

## KENT COUNTY COUNCIL

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### CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 10 January 2011.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mrs S V Hohler, Mr A J King, MBE, Mr K G Lynes, Mr R A Marsh and Mr J D Simmonds

IN ATTENDANCE: Ms K Kerswell (Group Managing Director), Mr D Cockburn (Executive Director, Strategy, Economic Development & ICT), Ms A Honey (Managing Director Communities), Mr O Mills (Managing Director - Adult Social Services), Ms R Turner (Managing Director Children, Families and Education), Mr A Wood (Acting Director of Finance), Ms M Peachey (Kent Director Of Public Health), Mr J Burr (Director of Kent Highway Services) and Mr G Mills (Democratic Services Manager (Executive))

### UNRESTRICTED ITEMS

#### **1. Minutes of the Meeting held on 29 November 2010**

*(Item 3)*

The minutes of the meeting held on 29 November 2010 were agreed as a true record and signed by the Chairman.

#### **2. Revenue & Capital Budget Monitoring Exception Report**

*(Item 4 - Report by Cabinet Member for Finance and Acting Director of Finance)*

(1) Mr Simmonds gave an update on the current position with both the Revenue and Capital budgets and highlighted the actions being taken within the revenue budget to ensure that the forecast under spend was achieved, since that was an essential contribution to next year's budget. There were recognised pressures with CFE and KASS which would need to be managed. Mr Carter said the Council was still robustly pursuing with government its claims for the payment of asylum costs with a further letter being sent to the Minister. There would a further update to the next meeting. Both Mr Carter and Mr Chard placed on record their thanks to KCC Highways staff, district council partners and others who had all helped to keep Kent moving during the recent round of bad weather. Mr Carter said the allocation of funding to repair pot holes as the weather improved in to the spring remained a priority.

Cabinet then resolved to:

- (i) note the latest forecast revenue and capital budget monitoring position for 2010-11.
- (ii) agree to the extension of the Member Highway Fund pilot into the 2011-12 financial year so that the unspent balance from 2009-10 and 2010-11

would be rolled forward into 2011-12 in order to complete Member plans for their areas.

- (iii) note the changes to the capital programme.
- (iv) note that £20.056m of re-phasing on the capital programme would be moved from 2010-11 capital cash limits to future years.

### **3. Provisional Local Government Grant Settlement 2011-13**

*(Item 5 - for the report see Section 2 of the Draft Budget Book published on 6 January 2011) (Mr D Shipton from Corporate Finance was present for this item)*

(1) Section 2 of the draft Budget Book for 2011/12 comments on KCC's financial and service planning activity in the context of national and public expenditure plans. This part of the Council's Medium Term Financial Plan also explores the context and broad assumptions within which the Budget and MTFP are framed.

(2) Mr Carter detailed the grant settlement and other reductions facing the County Council. The overall effect of these is that for 2011/12 KCC would need to find savings of some £95m and in 2012/13 some £65m. This presented a very significant challenge and the Council would have to become even more innovative and efficient in the way it delivered services. Mr Simmonds said the government grant settlement only covered a two year period and like other local authorities across the country KCC would have to make greater reductions in its budget spend for 2011/12 than had been originally anticipated because of the amount of grant reductions from government which had now been front loaded into year one of the settlement.

(3) Cabinet then discussed the grant settlement in more detail and the effects the reductions would have on specific portfolios and services. Cabinet also noted that a briefing on the settlement for all members of the Council had been arranged for Monday 17 January 2011.

(4) Cabinet noted the current position.

### **4. Care Quality Commission - Annual Performance Assessment Report for Adult Social Care 2009/10**

*(Item 6 - Report by the Cabinet Member for Adult Social Services and the Managing Director for Kent Adult Social Services)*

(1) This report presented the Annual Performance Assessment Report for Kent Adult Social Services 2009/10 and outlined the Care Quality Commission's view of Kent Adult Social Services Directorate's performance over the last year. The Commission's assessment is that Kent Adult Social Services is "Performing Well". This grading demonstrated consistent performance in a time of major change during which the Directorate was re-structured in order to deliver on the personalisation agenda set out by government. Mr Gibbens said that the Commission had highlighted 6 areas for improvement and an action plan to address these had already been put in place which would be regularly monitored by both KCC and the Commission. Overall the assessment was a significant achievement and he placed on record his thanks to all members of KASS staff and others he had played a part in this achievement.

(2) Cabinet resolved to note the report and the Annual Performance Assessment letter of the Care Quality Commission.

## **5. Older Person's Modernisation**

*(Item 7 - Report by Cabinet Member for Adult Social Services; and Managing Director, Kent Adult Social Services)*

*(Mrs M Howard, Director of Operations, KASS was present for this item)*

*(The Chairman invited Mrs Dean and Mr Christie to speak on this item)*

(1) Mr Gibbens said that this report reflected the considerable amount of work undertaken by KCC and the KASS Directorate in particular since the consultation on these proposals commenced in June 2010. He said the review was all about providing care for older people now and into the future and the challenge was how that was done against a backdrop of changing demographics. So the overall exercise was not about budget savings but looking at providing care for older people with respect and dignity. Now the consultation process was at an end reports on the outcomes were being submitted to both Cabinet and the Kent Adult Social Services Policy Overview Committee which was meeting on 12 January. Following those two meetings Mr Gibbens said he would, as the responsible Cabinet Portfolio Holder take a decision in respect of the 11 individual care homes which had been subject to this process. Once his decisions had been published they would automatically be referred to the meeting of the Cabinet Scrutiny Committee taking place on 19 January 2011. Therefore for the purposes of this meeting of the Cabinet he would be listening carefully to the discussion and would not be expressing any views.

(2) Mrs Howard gave a presentation which supported the comprehensive report which Cabinet had before it. As part of this she explained the reasons why it was necessary for the review to be undertaken and the drivers behind the proposals for change and modernisation. She detailed the proposals in respect of each home and gave a breakdown of the comments which had been received in response to the consultation. She said the proposed changes would see a mixture of modernised residential provision through the re-provision of some services working in partnership with the private sector and through the provision of Extra Care Housing. These changes were needed so that KCC could provide into the future modern fit for purpose care to older people at costs which could be commissioned for less in the independent sector.

(3) The Chairman invited both Mrs Dean and Mr Christie to speak on this item and they both asked a number of questions of detail related to the consultation process, the changes these proposals would mean for current residents and their families, staffing and property management issues and the nature of the partnership arrangements with the private sector. Mr Christie and Mrs Dean thanked the Chairman for the opportunity to speak and on a general point Mrs Dean said the overall way the process for this review had been undertaken was an exemplary piece of pre scrutiny and this should establish a precedent for how similar matters are dealt with in future. At the conclusion of the discussion Mr Carter thanked those who had contributed to the debate and confirmed that once the decisions to be taken by the Cabinet Portfolio holder had been published then they would be referred to the Cabinet Scrutiny Committee which had to be able to fully explore all issues, including those related to property which may need to be discussed under the exempt provisions.

(4) Following further discussion Cabinet noted the contents of the report and the attached 11 reports.

## **6. Inspection of Safeguarding and Looked After Children Services - Recovery and Improvement Plan**

*(Item 8 - Report by Cabinet Member for Children, Families and Education; and Managing Director for Children, Families and Education)*

*(Helen Davies and Malcolm Newsam were present for this item)*

(1) This report provided information on the recovery and improvement plan, following the OFSTED Inspection of Safeguarding and Looked after Children Services in Kent. An appendix to the report was circulated at the meeting which set out the Terms of Reference and proposed cross-agency membership of the Improvement Board to be established under an independent Chairman with responsibility for agreeing and monitoring progress on the actions set out in the improvement plan, which would reference a number of quantifiable measures and related processes. There would be quarterly reports to Cabinet on the progress of this work and the Chairman of the Improvement Board would also be making quarterly reports to the Minister.

(2) During the course of discussion Mr Carter said that he had spoken to front line staff whose morale remained very good and whose commitment was focussed on making the changes needed to address the challenges which lay ahead. Mr Carter said he had also spoken with Ministers who had been impressed with the Council's plans to address the findings of the inspection, which included recruiting 3 additional senior managers whose skills and experience would be important in supporting this process. Mrs Hohler said she fully supported all what was in the Cabinet report which demonstrated the Council's total commitment to addressing all the points raised in the inspection report. Mrs Hohler also emphasised a number of individual actions the Council had and would be taking and this would include a review of services for Looked after Children and arrangements being in place to ensure robust monitoring of the performance targets. Mrs Hohler also said that a members' seminar had been arranged for 26 January 2011 so all county councillors would have the opportunity to be briefed in detail on the Council's response to the inspection report.

(3) Mrs Davies paid tribute to staff whose morale remained good and who had been galvanised by the actions which the Council was now taking. Mr Newsam said although having only very recently taken up his duties with KCC he had already been impressed with the level of work being undertaken and the total top level commitment being shown by senior members and managers. The way forward required total commitment, a real sense of urgency and a recognition that the Council's partners also had a key role to play. Katherine Kerswell reminded the meeting that the Improvement and Development Plan was still in draft and therefore would be the subject of ongoing work before being published as a final document.

(4) Cabinet resolved to note the report and the draft improvement plan.

## **7. Follow up Items and Decisions from Cabinet Scrutiny Committee - 8 December 2010**

*(Item 9 - Report by the Deputy Leader; and the Head of Democratic Services and Local Leadership)*

(1) This report set out the decisions from the Cabinet Scrutiny Committee, items which the Committee had previously raised for follow up and any specific recommendations from the relevant Policy and Scrutiny overview Committees.

(2) Cabinet resolved that the comments and actions detailed in the report be noted and the responses be reported to the Cabinet Scrutiny Committee.