



AGENDA

CABINET

Monday, 16th April, 2012, at 10.00 am

Ask for: **Karen Mannering /
Geoff Mills**

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

Telephone: **(01622) 694367/
694289**

Tea/Coffee will be available 15 minutes before the meeting.

Webcasting Notice

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UNRESTRICTED ITEMS

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

1. Introduction/Webcasting
2. Declaration of Interests by Members in Items on the Agenda for this meeting
3. Minutes of the Meeting held on 19 March 2012 (Pages 1 - 8)
4. Revenue & Capital Budget Monitoring Exception Report 2011-12 (Pages 9 - 16)
5. Annual Business Plans 2012-13 (Pages 17 - 20)
6. Review of the Executive Scheme of Officer Delegation (Pages 21 - 30)
7. Children's Services Improvement Panel - Minutes of 17 January 2012 (Pages 31 - 34)
8. Other items which the Chairman decides are relevant or urgent

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
Wednesday, 4 April 2012

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

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 19 March 2012.

PRESENT: Mr P B Carter (Chairman), Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mr K G Lynes, Mr J D Simmonds, Mr B J Sweetland and Mrs J Whittle

ALSO PRESENT: Mr A Bowles and Mr J Cubitt

IN ATTENDANCE: Mr M Austerberry (Corporate Director, Environment and Enterprise), Mrs A Beer (Corporate Director of Human Resources), Mr D Cockburn (Corporate Director of Business and Support), Ms A Honey (Corporate Director, Customer and Communities), Mr A Ireland (Corporate Director, Families and Social Care), Mr P Leeson (Corporate Director Education, Learning and Skills Directorate), Ms M Peachey (Kent Director Of Public Health), Mr G Wild (Director of Governance and Law) and Mr A Wood (Corporate Director of Finance and Procurement)

UNRESTRICTED ITEMS**11. Minutes of the Meeting held on 25 January 2012**

(Item 3)

The minutes of the meeting held on 25 January 2012 were agreed as a true record and signed by the Chairman.

12. Revenue & Capital Budgets: Key Activity & Risk Monitoring 2011/12

(Item 4 – report by the Cabinet Member for Finance and Business Support and the Corporate Director of Finance and Procurement)

(1) The Revenue and Capital budgets. All management action had now been delivered and that was reflected within the forecasts. Mr Simmonds also gave an update on Iceland and said he was now confident the Council would receive back nearly 100% of its investments. Mrs Whittle referred to page 80 of the report and spoke about the additional pressure on services for looked after children that had been brought about by an increase in the number coming into Kent.

(2) Mr Wood said delivering an under spend against the back drop of required savings of £95m was a significant achievement for the whole organisation. The under spend would be needed to support further savings that would be required in 2012/13 and for the two years beyond that. Mr Carter said the Council had managed to achieve an under spend despite having to find £98m in savings and he placed on record his thanks to Directorate staff for this achievement.

(3) Cabinet resolved to:

- (a) note the latest monitoring position on both the revenue and capital budgets.

- (b) agree the changes to the capital programme, as detailed in section 4.1. of the Cabinet report
- (c) agree that £17.039m of re-phasing on the capital programme is moved from 2011-12 capital cash limits to future years. Further details were included in section 4.10 of the Cabinet report.
- (d) note the latest Financial Health Indicators and Prudential Indicators as reported in appendix 2 and appendix 3 respectively of the Cabinet report; and,
- (e) note the directorate staffing levels as at the end of December 2011 as provided in section 8 of the Cabinet report.

13. Quarterly Performance Report, Quarter 3 2011/12

(Item 5 – report by the Cabinet Member for Business Strategy, Performance & Health Reform and the Corporate Director, Business Strategy and Support)

(Mr R Fitzgerald, Performance Manager was present for this item)

(1) The KCC Quarterly Performance Report for Quarter 3, 2011/12 contained 30 Key Performance Indicators together with a range of other key management information including complaints, consultations, a financial summary and staffing data. The process contributes to the management of the overall performance of the authority and the reports are published on the external web site as part of KCC's transparency agenda.

(2) Mrs Whittle spoke of the continued good progress in reducing the number of children required protection plans. Looking forward she said one area of focus would be to improve adoption rates. Mr Sweetland spoke of the number of apprentices which had been taken on since the Council had changed its highways contract. He also said the number of highway related complaints has reduced over the past 12 months by 57%. Mr Gough spoke about the importance of the information being used to show not only improvements in meeting targets but also quality of outcomes. This was echoed by other members who also spoke of the improved layout of the report and also the presentation of the information it contained.

(3) Following further discussion Cabinet Resolved that the report be noted.

14. Health Inequalities Action Plan

(Item 6 – report by the Cabinet Member for Adults Social Care and Public Health and the Kent Director of Public Health)

(Ms D Smith, Policy Manager, Kent Public Health Department was present for this item)

(1) Mr Gibbens said the successful implementation of the Health Inequalities Action Plan was something for which all Directorates had a responsibility. The Action Plan would be the subject of a report to Locality Boards and Commissioning Bodies and would also be reported to the full Council at its meeting on 29 March 2012. Deborah Smith said the Kent District and Borough Council's were keen to use the

Action Plan as a basis for developing their own objectives which met their local needs. Mr Carter said the distribution of public health money was not equitable and needed looking at and redressing.

(2) Cabinet Resolved to note and support the report and Action Plan which would now also be reported to the meeting of the County Council on 29 March 2012.

15. Review of Household Waste Recycling Centres and Future Service Delivery

(Item 7 – report by the Cabinet Member for Environment, Highways and Waste and the Corporate Director, Enterprise and Environment)

(Caroline Arnold, Head of Waste Management was present for this item)

(1) This report set out the findings of the Review of the Household Waste Recycling Centres (HWRCs) in Kent and recommended changes to the way the sites are to be operated and provided. A full Equalities Impact Assessment (EIA) had been conducted prior to the development and delivery of the public consultation, to shape the engagement mechanisms and ensure that particular attention was paid to engagement with minority groups in Kent. The EIA was further reviewed following the consultation to enable KCC to respond to any new issues that arose and to ensure no groups were disadvantaged.

(2) Mr Sweetland outlined the report and highlighted the main points arising from the public consultation. He said the purpose of the review was to look at provision and service delivery and to provide better and more efficient services on a Kent wide basis. This would mean two facilities at Richborough and Hawkinge being recommended for closure in Autumn 2013. With regard to the Richborough site, a petition had been received against closure with sufficient signatures to prompt a debate at the Council meeting on 29 March 2012. Other facilities, including the one at Ashford, would be upgraded and capital funding has been allocated for a new facility in Tonbridge and Malling. Overall the net result would be an improved service across the County with the majority of residents being no more than 20 minutes away from a Household Waste Recycling Centre.

(3) Mr Sweetland also said that the Council had responded to views expressed during the consultation resulting in a slight relaxation of the rules relating to the use of trailers by householders. Also a feasibility study will be undertaken on the opportunities at KCC waste sites to promote cost effective waste disposal capacity for businesses. Coupled to this the County Council would continue its robust approach to prosecuting cases of fly tipping. Mr Cubitt spoke of the detailed work undertaken by the Informal Members Group. It was necessary for the Council to improve facilities across the County on a cost effective basis in order to bring sites up to standard by 2017. Even with the proposed closure of Richborough and Hawkinge residents from those areas would still be within a 20 minute drive of an alternative. He also said he had seen no evidence to support that these proposals would see an increase in fly-tipping.

(4) At the conclusion of the discussion Mr Sweetland said that in view of the fact that the petition in respect of the proposed closure of Richborough would be debated at the March Council meeting and decision on that site should be deferred till after that meeting.

(5) He therefore proposed and it was agreed that Cabinet should resolve as follows:

- (i) That all the recommendations set out on pages 329 to 331 of the Cabinet report be endorsed
- (ii) It be noted that the petition received in respect of the proposals related to the Richborough Household Waste Recycling Centre will be debated at the meeting of the County Council on Thursday 29 March 2012.
- (iii) As a consequence all the final decisions related to this matter are delegated to the Cabinet Member for Environment, Highways and Waste so that he can take these in the light of the Richborough Household Waste Recycling Centre debate at the County Council meeting on 29 March 2012.

16. Proposed Co-ordinated Schemes for Primary and Secondary Schools in Kent and Admissions Arrangements for Primary and Secondary Community and Voluntary Controlled Schools 2013/14

(Item 8 – report by the Cabinet Member for Education Learning and Skills and the Corporate Director, Education, Learning and Skills)

See Record of Decision on page 1 of the Minute pack.

17. 16+ Travel Pass Options Paper

(Item 9 – report by the Cabinet Member for Education Learning and Skills and the Corporate Director, Education, Learning and Skills)

See Record of Decision on page 3 of the Minute pack.

18. Children's Services Improvement Plan - Minutes of 7 December 2011

(Item 10)

(1) Mrs Whittle said she believed these meetings were providing the right forum within which to hold these important discussions.

(2) Resolved that the Minutes of the meeting of the Children's Services Improvement Panel held on 7 December 2011 be noted.

19. Follow up Items and Decisions from Cabinet Scrutiny Committee - 23 January 2012

(Item 11 – report by the Deputy Leader and the Head of Democratic Services)

Resolved that the comments and actions detailed in the report be noted.

KENT COUNTY COUNCIL

DECISION TAKEN BY
Cabinet – 19 March 2012

DECISION NO.
11/01808

Unrestricted

Subject: Proposed Co-ordinated Schemes for Primary and Secondary Schools in Kent and Admission Arrangements for Primary and Secondary Community and Voluntary Controlled Schools 2013 /14.

(1) The County Council as the Local Authority (LA) and the admissions authority for Community and voluntary Controlled schools, is required to consult on its proposed admission arrangements for these schools, and to determine its admission arrangements by 15 April each year. The Council has consulted with the Admissions Forum on the proposed changes prior to consultation on 10 November 2011 and it is supportive of the proposed arrangements. Cabinet was also asked to determine the In Year Casual Admission process, the admission arrangements for the 2013 school year and determine the co-ordinated schemes for Primary and Secondary Admissions in Kent.

(2) Cabinet Resolved to:

- (i) approve the Co-ordinated Primary Admissions Scheme 2013 incorporating the In Year admissions process as detailed in Appendix A of the Cabinet Report
- (ii) approve the Co-ordinated Secondary Admissions Scheme 2013 incorporating the In Year admissions process as detailed in Appendix B of the Cabinet report
- (iii) approve the oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary schools in Kent as detailed in Appendix C (1) of the Cabinet report
- (iv) approve the oversubscription criteria relating to Community and Voluntary controlled Secondary schools in Kent as detailed in Appendix D (1) of the Cabinet report
- (v) approve the published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools as set out in Appendix C (2) of the Cabinet
- (vi) approve the Published Admissions Number for Community and Voluntary Controlled Secondary Schools as set out in Appendix D (2) as detailed in the Cabinet report; and,
- (vii) approve the relevant statutory consultation areas for Kent primary schools as detailed in Appendix C (3) and the relevant statutory consultation areas for Kent Secondary Schools as set out in Appendix D (3) of the Cabinet report.

Any interests declared when the Decision was taken

None

Reason(s) for decision, including alternatives considered and any additional information

The reasons for this decision are set out in this notice and also in the Cabinet Report.

Background Documents:

None

Reason(s) for decision, including alternatives considered and any additional information

The reasons for this decision are set out in this notice and also in the Cabinet Report.

Background Documents:

None

KENT COUNTY COUNCIL

DECISION TAKEN BY Cabinet – 19 March 2012	DECISION NO. 12/01846
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Unrestricted**Subject: 16+ Travel Pass Options Paper**

(1) The Cabinet report proposed that the main element of the KCC post-16 transport policy should be a universal "Kent 16+ Travel Pass" (the Pass) for bus travel. The Pass would be available to Kent-resident learners in years 12 and 13, and year 14 students who are completing their 14-19 studies. 16-24 year old learners with Statements of Educational Need or a Learning Difficulty Assessment (139a) would continue to receive assistance from KCC in line with the 16-19 Statutory Duty and existing KCC discretionary transport policy.

(2) The Pass was intended to provide support for learners to:

- meet travel costs to schools, colleges and work-based learning providers.
- ensure Kent learning providers meet the requirements of Full Participation in learning to 18 years of age by 2015
- ensure fair access and maintain choice to post-16 provision for Kent learners.

(3) Cabinet resolved to endorse the report and agreed that KCC make post-16 travel Passes available to learning providers at a cost of £520 per pass operated under the Full Subsidy model subject to KCC's final determined Transport Policy.

Any interests declared when the Decision was taken

None

Reason(s) for decision, including alternatives considered and any additional information

The reasons for this decision are set out in this notice and also in the Cabinet Report.

Background Documents:

None

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To: CABINET – 16 April 2012

By: John Simmonds, Cabinet Member for Finance & Business Support
Andy Wood, Corporate Director of Finance & Procurement

REVENUE & CAPITAL BUDGET MONITORING EXCEPTION REPORT 2011-12

1. Introduction

1.1 This exception report is based on the monitoring returns for February and highlights the main movements since the third full monitoring report presented to Cabinet on 19 March 2012.

2. REVENUE

2.1 The current underlying net revenue position by portfolio, compared with the net position reported last month, is shown in **table 1** below.

Table 1: Net Revenue Position

Portfolio	Variance		Movement £m
	This Month £m	Last Month £m	
Education, Learning & Skills	-1.702	-1.702	-
Specialist Children's Services	+14.926	+14.703	+0.223
Adult Social Care & Public Health	-5.231	-3.873	-1.358
Environment, Highways & Waste	-5.504	-4.891	-0.613
Customer & Communities	-5.046	-5.046	-
Regeneration & Enterprise	-	-	-
Finance & Business Support	-9.283	-9.283	-
Business Strategy, Performance & Health Reform	-2.241	-2.241	-
Democracy & Partnerships	-0.252	-0.252	-
Total (excl Schools)	-14.333	-12.585	-1.748
<i>Schools (ELS portfolio)</i>	+3.126	+3.126	-
<i>Schools (SCS portfolio)</i>	-	-	-
Schools (TOTAL)	+3.126	+3.126	-
TOTAL	-11.207	-9.459	-1.748

2.2 The forecast net revenue underspend (excluding schools) is currently £14.333m as shown in table 1 above. The recently approved 2012-13 budget assumes rolled forward underspending from 2011-12 of £3.512m as follows:

- £1.200m Early Years underspending as reported in the quarter 2 monitoring report and approved by Cabinet on 5 December,
- £1.879m underspending from within the overall £3.476m underspend reported to Cabinet in the last exception report on 25 January,
- £0.433m within Customer & Communities portfolio.

Following approval of the 2012-13 budget at County Council on 9 February, items a) and b) above have been transferred to an earmarked reserve to support next year's budget and are therefore no longer reported in the £14.333m underspend forecast in this report.

In addition, the position reported in table 1 above includes some underspending related to projects which are re-phasing into 2012-13, such as the Big Society, and are committed and therefore will require roll forward. There are also some known bids which have the support of the relevant Corporate Director and Cabinet Member. The adjusted position is therefore:

Total forecast underspend (excl Schools) per table 1	£m -14.333
Required to roll forward to 2012-13 per approved 2012-15 MTFP (item c above)	0.433
Other committed roll forwards/re-phased projects	5.193
	<hr/> -8.707
Supported bids	0.439
Adjusted position after supported bids	<hr/> -8.268

Details of the committed roll forwards, re-phased projects and supported bids were provided in sections 1.1.6 and 1.1.7 of the annex reports of the third full monitoring report presented to Cabinet on 19 March.

It is likely that much of this uncommitted balance will be held in reserves pending future decisions on its use. Further details will be provided in the outturn report to Cabinet in July.

2.3 In the context of a savings requirement of £95m, increasing demands for services and the need to deliver the Children's Services Improvement Plan, an overall forecast underspending position is a considerable achievement.

2.4 Table 1 shows that there has been a movement of -£1.748m in the overall position since the last report to Cabinet. The main movements, by portfolio, are detailed below:

2.5 Specialist Children's Services (SCS) portfolio:

The pressure on this portfolio has increased by £0.223m this month to £14.926m. The movements above £0.1m are:

- 2.5.1 +£0.536m Fostering – an increase in the pressure from £7.923m to £8.459m, mainly as a result of:
- +£0.144m: a net increase in activity against Non Related (In House) Fostering of 45 placements.
 - +£0.150m: an increase of 9 placements in Independent Fostering.
 - +£0.150m: other associated costs such as specialist and legal fees
 - +£0.066m: Kinship Non LAC costs
 - +£0.026m increased transport costs.
- 2.5.2 +£0.541m Asylum – an increase in the pressure from £1.530m to £2.071m. This increase in the forecast is due to a number of 'pressures' including an increase in the number of clients for whom we cannot claim grant funding, a slight increase in the unit costs, and dilapidation costs resulting from damages to clients' accommodation.
- 2.5.3 -£0.119m Other Preventative Services – a reduction in the position from +£0.070m to -£0.049m, due to additional income of £0.130m from Extended Schools, unfilled vacancies associated with Preventative Service Managers of £0.040m, increased recoveries from schools of £0.045m in respect of Family Liaison Officer funding and additional Health funding of £0.045m for other preventative services. These forecast reductions have been partially offset by an increase of +£0.141m against disability day care due to a consistent rise in demand.
- 2.5.4 -£0.118m Safeguarding – an increase in the underspend from -£0.110m to -£0.228m, mainly as a result of vacancies and slippage in appointment of sessional workers as well as agency recruitment, coupled with £0.050m extra income in respect of training provision to the Early Years service.
- 2.5.5 -£0.191m Children's Centres – an increase in the underspend from -£0.939m to -£1.130m due to unexpected sundry income associated with rent, rates, room hire and utilities which the directorate did not expect to benefit from.
- 2.5.6 -£0.212m Integrated Looked After Children's Service/Virtual School Kent – an increase in the underspend from -£0.079m to -£0.291m. £0.160m of the reduction is as a result of a delay in recruitment against a Children & Adolescent Mental Health Service (CAMHS) project run by West Kent Health Authority, with a further £0.050m re-phasing against Personal Education Allowances associated with the LAC Pledge, these were intended to be used to purchase laptops for LAC but it is now planned to purchase I-Pads in 2012-13.
- 2.5.7 The remaining -£0.214m movement in the Children's forecast is as a result of many minor movements, all below £0.1m.

2.6 Adult Social Care & Public Health portfolio:

The forecast underspend on this portfolio has increased by a further £1.358m this month from £3.873m to £5.231m. The movements over £0.1m this month are:

- 2.6.1 -£0.174m Older People Domiciliary – an increase in the underspend from -£1.178m to -£1.352m mainly as result of a lower take up of the service than previously assumed (-£0.185m), which is slightly offset by a small reduction in the income expected.
- 2.6.2 -£0.468m Learning Disability Residential Care – a reduction in the pressure from £2.235m to £1.767m, which is mainly as a result of a net reduction of 8 clients (-£0.083m), the removal of a specific bad debt provision which is no longer required (-£0.165m) and a reduction in the costs associated with the re-negotiation of the block contract related to the LD Transfer from Health (-£0.220m).
- 2.6.3 -£0.151m Older People Nursing – an increase in the underspend from -£0.148m to -£0.299m. the main movements have been the net result of a reduction in the number of clients and a slight increase in the bad debt provision (+£0.094m) and an increase in income following a review of the last 6 months client billing runs (-£0.246m).
- 2.6.4 -£0.169m Physical Disability Residential Care – a reduction in the pressure from £1.076m to £0.907m due to a continuing reduction of approximately 61 weeks in short term provision.
- 2.6.5 -£0.171m Older People Day Care – an increase in the underspend from -£0.372m to -£0.543m mainly as a result of the re-negotiation of a block contract.
- 2.6.6 The remaining -£0.225m movement in the Adults forecast is as a result of many minor movements, all below £0.1m.

2.7 Environment, Highways & Waste portfolio:

The forecast underspend for this portfolio has increased by £0.613m this month from £4.891m to £5.504m. This movement is due to:

- 2.7.1 +£0.073m E&E Strategic Management & Directorate Support: an increase in the pressure from £0.226m to £0.299m which is predominantly due to the inclusion of a worst case scenario position for ongoing negotiations surrounding energy charges for the Gypsy and Traveller unit (+£0.099m), offset by a minor movement (-£0.026m) on Management and Business Support. Both of these movements relate to the Planning & Environment Division.

Planning and Environment: (Environment Management, Coastal Protection, Planning & Transport Policy & Planning Applications)

- 2.7.2 Also within the Planning and Environment Division is a £0.1m reduction in the forecast pressure from £0.188m to £0.088m. This mainly relates to:
 - a. -£0.144m Environment Management: a reduction in the position from +£0.043m to -£0.101m relating to flood project work that has re-phased into 2012-13. Partnership working with district councils and the Environment Agency has led to re-phasing which is not in our direct control and roll forward will be required to fund our contribution to this partnership work in order to complete the project.
 - b. +£0.042m Planning Applications: a increase in the pressure from £0.050m to £0.092m where some applications anticipated for 2011-12 will now be processed in 2012-13 and consequently the associated income will be accounted for in 2012-13 in accordance with accounting practice.

Highways and Transportation:

- 2.7.3 The forecast pressure within the Highways and Transportation Division has increased by £0.590m from £0.031m to £0.621m. This has arisen from a re-evaluation of the division's forecast outturn based on the latest information provided by Enterprise. This has impacted as follows:
 - a. +£0.300m Adverse Weather: an increase in the pressure from £0.754m to £1.054m.
 - b. +£0.290m General Maintenance & Emergency Response: an increase in the pressure from £0.373m to £0.663m.

Waste Division:

2.7.4 Waste Management & Waste Disposal:

The budgeted waste tonnage for 2011-12 is 760,000 tonnes. Actual waste tonnage for the period April to February combined with the experience of the last two financial years has allowed the Directorate to estimate that the final tonnage will be 46,000 tonnes less than budgeted. This is a further reduction of 6,000 tonnes on the previous forecast and contributes a significant element of an additional £0.758m underspend on the Waste budgets, bringing the forecast underspend on the waste budgets to £4.456m. This increase in forecast underspend has mainly arisen across the more expensive disposal contracts managed by KCC, for example Allington Waste to Energy (-£0.204m) and Landfill Contracts (-£0.253m including landfill tax), therefore generating a larger underspend than would normally be associated with a 6,000 tonne reduction. A detailed analysis of this movement follows:

- a. -£0.089m Household Waste Recycling Centres: an increase in the underspend from £0.777m to £0.866m due to less tonnage managed through the sites than previously forecast.
 - b. -£0.139m Recycling Contracts and Composting: an increase in the underspend from £0.454m to £0.593m has been identified this month as a result of less tonnage being managed through these contracts.
 - c. -£0.300m Disposal Contracts: an increase in the underspend from £4.029m to £4.329m as a result of a -£0.050m price reduction for new landfill contracts and -£0.250m resulting from reduced volumes of residual waste being sent to landfill (-2,800 tonnes) and Allington Waste to Energy plant (-2,400 tonnes).
 - d. -£0.157m Landfill Tax: a reduction in the pressure from £1.733m to £1.576m as a result of the lower volume of waste being sent to landfill (approx 2,800 tonnes).
 - e. -£0.073m Transfer Stations: a reduction in the pressure from £0.132m to £0.059m due to the impact of the reduction in waste tonnage.
- 2.7.5 -£0.418m Commercial Services contribution: an improvement in the position from a shortfall in the contribution of £0.150m to a surplus of £0.268m, which has arisen due to a greater than anticipated contribution from Commercial Services following better than expected trading in the last quarter of the year.

3. **CAPITAL**

3.1 There have been a number of cash limit adjustments this month as detailed in **table 3** below:

Table 3: Cash Limit Changes

	2011-12	2012-13
	£m	£m
1 Cash Limits as reported to Cabinet on 9th January	289.179	281.036
2 Re-phasing agreed at Cabinet on 9th January		
Education, Learning & Skills (ELS)	-5.750	4.831
Adults Social Care & Public Health (ASC&PH)	-1.957	1.943
Environment, Highways & Waste (EHW)	-3.463	2.640
Customer & Communities (C&C)	-0.528	0.528
Regeneration & Enterprise	-1.239	1.239
Business Strategy, Performance & Health Reform (BSPHR)	-3.942	3.942
3 Modernisation of Assets - Lydd Primary School - additional external funding - ELS portfolio	0.005	0.136
4 Public Access Development - reduction in grant funding - FSC portfolio	-0.010	
5 Ashford Ring Road - reduction external funding - EHW portfolio	-0.069	
6 Sittingbourne Northern Relief Road - additional external funding - EHW Portfolio	0.105	0.021
7 Cyclo Park - additional external funding - EHW portfolio	0.150	0.150
8 Kent Library & History Centre - additional external funding - C&C portfolio	0.098	0.010
9 PROW - a reduction in external funding - C&C portfolio	-0.084	0.010
10 Country Park Access & Development - reduction in external funding - C&C portfolio	-0.013	
11 Youth Reconfiguration - new project met from capital receipt - C&C portfolio	0.070	
12 Disposal Costs - reduction in capital receipt - BSPHR portfolio	-0.126	
	272.426	296.486

3.2 The current forecast capital position by portfolio, is shown in **table 4** below.

Table 4: Capital Position

	Real and	Real	Movement
	Re-phasing	Variance	This month
	Variance	Last month	
	This month		
Portfolio	£m	£m	£m
Education, Learning & Skills	-3.898	-0.325	-3.573
Specialist Children's Services	0.540	-0.093	0.633
Adult Social Care & Public Health	-0.395	-0.029	-0.366
Environment, Highways and Waste	0.380	1.244	-0.864
Customer & Communities	0.090	0.149	-0.059
Regeneration & Enterprise	0.000	0.000	0.000
Business Strategy, Performance & Public Health	0.005	0.005	0.000
Total (excl Schools)	-3.278	0.951	-4.229
Schools	0.000	0.000	0.000
Total	-3.278	0.951	-4.229

Since last month's report, the forecast outturn has reduced by £4.229m as detailed below:

3.3 Education, Learning & Skills portfolio:

The forecast has moved by -£3.573m. Projects subject to re-phasing and overall variances affecting 2011-12 are:

- Planned Enhancement Programme (-£1.090m, re-phasing): The main reasons for the re-phasing are due to the following:
 - Reactive Works** – this work needs to take place during the school holiday period which will now fall into 2012-13.
 - Water Hygiene Work** – contractors have not met their targets.
- Repton Park Primary School (-£0.571m, re-phasing): poor performance of the subcontractors have caused delays to the completion of the external load bearing wall.
- Primary Improvement Programme (-£0.298m real & -£0.127m re-phasing): The main reasons for the re-phasing are due to the following:
 - Warden Bay Primary School:** -£0.181m real variance. The January forecast indicated an overspend of £0.256m for utility and drainage costs which was to be met from next year's Modernisation programme. A contribution from the Children's Centre programme has now been agreed the additional funding from the Modernisation programme is no longer required.
 - St Matthews High Brooms:** -£0.117m real variance. A contingency sum set aside for this project is no longer required.
 - West Minster Primary School:** -£0.096m re-phasing due to further delays in re-siting of gas mains.
- Unit Reviews (-£0.390m, re-phasing): The main reasons for re-phasing are due to the following:
 - Cage Green Primary School:** -£0.159m due to late delivery of the timber frame.
 - West Malling CoE Primary School and Language Unit:** -£0.150m re-phasing due to design issues regarding the structure and the lead-on time for order and delivery of steel work. These delays have extended the completion time for this project.
 - Joy Lane Primary School:** -£0.073m due to problems in the supply of roofing materials, where the roof covering originally supplied was found not to be fit for purpose in a marine environment.
- Special Schools Review (-£0.364m, re-phasing): the majority of the re-phasing relates to Milestone School project where previous estimates for 2011-12 assumed that the contractor claim element allowed for in the project would be settled in this financial year.
- Modernisation Programme 2011-12 (-£0.264m, re-phasing): £0.222m of the re-phasing is due to the Modular Classroom programme and specifically Highview School where planning was obtained for one classroom modular unit but the brief has changed to incorporate two units which has delayed the process into 2012-13.

- Wyvern School – SSR phase 2 (-£0.182m, re-phasing): The revised build programme forecast in January was over optimistic in that the three weeks of cold weather meant that brickwork could not progress as planned.
- Specialist Schools – Ursuline College (-£0.095m, re-phasing): The outcome on the proposal to amend the land lease is outstanding which requires this project to re-phase to 2012-13

Overall this leaves a residual balance of -£0.192m on a number of minor projects.

3.4 Specialist Children's Services portfolio:

The forecast has moved by +£0.633m. This is mainly due to the following project:

- Multi Agency Specialist Hubs (+£0.678m, real): The overspend relates to contactor claims against the three projects within this programme. Funding of the overspend is in the process of being resolved.

3.5 Adult Social Care and Public Health portfolio:

The forecast has moved by -£0.363m. Projects subject to re-phasing and overall variances affecting 2011-12 are:

- Home Support Fund (-£0.140m, re-phasing): The commitment of this fund has been re-profiled but there are no contractual difficulties.
- LD good Day programme (-£0.075m, re-phasing): A grant to Sevenoaks Leisure Centre has been re-phased to next year.

Overall this leaves a residual balance of -£0.148m on a number of minor projects.

3.6 Environment, Highways and Waste portfolio:

The forecast has moved by -£0.864m. Projects subject to re-phasing and overall variances affecting 2011-12 are:

- Sittingbourne Northern Relief Road (-£0.087m re-phasing and -£0.221m real variance): Savings have been achieved on the final account and the removal of signage work.
- East Kent Access Phase 2 (-£0.296m, re-phasing): Delays in construction work during February have led to re-phasing into 2012-13.
- Rushenden Relief Road (-£0.148m, re-phasing): Re-phasing of landscape and safety work audit.
- Victoria Way (-£0.133m, re-phasing): Reduction due to final utility accounts being settled in 2012-13.
- Integrated Transport Schemes (-£0.104m re-phasing and -£0.018m real variance): Re-phasing has occurred due to labour being diverted to assist with the snow emergency. The £0.018m underspend is to offset an overspend on the A2 Slip Road scheme.
- Kent Thameside Strategic Programme (+£0.118m, re-phasing): Estimated costs for 2011-12 now include Rathmore Road, which was previously included in 2012-13.

Overall this leaves a residual balance of +£0.025m on a number of minor projects.

3.7 Customer and Communities portfolio:

The forecast has moved by +£0.253m. Projects subject to re-phasing and overall variances affecting 2011-12 are:

- Kent History & Library Centre (-£0.268m re-phasing and +£0.209m real variance): £0.207m of real variance relates to planning fees which KCC has to pay Bouyges in line with the developer

agreement following the sale of Springfield not progressing. These costs were absorbed within the anticipated capital receipt and were not part of the original budget, which only related to the cost of construction. The re-phasing relates to public realm work where final specification changes have delayed the programme of works.

4. RECOMMENDATIONS

Cabinet is asked to:

- 4.1 **Note** the latest forecast revenue and capital budget monitoring position for 2011-12.
- 4.2 **Note** the changes to the capital programme.

By: Roger Gough, Cabinet Member for Business Strategy, Performance & Health Reform
David Cockburn, Corporate Director, Business Strategy & Support

To: Cabinet, 16 April 2012

Subject: Annual Business Plans 2012/13

Classification: Unrestricted

1. BACKGROUND:

- 1.1 This report seeks Cabinet's approval of the Annual Business Plans for 2012/13.
- 1.2 A number of changes to the 2012/13 Business Plans have been introduced. Firstly, due to the significant number of restructures across the organisation throughout the 2012/13 planning round and into the new financial year, this years plans have been prepared primarily at the Divisional level, as this represents the most stable tier of management / structure across the organisation. It should be noted that this is an interim solution for 2012/13 and that further consideration of the most appropriate level of granularity to develop Member approved business plans will be further considered by Cabinet and CMT for the 2013/14 planning round.
- 1.3 Secondly, the 2012/13 Business Plans have been developed using a revised template. This revised template, based on similar model used across Whitehall Departments, is more focussed on detailing the actions underpinning the delivery of priorities, identifying accountable officers for delivery, start and end dates, milestones and performance indicators with more benchmarking and floor performance information to contextualise performance targets. Much of the information regarding the historical and legal basis for services, as well as the detail previously included to satisfy the requirements of the Audit Commission Corporate Assessment has been excluded.
- 1.4 Early drafts of Business Plans were submitted by Directorates to policy and performance from mid/late February allowing time for review and feedback both in terms of appropriateness to meeting corporate objectives, as well as allowing the provision of support to ensure officers in Directorates were able to finalise plans to seek approval from individual Cabinet portfolio holders in good time. The list of Business Plans for Cabinet approval for 2012/13 is attached at Appendix A.

2. PUBLICATION

- 2.1 As following the precedent set last year, publication of the business plans will be primarily on the KCC website (www.kent.gov.uk/your_council/council_spending/financial_publications.aspx).

Hard copies of the plans have been made available to the Chairman and Lead Spokesmen of Cabinet Scrutiny Committee, and two copies have been placed in the Members lounge. Further copies for inspection by Cabinet Members, the media and public are available around the Cabinet room.

3. FURTHER IMPROVING BUSINESS PLANNING:

- 3.1 In undertaking the business planning process this year, it is apparent that there are a number of improvements and considerations that need to be in place for the next business planning round for 2013/14:
- a) In a similar fashion to the approach taken to the development of the budget, the need to end the stop/start cycle of business planning and undertake and complete the preparatory work now for next years planning cycle by the end of summer. In particular agreeing the granularity at which Business Plans are developed across the organisation as the wider structure beds down is important.
 - b) The need to review and replace the Finance and Business Planning SORP into a more straightforward 'guidance note' focussed on a 'how to' guide and consider and outline how the business planning process will align to the development of Cabinet Committees.
 - c) Review and agree improvements in the new plan template, in particular more clearly demarcating core-business from new activity, and improving the way risk management, FTE and resources are reported.

4. RECOMMENDATION

- 4.1 On the basis of each Cabinet Member's recommendation, Cabinet is asked to approve the Annual Business Plans as listed in Appendix A.

BACKGROUND DOCUMENTS:

Business Plans 2012/13 - see Appendix A (available at www.kent.gov.uk/your_council/council_spending/financial_publications.aspx)

Officer Contacts:

David Whittle
Head of Policy & Strategic Relationships
david.whittle@kent.gov.uk
Ext. 6969

Appendix A:

The following Business Plans are submitted for approval:

- ELS – Advocacy & Entitlement
- ELS – Special Education Needs
- ELS – Fair Access
- ELS – Skills & Employability
- ELS – Standards & School Improvement
- ELS – Education Psychology
- ELS – Provision Planning

- FSC – Learning Disability / Mental Health
- FSC – Older People / Physical Disability
- FSC – Strategic Commissioning
- FSC – Specialist Children’s Services

- BSS – Finance & Procurement
- BSS – Governance & Law
- BSS – Business Strategy
- BSS - Regeneration & Economic Development (inc. International Affairs)
- BSS – Human Resources
- BSS – Property & Infrastructure Support
- BSS – Public Health

- C&C – Communications, Consultation & Community Engagement
- C&C – Service Improvement
- C&C – Customer Services

- E&E – Planning & Environment
- E&E – Waste Management
- E&E – Highways & Transportation
- E&E – Commercial Services

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By: Alex King – Deputy Leader
Geoff Wild – Director of Governance & Law

To: Cabinet - 16 April 2012

Subject: **Review of the Executive Scheme of Officer Delegation**

Summary This report invites the Cabinet to determine the most appropriate way forward for a comprehensive review of the approach to officer delegations

Background:

(1) The Corporate Management Team (CMT) asked the Director of Governance and Law to review KCC's approach to delegated decisions. This was done for the following reasons:

- (a) That the existing process, whilst acceptable when it was first drafted, has been added to and changed incrementally over a number of years, which has led to a lack of consistency in application and a degree of confusion for Members and Officers, which can give rise to delays and potential legal risks;
- (b) The refinement of the executive decision-making system over the years has led to an expectation that decisions, once made at Member-level, will be implemented quickly, which is not always the case because of what is delegated and what is not delegated;
- (c) The approval of Bold Steps for Kent and Change to Keep Succeeding, together with the ongoing review of the Council's governance structure at Member level, presents an opportunity to streamline an important aspect of Member-led decision-making without compromising either the speed of decision-making or the scrutiny process.

The existing process

(2) The Council operates a Cabinet system and the functions of the Executive are those prescribed by the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the 2000 Regulations"). The Executive undertakes all of the functions of the Council not exercised by the Council itself or delegated by the Council to a Committee or to an officer.

(3) All Executive powers are vested in the Leader who may then arrange for any of the executive functions to be exercised by:

- (a) the Cabinet collectively
- (b) an individual Cabinet member
- (c) a Cabinet committee
- (d) an area committee
- (e) an officer

(f) a local Member in relation to their division

(4) On the **Council side**, Appendix 2 Part 1 of the Constitution lists those functions that are exercised by the Council itself. Appendix 2 Part 2 lists those functions delegated by the Council to Committees and Part 3 lists those functions delegated by the Council to Officers (required by Section 100G(2) of the Local Government Act 1972). In exercising delegated functions under Part 3, Officers can only do so in accordance with:

- (a) the overall policies of the Council or its Committees
- (b) an approved budget
- (c) the Resource Management Responsibilities Statement and associated rules

(5) Officers exercising these delegated powers must maintain close liaison with the relevant Committee Chairman. They may also delegate their powers to more junior officers, but these must be properly documented to the satisfaction of the Monitoring Officer. The involvement of Local Members (where relevant) is also an important part of exercising delegated powers.

(6) Appendix 2 Part 5 of the Constitution describes those functions of the Council that are exercised jointly with other councils, for example the East Kent Joint Committee and the Kent and Essex Inshore Fisheries and Conservation Authority.

(7) Appendix 2 Part 6 of the Constitution contains the Personnel Management Rules - a detailed schedule of operational decisions on the management of staff - many of which are delegated to officers.

(8) On the **Executive side**, Appendix 2 Part 4 of the Constitution describes those functions and powers exercised by the Executive, a Committee or Member of the Executive, or an officer exercising executive decision-making powers. The Constitution is clear that, wherever arrangements are not specifically made for the discharge of functions by Cabinet Members or officers, those functions remain with the Leader. In addition, all Key Decisions are made by the Leader, the Cabinet or a Cabinet Member. Cabinet Members are also responsible, within their allocated areas of responsibility, for taking decisions that are otherwise delegated to officers but which are:

- (a) not in accordance with the Policy Framework or Budget agreed by the Council or management and business plans within their portfolio or
- (b) withdrawn from the delegation to senior managers

(9) The delivery of management and business plans, as agreed by Cabinet, is delegated to the relevant senior managers, and is a main channel for delegating Executive powers to officers. As with Council-side functions, officers exercising these delegations must act in accordance with existing policies and the approved budgets and also maintain a close liaison with the relevant Cabinet Members. Again, senior managers may delegate their powers to more junior officers, which must be properly documented to the satisfaction of the Monitoring Officer. However, Directorate Schemes of Delegation (i.e. delegations of executive functions below Corporate Director level), are not

currently included within or appended to the Constitution and there is also some inconsistency in the completeness of some Directorate schemes. Where Directorate Schemes of Delegation are not always maintained or kept up to date there is a risk that decisions may be taken by officers without proper authority. In the absence of a clear delegated authority in a formal Cabinet/Cabinet Member decision, sufficient detail within an approved Business Plan, an approved Scheme of Delegation or a line in the approved Budget, then officers must refer the matter back to the Cabinet or Cabinet Member for a formal decision. This not only adds an unnecessary stage to an already bureaucratic process but can also delay the implementation of decisions.

(10) There are a number of matters that officers have to refer to the Leader, Cabinet or the relevant Cabinet Member, which are listed in paragraph 24 of Appendix 2 Part 4 of the Constitution; these include decisions to compulsorily purchase land and to suspend local management from any school. The involvement of Local Members (where relevant) is also an important part of exercising delegated executive powers.

Comments on the existing process:

(11) The Council-side delegations (described in paragraphs (4)-(7) above) are clear, well-defined and work well. It is not proposed that they change, except that the Corporate Director of Human Resources has proposed that some changes to staff terms and conditions should be determined by the Personnel Committee, rather than referring all such changes to the full Council. This work will come forward for Members' consideration in due course. The Executive side of decision-making is not so detailed or clear and is responsible for generating the most 'blockages' and delays for want of clear authority to deliver.

(12) Work is already underway to review the Constitution in order to bring together all the main references to the powers of Cabinet Members and the process for making executive decisions, particularly Key Decisions. It is recommended that more fundamental revisions to the way in which Executive powers are delegated to officers be considered, and these are set out below.

Officer Decisions

(13) Some officer decisions already require notification to Scrutiny Board Members, such as single source tenders above a certain threshold and others, such as the appointment of interim senior managers, which require consultation with Group Leaders before being made. After 1 April 2012, such decisions will be reported to the relevant Cabinet Committee. However, beyond these two examples, where it is obvious why prior Member consultation/notification is important, it is difficult to define the sorts of officer decisions that should be reported more widely to Members.

(14) There is a difficult balance to be struck between responding to the genuine concerns of Members in relation to the wider reporting of significant officer decisions, and introducing a whole new level of bureaucratic process, possibly even introducing a lower tier Forward Plan. Cabinet Members are invited to give a steer on this issue. This will therefore be left to the relevant Cabinet Member and senior officer to decide, depending on the circumstances.

The options

(15) A number of schemes of delegation from other County and single tier councils have been examined in order to establish best practice elsewhere. Schemes of Delegation tend to fall into one of three main categories:

- (a) Exception basis: a light touch and highly devolved scheme where all decisions are delegated to officers except those matters reserved specifically to Members. These types of scheme are fairly straightforward to compile and update, but may cause concern amongst some Members that officers appear to have too much power. Tracking, recording and publishing decisions taken by officers under delegated authority for the purposes of scrutiny can also prove difficult and create an industry in itself.
- (b) Highly detailed: where the statutory powers available to the Council and the Executive under many pieces of legislation are set out in tabular form, with the relevant officer responsibilities listed alongside each power. These very detailed schemes are time-consuming to prepare and keep up to date and also lack flexibility, but arguments about who has the power to do what are rare and the level of detail means that officer actions can be scrutinised more easily.
- (c) Member-led Scheme: a combination of matters reserved to the Members, combined with the main areas of responsibility for each Directorate/Division, but not in as much detail as (b) above. This would typically delegate to officers the power to implement:
 - (i) lines in the Council's approved budget and
 - (ii) decisions taken by the Council, a committee or sub-committee, the Cabinet or a Cabinet Member

This ensures that officers are limited to implementing those actions already authorised by Members, but gives them considerably more flexibility than at present to give effect to and implement those decisions without having to refer them back to Members for detailed approval. It also removes the need for Directorate and Unit Business Plans to be the main vehicle for delegated powers. A proposed version of this has been prepared in the attached **Appendix**.

(16) These options were considered by CMT on 20 October 2011 where a clear preference was expressed for the introduction of the Member-led Scheme of delegation, as set out in (c) above. There are, however, a number of important guiding principles, which should feature prominently in any revised scheme:

- (a) Once a Member-level decision has been taken, whether as part of the approved revenue or capital budget, in a Directorate or Divisional Business Plan, or otherwise, the implementation of that decision should be delegated to officers, so that multiple Member decisions are not required in respect of the same matter;

- (b) Cabinet Members will continue to be able to require officers to refer any matters that would otherwise be taken under this scheme of delegation to either themselves or Cabinet for decision;
- (c) Senior Managers exercising delegated powers will continue to be able to sub-delegate those functions to more junior officers, or escalate the making of those decisions to the relevant Corporate Director, who can then (if appropriate) refer the matter to the Cabinet Member or Cabinet, as now;
- (d) Existing safeguards and rules relating to the appointment of consultants and interim senior managers, the reporting of single source tenders, or where a tender other than the most economically most advantageous one is recommended for acceptance, should remain;
- (e) Local Member involvement in matters affecting specific electoral divisions should also remain.

Recommendation:

(17) Cabinet is invited to endorse the new Member-led Executive Scheme of Officer Delegation as set out in the Appendix.

Geoff Wild
Director of Governance & Law

March 2012

KENT COUNTY COUNCIL

EXECUTIVE SCHEME OF DELEGATION TO OFFICERS**1. Principles**

1.1 This scheme operates from 1 April 2012.

1.2 In this scheme “officer” means the holder of any post named in this scheme as having delegated powers and duties.

1.3 This scheme delegates powers and duties in relation to Executive functions which are the responsibility of Leader and Cabinet Members.

1.4 This scheme delegates powers and duties within broad functional descriptions and includes powers and duties under all legislation within those descriptions and all powers and duties incidental to that legislation.

1.5 This scheme operates under Section 14 of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (‘the Regulations’) and all other enabling powers.

1.6 This scheme includes the obligation on officers to keep Members (notably Cabinet Members) properly informed of activity arising within the scope of these delegations.

1.7 Any exercise of these delegated powers shall be subject to the policies approved by the Leader from time to time and shall be guided by the relevant Codes of Conduct.

1.8 Any exercise of delegated powers shall be subject to any statutory restrictions, provisions made in the revenue or capital budgets, Standing Orders, Financial Regulations or other Procedure Rules as contained within the Constitution.

1.9 This scheme assumes that once a Member-level decision has been taken, whether as part of the approved revenue or capital budget, in a Directorate or Divisional Business Plan, or otherwise, the implementation of that decision will normally be delegated to officers, so that multiple Member decisions are not required in respect of the same matter;

1.10 However, Cabinet Members may at any time require officers to refer a matter that would otherwise be taken under this scheme of delegation to either themselves or Cabinet for decision;

1.11 This scheme includes the power for officers to further delegate in writing all or any of the delegated functions to other officers (described by name or post) either fully or under the general supervision and control of the delegating officer. Sub-delegations may be made across service boundaries.

1.12 Officers to whom matters have been sub-delegated may escalate the making of those decisions to the relevant Corporate Director, who can then (if appropriate) refer the matter to the Cabinet Member or Cabinet;

1.13 A power specifically delegated by this scheme to one officer shall not be exercised by another officer without the consent of the former.

1.14 Sub-delegations shall be recorded in a register kept by each Directorate and notified to the Monitoring Officer under Section 100G of the Local Government Act 1972.

1.15 Any officer exercising powers or duties in pursuance of full sub-delegation will be politically restricted under Section 2(1)(g) of the Local Government and Housing Act 1989.

1.16 All action taken under the terms of these delegations shall be properly discussed in advance with the relevant Cabinet Members and documented.

1.17 In each case, the delegated authority to officers includes management of the human and material resources made available for the service areas and the functions concerned within the limitations of this scheme and subject to specific delegations in this scheme or elsewhere to another officer.

1.18 In each case the delegated authority excludes the determination by the officer concerned of policy, exceptions to policy and budgets.

2 Delegations to officers

2.1 The powers delegated to officers exclude the authority to take Key Decisions.

2.2 Officers are responsible for the management of their services and the implementation of Council and Cabinet policies and Executive Decisions.

2.3 Decisions which an officer takes under delegated powers must:

- (a) implement a policy or decision previously approved or taken by the Cabinet or a Cabinet Member or
- (b) facilitate or be conducive or incidental to the implementation of a policy or decision previously taken by the Cabinet or a Cabinet Member or
- (c) relate to the management of the human, material and financial resources made available for the functions for which they are responsible

2.4 It shall always be incumbent on an officer to consult in advance with the appropriate Cabinet Member on the exercise of a delegated Executive Function, or agree with them not to exercise a delegated Executive Function but to refer the matter instead to the Cabinet or relevant Cabinet Member.

3 Subject to the provisions of paragraph 2.3 (above), the Executive Functions to be the Responsibility of Chief Officers are as follows:

3.1 TO THE CORPORATE DIRECTOR BUSINESS STRATEGY & SUPPORT

(i) To exercise the relevant functions of the Leader of the Council in relation to the overall strategic direction, policies and priorities of the Cabinet and of Council, including the overall corporate revenue and capital budget strategy and ensuring that the appropriate systems are in place to assure the performance management of the authority.

(ii) To exercise the relevant functions of the Cabinet Member Business Strategy, Performance & Health Reform, the Cabinet Member Democracy & Partnerships and the Cabinet Member Regeneration & Economic Development in relation to their portfolios.

(iii) To exercise in cases of urgency the Executive Functions delegated to other Chief Officers.

(iv) To incur expenditure in the event of a civil emergency.

3.2 TO THE CORPORATE DIRECTOR FAMILIES & SOCIAL CARE

(i) To exercise the functions conferred on or exercisable pursuant to Section 18 of the Children Act 2004 and Regulations made thereunder.

(ii) To exercise the functions conferred on or exercisable pursuant to Section 6(A1) of the Local Authority Social Services Act 1970 and Regulations made thereunder.

(iii) To exercise the relevant functions of the Cabinet Member Specialist Children's Services and the Cabinet Member Adult Social Care & Public Health in relation to their portfolios.

3.3 TO THE CORPORATE DIRECTOR EDUCATION LEARNING & SKILLS

(i) To exercise the relevant functions conferred on or exercisable pursuant to Section 532 of the Education Act 1996 and Regulations made thereunder.

(ii) To exercise the relevant functions of the Cabinet Member Education Learning & Skills in relation to his portfolio.

3.4 TO THE CORPORATE DIRECTOR CUSTOMER & COMMUNITIES

(i) To exercise the relevant functions of the Cabinet Member Customer & Communities, the Cabinet Member Business Strategy, Performance & Health Reform and the Cabinet Member Regeneration & Economic Development in relation to their portfolios.

3.5 TO THE CORPORATE DIRECTOR ENTERPRISE & ENVIRONMENT

(i) To exercise the relevant functions of the Cabinet Member Environment Highways & Waste and the Cabinet Member Regeneration & Economic Development in relation to their portfolios.

3.6 TO THE CORPORATE DIRECTOR FINANCE & PROCUREMENT

(i) To exercise the relevant functions conferred on or exercisable pursuant to Section 151 of the Local Government Act 1972 and Regulations made thereunder.

(ii) To exercise the relevant functions of the Cabinet Member Finance and Business Support, the Cabinet Member Business Strategy, Performance & Health Reform, the Cabinet Member Democracy & Partnerships and the Cabinet Member Education Learning & Skills in relation to their portfolios.

3.7 TO THE CORPORATE DIRECTOR HUMAN RESOURCES

(i) To exercise the relevant functions of the Cabinet Member Business Strategy, Performance & Health Reform and the Cabinet Member Finance & Business Support in relation to their portfolios.

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Minutes of the Children's Service Improvement Panel
Meeting Held: 17 January 2012 14:00 Cabinet Room

Present:

Mrs Whittle (Chair)
Mr Christie
Mrs Dean
Mr Lake
Mr Smith

Officers:

Andrew Ireland
Jean Imray
Donna Shkalla
Jennifer Maiden-Brooks
Fiona Maycock (Clerk)
Michelle Woodward

Apologies:

Miss Hohler

1. Previous Minutes

1.1 The minutes were approved as an accurate record of the last meeting and agreed for distribution to Cabinet.

2. Progress Report

2.1 Members were reassured that both Andrew Ireland and Jean Imray see detailed information on a weekly basis about the cases which are unallocated for more than 28 days.

2.2 Donna Shkalla confirmed that the number of children in need and number of children subject to a child protection plan in Kent far exceeds comparisons to our statistical neighbours. The number of LAC however, when factoring in deprivation levels, is more consistent with statistical neighbours. Despite Kent not being an outlier, nationally the number of LAC is of concern which mirrors Members and Officers views in Kent.

2.3 Focused work to move long term child protection cases onto other arrangements has had a significant impact on the overall numbers of children subject to a child protection plan.

2.4 Mrs Dean requested that statistical neighbour information be included in the graphs in future Progress Reports to aid understanding.

2.5 Donna Shkalla explained various factors affecting the increase in percentage of Core Assessments completed within timescale. However, it was warned that quality of casework could not be determined by timescale data; a percentage completed close to 100% would likely indicate a reduction in casework quality.

2.6 In terms of case audits, results suggest that too many cases were rated as good prior to the workshop, a reflection of the OfSTED conclusions. The workshop focused on expectations and understanding of what constitutes

each of the ratings, including examples of what good cases look like. This changed ratings to levels closer to expectations.

2.7 Improving the quality of casework can take between 3 to 5 years; the shift will be gradual within the reports. The post-workshop data shows the baseline on which to build; this should be included in future references to performance. Donna Shkalla recommended targets not be set until trends are evident with additional audits.

2.8 Mrs Whittle asked for a presentation on the progress made in recruiting experienced Social Workers to be included on a future agenda.

2.9 Members agreed that more involvement for children and parents would be beneficial both to families and staff. Jean Imray confirmed this emphasis is in the Phase 2 Improvement Plan but will be an increased focus going forward.

3. Practice Improvement Programme Report

3.1 Jean Imray emphasised the Practice Improvement Programme as just one element of the package of quality and practice improvements. The programme will work with individuals to focus on caseloads, quality, working practice and embedding good habits.

3.2 Donna Marriott confirmed the timetable of the programme was developed following learning from the DIAT Improvement Programme. The weekly report is expected to evidence the programme's effect.

3.3 Members were assured of the value external consultants (Beverley Clarke and Debbie Owen) contribute to this programme as they have built relationships and trust with teams, and Social Workers embrace their suggestions for change.

4. OfSTED Targets Performance Report

4.1 The shifted focus in the Phase 2 Plan towards improving quality has meant the performance reporting needs have changed. District scorecards will replace the monthly report with trend information to be added to the quarterly report. Members highlighted the need for using a single data set in a multitude of settings. The scorecards will form the basis of the Deep Dives to explore the process and understand any issues, with additional contextual information from the Heads of Service.

4.2 The indicators and targets have been set by a focus group of staff and reflect the expectations for the future. Some targets will be revised at 1st April to reflect the impact of the backlog seen in the current year.

4.3 Multi-agency reports will include the KSCB monthly report, Kent Corporate Parenting quarterly report and a report being scoped for the Central Referral Unit. Members suggested that a form of performance report should go to the FSC Committee, as the Kent Corporate Parenting Report (currently goes to Cabinet and POSC) is very broad. The locality boards would also benefit from specific data; Donna Shkalla confirmed that initial discussions around performance data have been positive.

4.4 In terms of the ratings on the scorecard, many of the green indicators reflect Phase 1 actions, whereas many of the red indicators represent partnership working and Phase 2 areas for development. However there are still some issues with recording, evident by red ratings (e.g. percentage of children seen at initial assessment).

4.5 The impact of the backlog and the Central Duty Team will be monitored as it moves to the Central Referral Unit.

5. Supervision Training Report

5.1 Michelle Woodward outlined the need for improving supervision arrangements following the OfSTED inspection in October 2010. Training sessions were run between December 2010 and April 2011, with an audit to assess the impact in July 2011. The results of the audit showed, against anecdotal evidence, that improved practice had not been embedded.

5.2 A new training provider is being procured and will focus on improving skills and effective and smarter recording of supervision. In addition, the number of supervisees per supervisor will be addressed in the structure proposals.

5.3 Michelle Woodward confirmed that the disciplinary process for overseas staff is the same as for British staff; a set of standards are to be met and robust management needs to be evidenced before action is taken.

6. Data Reports

6.1 Jean Imray indicated that the Deep Dives will focus on the action taken to safeguard children at risk and the summary of all Deep Dive actions will be included in the next Progress Report from Andrew Ireland.

6.2 Recommendations from Martin Narey's report will be incorporated into districts and specialist services work.

7. Any Other Business

7.1 Nothing to discuss.

8. For Information Reports

8.1 The inspection-ready programme for DIAT teams continued until all districts were rated as green. Plans from this programme, together with plans from the deep dives will identify areas of challenge to move forwards.

8.2 Priority three focuses on the importance of the preventative services role in Specialist Children's Services and how we can prevent too many children tipping into specialist interventions. £2.7 million will be spent on the Preventative Service including reintroduction of the Family Support Service.

8.3 There is a zero tolerance on LAC permanent exclusions, so the prevention of 14 as reported in the Summary Report was raised as a significant achievement.

Dates of future meetings

Agenda Setting*	Time	Meeting	Time	Venue
12 April	4 pm	26 April 2011	12.30	Waterton Lee
3 May	11 am	17 May	4 pm	Swale 3
7 June	4 pm	22 June	9 am	Medway
6 July	3.30 pm	13 July	3 pm	Swale 3
27 July	10 am	25 August	11 am	Swale 3
31 August	2 pm	20 September	2 pm	Medway
12 October	10.30am	24 October	2.30 pm	Cabinet Room
15 November	11am	7 December	3pm	Cabinet Room
4 January 2012	3pm	17 January 2012	2pm	Cabinet Room
14 February	10am	7 March	3pm	3rd Floor, Brenchley House
21 March	10am	11 April	3pm	Cabinet Room