



Summons to and  
Agenda for a  
Meeting on  
**Thursday, 18th July,  
2013**  
**at 10.00 am**





DEMOCRATIC SERVICES  
SESSIONS HOUSE  
MAIDSTONE

Tuesday, 9 July 2013

To: All Members of the County Council

Please attend the meeting of the County Council in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 18 July 2013 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

### **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.

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

1. Apologies for Absence
2. Declarations of Disclosable Pecuniary Interests or Other Significant Interests
3. Minutes of the meeting held on 23 May 2013 and, if in order, to be approved as a correct record **(Pages 1 - 6)**
4. Chairman's Announcements
5. Questions
6. Report by Leader of the Council (Oral)
7. Kent Safeguarding Children Board - 2012/13 Annual Report **(Pages 7 - 38)**
8. Facing the Challenge: Whole-Council Transformation **(Pages 39 - 54)**
9. Members' Travel Expenses **(Pages 55 - 62)**

10. Committee Membership

**(Pages 63 - 64)**

11. Petition Scheme Debate - Extend the Freedom Pass

**(Pages 65 - 74)**

12. Motions for Time Limited Debate

Motion 1: Mr G Cowan will propose, Mr W Scobie will second that:

This Council recognises that reform of the Crown Post Office Network is necessary and long overdue. This Council also welcomes progress being made to this end, with losses reduced by up to £14m, to around £37m, in the past three years.

Nevertheless, proposed reforms have the potential to disproportionately impact on Kent people – as part of a plan to close or franchise 76 Crown Post Offices nationwide – two are located in Kent: Margate and Whitstable Crown Offices.

Despite only representing 3% of the postal network, Crown Post Offices employ 4000 people and are responsible for 20% of all Post Office business. Crown Post Offices also process 40% of financial services mail and are therefore a crucial component of Kent's economy.

Post Offices not only provide essential services to the public that are not available anywhere else, but they are also central to the local economies in which they are located. This Council is concerned at the potential adverse impacts on Post Office accessibility for Kent's population and the business community.

This Council therefore calls on the Leader of Council to:

- write to the Parliamentary Under-Secretary of State with responsibility for Post Offices, informing them of the concerns raised by the Council about the franchising of the two of Kent's Crown Post Offices; Margate & Whitstable (if they were both to go to a franchise, neither would be able to provide all the current services and the nearest Crown Post Office available would be either Ashford or Faversham. This would not be in the best interest of our communities);
- request that Under-Secretary undertake to conduct a broader social and economic assessment of the proposed franchising, focussing on the impact on customers; and
- seek assurances from the Under-Secretary that successful franchisees for Crown Post Offices will be strongly encouraged to pay their staff the current rate for the job and guarantee the community would be able to receive all services provided by the Crown Post Office.

Motion 2: Mrs T Dean will propose, Mr M Vye will second that:



This Council agrees to issue guidelines to make it clear that council meetings are public and may be filmed, tweeted about or blogged with the exception of exempt agenda items.

13. Minutes for Information

**(Pages 75 - 90)**

Planning Applications Committee – 23 May and 7 June 2013

Regulation Committee – 23 May and 18 June 2013

A handwritten signature in black ink, appearing to read 'Peter Sass', is positioned above the printed name.

Peter Sass  
Head of Democratic Services  
01622 694002

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## KENT COUNTY COUNCIL

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MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 23 May 2013.

**PRESENT:**

Mr E E C Hotson (Chairman)  
Mr P J Homewood (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr D Baker, Mr M Baldock, Mr M A C Balfour, Mr R H Bird, Mr H Birkby, Mr N J Bond, Mr A H T Bowles, Mr D L Brazier, Mrs P Brivio, Mr R E Brookbank, Mr L Burgess, Mr C W Caller, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr I S Chittenden, Mr B E Clark, Mrs P T Cole, Mr G Cooke, Mr G Cowan, Mrs M E Crabtree, Ms C J Cribbon, Mr A D Crowther, Mrs V Dagger, Mr D S Daley, Mr M C Dance, Mr J Davies, Mrs T Dean, Dr M R Eddy, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Mr P M Harman, Ms A Harrison, Mr M J Harrison, Mr M Heale, Mr C P D Hoare, Mrs S V Hohler, Mr S Holden, Mrs S Howes, Mr A J King, MBE, Mr J A Kite, MBE, Mr S J G Koowaree, Mr R A Latchford, OBE, Mr R L H Long, TD, Mr G Lymer, Mr B E MacDowall, Mr T A Maddison, Mr S C Manion, Mr F McKenna, Mr B Neaves, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr R J Parry, Mr C R Pearman, Mr L B Ridings, MBE, Mrs E D Rowbotham, Mr J E Scholes, Mr W Scobie, Mr T L Shonk, Mr C Simkins, Mr J D Simmonds, Mr C P Smith, Mr D Smyth, Mrs P A V Stockell, Mr B J Sweetland, Mr A Terry, Mr N S Thandi, Mr R Truelove, Mr M J Vye, Mr J N Wedgbury, Mrs J Whittle, Mr M E Whybrow, Mr M A Wickham and Mrs Z Wiltshire

IN ATTENDANCE: Geoff Wild (Director of Governance and Law) and Peter Sass (Head of Democratic Services)

### UNRESTRICTED ITEMS

#### **1. Election of Chairman**

(Mr R E King the present Chairman presided for this item)

(1) Mr Carter moved and Mr Gough seconded that:

Mr E E C Hotson be appointed Chairman of the County Council.

*Carried without a vote*

(2) Thereupon Mr Hotson took the chair, made his declaration of acceptance of office and returned thanks for his election.

(3) Mr Hotson paid tribute to Mr King and thanked him for the manner in which he had carried out his duties as Chairman of the Council from May 2012 to the present day.

(4) Mr King suitably replied.

## **2. Election of Vice Chairman**

(1) Mr Sweetland moved, Mr Smith seconded:-

That Mr P J Homewood be appointed Vice Chairman of the Council.

*Carried without a vote*

(2) Mr Homewood thereupon made his Declaration of Acceptance of Office and returned thanks for his appointment.

## **3. Apologies for Absence**

The Director of Governance and Law reported apologies for absence from the following Members:

Mr Mike Hill  
Mr Alan Marsh

## **4. Declarations of Disclosable Pecuniary Interests or Other Significant Interests**

(1) Mr Cowan made a declaration in that both he and his wife are foster carers for Kent County Council.

(2) Mrs Whittle made a declaration as a non-executive director of Maidstone & Tunbridge Wells NHS Trust and that her husband is an employee of Kent County Council.

## **5. The Returning Officer to submit the returns of persons elected to be County Councillors until 2017**

(1) The County Returning Officer for the County of Kent submitted the Return, dated 10<sup>th</sup> May 2013, of persons elected to be County Councillors for the Electoral Divisions of the said County as reproduced in the papers for this meeting.

(2) RESOLVED that the Return was noted.

## **6. Minutes of the meeting held on 28 March 2013 and, if in order, to be approved as a correct record**

(1) The Chairman announced that it had been brought to his attention that in Minute Item 10b, paragraphs 3 to 6 referred to the sad loss of **Peter Wood**, former Leader of Ashford Borough Council but in the final paragraph it referred to Mr Ward, not Wood. He offered his sincere apologies for this error and assured Members that this has been corrected both in the online version and also on the copy he had for signing.

(2) RESOLVED: that subject to the above amendment the Minutes of the meeting held on 28 March 2013 are correctly recorded and that they be signed by the Chairman.

## **7. Chairman's Announcements**

The Chairman welcomed all newly elected and returning Members of the County Council and spoke about the challenges that lay ahead for the next four years. The Chairman also stated that he had chosen Kent Air Ambulance and Kent Young Carers as his charities for his year as Chairman.

## **8. Election of Leader**

Mr Simmonds moved, Mrs Stockell seconded that Mr P B Carter be elected Leader of the Council until the Annual Meeting of the Council in 2017.

*Carried without a vote*

## **9. Appointment of the Leader of the Opposition**

Mr Baldock moved, Mrs Wiltshire seconded that Mr R Latchford, OBE be elected Leader of the Opposition.

*Carried without a vote*

## **10. Questions**

Under Procedure Rule 1.17 (4), 10 questions were asked and replies given. 4 questions remained unanswered at the end of the thirty minutes and written answers were given.

## **11. Report by Leader of the Council (Oral)**

(1) The Leader began his report by thanking his colleagues for supporting him in his appointment as Leader of the Council. He also joined with the Chairman in welcoming all the new and returning members to the Council. He also offered his congratulations to Mr Latchford, Mr Cowan and Mrs Dean on their election as Leaders representing their groups.

(3) Turning to the future, the Leader stated that he was sure that everybody was aware that things were going to continue getting tougher and the ask upon the organisation would be stepped up. The Leader stated that in the last three years the Council had achieved revenue savings of some £275 million but there was likely to be more pain to come. He stated that the Council would continue to relentlessly pursue the five Ps; partnership, prevention, personalisation, productivity and procurement, which had been the major key plank of salvation in finding the budget resolutions over the last few years and would continue to be so.

(4) The Leader stated that it might be necessary to review both the Council's governance arrangements and Constitution going forward and that he looked forward to discussing his proposals with all Members of the Council. The only change that had been made immediately, he stated, was to turn Locality Boards from a formal arrangement to an informal arrangement and that in this new relationship it would be

very much left to District and Borough Leaders to choose when and how they wish to work with elected Members.

(7) The Leader stated that he envisaged a bold agenda for the future, which he planned to set out at the next County Council meeting in July. He ended by stating that the Council would endeavour to do what the Bishop of Dover had suggested earlier in the morning, namely improve lives for all Kent residents, particularly the elderly, sick and vulnerable.

(8) Mr Latchford congratulated the Chairman on his appointment and he also congratulated the Leader. He stated that the current financial situation and the need for economies and savings and to streamline the services provided by Kent County Council were clearly acknowledged by everyone.

(9) He stated that it was an historic day for Kent County Council because for the first time UKIP was present in the Chamber. He offered his congratulations to all his members who had been elected to serve in the Chamber. He stated quite clearly that he and his Members would work together with all groups in order to achieve only the best for the people of Kent.

(10) Mr Cowan offered his congratulations to the Chairman on his appointment.

(11) He stated Mr Carter had mentioned the future, the next four years, and continued cuts from central government. Mr Carter had complained about the former Labour government not giving the Council enough money and now he was challenging his own government over the lack of funds he was receiving and the massive cuts he had had to make year on year.

(12) Mr Cowan stated that government should not stop Mr Carter from facing up to many public concerns about his administration on Primary School places, children's services, adult social care, children's centres, highways and much more.

(13) Mrs Dean stated that she would like to welcome all Members to the Chamber. She spoke of welcoming old friends and some new and she particularly welcomed Mr Whybrow and Mr Thandi.

(14) Mrs Dean stated that the challenges facing the County Council over the next four years were the most testing she had ever seen in her career.

(15) Mrs Dean stated she had a concern that if Locality Boards were now meeting informally what then was the status of the discussions that had already begun at the Locality Boards where they had previously existed.

(16) Mrs Dean finished by saying that she and her group would continue to be a constructive opposition as they had been in the past.

(17) In response to the opposition leaders, the Leader stated that Locality Boards had stopped for the time being and he said that when the Council met in July he would bring a paper that hopefully would answer the questions Mrs Dean had posed. He stated that he would work with opposition leaders on this paper and would welcome any suggestions that were forthcoming on this issue.

(18) He stated that the education results last year had been the best the county had ever delivered and the Maidstone results had contributed to that in a very similar way to the other eleven districts.

(19) He stated that his administration would work with the opposition parties on the Troubled Families agenda, which was enormously important. The relationship with districts of all political persuasions was excellent on this and he would work to ensure this continued in delivery of this agenda.

## **12. Proportionality and Appointments to Committees and other bodies**

(1) Mr Cooke moved, Mrs Stockell seconded the following recommendations that the County Council:

- (a) agree the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;
- (b) approve the appointment of two Parent Governor Representatives to serve on the Scrutiny Committee, when it considers education matters, for a period of office to run from May 2013 to the end of April 2017;
- (c) note the list of appointments to outside bodies to be made by the Leader of the Council, once elected; and
- (d) ask the Selection and Member Services Committee to consider and determine the allocation of the Members' Conference Budget.

(2) RESOLVED: that the recommendations be agreed.

## **13. Convention of Member:Officer Relations**

(1) Mr Carter moved, Mr Simmonds seconded that the County Council consider and endorse the proposed Convention on Member:Officer relations as set out in the report for inclusion in the Constitution.

(2) RESOLVED: that recommendation be agreed.

## **14. Report of the Member Remuneration Panel**

(1) Mr John Ogden, Chairman of the Member Remuneration Panel, was in attendance to introduce the Panel's report and respond to any questions of clarification from Members.

(2) The Chairman proposed, the Vice Chairman seconded the recommendations of the Member Remuneration Panel with regard to proposed changes to the Members' Allowances Scheme for the one year period from May 2013, as detailed in the Appendix to the report.

(3) RESOLVED: that the Members' Allowance Scheme for the one year period from May 2013, as recommended by the Member Remuneration Panel, be approved.

## **15. Proposed Changes to Financial Regulations**

(1) Mr Simmonds moved, Miss Carey seconded that the County Council consider and approve the updated Financial Regulations and Delegated Authority Matrix of Approval Limits.

(2) RESOLVED: that the recommendations be agreed.

## **16. Annual Review of the Code of Corporate Governance**

(1) Mr Cooke moved, Mrs Stockell seconded that the County Council:

(a) Note the annual review of the Code of Corporate Governance in accordance with paragraph 6 of the Code of Corporate Governance.

(b) Approve the proposed amendment to paragraph 6 of the Code of Corporate Governance to read “the Council’s governance arrangements are reviewed annually. If there are any amendments recommended as a result of this review, these will reported to the Governance and Audit Committee and the County Council for approval” and

(c) Approve the proposed amendments to the Code of Corporate Governance set out in paragraphs 2(3) and 2(4).

(2) RESOLVED: that the recommendations be agreed.

## **17. Minutes for Approval**

RESOLVED: that the Minutes of the meeting of the Governance and Audit Committee held on 11 April 2013 be approved.

## **18. Minutes for Information**

Pursuant to Procedure Rule 1.10(8) and 1.23(4), the minutes of the Planning Applications Committee meeting held on 10 April 2013 and the minutes of the Superannuation Fund Committee meeting held on 22 March 2013 were noted.



By: Jenny Whittle, Cabinet Member for Specialist Children's Services  
Andrew Ireland, Corporate Director, Families and Social Care  
Maggie Blyth, Independent Chair of Kent Safeguarding Children Board

To: County Council – 18 July 2013

Subject: Kent Safeguarding Children Board – 2012/13 Annual Report

Classification: Unrestricted

**Summary:** This attached annual report from Kent Safeguarding Children Board describes the progress made in improving the safeguarding services provided to Kent's children and young people over 2012/13, and outlines the challenges ahead over the next year.

**Recommendation:** County Council is asked to COMMENT on the progress made and NOTE the 2012/13 Annual Report attached.

## 1. Introduction

(1) This report presents the 2012/13 Annual Report produced by the Independent Chair of Kent Safeguarding Children Board (KSCB) and endorsed by members of that Board. Current Government guidance captured in Working Together to Safeguard Children (2013) sets out the requirement introduced through The Apprenticeship, Skills, Children and Learning Act 2006 for Local Safeguarding Children Boards to produce and publish an annual report. This report provides a rigorous and transparent assessment of the effectiveness of local child protection arrangements and has been designed for circulation to all front line staff working with children across Kent.

(2) This report identifies progress across Kent in improving the child protection system and also identifies areas of vulnerabilities and what action is being taken to address challenges where they remain.

(3) The Annual Report includes lessons from management reviews, serious case reviews and child deaths within the reporting period.

(4) In Working Together 2013, (recently issued by the Department for Education), it is recommended that once the report is published it should be submitted to the Chief Executive (where one is in situ) and Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board.

(5) KSCB is forceful in carrying out its scrutiny role in overseeing child protection arrangements in Kent and findings from its multi agency audits, Section 11 audits and all SCRs can be found on the KSCB website.

## 2. The 2012/13 Annual Report

(1) The report details the continued progress made by agencies to ensure that children in Kent are safe. Progress has continued this reporting year with caseloads

and inappropriate referrals to Specialist Children's Services reducing. They remain below average compared to Kent's statistical neighbours.

(2) As the report indicates, the number of children with a Child Protection Plan (CPP) has risen slightly from 959 in March 2012 to 994 in March 2013. This is still below half the numbers of two years ago. KSCB is satisfied that the numbers have stabilised and are in line with those of our statistical neighbours. KSCB has noted that the numbers of children on a CPP for a second or subsequent time remains high and that a focus must remain on ensuring that all agencies have a common understanding of thresholds for child protection intervention.

(3) Kent agencies have invested in a new early intervention strategy during 2012-2013 which aims to provide swift support to children before a referral to Specialist Children's Services is required. Ofsted found this service to be working well. During the year KSCB has noted the improved use of the Common Assessment Framework (CAF) but identified continued barriers to its use across some sections of the health economy.

(4) Ofsted identified that interventions for children in need (CIN) across Kent were inconsistent which reinforces the need for KSCB scrutiny across the partnership about support given to this group of children.

(5) There has been significant progress over the last 12 months in how Kent is responding to the risks highlighted by the Children's Commissioner and more recently, the HO Select Committee, to children at risk of child sexual exploitation (CSE). KSCB has developed training for front line staff and a toolkit for assisting in identifying and assessing risk of CSE and publicity material has been distributed, drawing attention to the signs that may indicate that young people are at risk of CSE. KSCB has published a report on unaccompanied asylum seeking children called 'Staying in Kent'.

(6) To ensure that the spotlight is retained on those young people at risk of going missing, trafficking and CSE the focus of the KSCB conference in 2013 will be on these areas. During this reporting year 18 UASC went missing and did not return. KSCB is requiring statutory agencies to understand more clearly the trends relating to children missing in Kent to ensure that the most vulnerable young people are supported at the right time.

(7) Specific challenges are highlighted around action taken to learn lessons from cases when things go wrong and where children are the subject of neglect, harm or abuse from their carers or other adults around them.

(8) KSCB is committed to publishing the findings from all SCR's and has placed the overview reports from two SCR's and one management review into the public domain during this reporting year. Although there were no new SCR's commissioned during the last year, there was one SCR that concluded. Other non SCR case reviews have been undertaken and the lessons from all of these cases have influenced the focus of KSCB's multi-agency learning and development strategy and training programme. KSCB obtains assurance from all Kent agencies that actions following these reviews are properly monitored and progress evidenced.

(9) During this reporting period KSCB has undertaken a number of multi agency audits to understand what is happening across different front line settings in protecting children. A Section 11 audit was undertaken with statutory agencies across Kent which asked each partner agency to provide evidence to the Board on how they are meeting the many aspects of their safeguarding responsibilities. Where specific action has been required by certain agencies to improve their contributions, KSCB is closely monitoring this to ensure all agencies are discharging their safeguarding duties.

(10) The work of supporting Kent's 1831 Children in Care (including 190 unaccompanied asylum seeking children), as well as the 1194 looked after children placed by other local authorities in the county, continues to place massive pressures on public agencies responsible for supporting vulnerable children in Kent, including children's social services, schools, police, and health services. KSCB will continue to seek evidence that Kent agencies are adequately able to care for all children placed in the County and supports more rigorous risk assessments for children placed in Kent by other authorities.

(11) The Annual Report states that while dental and health checks for Children in Care have improved significantly there remain concerns about assessment and treatment of vulnerable groups of children with emotional wellbeing and mental health needs. Waiting times in the West of Kent have reduced significantly in recent weeks but KSCB will continue to require NHS representatives to report on progress in this area.

### **3. Conclusions**

(1) Kent agencies have worked hard to ensure that the failings identified in 2010 by Ofsted have been addressed. Overall, the Independent Chair of KSCB is satisfied that progress has been made and that the child protection system in Kent has improved. However, challenges remain to ensure that there is a common understanding of thresholds in Kent; that partnership agencies in Kent are suitably equipped to support the most vulnerable children and young people; and that those children identified as children in need are supported by all partner interventions.

(2) The revised Improvement Notice places specific expectations on KSCB during 2013/14 KSCB in requiring all agencies in Kent to demonstrate improved outcomes for children in relation to safeguarding and will be reporting on this to the Improvement Board. Through its new Quality Assurance Framework intelligence will be shared across agencies and members of KSCB are expected to provide single agency reports on progress and participate in Executive walk-about of front line settings.

(3) Furthermore, there are specific challenges for Kent agencies in supporting those children and young people at risk of trafficking and sexual exploitation and understanding why certain groups of children, including some unaccompanied asylum seeking children, go missing.

### **4. Recommendations**

(1) County Council is asked to:

- (a) COMMENT on the progress and improvements made during 2012/13, as detailed in the Annual Report from Kent Safeguarding Children Board
- (b) NOTE the 2012/13 Annual Report attached. Following this meeting, this document will be available for download at the KSCB website.

**5. Background Documents**

None

**6. Contact details**

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# KSCB Annual Report 2013

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Safeguarding  
the children  
of Kent





# FOREWORD

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"I would like to thank members of KSCB and its sub-groups for their continued energy, hard work and commitment to safeguarding children, both individually and collectively as we look forward to the next 12 months." *Maggie Blyth*

## A FOREWORD FROM THE INDEPENDENT CHAIR Maggie Blyth

The Kent Safeguarding Children Board (KSCB) is a partnership working to safeguard and promote the welfare of children in Kent.

This annual report describes the main achievements of the Board and partners during 2012/13 and outlines the priority areas on which the KSCB will focus in 2013/14.

Our aim has been to concentrate our attention on the safety of children who are most vulnerable and at risk of harm and ensure that positive outcomes for children remain a priority. During this year we focussed on necessary improvements to the child protection system looking at the numbers of children on child protection plans, reducing the numbers of re-referrals into Specialist Children's Services and concentrating on increasing the numbers and quality of different agencies' use of the Common Assessment Framework (CAF).

KSCB oversees a number of subgroups who deliver the workstreams of the Board.

These subgroups comprise:

Quality and Effectiveness  
Learning and Development  
Serious Case Reviews  
Child Death Overview Panel  
Health Safeguarding Group  
Safeguarding in Education Advisory Group  
Kent and Medway Trafficking Children and Sexual Exploitation  
Subgroup



The work of each of these subgroups and their achievements during 2012/13 are described in the body of this annual report.



## A FOREWORD FROM THE INDEPENDENT CHAIR

Maggie Blyth



As in previous years we will focus our attention on selected areas to support continued improvement. KSCB will monitor these through the strategic priorities set out in its new plan for 2013/14; to improve outcomes for all vulnerable children in Kent and ensure that partnership arrangements for child protection are truly fit for purpose.

We will continue to hold all agencies to account through audit of cases, analysis of data and visiting front line settings to ensure children are protected and action is taken by staff working in health, social care, police, probation and education settings. We will also be extending our Section 11 audit (Children Act 2004; regarding arrangements for safeguarding and promoting the welfare of children) to include voluntary sector organisations in Kent.

### OUR MAIN TASKS:

Develop policies and procedures to guide the day to day safeguarding practice in line with the revised statutory guidance 'Working Together' 2013.

Embed the quality assurance framework which will enable the KSCB to have a better overview about the quality of front line practice and the impact of those services in helping families to achieve positive outcomes and keep children safe.

Scrutinise front line practice by undertaking multi-agency audits and deep dives, exploring in depth the management information about the child protection system and asking children and families their views about how helpful they have found the services they have received.

Learn from reviews of individual cases, whether through Serious Case Reviews, other management reviews or from exploration of good practice.

Focus on the safeguarding needs of those children at risk of child sexual exploitation or trafficking.

Evidence improvements to outcomes for children in need across the partnership.

Ensure that child and adolescent mental health services are well co-ordinated and able to help children not just when their needs become severe, but also at an earlier stage when difficulties are emerging.





# CHAPTER 1

## HOW SAFE ARE OUR CHILDREN & YOUNG PEOPLE IN KENT?

There are 322,700 children and young people (0-17 year olds) living in Kent, making up 22% of the population. It is impossible to offer a complete picture of the children whose safety is at risk in Kent because some abuse or neglect may be hidden, despite the best efforts of local services to identify, step in and support children who are being harmed. In Kent, trafficked children who arrive at British ports to be transported throughout the country are vulnerable because their traffickers work hard to keep them 'invisible'. In other cases, families themselves mask abuse or neglect and neighbours may turn a blind eye to a child's need for protection.

KSCB places a statutory responsibility on agencies in Kent to provide assurance that they are working hard to ensure that all children and young people in Kent stay safe and are adequately protected.

Many groups of children in Kent are vulnerable. They include children who are privately fostered, children missing from home and children missing from education; children who live in households where there is domestic violence, substance misuse and/or parents are mentally ill; children whose offending behaviour places them at risk of significant harm; children in custody who are at risk of significant harm; and children for whom the release of an offender places them at risk of harm.

This Annual Report of the work of KSCB starts by looking at the categories of children and young people in Kent who have been identified by the Local Authority and other agencies as in need of protection.



# CHAPTER 1

## HOW SAFE ARE OUR CHILDREN & YOUNG PEOPLE IN KENT?

### Children with a Child Protection Plan

Children who have a Child Protection Plan (CPP) are considered to be in need of protection from either neglect, physical, sexual or emotional abuse; or a combination of one or more of these factors.

The CPP details the main areas of concern, what action will be taken to reduce those concerns, how the child will be kept safe, and how we will know when progress is being made.

During 2012/13 the numbers of children on CPPs have stabilised. After dropping significantly from 1,621 in March 2011 to 959 in March 2012, they currently sit at 994 in March 2013. KSCB requires regular analysis of this information to ensure that the figures reflect statistical neighbours. KSCB is satisfied that currently cases are reviewed with care and children provided with a range of interventions if they are no longer considered in need of protection.

### Children in Care

Children in Care (CIC) are those looked after by the local authority. There are currently 1,831 Children in Care in Kent, (included in this figure are 190 Unaccompanied Asylum Seeking Children (UASC)). Kent also has 1,194 CIC from other Local Authorities placed within its boundaries.

Only after exploring every possibility of protecting a child at home will the local authority seek a court decision to move a child away from his or her family. Such decisions, while incredibly difficult, are made when it is the best possible option to ensure the child's safety and wellbeing.

The number of CIC has remained reasonably static during the year. All of these children are subject to regular independent review to ensure their situations are being constantly evaluated.

In addition, during 2012/13 there were 143 UASC who arrived at Kent ports and for whom agencies in Kent provided a service.

The work of supporting Kent's 1,831 looked after children (including 190 unaccompanied asylum seeking children), as well as the 1,194 looked after children placed by other local authorities in the county, is placing massive pressures on public agencies responsible for supporting vulnerable children in Kent, including children's social services, schools, police and health services.





# CHAPTER 1

## HOW SAFE ARE OUR CHILDREN & YOUNG PEOPLE IN KENT?

### Trafficked children and asylum seekers

Some of the most vulnerable children in Kent arrive in Dover each year seeking entry into the UK. Most turn up seeking asylum whilst others have been trafficked for exploitation. Where the UK Border Agency identifies unaccompanied children, they pass responsibility for these children to Kent County Council. There are significant child protection implications in how the local Immigration Team in Kent organises the processing arrangement for these children, and also for the police and the local authority in how they deal with or receive these highly vulnerable children.

KSCB remains concerned that this group of children must be seen as a high priority and during 2012 commissioned a follow up to the Children's Commissioner's report on children's experiences 'Staying in Kent'. KSCB has identified that some children and young people are going missing from care and are never found.

Between 1 April 2012 and 31 March 2013, 18 UASC (under 18 year olds) went missing and have not returned. KSCB has established a specialist group to understand why some children go missing and how this might be prevented.

### Child Sexual Exploitation

KSCB has responded to the risks highlighted by the Children's Commissioner during 2012 to children at risk of Child Sexual Exploitation (CSE). KSCB has through its Trafficking Sub Group launched a new Toolkit for staff and has provided training on CSE to front line practitioners.

Funding from the government has allowed KSCB to develop some innovative training materials including a podcast for use with front line staff in understanding how to work with children at risk of CSE.

### Achievements during 2012/13 have been

- Distributing the CSE Toolkit to front line staff working in all services with children across Kent
- Producing publicity material drawing attention to the signs that may indicate young people are at risk of CSE
- Independent Chair and Lead Member speaking at a national conference about the challenges facing local agencies in understanding the extent of CSE in any area
- Commissioning the report 'Staying in Kent'

### Child and Adolescent Mental Health Services

KSCB has remained concerned during the year that many young people, particularly those resident in West Kent, have had to wait a very long time before being assessed or being given treatment through Child and Adolescent Mental Health Services (CAMHS). Some waiting lists are well over 20 weeks and this is unacceptable.

KSCB is seeking reassurance from the NHS that these waiting times are being reduced and has requested the partnership review the different referral pathways for children with a wide range of mental health or emotional wellbeing needs. Between August 2012 and March 2013 there has been improvements but this remains an area of concern for KSCB.



# CHAPTER 1

## HOW SAFE ARE OUR CHILDREN & YOUNG PEOPLE IN KENT?

The downturn in the economy has had a marked effect on young school leavers looking for work, leading to a continuing increase in the numbers of young people not in education, employment or training in Kent, rising to 6.33% in November.

### Children who are adopted

During 2012/13 105 children have been adopted in Kent, compared to 70 in the previous year. KSCB has been assured that the partnership between KCC and a voluntary organisation, CORAM, has worked well to help achieve this success. An Ofsted inspection of adoption services in March 2013 concluded that significant progress has been made in Kent in achieving positive outcomes for children awaiting adoption.

### The Early Offer in Kent

Kent agencies have invested in a new early intervention strategy during 2012/13 which aims to provide swift support to children before a referral to Specialist Children's Services is required. Ofsted found this new service to be working well and KSCB has been assured that the early offer has helped keep the overall number of child protection referrals to Specialist Children's Services from some agencies steady.

### Disabled Children

During 2012/13, KSCB introduced new guidance for professionals working with children with disabilities.

Following concerns that this group of children were not having their safeguarding needs met, KSCB and The Children's Society hosted a conference in September 2012 for front line staff.

From January 2012 the Disabled Children's teams, including the Sensory team, have managed Child Protection investigations for disabled children, ensuring that their specialist knowledge of factors that impact disabled children are fully taken into account. Joint working and training between multi-agency partners continues to be undertaken to raise the awareness of all professionals of the particular vulnerabilities of disabled children and how they should be protected. National evidence shows that disabled children are three times as likely to suffer harm as a result of neglect or abuse.

### Adolescents at Risk

The Youth Offending Teams across Kent have an average caseload of 430 of whom 40% are likely to be also supervised by Specialist Children's Services and the 16 plus Leaving Care Service. Those in custody / leaving custody will frequently have profound safeguarding needs which may have been unmet. During 2012/13 the downward trend in the numbers entering custody at either the remand or sentencing stages continued, with the average in the Secure Estate at any one time being approximately 25, the majority of whom will be young males aged 15+ years. KSCB is supportive of the requirements of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 which mean that all children and young people remanded to Youth Detention Accommodation have the status of a "child in care" and that as a result youth offending teams and Specialist Children's Services have joint responsibility for their welfare.



# CHAPTER 1

## HOW SAFE ARE OUR CHILDREN & YOUNG PEOPLE IN KENT?

### Children exposed to domestic abuse

Evidence from analyses of serious case reviews nationally in 2012 revealed that domestic abuse was present in almost three-quarters of families whose children died or sustained serious injury due to maltreatment.

Children are likely to suffer damaging effects on their health and development if they live in households where there is domestic abuse.

The number of repeat incidents of domestic abuse where a child or young person was present has decreased recently; to 25.2% at the end of December 2012 from over 35% at the end of June 2011.

Agencies in Kent are funding a number of Independent Domestic Abuse Advisors and KSCB believes this may see the numbers of children identified at risk of domestic abuse increasing.



### Who is responsible for protecting Kent's children and young people?

Everybody has a part to play in protecting children. Local communities can help by identifying what is happening in their areas. Safeguarding is everybody's business.

But ultimately when there remain serious concerns about harm to a child, a referral is made to Specialist Children's Services.

Most contacts and referrals into Specialist Children's Services come from all sorts of other professionals such as police officers, teachers, health visitors, midwives, nurses, GPs, mental health professionals or other specialist services. Specialist Children's Services, to make their decisions, need lots of information from the person making the referral. All professionals have a responsibility to ensure that accurate information is provided swiftly and shared promptly.

We are developing a common understanding of the levels of need in Kent – or what is sometimes known as agreement over 'thresholds'.

During 2012/13 KSCB has offered training to all staff in establishing a common understanding of levels of need in Kent.

On-going audits undertaken by KSCB suggest that much more inter agency collaboration could have taken place before some referrals were made to satisfy the referrer of the best course of action to take before a specialist intervention from Specialist Children's Services was considered essential.

Re-referrals into Specialist Children's Services are about 23% which, although a reduced number from the year before, suggests that there are still different views amongst professionals about what constitutes a child at risk.

During 2012, Kent Specialist Children's Services, Education, Police and different health professionals have worked closely to form Kent's first Central Referral Unit - where front line professionals are now working together to improve communication and joint working in how best to respond to children in need in the County.

### Central Referral Unit

"The Central Referral Unit facilitates more consistent threshold application between agencies, reduces duplication, promotes more effective information sharing and thereby promotes more timely and targeted intervention for children and their families."

*Mairead MacNeil,  
Director, Specialist Children's Services*



# CHAPTER 2

## WHAT IS THE KENT SAFEGUARDING CHILDREN BOARD?

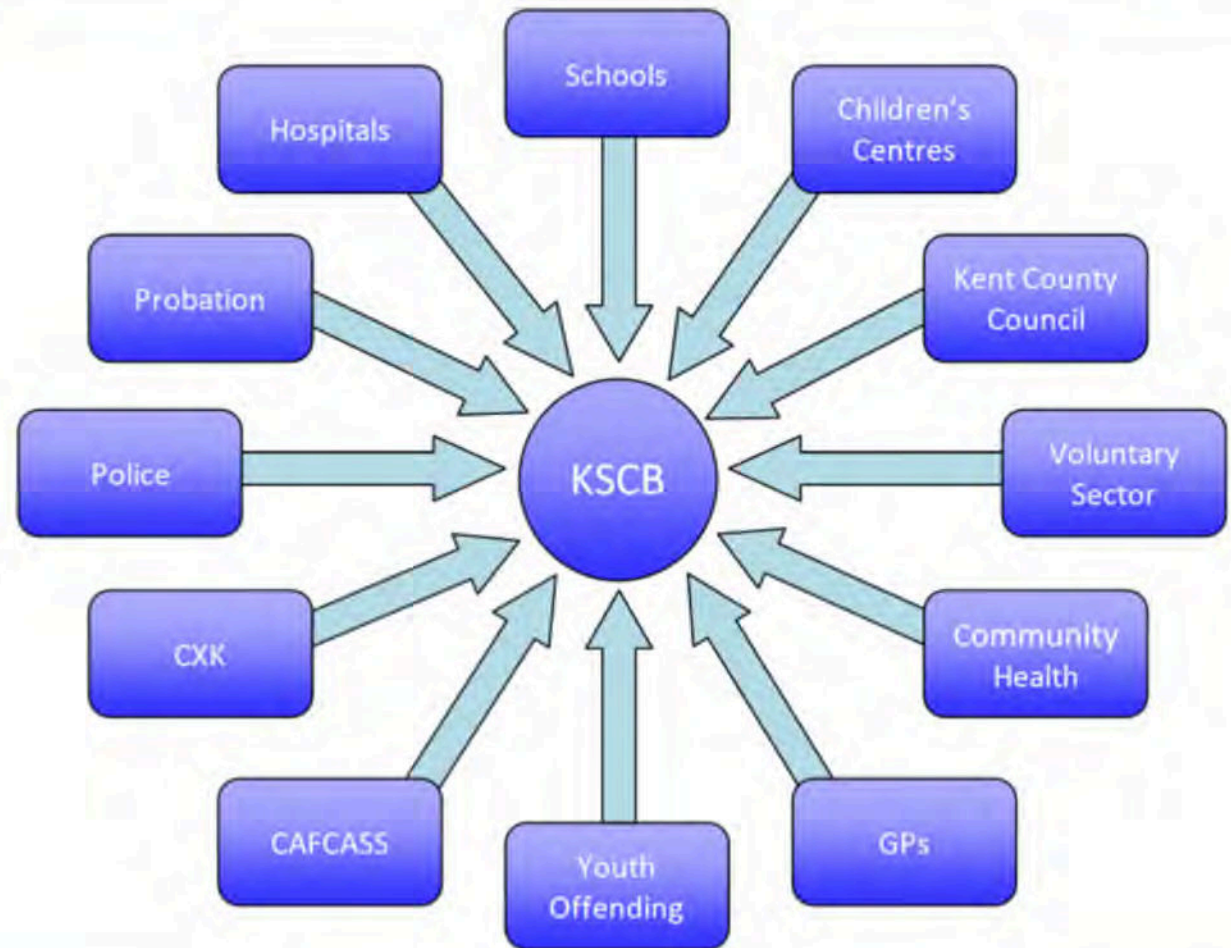
### The Kent Safeguarding Children Board

The KSCB is the partnership body responsible for coordinating and ensuring the effectiveness of Kent services in protecting and promoting the welfare of children and young people.

The Board is made up of senior representatives from all the main agencies and organisations in Kent concerned with protecting children.

### What is the purpose of the KSCB?

The Kent Safeguarding Children Board provides a vital link in the chain between various organisational efforts, both statutory and voluntary, to protect children and young people in Kent. Our aim is to ensure that all these efforts **work effectively in coordination** so that children and their families experience a harmonious and 'joined up' service.



### MAPPING THE MULTI AGENCY JOURNEY FOR CHILDREN

The KSCB is responsible for scrutinising the work of its partners to make certain that the services provided for children and young people in Kent are effective and actually make a difference. The effectiveness of KSCB relies upon its ability to champion the safeguarding agenda through exercising an independent voice.

KSCB is responsible for raising awareness of child protection issues in Kent so that everybody in the community can play a role in making our county a safer place for children and young people to grow up. Our message is that protecting children from harm really is everyone's business.



# CHAPTER 2

## What are the main roles for the Kent Safeguarding Children Board?

The roles for the KSCB are set out in its constitution, which was updated in March 2013 and includes the following:

- Developing policies, standards, and procedures for safeguarding and promoting the welfare of children
- Monitoring and evaluating the effectiveness of what is done by agencies and organisations both collectively and individually, to protect children and young people
- Recommending areas and priorities for the commissioning of children's services
- Raising awareness of, and communicating, child protection issues to individuals and organisations
- Establishing and carrying out a review in cases where a child has died or has been seriously harmed in order to advise on lessons that can be learned (known as Serious Case Reviews)
- Ensuring the provision of single agency and multi-agency training on safeguarding to meet the need of local staff

See Chapter 3 for more information on KSCB's work in each of these areas.

## WHAT IS THE KENT SAFEGUARDING CHILDREN BOARD?

### Membership and structure of KSCB

Having explained the main priorities for safeguarding children in Kent, this section contains information about who is involved on the board and how it is organised.

KSCB has three tiers of activity:

#### 1. Main Board

This is made up of representatives of the member agencies, as outlined in statutory government guidance. Board members must be sufficiently senior so as to ensure they are able to speak confidently and sign up to agreements on behalf of their agency and make sure that their agency abides by the policies, procedures and recommendations of KSCB.

[A full list of KSCB's membership for 2012/13 is available in Appendix A.](#)

#### 2. The Executive Board

The Executive body is made up of chief officer representatives from the statutory member agencies. The Executive has strategic oversight of all Board activity and takes the lead on developing and driving the implementation of the Board's main activities and 'Business Plan'. It is also the body responsible for holding to account the work of sub-groups and their chairs.

#### 3. Subgroups

The purpose of KSCB subgroups is to tackle the various areas of concern to the KSCB on a more targeted and thematic basis. The subgroups report to the Executive Board and are ultimately accountable to the main Kent Safeguarding Children Board.

[A diagram of the structure of KSCB – including information on its subgroups - is available in Appendix B.](#)



# CHAPTER 2

## KEY ROLES

### Independent Chair

All Local Safeguarding Children Boards (LSCB) appoint an Independent Chair who can bring expertise and a clear guiding hand to the Board to make sure that the LSCB fulfils its roles effectively. The Independent Chair also frees up the Board members to participate on an equal footing, without any single agency having the added influence of chairing the Board.

Maggie Blyth was recruited to this position in April 2011 and during the last year was employed by KSCB for approximately 6 days a month. The Chair is subject to an annual appraisal to ensure the role is undertaken competently and that the post holder retains the confidence of the KSCB members. WT 2013 states that Independent Chairs should be accountable to the Chief Executive of a local authority and in Kent, the role is accountable to Andrew Ireland, the Corporate Director of Families and Social Care.

### Director of Children's Services

The Families and Social Care Corporate Director in Kent is required to sit on the main Board of KSCB as this is a pivotal role in the provision of adult and children's social care within the Local Authority. This post is held by Andrew Ireland and he has a responsibility to make sure that the KSCB functions effectively and liaises closely with the Independent Chair who keeps him updated on progress.

### Leader of Kent County Council

The ultimate responsibility for the effectiveness of the KSCB rests with the Leader of Kent County Council, Paul Carter. The Families and Social Care Corporate Director is answerable to the Leader, who forms the final link in this chain of accountability.

### Lead Members

The Lead Member for Specialist Children's Services is the name given to the councillor elected locally with responsibility for making sure that the local authority fulfils its legal responsibilities to safeguard children and young people. In Kent, during 2012/13 Cabinet Member Jenny Whittle held this role. Councillor Whittle contributes to the KSCB as a 'participating observer'. This means that she takes part in the discussion, asks questions and seeks clarity, but is not part of the decision-making process.

### Lay Members

KSCB has appointed two lay members – that is local residents – to support stronger public engagement in local child protection and safeguarding issues and contribute to an improved understanding of the LSCB's work in the wider community. In Kent, Roger Sykes and Mike Stevens play this role. From 2013 these roles will be advertised bi annually.





# CHAPTER 2

## KEY RELATIONSHIPS

### Children and Young People's Joint Commissioning Board

The KSCB reports annually to this body on the matters facing children and young people at risk in Kent and we hold them to account to ensure they commission the services that are needed based on what we have highlighted as safeguarding priorities.

### The Health and Wellbeing Board

The Health and Wellbeing Board (HWB) took on new responsibilities in April 2013. Clear lines of accountability have been developed with KSCB who will report annually to the HWB and will hold it to account to ensure that it too tackles the key safeguarding issues for children in Kent.

### Member Agencies' Management Boards

KSCB Board members are senior officers within their own agencies providing a direct link between KSCB and the various agencies' boards.

During 2012/13 Kent agencies have been subject to major public sector reform – particularly the NHS – and communication lines sometimes change. It's essential that the management boards of each statutory agency in Kent cement a close connection with the Safeguarding Children Board and invest in its work.

### Clinical Commissioning Groups

During 2012/13 the arrangements in Kent for new GP commissioning were developed. There are now 8 Clinical Commissioning Groups (CCGs) across Kent and Medway and they will be important contributors to the KSCB in the coming year. Safeguarding responsibilities remain inherent to all CCGs but Medway CCG will host the NHS designated safeguarding team.

### Police and Crime Commissioner

KSCB has welcomed the focus of the new Police and Crime Commissioner's (PCC) drive to support young people at risk and her commitment to protecting the most vulnerable children.





# CHAPTER 2

## FINANCIAL ARRANGEMENTS

During 2012/13 contributions from partners remained steady at £300,672. The variable income available to the Board this year was £264,050 which included residual funds of £674,879 brought forward from 2011/12.

With a total income of £1,275,154 and expenditure of £673,885 this ensured the overall costs of running KSCB were met as they could not have been covered solely by the contributing partners.

THE FULL FINANCIAL BREAKDOWN CAN BE FOUND AT APPENDIX C.

## WHAT IS THE KENT SAFEGUARDING CHILDREN BOARD?

### Working Together 2013

In April 2013 the government published new guidance for all agencies working to protect children. While this document was not in place for the period of this Annual Report, KSCB has worked hard during the year to enhance its scrutiny role in preparation for the new guidance. Particular emphasis has been placed on learning from work with children where partnership working has gone well in addition to a focus on system improvement where tragically children have suffered harm.





# CHAPTER 3

## The Child's Journey through the system in Kent

### ..... a summary

**In February 2013 Ofsted published the results of its unannounced inspection of safeguarding arrangements in Kent.**

**Two years on from stating that services were failing children, the inspectors announced that all standards of child protection in Kent were 'adequate'.**

**They found no children at risk in the cases they observed.**

**Inspectors concluded that partnership work with children in need was still variable.**

- The number of referrals to Specialist Children's Services has continued to fall during 2012/13. In March 2013 figures indicated 442 per 10,000 population (14,267) from 534.8 per 10,000 population at end of March 2012. KSCB has sought assurance from partner agencies that agencies continue to apply a common understanding of thresholds before contacting Specialist Children's Services with concerns over cases.

- The numbers of re-referrals continues to be higher than statistical neighbours at 22.8%. However, there has been a sustained downward trajectory during the year.

- The number of children with a child protection plan has risen slightly from 959 in March 2012 to 994 in March 2013 but has fallen to about half what the numbers were two years ago. KSCB is satisfied that the numbers have stabilised in line with statistical neighbours.

- The numbers of children on a child protection plan for the second or subsequent time is 19.5%. This remains high and a priority for KSCB to monitor during the coming year.

- Services for the 1,831 children in care have improved. Dental and health checks sit respectively at around 90% completion. For asylum seeking children in care 85% have had relevant health checks completed within the required timescales.

- There are an additional 1,194 children placed in Kent by other local authorities.

- S11 returns completed in December 2012 for agencies working with children across Kent found that all organisations were compliant with the requirements of this audit. To further test these self assessments KSCB has put in place a peer review procedure.

- KSCB audits undertaken through the year emphasise that the voices of children are well represented at child protection conferences and that the majority of parents taking part believe any review of their circumstances to have been a positive experience. There is evidence that improvements can be made to ensure all key agencies are represented at conferences.

- There have continued to be improvements in the timelines with which children are assessed and seen within set timeframes across all districts. All children are allocated a qualified social worker.

- Children with specialist mental health needs in West Kent continue to wait several weeks before being assessed for treatment. A target has been set to reduce this to no more than 4/5 weeks by June 2013.



### Increasing scrutiny, quality and effectiveness

#### What did we do? How well did we do it?

During 2012/13 the Quality and Effectiveness subgroup has been responsible for leading KSCB's work in this area, with the aim to drive the quality of service improvement and delivery of outcomes vigilantly, transparently and consistently across the partnership.

#### Key achievements included:

- The Quality and Effectiveness Framework has been accompanied by training for all agencies
- A dedicated performance analyst post commenced employment in January 2012
- A programme of multi agency audits has continued throughout Kent

### Listening to the voice of children

#### What did we do? How well did we do it?

This year we have launched our new KSCB website and information about safeguarding and the work of the Board is now easily accessible. We have continued to listen to the views of children and young people about what they see as priorities for safeguarding.

#### The challenges ahead

Continuing the work to improve KSCB's approach to performance management and quality assurance in a way that strengthens the scrutiny and challenge role of KSCB is our main priority. This year has shown that data surrounding children at risk of sexual exploitation or trafficking is not sufficiently robust to indicate trends. We are putting this right.

The data also shows KSCB that concerted effort needs to remain in holding all partners to account in improving outcomes for children in need, to ensure they get the right help at the right time.



NB Detail on findings from all multi agency audits can be found on the KSCB website.



Kent County Council's Education, Learning and Skills Directorate plays a crucial role in ensuring that the statutory duties placed on schools and local authorities (education functions) are carried out effectively.

Section 175 of the Education Act 2002 and related statutory guidance places specific responsibilities on schools to safeguard children and promote their welfare. It is the role of the local authority to provide support, training and challenge to schools (including academies) and early years settings.

The level of safeguarding activity carried out by the Education, Learning and Skills (ELS) Children's Safeguarding Team is reported to the KSCB's Quality and Effectiveness subgroup on an annual basis. This includes information on the number and nature of consultations with schools and settings, allegations against teaching staff and the volume of child protection training rolled out across the county.

Although Ofsted Inspections of schools no longer apply a limiting judgement to safeguarding arrangements this is still scrutinised as part of the school's Leadership and Management function.

Support and intervention for schools is provided when weaknesses are identified in inspection reports, but safeguarding in schools and early years settings is now rarely judged to be weak. The safety and welfare of children is a priority as a child who does not feel safe in school will not be motivated to learn. Work is ongoing to establish what additional data reporting to KSCB from Education is required to enhance the multi-agency perspective on how we are doing in terms of keeping children safe.

KSCB oversees an Education Sub Group (Chaired by the ELS Corporate Director) which has a number of representative Headteachers and Heads of Education Services involved in carrying out the work of the Board at a local level.

In the past year there has been good progress in reviewing and agreeing the ELS Policy Statement on safeguarding; completing the Education Section 11 audit; and procuring a secure e-mail system that allows schools to submit reports online prior to Child Protection Case Conferences as required as part of the Ofsted improvement plan.



### Report from Health Safeguarding Group

### Common Assessment Framework

### Case Study

#### What did we do? How well did we do it?

During the year the Health Safeguarding Group (HSG) has reviewed critical safeguarding children areas including the work in health services on the common assessment framework, monitoring the progress of the new CAMHS provider, updates on serious case reviews and action plans and responding to the NHS reforms. 2012/13 has been a year of preparation for the implementation of NHS reforms, the most significant change in the NHS since its inception. The HSG has been seen as a stabilising factor during these rapid changes, a forum where health leaders for safeguarding children can continue to challenge and review the safeguarding issues for children who access health services. The HSG will continue to focus and respond to the NHS Safeguarding Accountability Framework.

Clinical Commissioning Groups (CCGs) have taken on the majority of the safeguarding responsibilities previously held by Primary Care Trusts (PCTs), along with the development of National Commissioning Board (now known as NHS England). During 2012/13, CCGs operated in 'shadow' form and needed training and development to ensure that they were ready for their statutory responsibilities. Sally Allum (now Director of Nursing, NHS England: Kent and Medway) will continue to chair the HSG during 2013/14 in partnership with CCG Chief Nursing Officers.

KSCB set a target to increase the total numbers of CAF by 15% during 2012/13. This has been achieved. The establishment of Early Intervention Teams in each district has been central to the increase in CAFs and building relationships across multi agency partners to increase confidence in the use of CAF. In March 2013 there were 2424 families in Kent supported with a Team around the Family (TAF) in place. Out of these cases, 61% were closed (1054 cases) with a positive outcome with just over 17% escalated to children's social care (301 cases).

Kent Community Health NHS Trust (KCHT) reported that an audit of how their staff applied thresholds showed that they used them appropriately. During 2012/13 KCHT completed 229 CAFs which meant that early and often intensive support was made available to children and families.

Kent is on target to achieve the growth in Health Visitor numbers set out in the Health Visitor Implementation Plan, which recommends that numbers are increased from 154 in 2011 to 342 in March 2015.

A KCHT school nurse sought advice about a 5 year old boy who appeared to be neglected at home. Concerns were raised about domestic abuse towards the mother from a new partner, just released from prison. The School Nurse liaised with the Health Visitor and a referral was made to Specialist Children's Services when bruising was seen on the mother's face and she was identified as suffering from postnatal depression. The boy was not taken to see a GP despite worsening health problems.

Following a case conference where more information was shared between front line staff the boy and sibling were taken into foster care.



### Update on the Department for Education intervention in Kent and the Improvement Plan'.

### Strategic Priorities for 2013 / 14

During 2012/13 KSCB reported on its progress to the Kent Improvement Board.

KSCB is assured that all aspects of the second phase of Kent's Improvement Notice were achieved and that services for children in Kent have been steadily improving.

The Kent Safeguarding Children Board has three priorities for the coming year, as agreed in its business plan endorsed by members in February 2013.

1) **positive outcomes for all children and young people in Kent.**

KSCB will continue work in 2013-14 to reduce the number of 'inappropriate' contacts and referrals to Specialist Children's Services. Guidance and policies have been issued to partner agencies and members across the KSCB, offering greater clarity on how to make use of the Common Assessment Framework.

We will know we have made a difference when thresholds for access to services for children in need are understood across all agencies and cases of 'inappropriate' contact and referrals, including re-referrals, are reduced. We will monitor this through a series of audits and through regular reporting of the Quality Assurance Framework.

2) **holding partner agencies to account for their part in collectively improving safeguarding of all children in Kent.**

We will know we have made a difference when our audits show that assessments are robust, responsive and facilitate multi-agency working.

We will expect to see robust plans for children involving effective risk management across the partnership at all levels of intervention.

3) **demonstrating a robust safeguarding partnership that can effectively undertake the work of Kent's Improvement Board.**

Enhancing the competence and confidence of professionals across the whole system of safeguarding children to accept responsibility for, and work with partners to manage risk is the single biggest challenge we face. The Common Assessment Framework (CAF) is designed to ensure professionals across the sector – be they teachers, GPs, police or health visitors – carry out precise and detailed assessments of risk in every child's case and work together with other agencies to help build as complete as possible a picture of a child's needs.

Part of this is working to ensure children's needs are met at the earliest opportunity and families get the support they need quickly.

We will know we have made a difference when strategic plans and priorities of partner agencies reflect targets relating to CAF and when children and families are receiving the support they need in the community when they are closed to Specialist Children's Services.





### Multi Agency Training

#### What did we do? How well did we do it?

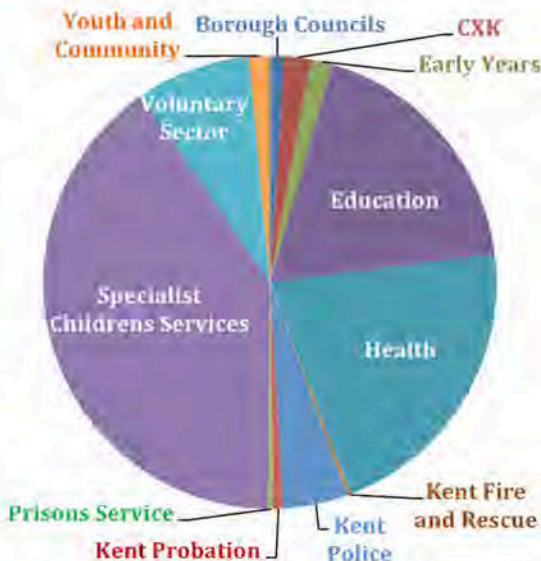
In November 2012 we held a Kent wide conference to which over 320 front line staff from different agencies attended. Speakers included the Children's Commissioner, Dr Maggie Atkinson, CEOP lead on missing children, Charlie Hedges and representatives from the DfE Safeguarding Unit (Jeanette Pugh).

We also organised a Safeguarding Summit in December 2012 for chief officers across Kent to understand the key challenges for the most vulnerable children in Kent.

The KSCB has a responsibility to ensure that appropriate child protection training is available to meet the multi-agency and Voluntary Sector training needs across Kent. It covers a variety of currently topical areas. We oversee training provided by single agencies to their own staff (monitored through the Section 11 audit); and multi-agency training offered through the Board and tailored to their specific needs. This also includes bespoke training offered to single agencies through the Board and tailored to their specific needs. KSCB's multi-agency basic awareness training delivered through the current KSCB College of Trainers (17 multi-agency and Voluntary Sector staff) continues to be an effective model of delivery.

The development of the 2012 -13 training programme was based on emergent themes from SCR's, operational good practice and Ofsted recommendations. Due to the developing nature of some of these themes, flexibility and evaluation of the training are important in order to produce a programme that is reflective of current topics. In total 100 courses were delivered in 2012-2013 with 2255 staff attending.

Training on the Eligibility and Threshold Criteria continued to be a priority for 2012-13 with 30 workshops delivered across the County to 1017 members of staff.



A new and developing learning programme this year has been the Immersive Learning sessions. Following the successful pilot of our first event, covering Child Abuse and Neglect, further courses are being developed and integrated into the 2013-14 training calendar.

#### Bespoke Training

The KSCB delivered 25 bespoke training sessions to a total of 355 staff working in Health, Childrens Services, District Councils, Kent County Council, Fostering Services and charities. The number of Voluntary Sector Staff receiving training is increasing, with 15 sessions delivered to 228 staff.

#### E-Learning

In 2012-13 a total of 1632 users registered to use the KSCB E-Learning training courses; this is an increase by over 300% compared to 505 users signing up in 2011-12.



# CHAPTER 4

## What happens when a child dies or is seriously harmed in Kent?

There are 2 processes for responding to a child death in Kent, depending on whether abuse or neglect is known or suspected to be a factor in the death:

### **The FIRST is called a Child Death Review Process.**

Since 2008, Child Death Reviews have been a statutory requirement for Local Safeguarding Children Boards who are expected to review the circumstances of all children's deaths (up to the age of 18). In Kent the Child Death Overview Panel (CDOP) has oversight of the processes, ensuring that:

- reviews occur in a timely fashion;
- the information, support and investigation of each death is appropriate and compassionate;
- there is appropriate investigation or referral of any deaths where there are safeguarding or criminal issues;
- where issues or lessons emerge that have broader relevance, or public health implications, they are effectively disseminated;
- information is collated and reported to the Department for Education.

### **The SECOND is known as a Serious Case Review.**

LSCBs are required to consider holding a Serious Case Review (SCR) when abuse or neglect is known or suspected to be a factor in a child's death and there are concerns about how professionals may have worked together.

The purpose of a SCR is to:

- establish whether there are lessons to be learnt from the case about the way in which local professionals and organisations work together to safeguard and promote the welfare of children;
- identify clearly what those lessons are, how they will be acted upon and what is expected to change as a result; and
- as a consequence, improve multi-agency working when it comes to protecting children

KSCB takes seriously its responsibilities to ensure that lessons learned when children die or are seriously harmed are swiftly embedded and messages are used to support improvement across agencies.

We are committed to publishing our Serious Case Reviews as part of our accountability to the wider community in Kent. During 2012/13 we published two SCRs and one management review.

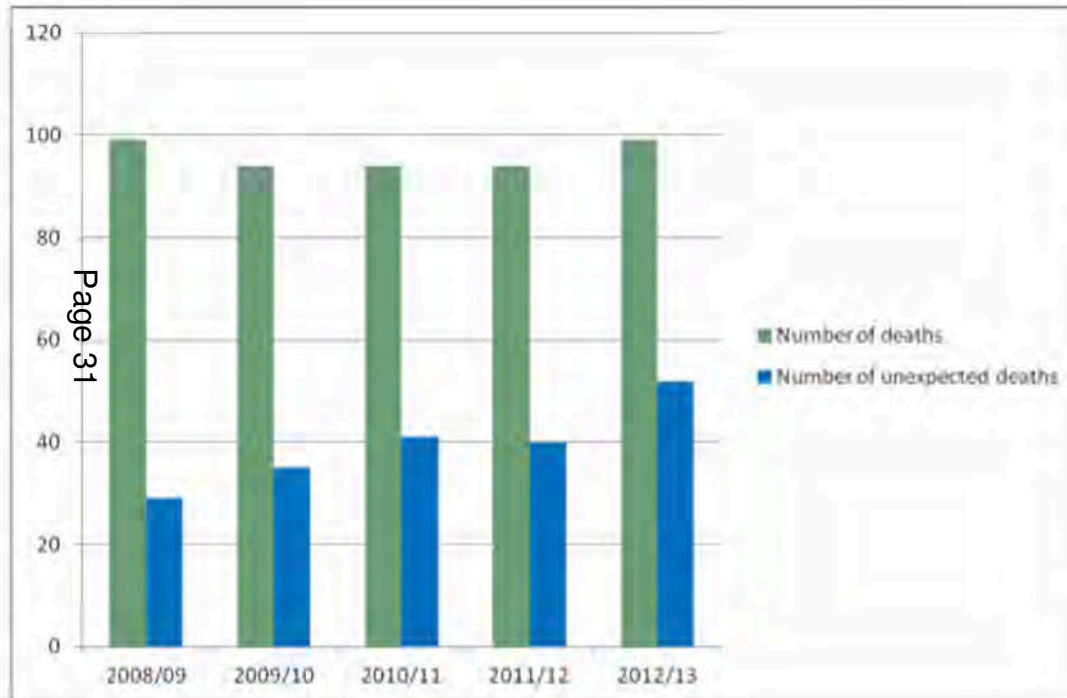


# CHAPTER 4

## What happens when a child dies or is seriously harmed in Kent?

### Child Deaths Reviews in Kent 12/13

The Child Death Overview Panel has a statutory responsibility to review the deaths of all children who are resident within KSCB's geographical area from birth up to the age of 18 years.



In 2012/13 there have been 99 deaths, of which 56 were unexpected. The number of deaths has remained fairly consistent over the previous five years. The increase in the number of unexpected deaths is believed to be as a result of more accurate recording of the circumstances of the death and a better understanding of the process as a result of ongoing training programmes which have been held throughout the period.

The definition of an unexpected death is the death of an infant or child (less than 18 years old) which:

- was not anticipated as a significant possibility, for example, 24 hours before the death; or
- where there was a similarly unexpected collapse or incident leading to or precipitating the events which led to the death.

The number of child deaths equates to 28.9 deaths per 100,000 children under 18 living in Kent.

# CHAPTER 4

## What happens when a child dies or is seriously harmed in Kent?

### Child Deaths Reviews in Kent 12/13

Although the number of child deaths has remained consistent over the past 5 years, due to increases in population, the death rate per 100,000 is falling, and Kent remains below the national average.

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Child death rate per 100,000 child population			
Year	Kent Rate	England rate	Difference between Kent and England (numbers)
2008	37.1	44.1	-20
2009	37.6	42.7	-14
2010	26.6	40.6	-43
2011	28.6	39.0	-32
2012	28.9	37.3	-25
<b>2008-2012</b>	<b>31.7</b>	<b>40.7</b>	<b>-134</b>

The CDOP process also looks at whether there were any modifiable factors which may help prevent similar deaths in the future, and seeks to identify any lessons to be learnt from the death, or patterns of similar deaths in the area. In the current year 85 deaths were reviewed, of which 15 were deemed to have modifiable factors.

All deaths are grouped into one of 10 categories. These are:

1. Deliberately inflicted abuse or neglect
2. Suicide of Self Harm
3. Trauma, external factors
4. Malignancy
5. Acute medical or trauma condition
6. Chronic Medical condition
7. Chromosomal Genetic disorder
8. Neonatal
9. Infection
10. Sudden Unexpected death

The most common reason for the death of a child is in the neonatal category, which includes premature births and is in line with national trends. Following that category, children born with chromosomal genetic disorders form the second highest number of child deaths. Only on rare occasions is death caused by abuse, neglect, suicide or safety at home.

### Achievements

Following the identification of issues in Kent relating to safe sleeping, our campaign has been expanded to work with midwives and health visitors to ensure that a consistent and thorough message is given to all parents to raise awareness of the risks associated with cot deaths.

The panel has also looked at the quality of bereavement support and work is currently underway to ensure that families are given the best possible support throughout the bereavement process.



# CHAPTER 4

## What happens when a child dies or is seriously harmed in Kent?

### Serious Case Reviews published in Kent 12/13

During this year there were no Serious Case Reviews commissioned. There was one SCR that concluded, known as 'AMY' and this was published in December 2012. Lessons from Amy also have focussed on improving how front line staff identify signs indicating children are at risk of sexual abuse.

#### AMY'S STORY

Amy was a 10 year old girl who died at home. A SCR was instigated because there were concerns that agencies did not share crucial information about Amy's situation - the neglect and alleged abuse she suffered.

There were poor examples of shared working between Amy's school, Kent Police and Specialist Children's Services.

#### ANTONIO'S STORY

Antonio was taken to hospital with multiple injuries. He was just a few weeks old. Neither Antonio nor his parents were known to any statutory agencies in Kent. Antonio has recovered from his injuries.

The review of this case recognised the impressive speed and thoroughness of the response from all agencies after the discovery of Antonio's injuries. They worked together to manage a distressing and difficult situation. This management review was published in January 2013.

#### ASHLEY'S STORY

Ashley died from being shaken badly. His father was convicted of causing Grievous Bodily Harm (GBH) and sentenced in 2012.

Agencies did not share information they knew about the family and the SCR concluded that in light of the risks presented by Ashley's father, children should not have been left in his care. Staff are now aware of the need for ongoing risk assessments when a new partner comes into a family

During 2012/13 KSCB considered a number of cases that did not meet the threshold for a SCR but warranted an independent review to consider learning and how to encourage improved practice across front line settings.



# CONCLUSION

## What next for child protection in Kent?

### Messages for Local Politicians

- You can be the eyes and ears of vulnerable children and families in your ward making sure their voices are heard by KSCB. For 2012/13 Councillor Jenny Whittle was lead member for children and families, making sure their voices are heard by KSCB
- When you scrutinise any plans for Kent, keep the protection of children at the front of your mind. Ask questions about how any plans will affect children and young people

### Messages for Clinical Commissioning Groups

- New CCGs in the health service have a key role in scrutinising the governance and planning across a range of organisations
- You are required to discharge your safeguarding duties effectively and ensure that services are commissioned for the most vulnerable children

### Messages for The Police and Crime Commissioner

- Ensure that the voice of all child victims are taken notice of within the criminal justice system, particularly in relation to listening to evidence where children disclose abuse
- Monitor what police and probation staff do to share information regarding high risk MAPPA and MARAC cases and the risks that some adults present to children
- Support the work of the independent domestic violence advisors in highlighting the maltreatment of children who witness domestic abuse

### Messages for Chief Executives and Directors

- Ensure your workforce is able to contribute to the provision of KSCB safeguarding training and to attend training courses and learning events
- Your agency's contribution to the work of KSCB must be categorised as of the highest priority
- The KSCB needs to understand the impact of any organisational restructures on your capacity to safeguard children and young people in Kent



### Messages for The Children's Workforce

- Ensure you are booked onto, and attend, all safeguarding courses and learning events required for your role
- Be familiar with, and use when necessary, KSCB's Thresholds Procedures to ensure an appropriate response to children and families
- Use your representative on KSCB to make sure the voices of children and young people and front line practitioners are heard

### Messages for The Community

- You are in the best place to look out for children and young people and to raise the alarm if something is going wrong for them
- We all share responsibility for protecting children. If you are worried about a child, follow the steps on the KSCB website – [www.kscb.org.uk](http://www.kscb.org.uk)

### Messages for The Local Media

- Communicating the message that safeguarding is everyone's responsibility is crucial to the KSCB and you are ideally positioned to help do this
- The work of KSCB will be of great interest to your readers and listeners
- Your contribution to safeguarding children and young people in Kent

### Messages for Children and Young People

Children and young people are at the heart of the child protection system. KSCB wants to ensure that children's voices are heard and during the year has consulted children about their views on how safe they feel. This has led to the development of a range of projects to properly review children's views of child protection arrangements in Kent.



# APPENDIX A

## MEMBERSHIP of KSCB

Maggie Blyth, *Independent Chair*

Maurice Reilly, *Director Kent Probation Trust*

Andrew Ireland, *Corporate Director Families & Social Care, KCC*

Angela Slaven, *Director of Service Improvement, KCC*

Nadeem Azim, *District Councils Representative ,CEO Dover*

Mark Gurrey, *AD Safeguarding & Quality Assurance, Specialist Children's Services, KCC*

Mairead MacNeill, *Director Specialist Children's Services, KCC*

Lorraine Goodsell, *Associate Director, Child Health & Maternity, KMCS*

Tim Smith, *Detective Superintendent Kent Police*

Mark Sheppard, *Director Kent Community Health NHS Trust*

Meradin Peachey, *Director of Public Health, KCC*

Mike Stevens, *Lay Member*

Nick Sherlock, *Head of Safeguarding Adult Services, KCC*

Patrick Leeson, *Corporate Director Education, Learning & Skills, KCC*

Roger Sykes, *Lay Member*

Sally Allum, *Director of Nursing & Quality, NHS Kent & Medway*

Sean Kearns, *Chief Executive, CXK (formerly Connexions)*

Stephen Bell, *Voluntary Sector Representative*

Steve Hunt, *Head of Service, CAFCASS*

Lesley Ellis, *Head Teacher (Secondary)*

Jay Pye, *Head Teacher (Primary)*

Jenny Whitte, *Cabinet Member*

## MEMBERSHIP of KSCB EXECUTIVE

Maggie Blyth, *Independent Chair*

Maurice Reilly, *Director Kent Probation Trust*

Andrew Ireland, *Corporate Director Families & Social Care, KCC*

Mark Gurrey, *AD Safeguarding & Quality Assurance, Specialist Children's Services, KCC*

Mairead MacNeil, *Director Specialist Children's Services, KCC*

Sally Allum, *Director of Nursing & Quality, NHS Kent & Medway*

Sean Kearns, *Chief Executive, CXK (formerly Connexions)*

Jenny Whittle, *Cabinet Member*

Patrick Leeson, *Corporate Director Education, Learning & Skills, KCC*

Che Choi Fung, *Senior Solicitor, KCC*

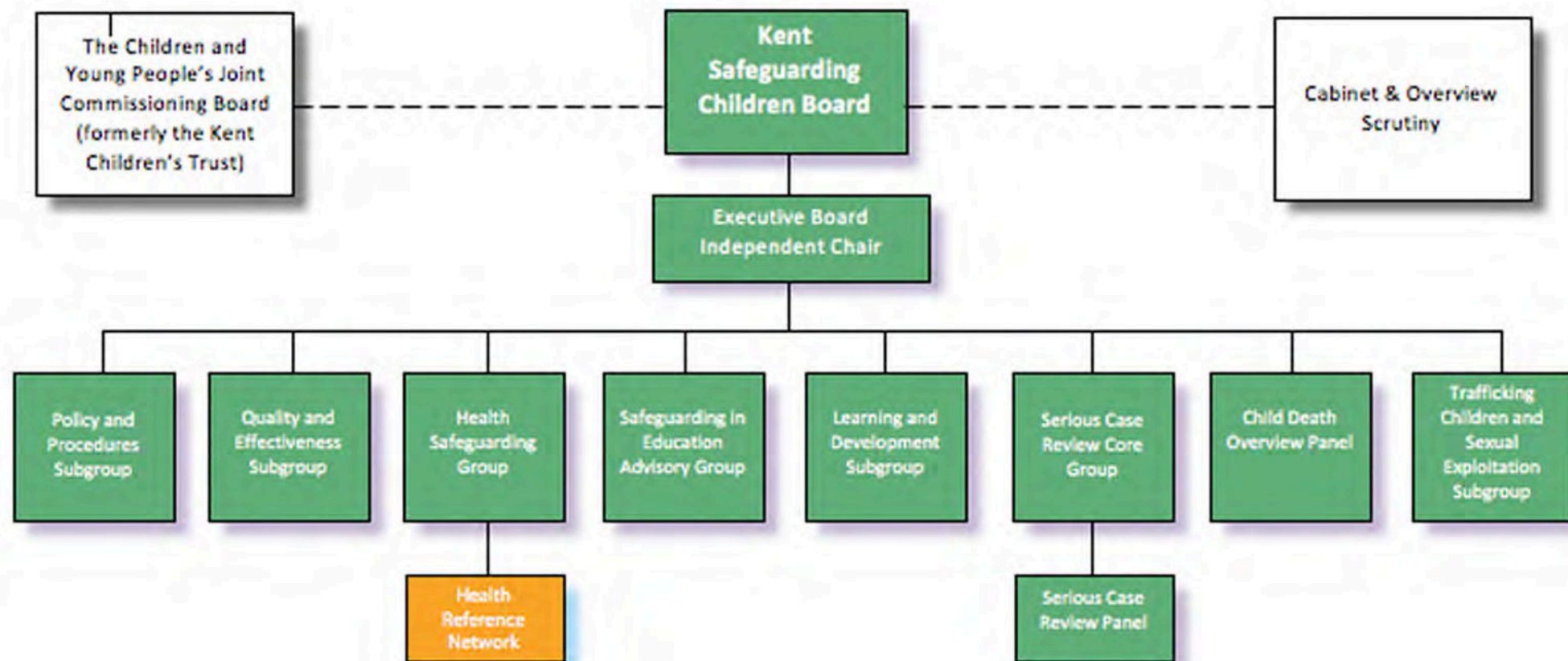
Mark Sheppard, *Director Kent Community Health NHS Trust*

Lorraine Goodsell, *Associate Director, Child Health & Maternity, KMCS*

Changed during the year: Tim Smith, *Detective Superintendent, Kent Police* replaced by Paul Brandon, *Assistant Chief Constable, Kent Police*

# APPENDIX B

KSCB Structure Chart 2012/13





Expenditure	2012/13
Salaries	389,581
Travel	4,671
Staff training and development	1,744
ICT consumables, hardware, software, equipment	3,352
<b>Direct staffing costs</b>	<b>399,349</b>
Printing, publications and promotions	3,325
Room hire and refreshments – business meetings	1,785
Room hire and refreshments - SCR	239
KSCB web site & on-line procedure manual	9,342
Stationery	1,046
DCPP Grants	1,348
Independent Chair	46,714
Consultants	51,291
Audits (External Consultants)	8,659
Child Sexual Exploitation Project	5,050
Lay Members	146
<b>Board support and development</b>	<b>128,944</b>
Commissioning Case Reviews	66,619
<b>Case reviews</b>	<b>66,619</b>
E-learning, external trainers	18,075
Training College including trainer of trainer	3,745
Room hire and refreshments - Training	30,600
Annual Conference	8,592
CWDC - Implementing Munro & immersive learning	17,962
<b>Learning and improvement</b>	<b>78,974</b>
<b>TOTAL EXPENDITURE</b>	<b>673,885</b>

Income	2012/13
<b>Income from contributing partners</b>	<b>300,672</b>
<b>under/over budget</b>	<b>-373,213</b>
E-Learning Income	5,160
Non-attendance/Cancellation Income	20,731
Bespoke Training Income	9,662
<b>Total Training Income</b>	<b>35,553</b>
CWDC Grant	94,000
Child Death Grant	95,000
Training	35,000
Children's Improvement Board ( National)	5,050
Strategic Health Authority	35,000
<b>Total variable income</b>	<b>264,050</b>
<b>under/over budget</b>	<b>-109,163</b>
<b>Residual funds available</b>	<b>674,879</b>
<b>TOTAL INCOME</b>	<b>1,275,154</b>
<b>TOTAL EXPENDITURE</b>	<b>673,885</b>
<b>Residual funds to carry forward to next financial year</b>	<b>601,268</b>

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By: Paul Carter, Leader of the Council

To: County Council – 18 July 2013

Subject: Facing the Challenge: Whole-Council Transformation

Summary: This paper sets out how the organisation will position itself to meet the anticipated financial challenges over the medium-long term. It outlines a future vision for the council, an outline service delivery model to support that vision, and a whole-council transformation approach that will begin the journey to transition the authority towards a new operating model. This will ensure that KCC can continue to deliver against its strategic priorities within a sustainable budget.

# **RECOMMENDATIONS:**

County Council is asked to:

- (1) Note the progress that has been made since 2010 in delivering the aims and objectives set out in Bold Steps for Kent.
- (2) Note that £269m of savings have been identified and delivered up to 2013/14.
- (3) Note the approach taken to delivering options to balance the budget for 2014/15.
- (4) Note the additional estimated savings of £239m required between 2015/16 and 2017/18
- (5) Agree the vision for the Council in 2020 set out in section 4.
- (6) Agree the outline future service delivery model for the council set out in section 5.
- (7) Agree the five priorities of whole-council transformation identified in paragraph 6.1.
- (8) Agree to first phase of service integration as:
  - a. 0-11 children and family support services
  - b. 11-24 support services
  - c. Commissioning functions
  - d. Skills & employability services
- (9) Note the requirement on Corporate Management Team (CMT) by Cabinet to identity further opportunities for service integration.
- (10) Note the creation of a Whole-Council Transformation Board.
- (11) Note the commissioning of a Whole-Council Transformation Plan for KCC to be

## **1. THE CURRENT OPERATING FRAMEWORK:**

1.1 There are two strategic drivers that set the operating framework for the council. *Bold Steps for Kent: The medium term plan until 2014/15* and *Change to Keep Succeeding*, which sets out the organisational structure and operating framework for the authority.

1.2 County Council approved Bold Steps for Kent in December 2010 as the Coalition Government established itself with the main priority to eliminate the structural budget deficit within a single parliament. The three ambitions set out in Bold Steps – helping the Kent economy to grow, putting the citizen in control and tackling disadvantage drive what we do as a council. How we tackle the budget challenge, while focussing on delivering positive outcomes for the people of Kent, are shaped by the five ‘P’s’ of prevention, partnership, productivity, procurement and people (personalisation). The County Council considered and approved Bold Steps: Progress to Date and Next Steps at its meeting in December 2012.

1.3 Bold Steps for Kent has delivered a range of benefits, including:

- A new approach to procurement through the development of a category management approach, saving nearly £12.3m through more efficient procurement processes, with more KCC goods and services now being provided by Kent businesses.
- A new relationship with schools, with devolution of funding and responsibilities, increased collaboration driving improvements in school performance and pupil attainment across the county, and EduKent emerging as a strong and viable trading vehicle for school support services.
- Positioned KCC at the forefront of thinking across local government as to how we can use the opportunity of the Health and Social Care Act 2012 to reshape community health provision and integrate health and social care commissioning, and developed strong and effective relationships with Clinical Commissioning Groups through our Health and Wellbeing Board.
- Delivered a new vision for transport in Kent through the £87m East Kent Access Road to support growth at the Discovery Park Enterprise Zone, Kent International Airport and on the Isle of Thanet, working with Government on options for a new Third Thames Crossing and opposing proposals for a new hub airport in the Thames Estuary.
- Delivered huge regeneration opportunities, £55m direct financial assistance through Expansion East Kent and TIGER (Thames Gateway, Innovation, Growth & Enterprise) loans schemes, investing in businesses with the appetite to grow, and unlocking development in the Thames Gateway by agreeing to manage £110m Homes and Roads Programme.
- Improved the life chances of young people through the promotion of apprenticeships so that Kent is now outperforming all other local authorities in

the South East in the number of apprenticeship starts, with £2m investment in the Kent Jobs for Kent Young programme and 500 apprentices employed within KCC through the Kent Success Apprenticeship scheme.

1.4 Change to Keep Succeeding, approved at the same time as Bold Steps for Kent in December 2010, provides the current rationale for the existing structure of the organisation. It promoted a more joined-up approach, through better alignment of services, particularly in the development of organisational strategy, provision of business support arrangements and the creation of a more cohesive senior officer leadership. Change to Keep Succeeding: The Next Steps, approved by County Council in December 2011, promoted closer and more cohesive working between Corporate Directors and Cabinet through the creation of Corporate Board, providing a single point of leadership and direction for the organisation.

1.5 In light of the scale of the financial and demographic pressures that the authority is likely to face over the next four years and beyond, further changes to the operating framework will be required.

## **2. THE SCALE OF THE FINANCIAL CHALLENGE:**

2.1 Bold Steps for Kent anticipated the need to deliver £340 million of savings in costs and pressures over the four-year period between 2011/12 and 2014/15. This forecast (produced before we had had the outcome of Spending Review in 2010) has proved remarkably robust, but the wider national and economic context in which this estimate was made has changed significantly. The Coalition Government had originally planned to eliminate the structural deficit within the current Parliament. However, sluggish economic growth has meant that tax receipts have not recovered as quickly as anticipated and, as a consequence, public sector spending austerity is planned to last well into the next Parliament and, on current plans, until at least 2017/18.

2.2 It is important to recognise that KCC has performed exceptionally well in planning and delivering £269m in savings over the three financial years to 2013/14. The majority of these savings have been delivered through a sustained focus on efficiency as well as one-off measures using reserves and under-spends. Significant savings have been delivered through the centralisation of support services, the removal of unnecessary layers of management and removing over 1,500 posts across all service areas and directorates. The success in the delivery of these savings is due to the effort, enthusiasm and commitment of all KCC staff over the last three years.

2.3 The Spending Review (SR) announced on 26 June 2013 has further clarified details of the savings requirement with an additional 10% reduction across local government budgets as a whole in 2015/16. Although there have been no formal announcements beyond 2015/16 we have used all the intelligence available to us and estimate that savings required between 2015/16 and 2017/18 will be approximately £239m as a result of continuing additional spending demands (inflation, demography, etc) and funding reductions from central government. It is important to note that there will be a Comprehensive Spending Review in 2015 (after the general election) and therefore additional and unforeseen savings requirements, above those outlined, may be required.

2.4 As a sector, local government is facing the most sustained period of financial contraction in its history, whilst the policy choices made by national government to protect health, schools, international development and pensions from reductions in grant funding disproportionately gear savings towards non-protected services and, in particular, services provided by local government. These national policy choices are driving structural change in national spending towards welfare support in its broadest sense, with pensions and healthcare increasingly expected to take up an ever growing proportion of national spending, a trend which is unlikely to be reversed by any change in government. The reduction in resources available that has occurred over the last four years, and which will continue to occur over the next four/five years, is permanent.

2.5 However, the major challenges that KCC faces are not simply reductions in funding levels, but also unfunded growth pressures. The Council faces demographic pressures and increased demand for services, particularly in adult and children's social care, which represents close to half of the authority's controllable budget, as well as continued demand on prices and pay. The risk is further exacerbated by the funding reductions faced by other public services, but notably the significant efficiency savings and demand pressures within the health service. It is imperative that continued work with health colleagues across primary, community and acute sectors, to reform how health services are provided to reduce acute intervention and long-term dependency on social care, continues apace.

2.6 The extension of public sector austerity beyond the current Parliament, the continuing growth in pressures and a radical public service reform agenda being pursued by the Coalition Government, means that KCC, like many local authorities, is faced with significant uncertainty and enormous challenges. As with any market contraction and consolidation, the shape of local government at the end of this period will look and feel very different to what has gone before. As has been noted by the Local Government Association (LGA), the National Audit Office (NAO) and the House of Commons Public Accounts Committee (PAC), not all councils can remain financially viable in light of these current and future pressures.

### **3. MEETING THE CHALLENGE:**

3.1 KCC has a strong track record in delivering significant change. Whilst the current financial projections will represent the most sustained pressure on local government finances over any period in its history, KCC has faced tough financial pressures before and has successfully overcome them. It can do so again. Through strong political leadership and effective management, we have successfully responded to the pressures placed upon the authority over the last three years whilst continuing to provide a strong service offer for Kent residents. By harnessing the innovation of our staff, engaging with our partners and using our size and scale as the largest county authority in England to our advantage, KCC can shape a new, financially sustainable service offer for the residents of Kent, whilst maintaining our position as a strategic countywide authority.

3.2 Through the on-going development of budget options and through the Medium Term Financial Plan agreed by County Council in February 2013, we already have significant savings identified and agreed for 2014/15 and are currently working to identify further options to close the remaining 2014/15 budget gap, which we will put out to consultation in the usual way this autumn.

3.3 The scale of the savings required for 2015/16 and beyond will require more fundamental options to be considered by County Council. Local authorities have four mechanisms to deal with these financial and demographic challenges:

- a) **Council tax:** This remains an important budgeting mechanism for local authorities to meet future demand for services. Over the last three years, as the financial pressure on Kent households has increased, we have worked hard to keep our component of council tax bills frozen.
- b) **Service reductions:** KCC has worked hard to ensure that critical frontline services have been protected as far as possible whilst also finding additional monies to invest in services that required improvement, such as children's social services. The protection of valued frontline services remains a priority for the council, as blanket reductions to balance the budget would diminish the quality of all services below acceptable standards.
- c) **Service efficiencies:** The focus on the identification and delivery of efficiency savings (through focus on the 5Ps) has proved a highly effective strategy to balancing the budget over the last three years. Whilst a continued and persistent focus on efficiency is required and expected on all public authorities by taxpayers, beyond 2014/15 efficiencies alone will be insufficient to meet the scale of the financial and demographic pressure faced.
- d) **Service Transformation:** Transformation requires a radical rethinking of traditional service delivery models, placing the customer at the heart of the service, providing what they want and need, rather than the perceived needs as decided by providers or professionals. This can significantly improve customer experience and outcomes at reduced cost through the removal of duplication and waste, and focusing on prevention to reduce demand for services. It is differentiated from efficiency, as transformation requires a wholesale transition from the existing service model to a new service model.

3.4 No one individual option will be sufficient going forward, and a combination of all four mechanisms will, to some extent, be required in order to deliver the scale of the savings required of the authority. However, the most significant driver of change will be adopting a whole-council approach to transformation that not only changes what and how we deliver to be focussed on the customer, but fundamentally seeks to reshape KCC services to operate effectively within the reduced resources available.

3.6 The core elements to transformation have already been introduced through Bold Steps for Kent, and therefore moving to a whole-council approach is not introducing new principles but seeking to accelerate the pace and scale of transformational change to provide a future service offer to Kent residents that is financially sustainable. The lead in time for delivering transformational change is such that in order to deliver savings of the scale required from 2015/16 we must begin to deliver the necessary change at pace and scale now.

## 4. KCC IN 2020

4.1 Based on current Treasury plans we know public sector austerity will last until 2017/18, however both the Institute for Fiscal Studies (IFS) and the Institute for

Government (IfG) have suggested that austerity may last until 2020. By setting a vision for what we want KCC to be like in 2020, we can begin to identify and shape the changes necessary to KCC's service delivery model to deliver that post austerity vision.

4.2 The fundamental role and purpose of KCC will not have changed by 2020. KCC will still be the strategic public sector authority setting a vision for the local community, and working with partners across the public, private and voluntary sector to improve the economic, social, health and environmental quality of life of Kent residents, whilst protecting and supporting the most vulnerable in our society. However, how KCC undertakes this role will have changed significantly.

4.3 KCC will still be a politically led authority, as only democratically elected Members, answerable to the residents of Kent through the ballot box, have the legitimacy to make decisions about allocating resources across competing demands and taking strategic decisions about investment and disinvestment in services.

4.4 By 2020, all KCC services will have a greater customer focus with services organised around the needs of service users and residents, not the priorities of the service provider or service professionals. This focus on the customer and client will drive our approach to public service delivery. The service offer should not be shaped solely by a demarcation of what is statutory and discretionary activity, which can be artificial and arbitrary, but instead shaped by the value that Kent residents and businesses attribute to services according to their needs.

4.5 Wherever possible, we will seek to redefine and benchmark our baseline definition of statutory provision, in order to create a proportionate interpretation of what statutory services mean in terms of cost, quality and scale for the people of Kent. Where such services are not considered to be a high priority for residents, KCC will provide appropriate de-minimis funding to meet its legal obligations and may even seek to have those legislative requirements removed, but it will not prioritise spending decisions purely on the basis that services are statutory.

4.6 The core components of KCC's customer focused service offer in 2020 will be:

- Greater engagement with service users in the design and delivery of services to meet their actual rather than perceived need, thus helping to manage demand by reducing over-specification of services.
- Personalisation of services, with users being responsible for choosing their service provider as a default position, where they are in a position to do so.
- Better management of demand for services through understanding and addressing the drivers of demand.
- Improved speed of service, with issues resolved as early as possible to prevent escalation of need.
- 'Once and done' approach to providing user details – with the organisation able to use and re-use information already supplied.
- More convenient access to services, with all services primarily accessed



through online provision.

- More consistent quality of services as a result of joined-up working across services, partners and providers.
- A greater focus on outcomes and less focus on the process or vehicle used to deliver services, with both commissioners and providers held to account by Members for the delivery of outcomes.

4.7 Like the rest of the public sector KCC will be a smaller organisation having successfully transformed its service offer to better manage demand for its services, through promoting independence from long-term dependency on the state, with individuals, families and communities taking more responsibility for meeting their own needs.

4.8 Services will be integrated around the life cycle of residents (for example, 0-11 Support, 11-24 Support, Working age, Older People) or around specialised services for those with greater needs (e.g. SEN provision, Disabled Children, etc) with a strong emphasis on ensuring that transition across services/stages is supported so users can adapt and respond to changing entitlements and responsibilities. Community based universal services (e.g. Libraries, Children's Centres) will be central to integrated locality focus, promoting the integration of services across providers with users able to access support and advice on a range of issues with more targeted outreach to support vulnerable clients at risk of requiring higher need provision. Countywide infrastructure services (e.g. highways, waste) will be managed strategically across the authority area and commissioned at scale to provide value for money. A distinction between people and place based commissioning and provision will inform the structure of the authority as a whole.

4.9 KCC will use an intelligent step-up and step-down model of care (with health partners where appropriate) able to escalate provision to provide short periods of high intensity support when clients tip into crisis, with the focus on supporting clients to re-establish independent support for themselves as quickly as possible, with KCC stepping down provision rather than entering into long-term support arrangements which promote dependency. Our providers will be incentivised through a variety of financial mechanisms (such as tiered tariffs) to support the step-down of care from intensive support rather than unnecessarily maintaining intensive, and financially unsustainable, high-cost support packages which do not support independence and do not deliver the best outcomes for service users.

4.10 KCC will be a commissioning authority. This does not mean that it will have divested itself entirely of any role in providing services and have adopted a purely enabling approach. Instead, KCC will have a strong understanding of community and user needs, the outcomes it wants to achieve within the resources available, and the range of providers, either in-house or external, across the public, private and voluntary sector that have the capability to deliver these outcomes. There will be no ideological or professional bias in regards to whom may provide services, with any appropriate provider able to deliver KCC services. In-house providers will have to compete to deliver contract specifications with external suppliers, with no differentiation in the way contracts are managed between internal and external providers.

4.11 However, being a commissioning authority will require KCC to actively engage in the market rather than be a passive purchaser of goods and services. As public service delivery becomes increasingly fragmented, KCC's role as a commissioning authority to create, shape and develop markets will become essential to ensuring sustainable service provision. KCC will play an important role in setting high standards of service quality, and holding to account all providers for meeting user expectations, acting as a guarantor of standards for service users and acting on their behalf when standards are not met. Ultimately, KCC will be expected, and will be, the provider of last resort when providers fail, securing alternative provision where necessary, and providing it directly if it is not available, to ensure vulnerable service users are not placed at risk.

4.12 KCC will have a mature approach to the management of risk, one that has moved beyond the traditional local government approach centered on a risk-averse culture that seeks to mitigate risk beyond all reasonable doubt, to managing risk based on an appropriate balance of probabilities in regards to the likelihood of risk occurring and the impact a risk issue might have. To increase our appetite for risk, front line professionals will be empowered to take timely decisions necessary to support services and customers in achieving desired outcomes, with less bureaucracy governing their operational freedom, but they will be strongly held to account for the delivery of outcomes. KCC will seek to learn from both successes and failures and spread best practice to support continuous improvement and service development.

4.13 Instead of using our own financial resources to deliver services (which are likely to be insufficient to meet demand projections), KCC will be focussed on using its financial resources to leverage additional resources, both financial and non-financial, from across the public, private and voluntary sectors, to deliver better outcomes for the people and businesses in Kent. A critical part of this will be KCC's role in supporting civic society across Kent to remain resilient, with a strong voluntary, community and social enterprise sector that supports and adds to the social capital and social resilience of individuals, families and communities.

4.14 KCC will better understand the value of the community and voluntary sector across Kent, not just those who support the provision of KCC services, but those organisations that provide local infrastructure and resilience to families and communities to support independence and act as a break on demand for public services. Where civic society organisations are better placed, and more capable, of meeting the outcomes of individuals and local communities, KCC will look to support, and even expand, their role.

4.15 To achieve this, KCC will be adept at using different behaviours and techniques that will be less directly visible and subtler in their approach, more focussed on collaboration, facilitation and engagement. In an increasingly fragmented public service landscape, KCC will be only one of many public bodies commissioning and procuring services in local communities and the strength of partnerships with these other bodies will be a critical asset.

## **5. OUTLINE SERVICE DELIVERY MODEL TO SUPPORT THE VISION**

5.1 We can either begin to shape the KCC of the future now, and build a resilient fit-for-purpose authority that continues to support the needs of the people of Kent, or we



can allow the council to be shaped for us, buffeted by change and decisions made elsewhere, forced by necessity to offer fewer and more restricted services which increase the risk of the authority failing, and letting down the very people it is here to support. The risk that some authorities may find this challenge too difficult and fail financially must not be underrated, however, we are determined KCC will not be one such authority.

5.2 However, to support the delivery of transformational change from 2015/16 onwards, a future service delivery model for the council must begin to take shape as soon as possible.

5.3 The future service delivery model will be shaped by five fundamentals:

- That there will be increased pressure on services that cannot be fully met to the same extent as today.
- This will require more intelligent targeting of resources to identified priorities/need.
- Resources will be more tightly focussed on those interventions which deliver value for money for the council taxpayer.
- This will drive significant changes in both what and how the council provides on a consistent basis.
- There must be a relentless focus on core business.

5.4 The only effective way to internally manage KCC in light of these five fundamentals is to increasingly shape the council as a business, and develop a future operating model capable of delivering radical, innovative lower cost solutions to meeting core demand in the same way private sector business would constantly reshape to meet market demand.

5.5 To achieve such business discipline, the future service delivery model must deliver:

- **Stronger financial control:** An iron-like grip over the finances of the council, through effective cost control by all managers, and an understanding of the unit cost and overheads of all council activity, will be essential to support investment and disinvestment decisions, across both revenue and capital funding, and holding service providers to account for delivering value-for-money.
- **Effective political decision making:** As public services increasingly fragment, the need for leadership from a democratically elected strategic local authority will become more, not less, important. The political leadership will be more focussed on making the prioritisation and investment decisions, rather than decisions on day-to-day service activity, with the organisation having the responsibility to provide political leaders with full financial and non-financial data necessary to make strategic investment and disinvestment decisions.
- **Understand the drivers of demand, in order to better manage it:** We must challenge ourselves to ensure that demand pressures are genuine new

demands from service users or whether through over specifying need and service delivery requirements, services and professionals are helping to create demand rather than reduce it. Better understanding of how our services impact on demand will be a pre-requisite to managing it more effectively.

- **A strong client model:** Through developing a best in sector commissioning and procurement function that has the capacity to effectively de-commission and re-provision services as the need arises, adopts a commercial approach to contract management across all service provision, whether internal or external, and has the ability to shape markets and undertake market development to encourage new providers to create new markets.
- **Development and utilisation of commercial skills:** The need to run the council increasingly as a business, with investment and disinvestment decisions at both a strategic, area and individual level being made on the strength of business cases requires the organisation to increase its commercial skill base across a far broader range of its managers and service professionals.
- **A flexible and responsive resource base:** The resources of the council, both financial and non-financial, must be sufficiently flexible and adaptable so as to be responsive to the changing needs of local communities, and allowing the continual re-design and re-provision of services as necessary. It will also support opportunities to leverage external resources as and when they arise.
- **Greater staff autonomy:** Productivity will be enhanced by having fewer but more self sufficient staff held strongly to account for delivery of outcomes. There may be inevitably fewer staff, but they will be incentivised to deliver the outcomes set out by the political leadership through greater autonomy and authority to get on with the job.

5.6 The future service delivery model must be applied across all areas of KCC activity. It will not be optional and no individual directorate, division, service or unit can be exempt from principles of the new operating model.

5.7 As KCC will not be the sole commissioner or provider of local services, the way elected Members undertake their local representative role will also change, increasingly delivered through:

- **Advocacy** – representing resident interests at an individual and community level, working with other democratic representatives and bodies from across the political spectrum, and the public, private and voluntary sector to ensure individuals and communities have a voice in how all public services are shaped and delivered, not just those traditionally provided by local government.
- **Brokerage** – working with commissioners and providers across all public services to identify innovative and cost-effective ways of meeting local community and individual need, and leveraging and brokering resources from across the private, public and voluntary sector to help solve local community problems.
- **Communication** – through representing the community to the council rather than the council to the community, Members can provide strong intelligence of



local community need to help shape the commissioning and procurement of services, but also feed resident views when shaping the strategic priorities and overall direction of the council.

5.8 As with any business, the overheads attached to the corporate and democratic core of the authority must be regularly reviewed and monitored to keep it in proportion to the overall cost of providing services. As services change through integration, commissioning and joint-commissioning with partners, new forms of executive and non-executive governance may be required.

## **6. FIVE PRIORITIES FOR WHOLE-COUNCIL TRANSFORMATION:**

6.1 Cabinet and CMT have identified five priorities required to move towards a whole-council transformation approach. These are:

1. Integration of services around client groups or functions
2. Single-council approach to projects, programmes and review
3. Active engagement of the market for solutions
4. Creating viable businesses from traded services
5. Embedding commissioning authority arrangements

6.2 Each of these five priorities is vital to transition KCC to the future service delivery model set out earlier and will underpin a new operating model. It is also important to note that none of the priorities is mutually exclusive but indeed each is mutually reinforcing (e.g. integration cannot happen without a better approach to programme delivery). Most importantly, all five priorities will underpin and support the aim of better managing future demand for KCC services.

### **Integration of services around client groups or functions:**

6.3 A critical component of whole-council transformation will be the integration of services around key client groups and critical council functions. Whilst there is horizontal working across KCC services and other agencies, such as through the Margate Task Force, these have tended to be as discrete projects, and have not yet become normal practice or have not influenced how services are redesigned. The Kent Integrated Adolescent Support Service (KIASS) and the Troubled Families Programme are perhaps the two cross-directorate integrated service arrangements, but they are currently in their infancy.

6.4 Cabinet and CMT believe the integration of services can be the catalyst to delivering wider priorities around prevention, demand management, increased productivity and efficiency. Firstly, by bringing services supporting the same or similar client groups together, it will be possible to improve the client experience and customer service by removing duplication and double-handling of clients that inherently exists between services operating in isolation of each other, and, in the first instance, this will create a more efficient function providing the same or similar service standard at less cost. Once the services are functionally integrated, it will be possible to redesign them and shift service delivery models to early intervention and

preventative approaches necessary to ensure the authority has the capability to reduce future demand. It is important to note that the integration of services is not simply the aggregation of services, but the deep integration of services across multiple business units, spread out across directorates, into a single business unit, with a single way of working, with single line-management accountability within KCC. This will provide a much more effective and efficient way of working.

6.5 CMT has initially identified the 0-11 children and family support services, 11-24 support and the skills and employability services as being in the first phase of service integration. Cabinet has tasked CMT to develop detailed proposals for further phases of service integration.

6.6 Whilst the predominant focus of the integration agenda will be on KCC front-line services, the integration agenda will also affect KCC business and support functions. A particular focus will be paid to the integration of commissioning functions across the authority, which at the moment are dispersed across a number of services and directorates, and whilst they are commissioning different services, they have the same core function and staff skill set. We will therefore prepare options to integrate commissioning functions around people-based and place-based services. Such an approach is also a prerequisite for the embedding of a commissioning authority model. Work will also be undertaken to establish whether commissioning and procurement should sit as discrete functions, or should be further integrated given the interdependencies between them.

6.7 KCC will look for opportunities for the integration of services with our public service partners where this is a viable and credible option to reduce cost to KCC and deliver enhanced quality of provision for the service user. We will focus efforts where commitment to integrate is clear, set out through an agreed timetable and where benefits are realisable within the timeframe of the Medium Term Financial Plan. KCC will not seek to integrate services for sake of integration, but based on a cost/benefit calculation as part of a well developed and shared business case. Whilst we will continue to review the developments around Whole-Place community budgets, until such mechanisms are mature and are proven to realise sufficient benefits to local government in practice, KCC will focus on pragmatic solutions to integrating with partners.

#### **Single approach to projects, programmes and review:**

6.8 Delivering change in any large, complex organisation, such as KCC, is not easy. The approach to date on delivering change has been predominantly through directorates and services managing the all projects and programme risk themselves.

6.9 Going forward, the move towards more integrated services will increase the complexity of project and programme activity across the council in such a way that a directorate focussed approach will be insufficient given the risk to the organisation that non-delivery might entail. In order to ensure the organisation delivers change effectively there is a need for greater corporate ownership of project and programme management activity, and for accountability of financial and non-financial benefits of projects and programmes to be explicit and defined. This will also mean improving professional capacity and capability of project and programme delivery as a distinct skill set within KCC.



6.10 This will require moving the authority's oversight and assurance arrangements for projects and programmes from a passive to an active model, which has the capacity and capability to provide independent assurance and oversight, escalate issues and provide support and intervention in projects and programmes as necessary, whilst providing better co-ordination across projects and programmes to ensure that financial and non-financial benefits are realised to time and plan. The fundamental aspects of this important change will include:

- Streamlining high-level governance structures for transformational projects and programmes through the introduction of whole-council Transformation Board with the mandate to undertake oversight and assurance of projects and programmes across the council, and holding ultimate authority for advising the Leader on any changes from agreed project and programme business cases.
- Utilising best practice from the National Audit Office and the Cabinet Office/Treasury Major Projects Authority, to develop a pragmatic, risk-based approach for project and programme control, which can flex according to the needs to each programme or project, while providing a uniform, core approach to support efficient and effective delivery of change.
- The reporting structures for the current and planned programmes and projects separate operational service delivery from the delivery of change, and ensure that competing governance mechanisms are not created.
- Ensuring that standard project and programme disciplines are adhered to at all times, in particular through better change control processes, ensuring that all changes to projects and programmes are documented, agreed and used to revise the costs, benefits and timescales of project and programme business cases.
- An enhanced Programme Office is established that is charged with identifying and managing dependencies across all programmes and projects. Programme and Project Managers will have a professional line of accountability through the enhanced Programme Office to the Transformation Board.
- The development of a single Transformation Plan, to be formally approved by the Leader, that will set out the revised framework for project and programme delivery in KCC, clarifying roles and responsibilities, identifying accountabilities, and becoming a key communication tool to explain transformational change to all levels and areas of the council.

6.11 There is a clear need to develop a service review model that has the capacity to flexibly deliver both in-depth reviews challenging fundamental assumptions about how and why we deliver services in the way we do, and provide a 'troubleshooting' function for Cabinet and CMT. At the heart of this review programme is the need to subject, on a regular cycle, all services to a public value test and to look at all possible options for future service design and configuration.

6.12 In order to be effective, this review capability must be drawn from a wide range of specialisms across the authority, bringing multi-disciplinary teams together with the capacity to actively pursue investigations at pace, with the aim of delivering recommendations that are 'decision ready', in that, implementation of any changes

could begin immediately. The delivery of any agreed recommendations would then fall under the oversight of the Programme Office to assure delivery within agreed cost and time parameters.

### **Active engagement of the market for solutions:**

6.13 KCC has a strong track record in providing services through a mix of in-house and external providers, including £108m through the voluntary, community and social enterprise sector. However, other local authorities have increasingly engaged the private sector to support the identification of opportunities for efficiencies and savings in areas that KCC has not traditionally engaged the market in. Such a cautious approach can no longer be afforded and no area of KCC activity or spend should be off-limits in regard to the involvement of the market in identifying new ways of working.

6.14 It is envisaged that a core aspect of the revised service review model (see previous section) will be to deliver better benchmarking activity of KCC services with those found in other local authorities, but also the wider public and private sector, gaining a stronger understanding of true unit costs and overheads, which remains too underdeveloped in the public sector and a drag on delivering transformational change. However, obtaining truly comparable benchmarking information is notoriously difficult, so it is vital that the information gleaned is used alongside a more sophisticated breakdown of the costs of the service in question, to include fixed and variable costs, fixed and variable overheads, and cross-subsidies / efficiencies that may be in place with other services in the Council. The service review model will undertake active market testing – including through prior information notice (PIN) mechanisms, to see what alternatives the market could offer for the delivery of services and functions.

6.15 Cabinet and CMT's view is that the focus of any engagement with the market for the identification of savings and transformational opportunities should be prioritised towards areas of KCC business where markets are mature, and have a track record of engagement with local authorities, especially in regards to lower risk services and functions. Ultimately, there will be areas where the choice not to engage the market is made, but the examination of all opportunities is now essential. The authority has the opportunity to learn the lessons from those authorities who have engaged the market well, and driven both financial and non-financial benefits from such engagement, and not repeat the mistakes of those authorities who have rushed to market with ill-thought out specifications or unrealistic ambition, and have subsequently found themselves attempting to roll-back arrangements at cost.

### **Creating viable businesses from traded services:**

6.16 KCC has a strong track record in operating as a commercial provider especially where it can use its scale and expertise to offer services at attractive cost/quality ratios, or where it can utilise spare capacity from within services to generate income and reduce the need for core funding. Public sector reform is driving new forms of provision through education and health reforms, especially through the development of academies and opening-up community health services to new providers, as well as promoting greater staff ownership through the development of public sector mutuals and co-operatives. In turn, these changes are further driving the development of new markets for business support services. This proliferation of

providers and support services is a natural consequence of the increasing shift towards commissioning models of public service delivery, and a transition away from direct delivery of services by the public sector.

6.17 Over the last few years, KCC has made changes to place its Commercial Services function on a more robust and professional platform that will ensure it can be flexible and responsive to market demand. It is now necessary to move those traded services that remain in KCC directorates onto an appropriate business orientated footing that will allow them to maximise their potential and respond to market opportunities. Those KCC services with the potential to operate through alternative delivery models will be transitioned to new models as part of whole-council transformation.

6.18 To be successful, this will require far greater understanding of the unit costs and operational overheads of KCC services and functions, to judge whether or not market opportunities make financial sense, and as such, it is anticipated that the new service review model (outlined earlier) will play an important role in determining market readiness. Where traded services do not make a profit or cover their true overheads, that activity will be ceased or, if possible, sold to other market providers. KCC cannot afford to subsidise other providers through traded services, irrespective of previous relationships or responsibilities, and must make commercial decisions based on financial reality. Where other providers are better placed to meet market demand, KCC will withdraw from those markets and cease provision.

6.19 There will be no predetermination about what form new delivery arrangements may take, including the development of trading companies, TEKAL companies, social enterprises, mutual and joint ventures, and it will be decided by what works best in practice. Initial focus will be on those services already operating a trading model, including Legal Services, EduKent and Community Learning & Skills, and this has been critical to the establishment of the new Commercial and Traded Services portfolio within Cabinet. As services are identified for operating on a traded basis and through new delivery arrangements, they will transition out of their directorate Cabinet portfolio to the Commercial and Traded Services portfolio, partly to drive decision-making and transition services as quickly as possible, but also to allow a necessary distinction between transformational activity and day-to-day delivery. This transition will need to be pragmatic, as waiting for a purist solution will slow down the process significantly.

### **Maturing commissioning authority arrangements:**

6.20 The agenda and priorities set out in Bold Steps for Kent have moved KCC a long way towards our interpretation of what commissioning authority means. Many authorities that moved quickly towards wholesale commissioning or outsourcing models have subsequently had to re-think their approach, and develop more pragmatic options and realistic timetables.

6.21 As noted earlier, simply outsourcing services or artificially moving to wholesale commissioning does not match our broader interpretation of what becoming a commissioning authority actually means in practice, especially the ability to shape and influence markets, and act as a provider of last resort when necessary. However, the shift towards becoming a commissioning authority remains vital to the future sustainability of public services, and local authority services in particular.



6.22 To further embed commissioning authority arrangements in Kent, we now need to move towards an organisational structure that better distinguishes between the responsibility for strategic decisions on commissioning of services, and the responsibility for the delivery of services, be they procured through the market or delivered directly by KCC. Where this structural demarcation between commissioning and provision is made, there should be an expectation that any internal supplier / providers will have to compete to deliver contract specifications with external suppliers.

6.23 By further making the demarcation between commissioning and delivery clearer it will be possible to better embed internal challenge and contestability within KCC. Importantly, it will also improve our capacity to undertake market development and market shaping activities, which at the moment remain underdeveloped, but are critical to the added value that a commissioning authority almost certainly brings compared to alternative models.

## **7. NEXT STEPS: A WHOLE-COUNCIL TRANSFORMATION PLAN**

7.1 The whole-council transformation agenda outlined in this report will drive significant change across the authority. It is necessary to create pace and momentum so that we can move to the revised operating model within the timeframes necessary to meet the savings required from 2015/16 onwards, but also to provide a framework that will allow the authority to respond to future challenges, including any potential further additional savings which may arise from the comprehensive spending review due after the next general election.

7.2 Services and functions will change at a rapid pace, which in turn will drive wider structural reform of the authority as a whole. There will undoubtedly be an impact on our staff as service and functions are integrated and service delivery models are transformed, and naturally staff will be concerned about the scale of such change. However, without the effort and enthusiasm of our staff we will not succeed in meeting this challenge. CMT will put in place mechanisms to ensure that staff are engaged at every level on the wider changes occurring within KCC, as well as any changes that affect their own area of work. We will seek to reassure staff through being open and transparent about the decisions being made and the reasons why they are being made. .

7.3 A paper setting out an initial change programme, including a high level whole-council transformation plan will be brought to County Council in September 2013 for consideration and endorsement.

### **Contact Officer**

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By: Paul Carter, Leader of the Council  
Andy Wood, Corporate Director of Finance & Procurement

To: County Council – 18 July 2013

Subject: Members' Travel Expenses

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Summary: To consider options to mitigate the impact of a recent ruling by Her Majesty's Revenue & Customs (HMRC) on taxing Members' home to office travel claims

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## 1. Background

(1) Members may claim travel expenses when representing the Council on official business, subject to certain provisions<sup>1</sup>. The taxation aspects are set out on the HMRC website<sup>2</sup>.

(2) The current mileage rate for a Member undertaking KCC business is 45p per mile for the first 10,000 miles and 25p per mile thereafter (in any one tax year), which is the maximum permitted by HMRC without being subject to income tax. Public transport costs can be fully reimbursed for business travel.

(3) As office holders, Elected Members are normally regarded as having two places of work: their own home and the strategic headquarters of the authority, which is why Members (unlike officers) can claim the cost of mileage between their own home and County Hall. However, HMRC has recently reiterated that reimbursement of travel from home to County Hall is subject to the deduction of income tax and National Insurance Contributions (NICs), unless the Member routinely sees constituents in their own home. According to HMRC, the fact that a Member might read Council papers or complete correspondence at home does not make that home a distinct place of work for the purposes of claiming tax relief on travel expenses.

(4) Reimbursement of travel expenses from a Member's home to other KCC offices or other places when representing the Council on official business is not subject to tax. However:

- Members must be able to show that attendance at the particular place was necessary to perform their representative duties; and
- If such a journey is substantially the same as travel from home to County Hall, then HMRC will not accept that it qualifies as a business journey<sup>3</sup>.

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<sup>1</sup> In accordance with (1) the Members' Allowances Scheme adopted by the County Council and (2) paragraphs 16-19 of New Council Constitutions: Guidance on Regulation for Local Authority Allowances (DCLG): (<http://minutes.southend.gov.uk/akssouthend/images/att3790.pdf>)

<sup>2</sup> <http://www.hmrc.gov.uk/manuals/eimanual/eim65960.htm>

<sup>3</sup> HMRC will normally regard such journeys as normal commuting unless the extra distance involved is ten miles or more each way.

## **2. Negotiations with HMRC**

(1) The Council has made numerous representation to the HMRC with regard to their interpretation of these rules since 2011. The Council has sought to argue that the rules are arbitrary, outdated and impractical for the following reasons:

- KCC has one of the largest local authority areas in the UK; some Members travel in excess of 12,000 miles per year and deducting tax from those expenses penalises individuals and could deter others from serving the public by being or becoming an elected representative. In this respect, the rules penalise large County areas, compared to small District or London Borough areas, which are often significantly smaller and have excellent public transport links.
- There are 'double standards' in the legislation in that members of the UK Parliament, the Welsh National Assembly, the Scottish Parliament and the Northern Ireland Assembly, in defined circumstances, are all able to claim tax relief on constituency to Parliament mileage claims whereas local government councillors cannot claim tax relief on home to office claims.
- A commonsense approach to health and safety means that it is not appropriate for elected Members to routinely open up their own homes to members of the public not known to them, which is particularly relevant for Members who live alone.
- Advances in technology since HMRC's rules were introduced mean that elected Members are able to 'meet' with constituents in many different ways as effectively as meeting in person, e.g. via social media, video-conferencing and Skype, and a number of Members use these new technologies to deal with constituents' enquiries.
- The public cost of administering the rules will increase even after taking into account the additional revenue raised and the complexity of the rules will almost certainly result in inadvertently incorrect submissions.

(2) All of these arguments have been rejected by HMRC as being irrelevant and in March 2013, HMRC wrote to KCC confirming that they did not agree that Members can treat their own home as a workplace if they do not routinely see constituents there. It is clear from this letter that KCC must apply the relevant HMRC regulations relating to home to office mileage, which for most Members will mean that such journeys are subject to deductions for income tax and National Insurance.

(3) Whilst HMRC's guidance may seem to be arbitrary, outdated and impractical, it nevertheless represents the current legal requirements, and a failure to comply with it would expose the Council and individual Members to fines and liability for tax arrears.

## **3. Current Position**

(1) Having not succeeded in persuading HMRC to amend or disapply their rules, KCC had prepared to implement the rules with effect from 1 May 2013. However, at the Selection and Member Services Committee meeting on 5 June, Members asked



officers to delay the implementation whilst a further approach was made to HMRC at the most senior level. The Committee also asked officers to prepare a detailed report for consideration by the Member Remuneration Panel, setting out proposals for Members' mileage expenses that will enable the County Council to comply with all necessary legal obligations whilst ensuring, as far as possible, that the financial implications for Members are cost-neutral.

(2) It should be reiterated that if members do regularly see constituents in their own homes, they should declare this and consequently there would be no tax liability on home to office travel claims.

(3) Going forward, the options available to the Council appear to be as follows:

Steps / Options	Impact
Step 1. Comply with the HMRC rules and deduct tax from home to office mileage claims unless the Member routinely sees constituents in their own home	<ul style="list-style-type: none"> <li>● <b>We have to do this</b>, regardless of any other options we consider. This will make us legally compliant</li> <li>● Compliance with the rules will cost KCC an estimated additional £12k for employer Class 1 NICs</li> </ul>
Or; Do not apply the rules	<ul style="list-style-type: none"> <li>● <b>Not an option</b>, as this would be unlawful and would result in fines, backdated liabilities and criminal prosecution</li> </ul>
Option 1. Do not mitigate the impact of the tax and NICs deductions	<ul style="list-style-type: none"> <li>● This will increase the cost of being an elected representative, particularly for those who travel long distances to County Hall and may deter some people from seeking election/re-election</li> <li>● The maximum impact on any Member, based on 2012/13 travel claims, would result in a reduction of their 'take home' amount, including their basic allowance, of 12%</li> <li>● The average impact (although no one Member fits the 'average') for an individual on basic rate tax and in receipt of the full personal tax allowance, would result in a reduction of their 'take home' amount, including their basic allowance, of 2.7%</li> <li>● It would have a nil impact on a handful of Members</li> </ul>
Option 2. Increase the mileage rate for those journeys that are subject to deductions for tax under HMRC rules (i.e. home to office journeys) to compensate for the basic rate tax and NICs (even where the individual	<ul style="list-style-type: none"> <li>● As close to cost-neutral as possible for Members (without multiple rates and huge complexity) but greater cost for the Council (approximately £45k in addition to Step 1)</li> </ul>

Members doesn't pay NICs)	<ul style="list-style-type: none"> <li>• More complicated to administer as there will be two different rates for mileage</li> <li>• More complicated system prone to inadvertent error</li> </ul>
Option 3. Subject to HMRC approval, introduce a flat-rate allowance for home to office travel, based upon geographical zones and perhaps a separate multiplier depending on a Member's Council role	<ul style="list-style-type: none"> <li>• Could work out as cost-neutral for the Council, but would have some winners and many losers at the individual Member level</li> <li>• Would need different rates for those Members who need to attend County Hall more frequently than others; potentially three bands</li> <li>• Potentially more difficult to administer both for Members and the Council</li> <li>• Could inadvertently lead to increased costs for the Council</li> </ul>

#### 4. Financial implications

(1) Calculating the financial implications to a precise figure is impossible. This is because:

- a) We have 38 new Members of the Council in respect of whom we have no travel history on which to base future costs
- b) Without examining every Member's travel claim for every month, home to office mileage is not known with precise accuracy
- c) The new rules may change travel behaviour
- d) The age of the Member claiming travel affects their deductions
- e) The marginal rate of tax individual Members are liable to pay is either 20%, 40% or 45%

The following figures should therefore be seen in the context of a best estimate.

(2) Step 1 above is a 'must-do', the estimated cost of which is £12k, comprising the additional employer Class 1 National Insurance contributions the Council will have to make. This cost is unavoidable whichever other option is adopted.

(3) Ignoring Step 1 is not an option, as should we fail to administer a compliant scheme, the financial cost be in the hundreds of thousands of pounds.

(4) Option 1 would have no cost to the Council other than the £12k shown at Step 1, but would cost individual Members an aggregate of around £45k, ranging at a personal level from zero to potentially £2,800.

(5) Option 2 shows an estimated additional cost of £45k. This is based on the following calculation:

- 2012/13 travel claim = £138k
- Assume 65% of these claims are home to office journeys = £89k
- For the tax and NICs to have nil impact on Members who pay basic rate tax and are under state retirement age, the rate per mile would need to increase from £0.45 to £0.662, an increase of 47%. This rate is based upon the basic rate of tax, and would only apply to home to office mileage, not business mileage. Claims for public transport would need to be uplifted in line with this

(6) Option 3 could be worked to have a cost neutral position to either the Council or to Members, but not both. Almost all Members would either win or lose, although this may result in a change of travel behaviour. If the Member Remuneration Panel recommended this option, officers would work through options based on the overall funding pot set, and the differing levels proposed, e.g. Cabinet Member gets double the flat-rate home to office allowance, Committee Chairmen and/or members of particular committees get 1.25 of the flat-rate allowance, and all other Members get the flat-rate allowance. At the core of this option would be the geographical distance. An illustrative example is shown at **Appendix 1**.

## **5. Conclusions**

This report has identified that:

- a) we must comply with legislation and therefore the necessary deductions for tax and NICs from Members' travel claims must be made with effect from 1 July 2013;
- b) this will adversely impact on most Members' net 'take home' sums;
- c) there are options available that could mitigate the impact of 2) above, although the complexity of our tax system means we cannot make this entirely neutral for every single Member and will incur additional costs for the Council; and
- d) Members of the Remuneration Panel should be asked to consider the options set out in this paper.

## **6. Consultations**

(1) At its meeting on 9 July, the Selection and Member Services Committee agreed that the Corporate Director of Finance and Procurement be requested to seek written confirmation from HMRC that it would consider Option 2 in the report to be acceptable (the Corporate Director of Finance & Procurement is extremely confident that this will be acceptable); and that, subject to HMRC giving no view to the contrary, the Member Remuneration Panel be requested to consider the options set out in the report in the light of the Committee's preference for Option 2. It should be noted that this decision was made by 7 votes to 0 with one abstention, as follows:



For (7)

Mrs Allen, Mr Carter, Mr Cooke, Ms Harrison, Mr Latchford, Mrs Stockell, Mr Sweetland.

Against (0)

Abstain (1)

Mrs Dean.

(2) At its meeting on 10 July, the independent Member Remuneration Panel considered this report and their views will be circulated to all Members of the Council as soon as possible in advance of the meeting

**7. Recommendation:**

The instructions of the County Council are requested

Background Papers:

None

Officer Contact:

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Head of Democratic Services  
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Bob Lane  
Taxation Accountant  
Ext: 7000 4568

## Appendix 1

Total estimated cost of home to office = £138k x 65% = £90k  
Assume the proposal is to be cost neutral to the Council

<b>Sums payable per Member £</b>	<b>Cabinet Member</b>	<b>Committee Chairmen and selected others</b>	<b>All other Members</b>
Distance from County Hall			
less than 10 miles	£736.00	£460.00	£368.00
10-19 miles	£1,472.00	£920.00	£736.00
20-29 miles	£2,208.00	£1,380.00	£1,104.00
30 Miles and over	£2,944.00	£1,840.00	£1,472.00

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**To:** County Council – 18 July 2013

**From:** Gary Cooke, Cabinet Member, Corporate and Democratic Services  
Peter Sass, Head of Democratic Services

**Subject:** Committee Membership

**Classification:** Unrestricted

**Summary:** This report invites the Council to approve Committee appointments.

## 1. Introduction

(1) The County Council agreed its governance structure, proportionality and seats on Committees on 23 May 2013. At that meeting, it was decided that three places should remain unallocated rather than being offered to the two Members who were not Members of a political group (as defined in the Local Government and Housing Act 1989).

(2) The three Committees in question are the Governance and Audit Committee, Regulation Committee and Planning Applications Committee.

(3) Following consideration at the Selection and Member Services Committee on 9 July 2013 and representations by the two Members concerned it is recommended that places be allocated as follows:

Governance and Audit Committee	Martin Whybrow
Regulation Committee	Peter Harman
Planning Applications Committee	Peter Harman

(4) The Leader has also invited Martin Whybrow to sit on the Environment, Highways and Waste Cabinet Committee. As this appointment is entirely in the gift of the Leader, there is no need for any further action on this matter.

(5) The table below sets out how the revised Committee structure would look if the County Council were to agree to the Committee appointments.

Committee	Conservative	UKIP	Labour	Liberal Democrat	Green	Swanscombe and Greenhithe Residents Association	Total
Scrutiny Committee +5*	6	2	2	1	0	0	11
Health Overview and Scrutiny Committee +4\$	7	3	2	1	0	0	13
Governance and Audit Committee	8	3	2	1	1	0	15

Electoral & Boundary Review Committee	5	2	1	1	0	0	9
Personnel Committee	5	2	1	1	0	0	9
Planning Applications Committee	10	4	3	1	0	1	19
Regulation Committee	9	3	4	0	0	1	17
Selection and Member Services Committee	5	2	1	1	0	0	9
Corporate Parenting Panel +4@	5	2	1	1	0	0	9
Superannuation Fund Committee +3# (1/1/1)	5	2	1	1	0	0	9
Kent Flood Risk Management Committee	4	1	1	1	0	0	7
Standards Committee	4	1	1	1	0	0	7
<b>TOTAL</b>	73	27	20	11	1	2	134
<b>Proportionate Share of Total</b>	72 71.78	27 27.12	21 20.74	11 11.16	1.5 1.55	1.5 1.55	134
<b>Difference to Proportionate share</b>	+1	0	-1	0	-0.5	+0.5	0

## 2. Recommendation

The County Council is invited to:

(a) agree the following Committee appointments:

Governance and Audit Committee – Mr Martin Whybrow  
Planning Applications Committee – Mr Peter Harman  
Regulation Committee – Mr Peter Harman; and

(b) note that Mr Martin Whybrow has been appointed to serve on the Environment, Highways and Waste Cabinet Committee.

Peter Sass  
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Ext 4002

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Background documents (None)

From: Gary Cooke, Cabinet Member for Corporate & Democratic Services  
Peter Sass, Head of Democratic Services

To: County Council – 18 July 2013

Subject: Petition Scheme Debate

Classification: Unrestricted

Summary: Details of Petition received which will be the subject of a debate in accordance with the County Council's Petition Scheme.

For Decision

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### 1. Introduction

(1) In accordance with the Petition Scheme agreed at the County Council meeting on 13 September 2012, any petition on a County Council matter that has more than 10,000 signatures will trigger a debate at County Council.

(2) The process for the debate on each petition is that the Lead Petitioner(s) will be invited to speak to the petition for up to 5 minutes. There will then be a debate of up to 35 Minutes (with each Member speaking for 3 minutes) before the Cabinet Member is invited to respond for a maximum of 5 minutes. As the subject matter for this petition relates to a matter that is the responsibility of the Council's Executive, the County Council may decide whether to make a recommendation to the relevant Cabinet Member to inform the decision-making process.

### 2. Petition – Freedom Pass for ages 16 - 19

(1) A Petition requesting the extension of the Kent Freedom pass to cover 16 – 18 year olds has been received. At the time of submission the petition has attracted 10,098 signatures from Kent residents and therefore has triggered a County Council Debate. A statement from the Lead Petitioner, Mrs Lynne Miller is attached (**Appendix 1**). Matt Stanley (Students' Union President at MidKent College) will be attending the meeting and speaking to the petition on behalf of Mrs Miller.

(2) A briefing report from the Corporate Director of Environment, Highways and Waste relation to the petition and information about KCC's Post 16 Transport Duty are attached (**Appendices 2 and 3**).

### 3. Recommendation

The County Council is invited to respond to the Cabinet Members for Environment, Highways & Waste and Education & Health Reform in respect of this petition.

**Peter Sass**  
**Head of Democratic Services**



**01622 694002**

Background Documents: None

**Petition wording**

“As the school leaving age is being extended to 18, please can the Bus Freedom Pass also be extended to cover from 16 to 18 (19 would better) so that parents do not have to pay through the nose to get their child to school?”

**500 word statement for council, from Lynne Miller, Kent resident.**

Over the past weeks thousands of Kent residents have spoken out against expensive travel costs for school children. We have handed in a 10,349 signature petition to Kent County Council, telling them that they need to do better and extend discounted school bus travel to all pupils in Kent. This petition has since risen to 14,858 signatures.

My name is Lynne Miller and I am a Kent resident. I started this petition on 38 Degrees' Campaigns By You site because 17 and 18 year olds will soon not be allowed to leave school, but discounted school bus travel in Kent - the Freedom Pass - still stops after GCSEs.

The current 16+ card costs a massive £520 per child each year. It's an added cost that me and thousands of local residents who signed the petition just can't afford. We want to persuade the council to extend Freedom Passes to everyone still in education.

Here's a link to the petition:

<http://you.38degrees.org.uk/petitions/freedom-pass-for-ages-16-19>

I have two children about to go to college. At the moment I pay £100 a year for each of their Freedom Passes. People just aren't happy with the 16+ travel card. It costs £520 for the year - how is this anything like the cost of a Freedom Pass! I think Kent council hasn't thought this through, and it's adding an extra burden on already stretched families.

The KCC will argue why did I send my child to a school outside my catchment area? Well the answer to this is simple. Our local school will not give my child the opportunities that this other school will provide. The contacts at the other schools are not available at our local school.

My daughter wishes to go into acting/singing and she is attending Canterbury High School Black Hole Academy of Performing Arts, she gets to meet actual actors that have appeared on television to help get her tips, there are scouts that visit the school who can offer her opportunities within the acting world - this type of opportunity is not available at our local school.

My son is staying on at Sandwich Technology School because the Football Academy is known as the Chelsea Football Academy so is already linked to premier division football - again this type of training is not available at our local school.

In this day and age you want the best for your children and if that means sending them outside your catchment area to obtain this, then as a parent you are going to do

it. My children do not work and still have to attend school, so why should I have to pay more to get them there.

Although government cuts have had a knock-on effect all round, parents should still be supported. With the cost of everything so high now, higher travel costs are hard to find for me let alone those on lesser incomes.

The swell of support from local people and students for the campaign has been amazing. Something needs to be done. I want the existing Freedom Pass from year 7 - 11 to be extended to year 13 for definite and 14 if possible.

Lynne Miller, Kent resident



From: David Brazier, Cabinet Member for Transport & Environment  
Roger Gough, Cabinet Member for Education & Health Reform

To: County Council – 18 July 2013

Subject: Petition requesting the Freedom Pass for ages 16-19

Classification: Unrestricted

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### 1. Introduction

On 5 July 2013, a petition was submitted to Kent County Council containing 10,098 signatures.

The wording of the petition is:

*'As the school leaving age is being extended to 18, please can the Bus Freedom Pass also be extended to cover from 16 to 18 (19 would be better) so that parents do not have to pay through the nose to get their child to school?'*

### 2. Context – Raising the Participation Age

(1) The Government, through the Education and Skills Act 2008, increased the age to which all young people in England must continue in education or training, requiring them to continue until the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015.

(2) Raising the participation age (RPA) does not mean young people must stay in school and it is not a statutory raising of the school leaving age. Young people can choose how they participate: they could continue in full-time education; start an apprenticeship; undertake part-time education or training if they are employed, self-employed or volunteering for 20 hours or more a week.

(3) Every year, an annual activity survey is undertaken to see how many young people are in education, employment and training. The latest survey results, from November 2012, show that there are:

- 15,196 young people in year 12 in education
- 663 young people in year 12 in employment
- 226 young people in year 12 in training
- 598 young people in year 12 not in employment, education or training
- 178 young people in year 12 whose situation is unknown

Using these latest figures, the County Council expects the change in legislation to result in approximately 800 additional young people remaining in education, employment and training in September 2013. These young people may need transport to access their post-16 education or employment.

### **3. Context – Transport to the age of 16**

(1) From the age of 8 until the age of 16, young people are statutorily entitled to free transport assistance if they attend their nearest appropriate school and live over 3 miles away. For those young people not meeting the statutory eligibility criteria, it is the responsibility of the parent to arrange and pay for transport.

(2) Kent County Council runs a discretionary transport scheme, known as the Kent Freedom Pass. The pass provides free bus travel in Kent for young people living in Kent in academic years 7-11 (ages 11-16 years) on payment of an annual pass fee. It was introduced in pilot form in June 2007. *Freedom* was extended in phases to become countywide and for Kent children attending out of county schools by April 2010. The scheme was extended beyond year 11 for Young People in Care, Young Carers and Care Leavers (who are up to the age of 18) from September 2011. At the same time there was an increase in the standard annual card fee from £50 to £100. Those on Free School Meals pay £50 and the other categories do not pay. *Freedom* has proved to be highly successful, although at a significant cost to the County Council. There are currently over 27,800 pass holders and the projected cost to the County Council is £12.5m in 2013/14.

(3) Kent County Council is the only authority outside of London to offer such a bold and generous scheme for young people's concessionary bus travel. Extension of the scheme to further academic years would clearly bring significant benefits, but with the absence of external funding from Government for what is a discretionary scheme, significant additional funding would have to be found from other sources.

### **4. Context – Post 16 Transport**

(1) Local Authorities receive no Government funding for post 16 learners. There is though a statutory duty to publish a transport policy statement for each academic year (see Appendix C for further details on this duty).

(2) In September 2012 following consultation with young learners and learning providers, Kent County Council introduced the discretionary Kent 16+ Travel Card, providing unlimited travel on Kent's public bus routes to card holders for 52 weeks a year. This gives card holders the opportunity to take part in after-school clubs, evening clubs including youth provision, weekend and part-time work, and trips, without incurring any additional cost above the card's purchase price. To date 3,418 Kent 16+ Travel Cards have been issued.

(3) The scheme is an uncapped scheme with Kent County Council charged based on usage; the cost to Kent County Council of purchasing a Kent 16+ Travel Card from the bus companies is anticipated to average out at £750 per year. This price reflects that 16 to 19 year olds are charged adult fares by the bus companies.

(4) Kent County Council subsidises each Kent 16+ Travel Card by £230 and sells them to the schools, colleges and other training providers at a price of £520. The

level of subsidy was designed to reflect a price for young travellers of equivalent to just £10 per week which is generous for unlimited use of the public bus network. Kent County Council has supported this scheme with £1.44 million of funding in the financial year 12/13.

(5) Schools, colleges and training providers receive a 16-19 Bursary Fund that they can use at their discretion to help their poorest students with study-related costs; this fund totals £165million across England.

(6) Schools, colleges and training providers have been asked by the Council to use their 16-19 Bursary Fund to further subsidise the cost of the Kent 16+ Travel Card for young people from low income households.

(7) Guidelines given to the schools and colleges recommend the card costs between £260 and £520 for a young person whose household income is between £16,191 and £20,817 per annum. For young people whose household income is less than £16,191 per annum, the guidelines recommend the card costs between £0 and £260. The exact figure would be determined by the education provider.

(8) Recognising the difficulties some families may have in raising the whole card amount at the start of the year, Kent County Council agreed with learning providers that it will invoice 3 times a year towards the end of the old terms. This means that it is possible for each provider to split the charges for families so they need only pay a third of the cost up front at the beginning of each term. Provided that relevant payments are made in advance of the card's use, providers could choose to break this down further to monthly payments, should this be deemed appropriate.

## **5. Review of transport**

This petition raises a direct question with significant financial implications for the County Council. It also raises questions about how young people travel to and from their place of education, employment or training now that the participation age has been raised. A review of a range of matters relating to the County Council's sponsorship of bus services through the Freedom Pass is currently being undertaken, and it is proposed to include within that review specific examination of the issue raised by this petition. The overall review will be complete by September and the results will help inform the formal response to the petition which will be presented to full Council.

## **6. Conclusion & Recommendation:**

The County Council is asked to agree that the issues raised by the petition be considered within the context of a wider review currently being undertaken into the County Council's sponsorship of bus services through the Kent Freedom Pass, with a further report back to full Council in October.

## **7. Background Documents**



(1) Further information on the Kent Freedom Pass is available at:  
[http://www.kent.gov.uk/roads and transport/getting around/travel by bus/kent freedom\\_pass.aspx](http://www.kent.gov.uk/roads_and_transport/getting_around/travel_by_bus/kent_freedom_pass.aspx)

(2) Further information on the Kent 16+ Travel Card is available at.  
[http://www.kent.gov.uk/roads and transport/getting around/travel by bus/16 plus travel card.aspx](http://www.kent.gov.uk/roads_and_transport/getting_around/travel_by_bus/16_plus_travel_card.aspx)

### **Information about KCC's Post 16 Transport Duty**

For 16 -19 year olds - Kent County Council must prepare for each academic year a transport policy statement, specifying the arrangements for the provision of transport or otherwise that KCC considers necessary to make for facilitating the attendance of persons of sixth form age receiving education or training at schools, academies and other institutions within the further education sector. The statement must specify the arrangements that Kent County Council considers necessary to make for the provision of financial assistance in respect of the reasonable travelling expenses of persons of sixth form age receiving education or training at any such establishment

In order to meet this duty to enable access to education KCC must have regard to several groups and circumstances including adult learners, details of which are set out in the legislation. However Kent's Post 16 Transport Policy Statement sets out its intention to meet these duties where possible and in the first instance through employing the Kent 16+ Travel Card.

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## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 23 May 2013.

PRESENT: Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr I S Chittenden, Mr J Davies, Mr T Gates, Mr M Heale, Mr P J Homewood, Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mr C P Smith, Mr A Terry, Mr R Truelove and Mr J N Wedgbury

IN ATTENDANCE: Mr P Sass (Head of Democratic Services)

### UNRESTRICTED ITEMS

#### **30. Membership**

*(Item 1)*

The Committee noted its membership as set out above.

#### **31. Election of Chairman**

*(Item 3)*

RESOLVED that Mr J A Davies be elected Chairman of the Committee.

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## PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Friday, 7 June 2013.

PRESENT: Mr J Davies (Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr I S Chittenden, Mr T Gates, Mr M Heale, Mr P J Homewood, Mr T A Maddison, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mr C P Smith, Mr A Terry, Mr R Truelove and Mr J N Wedgbury

ALSO PRESENT: Mrs M E Crabtree

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr J Hammond (Strategic Transport and Development Planner), Ms V Judge (Senior Solicitor) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **32. Election of Vice-Chairman**

*(Item A3)*

The Chairman moved, seconded by Mr T A Maddison that Mr C P Smith be elected Vice-Chairman of the Committee.

*Carried with no opposition*

#### **33. Dates of meetings in 2013**

*(Item A4)*

The Committee noted the following dates for its meetings in 2013:-

Wednesday, 17 July 2013;  
Wednesday, 14 August 2013 (provisional);  
Wednesday, 11 September 2013;  
Wednesday, 9 October 2013;  
Wednesday, 6 November 2013; and  
Wednesday, 11 December 2013.

#### **34. Minutes**

*(Item A5)*

RESOLVED that the Minutes of the meetings held on 10 April 2013 and 23 May 2013 are correctly recorded and that they be signed by the Chairman.

#### **35. Site Meetings and Other Meetings**

*(Item A6)*

(1) The Committee noted that there would be a site visit to Bishops Down Primary School in Tunbridge Wells during the afternoon of Wednesday, 19 June 2013 and to

Dungeness during the afternoon of Tuesday, 2 July 2013. There would also be a training session on Waste Planning issues and Highways matters during the afternoon of Wednesday, 17 July 2013.

**36. Oaken Wood Public Inquiry**  
(Item B1 )

(1) The Head of Planning Applications Group informed the Committee that a decision from the Secretary of State for Local Government and Communities on the westerly extension to Hermitage Quarry, Aylesford (Minute 2011/37) was still outstanding.

(2) The Chairman agreed to write to the Secretary of State for Local Government and Communities requesting a decision on this matter at his earliest convenience.

**37. Application AS/12/1041/ (KCC/AS/0306/2012) - Scrap metal recycling facility for the processing and storage of End of Life Vehicles (ELV) with some waste electrical and electronic equipment, construction of a concrete slab base, processing building, weighbridge, portacabin and welfare facilities, and use of a mobile crane and crusher at Glebe Farm, Duck Lane, Shadoxhurst; Highview Park Ltd**  
(Item C1)

The Committee noted that this application had been withdrawn.

**38. Application AS/12/1322 (KCC/AS/0033/2012) - Change of use from warehousing storage to waste transfer station/ waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford; B Ball Contractors**  
(Item C2)

(1) Mr J N Wedgbury addressed the Committee as the Local Member. He took no further part in the decision making process for this application.

(2) The Head of Planning Applications Group undertook to inform the Minerals and Waste Planning Policy Team of Mrs E D Rowbotham's concerns about the use of fresh water for dust suppression. This would form a part of the emerging Kent Minerals and Waste Local Plan consultation process.

(3) RESOLVED that permission be granted to the application subject to conditions including conditions covering the time limit for implementation; the development being carried out strictly in accordance with the application plans and details; restrictions on the types of waste and throughput; hours of operation; use of equipment within the building; safeguarding areas for the storage of skips, containers, parking and manoeuvring; a restriction on the number of HGVs; the submission of a landscape plan including details of the existing trees and shrubs, the retaining wall and French drain; and adherence to the Dust Management Plan.



**39. Application SW/12/1184 (KCC/SW/0310/2012) - variation of Condition 9 of Permission SW/05/1203 to amend permitted stockpile heights at Ballast Phoenix Incinerator Bottom As (IBA) Recycling Plant, Ridham Dock Industrial Complex, Iwade, Sittingbourne; Ballast Phoenix Ltd**  
*(Item C3)*

(1) Mr R Truelove informed the Committee that he had previously considered this matter in his capacity as a member of Swale Borough Council. He therefore addressed the Committee as the Local Member and took no further part in the decision making process for this application.

(2) The Head of Planning Applications reported correspondence from Mr Ben Stokes (a Member of Swale BC) giving his explanation of the reasons for the Borough Council's recommendation that permission should be granted for a trial period of 2 years.

(3) Mr Stephen Plumb from Iwade PC addressed the Committee in respect of his Parish Council's remaining concerns about the application. Ms J Holland (Ballast Phoenix) spoke in reply.

(4) Mr T Gates moved the recommendations of the Head of Planning Applications Group, seconded by Mr J N Wedgbury.

(5) Mr M Baldock moved an amendment (seconded by Mr A Terry) that permission be granted for a temporary period of 2 years.

*Lost 3 votes to 11*

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 11 votes to 3.

(7) RESOLVED that permission be granted to the application subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the submitted details; implementation of the Fugitive Emissions Management Plan and Risk Assessment submitted 12<sup>th</sup> March 2013; monitoring and maintenance of the dust management system; and the inclusion of all other conditions relevant to the existing Permissions SW/05/1203 and SW09/198.

**40. Proposal SE/13/487 (KCC/SE/0039/2013) - Single storey building to accommodate 5 classrooms and associated works at Lady Boswell's CEP School, Plymouth Drive, Sevenoaks; KCC Property and Infrastructure Support**  
*(Item D1)*

(1) Mrs M E Crabtree was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group reported correspondence from the Knole Paddock Residents' Association, Ms Julie Courtney (a local resident on behalf of Knole Paddock Residents' Association), the Sevenoaks DC Environmental and Operational Services Officer and from Mr Henry Pound (a local resident) raising concerns about the Proposal.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee asked for an additional Informative that it wished the revised Travel Plan to include a commitment to keep the top gate open for longer periods to enable pedestrian access associated with after school activities. It also specified that there should be a restriction on the delivery of construction materials before the school opened and at the end of the school day.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; the submission of a scheme of landscaping; tree protection measures; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; surface water drainage and infiltration to ground; land contamination; the submission of a revised School Travel Plan within 6 months of the date of this permission, its implementation and ongoing review. *This document to be prepared in liaison with local residents, and should include mechanisms for ongoing liaison in the future. Continuation and expansion of the parent permit scheme and increased supervision of the drop-off at the Suffolk Road car park should also be included;* hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a Construction Management Strategy, including the location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities, community liaison & contact arrangements, and details of any construction accesses & management of the site access to avoid peak school times, including a restriction on the delivery of construction materials before the school opens and at the end of the school day; the submission of pre construction and post construction road condition surveys, and the making good of any damage; and measures to prevent mud and debris being taken onto the public highway; and
- (b) the applicant be advised of the following Informatives:-
  - (i) account should be taken of Environment Agency's advice relating to surface water drainage, waste and pollution prevention;
  - (ii) the potential for biodiversity enhancements should be explored; and
  - (iii) the revised Travel Plan should include a commitment to keep the top gate open for longer periods to enable pedestrian access associated with after school activities.

**41. Proposal GR/13/146 (KCC/GR/0032/2013) - Two storey building, additional car parking and parents' drop-off at St Botolphs CEP School, Dover Road, Northfleet; Governors of St Botolph's CEP School and KCC Property and Infrastructure Support**  
*(Item D2)*

(1) The Head of Planning Applications Group informed the Committee that Sport England had withdrawn its objection to the proposal, and referred to a petition received from local residents objecting to the proposal prior to the submission of the amendments. There would therefore be no need to refer the proposal to the Secretary of State if the Committee was minded to grant permission.

(2) In agreeing the revised recommendations of the Head of Planning Applications Group, the Committee specified that there should be a restriction on the delivery of construction materials before the school opened and at the end of the school day.

(3) RESOLVED that: -

- (a) permission be granted subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; a scheme of landscaping, including details of species, source, location of saplings to be planted as well as mitigation and visual impact information be provided, and hard surfacing, its implementation and maintenance; an investigation of the landscaping to the northern boundary of the school, near to the proposed extension; measures to protect those trees to be retained; mitigation measures for potentially roosting, foraging and commuting bats; lighting being designed to have minimal impact on any bats; the development according with the recommendations of the Ecology Survey; no tree removal taking place during the bird breeding season; replacement trees being planted to compensate for the ones lost as a result of the development; hours of working during construction being restricted to between the hours of 0800 and 1800 Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris being taken onto the public highway; the submission of a Construction Management Plan, including access, parking and circulation within the site for contractors and other vehicles related to construction operations; details being submitted and approved, including the location of dropped kerbs, the extent of the parking restriction, the boundary of the adopted public highway and the extent of the footway along the back of the drop off parking bays; a scheme to deal with the risks associated with the contamination of the site being submitted and approved in writing by the County Planning Authority; a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of that remediation being submitted to and approved in writing by the County Planning Authority; no infiltration of surface water drainage into the ground being permitted other than with the express written consent of the County Planning Authority; the submission of a revised School Travel Plan within 6 months of the date of this permission, its implementation and

ongoing review; and a restriction on the delivery of construction materials before the school opens and at the end of the school day; and

- (b) the applicants be advised by Informative that any works carried out providing a dropped kerb crossing as part of the Dykes Pit housing development needs to be co-ordinated and not affected by the proposed drop off area.

**42. Proposal MA/13/0091 (KCC/MA/0436/2012) - Multi use games area (MUGA) at Roseacre Junior School, The Landway, Bearsted; Governors of Roseacre Junior School**  
(Item D3)

RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with submitted details; a restriction on construction hours; details of the temporary construction compound and storage areas; hours of use being restricted to term time only; restriction to School's own use; a restriction to prevent the use of floodlighting at the proposed site; the submission of landscaping and planting proposals for the site; and tree protection measures; and
- (b) the applicant be advised by Informative that opportunities should be sought to improve biodiversity at the site.

**43. Proposal SE/13/1206 (KCC/SE/0137/2013) - Single storey extension to provide 2 classrooms at St John's CEP School, Bayham Road, Sevenoaks; KCC Property and Infrastructure Support**  
(Item D4)

(1) Mrs M E Crabtree was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) Mr Chris Dance (the neighbouring local resident) addressed the Committee in respect of his concerns over the proposed landscaping scheme. Mr Stephen Coomber (HMY Architects) spoke in reply.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee noted the applicant's willingness to discuss tree planting with Mr Dance and agreed that the tree planting condition should take full account of the correct species, location and maintenance. It also specified that there should be a restriction on the delivery of construction materials before the school opened and at the end of the school day.

(4) RESOLVED that permission be granted to the proposal subject to conditions, including conditions the standard time limit; construction materials being



limited to those proposed; tree protection and planting measures being implemented as proposed; the submission of a landscaping scheme, including the incorporation of tree planting to the site boundaries and provision for good arboricultural practice in terms of design, implementation and maintenance; hours of construction; a restriction on the delivery of construction materials before the school opens and at the end of the school day; measures to prevent mud on the highway; the provision of beacon light to the school signs; and a revised School Travel Plan.

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

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

- (a) County matter applications;
- (b) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).

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## KENT COUNTY COUNCIL

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### REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 23 May 2013.

PRESENT: Mr M Baldock, Mr H Birkby, Mr A H T Bowles, Mr C W Caller, Mr G Cowan, Mrs V Dagger, Mr J Davies, Mrs M Elenor, Mr T Gates, Mr M J Harrison, Mr P J Homewood, Mr T A Maddison, Mr S C Manion, Mr J M Ozog, Mrs E D Rowbotham and Mr J N Wedgbury

IN ATTENDANCE: Mr P Sass (Head of Democratic Services)

### UNRESTRICTED ITEMS

#### **11. Membership**

*(Item 1)*

The Committee noted its membership as set out above/

#### **12. Election of Chairman**

*(Item 3)*

RESOLVED that Mr M J Harrison be elected Chairman of the Committee.

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## REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 18 June 2013.

PRESENT: Mr M J Harrison (Chairman), Mr M Baldock, Mr H Birkby, Mr A H T Bowles, Mr C W Caller, Mr G Cowan, Mrs V Dagger, Mr J Davies, Mr T Gates, Mr P J Homewood, Mr T A Maddison, Mr S C Manion, Mr J M Ozog, Mrs E D Rowbotham and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Principal Planning Officer - Enforcement), Ms M McNeir (Public Rights Of Way and Commons Registration Officer) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### 13. Election of Vice-Chairman

*(Item 3)*

Mr J N Wedgbury moved, seconded by Mr P J Homewood that Mr S C Manion be elected Vice-Chairman of the Committee.

*Carried with no opposition.*

#### 14. Minutes

*(Item 4)*

(1) The Minutes of the Committee meeting on 14 February 2013 and of the Panel meeting on 21 January were tabled.

(2) RESOLVED that the Minutes of the following meetings are correctly recorded and that they be signed by the Chairman:-

- (a) Committee meetings on 22 January 2013, 14 February 2013 and 23 May 2013;
- (b) Member Panel meetings on 21 January 2013, 19 February 2013 (am), 19 February 2013 (pm), 26 February 2013 and 5 March 2013; and
- (c) Mental Health Guardianship Sub-Committee meeting on 30 January 2013.

**15. The Growth and Infrastructure Act 2013 and its impact on Village Green applications**  
*(Item 5)*

- (1) The Committee discussed a report by the Head of Regulatory Services which set out the three key changes to the legislation set out in the Growth and Infrastructure Act 2013. These were a restriction on the right to apply for Village Green status; a shortening of the period of grace during which applications could be made; and the introduction of a system whereby landowners could make landowner statements, thereby bringing to an end any use of their land “as of right.”
- (2) RESOLVED that the report be noted.

**16. Update from the Commons Registration Team**  
*(Item 6)*

- (1) The Committee discussed a report by the Head of Regulatory Services which gave a summary of the current position of applications to register Town and Village Greens.
- (2) RESOLVED that the report be noted.

**17. Update on Planning Enforcement Issues**  
*(Item 7)*

- (1) The Committee discussed a report by the Head of Planning Applications Group which set out the enforcement objectives, achievements and successes, and significant on-going cases.
- (2) During discussion of the active enforcement cases, the Committee agreed to support the service of an Enforcement Notice at Cube Metal Recycling, Folkestone if it should become necessary.
- (3) RESOLVED that subject to (2) above, endorsement be given to the actions taken or contemplated on the respective cases set out in paragraphs 6 to 32 of the report and those contained within Schedules 1, 2 and 3 appended to the report.

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

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

**18. Update on Planning Enforcement issues at Larkey Woods, Chartham**  
*(Item 10)*

- (1) The Head of Planning Applications Group reported on planning enforcement issues at Larkey Wood Farm in Chartham and set out a strategy to achieve an acceptable solution.
- (2) RESOLVED that the enforcement strategy set out in paragraphs 5 to 12 of the report be endorsed.

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