systems

**Priority Four:           Strengthening partnerships to make a difference**

- A shared vision by all partners and a commitment to work together to improve services to safeguard and look after children and young people
- A Children’s Trust that drives better outcomes for all children and young people
- A Safeguarding Children’s Board that supports high quality safeguarding and is open, challenging and honest across the partnership
- Joint commissioning of services that keep children safe and free from harm

**Priority Five:           Becoming the employer of choice in the region**

- Effective source and supply of social workers and managers
- A compelling offer (reward package for recruitment and retention)
- Ongoing recruitment and retention actions
- Induction for a range of staff recruited from different countries and at different levels
- Long term focus on the growth and development of the children’s workforce
- Sufficient line management and supervision capacity to guide and support front line workers so they feel safe in carrying out their duties
- An excellent supervision, training and development programme for staff at every level in the organisation

**Priority Six:           Robustly managing performance**

- A comprehensive performance system
- Accurate and timely management information
- A personal accountability structure
- Individual analysis and intervention
- Individual achievement measured
- An effective model of management and supervision
- Supervision and support is informed by management information
- Effective quality assurance of practice

**Our Leadership Style to Secure the Improvements**

Members and officers are determined to deliver rapid, visible and sustainable improvement to our children’s services. Our approach will be steered by the following characteristics:



- **A sense of urgency** – we know that the current situation is unacceptable and we will not rest until services for children are safe
- **Connection to the Front-Line** - listening, understanding, supporting and taking action to assist front-line staff to do a good job
- **An unremitting focus on what is important** - fixing the most important things first
- **Management grip** - driven by strong performance management and tackling problems as they arise in an ongoing way
- **Intolerance of the unacceptable behaviours** - the first step of our improvement journey will be to eradicate unacceptable practice and unacceptable behaviour
- **Complete transparency** - we will produce information that allows elected members, partners, government and the public to understand our progress. Creating a culture of openness to encourage staff to raise concerns/issues
- **The top priority** for KCC and its partners

## OUR CORE STRATEGY – THE TEN CORE TASKS

This Improvement Plan will deliver sustained improvement across all of children’s services leading to improved outcomes for children and young people within Kent. Our core strategy, however, focuses on tackling those areas of greatest risk first and laying the foundations for more effective practice. The core tasks are as follows, and will be implemented over the next six months:

*We will improve the quality of practice by*

1. Bringing in a peripatetic team to
  - Reduce the number of unallocated cases
  - Reduce numbers of incomplete assessments
  - Restore timely assessment timescales.
2. Strengthening the quality of work undertaken in the assessment teams with external support, monitoring and audit
3. Restoring throughput, pruning caseloads and reducing the number of children in need
4. Making structural changes for handling initial assessments, fixing Kent Contact and Assessment Service, introducing specialist looked after children teams and ensuring we have the right amount of staff in the right locations
5. Strengthening first line management accountability and the quality of supervision through training, development and audit

*We will improve the children's system by*

6. Implementing an effective management information and quality assurance framework
7. Filling resource gaps by more effective recruitment and putting in place a compelling workforce strategy
8. Building an effective commissioning framework and range of preventive services
9. Strengthening the Kent Safeguarding Children Board and the Children's Trust arrangements, Common Assessment Framework and threshold arrangements
10. Providing front line teams with suitable accommodation, ICT arrangements, infrastructure and support

**The detailed Improvement Plan is set out below, organised against the six key themes, but annotated with references to Improvement Notice Targets (IN 1. to IN 16. – see appendix), Ofsted recommendations (O 1. to O 23. – see appendix) and Core Tasks (CT 1. to CT 10. – as set out above) to show which actions support these targets, recommendations and tasks.**

# Kent Improvement Plan

## DETAILED ACTIONS

### Priority 1 – Leadership and management

#### Key Objectives:

Communication regarding the expectations of leaders and managers; Developing a culture where leaders and managers fulfil their roles and responsibilities and demonstrate recognition that they are accountable for delivering high quality services; Well targeted, clear communications that ensure all staff and stakeholders are informed and able to influence the way forward; Rewarding and celebrating high quality practice; Corporate parenting that is effective.

#### Priority Leads (Accountable) –Malcolm Newsam,

#### 1.1 Outcome - Leaders and managers are clear about expectations and gaps in knowledge and management practice are identified.

Ref	Actions	Timescale	Delivery Leads	Targets & Measures
Page 125 1.1	1.1.1 Across the council, put in place a programme which establishes and promotes the new leadership competencies and required behaviours and expectations of leaders, managers and staff to ensure they are clear about what is required	31 March 2011 - 31 March 2012	Rob Semens	<ul style="list-style-type: none"> <li>• Programme timetable (including timescales) produced and implemented</li> <li>• Mid point review to evaluate effectiveness of the programme</li> <li>• Final review of the impact of the programme informed by staff feedback</li> </ul>
	1.1.2 Set in place clear guidance for leadership and management roles, responsibilities and accountabilities for managers and staff which build on the Kent competencies and expected behaviours.	31 March 2011 - 31 May 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Leadership and management best practice guide published to all managers and supervisors to underpin other action in 1.1.1 above.</li> </ul>
	1.1.3 Conduct and complete a leadership and management survey with senior managers. Engage managers and leaders in identifying leadership gaps and strengths in order to fulfil their roles in delivering high quality services	30 April 2011 - 31 May 2011	Rob Semens	<ul style="list-style-type: none"> <li>• A gap analysis completed that will link guidance to practice, against which management can be assessed</li> </ul>

	1.1.4 Validate findings from leadership and management survey with mandatory questionnaire.	1 June 2011 - 30 April 2012	Rob Semens	<ul style="list-style-type: none"> <li>Engagement of all managers and supervisors in identifying success requirements</li> </ul>
	1.1.5 All senior managers to complete 360 assessment based on competency in role	31 May 2011 – 1 April 2012	Rob Semens	<ul style="list-style-type: none"> <li>Engagement of senior managers in their continuous professional development (CPD)</li> </ul>
<b>1.2 Outcome</b> - Leadership and management capability is evaluated and action is taken to result in improvement as required.				
Page 126	1.2.1. Assess leadership and managerial capability at the senior management level via an assessment centre to identify gaps in knowledge	1 April 2011 - 30 June 2011	Rob Semens	<ul style="list-style-type: none"> <li>Agreed assessment centre schedule developed and implemented with details of the agreed areas of competency that are to be measured</li> <li>Produce report on findings within 2 weeks of assessment completion</li> </ul>
	1.2.2 Deliver four targeted performance management workshops for senior managers, district managers and team leaders focusing on key performance themes identified through leadership and management survey and outcomes from assessment centre. The workshops will be linked to case studies pertinent and relevant to the delivery of high quality children's services	01 June 2011 - 31 July 2011	Rob Semens	<ul style="list-style-type: none"> <li>Workshops conducted with 50 managers</li> <li>Managers start to personify, demonstrate and communicate high quality leadership behaviours to staff.</li> </ul>
	1.2.3. Develop a targeted response to identified needs in relation to essential leadership and management skills (for individuals and the management team).	31 July 2011- 15 August 2011	Rob Semens	<ul style="list-style-type: none"> <li>Action plan designed within 2 weeks of assessment completion</li> </ul>

	1.2.4. Implement individual leadership and management development plans.	1 July 2011 – 1 March 2012	Alastair Pettigrew	<ul style="list-style-type: none"> <li>Individual learning and development plans are updated in response to the recommendations of the assessment centre.</li> </ul>
	1.2.5. Provide access to coaching, and/or mentoring for the management team. For example if mentoring expertise in social care is an identified need through the assessment centre	From 1 April 2011	Rob Semens	<ul style="list-style-type: none"> <li>6 coaching/mentoring sessions offered/delivered to individual staff. Additional sessions offered as appropriate</li> </ul>
	1.2.6 Develop succession planning/talent management systems to nurture and utilise new leadership/managerial capabilities to meet immediate priorities and plan for continued performance improvement	1 July 2011 - 31 Sept 2011	Rob Semens	<ul style="list-style-type: none"> <li>Existing 'talent' is utilised effectively, good practice is role modelled and shared. To be measured via staff feedback and written evidence of sharing mechanisms/activities and timetables.</li> </ul>
<p><b>1.3 Outcome</b> - Staff and stakeholders report that they are kept abreast of developments in the improvement agenda and feel able to influence future developments. Well targeted, clear communications that ensure all staff, partners and service users are informed and able to influence the way forward</p>				
1.3	1.3.1. Produce a communications and engagement strategy including face-to-face and online interaction and written information (Internal and external)	27 Jan 2011 - 30 April 2011	Jill Rawlins	<ul style="list-style-type: none"> <li>Strategy developed and signed off with implementation plan</li> </ul>
		1 May 2011 - 31 May 2011		<ul style="list-style-type: none"> <li>Strategy implemented</li> </ul>

	1.3.2. Corporate Director, to carry out a series of open forums communicating the improvement plan "Putting Children First" to all staff.	1 April 2011 - 31 May 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>Visible leadership in communicating expectations and desire for excellence in safeguarding children to all staff</li> </ul>
	1.3.3. Obtain feedback from staff, partner agencies and service users (including children and young people) and use their views to inform the improvement actions including the re-design of the service.	1 March 2011 - 1 Sept 2011	Ella Hughes	<ul style="list-style-type: none"> <li>Feedback gathered from service users (including children and young people)</li> <li>Feedback gathered via Partners Participation Group</li> </ul>
		Review in November 2011; final review in May 2012		<ul style="list-style-type: none"> <li>Bi-annual review of the communication strategy (including review of implementation and effectiveness across all stakeholders)</li> <li>Feedback used when improvement actions are being undertaken and when services are being developed or commissioned</li> </ul>
<b>1.4 Outcome</b> - Social work staff are engaged in the quality award process, have aspirations to be part of it, and report that it makes them feel valued.				
1.4	1.4.1 Re-introduce and re-invent Quality Service Awards across the directorate, as part of a KCC-wide process, to recognise and celebrate good practice including social work practice	1 May 2011 - 30 June 2011	Rob Semens	<ul style="list-style-type: none"> <li>Proposal developed that is informed by staff survey</li> </ul>
		30 June - July 2011		<ul style="list-style-type: none"> <li>Corporate Management Team agree proposal</li> </ul>
		1- 31 Dec 2011		<ul style="list-style-type: none"> <li>Communication sent to all staff advising of quality service awards</li> </ul>

		1 March 2012 – 30 March 2012		<ul style="list-style-type: none"> <li>• Host award ceremony</li> </ul>
		30 April 2012		<ul style="list-style-type: none"> <li>• Annual review report to Corporate Management Team, including data from staff survey and levels of engagement</li> </ul>
	1.4.2 Ensure that KCC's reward and recognition mechanisms are appropriately, fairly and transparently applied to recognise good/high performance	1 April 2011 - 30 April 2011	Rob Semens	<ul style="list-style-type: none"> <li>• Surveys confirm that managers and staff are confident that good performance is recognised and reinforced through the reward system</li> </ul>
	1.4.3 Identify through staff engagement events what mechanism recognise/promote high performance would provide most value & value for money	1 April 2011 - 31 May 2011	Rob Semens	<ul style="list-style-type: none"> <li>• Recognition mechanisms are understood and supported by staff and feedback confirms this</li> </ul>
	1.4.4 Develop Total Reward Package that reinforces achievement of business priorities	1 March April 2011 - 31 May 2011	Rob Semens	<ul style="list-style-type: none"> <li>• Reward package supports performance improvement and recognition as well as attractive for new staff and feedback from staff confirms this</li> </ul>
<p><b>1.5 Outcome</b> - Looked after children and young people feedback that they are receiving the appropriate support and that services are responsive. Multi-agency corporate parenting responsibilities are evidenced through improved intervention, planning, appropriate challenge and engagement by Elected Members, officers and partners.</p>				
1.5 (*Joint with Partners)	1.5.1. Develop and implement a multi-agency looked after children strategy, which supports improved outcomes for children in care. The strategy clarifies the respective roles, accountabilities and overarching expectations of all agencies	1 Feb 2011 - 31 May 2011	Liz Totman	<ul style="list-style-type: none"> <li>• Multi agency looked after children strategy developed and agreed by multi-agency Corporate Parenting Board</li> </ul>

	<b>IN 11. O 21</b>	1 May 2011- 30 Sept 2011	Liz Totman	<ul style="list-style-type: none"> <li>Children and young people are consulted, and their views inform the strategy throughout its life cycle. To be evidenced via a written report detailing how feedback has informed current and future decision making.</li> </ul>
		1 Feb 2012 - 29 Feb 2012		<ul style="list-style-type: none"> <li>Implementation plan outlined and delivered</li> </ul>
	1.5.2 Revise policies and procedures to reflect changes brought about by the new looked after children's strategy and the new, statutory, care planning regulations	01 March 2011 - 31 May 2011	Donna Marriott (supported with external resource)	<ul style="list-style-type: none"> <li>Policies/Procedures updated.</li> </ul>
	1.5.3 Review Kent's Corporate Parenting Group's terms of reference (membership, role and function)	1 March 2011 - 1 May 2011 (review)	Liz Totman	<ul style="list-style-type: none"> <li>Report and implementation plan agreed by the Corporate Parenting Group</li> </ul>
		1 Sep 2011 - 30 Sept 2011		<ul style="list-style-type: none"> <li>Implementation of the recommendations</li> </ul>
		1 Jan 2012 - 29 Feb 2012		<ul style="list-style-type: none"> <li>Review of the effectiveness of the new Corporate Parenting Group including feedback from members and children and young people</li> </ul>



<p>1.5.4 Elected Members and senior officers provided with information to enable them to understand their corporate parenting roles, responsibilities and accountabilities</p>	<p>1 April 2011 – 1 Dec 2012</p>	<p>Marisa White</p>	<ul style="list-style-type: none"> <li>• Looked after children Elected Member's pack devised and distributed</li> <li>• Looked after children senior officer briefing prepared and distributed.</li> <li>• Annual evaluation survey to ensure actions have been undertaken and information is adequate</li> </ul>
<p>1.5.5 Induction pack for Elected Members developed, outlining corporate parenting responsibilities.</p>	<p>1 March 2011 – 1 April 2011</p>	<p>Marisa White</p>	<ul style="list-style-type: none"> <li>• Induction pack produced and distributed</li> <li>• Induction workshops agreed and undertaken</li> </ul>
<p>1.5.6 Annual training programme for cross party Elected Member representatives about corporate parenting responsibilities, including those not on the Corporate Parenting Group</p>	<p>1 May 2011 – 29 Feb 2012 (review)</p>	<p>Marisa White</p>	<ul style="list-style-type: none"> <li>• Programme of workshops devised</li> <li>• Workshops undertaken</li> </ul>
<p>1.5.7 Performance information about outcomes for looked after children and young people is analysed and reports are provided bi-monthly to Corporate Parenting Board</p>	<p>31 March 2011 - 30 April 2011</p>	<p>Liz Totman</p>	<ul style="list-style-type: none"> <li>• Bi-monthly report and analysis submitted to officers, Elected Members and multi-agency Corporate Parenting Group.</li> </ul>
<p>1.5.8 Develop participation plan (in consultation with the Children in Care Council) for ensuring that a wider range of children in care are routinely made aware of how they can contribute to the development of the service or make complaints</p> <p><b>IN 12.</b></p>	<p>1 March 2011 - 31 May 2011</p>	<p>Liz Totman</p>	<ul style="list-style-type: none"> <li>• Plan produced and implemented</li> <li>• Children in Council membership is extended to include a wider representation of the children in care population</li> <li>• Looked after children and young people</li> </ul>

				are involved in developing services
	1.5.9 Improve children and young people's access to, and awareness of the Kent Pledge commitments	1 August 2011 - 30 September 2011	Liz Totman	<ul style="list-style-type: none"> <li>Survey of looked after children and care leavers to obtain their views about the extent to which the Kent Pledge is being achieved</li> </ul>
	1.5.10 Targeted staff training (social work, education and health) takes place to increase understanding of their role and responsibility to contribute to achieving good outcomes for looked after children. Across KCC, raise staff's awareness about their responsibilities towards looked after children.	1 June 2011 – 1 June 2012	Michelle Woodward	<ul style="list-style-type: none"> <li>Online training to be developed to be disseminated across the service.</li> </ul>
		1 August 2011 – 30 June 2012 (review)		<ul style="list-style-type: none"> <li>Current looked after children training courses reviewed to ensure the role of corporate parenting is reflected.</li> <li>Looked After young people are involved in social work training</li> </ul> <p>(Cross reference to 5.5.1)</p>
		1 April 2011 - 1 June 2011	Liz Totman	<ul style="list-style-type: none"> <li>Include briefing on corporate parenting responsibilities in the KCC induction</li> <li>Brief the Pioneer and Challenger groups of KCC staff</li> </ul>

## Priority 2: High quality front-line practice

### Key Objectives:

High quality, rigorous and consistent front-line practice to safeguard children and young people, including those who are looked after. Appropriate duty and initial assessment arrangements; Manageable workloads; Robust procedures, processes and actions which analyse risk and lead to consistent plans and actions to manage those risk; Front line staff and managers are clear about the arrangements regarding the throughput of work between teams; Effective child protection conference process to ensure multi-agency working which supports effective plans for children and young people; Improved Care Planning and permanence for Looked After Children, Health Needs of Looked After children and young people are addressed; Improvements in educational outcomes for looked after children.

**Priority Leads (Accountable)** – Alastair Pettigrew,

**2.1 Outcome** – Children are safeguarded as a result of high quality practice driven by robust management, underpinned by sound systems and processes.

Ref	Actions	Timescale	Delivery Leads	Targets & Measures
2.1	2.1.1 Managers review open cases and take action to safeguard children.  O 1.	Completed	Alastair Pettigrew  Heads of Service	<ul style="list-style-type: none"> <li>Open cases reviewed, including Looked After Children cases, and actions taken to safeguard children as appropriate</li> <li>Completed pro-forma submitted to Director on actions taken to ensure the safety of any children identified as needing safeguarding</li> <li>Heads of service report to Director on the number of cases reviewed where immediate action has been required to safeguard children and young people.</li> </ul>

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2.1.2. Independently scrutinise the robustness of the review of cases by managers	Completed	Independent consultants	<ul style="list-style-type: none"> <li>• Reports provided to Director and Managing Director outlining key issues</li> </ul>
2.1.3 Action is taken to reduce the number of unallocated cases and ensure that all children who are looked after or subject to a child protection plan have an allocated social worker  <b>IN 3.</b> <b>CT 1.</b> <b>CT 3.</b>	1 March 2011 – 1 Sept 2011 (review)	Heads of Service	<ul style="list-style-type: none"> <li>• Managers instructed to ensure all child protection and looked after children cases are allocated</li> <li>• No child protection or looked after child cases are identified as unallocated in performance report</li> <li>• External peripatetic (managed) team recruited to work on backlog to enable reduction in unallocated cases</li> </ul>
	1 Aug 2011- 30 Aug 2011		<ul style="list-style-type: none"> <li>• No more than 200 unallocated cases over 28 days</li> </ul>
2.1.4 Backlog of outstanding initial and core assessments are completed  <b>IN 3.</b> <b>O 3.</b> <b>CT1.</b>	Completed	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Performance information is used to confirm the number of initial and core assessments out of timescales</li> </ul>
	1 February 2011, Review weekly	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Heads of Service take action to clear the backlog</li> <li>• Heads of Service obtain and use performance information to monitor progress in reducing backlog</li> </ul>
	1 March 2011 – 30 April 2011	Eva Learner	<ul style="list-style-type: none"> <li>• Develop risk assessment and other appropriate tools to support task</li> </ul>

		11 April 2011 - 1 Sept 2011 (review)	Alastair Pettigrew	<ul style="list-style-type: none"> <li>External peripatetic team (managed) commissioned to assist in clearing backlog and to address any capacity deficits</li> </ul>
		1 Aug 2011 - 30 Aug 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>Reduce initial assessments outside of timescales to 200</li> <li>Reduce core assessments outside of timescales to 100</li> </ul>
	2.1.5 When clearing the backlog, transfer appropriate cases for further work from Duty and Initial Assessment Teams to Children and Families Teams <b>CT 3.</b>	1 March – 1 October 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>Children and Families Teams, review cases on current caseload to confirm whether they should remain open to the specialist services</li> <li>Take action as a result to secure capacity to respond to work coming through from the duty and assessment teams</li> </ul>
	2.1.6 Develop agreed transfer protocol to address the transfer of social care cases between Duty and Initial Assessment and Children and Families Teams	31 March 2011	Eva Learner	<ul style="list-style-type: none"> <li>Transfer protocol agreed by Children's Social Services Management Team and implemented</li> </ul>

<p>2.1.7 Monitor and take action to secure appropriate caseload levels for all social workers</p> <p><b>CT 3</b></p>	<p>1 March 2011 (monthly review)</p>	<p>Alastair Pettigrew</p>	<ul style="list-style-type: none"> <li>• Review individual social work caseloads and complete work/transfer/close cases as required.</li> <li>• Identify capacity needs and address as required</li> <li>• Independently review a sample of social work managers' caseloads</li> <li>• Performance reporting indicate caseload levels</li> <li>• Undertake workforce analysis, see section 3.1.2</li> </ul>
<p>2.1.8 Develop and implement practice standards in collaboration with front line staff and managers</p> <p><b>CT 2.</b></p>	<p>1 March – 31 May 2011</p>	<p>Eva Learner</p>	<ul style="list-style-type: none"> <li>• Workshops take place with practitioners and managers across the county to establish agreed standards</li> <li>• Agreed practice standards distributed to managers and staff and incorporated into; procedures, learning and development programme, local learning sets framework, the supervision policy and framework and is used to inform appraisals</li> <li>• Audits identify whether agreed practice standards are being embedded across the service</li> </ul>
<p>2.1.9 Supervisors have robust oversight of case work, ensuring that management oversight and decision making is set out in writing on case files and focuses on timely actions and throughput of work</p> <p><b>IN 10. CT 5.</b></p>	<p>1 March 2011 (Review at weekly and monthly intervals)</p>	<p>Heads of Service</p>	<ul style="list-style-type: none"> <li>• Supervisors to record guidance and decisions on each child's electronic case record</li> <li>• District managers and team leaders check that management oversight is occurring and this is recorded on case records</li> <li>• Head of Service monthly report to Director outlines progress being made</li> </ul>

	2.1.10 Staff receive supervision, in accordance with the supervision policy which reflects the recommendations of the Social Work Reform Board and is child focused and reflective	1 April 2011 – 1 March 2012 (review)	Heads of Service	<ul style="list-style-type: none"> <li>• Supervision policy re-issued to all staff.</li> <li>• Managers supervise staff in line with policy</li> <li>• Survey undertaken to establish that staff are receiving supervision as per the policy</li> <li>• Independent audit of supervision is conducted to establish whether supervision takes place in accordance with the supervision policy.</li> </ul>
<p><b>IN 10.</b> <b>CT 5.</b></p>				
<p><b>2.2 Outcome-</b> Duty and initial assessment arrangements are effective in responding to referrals of need and action is taken in a timely manner to ensure that children's needs are responded to as evidenced in improved performance outcomes.</p>				
2.2.	2.2.1 Evaluate the quality of case work being undertaken in the Duty and Initial Assessment Teams and take immediate action to secure clear understanding of the day to day actions required by managers to safeguard children	Completed	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Report provided to Director on effectiveness of all Duty and Initial Assessment Teams to respond to children that are referred</li> <li>• Action taken by Heads of Service in response to any identified concerns reported to Director</li> </ul>
	2.2.2 Recruit external practice and management experts to review caseloads, progress cases and ensure timely throughput.	1 March 2011 – 31 August 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Recruit external practice and management experts</li> <li>• Delivery models agreed, including supervision of experts</li> <li>• Mobilisation achieved</li> <li>• Target of reducing the number of children in need established</li> <li>• Increase in number of Initial Assessments</li> </ul>
	<b>IN 4.</b> <b>CT 2.</b>			
	<b>IN 7.</b> <b>CT 3.</b>			

				<p>of children in need per 10,000 population under 18 to be in line with statistical neighbour averages</p> <ul style="list-style-type: none"> <li>• Increase the percentage of referrals that go on to initial assessment from the 2009-2010 baseline of 46% to 65% (between Jan – March 2012) and an average of at least 65% (over the period 2012-13)</li> </ul>
	<p>2.2.3 In collaboration with relevant partners, managers and staff, re-establish and implement appropriate duty and assessment arrangements to respond to children that are referred.</p> <p><b>IN 4.</b> <b>CT 4</b></p>	<p>1 March 2011 – 31 Dec 2011</p>	<p>Alastair Pettigrew</p>	<ul style="list-style-type: none"> <li>• Evaluate current arrangements and produce a plan for approval and implementation</li> <li>• Plan approved</li> <li>• Plan implemented that includes; structure (duty and assessment), function, roles, business processes, responsibilities, tools and focus on partnership working.</li> </ul> <p>Link to 3.1.5</p>
2.2	<p>2.2.4 Scope the viability of developing a joint referral service with Police.</p> <p><b>CT 4.</b></p>	<p>21 Feb 2011 - 31 May 2011</p>	<p>Maria Shepherd</p>	<ul style="list-style-type: none"> <li>• Meeting with Director of Specialist Children’s Services.</li> <li>• Models of delivery to be considered and decision made as to viability of joint referral service.</li> <li>• If viability is established, actions to be taken forward. To be initiated by the stated date.</li> </ul>
	<p>2.2.5 Ensure that referrals are acted upon within 24 hours, that decisions are consistent with threshold and eligibility criteria and that referrers are notified of the outcome of their referrals</p> <p><b>IN 4.</b></p>	<p>1 March 2011 - 31 May 2011</p>	<p>Heads of Service</p>	<ul style="list-style-type: none"> <li>• Performance report monitors referrals actioned within 24 hours</li> <li>• Managers use performance reports to take action to ensure decisions are being taken within 24 hours</li> <li>• Performance report monitors feedback to</li> </ul>



				<p>referrers</p> <ul style="list-style-type: none"> <li>Managers use performance reports to ensure that written feedback is sent to referrers.</li> <li>Performance reports shows evidence and outcomes the actions being taken by managers to achieve this</li> </ul>
	<p>2.2.6 Children are visited and assessments written up and signed off by a manager within timescales as defined in Working Together (within 7-day timescale for initial assessments and 35 for core assessments)</p> <p><b>IN 4.</b> <b>IN 6.</b></p>	<p>1 March 2011– 1 March 2012</p> <p>1 April 2012– 1 April 2013</p>	<p>Heads of Service</p>	<ul style="list-style-type: none"> <li>Performance report provides information regarding whether children are visited during assessments</li> <li>Performance report provides information about assessment timescales being achieved</li> <li>Initial and Core Assessments are completed in timescales - at least 69% Initial Assessment 80.4% Core Assessment</li> </ul>
	<p>2.2.7 Kent Contact and Assessment Centre (KCAS) effectively screens contacts to ensure that referrals meet the eligibility and threshold criteria</p> <p><b>IN 4.</b> <b>CT 4.</b></p>	<p>1 April 2011 - 30 April 2011</p>	<p>Alastair Pettigrew</p>	<ul style="list-style-type: none"> <li>Social work managers with expertise of children's social care are employed/deployed in KCAS</li> </ul> <p>(Linked to 3.1.1 and 3.1.5)</p>

	<p>2.2.8 CAF arrangements are strengthened to ensure that children with additional needs are responded to before their needs become acute and require specialist children services.</p> <p><b>CT 9.</b></p>	1 Jan 2011 – 31 March 2012	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• The Early Intervention and Preventative Strategy outlines the role of universal, targeted and specialist services and is clear about when a CAF should be completed. (Link with 4.3.1)</li> <li>• CAF support service developed to result in the achievement of percentage increases in the number of CAFs completed</li> </ul>
<p><b>2.3 Outcome</b> - Child protection planning processes are effective, responsive to children and young people's needs, facilitate multi-agency working and are robust in ensuring that children are safeguarded.</p>				
Page 140	<p>2.3.1 Strengthen child protection investigation processes (including strategy meetings, section 47 investigations) to ensure that decisions are clear, evidence based and result in risk being minimised</p>	1 March 2011 - 30 April 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Tracking sheet used as a managerial performance tool to monitor and drive throughput of child protection work</li> <li>• Performance report monitors section 47s with missing initial and core assessments</li> <li>• Managers ensure action taken to ensure robust management of child protection work</li> <li>• External management experts recruited to work alongside existing managers to raise standards</li> </ul>
	<p>2.3.2 Conduct a multi-agency review of the child protection conference process in collaboration with partners</p> <p><b>O 6.</b></p>	1 March 2011 - 31 May 2011	Penny Davies	<ul style="list-style-type: none"> <li>• Consult partners regarding the current child protection conference process</li> <li>• Amend Kent and Medway child protection procedures to reflect changes</li> </ul> <p>Provide training to support amended procedures</p>

	2.3.3 Develop outcome focused child protection plans that are measurable <b>O 7.</b>	1 April 2011 – 1 October 2011 (Review )	Donna Marriott	<ul style="list-style-type: none"> <li>• New child protection plan developed and built in Integrated Children’s System</li> <li>• Independent conference chairs trained</li> <li>• Safeguarding Children Board procedures amended</li> </ul>
	2.3.4 Support implementation of strengthened child protection planning processes through multi-agency training	1 August 2011 – 1 Jan 2012 (Review)	Penny Davies	<ul style="list-style-type: none"> <li>• Multi-agency training programme developed and implemented</li> </ul>
	2.3.5 Strengthen the independent child protection conference quality assurance framework to assess the quality of child protection planning and to incorporate user feedback	1 March 2011 – 30 April 2011	Donna Marriott	<ul style="list-style-type: none"> <li>• Child protection conference quality assurance framework developed and implemented across the County</li> <li>• User feedback obtained and used to inform the quality assurance framework</li> <li>• Quarterly report about safeguarding, which includes a focus on care planning, submitted to Children’s Social Services Management Team</li> </ul>
	2.3.6 Reduce the number of children subject to a child protection plan for 2 years or more <b>IN 8.</b>	1 June 2011 – 1 March 2013	Donna Marriott	<ul style="list-style-type: none"> <li>• Report to Children’s Social Services Management Team setting out plan for how to reduce cohort to below 6%</li> <li>• Plan agreed and recommendations implemented</li> <li>• Performance reporting monitors the number of children who are progressing towards, or have, a child protection plan for 2 years or more</li> </ul>
	2.3.7 Reduce the number of children who become subject to a child protection plan for a second or subsequent time	1 June 2011 – 1 March 2013	Donna Marriott	<ul style="list-style-type: none"> <li>• In collaboration with operational managers, produce a report to Children’s Social Services Management Team setting out a plan for how to reduce the</li> </ul>

	<b>IN 8.</b>			<p>number of children made subject to a child protection plan for a second or subsequent time below 13.6% (by March 2013)</p> <ul style="list-style-type: none"> <li>• Plan agreed &amp; recommendations implemented</li> <li>• Performance reporting monitors the number of children who are made subject to a plan for a second or subsequent time</li> </ul>
	<p>2.3.8 Reduce the number of children subject to a child protection plan for 2 years or more</p> <p><b>IN 8.</b></p>	1 June 2011 – 1 March 2013	Donna Marriott	<ul style="list-style-type: none"> <li>• Report to Children’s Social Services Management Team setting out plan for how to reduce cohort to below 6%</li> <li>• Plan agreed and recommendations implemented</li> <li>• Performance reporting monitors the number of children who are progressing towards, or have, a child protection plan for 2 years or more</li> </ul>
<p><b>2.4 Outcome</b> – Care planning is effective, with rigorous planning for permanence. Looked after children and young people receive the appropriate level of support and services, through effective multi-agency intervention, which they report is responsive to their needs. The health needs and well being of looked after children and young people are assessed and result in appropriate intervention. Educational outcomes for looked after children and young people are improved.</p>				
	<p>2.4.1 Improve the quality of assessment and care planning for Looked After Children, ensuring that all plans contain health and education information, and includes decisions about permanence where appropriate</p> <p><b>IN 13.</b> <b>O 14.</b></p>	1 April 2011 –31 June 2011	Heads of Service	<ul style="list-style-type: none"> <li>• All Looked After Children have an up to date care plan (including appropriate permanence plans), Personal Education Plan and health assessment and core assessments where required</li> <li>• Managers check that the above is in place for every looked after child</li> <li>• Permanency plans are regularly reviewed by supervisors and this process is monitored by district managers</li> </ul>

				<ul style="list-style-type: none"> <li>• Performance reports outlines progress on Personal Education Plans, health assessments, permanency plans and core assessments (where required)</li> </ul>
	<p>2.4.2 Improve the percentage of children who are adopted</p> <p><b>IN 14.</b></p>	1 March 2011 – 1 March 2012	Heads of Service	<ul style="list-style-type: none"> <li>• District managers and adoption leads jointly monitor the progress of all children requiring adoption</li> <li>• Independent Reviewing Officers ensure that, where appropriate, 'best interest decisions' are being made by the time of the second looked after children review</li> <li>• Performance reporting monitors the percentage of children adopted – 11% by March 2012 and 13% over the period 2012-2013</li> </ul>
	<p>2.4.3 Independent Reviewing Officers quality assure the effectiveness of care planning and where appropriate challenge casework decisions or delay</p> <p><b>IN 13.</b></p>	1 March 2012 – 1 March 2013 (review)	Donna Marriott	<ul style="list-style-type: none"> <li>• Each review ensures that required actions are in place and exceptions reported to the appropriate manager and escalated, if necessary, for resolution</li> <li>• Quarterly report by Independent Reviewing Officers service produced and submitted to the Children's Social Services Management Team for action</li> <li>• Progress on permanence planning, health assessments, core assessments, care plans and Personal Education Plans is measured through performance reporting</li> </ul>
2.4 (*Joint with	2.4.4 Ensure that all relevant professionals are able to participate and contribute to planning for looked after children in line with their responsibilities	1 April 2011 – 1 March 2012	Donna Marriott	<ul style="list-style-type: none"> <li>• Relevant professionals are invited to attend looked after children reviews</li> <li>• Agency contribution evaluated by</li> </ul>

Partners)	<b>O 15.</b>	(review)		Independent Reviewing Officer service and reflected in quarterly Independent Reviewing Officer report <ul style="list-style-type: none"> <li>Concerns regarding lack of agency contribution is reported and escalated to managers in relevant agencies, where appropriate</li> </ul>
(*Joint with Health)	2.4.5 Ensure arrangements are in place for looked after children to receive Child and Adolescent Mental Health Service support and timely health assessments, ensuring records are available to confirm that they have been completed.  <b>O 17.</b>	1 March 2011 – 30 April 2011 1 May 2011 – 30 June 2011	Lorraine Goodsell/ Caroline Friday Tony Doran	<ul style="list-style-type: none"> <li>Outline plan submitted by Health</li> <li>ICS adapted to record health assessments for looked after children by looked after children nurses</li> <li>Performance reporting monitors the completion of health assessments for looked after children</li> </ul>
(*Joint with Health)	2.4.6 Ensure a Child and Adolescent Mental Health Service for 16-18 year olds  <b>O 4.</b>	1 Feb 2011 – 31 June 2011	Lorraine Goodsell	<ul style="list-style-type: none"> <li>Funding approval obtained for a pilot to begin in April 2011 for CAMHS service to newly presenting 17 year olds in west Kent and the Swale part of east Kent – February 2011.</li> <li>Plan to ‘Operationalise’ the pilot approved – February 2011</li> <li>Recruitment of staff secured from April 2011</li> <li>Further development of the service and transition arrangements agreed for those young people already receiving a CAMHS service who will turn 17 over the next 12</li> </ul>

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				months – March – June 2011
(*Joint with Health)	2.4.7 The health needs of looked after children are responded to <b>IN 16.</b>	1 March 2011 – 31 March 2011  1 May– 1 March 2013 (year on year)	Lorraine Goodsell	<ul style="list-style-type: none"> <li>• Report to management team and corporate parenting group outlining plans to achieve improvement in health assessment produced</li> <li>• Performance reporting demonstrates percentage of children in care having health and dental checks has increased to 85% by March 2012 and is at least maintained up to March 2013.</li> </ul>
2.4.8 & 2.4.9 Joint with Health: delivery to be measured via the NHS West Kent Action Plan)	2.4.8 Ensure that health services subscribe to a suitably independent interpreter service <b>O 10.</b>	1 March 2011 – 30 Sep 2011	Lorraine Goodsell	<ul style="list-style-type: none"> <li>• Review arrangements for the provision of independent interpreters.</li> <li>• Agree recommendations and implement</li> </ul>
	2.4.9 Develop a screening tool for substance misuse for use with Looked After Children and young people <b>O 22.</b>	1 Feb 2011 – 31 May 2011	Lorraine Goodsell	<ul style="list-style-type: none"> <li>• Develop screening tool and integrate into current arrangements for LAC Health Assessments.</li> </ul>

<i>(Joint with Schools)</i>	<p>2.4.10 Improve the attendance and educational attainment of looked after children through the development of the Virtual School for Looked After Children</p> <p><b>IN 15.</b> <b>O 19.</b></p>	1 March 2011 – 1 March 2012 (Review)	Tony Doran	<ul style="list-style-type: none"> <li>• Business Plan which outlines engagement with schools, for the Virtual School service reported to the Board of Governors for the Virtual School and the Corporate Parenting Board and implemented</li> <li>• Individual looked after children's educational attainment and attendance information is accessible and used to target appropriate interventions</li> <li>• Performance reports indicate that children in care's attainment is no more than 36% points difference Achieving 5 A* - C , 34 % (English L4 KS2) and 33% (Maths L4 KS2) points different to their peers by the end of the academic year 2011/12; The number of Looked After Children who miss 25 days or more days of schooling during the academic year to no more than 11%</li> </ul>
	2.4.11 Reduce exclusions of looked after children	1 March 2011 – 30 Sep 2011 (review)	Chris Berry	<ul style="list-style-type: none"> <li>• Performance reporting indicates the number and length of exclusions reduces for children in care in line with their Kent peers or statistical neighbours</li> <li>• Performance reports indicate the percentage of children in care who miss 25 days or more days of schooling during the academic year to no more than 11%</li> </ul>



### Priority 3: An organisation fit for purpose

#### Key Objectives:

Appropriate decisions about the responses required to referrals; Functioning ICT infrastructure that enables effective use of systems that support practice (including the Integrated Children's System); Logistical working arrangements and office accommodation support social work task; Effective commissioning, procurement and contracting.

#### Priority Leads (Accountable) – Alastair Pettigrew

**3.1 Outcome** – The organisational structure supports appropriate decision making about the responses required to referrals.

Ref	Actions	Timescale	Delivery Leads	Targets & Measures
3.1 <i>(*Joint – Also in Health Plans for relevant Health structures)</i>	3.1.1 Review the effectiveness of the current initial screening arrangements for social care cases (the Contact Centre and the Kent Contact and Assessment Service – KCAS)  <b>O 8. CT 4.</b>	1 March 2011 – 31 May 2011  30 June 2011	Amanda Honey	<ul style="list-style-type: none"> <li>Report with recommendations presented to management groups (Children's Social Services Management Team, Senior Management Team and Corporate Management Team) and decision made about appropriate actions in response.</li> <li>Implementation plan developed and agreed recommendations implemented (Links with 2.2.7, 3.1.3 and 3.1.5)</li> </ul>
	3.1.2 Map existing social work establishment against demand and need and ensure there is a coherent and sufficient distribution of fieldwork resources to provide an effective service. Produce a report with outcome of analysis and recommendations for action with clear implementation plan.  <b>O 11. CT 4.</b>	1 March 2011 – 31 May 2011	Marisa White	<ul style="list-style-type: none"> <li>Report submitted to Managing Director outlining recommendations</li> <li>Agreed recommendations implemented</li> </ul>

	<p>3.1.3 Decide on a model and structure for children's social care to enable effective support for children in need and looked after children (also addressing administrative capacity)</p> <p><b>O 20.</b> <b>CT 4.</b></p>	<p>1 March 2011 - 30 June 2011</p>	<p>Alastair Pettigrew</p>	<ul style="list-style-type: none"> <li>• Report on recommendations submitted to Managing Director</li> <li>• Agreed recommendations implemented being mindful of the need for safe transfer to the new arrangements</li> </ul>
	<p>3.1.4 Protocol document developed outlining roles and responsibilities of new teams as well as transfer arrangements.</p> <p><b>CT 4.</b></p>	<p>1 July 2011 – 31 October 2011</p>	<p>Alastair Pettigrew</p>	<ul style="list-style-type: none"> <li>• Protocol agreed by Children's Social Services Management Team, approved by Managing Director, used as part of implementation of the new structure.</li> </ul>
	<p>3.1.5 Implement new structure supported by appropriate protocols and procedures</p> <p><b>CT 4.</b></p>	<p>1 December 2011 – 1 May 2012</p>	<p>Alastair Pettigrew</p>	<ul style="list-style-type: none"> <li>• New structure in place and work safely managed during restructuring</li> <li>• Procedures/protocols published for all staff</li> <li>• Performance reporting indicates that caseloads, staffing levels and supervisory capacity are at appropriate levels</li> <li>• Performance report confirms new arrangements are facilitating timely assessments and good practice</li> </ul>

**3.2 Outcome** - Kent ICT systems effectively support practitioners and managers to carry out their role. Practitioners and managers are accountable for recording case work decisions and ensuring that this is used to influence decision making.

3.2	3.2.1 Develop an ICT strategy which includes a single integrated recording system supported by effective infrastructure and technology (including scanners, laptops and /notebooks) <b>CT 10.</b>	1 March 2011 - 30 June 2011	Peter Bole	<ul style="list-style-type: none"> <li>ICT Strategy developed and presented to the Children, Families and Education, ICT board.</li> </ul>
Page 149	3.2.2 External review of the current functioning of the technical aspects of the Integrated Children's System <b>O 12. O 16.</b>	Completed	Peter Bole via -Price Waterhouse Cooper	<ul style="list-style-type: none"> <li>Consultant report to Children, Families and Education, ICT Board, outlining the roadmap to achieving a case management system which meets the agreed business requirements.</li> </ul>
	3.2.3 Review and outline the business processes underpinning ICS, create procedures/practice guidelines that stipulate responsibilities across all levels of the organisation <b>O 16. CT 6.</b>	1 March 2011 – 31 August 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>Business requirement for the recording of children's case information is embedded in Kent's Information recording system</li> </ul>
	3.2.4 Review the function and role of administrative staff in relation to the use of ICS and address capacity implications if applicable <b>O 16. CT 6.</b>	1 March – 31 August 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>Report to be produced with recommendations for implementation</li> <li>Recommendations implemented and monitored quarterly</li> </ul>
	3.2.5 Train staff including managers and provide on-site support to make better use of ICT and the Integrated Children's Services <b>O 16. CT 6.</b>	1 April – 30 Sept 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>Review of the Integrated Children's System training (including content, method for delivery, technical support) completed and agreed</li> <li>Training courses developed and</li> </ul>

				implemented <ul style="list-style-type: none"> <li>• Training schedule released</li> </ul>
	3.2.6 Activate management sign-off functions in ICS with the agreed business process	1 April – 1 July 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>• All exemplars are signed off by the relevant social work staff and manager</li> </ul>
	3.2.7 Performance reporting is utilised to confirm that the systems are being used to support effective recording and managerial oversight  <b>O 16. CT 6.</b>	1 July - 31 July 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>• Audit reports on system usage are produced quarterly on agreed areas (logins, user generated reports, signoff, field completion)</li> <li>• Data quality reports on errors or blanks in data recording are reported monthly.</li> <li>• Data quality errors/blanks do not exceed 5% of the total number of entries per field</li> </ul>
<b>3.3 Outcome:</b> Logistical working arrangements and office accommodation support social work task				
	3.3.1 In collaboration with operational managers, review the accommodation needs of social work staff across the county  <b>CT 10.</b>	1 March 2011 - 30 April 2011	Tom Molloy	<ul style="list-style-type: none"> <li>• Report with recommended actions (including risk assessment) submitted to Corporate Management Team</li> </ul>
	3.3.2 Taking into account the needs of Children's Social Services staff identified through engagement with operational managers, review the current plans for accommodation in the context of the corporate strategy.  <b>CT 10.</b>	1 March – 31 May 2011	Tom Molloy	<ul style="list-style-type: none"> <li>• Report to Corporate Management Team including options regarding potential actions.</li> <li>• Produce a plan to respond to CMT's decision.</li> <li>• Implement required changes.</li> </ul>

	3.3.3 In collaboration with operational managers, review the current service access arrangements and provision of reception areas and its impact on Children's Social Services and service users <b>CT 10.</b>	1 March – 31 May 2011	Tom Molloy	<ul style="list-style-type: none"> <li>• Report to Corporate Management Team outlining the options for reception access, outlining actions and timeframes for steps to be undertaken</li> <li>•</li> </ul>
	3.3.4 In collaboration with operational managers, ensure there is a comprehensive understanding the current parking facilities available to staff across the county to enable them to effectively undertake their work <b>CT 10.</b>	1 April – 30 June 2011	Tom Molloy	<ul style="list-style-type: none"> <li>• Report to be produced with recommendations to address any issues/concerns raised</li> <li>• Required changes implemented</li> <li>• A staff survey undertaken to ascertain views of progress being made</li> </ul>
<p><b>3.4 Outcome</b> - Commissioning, procurement and contracting arrangements in respect of placements of looked after children are streamlined, resulting in reduced burden for social workers. All placements for children and young people are of a high quality and offer value for money.</p>				
Page 151	3.4.1 Develop a commissioning, procurement and contracting framework to secure appropriate placements for looked after children and young people in order to secure better value for money and greater responsiveness to need <b>CT 8.</b>	1 March - 31 May 2011	Cathi Sacco	<ul style="list-style-type: none"> <li>• Report proposing the new framework produced and presented to Children's Social Services Management Team and Managing Director</li> <li>• Commissioning framework implemented which results in reduction of spot purchasing</li> </ul>
	3.4.2 Joint Commissioning Framework developed for commissioning early intervention and family support services <b>CT 8.</b>	31 May 2011 - 31 August 2011	Cathi Sacco	<ul style="list-style-type: none"> <li>• Consult with partners</li> <li>• Report on draft framework to Kent Children's Trust for agreement and sign off</li> </ul>

## Priority 4: Strengthening partnership

### Key Objectives:

Development of the Kent Children's Trust (KCT) and the Kent Safeguarding Children Board (KSCB) to meet their statutory requirements; Improve the effectiveness of the Safeguarding Children Board; Secure Multi-agency understanding about the range of services available and when they should be used to respond to children and their families; Clear multi-agency referral pathways that are responsive to children's needs; Regular and robust auditing of multi-agency practice including good use of performance information.

### Priority Leads (Accountable) – Malcolm Newsam, Alastair Pettigrew

**4.1 Outcome** - Kent Children's Trust is effective in ensuring improved outcomes for children and young people as a result of the joint efforts of partners.

Ref	Actions	Timescale	Delivery Leads	Targets & Measures
Page 152	4.1.1 Review the structure of the Children's Trust in the light of changes to legislation and the development of the Health and Well-being Board.  <b>CT 9.</b>	1 April - 1 June 2011	Chair of Children's Trust – Amanda Honey	<ul style="list-style-type: none"> <li>Plan with clear outcome measures consulted on, agreed by Kent Children's Trust and local boards and published</li> </ul>
	4.1.2 Building on the priorities within the Children and Young People's Plan, agree the outcome measurements that will be used by the Children's Trust and the performance framework for measuring progress against these outcomes  <b>O 23. CT 9.</b>	1 March 2011 - 31 July 2011	Marisa White	<ul style="list-style-type: none"> <li>Performance management and reporting requirements in place and operational</li> <li>Resources aligned to priorities</li> <li>Kent Children's Trust and partners committed to and resourcing the implementation of the Early Intervention and Prevention Strategy</li> <li>Strengthen the contribution of the voluntary sector to enable their full contribution to good outcomes for young people and care leavers.</li> </ul>

<b>Ref</b>	4.1.3 Building on the National Commissioning Support Programme review of the Children's Trust, recommend further changes to increase its effectiveness including strengthening of partner engagement in addressing priorities  <b>CT 9.</b>	1 March 2011 - 31 July 2011	Marisa White	<ul style="list-style-type: none"> <li>• Implementation plan to address Children and Young People's Plan priorities, with resources committed in place</li> <li>• Strengthened interface between Kent Safeguarding Children Board and Kent Children's Trust with linked performance reporting</li> </ul>
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**4.2 Outcome** - The Safeguarding Children Board is compliant with statutory requirements, supported by a robust performance framework which enables it to hold agencies to account in ensuring the children of Kent are safeguarded

Page 153	4.2.1 Develop a plan which responds to the areas for development identified in the Ofsted Inspection, including: <ul style="list-style-type: none"> <li>• The appointment of a new independent chair</li> <li>• The appointment of 2 lay members</li> <li>• The appointment of a representative from the voluntary sector</li> <li>• Identify and reflect representation from schools</li> </ul> <ul style="list-style-type: none"> <li>• Develop and agree a multi-agency performance framework</li> </ul> <ul style="list-style-type: none"> <li>• The alignment of missing from care and missing from education policies with the missing children policy</li> </ul> <b>CT 9. O 18.</b>	Complete	Maggie Blyth and Penny Davies	<ul style="list-style-type: none"> <li>• Plan developed and submitted to KSCB members for sign off</li> </ul>
		1 March - 30 June 2011	Penny Davies	<ul style="list-style-type: none"> <li>• Report on progress to KSCB on appointment of new chair, lay members, schools and voluntary sector reps.</li> </ul>
		1 March 2011 - 31 April 2011	Penny Davies & partners	<ul style="list-style-type: none"> <li>• Performance framework agreed by Board Partners</li> <li>• Multi-agency performance information submitted on quarterly basis to KSCB</li> </ul>
		1 March 2011 - 15 April 2011	Penny Davies	<ul style="list-style-type: none"> <li>• Missing from care and missing from education policies are aligned with the KSCB missing children policy</li> </ul>

	4.2.2 Implement the audit and performance framework and audit plan  <b>CT 9.</b>	From 1 April 2011 – 1 March 2012 (review)	Penny Davies & partners	<ul style="list-style-type: none"> <li>• Audit programme implemented and audits carried out</li> <li>• Audit findings reported to KSCB and used to inform multi-agency response to safeguarding</li> </ul>
	4.2.3. Agree constitution, including membership, function and structure, of the Safeguarding Children Board, to include consideration of the partnership culture and challenge required to develop effective behaviours by Board members.  <b>CT 9.</b>	30 June 2011	Maggie Blyth and Partners	<ul style="list-style-type: none"> <li>• Report presented to KSCB and agreed</li> <li>• Agreed recommendations implemented</li> </ul>
Page 154	4.2.4 Define resources required to enable delivery of core functions, with particular focus on the performance framework and quality assurance framework  <b>CT 9.</b>	30 June 2011	Maggie Blyth and Penny Davies	<ul style="list-style-type: none"> <li>• Report presented to KSCB and agreed</li> <li>• Agreed recommendations implemented</li> </ul>
	4.2.5 Implement required changes agreed by partners.  <b>CT 9.</b>	30 June - 30 September 2011	Maggie Blyth and Penny Davies	<ul style="list-style-type: none"> <li>• New structure and constitution Implemented</li> </ul>

**4.3 Outcome** - Practitioners are able to access information on range of interventions and services available with clear indications of when best to use (e.g age group; universal, targeted or specialist), evaluation findings and cost effectiveness. Secure multi-agency understanding about the range of services available and when they should be used to respond to children and their families



4.3 <i>(*Joint with Partners)</i>	4.3.1 In collaboration with partners, complete the development of the Early Intervention and Preventative Strategy which outlines the services available at universal, targeted and specialist levels <b>IN 1.</b>	1 March 2011 - 31 May 2011	Marisa White	<ul style="list-style-type: none"> <li>Report on proposals and implementation plan submitted to Kent Children's Trust</li> <li>Recommendations agreed and implemented</li> </ul>
	4.3.2 Address the accessibility of the multi-agency Directory of Services (which outline services at county and district levels) and make it available to all professionals and parents in Kent	1 March - 31 May 2011	Jennie Landsberg	<ul style="list-style-type: none"> <li>Web based resource directory implemented which ensures existing resource directories are joined and replaced</li> </ul>
	4.3.3 Develop a commissioning register and keep it up to date and available to Children Services practitioners	1 March - 30 Sept 2011	Helen Jones	<ul style="list-style-type: none"> <li>Register established with links to Adult Services Register</li> </ul>
<b>4.4 Outcome</b> -Staff across all agencies are clear about referral pathways and report that these are responsive to children's needs				
4.4 <i>(*Joint with Partners)</i>	4.4.1 Kent Safeguarding Children Board and the Children's Trust agree thresholds for intervention at various levels, including those for social care intervention <b>IN 2. O 2. CT 9.</b>	Completed	Alastair Pettigrew	<ul style="list-style-type: none"> <li>Eligibility and threshold protocol agreed and signed off by the Children's Trust and KSCB, including implementation plan</li> </ul>
	4.4.2.Launch of the eligibility criteria for specialist children services and secure understanding of thresholds, eligibility, referral and assessment processes (Including linkage with CAF) through multi-agency, localised workshops <b>IN 2. O 2. CT 9.</b>	1 April – 30 September 2011 (review)	Penny Davies	<ul style="list-style-type: none"> <li>Eligibility and threshold criteria implemented</li> <li>Multi-agency staff survey undertaken</li> </ul>

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	<p>4.4.3 Work with multi- agency partners to ensure the correct understanding about what constitutes appropriate referrals to Specialist Services (making use of the new eligibility and threshold criteria)</p> <p><b>IN 2. O2. CT 9.</b></p>	1 April – 30 September 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Multi-agency referral form and clear guidance about criteria for referral to Specialist Services produced, launched and action taken to ensure that it is embedded</li> <li>• Workshop with the KSCB resulting in plans being produced by represented agencies about the actions they will take to communicate the criteria for referrals to Specialist Services</li> </ul>
	<p>4.4.4 Embed multi-agency implementation of the Common Assessment framework including the Lead Professional role.</p> <p><b>CT 9.</b></p>	1 March 2012 (review) – 1 March 2013	Karen Graham & partner reps	<ul style="list-style-type: none"> <li>• The number of CAFs undertaken increase across a variety of partner agencies</li> <li>• (Linked to 2.2.8)</li> </ul>
<p><b>4.5 Outcome</b> - Kent has a strong multi-agency performance framework, agreed by partner agencies. Regular and robust auditing of multi-agency practice including good use of performance information</p>				
4.5 <i>(*Joint with Partners)</i>	<p>4.5.1 Develop, agree and implement a multi-agency audit programme, alongside strengthening the performance framework, ensuring a focus on testing the consistency of thresholds being implemented across the partnership and implementation of the eligibility criteria.</p> <p><b>IN 2. CT 6.</b></p>	30 April 2011 - 1 September 2011	Penny Davies in consultation with LSCB Board partners	<ul style="list-style-type: none"> <li>• Report to KSCB and Improvement Board for agreement</li> <li>• Audit programme implemented</li> <li>• Findings reported to KSCB</li> </ul>

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**Priority 5: Becoming the employer of choice**

**Key Objectives:** Permanent staff are attracted to working and remaining in Kent, actions to find and supply locum social work staff are prompt when there are temporary gaps in permanent staffing levels, high calibre front-line staff are selected by managers with the appropriate standards and expertise, induction is responsive to the different cohorts of new recruits, professional development and opportunities are effective in addressing areas for development.

**Priority Leads (Accountable) –** Alastair Pettigrew, Amanda Beer

**5.1 Outcome -** Kent is an employer of choice, able to attract and retain high calibre social work practitioners and managers. Vacancy rates are reduced as a result.

Ref	Actions	Timescale	Delivery Leads	Targets & Measures
5.1 Page 157	5.1.1 Review Total Reward Package including Pay <b>CT 7.</b>	Reports in 31 March 2011 & 31 July 2011	Rob Semens	<ul style="list-style-type: none"> <li>Pay and benefits are competitive</li> </ul>
	5.1.2 Create and maximise Public Relation opportunities for social work in Kent <b>CT 7.</b>	Monthly until 1 March 2012	Ella Hughes	<ul style="list-style-type: none"> <li>Social work in Kent seen as attractive employment option</li> <li>Children’s Champions board supportive of social workers</li> <li>Use of “Social Networking” provides opportunities for transparent professional exchange</li> </ul>
	5.1.3 Make Kent offer compelling <b>CT 7.</b>	1 Feb 2011 - 31 March 2011  30 April 2011  30 September	Rob Semens	<ul style="list-style-type: none"> <li>Development of robust Recruitment and Retention Strategy</li> <li>Implementation of the Strategy</li> <li>Kent offer to applicants is clear and attractive, and increases number of</li> </ul>

		2011 (review)		applicants for posts. To be measured via management information data and applicant survey.
	5.1.4 Review recruitment process to ensure positive experience for applicants. <b>CT 7.</b>	1 Feb 2011 - 31 March 2011  31 March 2011 - 01 November 2011	Rob Semens	<ul style="list-style-type: none"> <li>Review of the recruitment process to be undertaken.</li> <li>Applicants either accept job offers or receive positive image of KCC as an employer. To be measured via management information data and applicant feedback data.</li> </ul>
	5.1.5 Act on exit interview feedback	Review monthly	Rob Semens	Information from exit interviews helps improve recruitment and retention
	5.1.6 Review the workforce and take the necessary steps to address capacity and capability shortfalls.  <b>IN 9. O 11. CT 7.</b>	Jan 2011 – Sept 2011 (review)	Rob Semens	<ul style="list-style-type: none"> <li>Assess the recruitment and retention strategy to ensure KCC is maintaining adequate capacity to meet workload requirements.</li> <li>Success to be measured by a consistent reduction of qualified social work vacancy rate to 10% or below; to be monitored via performance report information.</li> </ul>
<b>5.2 Outcome-</b> Managers are proactive in responding to anticipated vacancies and take timely action to recruit locum staff when necessary.				
5.2	5.2.1 Achieve cost effective service through Kent Top Temps	Completed	Alastair Pettigrew	<ul style="list-style-type: none"> <li>Kent Top Temps to negotiate discounts for selected agencies</li> </ul>
	5.2.2 Managers alert Kent Top Temps to service needs	Completed	Heads of Service	<ul style="list-style-type: none"> <li>Kent Top Temps responding to managers needs</li> </ul>
	5.2.3 Use single recruitment panel to interview temporary staff	28 Feb – 29 April 2011	Rob Semens	<ul style="list-style-type: none"> <li>Consistent approach to locum recruitment</li> </ul>

<b>5.3 Outcome</b> – Recruitment timescales are reduced and recruitment processes result in the recruitment and retention of high calibre staff				
5.3	5.3.1 Review recruitment process  CT 7.	Completed	Rob Semens	<ul style="list-style-type: none"> <li>Review of ‘Rolling Advert’ process reduces time from application to job offer.</li> <li>Changes to KCC job website to provide faster access to social work adverts.</li> <li>Single central recruitment panel for <u>all</u> applications reduces time from application to start date</li> </ul>
	5.3.2 Review selection process  CT 7.	Completed	Rob Semens	<ul style="list-style-type: none"> <li>New structure for selection process provides more opportunity to “sell” KCC to applicants</li> <li>New structure allows applicants to give feedback on process and improve it</li> <li>New ‘standard’ based assessment provides more consistency and quality in appointment decisions</li> </ul>
	5.3.3 Review recruitment planning  CT 7.	1 March - 30 April 2011	Rob Semens	<ul style="list-style-type: none"> <li>Vacancies and staff turnover monitored monthly, and action plans amended to improve progress</li> <li>Monitoring data used to develop annual recruitment plan</li> </ul>
<b>5.4 Outcome</b> – Induction programme aligns with expectations and approaches in practice.				
5.4	5.4.1 Review current arrangements, and materials including staff booklets, and report with proposals	1 March – 29 April 2011	Michelle Woodward Rob Semens	<ul style="list-style-type: none"> <li>Induction process fit for purpose including induction of overseas staff</li> </ul>
	5.4.2 Arrange lunch and/or informal meeting with Managing Director and CSSMT for all new starters	1 March - 30 April	Rob Semens	<ul style="list-style-type: none"> <li>Induction is seen as important for the whole organisation</li> </ul>

		2011		
	5.4.3 Reinforce workplace induction to ensure staff have reasonable facilities	1 March - 30 April 2011	Heads of Service	<ul style="list-style-type: none"> <li>New staff feel valued and retention rate improved</li> </ul>
	5.4.4 'Temperature' check every month in first six months	30 April 2011	Rob Semens	<ul style="list-style-type: none"> <li>New staff feel valued and retention rate improved</li> </ul>
<p><b>5.5 Outcome</b> - The learning and development programme is needs driven and is responsive to new and existing areas for improvement, identified risk and new developments in social work practice.</p>				
5.5	5.5.1 Complete a training needs analysis that is informed by information about the areas for attention outlined by inspection findings and other information <b>IN 10. O 13.</b>	28 Feb - 31 July 2011	Michelle Woodward Rob Semens	<ul style="list-style-type: none"> <li>Analysis produced and new development programme for implementation developed</li> </ul>

## Priority 6: Managing Performance

**Key Objectives:** Practice and management across the Council and partners is supported by an effective performance and accountability framework to ensure business intelligence and information is shared and exploited in order to achieve better outcomes for children, young people and their families in Kent; Managers understand accountabilities and ensure tools are used effectively to meet performance requirements; Strong performance management culture and an understanding of how performance management is used effectively.

**Priority Leads (Accountable) –** Malcolm Newsam,

**6.1 Outcome –** A comprehensive framework is developed in consultation with managers and is supported by clear governance arrangements

Ref	Actions	Timescale	Delivery Leads	Targets & Measures
6.1 (* Joint with Partners)	6.1.1 Develop a comprehensive children's services performance management framework which links with the wider Council's and partnerships' performance frameworks  <b>IN 5. O 5. O16. CT 6.</b>	1 March 2011- 30 April 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>Senior and operational managers consulted in development of performance framework</li> <li>Performance framework developed to include governance arrangements</li> <li>Performance framework developed and signed off by Managing Director and Senior Management Team</li> </ul>
	6.1.2 Develop an operational model (report card) for the delivery of the performance framework, which includes the quality assurance, data quality and reporting principles framework  <b>IN 5. O 5. CT 6.</b>	1 March 2011 - 30 April 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>Operational model developed, with corporate input, and agreed by Managing Director, Senior Management Team and Children's Social Services Management Team</li> </ul>

	6.1.3 Implement operational model for the delivery of the performance framework  <b>IN 5.</b> <b>O 5.</b> <b>CT 6.</b>	1 March - 30 June 2011  30 June - 30 November 2011	Donna Shkalla	<ul style="list-style-type: none"> <li>• Implementation programme developed</li> <li>• Operational model is implemented</li> <li>• Consultation (including workshops and survey) with managers/Elected Members to refine operational model</li> <li>• Model refined accordingly</li> </ul>
<p><b>6.2 Outcome</b> - Performance measures are in place and managers know how to access reports to support strategic and operational actions. Staff, managers and Elected Members are provided with performance information with analysis, which enables them to understand the impact of service delivery on outcomes for children and young people.</p>				
Page 102 O 5. CT 6.	6.2.1 In collaboration with managers, develop an agreed set of targets and measures which reflect appropriate aspects of practice and management	28 Feb - 31 May 2011	Alastair Pettigrew	<ul style="list-style-type: none"> <li>• Targets and measures are established and reflected in the report card</li> </ul>
	6.2.2 An agreed suite of performance monitoring reports is developed	Completed	Donna Shkalla	<ul style="list-style-type: none"> <li>• Performance monitoring reports developed and made available to managers at all levels</li> </ul>
	6.2.3 Within the performance framework, incorporate the requirement to analyse the data to inform actions taken to improve and develop services	Completed	Donna Shkalla	<ul style="list-style-type: none"> <li>• Performance framework incorporates requirement to analyse data</li> </ul>
	6.2.4 Delivery of training to managers on the use of data and the importance of good data quality. Training to include focus on how to formulate questioning, analyse information and take action	1 June 2011 (rolling programme)	Donna Shkalla	<ul style="list-style-type: none"> <li>• Training delivered and needs analysed to result in action being taken to prevent any ongoing difficulty</li> <li>• Ongoing support is provided to address any technical difficulties with obtaining performance reports/information</li> </ul>



**6.3 Outcome** - A strengthened quality assurance framework is in place which ensures rigorous quality assurance processes across the service and across the range of agencies responsible for safeguarding and looking after children and young people. The framework ensures transparent reporting to operational managers, senior managers and the Safeguarding Children Board.

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6.3	<p>6.3.1 In collaboration with managers develop a comprehensive quality assurance framework (as part of the overall performance framework) which includes peer and multi-agency auditing and audits of referrals. Supervision is incorporated in all aspects of quality assurance.</p> <p><b>IN 5. CT 6.</b></p>	1 March-30 June 2011	Donna Marriott (and external resource)	<ul style="list-style-type: none"> <li>Quality assurance framework agreed by the Children’s Social Services Management Team</li> </ul>
	<p>6.3.2 Implement new quality assurance framework, supported by appropriate audit tools</p> <p><b>IN 5. CT 6.</b></p>	1 April - 30 June 2011	Donna Marriott	<ul style="list-style-type: none"> <li>The quality assurance framework and guidance is published on Kent trust web and cascaded to staff and managers</li> <li>Relevant managers are alerted to the new quality assurance arrangements and to expectations about the actions they are required to take</li> <li>The system for auditing and reporting is established to result in regular reports about findings</li> <li>Action taken to progress any concerns</li> </ul>
	<p>6.3.3 Audit schedule implemented to inform ongoing actions to improve the quality of front line practice</p> <p><b>IN 5. CT 6.</b></p>	Start June 2011 - as per audit schedule	Heads of Service Donna Marriott	<ul style="list-style-type: none"> <li>Report on audits submitted to Children’s Social Services Management Team, the Improvement Board and KSCB as per the agreed schedule.</li> </ul>

<p>6.3.4 Audit findings responded to and monitored on quarterly basis via Children's Social Services Management Team</p> <p><b>IN 5.</b> <b>CT 6.</b></p>	<p>After each audit</p> <p>Quarterly</p>	<p>Heads of Service</p> <p>Heads of Service Donna Marriott</p>	<ul style="list-style-type: none"> <li>• Audit actions are responded to in line with the agreed timescales and action is taken by managers if appropriate progress/ improvement is not being achieved</li> <li>• Post audit review of actions is conducted to ensure actions are completed and to assess impact.</li> </ul>
<p>6.3.5 Audit findings incorporated into professional development training programme</p> <p><b>IN 5.</b> <b>CT 6.</b></p>	<p>After each audit</p>	<p>Michelle Woodward</p>	<ul style="list-style-type: none"> <li>• Training is amended to reflect audit findings (Link to 5.5.1)</li> </ul>
<p>6.3.6 Ensure that ethnicity data is entered in each child and young person's electronic and paper file</p> <p><b>O 9.</b> <b>CT 6.</b></p>	<p>1 March - 30 April 2011</p>	<p>Heads of Service Donna Shkalla</p>	<ul style="list-style-type: none"> <li>• Ethnicity data to be entered for all cases.</li> <li>• Ethnicity code to be made mandatory field on ICS.</li> </ul>

### Ofsted Recommendations

#### **Areas for improvement for SAFEGUARDING**

##### **Immediately:**

1. Review the current childcare caseload and ensure that all children in need of safeguarding and protection are identified and receive appropriate services.
2. Ensure that all partners are fully conversant with the threshold for accessing social care services and provide the appropriate levels of referral information
3. Improve the quality and timeliness of initial and core assessments
4. Establish clear arrangements for the referral and treatment of young people aged 16-18 requiring a CAMHS service

##### **Within three months:**

5. Establish systematic performance management processes at all levels to improve the quality of practice and management across the partnership.
6. Improve the child protection conference process to ensure that professionals are properly prepared and service user confidence is restored.
7. Ensure that each child protection plan sets out measurable recommendations
8. Review the effectiveness and value for money of the contact centre
9. Ensure that ethnicity data is entered in each child and young person's electronic and paper file
10. Ensure that health services subscribe to a suitably independent interpreter service

##### **Within six months:**

11. Review the workforce and take the necessary steps to address capacity and capability shortfalls.
12. Review the effectiveness and value for money provided by the current computer based recording systems.
13. Take steps to align training and development opportunities with service prioritised outcomes.

## **Areas for improvement for LOOKED AFTER CHILDREN**

### **Immediately:**

14. Ensure that all assessments of looked after children are completed to the standards required by statutory guidance, contain the necessary health and educational information and are included on the child's record.
15. Improve the quality of case planning and ensure that all relevant professionals are able to participate and contribute to the process.

### **Within three months:**

16. Establish a functional performance management system and ensure that the integrated children's system is fit for purpose
17. Ensure that all looked after children can access CAMHS up until 18 years of age
18. Ensure that missing from care and missing from school policies are aligned for looked after children
19. Reduce the numbers of looked after children who are excluded from school and ensure that policies and practices relating to excluded children are consistent across the county

### **Within six months:**

20. Review the effectiveness of generic social care teams for looked after children and their impact upon the quality of service that is provided
21. Develop a multi-disciplinary looked after children strategy and clarify management and leadership roles and accountabilities
22. Develop a screening tool for substance misuse for use with looked after children and young people
23. Strengthen the arrangements for the contribution of the voluntary sector to enable their full contribution to good outcomes for young people and care leavers

### Improvement Notice Targets

1. Working with partners to develop preventative and early intervention services across the partnership;
2. Preparing documentation, in agreement with Kent Local Safeguarding Children Board and Kent's Improvement Board, that sets out clear thresholds and criteria for access to children's social care which ensure that children at risk of harm receive intervention identified in the assessment of need in order to minimise risk and that such thresholds and criteria are implemented by all partners and agencies of the Council consistently across the County;
3. Reducing the number of unallocated cases over 28 days to 200 or less, the number of initial assessments out of timescale to 200, and the number of core assessments out of timescale to 100 by August 2011 and thereafter minimising the number of each;
4. Ensuring that the responsiveness and quality of assessments and child protection investigations improve, are clear and evidence based minimising risk and meet the standards set out in 'Working Together to Safeguard Children 2010', ensuring that in all cases referrers are informed of the outcome of all their referrals;
5. Ensuring that a written performance management and quality assurance framework is prepared and implemented by all staff with a view to driving up the quality of social care practice. The framework should include regular auditing arrangements of the quality of case files, the frequency of which should be agreed by the Improvement Board, and ensure that results of audits inform ongoing actions to improve the quality of frontline practice;
6. Ensuring that children in need receive a timely service, minimising risk, by at least maintaining the percentage of initial and core assessments carried out on time as set out in 'Working Together to Safeguard Children' at the levels prevailing when this Improvement Notice was issued;
7. By ensuring that partner agencies have a clear understanding of children's social care thresholds and by ensuring that clear definitions of 'contact' and 'referral' are in place, increase the number of initial assessments of children in need per 10,000 population aged under 18 to be in line with statistical neighbour averages such that the percentage of referrals to children's social care going on to initial assessment increases from the 2009-10 baseline of 46% to 65% over the period January to March 2012 and an average of at least 65% over the period 2012-13;
8. Implementing a programme of review and taking action as a result to reduce the percentage of child protection plans lasting two years or more to 6% over the period 2012-13 whilst ensuring that the percentage of those children who become subject to a child protection plan who do so for a second or subsequent time reduces to the statistical neighbour average;
9. Ensuring that there is sufficient capacity and capability within children's social care and actions are taken to improve the retention and stability of the workforce, in particular by reducing the vacancy rate of qualified social workers to 10%;

10. Developing and implementing a comprehensive programme of induction, training, mentoring and continuous professional development for all social care staff, ensuring effective supervision of child protection social work practice is in place and ensuring that all management oversight and decision-making on individual cases is set out in writing on the case files, that these activities are reviewed and the results inform the ongoing development of practice;
11. Developing and implementing a multi agency looked after children strategy which clarifies the respective responsibilities of all agencies and which supports improved outcomes for children in care;
12. Working with the children in care council and others as the Council thinks is appropriate to ensure that all children in care are routinely made aware on a regular basis about how they can contribute to the development of the service or make complaints;
13. Improving the quality of care plans, by improving the assessment of looked after children and ensuring that all plans contain health and education information and that Independent Reviewing Officers are used to assure quality and challenge casework decisions and unacceptable delays in meeting statutory requirements;
14. Improving the percentage of children adopted to 11% by March 2012 and to 13% over the period 2012-13;
15. Working with schools and others as appropriate to develop and implement a strategy to improve the educational achievements of children in care, such that the following quantitative targets are met:
  - Narrow the gap in attainment (as measured by the percentage of children achieving level 4 in English at the end of Key Stage 2) between children in care and their peers such that it is no more than 34 percentage points by the end of the academic year 2011/12
  - Narrow the gap in attainment (as measured by the percentage of children achieving level 4 in maths at the end of Key Stage 2) between children in care and their peers such that it is no more than 33 percentage points by the end of the academic year 2011/12
  - Narrow the gap in attainment (as measured by the percentage of young people achieving 5+A\*-C at GCSE including English and Maths) between children in care and their peers such that it is no more than 36 percentage points by the end of the academic year 2011/12
  - Reduce the percentage of children in care who miss 25 days or more days of schooling during the academic year to no more than 11%
16. Working with local health commissioners and providers to ensure that the percentage of children in care having health and dental checks increases to at least the England average of 85% by March 2012 and to at least maintain that over the period 2012-13.

**Leads and job titles**

Alan Day	Head of ICT Strategy, Children, Families and Education (now in Business Strategy & Support)
Alastair Pettigrew	Interim Director of Specialist Children's Services
Chris Berry	Head of Attendance & Behaviour Service
Caroline Friday	Commissioning Manager Vulnerable Children
Cathi Sacco	Interim Director of Strategic Commissioning, Families and Social Care
Donna Marriott	Interim Head of Safeguarding
Donna Shkalla	Head of Management Information
Ella Hughes	Interim Internal Communications Manager
Eva Learner	Consultant
Karen Graham	Head of Children's Services East Kent
Lorraine Goodsell	Director of Commissioning, Child Health
Liz Totman	Head of Corporate Parenting
Maggie Blyth	Chair, Kent Safeguarding Children Board (KSCB)
Malcolm Newsam	Interim Corporate Director, Families and Social Care
Marisa White	Head of Strategic Planning, Partnerships & Democratic Services (now in Business Strategy)
Michelle Woodward	Head of Children's Services Mid Kent (Job Share) & Professional Development Manager
Peter Bole	Head of ICT Commissioning
Penny Davies	Kent Safeguarding Children Board Manager
Jill Rawlins	Interim Director of Communication, Consultation and Community Engagement
Rob Semens	Directorate Personnel Manager, Children, Families & Education (now in Business Strategy & Support)
Tony Doran	Head teacher Virtual School Kent (LAC)
Tom Molloy	Programme Manager - Office Transformation

The Heads of Service for Children's Services are Karen Graham – East Kent, Kathy Lambourn – West Kent, Michelle Woodward – Mid Kent (job share), Cathy Yates – Mid Kent (job share)

\* Actions in the plan referred to as *joint* – are also actions in the Health Improvement Plans in response to the CQC inspection.

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## **Dashboard – Definitions & Explanations**

### **Number of Cases Unallocated for over 28 days**

Definition: The total number of cases (LAC, CP and CIN) that have remained unallocated to a qualified social worker for over 28 days.

Impact: If a case remains unallocated for a significant length of time there is a danger the child may not be receive the required input from Children’s Social Services, resulting in unmet/recognised need, limited oversight/management of case or drift. This presents a risk to both the child and the organisation.

### **Initial Assessments in progress out of timescale**

Definition: The number of Initial Assessments on open cases that are overdue for completion i.e. which have not been ended within 7 days from referral.

### **Percentage of Initial Assessments carried out within 7 days of referral (NI 59)**

Definition: The number of initial assessments completed in the period between 1st April and the reporting month, within seven working days of referral, as a percentage of the number of initial assessments completed in the period between 1st April and the reporting month.

Impact: It is important to assess a child’s needs promptly once a referral has been accepted in order to plan appropriate input/services for that child.

### **Core Assessments in progress out of timescale**

Definition: The number of Core Assessments on open cases that are overdue for completion i.e. which have not been ended within 42 days from referral.

### **Percentage of Core Assessments carried out within 42 days of referral (NI 60\*)**

Definition: The number of core assessments that were completed in the period between 1st April and the reporting month, within 42 working days of the date of referral (as recorded on the Core Assessment exemplar), as a percentage of the number of core assessments completed in the period between 1st April and the reporting month.

*\*Please note, the exact definition of NI 60 is 35 working days from commencement of the Core Assessment to Core Assessment completed date and this is what will be reported and used by the DfE in national statistics. Kent has chosen to use 42 days from date of referral for the purpose of internal reporting.*

Impact: It is important to assess a child’s needs promptly once a core assessment has been deemed necessary in order to plan appropriate input/services for that child.

### **Percentage of caseholding posts filled**

Definition: The total number of caseholding posts filled (made up of both permanent and agency qualified social workers) as a percentage of the total caseholding Establishment figure.

Impact: The established numbers of qualified social workers (caseholders) are required in order to manage the high number of referrals and assessments in a timely manner and ensure throughput of work.

**Dashboard April 2011**

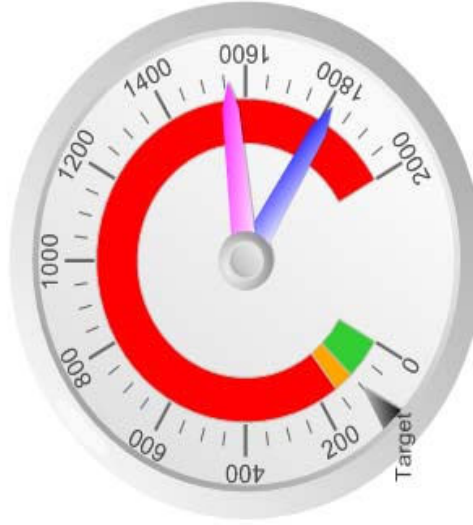
Initial Assessments in progress outside of timescale (over 7 days)



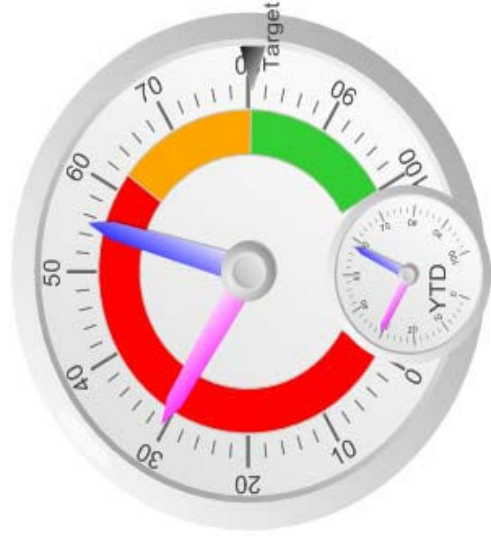
NI 59 - Percentage of Initial Assessments for children's social care carried out within 7 days of referral



Core Assessments in progress outside of timescales (over 42 days)



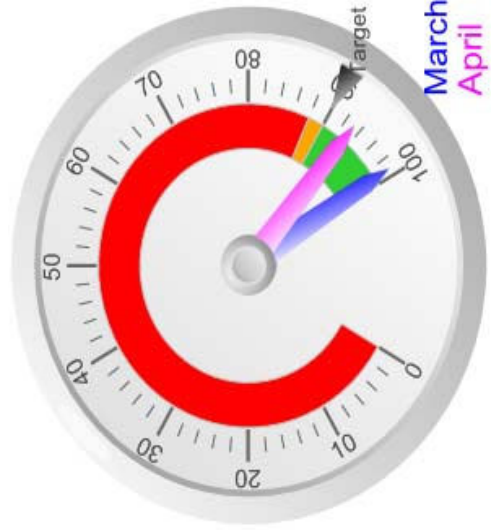
NI 60 - Percentage of Core Assessments that were carried out within 42 working days of Referral



Number of Unallocated Cases for over 28 days (Total cases unallocated according to ICS, minus cases that the districts feel are appropriately allocated)



Percentage of caseholding posts filled (100% - QSW inc Agency Posts)



# Kent Children's Social Services Monthly Performance Monitoring

## Scorecard

Contents	Published Outturn	Statistical Neighbour Average	Provisional Outturn	Target	Year to Date (YTD)	Direction of Travel (Dot)
	2009-10	2009-10	2010-11		2011-12 RAG	RAG
Number of CAFs completed per 10,000 population under 18 <sup>2</sup>	47.1	-	-	-	49.8	
Number of child referrals per 10,000 population under 18 <sup>2</sup>	596.2	533.1	733.8	533.1	737.4	R ↓
NI 68 - Percentage of Referrals going on to Initial Assessment	46.4%	62.1%	58.2%	65.0%	76.3%	G ↓
Percentage of Re-Referrals in last 12 months	28.4%	-	31.0%	23.0%	31.3%	R ↓
NI 59 - Percentage of Initial Assessments for children's social care carried out within 7 working days of referral	69.0%	59.4%	53.9%	69.0%	66.7%	A ↑
Initial Assessments in progress outside of timescale <sup>1</sup>	-	-	-	200	751	R ↑
(NI 60) - Percentage of Core Assessments that were carried out within 42 working days of Referral	80.4%	62.2%	57.2%	80.4%	30.5%	R ↓
Core Assessments in progress outside of timescale <sup>1</sup>	-	-	-	100	1,559	R ↑
Number of Initial Assessments per 10,000 population under 18 <sup>2</sup>	276.3	316.5	426.8	359.0	441.6	G ↓
Number of Core Assessments per 10,000 population under 18 <sup>2</sup>	124.3	97.6	229.2	125.0	256.7	G ↓
Numbers of Children with a CP Plan per 10,000 population under 18	52.1	30.1	52.1	39.9	53.3	R ↓
NI 65 - Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time	16.0%	13.6%	14.3%	13.4%	21.9%	R ↓
NI 67 - Child protection cases which were reviewed within required timescales	97.9%	98.4%	94.7%	97.9%	97.1%	R ↑
NI 64 - Child Protection Plans lasting 2 years or more	12.7%	7.1%	11.1%	6.0%	4.6%	G ↑
NI 62 - Stability of placements of looked after children: Number of moves	8.2%	10.2%	8.0%	8.2%	8.1%	G ↑
NI 63 - Stability of placements of looked after children: Length of placement	72.1%	67.0%	72.8%	72.1%	71.2%	A ↓
NI 66 - Looked after children cases which were reviewed within required timescales	94.6%	91.2%	94.5%	94.6%	96.3%	G ↑
Health of Looked After Children - Dental and Annual Health assessments	62.6%	-	-	85.0%	57.5% <sup>3</sup>	
Children looked after per 10,000 population aged under 18	47	48.6	55	47	55.2	R ↓
Percentage of Children Adopted	9%	13%	10%	11%	20.0%	G ↓
Numbers of Child Protection Cases not allocated to a qualified social worker (Total CP cases unallocated according to ICS, minus cases that the districts feel are appropriately allocated) <sup>1</sup>	-	-	-	0	0	G ↔
Numbers of Looked After Children not allocated to a qualified social worker (Total LAC cases unallocated according to ICS, minus cases that the districts feel are appropriately allocated) <sup>1</sup>	-	-	-	0	0	G ↑
Numbers of Children in Need (CIN) not allocated to a qualified social worker (Total CIN cases unallocated according to ICS, minus cases that the districts feel are appropriately allocated) <sup>1</sup>	-	-	-	200	354	A ↑
Numbers of Unallocated Cases for over 28 days (Total cases unallocated according to ICS, minus cases that the districts feel are appropriately allocated) <sup>1</sup>	-	-	-	200	202	A ↑
Percentage of caseholding posts filled by Qualified Social Workers (QSW posts exc Agency ÷ Establishment) <sup>1</sup>	-	-	-	90%	85.1%	R ↑
Percentage of caseholding posts filled by agency staff (Agency Staff ÷ Establishment) <sup>1</sup>	-	-	-	10%	8.0%	G ↑
Percentage of caseholding posts unfilled (100% - QSW inc Agency Posts) <sup>1</sup>	-	-	-	10%		
Average Caseloads of social workers in fieldwork teams <sup>1</sup>	-	-	-	25		

Red, Amber and Green (RAG) Bandings have been set by Malcolm Newsam / MLU, primarily in relation to Kent, National and Statistical Neighbour outturn figures for the previous year. Please see the relative page in the report for detail of the particular bandings for each indicator.

1 - Source: Weekly Performance Monitoring Report - Week Ending 01/05/2011. This does not include a full staffing return.

2 - Figure reported in YTD column is actually Rolling 12 months, not YTD.

3 - A new exemplar and process to record timely information has been created on ICS. EK Health nurses have begun inputting and changes will be reflected in next months report.

Dot: Monthly figures compare latest month to previous month. Weekly figures compare the week closest to the end of the month with the week closest to the end of the previous month.

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**By:** Jenny Whittle, Cabinet Member for Children’s Specialist Services  
Malcolm Newsam, Interim Corporate Director Families, and Social Care,

**To:** Cabinet Meeting 23<sup>rd</sup> May 2011

**Subject:** Becoming the Employer of Choice – KCC’s Workforce Strategy for Children’s Social Services

**Classification:** Unrestricted

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## INTRODUCTION

The Improvement Notice from the Secretary of State issued on 31<sup>st</sup> January 2011 following the OFSTED judgement of poor performance in Children’s Social Care Services identified several measures that needed to be taken including:

**“Ensuring that there is sufficient capacity and capability within children’s social care and actions are taken to improve the retention and stability of the workforce, in particular by reducing the vacancy rate of qualified social workers to 10%”.**

This requirement is articulated as one of the priorities in KCC’s Improvement Plan as **“Becoming the Employer of Choice”**. The Council has had difficulties recruiting and retaining children’s social workers over the past 2-3 years and vacancy levels reached a peak of around 25% at the beginning of 2010.

This report provides an analysis of current staffing levels, a recruitment plan for the next three years, an update on actions taken so far in achieving this priority and recommendations for the components needed to ensure a compelling offer is made to attract new and retain existing high quality social care staff. It uses the life cycle of an employee to show how the component parts of the compelling offer will work together to achieve the objective.

## EXECUTIVE SUMMARY

The underlying vacancy level in the caseholder teams is an average of 15.1% (0.8% including agency staff) and is very similar at 15.2% (0.0% including agency staff) for non caseholding manager posts. When a turnover rate of 15% is factored into the recruitment plan, we need to recruit 100 caseholders this year and 60 new hires per annum thereafter. For non case holding managers, 24 is the recruitment target this year and 10 per annum thereafter.

Retention is a key issue in driving down vacancy levels – even the most effective recruitment campaign will fail to deliver the workforce objectives if we are losing our experienced staff. It is also important to get the balance right between newly qualified social workers (NQSWS) and those with experience, whilst at the same time being realistic about the numbers that can be attracted from each recruitment source.

Recruitment and retention of high quality social care staff is dependent on the offer the authority makes being truly compelling. The proposal covers all aspects of the employment life cycle:

Attract people through:

- A clearly branded recruitment campaign that is clear about the benefits of working for KCC and deals with candidates consistently and professionally to ensure quality candidates are made an offer quickly.
- Promoting being involved in social work in Kent as a positive experience through using real life examples of people who are successful in the work. This will be wider than in just the recruitment market and will include positive media coverage.
- Promoting the size and structure of Kent Children's' social services so that applicants can see the range of opportunities available as well as the chance to make a real difference to the lives of children and families.
- Encouraging the widest possible pool of applicants through targeting specific groups including returners; those in their final year of qualification; those who could retrain, including social work assistants and by encouraging word of mouth applications by offering £250 to staff who "refer a friend".
- Pay that is at least as good as other local Authorities in the region. This means introducing golden hello payments of £2,000 and making market premia annual supplements of between £2,000 and £3,000 to staff in front line posts.
- Spelling out the wider benefit package available to KCC staff.

Develop our staff through:

- First rate support and supervision in the first six months of employment.
- Access to a well structured induction process when first appointed and to the coaching and mentoring network
- Regular engagement with senior managers and Members
- Careful management of the level of cases allocated to individuals
- Access to continued professional development and KCC's wider learning and development opportunities.

Retain those who are performing well by:

- Dealing with the underlying resentment amongst existing social workers caused by the impact of the new, higher starting rate for NQSWs on their differential rate of pay.
- Continuing to make the market premium payments mentioned above and to promote development opportunities to acknowledge the ongoing contribution of our front line social workers
- Ensuring managers use the full range of "recognition" approaches available
- Ensuring high quality supervision and engagement of staff
- Promoting the benefits package
- Providing fit for purpose equipment, systems and working environments

Many aspects of this approach already exist and become compelling when brought together and rigorously and consistently applied. The proposed enhancement to pay are new and come with financial cost of around £1.8m per annum.

## **WORKFORCE PLAN**

The immediate issue of vacancy rates impacting on case management is being dealt with through engaging agency staff. For longer term stability, an analysis of current staffing levels was the starting point for establishing a clear workforce plan to reduce vacancy levels over a longer period.

### **Current staffing levels**

**Appendix 1** shows a detailed breakdown of current staffing levels by District and Area Teams. It includes Agency staff numbers as well as the number of Caseholders (i.e. Newly Qualified Social Workers, Career Grade Social Workers, and Senior Practitioners) and Non-Caseholding Managers (defined as Team Leaders and Principal Social Workers).

For the purpose of this report, the social worker numbers for teams in Corporate Parenting have been excluded, apart from the Children with Disabilities service.

The data shows that the current Caseholder vacancy level is an average of 15.1% (0.8% including agency staff).

The current non-case holding manager vacancy level is very similar 15.2% (0.0% including agency staff).

There is no reason to suppose that levels of casework will decline in the short to medium term, so the workforce plan has been developed against the pre existing establishment levels deemed necessary to ensure the required quantity of staff and quality of casehandling.

### **Staffing Trends**

Recruitment has continued since September 2010 with applicants being sourced from the UK and overseas as well as through using agency staff.

The staffing levels for Caseholding social workers since September 2010 can be seen at **Appendix 2**.

The staffing levels for Non-Caseholding managers (i.e. Team Leaders and Principal Social Workers) are at **Appendix 3** for the same period.

In both cases there has been a net increase in staff together with an increase in the proportion of agency staff.

A large overseas recruitment campaign in the USA and Europe also increased the proportion of overseas recruits in our social work teams. The high proportion of overseas and newly qualified social workers is currently above the optimum. In 2011 we have already contracted 30 final year students to become NQSWs in Kent. We therefore plan to restrict overseas recruitment but continue to recruit NQSWs in order to keep KCC's position in that market and ensure sustainability. The current emphasis is on recruiting principal social workers and team leaders.

It is important to have a clear picture of the optimum make up of the workforce. The Authority has to balance the need for sufficient numbers of experienced (in the UK) social workers whilst at the same time keeping the future supply of staff buoyant through recruiting NQSWs and being realistic about the need to look beyond the UK market to meet the vacancy targets. It is important that KCC does not find itself in a position of low vacancy rates but over reliance on inexperienced staff which will increase the pressure on experienced social workers at all levels and lead to them having too high a caseload to manage and potentially increase turnover in this group. It is self evidently the case that NQSWs and overseas recruits become experienced over time, and it must be acknowledged that many newly qualified and overseas recruits are already proving extremely competent.

The current proportion of NQSWs and overseas recruits with less than a year's experience is 30% of the caseholding workforce. It is recommended that the optimum level is 15% with less than two year's experience in the UK.

### **Labour Turnover**

The turnover rate for the past five months across the Children's Social Care service has been at around 10.3% for Social Workers and Principal Social Workers, and around 5% for Team Leaders. However, for planning purposes a more cautious 15% figure is being used. This reflects the rate for the last 12 months for social worker posts in Duty and Initial Assessment Team (DIAT) and Children and Families teams.

### **Recruitment Needs**

The analysis of the current workforce data results in the need to recruit 110 case holders over the next 12 months:

- 50 case holders to DIAT and C&F teams to improve stability and reduce our reliance on agency staff thereby reducing the additional cost.
- 60 additional case holding staff to replace those expected to leave at turnover rate of 15%.
- 

Having increased numbers to replace agency staff this year, the recruitment plan allows for 60 new hires per annum from 2012 onwards.

For non-case holding managers, 14 are needed to replace agency staff, and a further 10 due to labour turnover expectations, making a total of 24 non case holding managers over the next 12 months, and then around 10 per annum thereafter.

### **Recruitment Sources**

The strategy for attracting applicants to KCC is covered below. At this point, however, it is important to note that the following sources for recruitment will be used to provide the required staff:-

- NQSW recruitment from colleges/universities including a Final Year Recruitment scheme.
- UK external recruitment.
- Overseas external recruitment (specifically at this stage, Ireland).
- Returners - In a mainly female workforce we have natural labour turnover because of women leaving on maternity, and we will be promoting flexible



- hours and staff development to encourage social workers to return after maternity leave, or once their children have started school.
- Open University scheme – a qualification programme aimed at internal social work assistants.
  - MA scheme – a two year conversion programme for Kent graduates

The recruitment plan is summarised at **Appendix 4**.

The plan does not address the need to increase the proportion of experienced social workers in the current year. This is because we are already committed to taking 30 NQSWs this year. It is intended to keep the target for recruitment of NQSWs high to maintain our position in the market, but this will need to be reviewed alongside the turnover rates to ensure we achieve the required balance of no more than 15% of caseholders having less than two years post qualification UK experience.

It is also planned to ensure that the Authority is making best use of the qualified social workers that it has, encouraging those who have moved out of front line social work to return.

## **WORKFORCE STRATEGY**

Having established the level of staffing required, attention turned to a strategy to assure the right quality and quantity of staff. This has been developed taking account of the whole employment life cycle as retention and development are as vital to success as successful recruitment. This paper describes the strategy against each stage in an employment life cycle.

## **ATTRACT**

To be successful in attracting sufficient suitably qualified staff to KCC, several factors have to be in place:

- A competitive reward package – the “hard”, tangible benefits offered
- A clear, positive brand and “compelling offer” to promote KCC as an employer of choice – the “soft”, intangible benefits offered
- A professional recruitment campaign and process – to give an excellent first impression

Research into the social care workforce has consistently shown that the “hard” benefits play a relatively small part when choosing an employer, whilst softer issues, particularly caseload levels and support, make a real difference. KCC’s approach is to ensure that it positions itself firmly in the top quartile in regard to salary and remuneration because of its size, complexity and current need to ensure high attraction rates. However, the need to ensure that once people are attracted there is a very strong offer around the soft benefits including excellent on-boarding and induction, supervision and workload management is of paramount importance and these are an important part of the workforce strategy and covered in more detail in the later sections of this report.

## **Remuneration**

In February 2011, a review of KCC’s position in the market compared to other local Authorities was commissioned. A follow up review was conducted in April 2011 to ensure that the proposal to be put for revisions to the reward package remained

appropriate. This later review compared KCC's package to those Authorities most likely to be in competition for new staff. It showed that local authorities are actively reviewing and updating the remuneration offered to social workers. The outcomes of this review are shown at **Appendix 5**. The salary of KCC team leaders is higher than all our competitors and very few other comparator Authorities have a Principal Social Worker grade, so these two roles are not included in the comparative data.

The reviews show that, whilst broadly competitive in the market when judged on remuneration, KCC is not the highest payer across all posts. The Authority's minimum starting salary for qualified social workers increased on 1 April 2011 from £23,054 to £26,422 to ensure that we remained competitive. However, a small number of other Authorities pay more.

Although money alone is unlikely to resolve issues around attraction of social workers into Kent, the lack of it may be a barrier when suitable professionals are considering KCC as an employer; therefore the following measures have been recommended to remain attractive and competitive in the market place:

- 'Golden Hello' payments of £2000 to Newly Qualified Social Workers to ensure appointment of NQSWs of the highest quality.
- 'Golden Hello' payments of £2000 to new Principal Social Workers.
- Market Premium annual supplement of £3000 to current and new social workers in Child Protection teams.
- Market premium annual supplement of £2000 to current and new Principal Social Workers and Senior Practitioners.

It is recommended that these payments are restricted to caseholding social workers in Child Protection, Looked After Children, children with disabilities and care proceedings teams. It is not proposed to include those working in fostering, adoption, adult social care, or Children and Adolescent Mental Health (CAMHS). It is recognised that this may cause resentment amongst social workers in these excluded areas and challenge from Trade Unions, but it is imperative for the business case that this is restricted to those areas which are traditionally and currently hard to recruit. Existing staff will be able to transfer into child protection teams if they wish to take advantage of the payments and will be given any training and development required. It is felt that as long as the communication around the payments is carefully managed and no obstacles are put in the way of those wishing to transfer (subject to their capability to do the work after development needs are met) then the situation can be managed effectively.

Similarly, the payments will not be made to newly qualified social workers until they have demonstrated the ability to manage a full caseload. This will currently exclude around 120 NQSWs and overseas recruits, helping make the business case for these payments and satisfying existing staff who have seen newly recruited people joining KCC at a very similar level of salary as they have achieved after two or more years service.

KCC has made a decision to cease paying "essential user allowance" to all its staff. For qualified staff in Children's social care, these travel costs changes have been amended so that current social workers are not disadvantaged and new staff will get payments equivalent to comparable terms in other authorities (including access to

lease cars) but also more flexibility. This includes Senior Practitioner/PSWs and TLs who are on KR11-12. These arrangements apply to all Children's Social Workers.

These arrangements will be kept under review and can be reduced or extended in light of experience. The payment of differential rates for different areas of the County is not recommended at this stage because the intention is to deal with potential shortages in these areas through flexible deployment of staff and allocation of Grow your Own new recruits. This will be formally reviewed next year.

## **Costs**

The estimated costs of the proposals on staff pay in this paper are £1.95m in 2011/12 rising to £2.29m from 2012/13 onwards. This includes:

- the already implemented decision to increase the entry salary level for NQSWs from KR8 to KR9
- the up to 2½ % pay award to 248 existing staff on KR9 who would otherwise be paid the same or only marginally more than new entry level for NQSWs
- the payment of £2,000 one-off Golden Hello to new recruits (NQSWs and PSWs)
- the payment of £3,000 Market Premia addition to basic salary for current and new social workers in caseholding teams
- the payment of £2,000 Market Premia addition to basic salary for all current and new Senior Practitioners and Principal Social Workers

In 2011/2 this will be funded by a combination of £0.26m from the existing approved budget for children's services, £0.5m base funding from the amount held in contingency to fund the Children's Social Care Improvement Plan and £1.19m from uncommitted under spend in 2010/11. In 2012/13 we will need to make provision for an on-going emerging pressure of £1.52m to replace the one-off funding and meet the cost additional Market Premia.

There will be some offsetting savings from replacing agency staff with permanent appointments which will be identified as part of 2012/13 budget settlement.

## **Implementation**

The market premia retention payments will be paid under KCC's existing reward package, as will the "golden hellos" which fall within the definition of the Authority's "recruitment and retention allowances". It is proposed that market premia retention payments are made as two lump sums, one in June and one in December, as long as the required level of cases has been handled by each social worker to a measureable, predetermined level of quality. This approach will ensure that the business case for these payments is met as staff will need to be in service to qualify for the payment, rather than receiving them on a monthly basis. It is also felt that two lump sum payments of circa £900 after deductions will be more attractive than a monthly supplement of circa £150. The payments will be included as part of an individual's salary package if the Authority is required to confirm salary for any reason and will be pensionable. The payments will be reviewed annually to ensure they are still required to maintain KCC's position in the recruitment market.

## Review of Recruitment and Selection Process

A thorough review of the recruitment approach has been undertaken in the last few months.

- Working with our advertising agency, a clear “brand” for social care roles has been developed around the “Kent is.....” theme. Examples of this approach can be seen at **Appendix 6**.
- A dedicated microsite has been established on kent.gov, which will be further developed as details of the enhanced package on offer are finalised.
- We put more emphasis on “selling” Kent to applicants. This will include Kent Rewards being promoted as it can deliver very significant personal savings to staff. A personal “ready reckoner” for individual’s thinking of applying for posts is being developed for use on the microsite. This will give applicants an idea of the financial benefits to be had from all the flexible benefits available to KCC employees
- We will continue to promote Pensions and Leave to attract people from private/voluntary sector.
- The recruitment offer will include the benefits of living in Kent County.
- Financial rewards (£250) will be offered to current staff if they ‘Refer a Friend’ as a social worker.
- Use will be made of case study interviews on the recruitment microsite to show our flexible hours options and how easy it is for Returners to get back into social work and to hear existing staff speak positively about the attraction of working for KCC, particularly the benefits of the District based delivery model.
- The recruitment process for social workers has been further centralised to ensure that:-
  - We significantly reduce the time from date of application to date started.
  - We plan our recruitment so that we manage this on a ‘campaign’ basis. The campaign is closely monitored for effectiveness and details of current progress is shown at **Appendix 7**
  - We improve consistency of appointments by have a central panel.
  - Additional resource has recently been allocated from the central HR recruitment team who will provide a dedicated member of staff to support the campaign and liaise with managers to ensure they are well supported at all stages of the process and therefore minimise the time they need to spend on shortlisting and administration

The selection process has been reviewed so that:-

- We focus our assessment of applicants on social work competencies relevant to the role.
- We ensure applicants have a positive experience of our selection process (even if they are not appointed).

The promotion of KCC as an employer of choice will therefore be mainly through our recruitment microsite but needs to be enhanced through positive public relations in the Kent/national media. There is close liaison with the Communications team to ensure that every opportunity is taken to develop a positive image of social work among the citizens of Kent. This could include encouraging residents to train as

social workers through offering a bursary to help meet costs. This may be attractive in the current economic climate.

## **DEVELOP**

Having attracted staff to KCC, it is important that we ensure they are developed and supported in the short and medium term. This means that the on-boarding (the way new starters are inducted into the Authority) is critically important. The way new entrants are treated in their initial period will impact on their commitment to KCC over many years.

In the first six months, new entrants can expect:

- Regular meetings with their supervisor and manager, including the setting of clear targets for achievement
- Access to a “buddy” to help with the induction into a new organisation
- Invitation to an informal meeting with a senior manager (Director or Corporate Director) to ensure the opportunity for a two way discussion.
- A formal “temperature check” discussion every month to ensure that the new appointee is settling into KCC and has reasonable facilities to do their job.
- A sensible approach to case allocation to ensure it is manageable in both volume and complexity
- Ensure social workers are part of KCC’s organisation wide engagement strategy

There is also scope to develop the potential social care workforce through supporting those intent on gaining professional qualifications. KCC will continue to pursue ‘Grow your Own’ Social Workers approaches:

- i) Our current Final Year Recruitment scheme offers a cash incentive, but also a binding contract, to ensure Newly Qualified social workers stay in Kent for a minimum of two years. We recruited 17 people last year and plan to recruit 20-30 per annum. We will continue to work closely with academic institutions to ensure KCC is engaging with soon to qualify professionals
- ii) We have a recruitment scheme so that Kent graduates can apply to become MA qualified social workers over a two year period. Our current cohort of 13 will qualify in 2013, and we plan to recruit 10 per annum.
- iii) Through the Open University we have recruited some of our high quality social work assistants, who already have family roots in Kent, to become qualified social workers over a 3-4 year period. Our first cohort of 20 started in 2010 and we plan to recruit at a rate of 12 per annum. The costs for this are relatively low and we will consider expanding this scheme for coastal districts if current difficulties in recruiting to these teams persist.

## **RETAIN**

Retention of staff is essential to success in reducing overall vacancy rates and for the wellbeing of all our social care staff. As well as reducing our vacancy rate for qualified social workers to no more than 10%, we also intend to pay more attention to retaining high quality staff, both to provide necessary stability for social work teams but also to reduce the workload for Team Leaders and Principal Social Workers.

To achieve this, attention will be paid to a range of issues which impact on retention. These include training and development; supervision; pay and benefits; career progression; engagement. These are covered in more detail below, but include:

- Pay and 'recognition' approaches.
- Amendments to Travel costs arrangements.
- Promotion of Kent Rewards.
- Staff Development and Career Opportunities including a 'fast track' initiative.
- Reinforcement of high quality supervision.
- Flexible hours, especially for staff with 'carer' responsibilities.

### **Engagement**

In order to improve retention we need to understand both why people are leaving KCC and what they like about working for the Authority. A detailed monthly analysis of exit interview responses will be undertaken from now on so that reasons for leaving can be assessed and addressed. A piece of research has also been commissioned to run focus groups with existing staff to give a line of sight as to why such professionals enjoy working with KCC and enable us to formulate a value proposition for such people which will help with both retention and recruitment.

It is imperative that social workers at all grades feel engaged with their employer at every level. This is well known to be a critical influence on levels of retention. We need to hear from staff about issues that they feel impede their effectiveness and impact on their job satisfaction including hygiene issues such as ICT equipment and software, desk space, workloads, access to meeting rooms, etc. Even if problems cannot be solved quickly, at least such engagement will provide the forum for explanation of the issues and plans for improvement. For current staff this needs to be re-inforced through routes such as the staff survey, the leadership and management review and the 'road show' meetings with staff to discuss the Improvement Plan.

### **Pay and benefits**

The measures outlined above for market premia retention payments will address some of the financial issues impacting on retention and should encourage staff to stay with KCC rather than look elsewhere to competitor Authorities offering inducements to move. It is also proposed that current eligible social workers on KR9 have their salary uplifted by 2.5% to recognise the erosion of differential in their salary since NQSWs have been recruited on a higher starting salary. This would give an increase to 248 staff of 2.5% (or take them to the top of the grade. The cost of this uplift would be £160,000.

The impact of all the proposals for changes in salary arrangements is described at Appendix 8.

However, it is important that our staff are reminded of the overall remuneration and benefits attached to employment with KCC through

- Reinforcing current competence and pay progression model to support good practice and retention. This includes the career grade for social workers and the Total Contribution Pay scheme.
- Providing further training to managers to support a wider range of 'recognition' approaches already available.

- Continuously enforcing the benefits of Kent Rewards on-line purchasing opportunities and encouraging staff to use the Total Reward Statement which shows how much they save through using this facility and the value of pension, annual leave and other non financial benefits.
- Communicating clearly and regularly the actions taken to mitigate the impact of KCC Travel costs changes to ensure the message that current social workers are not disadvantaged and will get payments equivalent to the old essential user package, taking account of the higher mileage rate and including access to lease cars but also more flexibility.

### **Training and Development**

The opportunities for personal and career development in both professional and generic skills are a critical part of the compelling offer. Integral to this is the development of a 'fast track' for high performing social workers to become Senior Practitioners/Principal Social Workers. For existing staff we will also promote the breadth of our staff development offer, including access to KCC management development schemes, through case study interviews on K-net and through ensuring managers discuss opportunities at appraisal and other formal review sessions. The promotion of opportunities will include emphasis on

- Employment progression opportunities offered as a result of the size of Kent.
- How the district delivery model can allow social workers to appreciate how they make a difference to children and families, through case study interviews on K-net.

### **Workload Management**

All research shows that this is potentially the most important aspect in an individual's decision to stay (or indeed join) an employer. Over time, a guaranteed maximum case load could be introduced, but this is not feasible in the current situation. However, once the current backlog of cases is cleared, the Parenting Capacity teams could become caseholding to reduce the strain on our current caseholders.

The number of Administrative Assistants has been increased to support social workers. We are currently considering two alternatives to provide additional support:

- Follow the example of other Authorities and ensure that NQSWs do not hold their own cases for the first year of employment. This ensures a very positive commitment to new entrants and allows them to build their confidence and experience as well as providing support to caseholders. It has been proven to make a significant positive impact on levels of retention in the short and long term.
- Create more family support workers to act as para-professionals and potentially train as qualified social workers.

The costs of these options are currently being calculated and will be included as possibilities in discussions with managers and social workers about levels of work.

The District team model will be promoted to show the benefits of being part of a large organisation where good supervision is valued and always available. It will be important to conduct surveys of managers and staff to ensure good supervision is actually taking place, both informally and on a structured basis. In addition we will:

- Promote opportunities for two way communication with senior officers.
- Provide further training to managers to ensure that appraisal process and supervision include discussions on work-life balance.
- Promote availability of laptops and other technology to support social work.
- Provide further training to managers to support a wider range of 'recognition' approaches, including non-consolidated cash awards for high performance.

## **RELEASE**

It is important that despite the need to attract and retain qualified staff, standards of performance are maintained. Managers will be encouraged to ensure that performance management is done regularly and well and that they feel equipped to hold difficult conversations with staff at an early stage if quality or quantity of work is an issue. HR advisors will encourage managers to make appropriate use the Authority's performance incapability procedure for existing staff and enforce the probationary period to tackle any early issues of under performance.

A planned withdrawal of agency staff as the number of employees rises is also an important requirement to get an appropriate cost effective balance between sensible on-boarding of new staff balanced against reducing the cost of agency personnel.

## **CONCLUSION**

This paper provides a detailed picture of the plans to ensure vacancy levels diminish to the required level. It cannot, however, be seen in isolation from the rest of the improvement plan, particularly the outcomes relating to leadership and management development which are touched on but not detailed in the scope of this report.

## **RECOMMENDATIONS**

Cabinet is invited

1. to note the content of the report and endorse the steps being taken to make KCC the Employer of Choice for children's social workers.
2. to delegate the approval of the final changes to the remuneration of children's social workers to the Cabinet Member for Specialist Children's Services following engagement with staff and managers in the service

Amanda Beer

Rob Semens



# Appendix 1

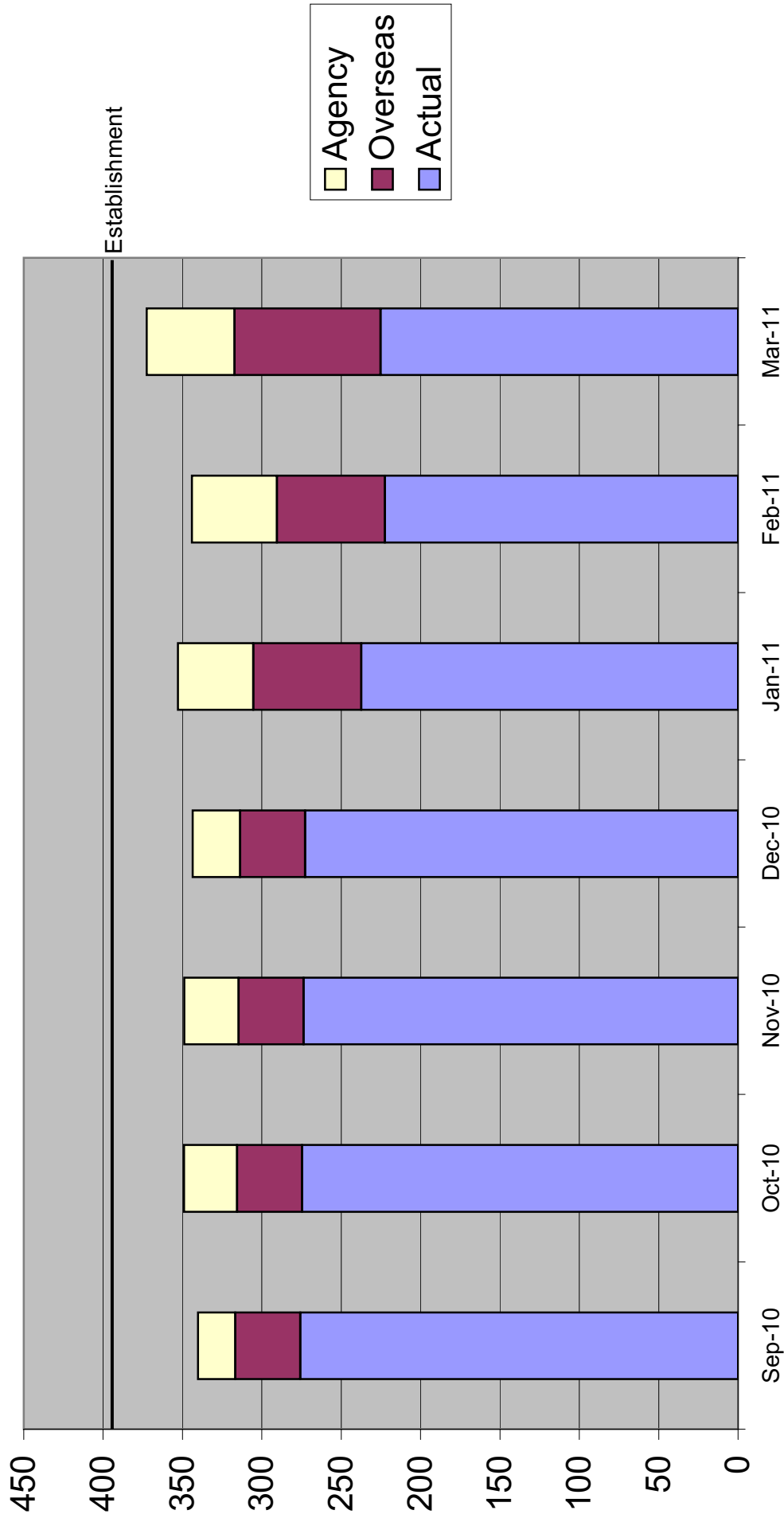
District	Caseholders Establishment Staffing	Current Caseholding staff (not inc Agency Staff)	Vacancy rate excluding agency staff %	Current Case holding Agency Staff	Vacancy rate including agency staff %	Non-Caseholders Establishment Staffing	Current non-Caseholding Managers (not inc Agency Staff)	Vacancy rate excluding agency staff %	Current non-Case holding Agency Managers	Vacancy rate including agency staff %
East Kent	143.4	118.6	17.3	19.5	3.7	34.5	27.5	20.3	5.0	5.8
Mid Kent	105.4	94.8	10.1	10.6	0.0	26.6	26.6	0.0	3.0	-11.3
West Kent	84.8	67.3	20.6	21.8	-5.1	24.4	20.4	16.4	7.0	-12.3
Disability	42.1	38.1	9.5	2.0	4.8	13.0	9.0	30.8	0.0	30.8
Total	375.7	318.8	15.1	53.9	0.8	98.5	83.5	15.2	15.0	0.0
Ashford	26.0	25.1	3.5	4.0	-11.9	7.0	7.0	0.0	0.0	0.0
Canterbury	33.4	33.2	0.6	2.0	-5.4	8.0	6.0	25.0	1.0	12.5
Dartford	19.6	16.6	15.3	8.0	-25.5	6.0	3.0	50.0	3.0	0.0
Dover	29.9	24.0	19.7	3.0	9.7	8.0	9.0	-12.5	1.0	-25.0
Gravesham	22.2	16.0	27.9	7.0	-3.6	6.6	4.6	30.3	3.0	-15.2
Maidstone	27.1	22.0	18.8	4.6	1.8	7.0	7.0	0.0	1.0	-14.3
Sevenoaks	22.0	14.4	34.5	3.0	20.9	5.8	6.8	-17.2	0.0	-17.2
Shepway	28.3	24.7	12.7	1.0	9.2	7.6	6.6	13.2	1.0	0.0
Swale	33.7	23.0	31.8	8.5	6.5	7.0	5.0	28.6	1.0	14.3
Thanet	46.4	38.4	17.2	6.0	4.3	11.5	7.5	34.8	2.0	17.4
Tonbridge & Malling	24.0	23.0	4.2	1.0	0.0	5.0	6.0	-20.0	1.0	-40.0
Tunbridge Wells	21.0	20.3	3.3	3.8	-14.8	6.0	6.0	0.0	1.0	-16.7
Sensory Services	5.0	4.0	20.0	0.0	20.0	1.0	1.0	0.0	0.0	0.0
Disability EK	21.0	20.0	4.8	0.0	4.8	6.0	5.0	16.7	0.0	16.7
Disability WK	16.1	14.1	12.4	2.0	0.0	6.0	3.0	50.0	0.0	50.0

Vacancy Level Caseholder 15.1% (0.8% including agency)

Vacancy Level Non Caseholder 15.2% (0.0% including agency)

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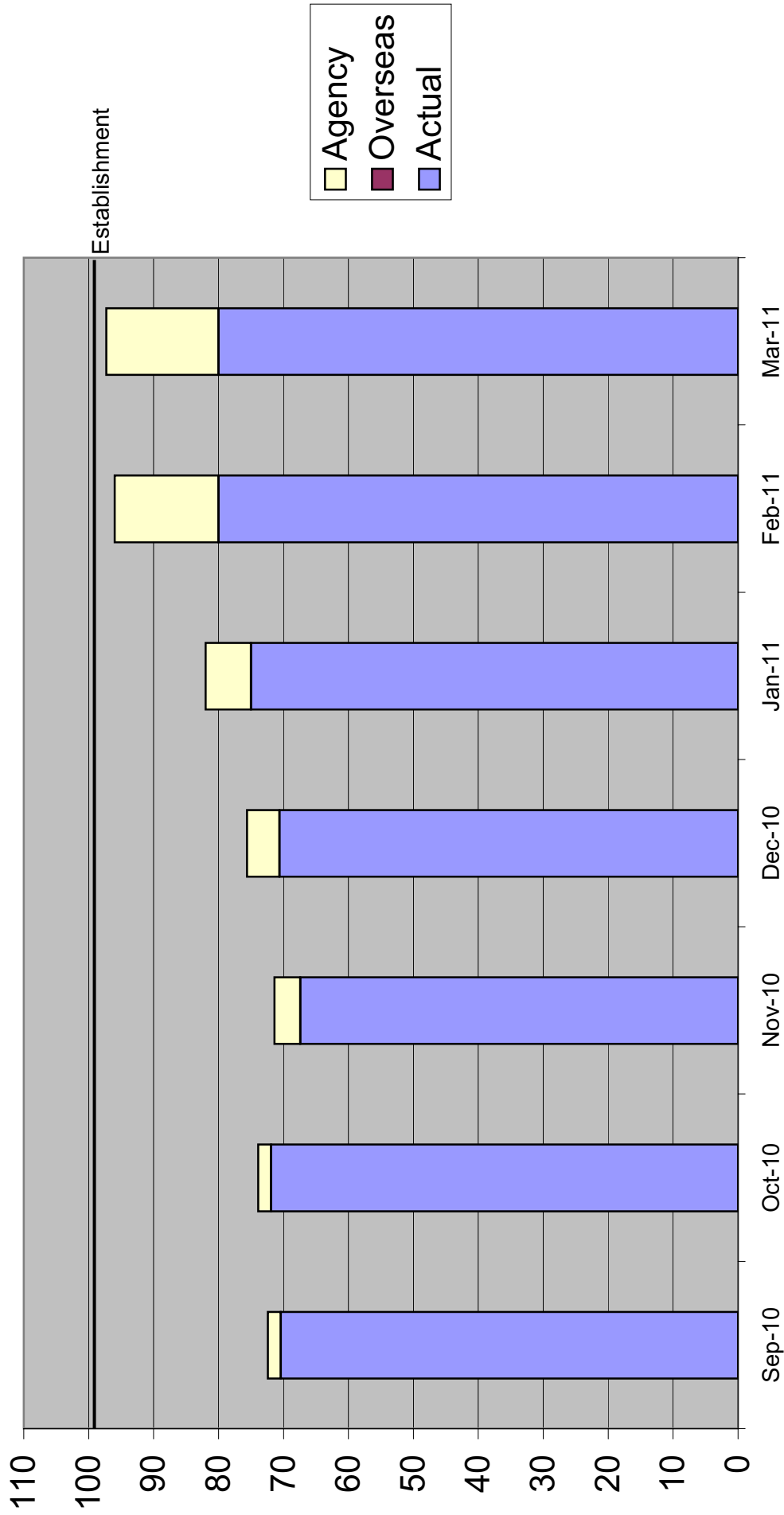
# Caseholder Staffing Levels



Caseholders Staffing Levels

Month	Actual	Overseas	Agency
Sep-10	275.7	41	23.5
Oct-10	274.6	41	33.5
Nov-10	273.6	41	34.3
Dec-10	272.7	41	29.9
Jan-11	237.3	68	47.5
Feb-11	222.5	68	53.5
Mar-11	225.2	92	55.3

# Non Caseholder Manager Levels



Month	Actual	Overseas	Agency
Sep-10	70.4	0	2
Oct-10	71.9	0	2
Nov-10	67.4	0	4
Dec-10	70.6	0	5
Jan-11	75	0	7
Feb-11	80	0	16
Mar-11	80	0	17.3

<b><u>Recruitment Plan 2011-13</u></b>			
	2011	2012	2013
<b><u>Social Workers</u></b>			
Newly Qualified Social Workers	45	30	27
UK External	45	15	10
Overseas	10	5	0
Returners	10	10	10
Open University/MA	0	0	13
<b><u>Non Case holders</u></b>			
UK External	16	5	5
Overseas	0	0	0
Internal	8	5	5

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Appendix 5

	Newly Qualified Social Workers	Extras	Experienced Social Workers	Extras	Senior Practitioner	Extras
<b>KCC</b>	Start on £26,422	TBD	£30,220 - £35,724 (KR10)	TBD	£35,725 - £41,112	TBD
<b>Bexley</b>	Start on £22,608	Front line childrens service roles & Adoption receive an extra 14% of basic pay, paid monthly All other roles receive an extra 10% of basic pay, paid monthly. Adults receive 8%	£27,225 - £28,032	Front line childrens service roles & Adoption receive an extra 14% of basic pay, paid monthly All other roles receive an extra 10% of basic pay, paid monthly. Adults receive 8%	£30,852 - £36,297	Choices Flexible Benefit scheme, £2163 pa, paid monthly. For lease car, cash or car allowance
<b>Medway</b>	Start on £27,849	Essential User allowance - up to 1000cc = £846 p/a, 1001 - 1200cc = £963 p/a, above 1200cc = £1239	£27,849 - <b>£36,313</b>	Essential User allowance - up to 1000cc = £846 p/a, 1001 - 1200cc = £963 p/a, above 1200cc = £1239	£31,754 - £40,741	Essential User allowance - up to 1000cc = £846 p/a, 1001 - 1200cc = £963 p/a, above 1200cc = £1239
<b>Bromley</b>	Start on £29,601 - £31,761	Retention package £1500 p/a. Golden hello £1000. Refer a friend £250 in vouchers	£30,987 - £35,418	Retention package £1500 p/a. Golden Hello £1000. Refer a friend £250 in vouchers	£33,510 - £39,789	Retention package £2000 p/a. Golden Hello £1000. Refer a friend £250 in vouchers.
<b>Surrey CC</b>	Start on £26,223	£1500 front line supplement £1500 market supplement £2,000 start up payment	up to <b>£38,126</b>	£1500 front line supplement £1500 market supplement £2,000 start up payment	up to £40,684	£1500 front line supplement £1500 market supplement £2,000 start up payment

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# New messages

• **Kent**  
**Is...**making you  
better at your  
job.

**Kent Is...**putting  
children first

**Kent Is...**getting  
back on track

**Kent Is...**getting it  
right for the future

**Kent Is...**passionate  
about Social Work

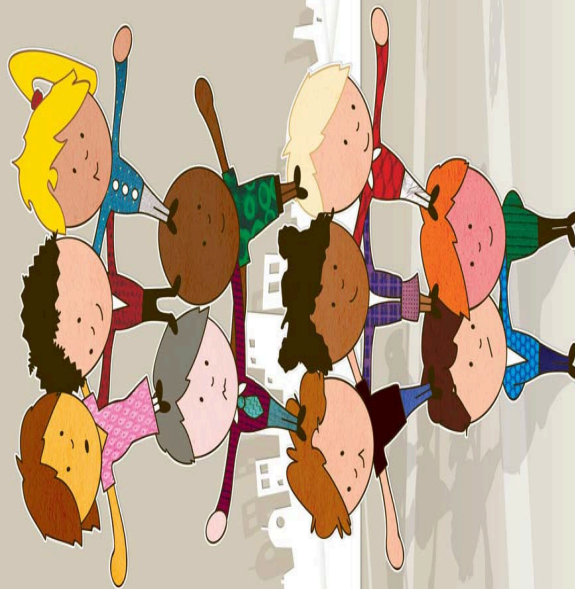
**Kent Is...**  
remembering why  
we do it

**Kent Is...**taking  
greater pride in  
social work

**Kent Is...** great  
people  
achieving great  
things

# Kent is.....

helping great people  
achieve great things.



**Social Workers - Children and Families**  
It can be tough. That's why we do our utmost to recruit our social workers by offering first class training and development opportunities so they're never left standing still. Last year alone, we invested heavily in programmes to help our social workers become better at their jobs. That's on top of a programme of specialist support that means we're always up to date with the latest research and best practice. If you're looking for a challenging and rewarding career, we'd expect to be listed as an integral part of a hard-working service, then Kent is the place to be. **Find out more at [www.kent.gov.uk](http://www.kent.gov.uk)**

 tmp.worldwide  
WE'RE ALL YOURS

**RECRUITMENT CAMPAIGN RESULTS**

**Weekly dashboard summary from TMP**

This report shows the performance of the Principal Social Workers online Campaign to 20th April 2011. The campaign has generated 4,821 tracked visitors to the Children's Social Care Pages on the Kent Website, this is a week on week increase of 20.8%, The Guardian has seen the largest increase in the number of visitors generated by its advertising over the last 7 days with a 34.7% increase. Community Care has seen the smallest increase in the number of visitors generated with a 14.2% increase.

The keyword advertising on Google has generated the majority of the campaign traffic accounting for 59.4% of the total visitors. Currently it is also the most cost effective with a cost per visitor of £0.61

The results now include applications submitted, over the last 7 days there have been 22 applications submitted by visitors from this advertising campaign, 50% of these applications were from visitors who originated from an advert on the Guardian.

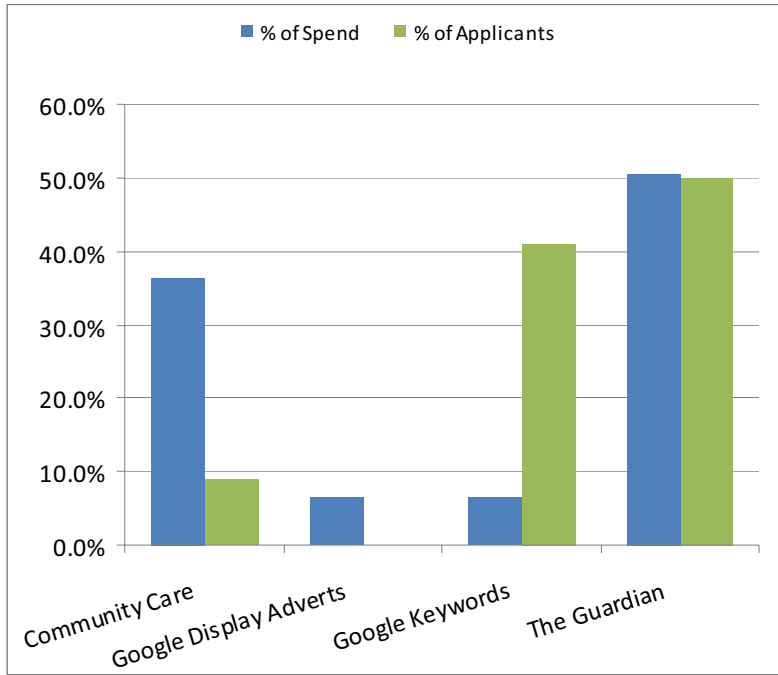
At this point in the campaign the advert to deliver the greatest response in terms of tracked applications are the location based keywords on Google, as can be seen in the table above these adverts account for 36.4% of the tracked applications.

As this campaign is at the end of its seventh week, we have the number job seekers arriving at the careers site increase by 22.1%, this campaign is to run for another 5 weeks and over this period we should see continuous improvements in the campaign performance as it progresses.

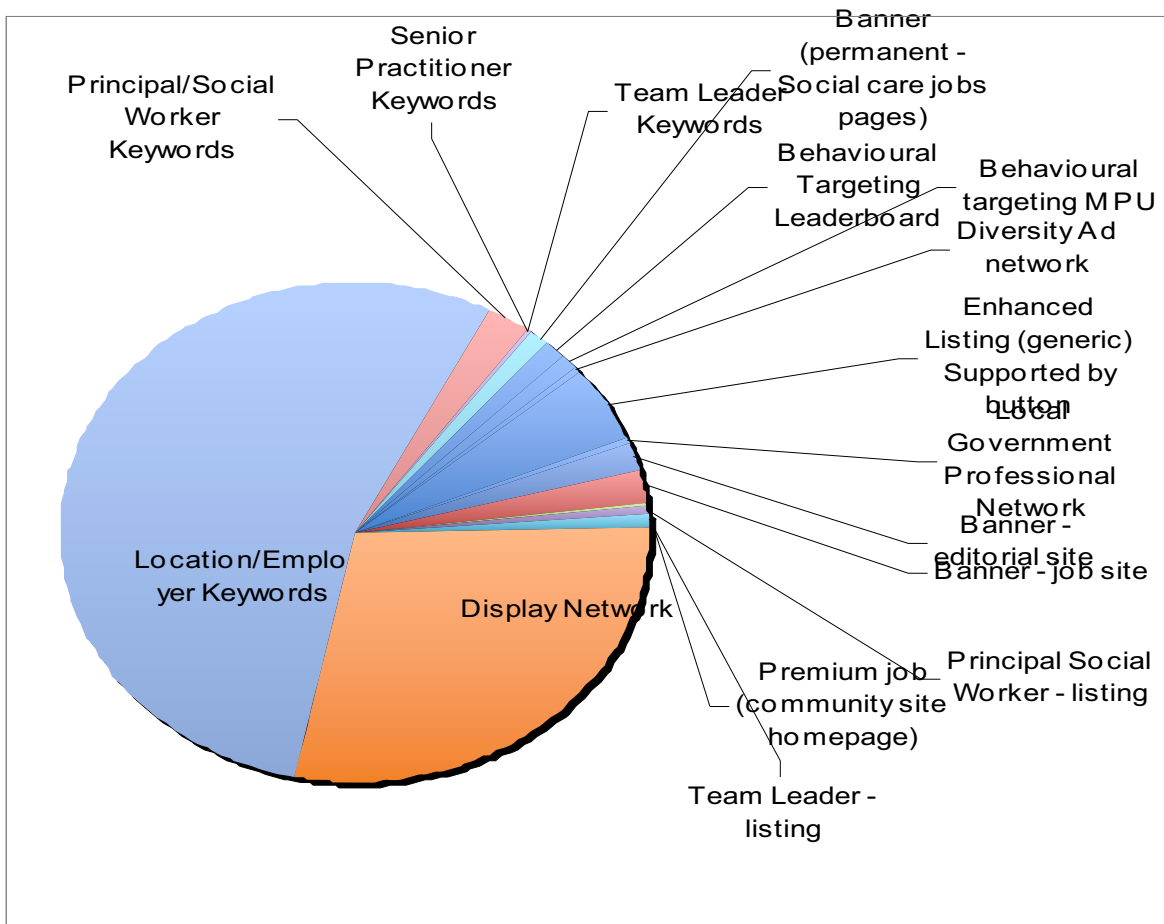
The Team Leader listing on Community Care has not generated any responses over the last 7 weeks and we will be addressing this with them.

The costs shown below are based on the total media spend for this campaign apportioned across the duration of the campaign, by doing this you will have a more realistic view on how the campaign is performing against its spend. After the seventh week of advertising the campaign cost per click has reduced by 3.3% to £3.76 and the cost per visitor has reduced by 4.3% to £5.51, as the campaign progresses the media spend will increase and the return on investment costs will change according to how the sites have performed that week.

### Media Spend vs. Applications Submitted



### Responses generated by Advert



**Proposals for Social Worker Pay**

Impact Review

1. Market Premium Payments

- a) New qualified social workers appointed 1/07/11 will receive £26,422 pa plus one-off £2000 Golden Hello.  
When they can demonstrate, after their probationary period, that they can manage a full caseload, they will receive Market Premium of £3000
- b) Experienced social workers on KR9 currently on £26,422 to £30,219, will receive £3000 pa market premium increase from 1/07/11.
- c) New experienced social workers will receive salary in range £26,422 - £30,219 plus £3000 MP payments.
- d) Social workers currently in KR9 moving into KR10 will also get £3000 pa market premium on top of £30,219 – £35,724 salary.
- e) New social workers will get the same if appointed to KR10.
- f) Current Senior Practitioners will get £2000 pa supplement from 1/7/11 on top of salary in range £35,725 - £41,112.
- g) New senior Practitioners will get the same.
- h) Current Principal Social Workers will get £2000 supplement from 1/07/11 on top of salary range £35,725 - £43,357.
- i) New Principal Social Workers will get the same.

2. Differentials in KR9

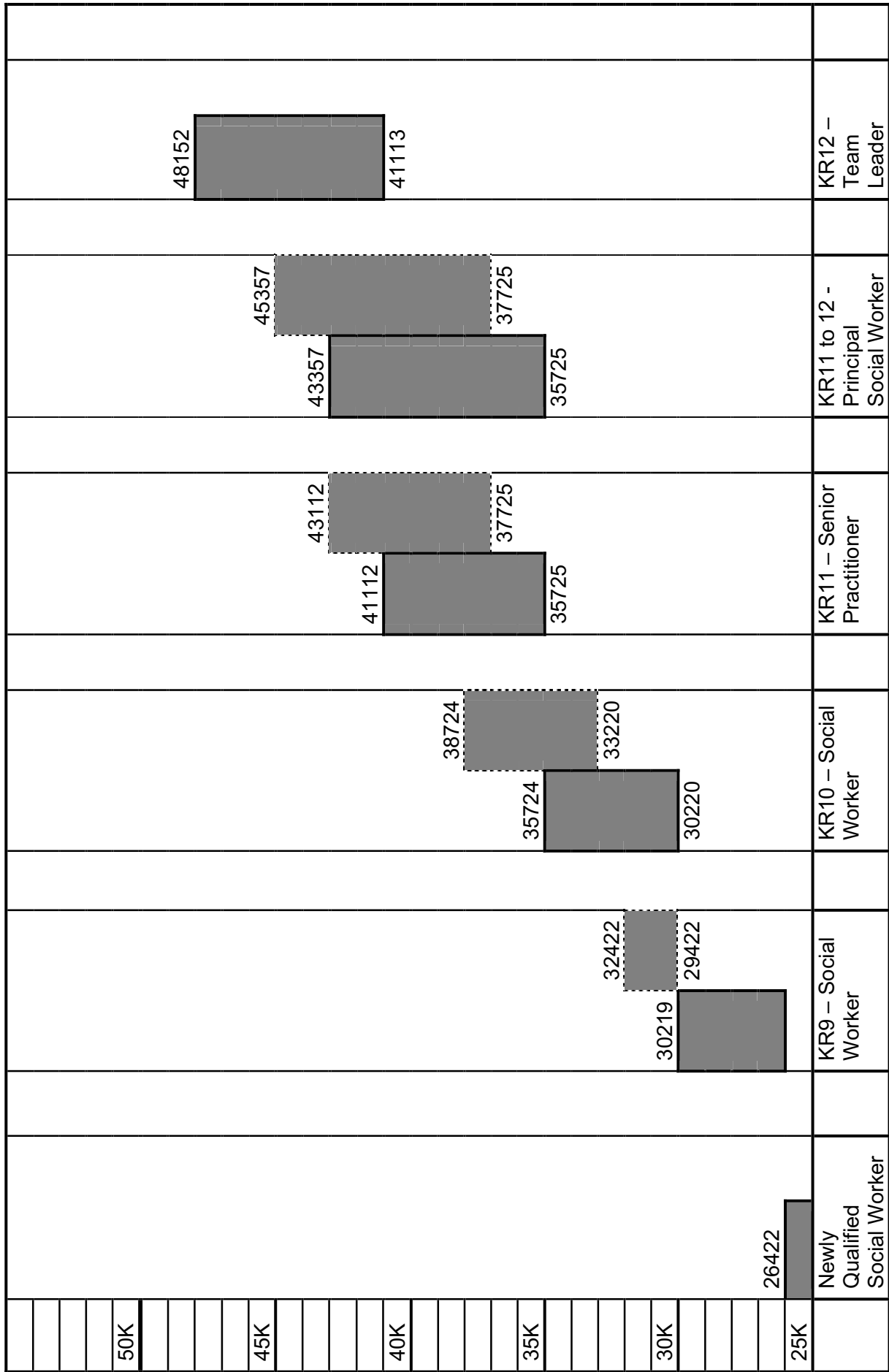
A separate possible issue has arisen, with concern expressed by social workers on KR9 who have between three and six years experience who are now paid the same as (or not much more than) NQSWs because we have increased our minimum NQSW rate.

We propose to increase the salaries of all these 248 staff by up to 2.5% maximum because any more would take KR9 staff into the KR10 salary range.

3. Conclusion

- The effects of the Market Premium payments are manageable because they will apply the same to everyone.
- The 'differential' concern will be addressed to an extent by giving the experienced staff the £3000 premium payment, but in one year's time this differential will disappear because this year's NQSW's will also get the £3000 Market Premium payment.
- There are 307 staff on KR9, 248 of whom will receive a 2.5% uplift at a cost of around £160,000 pa.

**IMPACT OF SOCIAL WORKER SALARY CHANGES**



Salary Range inc. Market Premium

Current Salary Range



**Original Recommendations arising from the meeting of Cabinet Scrutiny  
Committee on 8 December 2010**

**Inspection of Safeguarding and Looked After Children Services (8  
December 2010)**

Cabinet portfolio: Mrs J Whittle

Synopsis: This report to Cabinet summarised the outcome of the Ofsted  
Inspection of Safeguarding and Looked After Children Services in Kent

Reason for call-in: Members wanted more information on the Inspection of  
Safeguarding and Looked After Children Services, including why the risk of  
the judgement had not been identified earlier.

Recommendations and responses:

**3. Welcome the assurances given by the Leader of the Council, the  
Cabinet Member for Children, Families and Education and the  
Managing Director, Children Families and Education that the points  
made during the discussion at Cabinet Scrutiny Committee will be  
included as part of the recovery plan. These are as follows:**

- a. that a review of the governance arrangements relating to safeguarding would be carried out, including the future role of the Policy Overview and Scrutiny Committees and the Children's Champion Board.
- b. that the current reward policy for front line social workers be reviewed, to ensure the right staff are recruited and retained within the authority.
- c. that a rota between working within Safeguarding and with Looked After Children be considered, to reduce staff 'burn-out'
- d. that concerns around the caseload and training levels of staff are examined
- e. that the previous culture of silence from social workers is examined to ascertain why it had become ingrained within the organisation, and to avoid this happening again
- f. that the use of the Integrated Children's System is reviewed to ensure it is fit for purpose and being used as effectively as possible
- g. that the Council work more closely with the Courts to help reduce the amount of experienced social workers' time depleted through lengthy proceedings
- h. to explore ways in which Members can be involved in Serious Case Reviews, if necessary with bespoke Member training for this purpose
- i. that all Members who serve on the relevant Overview and Scrutiny bodies should be strongly encouraged to be more robust and challenging in performing their role to hold decision-makers to account for their actions,

**including being better prepared with searching questions prior to the meeting, and that opportunities for specific training on scrutiny questioning techniques should be taken up.**

- j. that the need for a 'triage' system be highlighted, in order to effectively prioritise referrals**

*Responses a to j (apart from action i which is an action for the party whips) are being considered for inclusion in the recovery plan. An updated recovery plan will be circulated to the Cabinet Scrutiny Committee on 19th January.*

Date of response: 17 December 2010  
January 2011

Date actioned: 11

*The Kent Safeguarding and Looked After Children Improvement Plan will be going to Cabinet on 4 April and a copy will be supplied to Cabinet Scrutiny following this, as promised in January. The plan is going through approval at present. The report will be added to the Corporate POSC agenda following Cabinet*

Date of response: 3 March 2011

Date actioned: TBC

**4. Ask the Leader of the Council that the outcome of the meeting with the Minister to discuss safeguarding and looked after children services in Kent be reported back to the Cabinet Scrutiny Committee.**

**5. Ask the Cabinet Member to ensure that the outcomes of the review into the circumstances surrounding the judgement be reported back to the Cabinet Scrutiny Committee, given the seriousness of the subject.**

**6. Ask the Cabinet Member to provide a report on the actual number of social worker posts and historical data on the number of vacancies within the Children, Families and Education Directorate since April 2009.**

**7. Ask the Cabinet Member to provide a report on the number of safeguarding referrals to the Children, Families and Education Directorate from different agencies since April 2009.**

*A report will be produced for Cabinet Scrutiny on 19th January encompassing responses 4 to 7. The author of this report is Helen Davies/Victoria Widden.*

Date of response: 17 December 2010  
January 2011

Date actioned: 11

Notes:

19.01.11 - At the meeting of the Cabinet Scrutiny Committee, it was explained that the Committee had been promised a copy of the County Council's improvement plan. Since this was not due to be finalised until the end of January, the Chairman suggested that the Committee would not pursue the item further until the improvement plan had been produced.

03.03.11 - The Kent Safeguarding and Looked After Children Improvement Plan will be going to Cabinet on 4 April and a copy will be supplied to Cabinet Scrutiny following this, as promised in January. The plan is going through approval at present. The report will be added to the Corporate POSC agenda following Cabinet

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**By: Peter Sass: Head of Democratic Services**  
**To: Cabinet Scrutiny Committee – 1 June 2011**  
**Subject: Revenue & Capital Budget Monitoring Exception Report 2010-11**

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## **Background**

(1) The single aspect of this report that Members wish to examine is the proposed contribution of £500k from the Youth Service to a new earmarked reserve. Members are concerned about the governance rules on youth centre income and the effect of the creation of the reserve on KCC's plans to pump-prime Big Society initiatives.

### **Contribution of £500k from the Youth Service to a new earmarked reserve**

(1) Paragraph 2.9.2 of the Cabinet Report, which sets out the detail around this move, is reproduced below:

Youth Service: although the underspend on this service has increased by only a modest £0.007m since the last report, there has been significant offsetting movements. The Youth Centres have to achieve a certain level of income generation in order to meet the full running costs (including premises, service delivery and equipment hire) of their respective buildings and an excess of just under £0.500m has been accumulated through room hire and sales, fees and charges. It is proposed that these sums are aggregated and a contribution is made to a new earmarked reserve that will enable the service to assess and build capacity in the voluntary sector, to pilot some commissioned services over the next two years in line with their aim of creating a predominately commissioned model of service delivery, which will involve a significant increase in the delivery of youth work through the Community and Voluntary Sector. This is in advance of the project plan profile contained in the MTFP. The reserve will also be used to conduct some needs analysis and engage with members of the public and partner agencies.

## **Guests**

(1) Mr M Hill, Cabinet Member, Customer and Communities, Ms A Slaven, Director of Service Improvement and Mr J Turner, Assistant Head of Youth Service have been invited to attend the meeting between 11.45am and 12.15pm to answer Members' questions on this item.

## **Options for the Cabinet Scrutiny Committee**

(1) The Cabinet Scrutiny Committee may:

(a) make no comments

(b) express comments but not require reconsideration of the decision

(c) require implementation of the decision to be postponed pending reconsideration of the matter in the light of the Committee's comments by whoever took the decision or

(d) require implementation of the decision to be postponed pending consideration of the matter by the full Council.

*Background documents: Revenue & Capital Budget Monitoring Exception Report 2010-11, Report to Cabinet 23 May 2011*

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**Contact:** Adam Webb      Tel: 01622 694764

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**By:** Peter Sass: Head of Democratic Services  
**To:** Cabinet Scrutiny Committee – 1 June 2011  
**Subject:** Appointment of 'Preferred Bidder' on new Kent Highway Services Contract

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*This item is provisional dependent on discussions that are due to take place between the Conservative Spokesperson, the Cabinet Member, Environment, Highways and Waste and the Director of Highways. The item will be withdrawn should the concerns of the Conservative Spokesperson be resolved in the course of those discussions.*

### **Background**

(1) Members wish to examine whether the cost of the contract is sustainable if quality is to be maintained

### **Guests**

(1) Mr D Brazier, Deputy Cabinet Member, Environment, Highways and Waste, Mr M Austerberry, Corporate Director, Enterprise and Environment and Mr J Burr, Director of Kent Highways have been invited to attend the meeting between 12.15pm and 12.45pm to answer Member's questions on this item.

### **Options for the Cabinet Scrutiny Committee**

(1) The Cabinet Scrutiny Committee may:

(a) make no comments

(b) express comments but not require reconsideration of the decision

(c) require implementation of the decision to be postponed pending reconsideration of the matter in the light of the Committee's comments by whoever took the decision or

(d) require implementation of the decision to be postponed pending consideration of the matter by the full Council.

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**Contact:** Adam Webb      Tel: 01622 694764

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**By:** Bryan Sweetland, Cabinet Member for Environment, Highways and Waste

Mike Austerberry, Corporate Director, Enterprise and Environment

John Burr, Director of Kent Highway Services

**To:** Cabinet – 23 May 2011.

**Subject:** Appointment of 'Preferred Bidder' on new Kent Highway Services Contract

**Classification:**

### **Summary**

**Over the last 13 months Kent Highway Services, supported by corporate procurement and key Members, have been engaged in a national search for a new, high quality, good value, highway contractor.**

**The key objectives for this procurement have been:-**

**To improve quality of work - by placing the risk with the contractor**

**To improve value for money - by procuring from a competitive market, placing performance risk with the contractor, reducing costs year on year to ensure ongoing value for money**

**Ensuring complete procurement flexibility through the life of the new contract**

**Ensuring a service provision that delivers against Bold Steps for Kent, Growth without Gridlock and other key KCC objectives and initiatives.**

**This report provides an overview of the extensive and robust process that has been undertaken and seeks the Cabinet's support in approving Enterprise as KHS' 'Preferred Bidder' and that the Corporate Director of Enterprise and Environment and the Director of Governance & Law be authorised on behalf of the County Council to enter into the contract with the 'Preferred Bidder'.**

### **Existing Service**

**1.0** Kent Highway Services provides highway services to the residents, businesses and visitors of Kent. It currently consists of 4 main parties:-

- KCC Highways (the client and statutory responsible authority)
- Ringway (Term maintenance contract) – contract ends 31<sup>st</sup> August 2011
- Jacobs (highway design)

- Telent (traffic signals & intelligent transport systems) – an extension to 31<sup>st</sup> March 2016 has been negotiated and agreed. The revenue savings to KCC as a direct result of these negotiations are in the region of 20%. NB. *These savings have been included in the current and future years budgets.*

**1.1** Other stakeholders are involved in service provision, such as KCC Commercial Services, district councils, an annually tendered machine surfacing contract and a variety of small local companies. Separate cost reduction exercises are currently being undertaken for these and all other suppliers.

**1.2** This report is aimed specifically at seeking approval for the **replacement for the Term Maintenance Contract.**

### **The current term maintenance contract**

**2.0** The current contract started on 3<sup>rd</sup> July 2006. It was regarded as an innovative contract and was designed to remove incentives for the contractor to cut corners, whilst limiting profitability but providing a framework for all to celebrate success together.

**2.1** The key features of the contract were:-

- Based extensively around partnership working
- A 'true' cost plus payment mechanism
- Depots provided to contractor at £0 cost
- Achievement of jointly owned performance indicators which could have led to an additional performance payment
- No penalties (financial pain) for poor performance
- Possible contract extensions until 31st March 2016

**2.2** This contract has had an annual turnover of £66m (averaged since its commencement) and covers the majority of all highway maintenance and improvement services.

**2.3** The scope of service included:-

- Routine Maintenance, i.e. carriageway, footway, structure repairs;
- Winter Service;
- Emergency and Out of Hours Response;
- Drainage, Gully Emptying and Repairs;
- Signs, Lines and Barriers Maintenance;
- Highway Improvement Schemes (small to medium in size);
- Street lighting routine maintenance, replacement of asset and emergency response;
- Annual programmed resurfacing, highway surface treatment and smaller patching / small resurfacing works (annual programmed resurfacing removed post 2009)

## 2.4 The main exclusions being:-

- Carriageway machine surfacing (post 2009), approx. £5m pa – tendered on a separate annual contract.
- Major new build capital projects – these are externally tendered on a scheme by scheme basis.
- Soft landscape – this is undertaken by a combination of district councils, KCC Commercial Services and small local companies.
- Find and fix patching – undertaken in the last 2 years by SMEs.

## **Why change the contract**

3.0 Whilst the theory of a partnering cost plus works contract appeared attractive six years ago, it has not delivered the necessary value for money, quality, responsiveness or strategic vision that was intended.

3.1 Since early 2010, the Corporate Director of Enterprise & Environment has chaired a Highways Strategic Procurement Board, to agree the best way forward and to oversee delivery of the required outcomes. The Board has been attended by the Cabinet Member, Director of Highways, Interim Director of Procurement and other service key officers. The areas for improvement from the existing contract were:-

- Performance/productivity risk
- Quality risk
- Payment mechanism
- Measuring actual performance
- Clarity of responsibility and accountability
- Costs/performance to be benchmarked with other highway authorities
- Cost estimating, control and certainty
- Administrative burden.

3.3 It was clear that a significant change was needed, and that it was needed as a matter of urgency. Other factors that supported this view were:-

- The current construction market was depressed and rates had fallen significantly due to the increased competitiveness.
- New forms of contract and procurement process (eg. Competitive Dialogue) were available that had not been considered when the original contract was let.
- The option of changing the scope of the contract should be considered from one contractor to a greater number.
- The limitations of the existing contract form were better understood and the limited opportunities to revise them were not considered substantive enough.
- A new, more knowledgeable and focused KHS senior management team was in place under the new Director, John Burr. There was a real desire for a significant step change in performance and value.

- 3.4** To undertake such an extensive exercise in 18 months would indeed be a significant challenge. This timescale was, however, non-negotiable due to the constraint imposed by the provision of winter service, needing to avoid starting a new contract during the mid winter maintenance season.

### **Procurement options**

- 4.0** Several options were considered at the start of the procurement process, and others were discussed and selected during the process. The decisions made prior to procurement were:-

- The existing contract would expire on 31st August 2011 and a new contract would be let to start on 1st September 2011.
- A Competitive Dialogue process would be used. This allowed KCC to 'challenge' the market to provide improved solutions to some of KCC ideas and current/future challenges.
- A cost plus payment mechanism would not be used.

- 4.1** Decisions to be made during the dialogue process were:-

- Duration of the contract/possible extensions
- Payment mechanism
- Contractor incentives/penalties
- Scope of contract
- Use and payment of KCC owned depots
- KCC's option to procure outside of this contract (i.e. use of SMEs)
- Ownership of recycling process
- Areas of overlap, where would they best sit (i.e. with KCC or with the contractor)
- Performance management measures and targets

### **Process used**

- 5.0** It was decided to go to the market for expressions of interest and from that list the 6 most appropriate companies were selected to engage in discussions. At this stage the current contractor was eliminated from the process on appraisal of their submission.

- 5.2** These 6 shortlisted companies: Atkins, Balfour Beatty, Carillion, Colas, Enterprise and May Gurney, were then invited to dialogue days where KCC officers and Members (Mr Manning, Mrs Tweed, Mr Prater, Mr Cubitt and Mr Chard; Mr Christie was also invited but was unable to attend) explored with each bidder the most appropriate solution to fulfil KHS's future vision. At two stages, these bidders were required to submit written proposals that were then assessed and those companies with the lowest marks were removed from the process. At each stage KHS selected positive proposals, in essence to 'cherry pick' the best ideas. These were built into the final document of KCC's requirements that was priced by the final 3 shortlisted companies.

- 5.3** As well as scoring their written submissions/proposals, each of the final 3 bidders had to open up their service to scrutiny with two of their existing clients so that KCC staff could experience their actual performance and operation, and discuss each company with their existing clients.
- 5.4** As well as these 'sanity check' visits, each of the final 3 bidders was asked to give a 30 minute presentation to a panel of senior KCC officers and four Members (Mr Sweetland, Mr Manning, Mr Hirst and Mr Robertson; Mr Christie was also invited but was unable to attend). The presenters were the Management Team that would run the KCC contract if they were successful. The presentation was followed by one hour of 'robust' questioning from the panel and each company was then scored. These scores were added to their separate scores for their priced document and their quality document.

### **Decisions made and derived benefits**

**6.0** Each decision made, no matter at what stage, had a specific targeted outcome or improvement.

Decisions (and derived benefits) during the dialogue process were:-

#### **6.1 Payment mechanism**

**Existing** - Cost plus.

**New** - Traditional schedule of rates.

**Benefits** - Easy to understand, administer and audit. Provides cost certainty and increased levels of client cost control. It also ensures that the risk for productivity and quality sits firmly with the contractor, unlike at present.

#### **6.2 Contractor incentives/penalties**

**Existing** - granting of possible contract extensions, target costing mechanism to share possible savings, achievement of partnership targets leads to a small performance bonus. There are no specific penalties for underperformance other than refusal to grant further extensions, there are also no links between profit and efficiency/productivity **NB**. *No performance bonus has ever been paid due to missed targets.*

**New** - granting of future years extensions for good performance, previously granted extensions can be withdrawn, contractor's 3% profit offset each month 'gambled' against achieving mutual performance objectives, contract can be terminated for any reason by KCC giving 12 weeks notice, works can be procured outside of this contract if desired by KCC.

**6.3 Benefits** - The new contract employs both the 'carrot and the stick', both in financial terms and contract duration terms. The sole purpose is to ensure that the contractor delivers a good service and continues to improve it on an ongoing basis. The more efficient the contractor is, the greater their financial return.

#### **6.4 Ongoing value for money**

**Existing** - Contractor's actual costs are reimbursed and KCC therefore pays what it costs the contractor. This is irrespective of levels of productivity, quality or contractor's cost control efficiency

**New** - each year the contractor is only awarded a set percentage (75%) of the inflation indices (compound year on year saving), KCC has the option to procure services outside of this contract if ongoing value can not be proved, easy to benchmark value against other highway authorities. Annual performance targets will be increased for contractor to achieve return of 3%

**Benefits** - a year on year financial compound saving, services can be procured outside the contract and value can therefore be benchmarked due to standard payment mechanism, contractor's performance must improve year on year if they are to recover their 3% profit from KCC (KCC retain profit if targets are not met).

#### **6.5 Quantity of 'directly' employed staff**

**Existing** - There is no current stipulation.

**New** - A minimum of 60% of employees engaged in providing these services must be directly employed by the contractor.

**Benefits** - Directly employed staff have a greater sense of ownership and accountability for the service they deliver, they are more likely to give a longer term commitment and as a result more likely to live in Kent. This requirement also reduces the amount of work that will be subcontracted thus avoiding unnecessary fee on fee situations.

#### **6.6 Scope of contract**

**Existing** - All highway maintenance, improvements and construction works with the exception of Major capital schemes & soft landscape, machine surfacing and find & fix has recently been undertaken outside of the contract.

**New** - similar to current, however machine surfacing is now formally excluded. KCC can now arrange for any works to be procured outside of this contract. KCC can also ask the contractor to undertake the design rather than just the construction (design & build).

**Benefits** - By letting one contract we ensure maximum buying power and value, it allows a greater amount of risk to be placed with the contractor and greatly improves works coordination and cooperation. By excluding machine surfacing the works will not be subcontracted and thus we avoid a fee on fee situation. KCC will now have a much greater procurement flexibility, thereby taking advantage of the most economic route and to support SMEs.

#### **6.7 Use of and payment for KCC owned depots**

**Existing** - the contractor has free use of the KCC and HA depots.

**New** - The contractor will use the existing KCC depots and pay rent to KCC at commercial rates.

**Benefits** - This ensures that the contractor will have a good coverage of the county and can respond to incidents in the appropriate time. It will be possible to benchmark contractor's rates on a like for like basis with other contractors, thus influencing our future procurement routes. KCC will not run the risk of 'subsidising' the contract should they undertake works for other clients

## 6.8 Recycling process

**Existing** - Waste and its recycling is undertaken by the existing contractor but is on the instruction and risk of KCC.

**New** - the contractor will be given responsibility for recycling/reusing all spoil.

**Benefits** - The contractor is financially incentivised to make maximum use of all excavated and waste materials, performance risk sits with the contractor.

## 6.9 Performance management measures and targets

**Existing** - A selection of OPIs are measured, these are mainly of a traditional output type.

**New** - These will be a combination of output and outcome targets and will be revised each year to make them more challenging.

**Benefits** - The contractor will share KCC's own measures of success and will be incentivised to achieve them. Success is celebrated together and continuous improvement becomes the norm.

## 6.10 Support KCC's apprenticeship scheme

**Existing** - There is no current link.

**New** - A minimum of 3% of the employees involved in delivering the services shall be delivered by an employee on a formal apprenticeship programme.

**Benefits** – Increased use and development of talent and skills.

## 6.11 Duration of the contract

**Existing** - 5 years, extendable to a maximum of 10 years

**New** - 5 year, extendable to a maximum of 10 years

**Benefits** - The duration is long enough to allow the contractor the opportunity to recover capital invested, but short enough for the contractor to know that end (without an agreed extension) is not very far away, and thus keep motivated to perform to a good standard. This duration is very much the industry standard.

## 6.12 Eligibility for extensions

**Existing** - at discretion of KCC. Extensions can be added.

**New** - at the discretion of the KCC, however extensions can be removed as well as added.

**Benefits** - This provides the incentive for the contractor to perform consistently. The client maintains full flexibility on whether to grant an extension, previously granted extensions can be removed for poor levels of service.

**Balance/ownerships of risks**

7.0 The decisions detailed above have a significant impact on the transfer of risk when compared to the existing cost plus arrangement. These are :-

<b>Risk</b>	<b>Owner under new contract</b>	<b>Under Existing contract</b>
Quality of work	Contractor	KCC
Productivity	Contractor	KCC
Profitability	Contractor	KCC
Workload/turnover	Contractor	KCC
Resource availability/suitability	Contractor	KCC
Reputation	Contractor & KCC	KCC
Accident claims	Part contractor, part KCC	KCC
Deliver to time/budget	Contractor	KCC
Inflation	Part contractor, part KCC	KCC

7.1 Risks are best placed where they can be best managed. They are useful in that they often provide incentive/reward if managed appropriately, failure to do so leads to some form of penalty (often financial or contractual).

7.2 By placing the key risks of quality and performance with the successful bidder (i.e. KCC will only pay for good quality works that meet its requirements), KCC is confident that substantial cost savings will be achieved and KCC's reputation for highway works will improve.

**Assessment of the final 3 bidders (the result)**

8.0 A 13 month, extensive and robust process was used. Corporate Procurement and a selection of senior Members, in addition to key EH&W and KHS staff were also used. This involvement allowed the process, at all stages, to remain focused on the paramount issues, namely improving quality at a better price, both now and in the future.



- 8.1** The 4 evaluation criteria (approach to service delivery, Legal and commercial, Social and price) were assessed by separate groups and were not shared until all 4 areas had delivered their scores.
- 8.2** **The lead bidder is 'Enterprise'**, with May Gurney and Colas coming joint second. More details are set out in the attached appendix.
- 8.3** **Financial benefits to KHS/KCC.** The current assessment of the lead bidder's prices confirms that they are both extremely competitive *and* sustainable.
- 8.4** Savings from this procurement exercise were included in the MTFP and indications are that this commitment will be met.

### **The next stages**

- 9.0** Whilst the important stage of lead bidder has now been reached, this does not signify the end of the procurement process. There is still a month or so of intensive work to be undertaken to get the contract to a point where it can be signed. There will be frequent meetings with lead bidder (who will become the preferred bidder subject to the decision of Cabinet today) to discuss a variety of outstanding matters, such as:-
- The mobilisation and demobilisation plan – this is vital to ensure a seamless handover from the existing service contractor to the lead bidder on 1st September. A mobilisation duration of 6 months is normally ideal; we believe we can do it in 3–4 months. This must be achieved due to the winter maintenance requirements
  - Resolve any/all small anomalies from within the bid and supporting documentation
  - Agree a joint training plan and performance targets
  - Formalise other agreements, such as depot leases, etc
- 9.1** All of this, once achieved, will allow 'stand still letters' to be issued to the unsuccessful bidders and notification to be given to the preferred bidder of the intention to award them the contract. Only after the standstill period has elapsed can KCC formally enter into the contract with the preferred bidder.

### **The legal implication**

- 10.0** The process for procuring the new contract has been delivered in accordance with Regulation 18 of the Public Contracts Regulations 2006 (as amended). The Council's Legal and Procurement departments have acted as advisors on the process and to date it has been sufficiently robust and transparent and the

Council does not expect any legal challenges when appointing the lead bidder.

- 10.1** If the procurement recommendation were not to be accepted, the process may need to be restarted in its entirety and the current contract would need to be extended (assuming agreement can be reached) by 12–18 months to allow for this.

## **Conclusion**

- 11.0** To reach this stage, the County Council has undertaken a rigorous tendering exercise in accordance with the necessary procurement procedures. Following a robust evaluation of the submitted tenders the clear conclusion is that “Enterprise” has the necessary resources and skills to satisfactorily deliver the terms of the contract and is therefore the recommended Preferred Bidder.

- 12.0** Background Documents - None

## **RECOMMENDATION**

**1. Cabinet is invited to confirm:**

- that Enterprise be appointed the ‘Preferred Bidder’ for the provision of the new Kent Highway Services Contract to Kent County Council as described in this report
- Subject to them being satisfied to the detailed terms and conditions, the Corporate Director for Enterprise and Environment and the Director of Governance & Law be authorised on behalf of the County Council to enter into a contract with the ‘Preferred Bidder’.

### **Contact Officers**

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## Enterprise

Address: Enterprise, Lancaster House,  
Centurion Way, Leyland, Lancashire.  
PR26 6TX

Size of Company		
Year	Turnover	
	Enterprise Group	Enterprise (AOL)
<b>2009</b>	£1060m	£186m
<b>2008</b>	£1090m	£181m
<b>2007</b>	£709.70	£264m
<b>Forecast turnover</b>	1300m	£170m

Employees under payroll engaged in the specific type of work required to perform this Contract:

<b>Management</b>	103
<b>Professional/Tech</b>	83
<b>Admin/Clerical</b>	59
<b>Other</b>	1747
<b>Total</b>	1992

## Background

Enterprise is a provider employing over 10,000 people across 170 sites, operating across three key market sectors which include Local government, Central government and Utilities services

Wide range of frontline infrastructure maintenance services, including:

Communications

Emergency Response and Contact Centre

Mechanical & Engineering works

Telecoms

Environmental management

Power distribution

Streetscene

Property Maintenance

Street lighting

Gas

Station Maintenance

Water

Highways Maintenance

High voltage cables

Performance improvement support

Refuse collection

Underground

Drainage

Social and Government Housing Maintenance

Grounds and Parks

Sub-station engineering and Design

Current Contracts	
<b>County Councils</b>	Staffordshire
	Shropshire
	London Streets
<b>Other</b>	Liverpool
	Cheshire West
	Wolverhampton
	THA Area 1 MAC
	THA Area 3 MAC
	THA Area 13 MAC
	Transport for



	London
	Harrow
	Hillingdon
	Sutton