



Summons to and Agenda
for a Meeting on

**Thursday, 19th
September, 2013**

at 10.00 am



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Tuesday, 10 September 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, 19 September 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 18 July 2013 and, if in order, to be approved as a correct record **(Pages 5 - 18)**
4. Chairman's Announcements
5. Questions **(Pages 19 - 32)**
6. Report by Leader of the Council (Oral)
7. 'Facing the Challenge: Delivering Better Outcomes' – Whole-Council Transformation Plan – Phase 1 **(Pages 33 - 76)**
8. Kent Troubled Families Programme **(Pages 77 - 82)**
9. Treasury Management Annual Review 2012-13 **(Pages 83 - 100)**

10. Pay Policy Statement 2013-14 **(Pages 101 - 108)**
11. Constitutional Amendments to Reflect the Local Authorities
(Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012 **(Pages 109 - 144)**
12. Member Development Policy Statement **(Pages 145 - 154)**
13. Motion for Time Limited Debate

Mrs T Dean, Leader of the Liberal Democrat Group, will propose,
Mr M Whybrow, Green Party representative, will second that:

"This Council agrees that it is important that employees should receive a wage which reflects the cost of living in Kent. The Council therefore agrees to undertake a cross-party investigation into becoming a Living Wage Employer, the findings of which will be reported to the Personnel Committee. The aim is that, as a minimum, KCC will pay the Living Wage, as defined by the Joseph Rowntree Foundation, to all staff and that this would also become a mandatory requirement for all new commissioned service contracts and, where feasible, would be added when existing contracts are renewed. KCC would seek Living Wage Employer accreditation through the Living Wage Foundation."



Peter Sass
Head of Democratic Services
01622 694002

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 18 July 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 A Davies, Mrs T Dean, Dr M R Eddy, Mr J Elenor, Mrs M Elenor, Mr G K Gibbens, Mr R W Gough, Ms A Harrison, Mr M J Harrison, Mr M Heale, Mr P M Hill, OBE, 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 R A Marsh, 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

19. Apologies for Absence

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

Mr Tom Gates
Mr Peter Harman

20. Declarations of Disclosable Pecuniary Interests or Other Significant Interests

(1) Mr Hoare made a declaration as a director of a company which helps young people into employment in the construction industry.

(2) Mr Koowaree made a declaration as he has a grandson who is a looked after child.

(3) Mr Clark made a declaration in relation to Agenda Item 12: Motion for Time Limited Debate - Motion 1 in that he is a sub postmaster within the Royal Mail Group

and in relation to his question to the Cabinet Member for Corporate and Democratic Services his home borders the New Line Learning site in Maidstone.

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

(5) Mr Latchford made a declaration as a former member of East Kent Opportunities (EKO)

(6) Mr Wedgbury made a declaration as a branch secretary in a trade union but that this was a personal interest and not prejudicial.

(7) Mrs Cole made a declaration in Item 11: Petition Scheme Debate - Extend the Freedom Pass as she had just made an application for the Kent 16+ Travel Card for her daughter.

(8) Mr Long made a declaration as a director of Integrated Service Programme, an independent fostering provider.

(9) Mr Thandi made a declaration as he receives a pension from the Post Office.

(10) Mr Baldock made a declaration as a trade union representative.

(11) Mrs Whittle made a declaration that her husband was the officer lead on Item 8: Facing the Challenge: Whole-Council Transformation.

21. Minutes of the meeting held on 23 May 2013 and, if in order, to be approved as a correct record

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

22. Chairman's Announcements

(a) Death of former County Treasurer Peter Martin

(1) The Chairman stated that it was with regret he had to inform Members of the sad death of Mr Peter Martin, former County Treasurer. Mr Martin passed away on Wednesday 19 June 2013.

(2) Peter joined KCC in June 1981 as Deputy County Treasurer and he took over as County Treasurer in January 1987.

(3) He retired from KCC in 1997 following the local government reorganisation and left behind a legacy of financial management which endures to this day over 14 years since his retirement.

(4) When Peter left KCC he was treasurer for the Kent Police Authority, a role he kept until he took over as treasurer of the Metropolitan Police.

(b) Running order

(5) The Chairman announced that, although the day's agenda was a full one and he could not be sure how it would pan out, the Petition Scheme Debate would commence at 2pm. This would ensure that the external people attending for this item were not waiting around unnecessarily. He asked all Members to ensure that they were present at this time.

(c) The Queen's Awards

(6) The Chairman informed the Council that he was pleased to announce that Kent has secured another three winners of The Queen's Awards for Voluntary Service this year. They were:

- **The Pickering Cancer Drop-in Centre, Tunbridge Wells** which offers emotional support to cancer sufferers, their families and carers together with complementary therapies and counselling;
- **Cobbes Meadow Group Riding for the Disabled, Canterbury** which works at teaching people with disabilities of all ages to ride and improving their physical and mental abilities; and
- **Kent Archaeological Rescue Unit, Dover** which manages two major Roman monuments which are open to the public seven months a year and runs educational workshops.

(d) September meeting

(7) The Chairman advised Members that he had agreed to move the September County Council meeting date from 12th to 19th September. This change of date was due to the fact that a major report had to be submitted to this meeting on which prior formal consultation was required and there is not enough time during August to do this.

(8) The changed date falls during a particularly sensitive inquest and so the Coroner will be using the Darent Room. The Chairman stated that he felt it would be inappropriate for Members to be milling around in the Stone Hall for lunch and so he gave Members notice that lunch would not be provided for this meeting.

(9) He stated that he was aware that it was the party conference season and he regretted the impact that moving the meeting would have on members of the Liberal Democrat Group wishing to attend their party conference in Scotland that week.

(e) Petition – Speed restrictions along Brenchley Road and Coppers Lane, Matfield

(10) The Chairman stated that he had received a petition from Mr Alex King signed by 503 residents living in the Brenchley and Matfield parishes of Tunbridge Wells, which asked KCC to consider the introduction of speed restrictions along parts of Brenchley Road and Coppers Lane in Matfield.

(11) In accordance with usual practice, he invited Mr David Brazier, Cabinet Member for Transport & Environment to approach the dais to accept the petition and ensure that it was investigated and responded to in accordance with the Council's petition scheme.

23. Questions

Under Procedure Rule 1.17 (4) 7 questions were asked and replies given. 3 questions remained unanswered at the end of the thirty minutes and written answers were given.

24. Report by Leader of the Council (Oral)

(1) The Leader stated that since last County Council meeting, the Chancellor's statement had been received and there was little good news in it for local government, particularly in the financial year 2015/16 onwards. How the County Council was going to respond to this major challenge - of a lot less money flowing through revenue support grant to support local government services was the topic for debate later in the day under the item 'Facing the Challenge: Whole Council Transformation'.

(2) The Leader stated that he was pleased to note that unemployment was falling really quite dramatically in the county and was lower than that of the national picture. He was encouraged that every day, new businesses were being established in Kent and existing businesses were growing. The substantial national Government funding for Regional Growth Fund allocations and recent very good news that West Kent would now be the beneficiary of additional Regional Growth Fund meant that the Council would now have at its disposal some £60m worth of recyclable money to support businesses start up and grow, predominantly through interest free loans.

(3) He stated that the county was enormously indebted to those who serve on the Kent Economic Board, our link with the business community in Kent which really was growing from strength to strength. It is interesting, the Leader stated, to see that both the business community in Kent through the links with the Kent Economic Board and more broadly across the South East Local Enterprise Partnership area very much supported the Council's direction of travel and response to the Government consultation on the Third Thames Crossing.

(4) The Leader stated that the Council would continue to work hard to improve the environment conducive to businesses being set up in Kent and businesses to grow. Part of this was clearly seen through the 'Make Kent Quicker' Programme and some of the Highways schemes which, through hard lobbying with national Government, had brought success, examples being the A21 and the pinch point funding at North Farm in Tunbridge Wells.

(5) The Kent Economic Growth Strategy was due out in the autumn and the Leader stated that he very much looked forward to bringing it before the County Council. It was being produced working alongside district colleagues and Kent Economic Board business colleagues to refresh Kent's previous economic development strategy 'Unlocking Kent's Potential'.

(6) He stated that the previous week the Council had hosted a highly successful conference on the roll out of the Troubled Families programme at which the keynote speaker was Louise Casey, the Director General for the Troubled Families programme appointed by the Government. The Leader stated that a great deal of intensive work getting new teams established, multi-agency teams across the 12 districts and boroughs in Kent had preceded the launch of the Troubled Families

programme and he was enormously excited by this programme, and optimistic that it can deliver. Some good news in the Chancellor's statement was that they were extending and expanding the Troubled Families agenda from 2015/16 and beyond.

(7) He finished by stating that he hoped the next day would be a good day for Kent as the Council expected to receive its targeted basic need bid to national Government which hopefully would involve the granting of some £30-40m worth of money to continue to expand against a rising school population in Kent and carry out some much needed modernisation and improvement.

(8) Mr Latchford stated that everyone was aware of the pressures facing the Council to balance the budget against the savage cuts from Government of £239 million. He believed it was a disgrace that Government should continue to offload the responsibility onto County Councils reducing the funding to carry out those responsibilities at the same time as, over a four day period, giving a similar amount to EU and overseas aid.

(9) He stated that it was clear that the Council had to make savings and the Whole-Council Transformation paper would outline the proposals of how to do this. He was very pleased to hear the news from the Leader, he said it was easy to criticise when you did not have responsibility. He stated that the typical definition of opposition was to oppose everything and propose nothing but that he thought the news heard today had been very positive and he would like to congratulate the Leader.

(10) Mr Cowan stated that with regard to the Troubled Families initiative it was very good and very promising but he felt that a lot of new Members would wonder what this was all about and it would be usual at some stage to have a presentation on how exactly the authority was working with those people involved.

(11) He stated that it was good that the unemployment figures were going down but that it would be good if the figures were repeated when they went up as well.

(12) He stated that it had been an interesting few weeks. First there had been the announcement on the consultation about closing 23 of the 97 children's centres and to reduce hours in others. Then there had been the news from the Leader about the whole-Council transformation with all frontline services probably being outsourced which had been badly handled with staff learning of the proposals less than 24 hours before it broke in the media.

(13) Finally Mr Cowan stated that he felt in terms of the Lower Thames Crossing Option 4 – None of the above, could be the option taken.

(14) Mrs Dean stated that she rejoiced, as Mr Carter did, in the fall in unemployment and she welcomed the winning of the £5 million on the Escalate programme although she had concerns about the degree to which industrial development or commercial development there may put yet more traffic onto the A21.

(15) Mrs Dean stated that she also welcomed and supported the Council's move on broadband. However she did express concern that more and more stress was being laid on access to technology to allow Kent residents to report problems, something she felt KCC needed to keep an eye on and be aware of.

(16) Mrs Dean had attended the Troubled Families conference Mr Carter had spoken of and had been delighted to hear Louise Casey pay tribute both to Mr Carter and to Amanda Honey for the way they had supported the Troubled Families programme generally and how Kent had played its part in that. She was concerned however that there were still areas of the county where this programme had not yet started and that there was still much bad practice, 20 practitioners at one case meeting.

(17) Mr Carter thanked Mr Latchford for his gracious comments and agreed with Mrs Dean on the good progress achieved on the Troubled Families agenda and the input being given to support the Kent economy. He also agreed with Mr Cowan, stating that he had said only earlier in the week at Corporate Board that he should write to Mr Pickles and lobby him to put the Council Tax freeze grant into base grant money. He stated that the Children's Centre consultation was a genuine one. He also agreed that a Troubled Families briefing would be a very good idea.

25. Kent Safeguarding Children Board - 2012/13 Annual Report

Maggie Blyth, KSCB Independent Chair was in attendance for this item.

(1) The Chairman invited Ms Blyth, KSCB Independent Chair, to introduce the Annual Report to the Council.

(2) Mrs Whittle moved, Mrs Allen seconded that the Council

- (a) comment on the progress made; and
- (b) note the 2011/12 Annual Report.

(3) RESOLVED: that that the above recommendations be agreed.

26. Facing the Challenge: Whole-Council Transformation

(1) Mr Carter moved, Mr Simmonds seconded that the County Council agree the following recommendations:

- (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 of the report;
- (6) Agree the outline future service delivery model for the council set out in section 5 of the report;

- (7) Agree the five priorities of whole-council transformation identified in paragraph 6.1 of the report;
- (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 identify further opportunities for service integration;
- (10) Note the creation of a Whole-Council Transformation Board; and
- (11) Note the commissioning of a Whole-Council Transformation Plan for KCC to be considered by the County Council at its next meeting (19 September 2013).

(2) Following the debate the Chairman stated that he intended to put the recommendations which were to vote 'en bloc', (Recommendations 1-4 and 9-11) and separate votes on recommendations 5-8, when the voting was as follows:

Vote 1 on recommendation 5 of Facing the Challenge: Whole-Council Transformation

For (51)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr J Elenor, Mrs M Elenor, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire,

Abstain (7)

Mr R Bird, Mr I Chittenden, Mr B Clark, Mr D Daley, Mrs T Dean, Mr A Terry, Mr M Vye

Against (23)

Mr D Baker, Mr M Baldock, Mr H Birkby, Mrs P Brivio, Mr L Burgess, Mr C Caller, Mr G Cowan, Ms J Cribbon, Dr M Eddy, Ms A Harrison, Mr M Heale, Mr C Hoare, Ms S Howes, Mr G Koowaree, Mr B MacDowall, Mr T Maddison, Mr F McKenna, Mrs E Rowbotham, Mr W Scobie, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Carried

Vote 2 on recommendation 6 of Facing the Challenge: Whole-Council Transformation

For (49)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr J Elenor, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire

Abstain (9)

Mr R Bird, Mr N Bond, Mr I Chittenden, Mr B Clark, Mr D Daley, Mrs T Dean, Mr E Hotson, Mr A Terry, Mr M Vye,

Against (22)

Mr D Baker, Mr M Baldock, Mr H Birkby, Mrs P Brivio, Mr C Caller, Mr G Cowan, Ms J Cribbon, Dr M Eddy, Ms A Harrison, Mr M Heale, Mr C Hoare, Ms S Howes, Mr G Koowaree, Mr B MacDowall, Mr T Maddison, Mr F McKenna, Mrs E Rowbotham, Mr W Scobie, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Carried

Vote 3 on recommendation 7 of Facing the Challenge: Whole-Council Transformation was abandoned and run again at the end of the votes

Vote 4 on recommendation 8 of Facing the Challenge: Whole-Council Transformation

For (56)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr J Elenor, Mrs M Elenor, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Heale, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr B MacDowall, Mr S Manion, Mr A Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr A Terry, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire

Abstain (8)

Mr D Baker, Mr R Bird, Mr I Chittenden, Mr B Clark, Mr D Daley, Mrs T Dean, Mr C Hoare, Mr M Vye

Against (17)

Mr M Baldock, Mr H Birkby, Mrs P Brivio, Mr C Caller, Mr G Cowan, Ms J Cribbon, Dr M Eddy, Ms A Harrison, Ms S Howes, Mr G Koowaree, Mr T Maddison, Mrs E Rowbotham, Mr W Scobie, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Carried

Vote 5 on recommendation 7 of Facing the Challenge: Whole-Council Transformation (2nd vote)

For (51)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr J Elenor, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr A Terry, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire

Abstain (6)

Mr R Bird, Mr I Chittenden, Mr B Clark, Mr D Daley, Mrs T Dean, Mr M Vye

Against (24)

Mr D Baker, Mr M Baldock, Mr H Birkby, Mrs P Brivio, Mr L Burgess, Mr C Caller, Mr G Cowan, Ms J Cribbon, Dr M Eddy, Mrs M Elenor, Ms A Harrison, Mr M Heale, Mr C Hoare, Ms S Howes, Mr G Koowaree, Mr B MacDowall, Mr T Maddison, Mr F McKenna, Mrs E Rowbotham, Mr W Scobie, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Carried

All the other recommendations within the report were carried without a vote.

(2) RESOLVED that the County Council:

- (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 of the report;
- (6) Agree the outline future service delivery model for the council set out in section 5 of the report;
- (7) Agree the five priorities of whole-council transformation identified in paragraph 6.1 of the report;
- (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 identify further opportunities for service integration;
- (10) Note the creation of a Whole-Council Transformation Board; and
- (11) Note the commissioning of a Whole-Council Transformation Plan for KCC to be considered by the County Council at its next meeting (19 September 2013).

27. Petition Scheme Debate - Extend the Freedom Pass

- (1) The Chairman invited Matt Stanley, the spokesman for lead petitioner, to address the Council on the above petition. Matt Stanley spoke to the petition.
- (2) The Chairman then opened up the debate to the floor and a number of Members spoke on the petition.
- (3) The Chairman then invited the Cabinet Member for Transport and Environment, Mr Brazier, to respond to the debate and describe how he intended to take the petitioner's concerns forward.
- (4) Mr Caller proposed, Mr Cowan seconded the following motion:

'That the outcome of the review referred to in the recommendation on page 71 of the Council agenda be considered at a special meeting to be called in time for a decision to be made and implemented before the start of the new academic year for 2013/14.'
- (5) However, the deadline for the review was the following day (Friday 19 July) and therefore Mr Caller withdrew his motion.
- (6) Mr Brazier proposed, Mr Gough seconded that the County Council 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) RESOLVED that the above recommendation be agreed.

28. Members' Travel Expenses

(1) Sharon Addis and Steve Wiggett, members of the Member Remuneration Panel, were in attendance for this item.

(2) Mr Carter moved, Mr Simmonds seconded that the County Council accept the current guidance of HMRC and agree to implement Option 1.

Carried without a vote

(3) RESOLVED that the County Council accept HMRC guidance and implement Option 1.

29. Committee Membership

(1) Mr Cooke proposed, Mrs Allen seconded that County Council:

(a) agree the following Committee appointments:

Governance & 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.

(2) RESOLVED that the above recommendations be agreed and noted.

30. Motions for Time Limited Debate

Motion for Time Limited Debate 1

(1) Mr G Cowan proposed, Mr W Scobie seconded the following Motion for Time Limited Debate:

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.

(2) Following a debate, the Chairman put to the vote the motion as set out above, when the voting was as follows:

For (34)

Mr D Baker, Mr M Baldock, Mr R Bird, Mr H Birkby, Mr N Bond, Mrs P Brivio, Mr L Burgess, Mr C Caller, Mr I Chittenden, Mr G Cowan, Ms J Cribbon, Mr D Daley, Mrs T Dean, Dr M Eddy, Ms A Harrison, Mr M Heale, Mr C Hoare, Ms S Howes, Mr G Koowaree, Mr R Latchford, Mr B MacDowall, Mr T Maddison, Mr F McKenna, Mr B Neaves, Mrs E Rowbotham, Mr W Scobie, Mr T Shonk, Mr D Smyth, Mr A Terry, Mr N Thandi, Mr R Truelove, Mr M Vye, Mr M Whybrow, Mrs Z Wiltshire

Abstain (2)

Miss S Carey, Mr B Clark

Against (43)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr D Brazier, Mr R Brookbank, Mr P Carter, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr J Elenor, Mrs M Elenor, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr R Long, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham

Lost

Motion for Time Limited Debate 2

(3) Mrs T Dean proposed, Mr M Vye seconded the following Motion for Time Limited Debate:

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.

(4) Mr G Cooke proposed, Mr P Carter seconded the following amendment to the motion that this Council:

- i) acknowledges and notes that work has already been undertaken in relation to the issuance of policy guidelines covering the filming of public meetings in line with the guidance document; “Your Council’s Cabinet – going to its meetings, seeing how it works”, issued by the Department for Communities and Local Government (DCLG) in June 2013; and
- ii) that a report setting out how Kent County Council will provide reasonable facilities for members of the public attending public meetings, together with provision for the filming of councillors and officers at public meetings, with the exception of exempt agenda items, in a way that is neither obtrusive or disruptive, will be presented to the next meeting of the Selection and Member Services Committee in September for consideration.

(5) Following debate the Chairman then asked if Members agreed the amendment to the original motion and it was agreed.

(6) RESOLVED that the substantive motion set out in paragraph (4) i) and ii) above be agreed as amended.

31. Minutes for Information

Pursuant to Procedure Rule 1.10(8) and 1.23(4), the minutes of the Planning Applications Committee meetings held on 23 May and 7 June 2013 and the minutes of the Regulation Committee meetings held on 23 May and 18 June 2013 were noted.

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COUNTY COUNCIL**Thursday 19 September 2013****Question by Roger Truelove to
Mike Hill, Cabinet Member for Community Services**

How is the Olympic Legacy progressing in Kent?

Answer

In March 2013, Kent County Council launched *Kent County Council and the Delivery of Olympic and Paralympic Legacy – The actions that Kent County Council will take to ensure legacy from the London 2012 Olympic Games up to 2016 and beyond*. Highlights of delivery to date include

- £2 million secured from the national legacy sport programme for our community grassroots sports facilities.
- The fourth biennial Kent School Games, which inspired the National School Games, will begin again this autumn, reaching some 30,000 young people across 35 sports and will continue to be run every second year.
- 81,000 more adults in Kent are undertaking 3 X 30 minutes sessions per week of sport and active recreation than when London won the right to stage the Games in 2005.
- A bespoke KCC led Kent schools legacy programme, which uses both local and countywide leadership to deliver arts, sport and personal development programmes linked to the Olympic, Paralympic and Commonwealth Games.
- Kent Greeters. Co-funded by Kent County Council has seen 170 Greeters supporting some 21 events and welcoming 9,300 visitors.
- An Implementation Plan of the Kent Volunteering Charter has been worked up by the County Council alongside Voluntary and Community partners, and started being rolled out from summer 2013 to mark One Year since the Games.
- Developing the 2014 Kent Year of Arts focused around young people as a response to the Cultural Olympiad.
- Kent now has a Safety Advisory Group across every district and Medway, all operating to a common template which is a significant achievement directly attributable to the Games.

COUNTY COUNCIL

Thursday 19 September 2013

**Question by Angela Harrison to
Roger Gough, Cabinet Member for Education & Health Reform**

With the recent change in sponsor for the Sheppey Academy, can the Cabinet Member for Education & Health Reform tell me how this will affect the learning needs of the children there now and in the future?

Answer

The lead sponsor for the Isle of Sheppey Academy has changed from Dulwich College to Oasis Trust (known as 'Oasis') which is a UK-based Christian registered charity founded by Reverend Steve Chalke in 1985. Dulwich College will remain as co-sponsor. This change of sponsor has been brokered by the Department for Education's Academies Division, which has direct responsibility for the Academy. The change will mean that the Academy will be led not by a single sponsor with limited involvement in state education but by an organisation which has developed into a family of charities now working on five continents and eleven countries around the world, to deliver housing, education, training, youth work and healthcare. Oasis provides services for local authorities and national governments, as well as self-funded initiatives aimed at providing opportunity to people across the globe. This is in line with current government thinking that Academies will benefit from 'chains' of academy groups better than single sponsors.

Kent County Council has a good working relationship with Oasis, which is committed to working in collaboration with all schools on the Isle of Sheppey to improve the education opportunities and outcomes for all children, young people, their families and the wider community on the island.

The Isle of Sheppey Academy still requires significant improvement and Kent County Council's joint discussions with Oasis indicate a determination on their part to achieve much better outcomes in the immediate future for the young people attending the school.

COUNTY COUNCIL

Thursday 19 September 2013

**Question by Colin Caller to
David Brazier, Cabinet Member for Transport & Environment**

Was an assessment made of the impact on the air quality, noise, health & wellbeing of the residents of Chalk, Riverview Park, Westcourt, Shorne West and surrounding area before it was decided to firstly; submit a preference for Option C variant and secondly make this submission conditional on moving the junctions joining the A2/M2 further westward.

Answer

The Council's response to the Department for Transport (DfT) consultation on the corridor options took into careful consideration the air quality and noise assessment work conducted for all corridors by the DfT. It also took into account the Environmental Impact study commissioned by the County Council in 2012 which included an assessment of noise and air quality impacts on a wide range of environmental receptors likely to be affected by the corridor options. Kent County Council did not independently carry out air quality, noise, health and wellbeing assessments on impact on residents of Chalk, Riverview Park, Westcourt and Shorne West as part of the authority's decision making in relation to its preferred crossing option. However, this project is being led by the DfT and we fully expect the Department for Transport to carry out detailed assessment of these impacts as part of the next stage of development work once a preferred corridor option has been identified.

In making this decision the County Council is fully aware that there will be substantial impacts for those communities closest to whichever corridor the Department for Transport decides to take forward at the end of the current consultation process, and as such has made representations to realign the section of Option C south of the Thames to the A2/M2. While this proposed westwards realignment would see increased impact on residents of Riverview over the DfT corridor option, it would see improvements for the residents of Chalk and those closer to the Thames as well as for the residents of Shorne and Higham, through an increased length of tunnelling. In addition, it would significantly reduce the environmental impacts by avoiding Sites of Special Scientific Interest (SSSI), ancient woodland, Shorne Woods country park and valuable heritage.

The DfT are expected to make a decision later this Autumn.

COUNTY COUNCIL

Thursday 19 September 2013

**Question by Mike Harrison to
Mike Hill, Cabinet Member for Community Services**

Would Mr Hill be kind enough to spread the good news of a job well done with regard to the Margate Task Force? Some members may well be aware of this excellent joint working team in a small section of Thanet but others may not, hence my request to the Cabinet Member to bring us an update of its progress. May I also ask Mr Hill if this excellent work can be replicated in other sections of the county?

Answer

Members will be aware of the considerable economical, environmental, social and criminal issues affecting some parts of Thanet.

Two wards in particular, Cliftonville West and Margate Central, have presented worryingly high levels of social deprivation, crime and anti-social behaviour which place these wards at the wrong end of national comparative data tables.

There are over 40 different nationalities concentrated in these wards and high levels of “out of county” placements which locate young people, vulnerable individuals and ex-prisoners in a small area, all of which increases risk and places enormous additional pressures on local services.

Despite all the problems there is progress being made. The award-winning work of the Margate Task Force has helped to ensure public services work better together, swiftly respond to the community’s needs and deliver more cost efficient and positive outcomes. Specifically the task force operates a joint office with representatives from 14 agencies including the police, social services, the housing regeneration team, public health and Jobcentre Plus.

Outcomes by the MTF are encouraging. Overall crime in the two wards saw reductions during 2012 /13 greater than in the rest of Kent. There is considerable improvement in the regeneration of local housing stock and street cleanliness. Enforcement laws have been instigated to ensure landlords adequately maintain their properties, planning laws have been modified to limit the creation of new single occupancy flats and direct action has also been taken to purchase and restore several old hotels and convert them into family homes.

One of the key success factors of the MTF has been the collocated and collaborative approach to multi agency working. It is now accepted by those agencies involved that this approach is one of the cornerstones for improved joint outcomes. Similar work is now taking place in a number of other areas and districts across Kent.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Susan Carey to
Mark Dance, Cabinet Member for Economic Development**

In May 2011 it was announced that five communities in Kent, including Stanford and Lympne in my division, had won funding to help deliver faster broadband. Would the Cabinet Member provide an update on these projects and reassurance that they are proceeding in parallel with the larger scheme to provide superfast broadband for Kent as a whole?

Answer

The Community Superfast Pilot schemes, including Lympne and Stanford have been progressed by the Broadband Project Team in parallel with the Kent and Medway BDUK Project. They have been deliberately kept separate from the larger scheme to create a competitive environment in the broadband market in Kent with the intention of letting contracts with local Kent Small and Medium Enterprises.

Regrettably there have been difficulties in processing the procurements and further delays in obtaining the formal approvals from Government in respect of State Aid.

I am happy to inform Mrs Carey however that the relevant approvals have now been obtained, work orders have been placed and construction will commence shortly. I have asked officers from the Broadband Project Team to set up meetings in the Pilot communities to engage with local people during the project roll-outs.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Trudy Dean to
Paul Carter, Leader of the Council**

Will the Leader of the council agree to request a report to Policy and Resources cabinet committee exploring what action KCC could take to limit the activities of so called Pay Day Loan Companies including:

- banning payday loan websites from its entire computer network, including publicly accessible PCs in libraries and community centres;
- seeking to persuade district/borough council colleagues (through the numerous twin-hatted Members as well as by directly approaching councils) to ban payday loan advertising on billboards and bus shelters;
- publicly promoting credit union facilities as alternatives to payday loan companies; and
- banning all advertising from its property including highway land

Answer

Whilst I am strongly sympathetic to the sentiments behind this proposal, this is an area that requires careful consideration. The Conservative administration has been looking at ways to support Kent residents who are suffering financial hardship for a number of years. One example of this is Kent Savers – an independent credit union Kent County Council helped to establish in 2009.

I would be happy to request a report exploring a range of potential options and their impact to the Policy and Resources Cabinet Committee for a future meeting.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Jim Wedgbury to
David Brazier, Cabinet Member for Transport and Environment**

Will the Cabinet Member please tell me how we deal with Ragwort on our land?

Answer

The responsibility for the control of Ragwort rests with the occupier of the land regardless of who the occupier is. There are no special requirements for highway authorities to control Ragwort on highway land. The majority of reported cases of Ragwort are on land adjacent to public highway and in private ownership.

The 1959 Weeds Act empowers Defra to serve control notices to landowners where there is a problem. However, the Act does not make it illegal to have Ragwort on land or require occupiers to automatically control it.

The Ragwort Control Act 2003 exists to create a Code, "How to Prevent the Spread of Ragwort" (Defra 2004), for managing Ragwort. Under the Code it is the landowner's responsibility to assess whether action should be taken to prevent the spread of Ragwort by assessing the risk to livestock or to land used for feed production.

The Code does not seek to eradicate Ragwort, recognising that it is important for wildlife. The County Council follows the Code when managing roadside verges. When Ragwort on highway land is assessed as high risk we control it through a combination of herbicide treatment (Glyphosate or Citronella) and traditional methods (hand pulling or cutting) depending on the stage of growth. When we are treating high risk areas we take a proactive approach and will aim to extend the treatment to cover adjacent medium risk areas when resources allow. Treating and removing Ragwort over and above the current best practice I mentioned, would be unfeasibly costly.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Lee Burgess to
David Brazier, Cabinet Member for Transport and Environment**

I would like to know what steps KCC are taking to ensure this Government continues to maintain adequate sea defences around Kent's north coast, given the previous plans showed considerable areas vulnerable to 'managed retreat' including large amounts of Grade A agricultural land and several residential areas. Also what help is available to private landowners seeking to safeguard their own land against coastal erosion.

Answer

Whilst KCC has no direct responsibility for the management of coastal erosion (this lies with the district authority and, where there is risk of flooding from this erosion, the Environment Agency), it is still a matter the authority takes seriously especially considering the extent of coastline the county has. The policy for the management of the North Kent coast falls under two Shoreline Management Plans (SMP) - Medway Estuary and Swale and the Isle of Grain to South Foreland.

The Environment Agency is responsible for coordinating the Medway Estuary and Swale SMP, while Canterbury City Council fulfils this role for the Isle of Grain to South Foreland plan, in all cases the plans are delivered in partnership between district authorities and Environment agency via the South East Coastal Group.

SMP's set out the long term policy framework for the next 100 years, determining whether the line will be held (i.e. defended in some way) or whether a policy of managed realignment or no active intervention will be applied. These policies were arrived at following a large scale assessment of the risks associated with coastal processes and the assets impacted by these risks. KCC, along with the north Kent local authorities and other stakeholders, were involved in the development of these plans which were published in 2008. Maintenance of sea defences on the north Kent coast will be in line with the policies of this plan.

Unfortunately experience has shown that there is little help for private landowners seeking to safeguard their own land against erosion outside of the defences provided for by coastal strategies; this is especially the case where protection would go against the SMP policy.

KCC, in partnership with the Environment Agency, have an EU funded project "Coastal Communities 2150" which aims to assist communities at risk - this includes communities on the Isle of Sheppey. In addition, KCC has contributed up to £3.28m towards the construction of a £21.7m flood defence scheme which will reduce the risk of tidal flooding to 488 homes and 94 commercial properties in Sandwich, including Discovery Park. KCC have also committed to £1.36m for maintenance, following construction.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Rob Bird to
Mark Dance, Cabinet Member for Economic Development**

After several years in the doldrums there are signs that the housing market is picking up and, with housing demand outstripping supply in much of Kent, house prices are now forecast to continue rising in the coming months.

It has been difficult for many would-be first time buyers to get on the housing ladder. KCC working together with district councils has taken steps to assist first-time buyers. However, these measures risk fuelling increased house price inflation putting properties further out of the reach of future home-owners.

Does the Cabinet Member for Economic Development agree?

Answer

Simple answer Mr Bird - No. But let me explain.

LAMS (Local Area Mortgage Scheme) is a more modest local response than the Government proposals under Help to Buy. LAMS is only available to first time buyers and aimed in part at supporting the local housing market and economy. It has so far in Gravesham and Tunbridge Wells generated 41 mortgages. It would in total if adopted across all 12 Districts in Kent generate not more than 800 direct mortgages, capped by local authorities to reflect local housing market conditions. It is our view that these numbers and this approach would not have any significant impact on property prices.

The development industry has welcomed the Government Help to Buy equity loans launched in April 2013. These loans are open to both first-time buyers and home movers on new-build homes worth up to £600,000. From launch to 16 August 2013 we have been advised that 282 Help to Buy Equity Loans had been agreed in Kent. From January 2014, a Help to Buy mortgage guarantee is expected to be available, based on a deposit of 5% of a purchase price of up to £600,000. However, we are still awaiting full and final details of the Government scheme and how it will operate.

Lloyds have this week advised that given the nature of Help to Buy and similarities with aspects of LAMS that they believe it would be prudent that the rollout of LAMS is paused while we await details of the Government's scheme. This decision does not impact on the existing LAMS schemes in Tunbridge Wells, Gravesham and Shepway. We will however keep this matter under review.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Martin Vye to
Graham Gibbens, Cabinet Member for Adult Social Services & Public Health**

Will the Cabinet Member for Adult Social Services & Public Health inform the Council whether, at a time when KCC is becoming more dependent on the voluntary/not-for-profit sector for delivery of key services, it will continue to give financial support to voluntary sector support organisations, such as Councils for Voluntary Service, that play a vital role in developing the capacity of the voluntary/not-for-profit sector to deliver those services?

Answer

The voluntary sector has a key role in the provision of services and it is important that they are supported as efficiently as possible. To ensure this, officers have reviewed the local sector support to understand the return on investment that they provide to adult social care. This has confirmed the support is valuable to the wider voluntary sector, primarily to smaller charities, however only approximately half of these provide services to vulnerable adults. Additionally, many larger voluntary sector organisations that deliver key services to vulnerable adults are not affiliated with CVS's or Volunteer Centres, and in some cases see them as competition.

However I recognise the role of smaller organisations within their communities and the value in supporting them and developing community capacity. Consequently, officers are looking at how adult social care can best commission support for:

- volunteering,
- community capacity development
- and a specialist service to support the professional development of the sector to deliver key services.

This support will be commissioned through an open procurement process so the available budget delivers the desired outcomes outlined in *Facing the Challenge* of moving to becoming a commissioning authority, focussing resources on where they can have the biggest impact and better relationships with providers. This will help support the development of a financially sustainable sector over the longer term.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Roger Latchford to
David Brazier, Cabinet Member for Transport and Environment**

I would like to start by saying that I enjoyed the Aviation Briefing on the 10 September and it was clear that the presenter was on top of his subject. As Aviation is a major interest to me and the future of Manston in particular it is obvious that the expertise supplied may have been sourced externally.

I have seen the KCC Presentation under the Airport Study recently completed by Sir Howard Davis and it mentions that the services of a Consultancy Specialist were retained. Can I ask if that is a fact?

Answer

I am pleased to hear that the Member felt the Briefing on Aviation on 10 September was a useful and informative session. The presentation was delivered by Mr Joseph Ratcliffe, Principal Transport Planner - Strategy, within the Council's Planning and Environment Division. Mr Ratcliffe has coordinated KCC's submissions to the Airports Commission chaired by Sir Howard Davies, input for which has been supplied by officers from across the organisation with use being made of a range of external information sources and reports. There have been 8 submissions to the Commission from KCC to date.

Your question relates to the retention of Specialist Consultancy services in support of these submissions. In order to assist with our analysis and provide independent technical expertise, KCC commissioned research from the specialist aviation consultancy, Alan Stratford and Associates Ltd. This work supported KCC's response to the Commission on firstly, 'proposals for making the best use of existing airport capacity in the short and medium term' and secondly, 'proposals for providing additional airport capacity in the longer term'. Our submissions therefore in part, contain extracts from the consultant's reports. I would emphasise however, that all recommendations given to the Airports Commission in our submissions were those of KCC, and not necessarily those of Alan Stratford and Associates Ltd. Copies of the two reports by Alan Stratford and Associates Ltd can be provided if required.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Dan Daley to
Paul Carter, Leader of the Council**

During the formulation period of the Core Strategies and Local Development Plans of Borough and District Councils – all of which are now coming to a crucial point in the process, there have been many changes in Government Guidance concerning the methodology of approach to housing number projections. The most recent of these has notably been the National Planning Policy Framework of March 2012 and yet another amendment as late as 5 September 2013.

This latest Guidance calls for yet more house building to be the primary objective and for this to be cross boundary between Planning Authorities.

All of this development is necessarily going to call upon the County to provide the infrastructure in terms of roads, schools and other sustaining support for it to be deliverable.

The Leader has several times in the recent past said publicly that now was the time for the Government to be told firmly that this state of affairs cannot continue and that the Local Voice is being ignored, even though there is great play made that Localism is the most important part in recent legislation.

Could the Leader please give some indication of the measures he has in mind to lead this stand against the overbearing attitude of Central Government and advise how we may stand firmly behind him in this enterprise?

Answer

I strongly believe that “planning” is not the key issue in getting more homes built in this country in the next five to seven years. It is the financial capacity of house builders and their low appetite for risk.

At September 2012, planning permission was in place for around 35,000 dwellings in Kent but development has yet to start.

I welcome the new government guidance suggesting cross boundary co-ordination is encouraged between planning authorities. Bring back the Kent Structure Plan!

I also believe the housing numbers within the old South East plan were realistic for Kent and any enforced increase by national government is unproven.

My final concern is the inability of the Community Infrastructure Levy (CIL) to deliver anything like the necessary contribution to infrastructure in areas where house prices are below average and the viability of schemes is consequently marginal. Even in the

buoyant years, Kent County Council's document 'What Price Growth?' identified a shortfall of £10 billion for the necessary infrastructure to match growth.

National government seems to have a misconception that the Community Infrastructure Levy will provide the solution to this shortfall. Yet this lever is unlikely to bridge the gap even in affluent areas with good viability, let alone those where some districts are considering a zero rate CIL to improve the chances of getting development started.

The County Council has a statutory duty to provide essential key infrastructure such as adequate school places and new roads. There is a very concerning risk of a significant shortfall developing, which will create substantive problems in the future.

I will continue to lobby that government for solutions.

COUNTY COUNCIL MEETING

19 September 2013

**Question by Robert Brookbank to
Jenny Whittle, Cabinet Member for Specialist Children's Services**

General Medical Practitioners in my division have expressed to me their continuing concerns about the delays occurring when referring vulnerable young people with Mental Health problems for assessment by a specialist. Waiting times of 20 weeks are not unusual.

During this period these vulnerable young people are open to abuse by their peer group and can come under the influence of undesirable elements in society leading then into drug taking or participation in anti-social behaviour. Can the Cabinet Member inform me what action she is taking to rectify this situation?

Answer

As the Chairman of the council's Health Overview Scrutiny Committee, I'm sure Mr Brookbank is aware that General Practitioners, through their Clinical Commissioning Groups, are themselves responsible for jointly commissioning the Children & Adolescents Mental Health Services and provide the significant majority of the funding. The CCGs contribute £14m each year compared to KCC's contribution of £1m for the children in care element of the services. If GPs' have concerns about access to these services they are well placed to address these within their CCGs.

That said, improving services for children is important and I am pleased to say this is taking place. CAMHS are now provided by Sussex Partnership NHS Foundation Trust who have been doing this for just one year. At the time of taking over the contract, the Trust inherited significant waiting lists for specialist and targeted services particularly in west Kent, which they have been working to reduce.

The waiting time in Dartford and Gravesham for referral to assessment for the specialist service has come down from 53 weeks in October 2012 to 8.5 weeks in June 2013. This specialist service works with children and young people with complex, severe and/or persistent needs. The targeted service works with children with moderately severe problems and the waiting list for this has also reduced from 48 weeks to 27 weeks in June 2013.

Referrals to CAMHS are triaged on a daily basis to check for emergency and urgent referrals. Young people who are referred as an emergency are assessed the same day. Young people deemed to require an urgent assessment are seen within 10 days. Routine referrals are screened weekly.

Additionally, regular monitoring arrangements are in place to ensure that the significant improvement in performance continues.

By: Paul Carter, Leader of the Council

To: County Council – 19 September 2013

Subject: 'Facing the Challenge: Delivering Better Outcomes' - Whole-Council Transformation Plan – Phase 1

Summary: This paper sets out Phase 1 of the Transformation Plan, following '*Facing the Challenge: Whole-Council Transformation*' which was approved by County Council in July. It outlines three key themes which will shape our approach for transformation: Market Engagement & Service Review; Integration & Service Redesign and Managing Change Better. It sets a roadmap for delivery, governance and the mechanisms for delivering and managing transformational change.

Recommendations

The County Council is asked to:

- ENDORSE the Whole-Council Transformation Plan: Phase 1
- NOTE the detail of staff and team alignment to new integrated service teams will be considered by County Council in December 2013
- NOTE the Programme Roadmap timescales and milestones for delivery of Phase 1, as set out in section 4.

1. Introduction

- 1.1 In July 2013, Kent County Council approved '*Facing the Challenge: Whole-Council Transformation*', which set out how the organisation will position itself to meet the anticipated financial challenges over the medium term, and introduced a future vision and operating model for the council.
- 1.2 '*Facing the Challenge*' set out the context and rationale for change, providing a policy framework for transformation. It focused on five key principles:
- Integration of services around client groups or functions
 - Single-council approach to projects, programmes and review
 - Active engagement of the market for solutions
 - Creating viable businesses from traded services
 - Embedding commissioning authority arrangements
- 1.3 The paper commissioned further work to develop a Whole-Council 'Transformation Plan' to set out what would be delivered in the first phase of transformation, and the approach to deliver transformation at pace. This will redesign the way we deliver services and drive structural reform of the authority as a whole by rapidly moving the organisation to an operating model which will

deliver the financial savings required, and also ensure we are resilient and prepared for future challenges and change.

- 1.4 *'Facing the Challenge: Delivering Better Outcomes'* is the first iteration of the Transformation Plan. The plan will be a live document, regularly updated as transformation progresses, and considered by County Council at each new phase of activity.
- 1.5 This will enable Elected Members to be fully engaged in the transformation process, and play an important role in providing oversight and assurance of delivery. All Members will also be able to consider and challenge the way services are delivered, and provide pre-scrutiny of plans for future service redesign as part of the Key Decision process, which will be discussed at Cabinet Committees.

2. Transformation Plan: Phase 1 – Summary

- 2.1 The Transformation Plan has been designed around three key themes.

2.2 Theme 1: Market Engagement & Service Review

- a. Market engagement and service review will be the way we challenge fundamental assumptions about how and why we deliver services in the way we do. This will be a key tool to support KCC to become a commissioning authority, as we will be able to review options to identify the most appropriate provider – be that in-house or externally across the public, private and voluntary sector – to deliver the best possible outcomes for our customers. All possible options for future service design and configuration will be explored, and we will actively engage with our customers and the market in order to find the best solutions to achieve sustainable service provision.
- b. This theme sets out the services selected for Phase 1 of market engagement and service review. The first tranche of market reviews cover £98.2m (net) of services, heavily focussed towards corporate support services (£76.1m), compared to £22.1m of front line services.

2.3 Theme 2: Integration and Service Redesign

- a. To fundamentally transform how we deliver provision, we need to truly redesign our services to ensure we provide the best possible outcomes, at lower cost. This will be more than just the aggregation of existing services – integration and service redesign will require the complete re-evaluation of our current business to put our service users at the heart of everything we do.
- b. The Transformation Plan sets out high level principles for service redesign, that will tackle duplication, repetition and remove low value or no value activity. It will streamline service delivery so people get the right information and support they need to access services in the right place, at the right time and in the best way to meet their needs.
- c. Members are asked to note that the Transformation Plan sets out a brief, high level indication of integration of services into functional groups shaped around

people, place and corporate functions. The full details of staff and team alignment will be developed to be considered by County Council in December 2013.

2.4 Theme 3: Managing Change Better

- a. By taking a portfolio approach to managing projects and programmes we will be able to deliver transformational change more effectively in order to achieve our strategic goals. As the main vehicles for delivering change, projects and programmes will be organised into change portfolios; this will enable us to better coordinate, support and assure change initiatives.
- b. This approach will also allow KCC to be confident that we are consistently focusing on the things which make the greatest difference - thereby achieving the best results for the organisation, providing the taxpayer with best value for money, and ensuring our change initiatives deliver the best outcomes possible.
- c. This theme sets out the approach to portfolio, programme and project management. It outlines how existing and new transformation activity will be delivered in this new approach, clarifying key roles, responsibilities and steps of the process at each stage of the programme lifecycle.

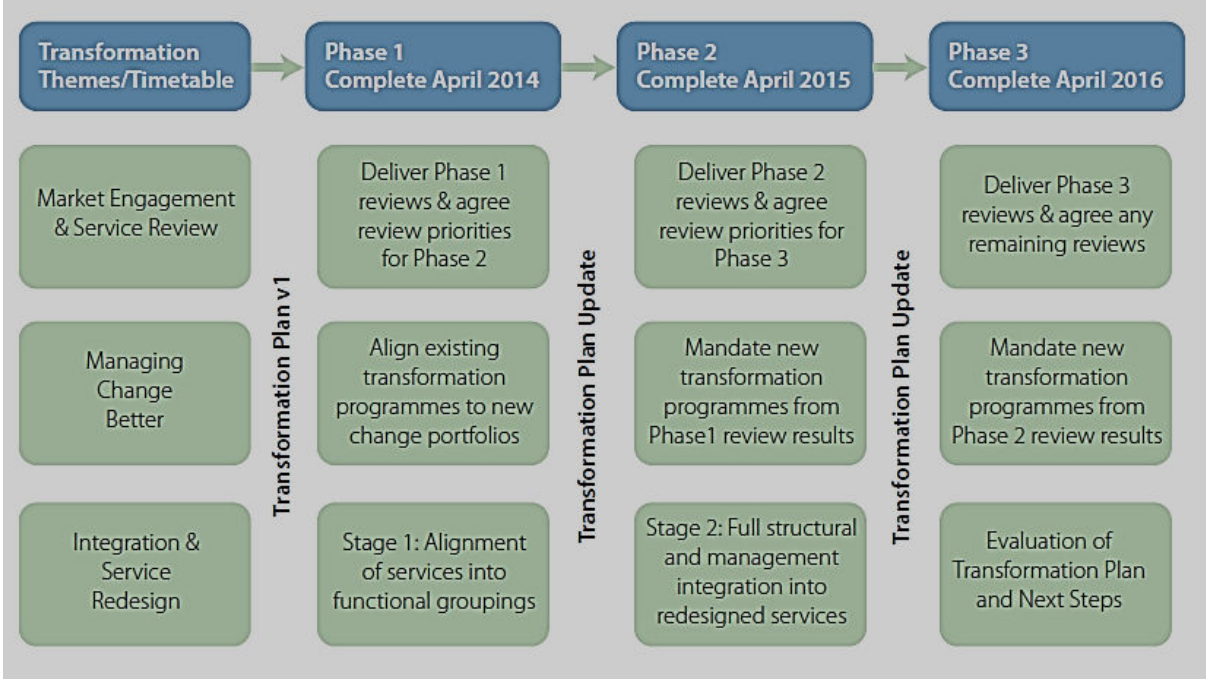
3. Financial Analysis of Transformation

- 3.1 The Transformation Plan needs to be delivered within the context of significant budget reductions for local government. This, in addition to growing spending pressures (including inflation, demographic pressures etc) and anticipated sustained funding reductions from central government, sets the backdrop for the scale of the financial challenge ahead.
- 3.2 Kent County Council will have to deliver estimated savings of approximately £239m between 2015/16 and 2017/18. Our three transformation plan themes will be developed within the context of delivering better outcomes within the limits of these financial savings, exploring innovative and radical solutions.
- 3.3 This will require a detailed financial mapping of the Transformation Plan that will be essential to ensure we are delivering within financial limits and creating service solutions that provide best value to the people and taxpayers of Kent. This financial mapping will be developed by Finance & Procurement, taking into account the most recent financial pressures and forecasting. This will be developed for consideration by Transformation Board in October 2013.

4. Timescales for Delivery

- 4.1 The Transformation Plan sets out a strategic roadmap for the delivery of change, over three years to April 2016. It summarises the first three phases of transformation and the indicative activity that will take place within each phase.

Figure 1: Transformation Roadmap



4.2 The Transformation Plan also sets out high-level milestones that will be achieved across each of the key themes within Phase 1 of the transformation (September 2013 to April 2014). These include:

Market Engagement & Service Review:

- Scoping brief for each review – agreed by end October 2013
- Resource of Phase 1 review teams – by end October 2013
- Identify Phase 2 reviews – by end February 2014
- Phase 1 reviews complete – by end April 2014

Integration & Service Redesign:

- Cabinet discussion of proposed revised top-tier operating framework – October 2013
- 30 day formal consultation with impacted senior managers – October/November 2013
- Informal consultation with other staff and internal and external stakeholders – October/December 2013
- Confirmation of alignment of staff to new customer service teams – November 2013
- County Council approval of revised operating framework – December 2013
- Appointment of Corporate Directors / Directors to revised to tier roles – by March 2014
- Go-live of new operating framework – 1st April 2014

Managing Change Better:

- Agree a resources plan for transformation – by end October 2013

- Establishment of enhanced Corporate Programme Office – by end October 2013
- Change Portfolios established – by end October 2013
- Review and agree Programme e Roadmap for all existing and new transformation activity in change portfolios – by end January 2014

5. Staff Engagement

- 5.1 The engagement and involvement of managers is critical to the success of this transformation. To achieve the goal of designing our new services starting from the customer, middle managers are going to have a real opportunity and responsibility to contribute their knowledge and expertise.
- 5.2 To ensure that this is understood and that managers understand the scale and pace of the change needed, around 460 of our more senior managers have been invited to one of a series of six conversations led by the Director of Transformation and another Director and introduced by a Corporate Director. The response has been very positive with nearly 350 people participating.
- 5.3 This approach of engaging with managers at a very early stage in the transformation process has been very well received and the discussions have been open, and nearly always positive and challenging. Key themes are emerging and these will be taken in more detail to inform decisions being taken CMT and Members.
- 5.4 The principle of putting customers at the heart of the transformation has been welcomed. Managers agree that this will be challenging in many cases and should be based on authentic customer feedback and involvement. Any improvements required by our customers must be addressed, not just explained away.
- 5.5 Similarly there is support for the focus on clearly defined outcomes being more important than process and inputs. Many managers see advantages in a more evidence based approach. It is felt that in this area, as well as in several others KCC would benefit from learning from other organisations in local government, public, private and voluntary sectors.
- 5.6 Ideas have been generated at the sessions around how the organisation can take a more business-like approach. Many of these have focussed on the need for greater transparency on information around the costs of our services and overheads, streamlined decision making, clearer governance, greater understanding of what adds customer value (to make better informed decisions on what to stop doing), consistent ways of assessing value for money and greater accountability for decisions made.
- 5.7 Other common topics raised in the discussions have been around how we ensure our partners are part of the integration of services. The issue of encouraging a less risk averse approach has been welcomed as long as it is accompanied by an acceptance from senior managers and Members that greater risk will sometimes mean things go wrong. Managers also sought reassurance that members would support the reality of difference models of

service delivery once they were introduced even in the face of initial resistance from some customers.

5.8 Managers recognise that this level of transformation will require new skills from staff at all levels. It is important to them that KCC is prepared to invest in their development and to insure that the support infrastructure, including technology, is fit for purpose.

5.9 Managers attending these engagement sessions have been invited to volunteer to be involved in supporting the overall transformation beyond what will be required of all of them in their own service area. It is encouraging that offers of support have been received from about half of the managers who have so far attended the sessions.

6. Recommendations

County Council is asked to:

- ENDORSE the Whole-Council Transformation Plan: Phase 1.
- NOTE the detail of staff and team alignment to new integrated service teams will be considered by County Council in December 2013.
- NOTE the Programme Roadmap timescales and milestones for delivery set out in section 4.

Background Documents:

'Facing the Challenge: Whole-Council Transformation' – Kent County Council – July 2013

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Facing the Challenge: Delivering Better Outcomes

Foreword from the Leader of the Council

Facing the Challenge: Whole Council Transformation made clear our commitment to meeting the financial challenges KCC faces over the medium term through taking a transformative approach through:

- Focussing on commissioning outcomes
- Redesigning services around the needs of customers and the outcomes we want to achieve
- Embed a focus on early intervention to better manage future demand
- Integrating services and functions around clients groups to improve the customer experience.

This Transformation Plan sets out what we are going to deliver in the first phase of transformation, but also our approach to delivering transformation through a whole-council approach.

This will be an iterative document, regularly updated and considered by County Council as the whole-council transformation plan is extended through each new phase of activity.

The roadmap on page 6 sets shows the timetable for the first three phases and how the component activity in each phase links to others.

Phase 1, which will run from October 2013 until April 2014 will focus on three key areas of activity:

- Integrating services into functional groups ahead of full service redesign based on customer need
- Aligning transformation programmes to new change portfolios
- Setting out the service and functions to be the subject of market testing review ahead of Phase 2

The pace of change will be necessarily quick.

The scale of the change required is so fundamental that the traditional way KCC has delivered change to its services will be insufficient. Instead of a focus of delivering change within services, change must occur across and between services.

This requires a new way of managing and delivering change beyond directorate structures which will look and feel very different to many of us, but which is essential if we are to reshape the organisation to the future reality in which it will exist.

At the same time, we must improve how we deliver change. Most change is delivered through specific projects and programmes, but best practice is not regularly and consistently applied across the whole organisation.

We must become far more disciplined in managing projects and programmes, with less dependency on a few key individuals, and more systemic and rigorous approach to project and programme delivery across the whole organisation.

Our focus must be on delivering, to time and to cost, the financial and non-financial benefits of the projects and programmes which will deliver transformation. Failure is simply not an option.

Transformational change on such a scale is never easy.

However, I am personally asking you to support the approach we have set out in this plan, through being open and adaptable to change and new ways of working and contributing your thoughts and ideas to achieve transformation.

We are all here to serve the residents of Kent, and whilst I am fully aware of how challenging this agenda might be for some, I am personally convinced that this is the only credible way to continue to provide the quality services so valued by Kent residents.



Paul Carter
Leader, Kent County Council



Facing the Challenge: Whole-Council Transformation

In July 2013 County Council considered and endorsed 'Facing the Challenge: Whole-Council Transformation' a paper which set out our policy response to the financial challenge we face over the medium term, as income reduces due to reductions in Government funding, but spending demands from demographic and other uncontrollable pressures continue to increase.

Facing the Challenge set out how this growing gap between resources and needs can only be met by taking a radically different approach, an approach that requires whole-council transformation, through:

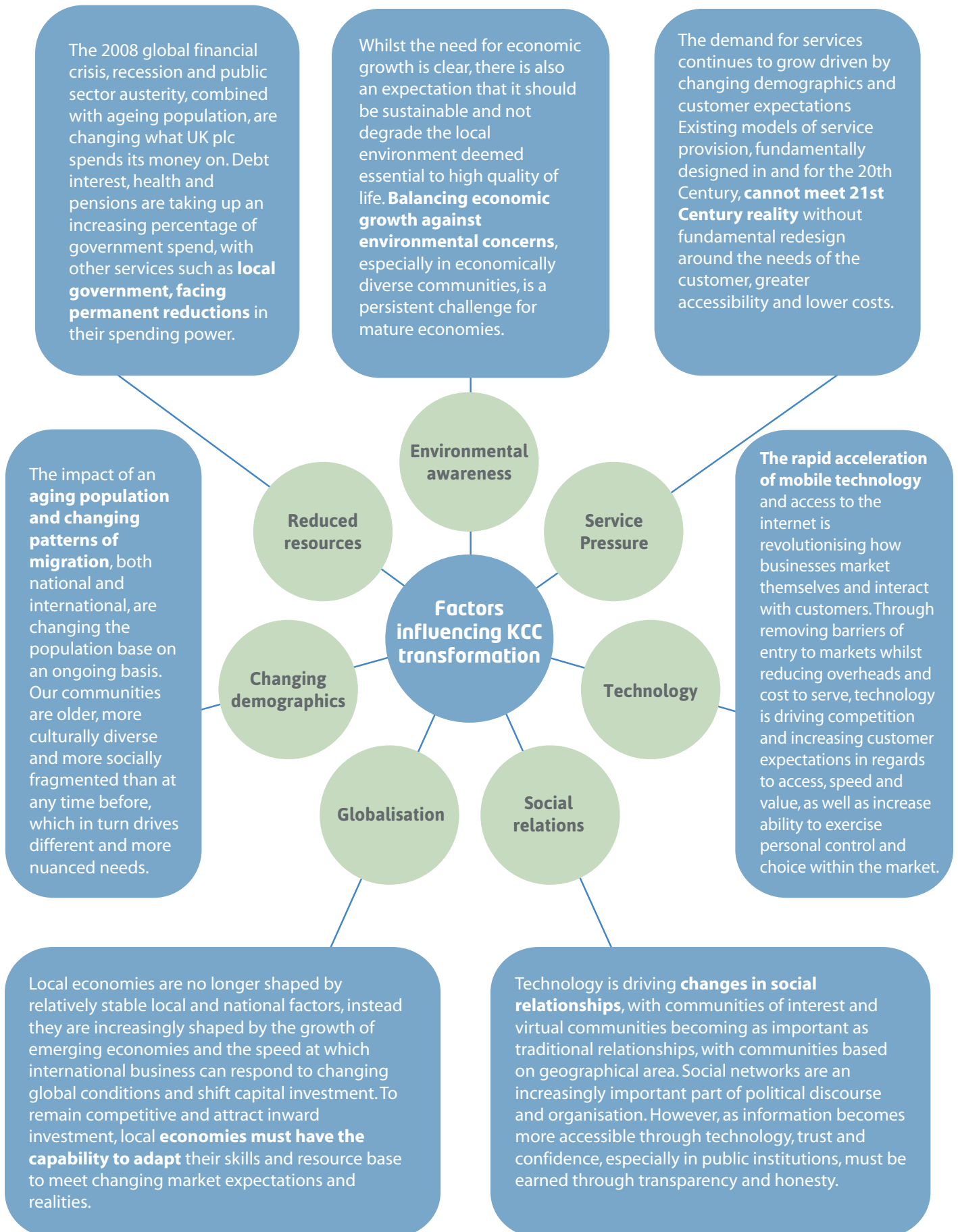
- Moving to become a commissioning authority – with a **greater focus on outcomes** and less focus on the process or vehicle used to deliver services
- **Placing the customer at the heart of service delivery** – integrating and redesigning services around customers and support functions
- **Shaping services around people and place**, including around stages and ages of life (e.g. 0-11, adolescent support, etc)
- **Opening up services to market engagement and review** – starting with those services and functions where markets are mature and can help identify new ways of working
- Single approach to delivering transformational change through **better and more co-ordinated project and programme management**

Facing the Challenge commissioned this transformation plan to set the framework for **how KCC will deliver the approach to transformation.**

The Financial and Cultural Drivers for Change

Local authorities are facing a time of unparalleled austerity which is set to continue until at least 2017/18. However, it is important to recognise that **the need to transform is not solely driven by the reduction in government grant.** KCC simultaneously faces a raft of cultural changes and unfunded growth pressures from a rapidly changing society, with the **online communications driving increased customer expectations**, and a changing demographic **as life expectancy increases.** The diagram below highlights the range of factors which require KCC to transform, both now and in the future.

Facing the Challenge: Delivering Better Outcomes



In order to achieve the scale of savings that we are required to make from 2015/16 and to provide the right services to meet the needs of our residents, we must transform how we provide services.

Transformation driven by outcomes

KCC, and the staff that it employs, are here to **improve the lives of the residents of Kent**, in particular those who are vulnerable or who need additional support. Even with the reduced finances available over the medium-term - and indeed, when the austerity measures finally culminate - as the upper-tier authority in the county **KCC will still have considerable resources at its disposal to deliver those services that make the most difference to the lives of our customers.** We will have less money and will face increased pressure, but we know this simply means we have to do things differently.

That is why KCC's approach to transformation will be **driven by an absolute focus on the delivery of better outcomes, as this will enable us to provide those services people value most, and which have the greatest impact on the lives of our residents.** This relentless focus on outcomes is essential to achieving effective transformation.

Too many of our services are designed on the basis of **professional perception of what service users need**, or a confusion between what people need as opposed to what they want. Some of our services are also **provided on the basis of historical commitments**: 'we do it like this because we always have done.' Such thinking is no longer credible; not only is it unaffordable, it inherently doesn't focus on the outcomes that will make the most difference for the customer.

By starting from the basis of identifying the outcomes we want to achieve with our customers, we can **throw out old assumptions about how we provide services**, and redesign our services in the best way to further improve the lives of those they support within the resources we have available.

Transformation driven by outcomes **will also support changes in organisational culture.** Too many public authorities are output focussed - concentrating on short term challenges or addressing long term issues in a piecemeal way without clear strategic direction. Output-led planning also risks disconnecting authorities from the customers they serve and the changing environments around them.

Outcome focussed organisations, on the other hand, **get the critical mass of their staff thinking beyond the boundaries of their own service and organisation.**

Outcomes planning thereby facilitates:

- Objective decision-making based on evidence
- Focusses limited resources on where they can have the biggest impact
- The overcoming of professional and service silos by focussing minds on common objectives
- Clear communication about organisational aims and objectives

Facing the Challenge: Delivering Better Outcomes

The diagram below sets out some of the cultural differences between outcome and output focussed organisations:

Outcome Focussed Organisation	Output Focussed Organisation
Achieving impact for customers and residents	Delivering products for managers
External awareness of environment, markets and providers; proactively driving change	Internal focus on process, procedure and familiar relationships
Questioning of the status-quo	Accepting of the status-quo
Implements long-term strategy to deliver sustained change	Focusses on marginal changes to deliver short-term benefits
Healthy risk appetite, with a considered and proportionate approach to risk taking	Follows traditional business models due to a risk averse approach
Innovates and experiments to discover what works to solve problems strategically	Piecemeal innovation and isolated improvements leading to incremental change
Learns as it goes and designs services to be flexible and adaptable	Is rigid in delivering plans and services even when circumstances change

In this unprecedented financial climate, organisations focused on delivering outputs will fail, whilst those focussed on delivering outcomes will be better equipped to adapt and change to the rapidly evolving environment in which they operate in. **The fundamental objective of our approach**

to transformation is to ensure that KCC becomes an outcome focussed organisation. This will not just affect service redesign, but how we undertake strategic planning and manage performance effectively.

Designing projects and programmes to deliver changed outcomes

Whilst it is essential that we identify the right outcomes to inform the design and delivery of our services, these goals can only be achieved by developing the right mechanisms to realise these changes in reality. The equation below illustrates the process by which we can do this:



In this calculation, we see that identifying the outcomes we want to achieve is the first stage of the journey; we next have to put in place the right inputs (finance, human resources, etc) to implement the changes. These inputs may be limited, and our target outcomes may need to be modified to reflect this. The vehicles for delivering transformation are the projects and programmes (P) that will achieve our outcomes – improve service delivery and business practices.

The right focus and resourcing will allow us to deliver effective projects and programmes, and effective projects and programmes enable us to realise better outcomes for our residents and service users.

Transformation Plan Themes

There are three key themes of the Transformation Plan:

Market Engagement & Service Review

Activity to **engage our customers** and the **wider market** to identify options about the best way to deliver our services in the future, and **plan the necessary programmes of change** to deliver those new services

Integration & Service Redesign

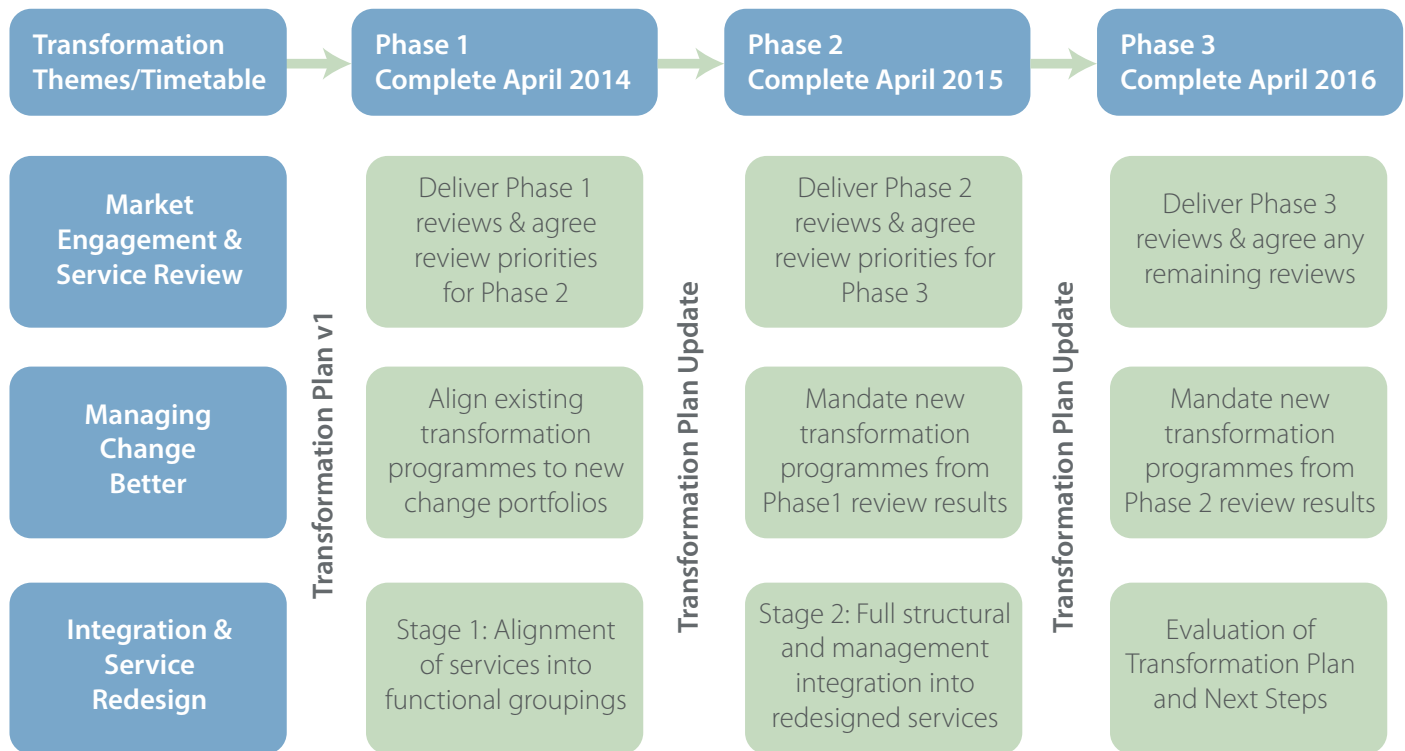
Activity to **bring together services and functions** serving the same customers or undertaking similar functions, **and rationalising structures, management layers, and processes** to achieve greater efficiency and **redesign our services around the needs of the customer** to achieve better outcomes

Managing Change Better

Activity to **improve our capacity and capability** to deliver transformational change by **adopting a portfolio approach** to managing transformation, and ensuring better **co-ordination, support, oversight and assurance** throughout each stage of transformation programme delivery

Transformation Plan Roadmap

Delivering transformational change across the whole council will be a journey over a number of years. The transformation roadmap below sets out the first three phases of transformation and the indicative activity that will take place within each phase.

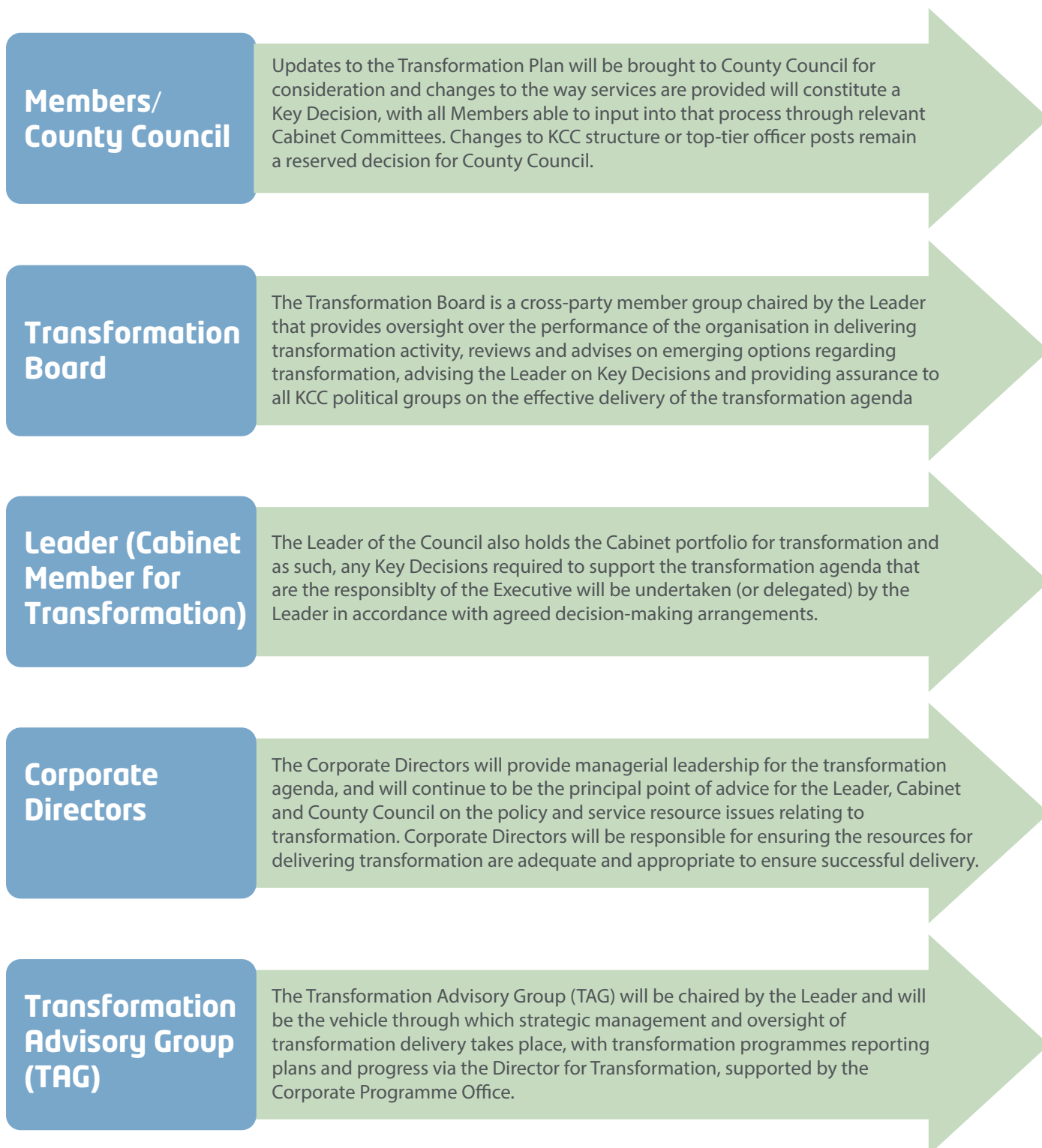


At the beginning of each phase, this Transformation Plan will be updated and refreshed and considered by County Council. Whilst the timetabling remains indicative, we envisage Phase 1 running from the six months from October 2013 to April 2014.

This plan sets out the detailed proposals for Phase 1, however it is important to note the interdependencies between the phases. For example, Phase 2 will initiate new change programmes and projects that have been agreed through the review activity commissioned in Phase 1. The timing between Phases is tight, especially between Phases 1 and 2, but necessary in order to initiate and drive change at pace.

Transformation Governance

At a strategic level, five groups will shape and drive the transformation agenda, ensuring that it is delivered effectively and efficiently, and meets the financial and policy objectives of the Council. These five groups and their roles are set out in the diagram below:



Decision-making

Effective and timely decision-making will be critical to the delivery of all aspects of this Transformation Plan. KCC operates a clear decision-making framework, set out in the Constitution, which places **responsibility for strategic decisions with Members** and responsibility for the delivery or implementation of those Member decisions with officers.

Individual change programmes may require Key Decisions given the financial or service implications of proposed transformation. These decisions will be taken through the existing decision-making process set out in the Constitution, including through the relevant Cabinet Committee.

A key role of the Corporate Programme Office will be to work with Programme Managers to ensure that **all necessary Key Decisions are identified early** and factored into programme timetables through effective programme planning.

The County Council already operates an Executive Scheme of Delegation to officers through the Constitution, which allows officers to take decisions not considered as being significant enough to be determined at Member level, or decisions required to implement specific decisions already taken by Members.

It is anticipated that delivery of transformation programmes will, once any necessary Key Decisions are made, **be delivered by officers in line with the Executive Scheme of Delegations**. To aid programme planning and delivery, and ensure change can occur at pace, Legal & Democratic Services will ensure that when Key Decisions relating to transformation are made, **advice is provided on whether any further Key Decisions will be required** to implement the Member decision.

Should these governance and decision-making arrangements prove insufficient to support the pace of change required to deliver transformation, then they will be reviewed, with any alternative arrangements brought to County Council for consideration and approval.

Theme 1: Market Engagement & Review

'Facing the Challenge' made clear our commitment to meet the financial challenges KCC faces through taking a wholesale transition **from existing service models to new delivery models**. No one individual option will be sufficient. In order to identify opportunities to radically transform, we need to develop a whole-council approach to review.

Market engagement and service review will be the way we challenge fundamental assumptions about how and why we deliver services in the way we do. This will be a key tool to support KCC to become a commissioning authority, reviewing options to identify the most appropriate provider – be that in-house or externally across the public, private and voluntary sector – to deliver the best possible outcomes for our customers. **There will be no ideological or professional bias in regards to who may provide services.**

There will also be **no predetermination about what form new delivery arrangements may take** as we rigorously explore all possible options for future service design and configuration. Service reviews could result in the development of trading companies, TEKAL companies, social enterprises, mutuals and joint ventures – whatever solution is most appropriate for the future needs and demands of the service.

This will ensure a relentless focus on core business by re-examining all our services on a regular cycle, using a disciplined, business-like approach to identify radical, innovative and lower cost solutions to meet core demand.

An important aspect will be **actively engaging the market for solutions**, and to encourage new providers to create, **shape and develop markets** to ensure sustainable service provision. Other

authorities have increasingly engaged the private sector to identify opportunities for efficiencies and savings. We cannot afford to be behind the curve and it is essential that we actively pursue and examine all such opportunities.

Market engagement and service review will rapidly move existing traded services into a more viable, appropriate business model that will better enable services to maximise their potential and respond to market opportunities. We will use our scale and expertise to offer services at attractive cost/quality ratios, maximise income generation and reduce the need for core funding.

A Framework for Market Engagement & Service Review

Service reviews will need to gain a deep understanding of the service, the customer needs it must meet, the state of the market and the full spectrum of options available for delivering the service. The way in which a review takes place will need to be appropriate and proportionate to the service being reviewed, in order to reflect the diversity of KCC's services. A bespoke approach will be taken to carrying out each review.

Although the methodology, approach and scale of the review will be tailored to the service, every review will deliver against a set of essential criteria. The criteria sets out the minimum that each review must cover and consider. As well as the essential criteria, each review may cover additional areas and issues, to be agreed in the scope of the review when it is initiated. The criteria are explained on the following page:

Essential criterion	Areas covered
Understand customer needs and values	<ul style="list-style-type: none"> • Volume and profile of service users/customers • Actual (rather than perceived or desired) needs that the service is required to meet • Drivers for demand and how provision of the service impacts on demand • Public value test - priority and value that service users and other Kent residents place on the service • Outcomes to be achieved within the planned resources available
Understand how the service currently operates	<ul style="list-style-type: none"> • Our interpretation of any statutory elements of the service • Minimum required standard of service • Strengths, weaknesses, opportunities and threats of the current delivery model • Unit cost to deliver the service • Resources required to run the service (including fixed and variable costs and overheads) • Any cross-subsidies that exist within or between services • Market readiness
Understand how KCC compares with others	<p>Comparison of the service with that provided by other councils and comparable public and private sector organisations, in terms of:</p> <ul style="list-style-type: none"> • Unit cost / pricing (if traded service) • Overheads including FTE • Delivery model used (including type of provider) • Performance outcomes and management of demand
Engage our staff	<ul style="list-style-type: none"> • Assess staff appetite to deliver the service in a new, innovative way – for example employee led mutuals • Engage managers and frontline staff who wish to pursue opportunities
Engage the market	<ul style="list-style-type: none"> • Scale, value, maturity and track record of the market for the service, across all sectors • Trends and gaps in the market and potential opportunities • Analysis of potential competition • Need for market shaping and development • Use of Prior Information Notice (PIN) to invite proposals from the market for innovative solutions
Identify options for Members	<ul style="list-style-type: none"> • Options for the future operation of the service, considering all available delivery models and configuration options, taking into account the evidence collected above • Strengths, weaknesses, opportunities and threats of the preferred options, including any property asset savings or opportunities

Member decision and develop outline business case

- Identification of the preferred option
- Costs and savings from moving to the new model of delivery
- Risks
- Expect benefits
- Timeline for implementation
- Decision-ready recommendations

Once the preferred option and outline business case have been agreed, development of the detailed business case and implementation of the chosen option will be through a change project or programme. This will then come under the oversight of the Corporate Programme Office who will assure delivery within agreed cost and time parameters. Where the preferred option is for the service to operate on a traded basis, the service will transition out of its Directorate and into the Traded Services portfolio in order to drive decision-making, transition services as quickly as possible and make the necessary distinction between transformational activity and day-to-day delivery.

What Market Engagement & Service Reviews will be undertaken in Phase 1?

This plan outlines the first reviews that will take place in Phase 1, which have been identified and agreed by Corporate Directors. This includes a range of both corporate support and frontline services. The first reviews will prioritise our engagement with the market to identify savings and transformation opportunities where:

- markets are mature, particularly for lower risk services
- there are opportunities for new delivery models
- there are market opportunities to maximise our trading potential

The table on the following page sets out the Phase 1 reviews across both frontline and corporate support services, together with the current gross and net spending on the activities within each service area proposed for review. Net expenditure takes account of any external income including grants, contributions, fees and sales but does not include internal recharges. It is important to note that whilst each review will encompass the whole service identified in the table, **the reviews may make recommendations for the whole or part of each service**, depending on what is appropriate for the future design and delivery of that service.

Market Engagement & Service Reviews – Phase 1			
Type of service	Service Identified	Gross Budget for Market Review	Net Budget for Market Review
Frontline Services	Community Learning & Skills	£15,125,000	-£229,000
	Kent Scientific Services	£878,000	£243,000
	Libraries	£16,792,000	£15,174,600
	Residential Care Homes - Older People	£7,017,700	£6,920,200
Corporate Support Services	Contact Centre	£4,992,900	£3,365,600
	EduKent Services	£18,193,000	-£1,800,000
	Legal Services	£9,335,200	£8,224,000
	Human Resources	£7,693,000	£6,774,000
	ICT	£15,736,000	£15,638,000
	Finance	£15,336,000	£13,797,000
	Property	£29,493,000	£27,661,000
	External & Internal Communications	£2,458,000	£2,458,000
Total		£143,049,800	£98,226,440

Rationale for Phase 1 Market Engagement & Service Reviews

Mature market

Where the market is already mature and established, we will directly engage the market for solutions, and seek opportunities to outsource services at sustainable quality for lower cost. Our size and scale means that we can be a significant player in the market to negotiate the best possible deal for Kent's taxpayers. We will particularly focus on opportunities where other authorities and sectors have already pursued market solutions – for

example our corporate support services such as HR, Property, ICT, Contact Centre and Finance.

For services where there is an exceptionally mature market, such as for Residential Care for Older People, we will work with potential providers to find the best possible solution for our service users, within the resources available. We will use our strategic market influence to incentivise providers to support the step-down of care to manage demand proactively and effectively, to support independence and deliver the best outcomes for service users.

Opportunities for new delivery models

Public sector reform at a national level increasingly means local authorities are exploring and establishing new delivery models. We will explore all possible opportunities, learning from other authorities and sectors that have pursued radical and innovative new options to deliver better outcomes for service users.

We will ensure we consider the potential opportunities and benefits that social enterprise models may offer, for example models such as community trusts and mutuals for Community Learning & Skills and Libraries, to encourage greater staff and community ownership and involvement. We will use our strategic influence to explore innovative finance models and access new funding streams to ensure the on-going sustainability and viability of frontline services.

Market opportunity – trading potential

KCC has a strong track record operating as a commercial provider to deliver successful and competitive traded services, for example our nationally recognised Legal Services. We will build on this success to explore the most appropriate business models that will allow us to exploit market opportunities and further maximise our trading potential. We will develop our service offer and competitive pricing to be flexible and responsive to service demand, for example expanding our EduKent Services to pursue opportunities to provide school support services not just within Kent, but across the country.

We will use market engagement intelligence to spot trends and opportunities, and create and exploit niches in emerging markets, for example developing Kent Scientific Services to meet growing demand.

Who will undertake reviews?

A critical learning point from previous review exercises has been that in order to conclude reviews to the tight timetable set out in Phase 1, additional capacity is likely to be required to ensure staff are not diverted from their substantive roles and so there is no significant impact on existing service quality. Given that the objective of the review programme is specifically to engage the market to identify new ways of working, external capability may be required to support the service review programme.

As such, reviews may be undertaken in-house by multi-disciplinary review teams, which will need to draw from a wide range of specialisms across the authority. It is likely that internal review teams will need to be supported by additional capacity/capability from outside the organisation, or wholly delivered by external providers with specific commercial and market experience in that sector to advise on specific market issues and opportunities.

What are the timescales for the Market Engagement & Service Review work?

To deliver with pace and urgency, all reviews in Phase 1 will identify an implementation ready solution by April 2014.

By April 2014 all reviews should have identified:

- A comprehensive understanding of the current service
- A spectrum of options for future design and delivery, including potential providers
- A preferred option for decision, supported by an outline business case
- Authorisation to proceed to a full business case to progress the preferred option towards implementation of delivery

The reviews will be scheduled to coincide with other transformation activity happening in these services and take account of any dependency in terms of support for the whole council transformation plan.

As transformation progresses, there will be further review phases identified by Corporate Directors each year, as set out in the Transformation Roadmap. No area of KCC activity or spend will be off-limits in regard to the involvement of the market in identifying new ways of working. The process will not be optional and will require the full co-operation of services.

Theme 2: Integration & Service Redesign

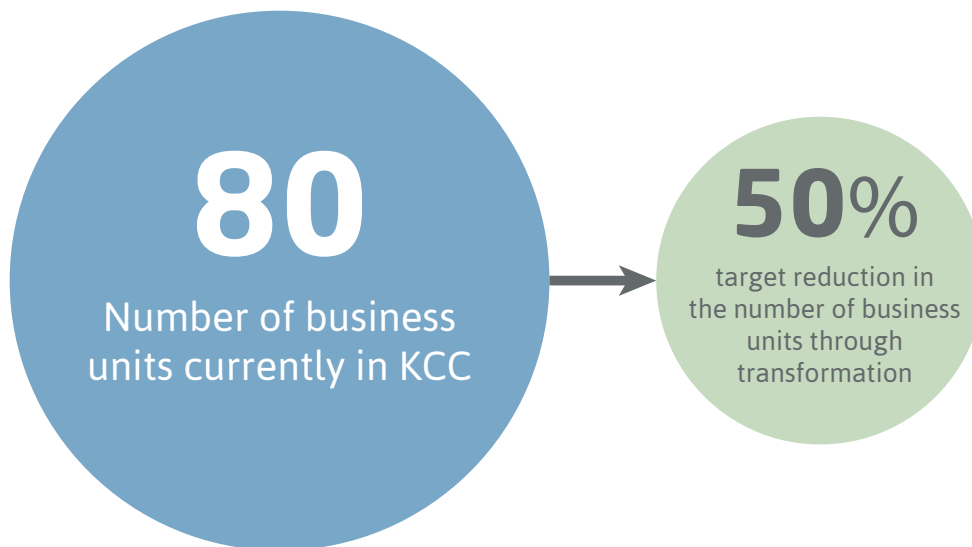
Integration

Facing the Challenge sets out objectives to:

- Integrate services around customer groups and functions, with the aim of removing duplication and inefficiency between services
- Create larger and more efficient business units
- Bring services and functions together, with as little disruption as possible, to start thinking about service redesign ahead of full structural and managerial integration through Phase 2 of transformation.

These objectives will be met through Phase 1 of transformation.

Work undertaken by the Corporate Directors has identified that there are circa 80 business units across KCC. There is **huge scope for rationalisation of the number of business units** across the authority as we integrate teams around client groups and functions.



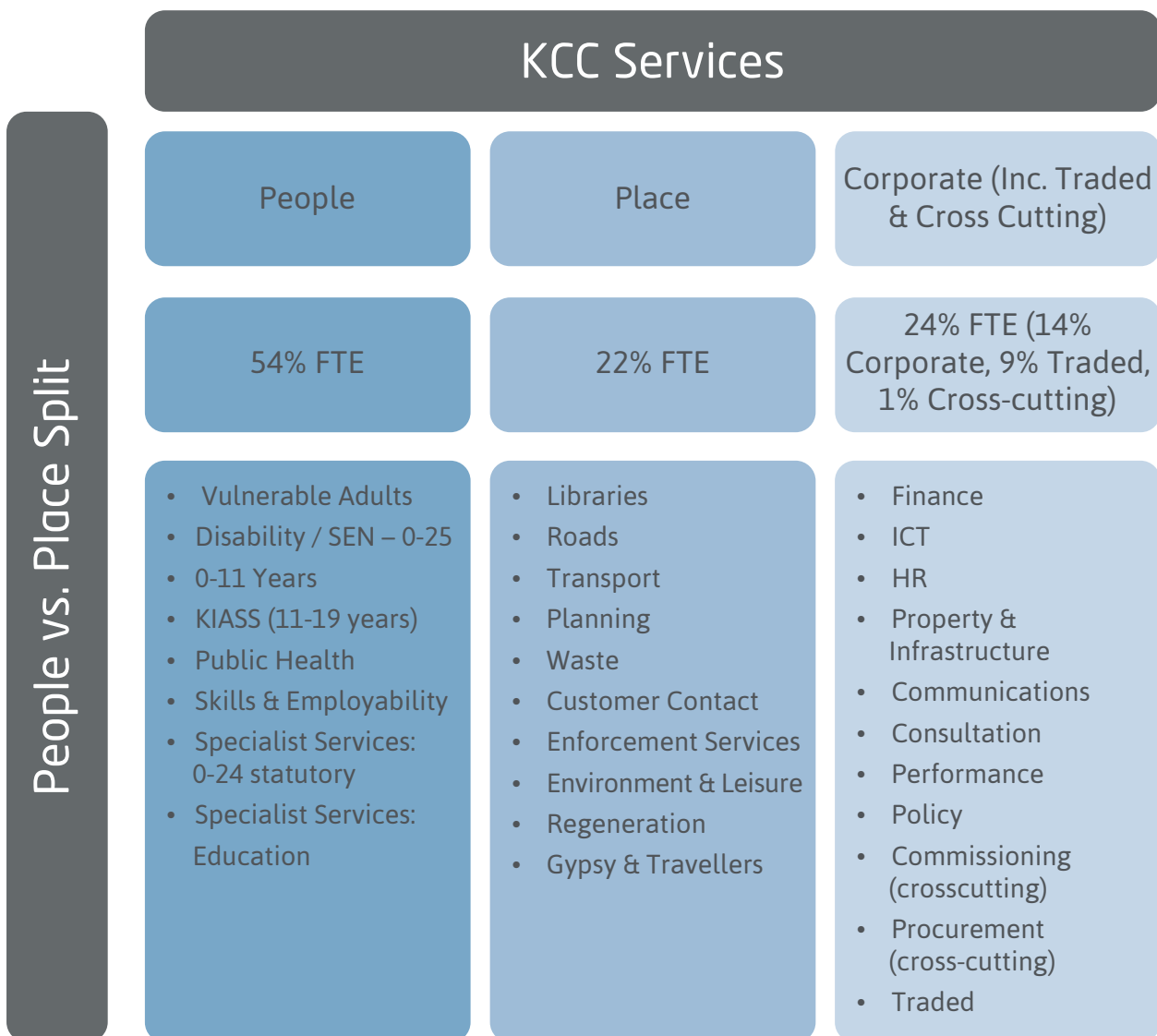
The overall target being set through the Transformation Plan is for a minimum reduction in the number of business units by 50%. **It is important to note that this target does not mean that we will lose 50% of staff**, but that through meeting the objective of creating integrated and more efficient teams, the number of business units needed across the KCC should fall.

People and place

The starting point for the integration of services and functions has to group existing services and functions between

- People based services that give support to particular individuals or families at various ages and stages of their lives
- Place based services that provide services to everyone, or on an areas basis
- Corporate services that provide support to front-line people and place based services.

This is set out in the diagram below:



As can be seen, in terms of the total existing FTE, the authority's focus is heavily weighted towards people based services, and therefore, **there is no simple demarcation in terms of future organisation structure between people and place based services.**

Corporate Directors and Cabinet will now consider what they believe to be the **optimum arrangements for future Directorate and senior officer structure** to achieve the objective of service integration, and this will be agreed by Cabinet in October 2013. **Confirmation of staff and team alignment to new integrated service teams** will subsequently be published in November 2013, ahead of seeking County Council approval of the revised operating framework in December 2013.

Service Redesign

To fundamentally transform how we deliver provision, we need to truly redesign our services to ensure we provide the best possible outcomes, at less cost. This will be more than just the aggregation of existing services – integration and service redesign will require the complete re-evaluation of our current business to put our service users at the heart of everything we do. This will enable us to proactively manage future demand, and ensure our services are flexible enough to remain relevant, viable and sustainable despite changing needs.

Service redesign will tackle duplication, repetition and remove low value or no value activity. It will streamline service delivery so people get the right information and support they need to access services in the right place, time and way to best meet their needs.

Managers will need to ensure their service redesign plans can be achieved within limited

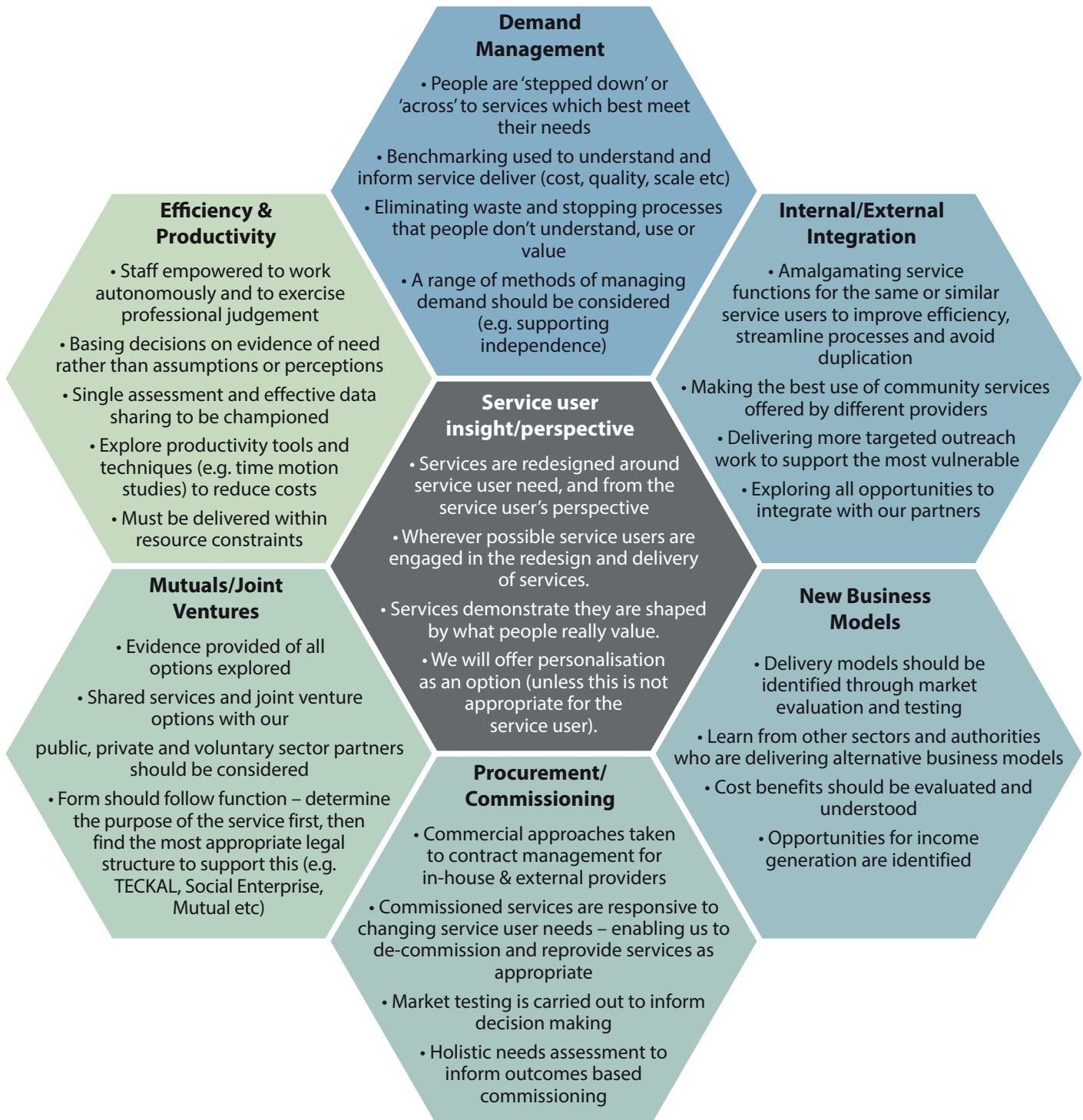
resources. Therefore managers will be asked to re-engineer and redesign services within a specific medium term financial plan envelope.

Service Redesign Principles

This plan introduces a series of **service redesign principles**. These principles will guide and inform our managers when they are planning and redesigning services so that we can be confident that they will achieve the outcomes we need to deliver quality services to the people of Kent.

All service redesign should have the '**service user insight/perspective**' principle as its foundation, building on existing relationships. This will ensure that we are providing services which people value and need, and that services are shaped around the way people lead their lives, and not dictated by our own internal processes or professional assumptions. This will help us to achieve the commitment in 'Facing the Challenge' to place the customer at the heart of the service and significantly improve the customer experience.

Managers should also explore the whole series of service redesign principles, to ensure we are examining all possible opportunities for change and considering all available options for transforming delivery. Each of the principles, as set out in the following diagram, has some useful prompts for managers on issues they may need to take into account.



Service Redesign Timescales

Service redesign is a critical element of the transformation **roadmap**. Although the emphasis in Phase 1 (September 2013 to April 2014) is the alignment of services into functional groups, this is when the thinking about service redesign needs to be initiated. This will involve bringing together service managers, practitioners and service users to rethink the traditional delivery of services in a radically different way, creating new solutions and completely redesigning services from the service user perspective. We need to ensure we use this important development time to prepare and plan ahead for Phase 2 of the transformation (April 2014 to April 2015).

Whilst Phase 1 will be focused on preparation and development, Phase 2 will be focused on initiating and delivering service redesign at pace. Phase 2 will see the full structural and management integration into single teams. However, this will not just involve structural and organisational change, but significant cultural change as we continuously challenge existing practices, and begin new ways of working - **not only between teams coming together and integrating within KCC - but with our partners.**

Phase 3 of the transformation (April 2015 to April 2016) will evaluate the work completed to date, and assess whether the service redesign initiated in earlier phases of the plan has been successful in transforming services to deliver a step change in outcomes.

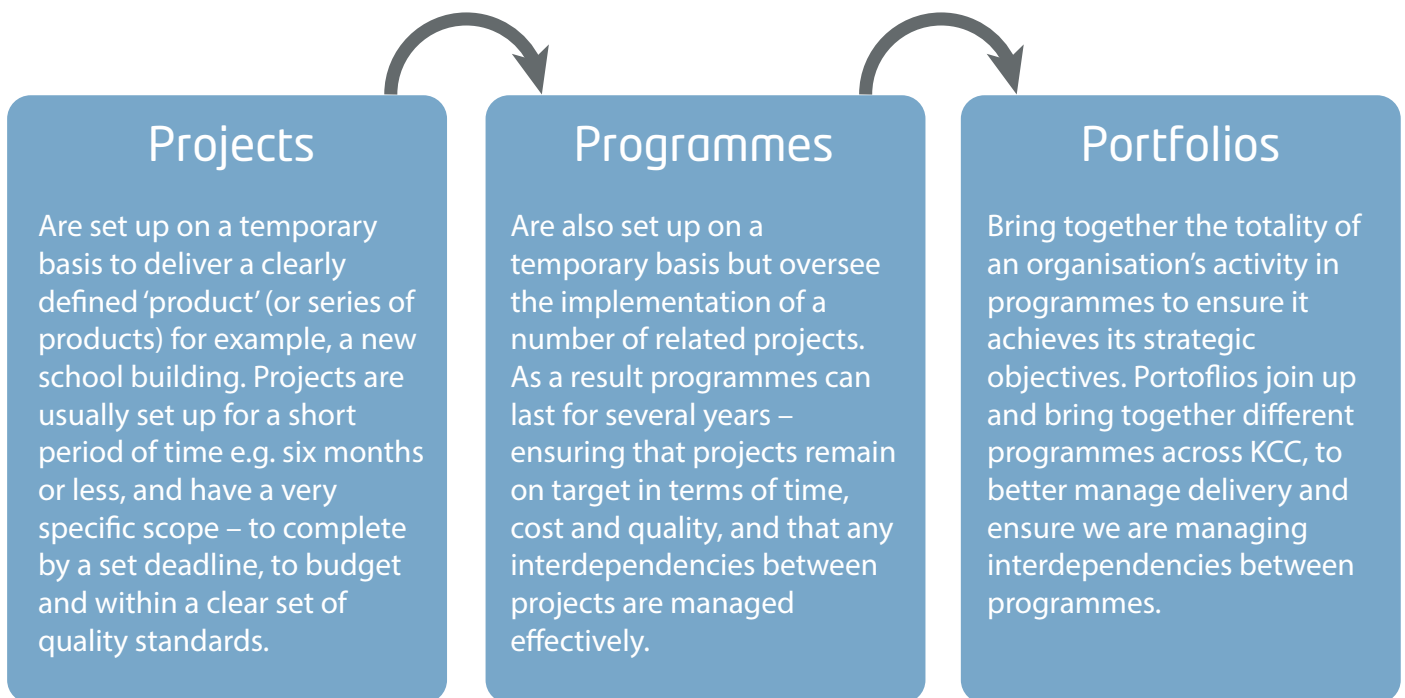
Theme 3: Managing Change Better

Adopting a portfolio approach to managing change

At present, we often undertake single projects, programmes and review activities - mostly in order to respond to very specific or Directorate-focused needs. As a result, we do not always consider what impact these have at an organisational level (i.e. on other Directorates and on the organisation as a whole). Moreover, each project and programme has its own set of standards and processes which it adheres to, which means they cannot easily be compared with one another, or dependencies mapped across other projects and programmes being undertaken across KCC.

By taking a portfolio approach, that is organising projects and programmes activities into a cohesive series of change portfolios, we can bring together the different strands of project and programme work being undertaken across KCC, and configure them to achieve the best results for the organisation, providing the taxpayer with the very best value for money possible, and ensuring they deliver better outcomes.

The relationship between projects, programmes and portfolios is set out in the diagram below:

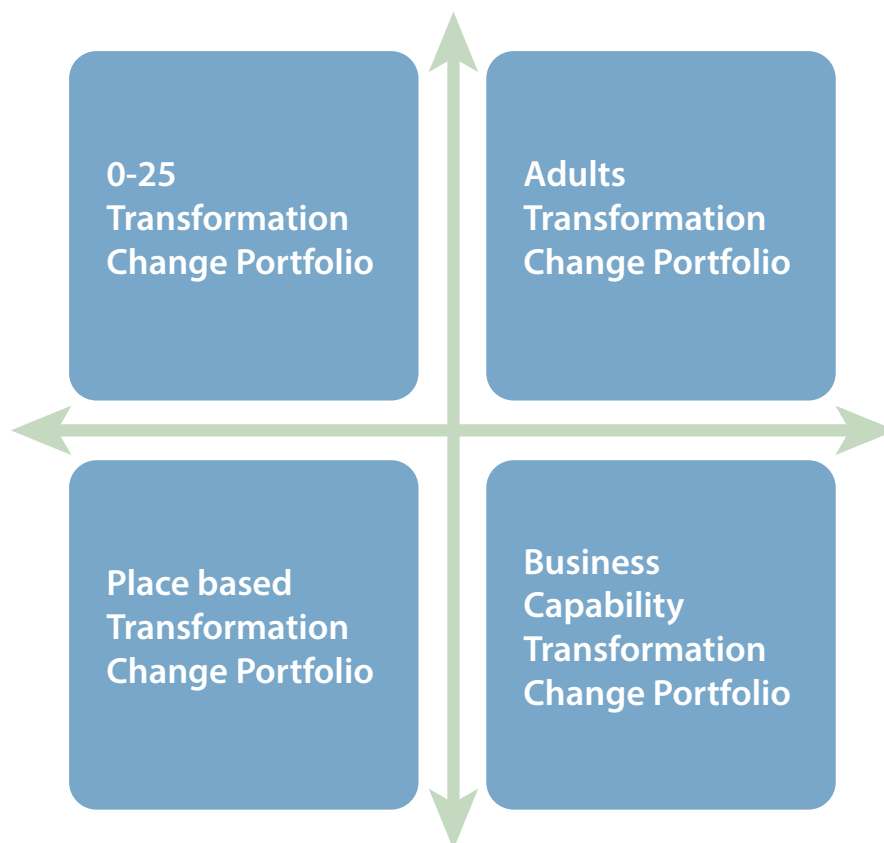


There are a number of clear advantages to taking a portfolio approach to transformation:

- It will support a holistic view of all projects and programmes underway across the council
- It will support assessment of whether they are on track and adding value
- Will ensure we can be confident about investment and dis-investment decisions being made
- Will ensure we make informed decisions around risk and achieving value for money
- Increase collaborative working
- Concentrate organisational energy
- Better manage dependencies and make the best use of resources
- Increase the likelihood of successfully delivering complex change
- Improve engagement and communication between senior managers and staff

Our new Change Portfolios

This plan introduces **four change portfolios** to manage the way we deliver our transformation change activity, in a more consistent and effective way. Each change portfolio will have a Senior Responsible Owner to co-ordinate projects and programme activity within the portfolio, with responsibilities and accountabilities for delivery clearly defined.



- **0-25 Transformation Change Portfolio**
Senior Responsible Owner (shared)= Patrick Leeson, Corporate Director for Education, Learning & Skills & Andrew Ireland, Corporate Director for Families & Social Care
Transforming the way we deliver services for children, young people and their families, both within KCC and with our partners.
- **Adults Transformation Change Portfolio**
Senior Responsible Owner = Andrew Ireland, Corporate Director for Families & Social Care
Transforming the way we deliver services for vulnerable adults and older people, with our health and voluntary & community sector providers.
- **Place based Transformation Change Portfolio**
Senior Responsible Owner = Amanda Honey, Corporate Director for Customer & Communities
Transforming the way people access our frontline services in communities, and redesigning them with our partners around the needs of service users and residents.
- **Business Capability Transformation Change Portfolio**
Senior Responsible Owner = David Cockburn, Corporate Director for Business Strategy & Support (with service and commercial input from Mike Austerberry, Corporate Director for Environment & Enterprise)
Corporate change programmes that create new capability to support the delivery of frontline service transformation.

Transformation Projects and Programmes

This Transformation Plan does not start at year zero. It is important to understand and reflect that there has been, and is on-going, transformational change activity already underway across the authority. The following list of projects and programmes represents both new and existing activity which are contributing to the whole-council transformation approach, and where we are re-shaping or re-scoping existing activity to align with the 'Facing the Challenge' paper agreed by County Council in July.

- **Adults Care Pathway:** This programme will redesign care pathways to achieve the best outcomes for service users through promoting independence and making best use of assistive technologies and enablement services. Both new and existing adult social services users will transition into the new care pathways, which will be future proofed to support the integration with health services, closer and strategic engagement with social care providers and meeting the requirements of the Care Bill (when enacted).
- **Adults Commissioning:** The Commissioning Transformation Programme will improve performance and commercial oversight of those adult social care services procured from the market through supporting the integration of health and social care commissioning arrangements, rationalising approaches to the adult social care market to support better provider engagement and market shaping, building closer relationships with key providers to co-design outcome focused services, and using our procurement levers to deliver both better outcomes and sustainable efficiencies.

- **Adults Optimisation:** This programme will analyse the current operating model with adult social services and change working practices across a number of business functions to improve efficiency and effectiveness to deliver better value for money and greater added value to the service user. It will establish a new operating model for adult social care, profile the required financial and staffing resources required to deliver the new operating model, and review existing initiatives and activity to ensure that they align to the new operating model.
- **Care Bill Preparation:** The Care Bill will bring significant changes to the adult social care system in 2015 and 2016. It includes Government's response to the Dilnot review of adult social care funding and introduces a care cap, national eligibility criteria and other funding reforms. KCC will need to prepare for and manage the implications, which include a 50% increase in assessment demand, new duties to support carers and a requirement to fund care and support of significantly more people. Links will need to be made with the three adult transformation programmes (above) to ensure that activity to transform adult social care is aligned with the reforms being brought in by the Care Bill.
- **Transition:** As a result of market engagement & service review, further projects and programmes may be established to implement the decision to transition of services into a new, viable delivery model, or to enable traded services to compete more effectively in the market.
- **Children's Transformation:** Both the Children's Services Improvement Programme and Children's Efficiency Programme will be brought together into a single transformation programme. Having invested an additional £32m in Children's Social Services since 2010 we have successfully stabilised the service and will now focus on moving beyond improvements in social care practice, oversight and case management to deliver transformational change in children's social services, with fewer children in care through earlier preventative work with families, and delivering better educational and social outcomes for those children in care, with service efficiency improved to operate within a more sustainable budget.
- **0-11 Integrated Services:** Early intervention and prevention services provided to families and children aged from 0-11 are currently provided separately across KCC. We will bring those services into a single integrated service with a cohesive service offer to families in Kent. By focusing on prevention and early intervention, our aim will be to reduce demand in education and children's social services by helping families earlier, improving parenting skills and the health and educational outcomes of young children, ensuring they are school ready and being able to identify and intervene earlier to support families in crisis.
- **Special Educational Needs and Disabled Children's Services Integration:** An emerging programme of transformative work will be developed to integrate Special Educational Needs (SEN) and Disabled Children's Services for ages 0-25, and redesign them around the needs of children and families to improve the access to and quality of services. This is driven by the development of KCC's Integration Plan for

Disabled Children to 25, our recently approved SEND Strategy and key provisions contained within the Children and Families Bill, currently passing through Parliament.

- **Kent Integrated Adolescent Services:**

The development of the Kent Integrated Adolescent Support Service has provided the blueprint for the integration of early intervention and prevention services within Kent, through area-based working and joined up teams providing a more seamless service and better working arrangements with our partners. This programme will continue to develop that new service, moving toward formalising the improved working practices and approaches developed to date.

- **Troubled Families:** The Troubled Families Programme has taken significant steps in supporting troubled families becoming responsible and less dependent of high cost public services. Whilst the programme will continue to meet current commitments, it is a time limited initiative sponsored by Government. Our aim is to begin the process of embedding the lessons learned and ways of working from Troubled Families into KIAS and the new 0-11 Integrated Services Programme.

- **14-25 Skills & Employability:** There will be an emerging programme of work to explore and develop the way we work with our partners to raise attainment, improve vocational education & apprenticeships, increase participation and employment and target support effectively for vulnerable learners. This will include not only more integrated and efficient ways of working within KCC, but increasingly engaging with our partners such as employers, Jobcentre Plus, the business community and District Councils.

- **Community Safety & Emergency Planning:**

KCC is currently working with partners in Kent Fire & Rescue Service and Kent Police to explore delivering our statutory and partnership responsibilities for Community Safety and Emergency Planning in a different way through formal collaboration and more efficient and effective use of resources at both the strategic and operational level. This will be developed into two distinct projects within a programme.

- **Future Libraries Programme:** The current future library service programme has explored local community solutions to redesign services across each of our 99 libraries to share delivery and assets with our partners, particular parish councils and the voluntary, community & social enterprise sector. The programme will now focus on market engagement and service review activity to actively pursue options for new delivery models, including industrial and provident societies and community benefit societies which have been successfully adopted in other local authorities as a way to sustain frontline community services.

- **New Ways of Working:** The New Ways of Working Programme includes the cultural changes to working practices required for KCC to deliver modern, responsive and cost-efficient public services. Enhanced ICT and property modernisation projects will act as enablers, ensuring staff work more flexibly and collaboratively across services within KCC and with our partners, including better utilisation of management and information systems to shape provision around the customer. Property rationalisation will be a consequential benefit of delivering cultural change to working practices.

Facing the Challenge: Delivering Better Outcomes

- Integrated Commissioning:** Within KCC we currently have separate commissioning functions which are dispersed across a number of services and directorates. This has led to higher management overheads and siloed activity. Bringing these discrete commissioning functions together will deliver both efficiency savings and improve the quality and consistency of our commissioning processes across a range of customer groups, resulting in improved value for money and better outcomes for customers.
- Customer Access:** The Customer Services Strategy is currently delivering a series of projects to support channel shift, better understand and act on our customer insight and help redesign services from the customer perspective. These projects will now be remodelled and brought together into a single customer access programme, the focus of which will be on the development of online access to KCC services to support channel shift, with the majority of KCC customer contact moving to the web, and the development of appropriate face-to-face and telephone access provision.

Mapping programmes and projects to change portfolios

Each change portfolio will create a more consistent way of bringing together its supporting programmes and projects – both re-mandated and re-modelled existing activity, and new activity.

The activity identified above has been grouped into the four change portfolios as set out on the following page.

Activity included within each Change Portfolio			
0-25 Transformation Change Portfolio	Adults Transformation Change Portfolio	Place Based Transformation Change Portfolio	Business Capability Change Portfolio
<ul style="list-style-type: none"> Children's Transformation 0-11 Children and Families Support SEN and Disabled Children's Services Integration Kent Integrated Adolescent Support Services Troubled Families 14-25 Skills and Employability 	<ul style="list-style-type: none"> Adults Care Pathway Adults Commissioning Adults Optimisation Care Bill Preparation 	<ul style="list-style-type: none"> Community Safety and Emergency Planning Future Libraries Customer Access 	<ul style="list-style-type: none"> Trading & Transition New Ways of Working Integrated Commissioning

Managing change through the Programme Lifecycle

The overriding aim of the Transformation Plan is to set out how we are going to deliver transformational change at the **pace and scale** necessary given the challenges the authority faces.

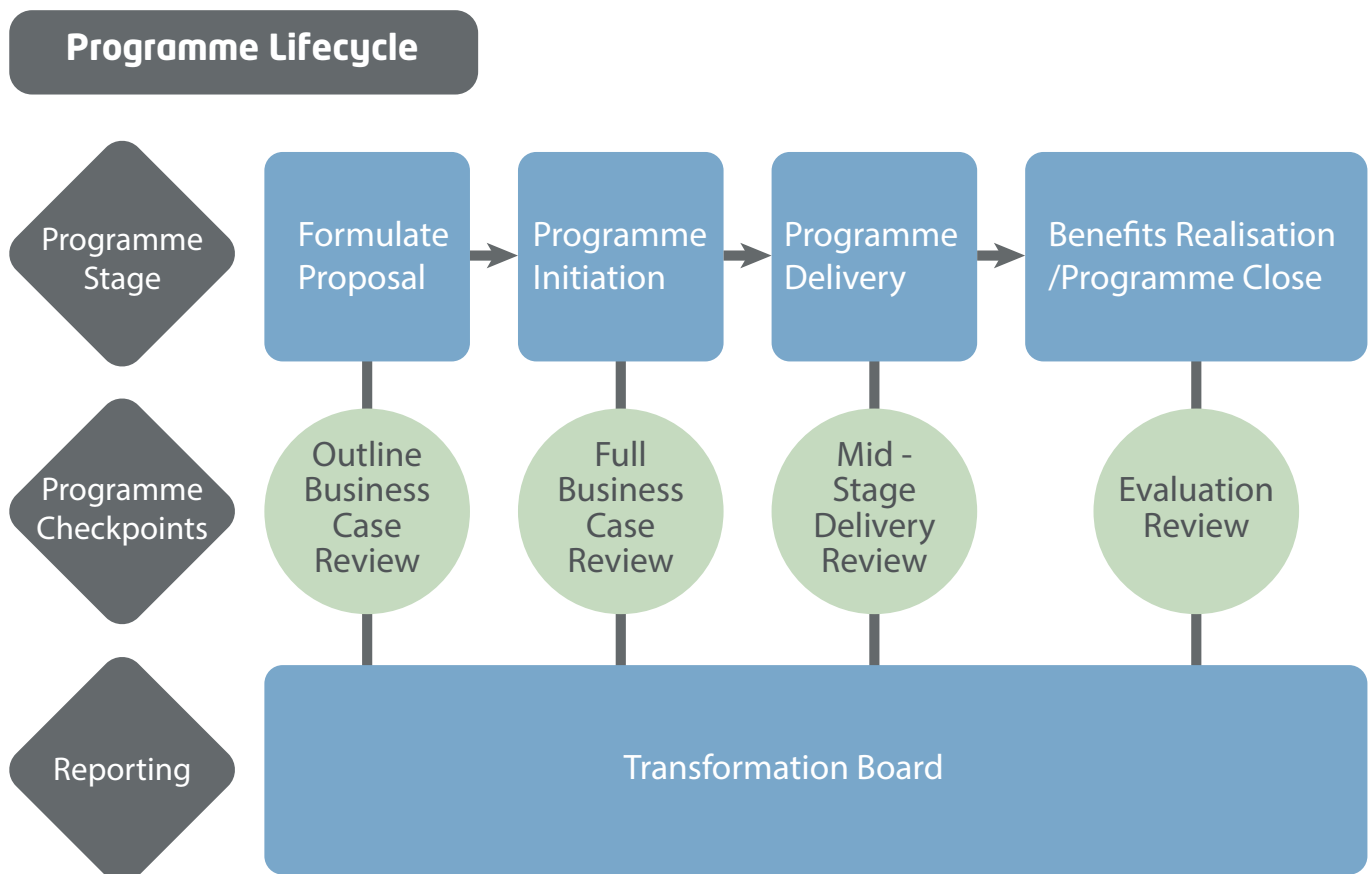
To do so there is a need for **strong but proportionate** oversight of programme and project delivery. We know we need to **improve our delivery** of projects and programmes, and provide assurance to the Leader and the Transformation Board (and through them to the County Council and the taxpayers of Kent) that we are delivering value for money, and achieving the changes we have committed to as an organisation.

Our aim will be to manage reporting and assurance through the **programme lifecycle** that all projects and programmes go through. At key **checkpoints**, we will review progress to provide assurance to the

Leader and Transformation Board that projects and programmes are being developed and run in line with KCC's strategic objectives, remain viable and on course to deliver the intended benefits.

The majority of effort will be focussed on the **formulation and initiation stages** of projects and programmes. If we get the project and programme initiation right, developing projects and programmes with clear scope and ambition, strong business cases, defined financial and non-financial benefits, identified milestones, indicators and resources, we can increase the chance of delivering successful change.

The diagram below illustrates the programme lifecycle and assurance path that will be required across all portfolios and programmes within the Transformation Plan.



The Corporate Programme Office will co-ordinate oversight and assurance at each checkpoint, and the timetabling about when checkpoint reviews take place will be jointly agreed with the responsible project or programme manager, once past the outline business case review. Importantly, this approach can be **scaled-up or scaled down** relative to the size and complexity of the project or programme, but to improve standards and ensure fundamental project and programme disciplines are adhered to, all transformation projects and programmes will go through this process.

Our aim will be for a wide range of individuals from across all Directorates to become involved in undertaking checkpoint review activity. Where warranted, we may bring individuals or groups from

outside the council with specialist knowledge or skills to review our plans and progress, to advise accordingly.

Where checkpoint reviews raise concerns or issues the first course of action for the Corporate Programme Office will be to work through these with the responsible project and programme managers, and if necessary, the Portfolio Board to actively address them. Only where issues and concerns cannot be resolved at this level, they will be escalated to the Transformation Advisory Group, who will advise the Leader accordingly. Ultimate authority on issues relating to transformational projects and programmes will rest with the Leader who holds the Cabinet portfolio for transformation.

Checkpoint Review	Key Questions
Outline Business Case	<ul style="list-style-type: none"> • Has the programme identified the outcomes it wants to improve? • Does the programme align to the policy and budgetary priorities of the County Council? • Does the evidence base for the programme stand up to challenge? • Is there causality between changes delivered by the programme and the outcomes intended? • Is the timetable for delivery of the programme realistic? • Have required Key Decisions been identified and mapped? • Have all costs associated with the programme been anticipated? • Have the links and dependencies to other programmes been made? • Is the outline programme governance sufficiently clear?
Full Business Case	<ul style="list-style-type: none"> • Is the programme still viable and deliverable? • Has a full financial analysis of the business case been undertaken? Does the programme represent value for money? • Do the risks, benefits and costs of the programme balance? • Are the necessary Key Decisions in place or planned? • Are the programme resources sufficient to ensure effective delivery? • Are the milestones and targets regarding programme delivery timely, clear and measurable? • Is programme governance and accountability for delivery clear?
Mid-Stage Delivery Review	<ul style="list-style-type: none"> • Is all programme documentation available for review? • What benefits have been delivered to date? • Are changes being embedded into the business through changed practices? • Is the programme delivering to time and cost? • Is the programme governance proving effective? • What variances have occurred and have these impacted on programme viability?
Evaluation Review	<ul style="list-style-type: none"> • Has the programme delivered expected benefits? • Has the programme delivered to time and cost? • Are the benefits embedded into the business as new ways of working? • Is there evidence of the benefits impacting on outcomes? • Can the programme be closed on schedule?

The role of the Corporate Programme Office

The enhanced Corporate Programme Office will play an important role in the effective delivery of transformational change. It will provide **support to the Lead Director for Transformation and the Transformation Advisory Group**, and will report on the performance of the organisation in delivering the Transformation Plan. It will also undertake checkpoint reviews across the programme lifecycle, and as necessary **escalate issues that are in exception and cannot be resolved** within programmes or portfolios themselves.

However, the Corporate Programme Office cannot purely be about managing the performance of projects and programmes. We also want the Programme Office to play a role in supporting the effective delivery of change by helping those responsible for projects and programmes navigate both project and programme and key decision-making processes and learn from best practice.

This will be achieved through **embedded assurance**, with one officer from the Corporate Programme Office sitting on each Portfolio Board. Their role will be to provide assurance by supporting Programme and Project Managers to **meet the required standards** and disciplines in project and programme management. For example this might be around:

- Supporting the development of programme documentation to the required standard
- Consideration of programme risks and management
- Gaining approval and recording of commitments against programme timetable or costs
- Identifying and helping to navigate decision-making requirements
- Supporting problem-solving of issues between programmes within a portfolio

Importantly, this embedded assurance will not become a proxy Programme or Project Manager, as they are not the responsible officers for delivery. It will instead provide support and guidance to make meeting the required standards easier for Project and Programme Managers. The Corporate Programme Office will act as a mechanism to offer **collective support and development** of Programme and Project Managers across the authority, helping to increase our capability and resilience in this important area.

Roles & Responsibilities within transformation projects and programmes

Transformation Change Portfolios will lead all change activity across the County Council. In order to deliver change at the pace required, we will not be prescriptive about the governance or roles and responsibilities for projects and programmes within portfolios beyond four key roles. These are:



Beyond these roles it will be up to Portfolio Senior Responsible Owners to agree and determine programme and project resources and governance that they believe appropriate to the size, scale and complexity of the programme, and what is required to ensure effective delivery.

Portfolio Senior Responsible Owner (SRO):

- Visible and proactive leadership and decision making
- An understanding and focus on delivery and achievement of vision
- Access to and credibility with key stakeholders
- Accountable for the Portfolio to the Transformation Advisory Group and the Transformation Board
- Appoint a board to govern the Portfolio

Portfolio Board:

- Drive forward the performance of the programmes within the portfolio
- Membership should include Programme Managers and Business Change Manager
- Senior Officers with authority to make decisions, able to commit time and resources to the delivery of the programme
- Understand how the programme aligns with strategic objectives

Programme Manager:

Programme Managers will be a ***dedicated resource*** for the specific programme. Good techniques for planning, monitoring and controlling programmes are a pre-requisite for this role.

- Day to day management of the Programme
- Accountable for the delivery of the Programme to the Portfolio Board
- Effective coordination of all interdependencies associated with the Programme
- Reporting of variance to SRO and Embedded Assurance Officer
- Work with Corporate Programme Office and SRO to agree assurance check points
- Will work positively to engage and manage relationships with a full range of individuals and groups

Business Change Manager:

Each programme will be required to appoint a Business Change Manager. This is a senior role that works alongside the Programme Manager to prepare the business to adapt to the new ways of working or changes that programme is implementing. This is not a dedicated resource, but should be identified to work closely with the Programme Manager in ensuring effective delivery of the programme.

- Responsible to the SRO
- Understand and articulate the benefits of the programme to the business, acting as a champion for change
- Prepare the business for change
- Define how business will be delivered as a result of the change
- Monitor business stability and capacity to cope with the level of change
- Work closely with the Programme Manager to establish readiness to change and achieve the desired and expected outcomes

Transformation Plan Milestones: Phase 1

Delivery at pace is a necessary pre-requisite if the authority is to achieve the many changes necessary to meet the challenges it faces in the future. As such, the high –level milestones for Phase 1 transformation, set out in the diagram below alongside the responsible officers, are both exceptionally challenging, but absolutely necessary.

Phase 1: High-level Milestones		
Transformation Themes:	Milestones:	Responsible Officers:
Market Engagement & Service Review	<ul style="list-style-type: none"> Scoping brief for each review – agreed by end October 2013 Resource of Phase 1 review teams – by end October 2013 Identify Phase 2 Reviews – by end February 2014 Phase 1 reviews complete – by end April 2014 	<ul style="list-style-type: none"> Corporate Directors Transformation Board Review Leads (TBC)
Integration & Service Redesign	<ul style="list-style-type: none"> Cabinet discussion of proposed revised top tier operating framework - October 2013 30 day formal consultation with impacted senior managers - October/November 2013 Informal consultation with other staff and internal and external stakeholders - October/December 2013 Confirmation of alignment of staff to new customer service teams - November 2013 County Council approval of revised operating framework - December 2013 Appointment of Corporate Directors ^ Directors to revised top tier roles - by March 2014 Go-live of new operating framework - 1st April 2014 	<ul style="list-style-type: none"> Corporate Directors Head of Paid Service Corporate Director HR Director for Transformation
Managing Change Better	<ul style="list-style-type: none"> Agree a resources plan for transformation - by end October 2013 Establishment of enhanced Corporate Programme Office - by end October 2013 Change Portfolios established - by end October 2013 Review and agree Programme Roadmap for all existing and new transformation activity in change portfolios - by end January 2014 	<ul style="list-style-type: none"> Corporate Directors Director for Transformation Portfolio SRO's

Reporting of achievement of milestones will be made through the Transformation Advisory Group to the Transformation Board. Updates will also be provided to County Council as required.

This leaflet is available in alternative
formats and languages.
Please call 0300 333 5540 for details
Text relay: 18001 0300 333 5540

By: Mike Hill, Cabinet Member for Community Services

To: County Council – 19 September 2013

Subject: Kent Troubled Families Programme

Classification: Unrestricted

Summary: This paper outlines the background, delivery arrangements and the early results of Kent Troubled Families Programme. This will enable 2,560 families to turn their lives around and help transform the services offered to them.

Recommendation: County Council is asked to NOTE the progress of the Kent Troubled Families Programme.

1. Background

1.1 The Troubled Families Programme is a national programme which aims to transform the lives of 120,000 families with complex needs. Families are nominated to the programme if they meet the following criteria:

- children not being in school
- family members being involved in crime and anti-social behaviour
- at least one adult in the family unemployed and claiming benefits

1.2 These families almost always have other long-standing problems which can lead to their children repeating the cycle of disadvantage. There are often child protection issues and many of those permanently excluded from schools come from these families. Other problems such as domestic violence, breakdowns in relationships, mental and physical health problems and isolation make it incredibly hard for these families to start unravelling their problems.

1.3 To ensure families face their problems and deal with them, they will need both support and challenge. This approach reinforces to families that their actions have significant consequences. Families who choose to engage positively can receive support and practical hands on help. Where families do not engage they may face appropriate sanctions from public services. This helps family members to take responsibility for dealing with their problems

1.4 The cost of these families to the public purse is very significant – nationally around £9 billion a year, the vast majority spent on reacting to their problems. Importantly the money is not providing lasting results and changing lives.

1.5 There has been Government funding allocated towards the delivery of the programme through a Payment by Results model. This has both upfront attachment fees and retrospective reward payments for success in turning around families.

- 1.6 The Kent Troubled Families Programme was successfully launched in March 2012. KCC is committed to achieving the outcomes needed to turn around the lives of troubled families. To achieve this KCC and other public service agencies need to transform the way we engage and work with families. This is a significant challenge that requires services to be able to respond quickly to emerging need, challenge and redesign existing provision and influence how families make the changes required of them.
- 1.7 The Kent Programme is the third biggest nationally and it will work with 2,560 families over 3 years including 1,082 families in Year 1 of the programme and 1,094 in Year 2.
- 1.8 The programme is closely aligned to KCC's overall Transformation vision. It works alongside those reshaping and integrating services for children and young people to ensure the issues of members of troubled families are fully addressed.

2. Kent Offer

- 2.1 The Kent offer sets out four key elements that are critical to ensure troubled families are turned around. These are:
- A dedicated worker for every troubled family
 - Offer of an apprenticeship or training opportunity for all 16 – 24 year olds
 - Employment support for adults
 - Innovative suite of activities for troubled families

A dedicated worker for every troubled family

- 2.2 The programme will enable the provision of a dedicated worker for each family to work with the whole family on all of its issues, including helping to ensure that the children attend school, that appointments are met and that appropriate support services for the family are accessed. The dedicated worker also ensures that all public services involved with members of the family are properly coordinated, reducing the demand on services.
- 2.3 The four delivery streams of Kent's Family Intervention Model are as follows:
- **Family Intervention Project (FIP) Workers** providing a persistent, assertive and challenging approach
 - **FIP Light Workers** will be full-time, dedicated posts focussing on family function providing practical support
 - **Lead Workers** (allocated from existing key partners) act as advocates for the family, with the ability and authority to influence other agencies
 - **Family Support Workers** are a dedicated resource focussing on 'initiating' contact and continuing to engage with identified troubled families.

Offer of an apprenticeship or training opportunity for all 16 – 24 year olds

- 2.4 The programme core team recently held a focus group with challenging young people to look at the personal challenges and issues they have faced accessing employment or training. This will assist in the further development of a pathway to enable each young person from a troubled family to navigate their way through the various options available. To achieve this, there is a need for mentoring, pre-apprenticeship training and support and targeted engagement with local employers willing to take on young people from troubled families as apprentices.

Employment support for adults

- 2.5 The programme is enabling appropriate support to adults in finding employment and training which will help provide a positive role model for wider family members and ensure they remain fully engaged. This will be a key role of the four JobCentre Plus Employment Advisers seconded to the programme who are working with the European Social Fund Progress Programme, with coordination being provided for each family through their dedicated worker.

Innovative suite of activities for troubled families

- 2.6 The development of the 'Innovative Suite of Activities' is progressing well. This will support the programme and will be commissioned from countywide funding. The offer to date includes the following partners:

- Young Lives Foundation for a pilot project of Mentoring for Young People. Mentors help to ensure there are positive role models for the young people and children and aim to build self-esteem and work towards positive achievements and future aspirations for the young people.
- Royal British Legion for a pilot for Mentoring Family members. A mentoring programme will be offered that provides mentoring and support for the whole family, that will engage and work with the families towards goals such as; employment, education, fitness, family activities and engaging with the community.
- Delivering 'Family Days' which are specific events at our outdoor education centres, which provide activities for the whole family based around working together, strengthening relationships and confidence building. There have been 3 events held so far and more dates are planned for October 2013 and the New Year.

3. Partnership Delivery Model

- 3.1 KCC manages the programme at a strategic level and is the accountable body. Local partners are responsible for overseeing the local delivery. Governance arrangements for the programme have been established as follows:

Multi-Agency Steering Group

- 3.2 The Multi-Agency Steering Group is chaired by Paul Carter, Leader of Kent County Council and has been established to ensure there is high level strategic representation from each of our partners and Corporate Directors. The Multi-Agency Steering Group provides strategic direction to ensure the successful delivery of the programme. The group meets quarterly.

County Wide Programme Board

- 3.3 The Programme Board is chaired by Angela Slaven, Director of Service Improvement, Kent County Council and has been established to ensure there is management representation from key partners. The Programme Board ensures the delivery of the Multi-Agency Steering Group's vision.

Local Project Boards

- 3.4 Each district has a local project board, complementing existing or emerging governance arrangements in each area.
- 3.5 KCC has recruited 12 Local Project Delivery Managers (LPDM's) to drive the local delivery and engagement with families, ensuring the programme remains on target. Their role is also to challenge practice across all agencies and where needed encourage new ways of working with families.
- 3.6 A proportion of the Troubled Families Programme funding has been set aside to support local delivery and to encourage innovative approaches from local project boards. This has enabled local projects in conjunction with partners, to submit business cases to the core team for consideration. This local innovation has been encouraged in order to ensure the best fit for the local families and communities, for example Dartford are using a team of mentors and volunteers to engage with families and Shepway have a team of Family Champions.
- 3.7 At county level a Troubled Families Programme Analyst has been seconded from Kent Police, in recognition of our partnership approach, and is responsible for managing the data for the programme. This arrangement has enabled a number of protocols to be developed and seamless links between KCC and police data.

4. Service Redesign

- 4.1 A Kent Troubled Families Executive Group has also been established to ensure the programme considers service redesign for troubled families across the whole council and remains closely aligned to KCC's wider transformation programme. The scale of savings in the forthcoming three to five years requires that the high cost of troubled families is reduced, that the outcomes for families are positive and that these improvements are sustainable over the long term and part of normal business.
- 4.2 At local level the Troubled Families Programme Team is planning to promote and support the delivery of workshops in each district area, in order to consider

local service redesign and improvement on a rolling programme from August 2013. This will be an opportunity for local partners to consider how services can be redesigned so they are better coordinated, duplication is removed and local gaps in services are identified. Feedback from these will come back to the Multi-Agency Steering Group.

5. Kent Troubled Families Conference

The programme held a very successful conference on the 9 July 2013. Louise Casey, National Lead for DCLG Troubled Families attended as a keynote speaker. This event focused on inspiring and engaging frontline staff and managers with the aim of stimulating further the debate and necessary action to meet the challenge of 'Doing Things Differently' across Kent.

6. Training and Development

A bespoke training framework has been developed to support partner agencies involved with the programme.

7. Early Results

7.1 Through the dedicated worker approach the programme is working with 93% of families from the Year 1 cohort. Good progress is being made in identifying families for inclusion in the programme for Year 2. We have to date verified 273 families for support.

7.2 The first payment by results claim was made in July 2013 for 75 families where there has already been significant success and the claiming criteria were met.

7.3 Some emerging themes of the issues families are facing are below, however these issues are often interlinked and present simultaneously within the families:

- Housing – issues such as anti-social behaviours and debt
- Domestic Violence – within a family this can come from any parent or young person against any other family member
- Substance misuse – problems of substance misuse are common and can be linked to other issues such as domestic violence and mental health
- Mental Health – there is often a delay in receiving specialist support
- Complex relationships and behaviours – the behaviour of young people can often be disruptive with the parents unable to manage it leading to anti-social behaviour, truancy and violence. Equally children and young people can face the impact of violence, drug and alcohol misuse etc from the parents
- Lack of life skills and aspirations – many families are unable to carry out everyday tasks such as; morning routine, cooking and managing their money well. These regularly lead to absence from school and low educational attainment children

7.4 While the complexity of these problems is high the programme's approach and the initiatives within the Kent Offer outlined above is already getting

encouraging results. The Kent Troubled Families Programme is an exciting and unique opportunity to turn many more troubled families around so they play a positive role in their local Kent communities.

8. Recommendation

County Council is asked to NOTE the progress of the Kent Troubled Families Programme.

9. Background Documents

<https://www.gov.uk/government/publications/the-troubled-families-programme-financial-framework>

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By: John Simmonds, Cabinet Member for Finance and Procurement
To: County Council – 19 September 2013
Subject: Treasury Management Annual Review 2012-13
Classification: Unrestricted

Summary: To report a summary of Treasury Management activities in 2012-13

For Information

Introduction

1. The Council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management ("the Code"), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also recommends that members are informed of treasury management activities at least twice a year.
2. Treasury Management is defined as: "the management of the local Council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".
3. Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management objectives.
4. This report:
 - Is prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code;
 - Reports on the implications of treasury decisions and transactions;
 - Gives details of the outturn position on treasury management transactions in 2012-13;
 - Confirms compliance with its Treasury Management Strategy Statement, Treasury Management Practices and Prudential Indicators.
5. This report was agreed by the Governance & Audit Committee on 24 July 2013 prior to being brought to full Council.

Economic Background

6. The global outlook stabilised mainly due to central banks maintaining low interest rates and expansionary monetary policy for an extended period. Equity market assets recovered sharply with the FTSE 100 registering a 9.1% increase over the year. This was despite economic growth in G-7 nations being either muted or disappointing and economic growth in China cooling.
7. In the UK the economy shrank in the first, second and fourth quarters of calendar year 2012. It was the 0.9% growth in the third quarter, aided by the summer Olympic Games, which allowed growth to register 0.2% over the calendar year 2012. The expected boost to net trade from the fall in the value of sterling did not materialise, but raised the price of imports, especially low margin goods such as food and energy. Avoiding a 'triple-dip' recession became contingent on upbeat services sector surveys translating into sufficient economic activity to overhaul contractions in the struggling manufacturing and construction sectors.
8. Household financial conditions and purchasing power were constrained as wage growth remained subdued at 1.2% and was outstripped by inflation. Annual CPI dipped below 3%, falling to 2.4% in June before ticking up to 2.8% in February 2013. Higher food and energy prices and higher transport costs were some of the principal contributors to inflation remaining above the Bank of England's 2% CPI target.
9. The lack of growth and the fall in inflation were persuasive enough for the Bank of England to maintain the Bank Rate at 0.5% and also sanction additional £50 billion asset purchases (QE) in July, taking total QE to £375 billion. The possibility of a rate cut was discussed at some of Bank's Monetary Policy Committee meetings, but was not implemented as the potential drawbacks outweighed the benefits of a reduction in the Bank Rate. In the March 2013 Budget the Bank's policy was revised to include the 2% CPI inflation remit alongside the flexibility to commit to intermediate targets.
10. The resilience of the labour market, with the ILO unemployment rate falling to 7.8%, was the main surprise given the challenging economic backdrop. Many of the gains in employment were through an increase in self-employment and part time working.
11. The Chancellor largely stuck to his fiscal plans with the austerity drive extending into 2018. In March the Office for Budgetary Responsibility (OBR) halved its forecast growth for 2013 to 0.6% which then resulted in the lowering of the forecast for tax revenues and an increase in the budget deficit. The government is now expected to borrow an additional £146bn and sees gross debt rising above 100% of GDP by 2015-16. The fall in debt as a percentage of GDP, which the coalition had targeted for 2015-16, was pushed two years beyond this horizon. With the national debt metrics out of kilter with a triple-A rating, it was not surprising that the UK's sovereign rating was downgraded by Moody's to Aa1. The AAA status was maintained by Fitch and S&P, albeit with a Rating Watch Negative and with a Negative Outlook respectively.

12. The government's Funding for Lending (FLS) initiative commenced in August 2012 which gave banks access to cheaper funding on the basis that it would then result in them passing this advantage to the wider economy. There was an improvement in the flow of credit to mortgagees, but was still below expectation for SMEs.
13. Gilt yields ended the year lower than the start in April. By September the 2-year gilt yield had fallen to 0.06%, raising the prospect that short-dated yields could turn negative. 10-year yields fell by nearly 0.5% ending the year at 1.72%. The reduction was less pronounced at the longer end; 30-year yields ended the year at 3.11%, around 25bp lower than in April. Despite the likelihood that the Debt Management Office would revise up its gilt issuance for 2012-13, there were several gilt-supportive factors: the Bank of England's continued purchases of gilts under an extended QE programme; purchases by banks, insurance companies and pension funds driven by capital requirements and the preference for safe harbour government bonds.
14. One direct consequence of the Funding for Lending Scheme was the sharp drop in rates at which banks borrowed from local government. 3-month, 6-month and 12-month Libid rates which were 1%, 1.33% and 1.84% at the beginning of the financial year fell to 0.44%, 0.51% and 0.75% respectively.

Borrowing Requirement and Debt Management

15. The overall borrowing position is summarised below:

	Balance on 01/04/2012 £m	Debt Maturing £m	New Borrowing £m	Balance on 31/3/2013 £m	Average Rate %
CFR	1,496			1,465	
Long Term Borrowing	1,089	77		1,012	5.44
Other Long Term Liabilities	1,134			1,155	
TOTAL EXTERNAL DEBT	2,223			2,167	
Decrease in Borrowing				77	

16. The PWLB remains the Council's preferred source of borrowing given the transparency and control that its facilities continue to provide. The Certainty Rate was introduced by the PWLB in November 2012, allowing the authority to borrow at a reduction of 20bps on the Standard Rate.
17. Given the large differential between short and longer term interest rates, which is likely to remain a feature for some time in the future, as well as the pressure on Council finances, the debt management strategy sought to lower debt costs within an acceptable level of volatility (interest rate risk). The strategy followed was to minimise debt interest payments without compromising the longer-term stability of the portfolio. The differential between the cost of new longer-term

debt and the return generated on the Council's temporary investment returns was significant (between 2-3%). The use of internal resources in lieu of borrowing was judged to be the most cost effective means of funding £77.0m of maturing loans as well as £22.3m of capital expenditure. This has, for the time being, lowered overall treasury risk by reducing both external debt and temporary investments. This strategy is expected to be maintained in 2013-14.

18. No debt rescheduling was undertaken in the year.
19. Changes in the debt portfolio over the year have achieved a reduction in the overall debt cost by £2.27m whilst reducing the average life from 30.13 years to 29.86 years.

Investment Activity

20. The CLG's Investment Guidance requires local authorities to focus on security and liquidity, rather than yield.

Investment Activity in 2012-13

Investments	Balance on 01/04/2012 £m	Deposits Made £m	Maturities £m	Balance on 31/03/2013 £m	Avg Rate % / Avg Life (yrs)
Short Term Investments	272	2,498	2,509	261	0.81% / 0.05
Long Term Investments	10	0	10	0	3.95% / 0.36
TOTAL INVESTMENTS	282	2,498	2,519	261	0.93% / 0.06
Decrease in Investments				21	

21. Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2012-13. Investments during the year included
22. Term Deposits and Certificates of Deposit (CDs) with the following UK Banks and Building Societies systemically important to the UK:
 - Barclays
 - HSBC
 - Lloyds Banking Group
 - Royal Bank of Scotland
 - NatWest
 - Santander UK
 - Standard Chartered
 - Nationwide

and in T-Bills and DMADF (Debt Management Office) deposits.

23. Counterparty credit quality was assessed and monitored with reference to credit ratings; credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; any potential support mechanisms and share price. The minimum long-term counterparty credit rating determined for the 2012-13 treasury strategy was A-/A-/A3 across rating agencies Fitch, S&P and Moody's. In June 2012 Moody's completed its review of banks with global capital market operations, downgrading the long-term ratings of all of them by between one to three notches. The banks on the Council's lending list which were affected by the ratings downgrades were Barclays, HSBC, Royal Bank of Scotland. Separately, the agency also downgraded the ratings of Lloyds Bank, Bank of Scotland, National Westminster Bank and Santander UK plc. None of the long-term ratings of the banks on the Council's lending list were downgraded to below the Council's minimum A- credit rating threshold.
24. As a result of the ratings downgrades deposit durations were shortened in June. They were then extended at the end of July having taken account of advice from Arlingclose whose assessment of the creditworthiness of the financial institutions had shown continued signs of stabilisation, and in some cases, considerable improvement. At the present time the Council's maximum maturities for new investments are:
 - Santander UK - **overnight**
 - Royal Bank of Scotland, NatWest, Barclays and Nationwide for a maximum period of **100 days**
 - Lloyds TSB and Bank of Scotland, for a maximum period of **6 months**
 - HSBC Bank and Standard Chartered for a maximum period of **12 month**
25. At its meeting in September Cabinet approved the use of the following Australian and Canadian counterparties. At the current time not all of the banks listed take deposits and rates are quite low. However, we now have alternative options to using the DMO in the event of further downgrades of UK financial institutions.
 - Australia and New Zealand Banking Group
 - National Australia Bank
 - Westpac Banking Corp
 - Commonwealth Bank of Australia
 - Bank of Montreal
 - Bank of Nova Scotia
 - Canadian Imperial Bank of Commerce
 - Royal Bank of Canada
 - Toronto Dominion Bank
26. The maximum duration is 12 months and the maximum limit with any one bank is £25m with the maximum exposure to either country being £50m. To date no deposits have been made with these counterparties.

27. Counterparty credit quality has weakened slightly as demonstrated by the Credit Score Analysis summarised below. The table in Appendix 4 explains the credit score.

Credit Score Analysis

28. In keeping with CLG's Guidance on Investments, the Council maintained a sufficient level of liquidity through the use of overnight deposits and call accounts.
29. The Council sought to optimise returns commensurate with its objectives of security and liquidity. The UK Bank Rate was maintained at 0.5% through the year. The Council considered an appropriate risk management response to uncertain and deteriorating credit conditions in Europe was to shorten maturities for new investments. Short term money market rates also remained at very low levels (as shown in table 1 in Appendix 3) which had a significant impact on investment income.
30. The Council's investment income for the year was £2.0m compared with a budget of £2.7m. The Council held average cash balances of £297.67m during the year. These represented working cash balances / capital receipts, and the Council's reserves.
31. Deposits as at 31 March 2013 are shown in Appendix 2.

Icelandic Exposure

32. The Council had an exposure of £50.35m to Icelandic Banks (£15.0m Glitnir, £17.0m Landsbanki and £18.35m Heritable). In October 2011 the Icelandic Supreme Court confirmed that UK local authorities were preferred creditors in Glitnir and Landsbanki. This will result in 100% recoveries on both banks.
33. Glitnir – in March 2012 a full recovery was made – 18% of the total payment was in Icelandic Krona and this is still held in an interest bearing escrow account in Iceland. UK local Council representatives continue to pursue a resolution of this issue.
34. Landsbanki – it is expected that 100% will be recovered overall. Dividends to the value of 49.65p in the £ have now been made – only 2% was in Icelandic Krona. Regular dividend payments are expected every December until December 2019.
35. Heritable – formally the expected recovery is 88p/£ and 77.28% has been recovered to date with a further 2% due in 2013-14. There have been positive developments since the CIPFA accounting guidance was issued and the projected recovery will move up significantly in August. 2013.
36. Total recoveries received to date are £36.99m. The Council will comply with the CIPFA Guidance on the accounting arrangements for the deposits and dividends.

Compliance

37. The Council can confirm that it has complied with its Prudential Indicators for 2012-13, which were set as part of the Council's Treasury Management Strategy Statement. Details can be found in Appendix 1.
38. The Council's Treasury activity has complied with its Treasury Management Strategy and Treasury Management Practices. No control issues were identified when the treasury management activities were once again subject to internal audit by Deloitte.

Treasury Adviser

39. KCC currently contracts with Arlingclose as Treasury Advisers.

Recommendation

40. Members are asked to note the report.

Alison Mings
Treasury and Investments Manager
Ext: 7000 6294

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2012-13 Prudential Indicators**1. Estimate of capital expenditure (excluding PFI and Schools)**

Actual 2011-12	£266m
Original estimate 2012-13	£279m
Revised estimate 2012-13	£207m (this includes the rolled forward re-phasing from 2011-12)
Actual 2012-13	£161m

2. Capital Financing Requirement (CFR)

	2011-12 Actual £m	2012-13 Original Estimate £m	2012-13 Actual £m
CFR	1,496	1,538	1,465
Annual increase/(decrease) in underlying need to borrow	(22)	22	(31)

In the light of current commitments and planned expenditure, forecast net borrowing by the Council will not exceed the Capital Financing Requirement.

3. Estimate of ratio of financing costs to net revenue stream

Actual 2011-12 12.85%
Original estimate 2012-13 11.77%
Actual 2012-13 14.55%

The 2011-12 and 2012-13 Actual percentages include PFI Finance Lease costs but these were not included in the 2012-13 original estimate calculation.

4. Operational Boundary for External Debt

The operational boundary for debt is determined having regard to actual levels of debt, borrowing anticipated in the capital plan, the requirements of treasury strategy and prudent requirements in relation to day to day cash flow management.

Operational boundary for debt relating to KCC assets and activities

	2012-13 Approved £m	2012-13 Actual £m
Borrowing	1,154	969
Other Long Term Liabilities	0	1,155
Total	1,154	2,124

Operational boundary for total debt managed by KCC including that relating to Medway Council etc (pre Local Government Reorganisation)

	2012-13 Approved £m	2012-13 Actual £m
Borrowing	1,198	1,012
Other Long Term Liabilities	0	1,155
Total	1,198	2,167

5. Authorised Limit for external debt

The authorised limit includes additional allowance, over and above the operational boundary to provide for unusual cash movements. It is a statutory limit set and revised by the County Council.

Authorised limit for debt relating to KCC assets and activities

	2012-13 Approved £m	2012-13 Actual £m
Borrowing	1,195	1,195
Other long term liabilities	0	1,155
Total	1,195	2,350

Authorised limit for total debt managed by KCC including that relating to Medway Council etc (pre Local Government Reorganisation)

	2012-13 Approved £m	2012-13 Actual £m
Borrowing	1,238	1,238
Other long term liabilities	0	1,155
Total	1,238	2,393

The additional allowance over and above the operational boundary has not needed to be utilised and external debt, has and will be maintained well within the authorised limit.

6. Compliance with CIPFA Code of Practice for Treasury Management in the Public Services

The Council has adopted the Code of Practice on Treasury Management and has adopted a Treasury Management Policy Statement. Compliance has been tested and validated by our independent professional treasury advisers.

7. Upper limits of fixed interest rate and variable rate exposures

The Council has determined the following upper limits for 2012-13

Fixed interest rate exposure	100%
Variable rate exposure	50%

These limits have been complied with in 2012-13.

8. Upper limits for maturity structure of Fixed Rate Borrowings

	Upper limit	Lower limit	Actual
	%	%	%
Under 12 months	10	0	0
12 months and within 24 months	25	0	0.2
24 months and within 5 years	40	0	8.8
5 years and within 10 years	30	0	10.7
10 years and within 20 years	30	10	12.0
20 years and within 30 years	30	5	14.7
30 years and within 40 years	30	5	12.9
40 years and within 50 years	40	10	17.8
50 years and within 60 years	40	10	22.9

9. Upper limit for principal sums invested for periods longer than 364 days

Approved	Actual
£m	£m
50	10

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Deposits as at 31 March 2013

Instrument Type	Counterparty	Principal Amount	End Date	Interest Rate	Territory
	Total Icelandic Bank Deposits	£16,342,120			
Same Day Call Deposit	Bank of Scotland	£15,000,000	n/a	0.75	UK Bank
Fixed Deposit	Bank of Scotland	£5,000,000	07/05/2013	1.6	UK Bank
Fixed Deposit	Bank of Scotland	£5,000,000	30/09/2013	0.8	UK Bank
Fixed Deposit	Barclays Bank	£5,000,000	31/05/2013	6.8	UK Bank
Same Day Call Deposit	Barclays Bank	£19,400,000	n/a	0.35	UK Bank
Same Day Call Deposit	Barclays FIBCA	£20,000,000	n/a	0.7	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	03/05/2013	1.6	UK Bank
Same Day Call Deposit	Lloyds TSB	£15,000,000	n/a	0.75	UK Bank
Fixed Deposit	Lloyds TSB	£10,000,000	15/05/2013	0.7	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	19/08/2013	0.8	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	21/08/2013	0.8	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	27/06/2013	0.7	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	27/09/2013	0.8	UK Bank
Same Day Call Deposit	NatWest	£25,000,000	n/a	0.8	UK Bank
LIBOR Fixed Deposit	Royal Bank of Scotland	£5,000,000	18/10/2013	1.1113	UK Bank
Same Day Call Deposit	Royal Bank of Scotland	£45,000,000	n/a	1.25	UK Bank
Same Day Call Deposit	Santander UK	£50,000,000	n/a	0.8	UK Bank
	Total UK Bank Deposits	£244,400,000			
	Grand Total of All Deposits	£260,742,120			

Table 1: Bank Rate, Money Market Rates

Date	Bank Rate	O/N LIBID	7-day LIBID	1-month LIBID	3-month LIBID	6-month LIBID	12-month LIBID	2-yr SWAP Bid	3-yr SWAP Bid	5-yr SWAP Bid
01/04/2012	0.50	0.55	0.55	0.61	1.00	1.33	1.84	1.24	1.30	1.59
30/04/2012	0.50	0.50	0.65	0.60	0.99	1.32	1.84	1.35	1.43	1.68
31/05/2012	0.50	0.48	0.65	0.57	0.97	1.30	1.82	1.20	1.20	1.34
30/06/2012	0.50	0.50	0.50	0.55	0.83	1.13	1.65	0.96	0.99	1.25
31/07/2012	0.50	0.50	0.65	0.45	0.63	0.92	1.43	0.76	0.77	1.02
31/08/2012	0.50	0.50	0.52	0.40	0.57	0.81	1.23	0.75	0.78	1.01
30/09/2012	0.50	0.25	0.52	0.40	0.47	0.66	0.95	0.70	0.76	1.00
31/10/2012	0.50	0.25	0.44	0.40	0.44	0.55	0.82	0.69	0.77	1.05
30/11/2012	0.50	0.25	0.30	0.40	0.44	0.54	0.80	0.73	0.80	1.05
31/12/2012	0.50	0.25	0.43	0.40	0.44	0.54	0.80	0.69	0.76	1.00
31/01/2013	0.50	0.42	0.43	0.40	0.44	0.54	0.80	0.73	0.86	1.17
29/02/2013	0.50	0.41	0.42	0.40	0.44	0.54	0.80	0.59	0.69	1.05
31/03/2013	0.50	0.40	0.40	0.40	0.44	0.51	0.75	0.59	0.68	0.97
Minimum	0.50	0.25	0.30	0.40	0.44	0.51	0.75	0.55	0.65	0.90
Average	0.50	0.39	0.49	0.45	0.62	0.82	1.19	0.84	0.90	1.17
Maximum	0.50	0.55	0.65	0.61	1.00	1.33	1.84	1.38	1.45	1.72
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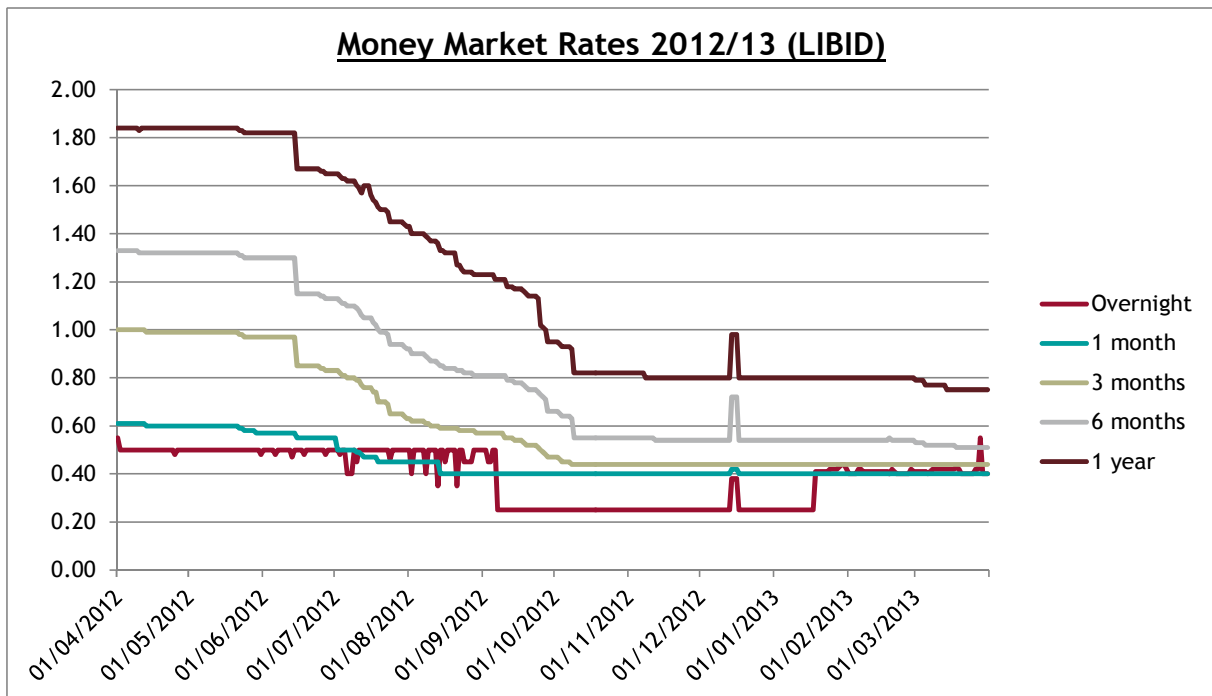
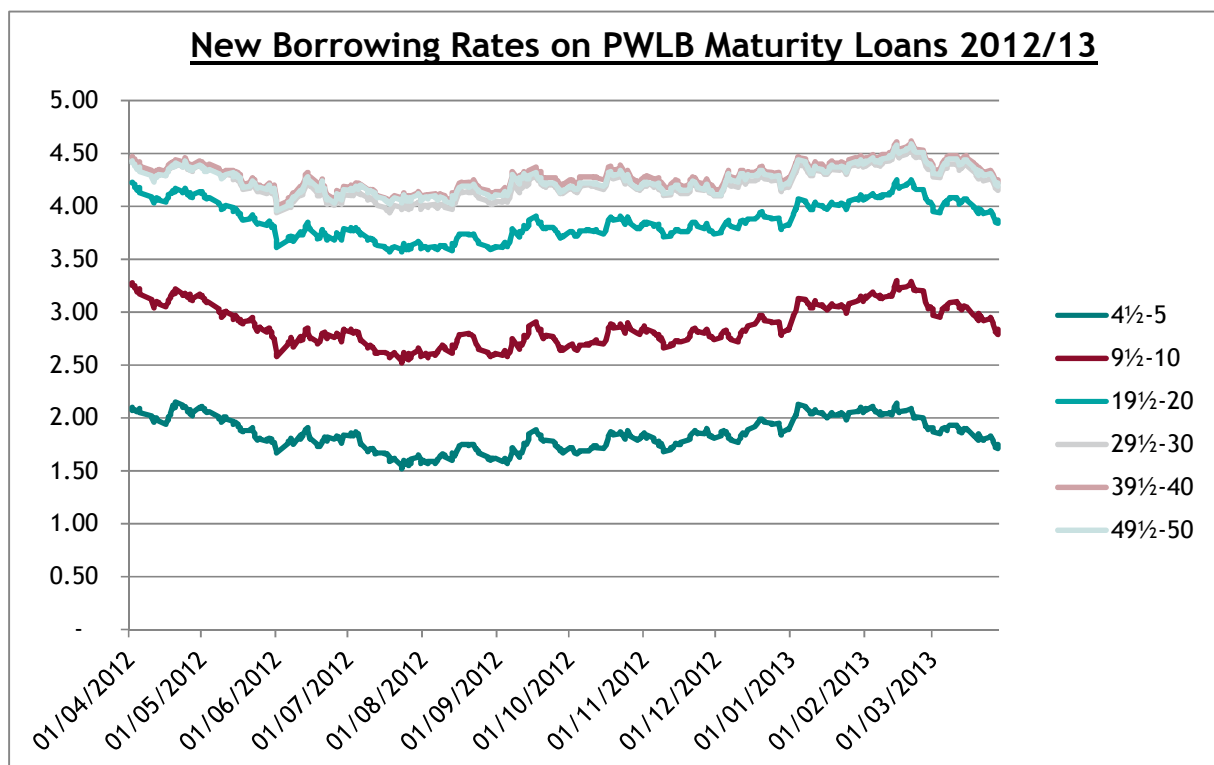


Table 2: PWLB Borrowing Rates – Fixed Rate, Maturity Loans

Change Date	Notice No	1 year	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
02/04/2012	130/12	1.29	2.07	3.25	4.22	4.43	4.46	4.41
30/04/2012	166/12	1.31	2.09	3.15	4.13	4.38	4.42	4.39
31/05/2012	210/12	1.19	1.76	2.74	3.79	4.13	4.19	4.16
29/06/2012	248/12	1.2	1.84	2.83	3.79	4.11	4.19	4.16
31/07/2012	292/12	1.01	1.57	2.58	3.6	3.97	4.07	4.05
31/08/2012	336/12	1.07	1.62	2.61	3.62	4.05	4.14	4.11
28/09/2012	376/12	1.15	1.67	2.64	3.71	4.12	4.2	4.14
28/10/2012	422/12	1.19	1.82	2.82	3.81	4.17	4.25	4.19
30/11/2012	466/12	1.22	1.81	2.74	3.74	4.1	4.16	4.11
31/12/2012	504/12	1.22	1.89	2.83	3.82	4.18	4.25	4.21
31/01/2013	044/13	1.26	2.06	3.1	4.06	4.37	4.43	4.4
28/02/2013	084/13	1.16	1.91	3.04	4.04	4.36	4.43	4.4
28/03/2013	124/13	1.13	1.75	2.84	3.87	4.18	4.25	4.22
	Low		1.57	2.58	3.60	3.97	4.07	4.05
	Average		1.84	2.86	3.86	4.20	4.26	4.23
	High		2.09	3.25	4.22	4.43	4.46	4.41



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Credit Score Analysis

Scoring:

Long-Term Credit Rating	Score
AAA	1
AA+	2
AA	3
AA-	4
A+	5
A	6
A-	7
BBB+	8
BBB	9
BBB-	10
Not rated	11
BB	12
CCC	13
C	14
D	15

The value weighted average reflects the credit quality of investments according to the size of the deposit. The time weighted average reflects the credit quality of investments according to the maturity of the deposit

The Council aimed to achieve a score of 7 or lower, to reflect the Council's overriding priority of security of monies invested and the minimum credit rating of threshold of A- for investment counterparties.

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By: Gary Cooke – Cabinet Member for Corporate & Democratic Services
 Amanda Beer – Corporate Director Human Resources

To: County Council – 19 September 2013

Subject: Pay Policy Statement for 2013/14

Classification: Unrestricted

Summary: This paper proposes an updated Pay Policy Statement for 2013/14 with appropriate consideration of supplementary guidance from Government.

Recommendation: That the County Council agree the pay statement for 2013/14 based upon last year's statement as attached in Appendix 1 and approved at Personnel Committee on 10 September 2013 and that compliance with the principles of transparency of senior salaries and severance packages are discharged via the Council's agreement to the senior structure and pay ranges and the compromise protocol as outlined.

1. Background

1.1 The requirement for a Pay Policy Statement was introduced under the Localism Act 2011 and was considered and agreed by Personnel Committee on 25 January 2012. There is an explicit requirement to publish an annual statement, approved by elected Members, by the end of March each year.

1.2 Before an updated Pay Policy Statement could be considered by Personnel Committee, Supplementary Guidance was issued by Department for Communities and Local Government (DCLG). Not only did this guidance challenge the manner in which many authorities had implemented pay transparency under the Localism Act, but it also proposed new elements relating to officers earning £100,000 or more. Consequently it was not possible for Personnel Committee and County Council to consider and agree this year's Policy Statement until now.

1.3 However to ensure that the published Pay Policy was not numerically inaccurate, the pay rates were updated in accordance with the 1% pay award, with all else remaining unaltered. This paper invites the County Council to endorse formally the revised Pay Policy and address DCLG's supplementary guidance.

2. Pay Policy Statement

2.1. The core content of the current statement remains an accurate reflection of practice and as such does not require amendment; save the pay ranges have been adjusted to reflect the agreed 1% pay award.

2.2. DCLG supplementary guidance (20 February 2013) challenged whether the requirements of the Localism Act had been fully met and concluded that many pay statements were neither comprehensive nor easily found on Council websites. Our

current statement fulfills all the Act's requirements and is readily available on [kent.gov.uk](http://www.kent.gov.uk)

(http://www.kent.gov.uk/your_council/council_spending/pay_policy_statement.aspx).

The supplementary guidance recommended that the Full Council should be able to vote on all salary packages of over £100,000 along with all severance payments of a similar value.

2.3. Kent County Council's Constitution already has explicit provision for the full Council to approve the structure of the authority down to third tier officers along with associated pay ranges. Consequently the full Council does approve all posts and salary packages of £100,000 or more.

2.4. It is very rare for any severance package to exceed a value of £100,000, particularly where there is any discretion in the calculation of the payment beyond contractual entitlements. Any such payment would invariably be subject to a "compromise agreement" (now referred to as "Settlement Agreements"). On 30 November 2009, Personnel Committee agreed 'the Compromise Protocols' for all such cases.

2.5. Under KCC's Constitution, all compromise agreements must be authorised by the Director of Governance and Law, who will be guided by the professional expertise of Human Resources and Legal Services. In addition, where a proposed agreement concerns a Senior Officer, the final decision on whether an agreement should be entered into rests with the Personnel Committee. If they are minded to approve an agreement the Corporate Director Finance and Procurement will then consult with our external auditors in order to deal with any objections which may otherwise prevent the agreement from being finalised.

2.6. Decisions on redundancies and early retirements of Senior Officers, including decisions to send them on "gardening leave", must be taken by the Corporate Director and the Corporate Director Human Resources, (or the Head of Paid Service and the Corporate Director Human Resources in cases concerning a Corporate Director). Where such a decision is contemplated, there should be consultation with the political group leaders, the Head of Paid Service (where applicable), the Director of Governance and Law and the Corporate Director Finance and Procurement. Any consultation on decisions on redundancies and early retirements must be completed within five working days. Therefore the severance arrangements would be subject to the consideration of all parties represented at Personnel Committee with appropriate confidentiality and in a timely manner.

3. Recommendation

That the County Council agree the pay statement for 2013/14 based upon last year's statement as attached in Appendix 1, and approved at Personnel Committee on 10 September 2013, and that compliance with the principles of transparency of senior salaries and severance packages are discharged via the Council's agreement to the senior structure and pay ranges and the compromise protocol as outlined.

Paul Royel
Head of Employment Strategy
Ext 4608

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Kent County Council Pay Policy Statement 2013-14

The Authority seeks to be able to recruit and retain staff in a way which is externally competitive and internally fair. The Kent Scheme pay policy applies in a consistent way from the lowest to the highest grade.

- The pay policy is influenced by a number of factors which include local pay bargaining, market information, market forces, economic climate, measures of inflation and budgetary position.
- The policy referred to in this Statement is relevant to Council employees generally. The scope of this Statement does not include all Terms and Conditions as some are set on a national basis. These include Teachers covered by the school teachers pay and conditions in (England and Wales) document, Soulbury Committee, Adult Education, National Joint Council (NJC), Joint National Council (JNC) and the National Health Service (NHS).
- The Kent scheme pay range consists of grades KR2 – KR20; details of which are attached.
- The details of the reward package for all Corporate Directors and Directors are published and updated on the County Council's web site.
- KCC will publish the number of people and job title by salary band. This is from £58,200 to £59,999 and then by pay bands of £5,000 thereafter. This will include elements made on a repeatable or predictable basis such as market premium payments.
- Returning Officer responsibilities are a specified element of the designated senior officer's duties for which there will be no additional payment beyond their pay range.
- The appropriate grade for a job is established through a job evaluation process which takes into account the required level of knowledge, skills and accountability required for the role.
- The lowest point of KCC's grading structure (bottom of grade KR2) is set such that the hourly rate is above the National Minimum Wage.
- Staff who are new to the organisation must be appointed at the minimum of the grade unless there are exceptional reasons to appoint higher. These must be based on a robust business case in relation to the level of knowledge, skills and experience offered by the candidate and consideration is given to the level of salaries of the existing staff to prevent pay inequality. For senior staff any such business case must be approved by the relevant Corporate Director.
- Council signs off the pay structure. The subsequent appointment of individuals, including those receiving salaries in excess of £100k, is in accordance with the pay structure and the principles outlined in the pay policy.

- Staff who are promoted should be appointed to the minimum of the grade. However their pay increase should equate to at least 2.5%.
- All progression within a grade is subject to performance as assessed through Total Contribution Pay (TCP) process and a percentage awarded for each appraisal level. This applies to all levels in the Authority and there are no additional bonus schemes for senior managers.
- The award for each appraisal rating is set annually following the outcome of the appraisal process.
- People at the top of their grade have the opportunity to receive a pay award which is consistent with others who have the same appraisal rating. This amount will be paid separately and not built into base pay.
- The 'Lowest' paid employees are defined as those employees on the lowest pay point of KCC's lowest grade, KR2. They receive relevant benefits and are remunerated in the same proportionate way as others.
- In order to establish the pay difference and the relative change in pay levels over time, a pay multiplier can be calculated. This is the base pay level of the highest paid employee shown as a multiple of the median Kent Scheme salary. This multiplier will be published on the County Council's website annually.
- KCC recognises that managers need to be able to reward performance in a flexible and appropriate way to the particular circumstances.
- Should it be shown that there is specific recruitment and retention difficulties, the Market Premium Policy may be used to address these issues.
- The Council would not expect the re-engagement of an individual who has left the organisation with a redundancy, retirement or severance package.
- Managers have delegated powers to make cash awards and ex-gratia payments when necessary and where not covered by any other provision as defined in the Blue Book Kent Scheme Terms & Conditions.
- Policies about termination payments and employer discretions under the Local Government Pension Scheme will be reviewed annually and published for all staff. These will be produced with the intention of only making additional payments when in the best interests of the Authority and maintaining consistency through all pay grades.

	Pay Range	
£ (Minimum)		£ (Maximum)
	KR 20	£187,698
£157,911	KR 19	£156,075
£135,368	KR 18	£135,367
£113,843	KR 17	£108,029
£90,891	KR 16	£89,463
£70,842	KR 15	£70,841
£62,311	KR 14	£62,310
£55,042	KR 13	£55,041
£49,121	KR 12	£49,120
£41,939	KR 11	£41,938
£36,443	KR 10	£36,442
£30,827	KR 9	£30,826
£26,953	KR 8	£26,952
£23,518	KR 7	£23,517
£20,671	KR 6	£20,670
£18,844	KR 5	£18,843
£17,132	KR 4	£17,131
£16,306	KR 3	£16,305
£14,383	KR 2	£14,382
£13,162		

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From: Gary Cooke, Cabinet Member for Corporate & Democratic Services
Geoff Wild, Director of Governance & Law

To: County Council - 19 September 2013

Subject: Constitutional Amendments to Reflect the Local Authorities
(Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012

Classification: Unrestricted

Summary: The purpose of this report is to appraise the Council of the impact of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”) and associated guidance and to seek authority to amend the Constitution to reflect the provisions of the Regulations.

Recommendation: That the Council agree the changes to the Constitution as detailed in the report and recommend their adoption by Council.

1. Introduction

1.1 Public access to Council and committee meetings, agendas, reports and background papers is provided for by the Local Government Act 1972 (as amended in 1985). When Executive Arrangements were required to be implemented under the Local Government Act 2000, similar provision was made for Executive meetings and decisions in the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000. This also introduced the concepts of the Forward Plan, as a means to advertise future decisions of the Executive and introduced and defined Key Decisions. The Council’s Constitution reflects these requirements.

1.2 Further regulations were issued in September 2012 to amend the provisions in the 1972 and 2000 Acts and revoking the 2000 Regulations. The 2012 Regulations were not the subject of any consultation with local authorities. Instead, the Department of Communities and Local Government (DCLG) conducted what it described as a “short, focused informal soundings exercise with partners”. One such partner was the Local Government Association, which responded that the changes proposed by the Regulations were unnecessary.

1.3 The key differences introduced by the 2012 Regulations are described below. It is important to bear in mind that they relate only to Executive functions. Other non-Executive, ‘council-side’ functions (relating to planning, employment, licensing and decisions taken by Council) are unaffected by these requirements.

2. Changes to be made to the Constitution as a result of the Regulations:

Key Decisions

2.1 Previously, a Key Decision (defined by the Council as any decision involving expenditure/savings of more than £1,000,000 or significantly affecting one or more

electoral divisions) could only be taken after notice of it was included in the Forward Plan published at least 14 days in advance of the decision being taken (subject to urgency exceptions).

2.2 The Regulations effectively abolished the Forward Plan but broadened the requirement for the Council to publish information relating to proposed decisions to be taken by both Members and officers.

2.3 The Forthcoming Executive Decisions (FED) list has replaced the Forward Plan and is produced and published fortnightly. Except in cases of urgency, a Key Decision cannot be taken until at least 28 days clear notice has expired from publication of the proposed decision within the FED. This document must include the following:

- (a) the subject matter of the decision
- (b) the name(s) of the decision maker(s)
- (c) the date of the decision
- (d) a list of documents submitted to the decision maker(s) for consideration in relation to the matter

2.4 In light of the changes to publication requirements, it is suggested that the Constitution be brought into line with legislative requirements and the 'significant effect' criterion for Key Decisions (referred to in 2.1 above) be amended to apply to any decision likely to have a significant effect on communities living or working in an area comprising two or more electoral divisions.

Meetings to be held in Private

2.5 Previously, the public could be excluded from meetings when "confidential" or "exempt" (e.g. commercially sensitive) information was likely to be disclosed. That capacity is retained but the Regulations prescribe additional requirements to be fulfilled before a meeting can move into closed session. Those requirements are:

- (a) At least 28 clear days before the meeting, a notice must be published at the Council's offices and on the Council's website giving notice of the intention to hold the meeting, or part of the meeting, in private. This notice is published as part of the FED.
- (b) At least 5 clear working days before the meeting, the Council must publish another similar notice, including a statement of:
 - (i) the reasons for the meeting being held in private
 - (ii) any representations received requiring the meeting to be held in public and
 - (iii) the Council's response to such representations

2.6 There is provision for occasions where this is not possible and the urgency procedure has been updated and included within the changed document to reflect the requirements of the provision.

Recording of Decisions by Officers

2.7 The Regulations extend the requirement to record all Executive decisions made by Cabinet or Cabinet Members to those made by officers (previously reserved only for Key Decisions taken by officers, which are not permitted at KCC).

2.8 The term “Executive Decision” is defined extremely broadly and is not restricted by the Regulations, such that it potentially encompasses all decisions made by officers other than those relating to non-Executive functions such as planning, licensing and employment.

2.9 Under the Regulations, whenever an officer takes any Executive decision, they must produce a written statement including:

- (a) a record of the decision and the date it was made
- (b) the reasons for the decision
- (c) details of any alternative options considered and rejected
- (d) a record of any conflict of interest declared by any Executive Member consulted
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the Head of Paid Service

A record of the decision must be published on the Council’s website.

2.10 This Council and other local authorities have made vigorous representations to the Secretary of State and the DCLG over the course of the past year in order that the Regulations might be constrained or at least clarified to prevent the bureaucratically burdensome task of recording the many officer decisions taken each day. In response to the concerns expressed, DCLG indicated that the Regulations should not apply to “operational decisions” taken by officers. That view is not supported by the wording of the Regulations, nor is it supported in any of the commentaries which have been issued on the Regulations. Counsel instructed by the Association of Council Secretaries and Solicitors advised that the term “Executive Decision” does cover operational decisions, although it is unlikely to be interpreted to apply to purely administrative tasks (for example, ordering paper clips).

2.11 To require officers to make records of all their operational decisions and to publish those decisions on the Council’s website would be enormously inefficient, expensive and unproductive. It is likely that if the Council had to publish a record of all operational decisions for Executive functions it would entail publishing particulars in relation to many thousands of routine decisions per month.

2.12 It is therefore proposed that rather than implement an unworkable requirement an alternative pragmatic solution be devised that will reflect the spirit of the legislation and the guidance issued by DCLG. Officers will conduct work with other authorities to provide a solution that will protect the Council to the fullest extent possible without creating unnecessary obstructions and bureaucracy. A further report will be considered by the Selection and Member Services Committee for agreement on completion of this work.

Members’ Right to Access to Documents

2.13 The Regulations include a right for Members to access documents containing material to be transacted at a public meeting from 5 clear working days before the

meeting and includes all reports that relate to the agenda for a meeting or to a decision to be taken. There is also a general right of access to any document that “contains material relating to any business to be transacted at a private meeting” or to decisions made by individuals (Members or officers) under Executive Arrangements. The documents are required to be available no later than 24 hours after the decision is taken. This is in addition to other rights of access to information (both statutory and common law) that Members enjoy.

Reporting Meetings

2.14 Under the previous regulations, “reasonable facilities for journalists” were required to be provided. The 2012 Regulations now provide that “any person attending the meeting for the purpose of reporting the proceedings is, so far as practicable, to be afforded reasonable facilities for taking their report”.

2.15 The intention of the regulations (according to the more recent guidance from the DCLG on the matter “Your council’s cabinet – going to its meetings, seeing how it works”), impact on the Council’s current filming policies and it is suggested that the Constitution be amended to reflect this guidance, so that Procedure Rule 2.2 of Appendix 4 Part 2 reads as follows:

“(1) While a meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings in any publicly available medium, including making audio or visual recordings, will be afforded reasonable facilities for so doing, subject to:

- (a) prior notification to the Democratic Services Officer
- (b) recordings not being made covertly
- (c) recordings not being disruptive or distracting to the good conduct of the meeting
- (d) attendees being advised at the start of the meeting that it is being recorded
- (e) reasonable objections from those not wishing to be recorded
- (f) the Chairman's decision, which shall be final

(2) Official recordings of council proceedings will be made available by the Democratic Services Officer to any Member who requests them.”

2.17 It should be emphasised that in all cases the Chairman will make the final decision in relation to the recording of the meeting by the public or media organisations. The effective operation of the meeting is paramount and there will be safeguards to avoid any disruptions.

3. Further changes to be made to the Constitution

3.1 Amending Appendix 4 Parts 6 and 7 of the Constitution to reflect the Regulations was an opportunity to assess other areas of the Constitution. As a result further proposed changes are listed below:

Call-in

3.2 The call-in requirement at present is not clear and does not provide sufficient guidance for Members as to when and why a call-in might be used. New wording and criteria are suggested to address this.

3.3 In addition, and in line with other County Councils in England, under the new paragraph a call-in must be requested by at least two Members not of the same political group. For the avoidance of doubt, this includes Members who do not belong to a political group. All Members retain the statutory right to require consideration of any matter not exempted, such as planning decisions, as part of the Scrutiny Committee agenda.

Local Procedures for Urgency

3.4 It is proposed that the procedures for urgency be updated to reflect current legislation. As a result, only the Scrutiny Chairman and relevant Senior Manager will be required to agree that a decision should be taken as urgent.

3.5 However, in order that the Council continues to promote inclusive decision-making, it will continue to be a requirement of the urgency procedure that the Group Spokesmen of Scrutiny Committee and the Chairman and Group Spokesmen of the relevant Cabinet Committee be consulted and their views recorded on the Record of Decision.

3.6 Furthermore, it is proposed that in addition to those Members already required to be consulted, officers now be required to seek the views of Local Members affected and their views also be recorded on the Record of Decision.

Decision making Flow Chart

3.7 A decision-making flow chart (**Appendix 3**) has been created as a step-by-step guide for decision makers, Members, officers and the public and it is suggested that this be included in the Constitution as an annex to Appendix 4 part 6.

Minutes to the County Council for Information

3.8 The practice of the Council receiving the minutes of the Planning Applications, Regulation, Governance & Audit and Superannuation Fund Committees is now seen as an historic anomaly, especially in relation to those minutes submitted for information only.

3.9 It was therefore agreed by the Selection & Member Services Committee on 4 September 2013 that paragraphs 1.10 and 1.23 of Appendix 4 Part 1 be amended to remove the requirement for the minutes of the meetings of the Planning Applications and Regulation Committees to be submitted for information; to cease the practice of the Superannuation Fund Committee Minutes being submitted to the County Council for information; and to remove the requirement for minutes of the Governance & Audit Committee to be submitted to the Council for debate and to amend paragraphs 1.10 and 1.23 of Appendix 4 Part 1 accordingly.

3.10 Members are advised that a link to the published minutes of all committees is included in the weekly Members' Information Bulletin. Members are also able to set up an email alert for specific committees, which would send them an email as soon as these minutes are published.

Minor amendments

3.11 Further minor amendments have also been made to Parts 6 and 7 of Appendix 4, which are not material to the democratic processes at the Council, for example deletions where new requirements have superseded the need for the inclusion of a particular rule. Full tracked changes can be viewed at **Appendices 1 and 2** to this report.

4. Conclusions

4.1 The changes detailed in this report are required to reflect current legislative requirements and guidance, and to strengthen the Constitution and decision-making procedures of the Council. In addition, they simplify a sometimes complicated process, allowing Members and officers to understand more clearly their governance responsibilities and reducing the need for unnecessary and/or urgent Member decisions to be taken.

4.2 The document will be more accessible to elected Members and members of the public, thereby helping to achieve the continued drive toward openness, transparency and accountability at the heart of Kent County Council's democratic processes.

5. Recommendations

That the Council agrees:

- (a) To delay the implementation of the requirement to record officer decisions until such time as a viable and pragmatic solution can be found and adopted by the Selection & Member Services Committee.
- (b) To amend the Key Decision criteria to reflect current legislative requirements
- (c) To amend the Urgency procedures to reflect current legislative requirements and good practice, as detailed in the report.
- (d) To amend the rules relating to exempt information and private meetings to reflect current legislation.
- (e) To amend the Members rights of access to information to reflect the additional rights included in current legislation
- (f) To amend the council's filming policy to reflect current Government guidance.
- (g) To amend the Council's call-in requirements and criteria.
- (h) To note the changes to the requirements and practice of submission of minutes.
- (i) To make any non-substantive changes required to the Constitution to reflect those changes detailed above.
- (j) To include the decision making flow chart in the Constitution as a guide for officers and Members.

6. Background Documents: None

7. Contact details

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Appendix 4 Part 6: Access to Information Procedure Rules

The Council has Executive and Non-Executive responsibilities. Those which are Executive are the responsibility of the Leader and Cabinet and can be delegated to an individual Cabinet Member or to officers as appropriate. Those which are Non-Executive are the responsibility of Full Council, some of which can be delegated to Committees or Officers.

Forward Plan of Decisions~~Forthcoming Executive Decisions list~~

6.1 ~~The Leader is responsible for publishing a Forward Plan of Key and other Executive decisions to be taken by either the Cabinet or Cabinet Portfolio Holder under the terms of the decision-making procedures. Each fortnight the Head of Democratic Services will make available, at County Hall and on the Council's website, a list of Forthcoming Executive Decisions to be taken either by the Cabinet, Cabinet Portfolio Holder or officers. Each type of decision has different requirements for publication, procedure and recording.~~

Cabinet or Cabinet Member Key Decisions

6.2 Some of the executive decisions that elected Members take will also be 'key' decisions. Key Decisions are defined in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2000~~12~~. In accordance with the statutory definition and Government guidance, ~~Key~~ Key decisions are executive decisions that are likely to:

~~(a1)~~ result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or

~~(b2)~~ be significant in terms of its effects on a significant proportion of the communities living or working within one or more electoral divisions.

6.3 Decisions which should be regarded as "Key Decisions" because they are likely to have a "significant" effect ~~either in financial terms or~~ on the Council's services to the community include:

~~(a1) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan.~~

~~(2) Adoption or significant amendment of major new strategies or frameworks policies not already included in the Policy Framework (Appendix 3) or changes to established policies.~~

~~(3) Approval of management and business plans.~~

~~(b4) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality. For example, closure of a school, approval of a major project (such as a highway scheme) or programme of works, major changes in the eligibility criteria for provision of a service, major changes in the fees charged for a service, or proposals that would result in a service currently provided in-house being outsourced.~~

~~(5) Decisions where the consequences are likely to result in compulsory redundancies or major changes in the terms and conditions of employment of a significant number of employees in any of the Council's functions.~~

6.4 All Key Decisions will be made by the Leader, the Cabinet or a Cabinet Member. Actions taken by officers to implement a Key Decision, even where they would normally satisfy one or both of the tests in 6.3, will not require further Member approval, provided it is in accordance with the Executive Scheme of Delegation to Officers (Appendix 2 Part 4).

6.5 ~~Senior Managers are responsible for identifying issues likely to give rise to Key Decisions and should endeavour to inform the Clerk of the issue at least six months in advance of the decision being taken and:~~ Officers should inform Democratic Services at the earliest opportunity of any future decisions, Key or otherwise, in order that it can be included on the Forthcoming Executive Decision (FED) list.

6.6 The FED must contain the following information:

(a) Whether or not the matter is a Key Decision;

(b) The matter in respect of which the decision is to be made;

(c) Where the decision maker is an individual, that individual's name, position and where the decision maker is a decision-making body, its name;

(d) The date on which, or the period within which, the decision is to be made;

(e) A list of the documents the decision maker is likely to consider;

(f) The address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed available;

(g) What other documents may be submitted to the decision maker;

(h) The procedure for requesting details of documents;

(i) Whether the public are likely to be excluded from the meeting at which the matter is to be discussed, or whether papers relating to the matter may be excluded from publication;

(j) Any expected legal, financial, equality, property or Human Resources implications;

(k) Any consultation planned or undertaken, including the Cabinet Committee meeting at which the matter will be considered; and

(l) Details of how the decision relates to Bold Steps for Kent.

~~(1) — the likely time at which the decision will be taken and by whom~~

~~(2) — the arrangements for consultation~~

~~(3) — how and by when views can be expressed about the issue~~

~~(4) — what documents related to the issue have been submitted to the person or body making the decision.~~

6.6Z The Monitoring Officer is responsible for:

~~(1) —~~ advising, where necessary, on the interpretation of the statutory definition of Key Decisions and whether the likely decision will fall within it

~~(2) — publishing the Forward Plan approved by the Leader 14 days before the first day of each month on which it takes effect.~~

~~6.78 The Forward Plan shall not contain any information or refer to any documents which are exempt or confidential as defined in the Access to Information Procedure Rules, nor any details of the advice of a political adviser or assistant nor a staff officer to a political group leader.~~

~~6.9 A Key Decision must appear on the FED for at least 28 consecutive days before it can be taken.~~

~~6.810 If a Key Decision needs to be taken and is not included in the current Forward Plan FED for 28 days, it may only be taken where:~~

~~(a) the Head of Democratic Services has informed the Chairman and Group Spokesmen of the Scrutiny Committee or, where the Chairman of the Scrutiny Committee is unavailable, has written to each Member of the Scrutiny Committee, informing them of the decision to be taken;~~

~~(b) the Head of Democratic Services has informed any Local Member affected of the intention to take the decision;~~

~~(c) the Head of Democratic Services has made available at County Hall for inspection by the public, and published on the Council's website, the decision to be taken; and~~

~~(d) five clear working days have elapsed following the day on which the notice was published.~~

~~the Senior Manager will inform the Clerk as soon after the need to make the decision becomes apparent. The Clerk will send the Members of the Scrutiny Committee written notice of the matter about which the decision is to be made and make a copy of that written notice available for public inspection. That notice may be separate from or accompany the record of decision required by Procedure Rule 6.22. The decision may not be made until five clear working days after that notice has been sent.~~

~~6.9 — If the Scrutiny Committee considers that a decision taken should have been treated as a Key Decision, it may require the Leader to report to the Council within a specified reasonable time details of the decision, the reasons for it, who made it and why he considers it was not a key decision.~~

~~6.11 All Key Decisions should be considered by the relevant Cabinet Committee before being taken. Where a Key Decision needs to be urgently taken before the Cabinet Committee meets, it can only be taken where the relevant Cabinet Committee Chairman, Group Spokesmen and affected Local Members have been given notice in writing by the Head of Democratic Services, that the decision is to be taken and where the 6.10 (c) and (d) have also been conformed to.~~

~~6.12 As soon as reasonably practical after the Head of Democratic Services has complied with paragraph 6.10 a notice setting out the reasons why compliance with 6.9 is impractical must be made available at County Hall and on the Council's website.~~

~~6.13 When a Key Decision needs to be taken and it is so urgent that it is not practical to comply with the measures set out in 6.10 or 6.11, it may only be taken where~~

~~(a) the Chairman of the Scrutiny Committee and relevant Senior Manager have agreed that the decision cannot reasonably be deferred; and~~

(b) the Group Spokesmen of the Scrutiny Committee, the Chairman and Group Spokesmen of the relevant Cabinet Committee and Local Members affected, have been given written notice by the Head of Democratic Services that the decision is to be taken.

6.14 If the Scrutiny Committee considers that a decision taken should have been treated as a Key Decision but was not, it may require the Leader to report to the Council within a specified reasonable time details of the decision, the reasons for it, who made it and why it was considered to be a Key Decision.

Other Cabinet or Cabinet Member Decisions

6.15 Decisions that do not qualify as Key Decisions but which nonetheless are significant enough to be determined at Member level should also be included in the FED, and should include the same information as listed at 6.6 above. Where possible, these decisions should also be listed for 28 days before being taken.

6.16 These decisions should be considered by the relevant Cabinet Committee before being taken. Where a decision needs to be taken before the Cabinet Committee meets, the decision can only be taken where:

(a) a Cabinet Committee has agreed at a previous meeting that the decision need not be considered;

(b) the relevant Cabinet Committee Chairman and Group Spokesmen have been given notice in writing from the Head of Democratic Services, that the decision is to be taken; and

(c) the Scrutiny Committee Chairman and Group Spokesmen have been given notice in writing from the Head of Democratic Services that the decision is to be taken.

In addition

(d) decisions must be made available by the Head of Democratic Services, at County Hall for inspection by the public, and published on the Council's website, for five clear working days before they may be taken.

6.17 A report must be submitted to the next available meeting of the relevant Cabinet Committee to provide information on the decision and the need for expedience.

Officer Delegated Executive Decisions

6.18 The Executive Scheme of Delegation to Officers (Appendix 2 Part 4 of the Constitution) allows officers to take:

(a) Decisions which do not qualify as 'Key' under the legal definitions described above and which are not considered to be significant enough to be determined at Member level, such as day-to-day running of the Council, where the financial implications for the Council are under £1,000,000 (Officers should ensure that they act within the financial limits agreed by Council and included at Appendix 5 of the Constitution); and

(b) Actions to implement specific decisions already taken at Member level.

6.19 In addition, responsibilities and delegated authorities to specific officers are set out in Appendix 5 of the Constitution, including the Property Management Protocol which sets out the delegated authority to the Director of Property.

Meetings

6.420 The following Procedure Rules 6.421-6.318 apply to all meetings of the Council, Cabinet Committees, Joint or Area Committees, Ordinary and Corporate Governance Committees and meetings of the Cabinet ~~at which key decisions are likely to be made or discussed with officers (except staff officers to the political group leaders) within 28 days of the decision being made.~~

Notice of meetings and access to agenda and reports

Rights to attend meetings

6.21 The Head of Democratic Services will give notice of the time and place of a public meeting at least five clear working days before the meeting by displaying a notice in County Hall and publishing it on the Council's website. Shorter notice shall only be given in exceptional circumstances.

6.22 The Head of Democratic Services will also make available for public inspection at County Hall and on the Council's website a copy of the agenda and every report to be considered by a Committee, five clear working days before the meeting takes place.

6.23 There may be excluded from publication the whole, or any part, of a report which relates only to matters during which the meeting is likely to be held in private.

6.24 Any document that is required to be available for inspection by the public must be available for at least five clear days before the meeting, except that:

(a) Where the meeting is convened at shorter notice, a copy of the agenda and associated reports must be available for inspection when the meeting is convened; and

(b) Where an item which would be available for inspection by the public is added to the agenda, copies of the revised agenda and any report relating to the item for consideration at the meeting, must be available for inspection by the public when the item is added to the agenda.

6.25 Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of a Court Order.

6.26 Where the whole or any part of a report for a public meeting, or as part of a Cabinet Member Decision, is not available for inspection by the public;

(a) every copy of the whole report or the part of the report, as the case may be, must be marked "not for publication"; and

(b) there must be stated on every copy of the whole or the part of the report:

(i) that it contains confidential information;

(ii) by reference to the description in Schedule 12A to the 1972 Act, the description of exempt information by virtue of which the decision-making

body discharging the executive function are likely to exclude the public during the item to which the report relates.

6.27 The description of exempt information are as follows:

- (a) Information relating to any individual.
- (b) Information which is likely to reveal the identity of an individual.
- (c) Information relating to the financial or business affairs of any particular person (including the authority holding that information), unless it is required that the information be registered under the Companies, Friendly Societies, Industrial and Provident Societies, Building Societies or Charities Acts.
- (d) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority of a Minister of the Crown and employees of, or office holders under, the authority.
- (e) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (f) Information which reveals that the authority proposes:
 - (i) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (ii) to make an order or direction under any enactment.
- (g) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

6.28 Information which falls within (a)-(g) above is exempt information if and so long, as in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6.29 Except during any part of a meeting during which the public are excluded, the relevant local authority must make available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and of the reports for the meeting.

Admission of the Public to meetings

6.30 Members of the public and the media may attend all meetings, subject only to the exceptions set out below:

Where:

- (a) it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, confidential or exempt information would be disclosed to them; or
- (b) a lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

6.31 The public may only be excluded under 6.30(a) for the part or parts of the meeting during which it is likely that confidential information or exempt information will be disclosed.

~~6.11—Members of the public and the media may attend all meetings, subject only to the exceptions in these rules.~~

~~Notice of meeting~~

~~6.12—The Clerk will give at least five clear working days notice of any meeting by posting details of the meeting at Sessions House, County Hall, Maidstone. Shorter notice shall only be given in exceptional circumstances such as a second meeting of the Council to consider a revised budget under Procedure Rule 8.3(11).~~

~~Access to agenda and reports before the meeting~~

~~6.13—The Clerk will make copies of the agenda and reports available for public inspection at Sessions House at least five clear working days before the meeting. If an item is later added to the agenda, the revised agenda will be open to public inspection from the time the item was added to the agenda. Where reports are prepared after the agenda has been sent out, the Clerk shall make such reports available for public inspection as soon as the report is sent to Members.~~

~~6.14—The Clerk may withhold reports from public inspection if he considers they contain exempt or confidential information. Such reports will be marked “Not for publication” and the exemption category of information indicated.~~

~~Exclusion of the Media and Public from Meetings~~

~~6.15—The media and the public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information will be disclosed.~~

~~6.16—The decision to exclude the media and the public must be made by a resolution of the Council, Committee or Cabinet which must (in the case of exempt information) state the reasons for the exclusion (by reference to the relevant statutory category) and must be recorded in the minutes of the meeting.~~

~~6.17—The Leader will decide whether meetings of Cabinet relating to matters that are not Key Decisions will be held in public or private.~~

~~Publication of reports to Cabinet Members~~

~~6.18—In exceptional circumstances, when a Cabinet Member decision is to be made where a report has not previously been published to the relevant Cabinet Committee, a copy of the report shall be sent to the Clerk at the same time as it is sent to the Cabinet Member.~~

~~6.19—On receipt of the report, the Clerk shall:~~

~~(1)—send a copy of the report to the Chairman and Group Spokesmen on the relevant Cabinet Committee and the Scrutiny Committee~~

~~(2)—inform all other Members of the relevant Cabinet Committee and the Scrutiny Committee that the report is available~~

~~(3)—make a copy of the report available for public inspection (unless it contains exempt or confidential information).~~

~~6.20—Where an individual Cabinet Member receives a report that they intend to take into account in making any decision, then they may not make the decision until at least five clear working days after the report has been made available by the Clerk for public inspection, unless the report has previously been published to the relevant Cabinet Committee.~~

Publication of ~~r~~Records of ~~d~~Decisions by Cabinet, ~~and~~ Cabinet Members ~~and~~ Officers

~~6.324~~ A record must be made of every decision of the Cabinet or a Cabinet Member. In certain circumstances a record must also be made of decisions taken by an officer under the Executive Scheme of Delegation to Officers. These circumstances are:

- (a) a management decision regarding the day-to-day running of the Council, where the financial implications for the Council are between £100,000 and £999,999 (officers should ensure that they act within the financial limits agreed by Council and included at Appendix 5 of the Constitution)
- (b) a decision or action taken to implement a specific Cabinet or Cabinet Member decision where the financial implications for the Council are above £100,000.

~~6.33~~ Those decisions purely administrative in nature and only remotely connected with an executive function need not normally be recorded but officers should consider in all cases the level of public interest that might exist for the information and the context within which the decision is being taken.

~~6.34~~ The ~~r~~Record of Decision must contain:

- ~~(1a)~~ a record of the decision
- ~~(1b)~~ the date that the decision was made
- ~~(2c)~~ a record of the reasons for ~~the~~ decision
- ~~(3d)~~ details of any alternative options considered and rejected by the decision maker at the meeting or at the time the decision was made, including any recommendations expressed by a Cabinet Committee
- ~~(4e)~~ a record of any conflict of interest declared (whether by the deciding Member or otherwise) decision maker or any executive Member who is consulted by the body, Member or officer which also relates to the decision
- ~~(5f)~~ in respect of any declared conflict of interest, a note of dispensation in respect of such interest granted by the relevant local authority's Head of Paid Service.

~~6.35~~ In addition the record should contain:

- (a) any comment received when the matter was considered at the Cabinet Committee
- (b) comments received from affected local Members, where applicable
- (c) comments received from Members consulted as part of the urgency procedures, where applicable

~~6.36~~ The Record of Decision should be a public document, with any exempt information being contained within an exempt report to the decision maker.

6.37 The Head of Democratic Services will, as soon as reasonably practicable, make available the Record of Decision and any reports considered by the decision maker for inspection at County Hall and on the Council's website, except where information is considered to be exempt from publication or confidential.

6.38 Where the Record of Decision or report contains a list of background papers other relevant documents, at least one copy of each, unless exempt or confidential, will also be made available on the Council's website and at County Hall for inspection. Background papers are those documents which:

(a) disclose any facts or matters on which the report, or an important part of the report, is based and

(b) which have been relied on to a material extent in preparing the report

6.39 All Members will be informed in writing that the decision has been taken.

~~6.22 The record must be sent to the Clerk by:~~

~~(1) the Head of Paid Service (or their nominee as proper officer) in the case of a Cabinet decision~~

~~(2) an officer instructed to do so by the deciding Cabinet Member.~~

~~6.23 The Clerk shall:~~

~~(1) send a copy of the record to the Chairman and spokesmen of the Scrutiny Committee~~

~~(2) inform all other Members of the Council that the record is available~~

~~(3) make a copy of the record available for public inspection (unless it contains exempt or confidential information).~~

Access to minutes and records of decisions

6.240 The Clerk Head of Democratic Services will retain and make available for public inspection on the Council's website for six years after a meeting, or the taking of a decision, copies of the following:

~~(1a) the minutes of the meeting and/or records of decisions taken, excluding those any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information~~

~~(2b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record~~

~~(c3) the agenda~~

~~(d4) reports relating to items when the meeting was open to the public.~~

Supply of copies

6.4125 Following a request by any person or on behalf of a newspaper, and on payment by them of a reasonable charge to meet postage, copying or other necessary charge for transmission and clerical costs, the Council will supply copies of any agendas, reports, minutes and records of decisions which are open to public inspection.

Additional rights of access to documents for elected members

6.42 Members have statutory rights to inspect and be provided with copies of most documents held by officers, the Leader or the Cabinet. They also have a right at common law to inspect documents which contain information they need to know for the discharge of their duties as Members of the Council. These rights will be interpreted and applied in accordance with a presumption in favour of openness.

6.43 In addition material in the possession or under the control of the executive of the local authority; and which contains material relating to:

(a) any business transacted at a private meeting;

(b) any decision made by an individual Member in accordance with executive arrangements; or

(c) any decision made by an officer in accordance with executive arrangements;

must be made available for inspection by any Member within 24 hours of the conclusion of the meeting or decision being made, as the case may be.

6.44 Paragraphs 6.42 and 6.43 do not require a document to be available for inspection where the Head of Democratic Services agrees that:

(a) it discloses exempt information, unless that exemption has been justified under paragraphs 3 or 6 of Schedule 12A of the Local Government Act 1972 (6.27 (c) and (f) above), (except to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract); or

(b) compliance with 6.42 would involve the disclosure of advice provided by a political adviser or assistant, those paragraphs will not apply to that document or part of the document.

6.45 The rights conferred by 6.42 and 6.43 are in addition to any other rights that a Member may have.

Additional rights of access to documents for members of the Scrutiny Committee

6.46 A member of the Scrutiny Committee is further entitled to any document which is described in 6.42 and 6.43 above and also those documents which are exempt for reasons other than paragraphs 3 or 6 of Schedule 12A of the Local Government Act 1972 (6.27 (c) and (f) above).

6.47 Where a member of an overview and scrutiny committee requests a document, the executive must provide that document as soon as reasonably practicable and in any case no later than 10 clear days after the executive receives the request.

6.48 However, no member of an overview and scrutiny committee is entitled to a copy of a document or any part of a document containing:

(a) exempt or confidential information, unless that information is relevant to:

(i) an action or decision that that member is reviewing or scrutinising; or

(ii) any review contained in any programme of work of such a committee or sub-committee of such a committee; or

(b) advice provided by a political adviser or assistant.

6.49 Where the executive determines that a member of an overview and scrutiny committee is not entitled to a copy of a document or part of any such document for a reason set out in paragraph (1) or (3), it must provide the overview and scrutiny committee with a written statement setting out its reasons for that decision.

List of background documents

~~6.26—The author of any report will set out in the report a list of background documents relating to the subject matter of the report which in his opinion:~~

~~(1)—disclose any facts or matters on which the report, or an important part of the report, is based and~~

~~(2)—which have been relied on to a material extent in preparing the report (not including published works or those which disclose exempt or confidential information as defined above and, in respect of Cabinet reports, the advice of a political adviser).~~

Public inspection of background documents

~~6.27—Senior Managers are responsible for ensuring that one copy of each background document is retained and made available for public inspection for six years after the date of any meeting or decision.~~

Summary of public's rights

~~6.28—These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.~~

~~6.29—A summary of the public's rights to attend meetings and to inspect and copy documents will be retained and made available to the public at the designated office.~~

Member Information System

~~6.30—The Clerk shall maintain a system for informing all Members of the business and decisions of the Council, its Committees, Cabinet and Cabinet Members.~~

Rights to Inspect Documents

~~6.31—Members have rights under the Local Government Acts to inspect and be provided with copies of most documents held by officers, the Leader or the Cabinet. They also have a right at common law to inspect documents that contain information they need to know for the discharge of their duties as Members of the Council. These rights will be interpreted and applied in accordance with a presumption in favour of openness.~~

Confidential and Exempt Information

~~6.32—Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of a Court Order.~~

~~6.33—Exempt information means information falling within one or more of the following seven categories:~~

~~PART 1
DESCRIPTIONS OF EXEMPT INFORMATION~~

~~1.—Information relating to any individual.~~

~~2.—Information which is likely to reveal the identity of an individual.~~

~~3.—Information relating to the financial or business affairs of any particular person (including the authority holding that information).~~

~~4.—Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority of a Minister of the Crown and employees of, or office holders under, the authority.~~

~~5.—Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.~~

~~6.—Information which reveals that the authority proposes—~~

~~(a) —to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or~~

~~(b) —to make an order or direction under any enactment.~~

~~7.—Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.~~

~~PART 2
QUALIFICATIONS~~

~~8.—Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—~~

~~(a) —the Companies Act 1985;~~

~~(b) —the Friendly Societies Act 1974;~~

~~(c) —the Friendly Societies Act 1992;~~

~~(d) —the Industrial and Provident Societies Acts 1965 to 1978;~~

~~(e) —the Building Societies Act 1986; or~~

~~(f) —the Charities Act 1993.~~

~~9.—Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.~~

~~10. Information which:~~

- ~~(a) falls within any of paragraphs 1 to 7 above; and~~
- ~~(b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,~~

~~is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.~~

~~PART 3 INTERPRETATION~~

~~11. (1) "employee" means a person employed under a contract of service;
"financial or business affairs" includes contemplated, as well as past or current, activities;
"labour relations matter" means—~~

~~(a) any of the matters specified in paragraphs (a) to (g) of section 218 (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or~~

~~(b) any dispute about a matter falling within paragraph (a) above;~~

~~and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;~~

~~"office-holder", in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;~~

~~"registered" in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).~~

~~(2) Any reference to "the authority" is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—~~

~~(a) in the case of a principal council, to any committee or sub-committee of the council; and~~

~~(b) in the case of a committee, to:~~

~~(i) any constituent principal council;~~

~~(ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and~~

~~(iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and~~

~~(c) in the case of a sub-committee, to:~~

~~(i) the committee, or any of the committees, of which it is a sub-committee; and~~

~~(ii) any principal council which falls within paragraph (b) above in relation to that committee.~~

Appendix 4 Part 7: Decision Making Procedure Rules

~~The framework for Cabinet decisions~~

~~7.1~~—The Council approves the Budget and Policy Framework as set out in Appendix 3 (~~non-Executive decisions~~). Once a budget or a policy ~~or~~ strategy within the Policy Framework is in place, it is the responsibility of the Leader to ensure its implementation (~~Executive decisions~~).

~~Process for developing approving or amending athe Policy Framework document~~

~~7.21~~ The process for ~~proposing approving~~ or amending a policy or strategy within the Policy Framework is:

~~(1a)~~ The Leader will ensure a timetable is published for the adoption or change of any policy or strategy that forms part of the Policy Framework, and arrangements for consultation on those proposals. ~~In the case of the plans and strategies requiring Council debate and approval, publication will be to the Members of the Scrutiny Committee; in all other cases publication will be to the Members of the relevant Cabinet Committee.~~

~~(2b)~~ The relevant Cabinet Committee will consider and make comments on the draft document before it is further considered by Cabinet and finally approved by the Council.

~~Before commenting to the Leader, Cabinet or Cabinet Member on the topic and proposals the Scrutiny Committee or the relevant Cabinet Committee may:~~

~~(a)~~—take evidence from Cabinet Members and officers

~~(b)~~—commission research within budgeted resources

~~(c)~~—consult Kent organisations and electors or other organisations and persons.

~~(3c)~~ Having considered any report by ~~the Scrutiny Committee or~~ the relevant Cabinet Committee, the Leader, Cabinet or Cabinet Member shall agree proposals for submission to the Council. The submission shall state how any recommendations from the ~~Scrutiny or~~ relevant Cabinet Committee have been taken into account.

~~(4d)~~ A Cabinet Committee in considering a submission may:

~~(ai)~~ endorse the proposals as submitted

~~(bij)~~ make recommendations for amending proposals to the Leader or relevant Cabinet Member

~~(5e)~~ The Council will consider proposals for those plans and strategies that require its approval under the Policy Framework and any proposals referred to it by a Cabinet Committee and may:

~~(ai)~~ adopt them

~~(bij)~~ amend them

~~(eiii)~~ refer them back to the Leader for further consideration

(d) substitute its own proposals in their place.

(6f) In considering the matter, the Council shall have before it the report from the Leader, Cabinet or Cabinet Member, which incorporates any views of the relevant Cabinet Committee, including any minority views expressed in that Committee's debate.

~~(7) The Council's decision will be published and a copy shall be given by the Clerk to the Leader. The notice of decision shall be dated and shall state either that:~~

~~(a) the decision shall be effective immediately (if the Council accepts the proposals without amendment or if the Leader has consented to any amendments during or following the debate) or~~

~~(b) (if the proposals are not accepted without amendments to which the Leader has consented) the Council's decision will become effective on the expiry of five clear working days after the publication of the notice of decision, unless the Leader objects to it in that period.~~

~~(8) The Leader may object to the decision of the Council by giving written notice to that effect to the relevant Senior Manager and the Monitoring Officer prior to the date upon which the decision is to be effective. The written notification must state the reasons for the objection. The proposals will then be reconsidered by the Council at its next meeting. The Council shall at that second meeting make its final decision on the matter on the basis of a simple majority. The decision shall be published and shall take effect immediately.~~

~~(9) In approving any part of the Policy Framework, the Council may also specify the extent to which the decisions may be taken by the Leader or Cabinet at variance from the Policy Framework.~~

~~(10) Senior Managers may amend the text of approved documents to update information, reflect changes in the law or other matters not affecting the substance of the policy or strategy subject to prior notification of such changes to the Leader, any relevant Cabinet Member and the Chairman and spokesmen of the relevant Cabinet Committee.~~

Process for developing the Budget

7.23 The process for proposing the Budget, Council Tax level, Capital Programme and Borrowing Policy is:

(1a) the Leader will publish to all Council Members each year a review of the issues relating to the Budget for the next financial year;

(2b) The Cabinet Committees will consider matters within the published review of issues relating to the Budget for the next financial year which fall within their remit and make recommendations to the Leader;

(3c) the Leader will publish a draft Budget no later than three weeks before the Budget meeting of the Council;

(4d) the Leader will ensure external consultation is carried out;

(5e) the Cabinet Committees and the Scrutiny Committee may consider the draft Budget, question the Leader and such Members of the Cabinet and officers as it wishes, and comment to the Cabinet;

(6f) as part of each Cabinet Committee's consideration of the draft Budget, it should assess whether adequate resources have been allocated to take account of the endorsed recommendations of its own Select Committees. If it does not believe that these recommendations have been correctly taken into account, then it should recommend to the Leader and Council appropriate changes to the draft Budget;

(7g) the Leader will consider any report from the Cabinet Committees, including any minority views, before reporting to Cabinet and making a final recommendation to the Council. He will also report to Council on how he has taken into account any recommendations from the Scrutiny Committee.

(8h) the Council will consider the Leader's proposals and may:

- (i) adopt them
- (ii) amend them
- (iii) refer them back to the Leader for further consideration
- (iv) substitute its own proposals in their place.

(9i) In considering the matter, the Council shall have before it the report from the Leader or the Cabinet, any reports from the Cabinet Committees and Scrutiny Committee and a report of any minority views expressed in those Committees' debates.

7.3 For both approving or amending a Policy Framework document or developing the Budget the following shall apply:

(10a) the Council's decision will be published ~~and a copy shall be given by the Clerk~~ to the Leader and on the Council's website and made available for inspection at County Hall no later than ~~three~~ three working days following the Council meeting. The notice of decision shall be dated and shall state that either:

(a) the decision shall be effective immediately (if the Council accepts the proposals without amendment or if the Leader has consented to any amendments during or following the debate);

or

(b) (if the proposals are not accepted without amendments to which the Leader has consented) the Council's decision will become effective on the expiry of five clear working days after the publication of the notice of decision, unless the Leader objects to it in that period.

(11b) the Leader may object to the decision of the Council by giving written notice to that effect to the relevant Senior Manager and the Monitoring Officer prior to the date upon which the decision is to be effective. The written notification must state the reasons for the objection together with any changes proposed by the Leader and the reasons for those changes. The proposals will then be reconsidered by the Council at a meeting to be held on the sixth clear working day after the original meeting. The Council shall at that second meeting make its final decision on the matter on the basis of a simple majority. The decision shall be published and shall take effect immediately.

7.4 Following the adoption of the Council's budget and the documents which make up the Policy Framework, responsibility lies with the Cabinet and individual Cabinet Members to take Executive decisions to implement them.

Decisions at variance from the Budget, Policy Framework or Resource Management Rules

7.45 The Leader, the Cabinet, its committees, Cabinet Members and any officers, Joint Committees or bodies discharging executive functions under joint arrangements may only take decisions which are not in accordance with:

(a) the Budget and Policy Framework

(b) any specification by the Council on the permissible extent of variance from the Budget or Policy Framework

(c) the provisions of the Resource Management Responsibilities Statement (Appendix 5) and other Resource Management Rules, including Financial Regulations and procedures

(d) the provisions of the other Resource Management Rules

~~by complying with the following procedure.~~

~~7.65 If the Leader, the Cabinet, an individual Cabinet Member or an officer discharging executive functions want to make a decision that they consider might be contrary to the Budget and Policy Framework, they must take advice from the Monitoring Officer (in the case of the Policy Framework) and/or Chief Finance Officer (in the case of the Budget) as to whether the decision they want to make would be contrary to or not wholly in accordance with the Policy Framework or the Budget. It is the responsibility of the relevant Senior Manager to advise whether a proposed decision is not in accordance with the matters listed in 7.4, above. In any case of doubt, advice shall be sought from the Monitoring Officer and/or the Chief Finance Officer whose decision will be final.~~

~~7.7 If, following consultation with the individual or body proposing to take the decision and the Senior Officer, the advice of either the Monitoring Officer or Chief Finance Officer is that the decision would not be in line with the existing Budget and/or Policy Framework, then the proposed decision must be referred by the Leader or Cabinet to the Council, unless the decision is a matter of urgency, in which case the provisions in 7.8-7.11 below (urgent decision at variance to the Budget and Policy Framework) will apply.~~

7.86 The procedure to be followed for such decision is as follows:

(a1) If the decision is one that would otherwise be taken by an officer it shall instead be referred to the Leader, Cabinet or relevant Cabinet Member;

(b2) The Leader or Cabinet may will refer the matter with his recommendation to the Council to decide;

(3) Unless the Leader refers the matter to the Council, the proposed decision shall be referred to the Scrutiny Committee, which shall (after any questioning and debate in accordance with the Procedure Rules) resolve by a majority vote:

(a) to make no comments

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

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

~~(d) — to refer the matter to the full Council.~~

~~(4c) If the Leader or the Scrutiny Committee refers the~~The matter to the full Council, ~~it shall~~will be considered at the next meeting of the Council when the Council may:

- (i) agree the decision be taken
- (ii) amend the Budget or Policy Framework to reflect the decision
- (iii) reject the proposed decision
- (iv) ask the Leader to reconsider the matter.

~~(5d) In the event of a decision being referred back to the Leader or the Cabinet by either the Scrutiny Committee or the full Council, the Leader (or other decision taker) Cabinet shall~~must reconsider the matter on the basis of a report setting out the comments expressed and confirm, rescind or amend the decision in the light of those comments. The ~~written record of that~~ reconsidered decision will be ~~published and sent to all members of the Scrutiny Committee reported back to the full Council for further consideration.~~ The ~~reconsidered decision will then take effect and may be implemented with immediate effect~~taken by the full Council will be final.

7.97 A decision will not take effect until the process set out in ~~Rules sub-paragraphs (a4)-~~(5d) above has been completed.

Urgent Decisions At Variance to the Budget and Policy Framework

7.10 If a decision at variance to the Budget and Policy Framework has to be taken for reasons of urgency before the procedures set out above would otherwise be completed, it may be taken provided that the Chairman and Group Spokesmen on the Scrutiny Committee have been consulted and the following procedure is followed:

- (a) The Chairman of the Scrutiny Committee or, if that person is unable to act, the Chairman of the Council or, in their absence, the Vice-Chairman, agrees that the decision needs to be made as a matter of urgency
- (b) The relevant Corporate Director or Senior Manager agrees that the decision cannot reasonably be deferred
- (c) The individual or body by whom the decision is made must submit, as soon as reasonably practical after the decision has been made, a report to the full Council giving details of:
 - (i) the decision;
 - (ii) the reasons why it was urgent;
 - (iii) the reasons for the decision;
- (d) If agreement is not obtained as in (a) above, the matter must be referred to the full Council for decision

Interim Changes to the Policy Framework

7.11 Amendments, modifications or variations to any plan or strategy which form part of the Policy Framework can be made by the Leader, Cabinet or Cabinet Members in the following circumstances:

—where such a change is necessary for giving effect to requirements by the Secretary of State or a Minister of the Crown in relation to a plan or strategy submitted for his approval;

(a) or

(b) where the full Council, when approving or adopting the plan or strategy, has authorised the Leader, Cabinet or Cabinet Members to make such changes

Decisions in accordance with the Budget and Policy Framework

7.128 Decisions taken in accordance with, and in order to implement, the Budget and Policy Framework by the Leader, Cabinet, Cabinet Members or officers are called Executive Decisions and are subject to certain statutory and local procedure rules set out in Appendix 4 part 6 of the Constitution. All decisions taken by the Executive or an individual with delegated authority, on behalf of the Executive have a statutory requirement to be open to Scrutiny. At Kent County Council decisions are also shared with Cabinet Committees at the proposal stage. Decisions taken by the Leader, Cabinet, Cabinet Members or Cabinet committees are open to scrutiny by the Scrutiny Committee.

Decisions by Cabinet, Leader and Cabinet Members

7.9—The record of any decision taken by the Cabinet, Leader, or individual Cabinet Member will be published and publication notified to all Members of the Council in accordance with Procedure Rules 6.21-23.

Cabinet Committee process

7.13 The relevant Cabinet Committee should consider all Executive decisions relevant to its terms of reference before they are taken, unless a decision is urgent and the relevant procedures for urgency set out in rules 6.10 – 6.13 or 6.16 have been complied with, or where the Cabinet Committee has determined that it need not consider a matter about which a decision is forthcoming.

Scrutiny Committee process

Call-in criteria

7.149 Any two Members of the Council from more than one political group may give notice to the Clerk/Head of Democratic Services within five clear working days from the publication of a decision taken by the Cabinet or a Cabinet Member of their wish to call-in the decision.

7.154 Members are able to call-in a decision for one or more of the following reasons

(a) The decision is not in line with the Council's Policy Framework

(b) The decision is not in accordance with the Council's Budget

(c) The decision was not taken in accordance with the principles of decision-making set out in Article 12 of the Constitution

(d) The decision was not taken in accordance with the statutory and local arrangements set out in Appendix 4 Parts 6 & 7A decision may only be called in once during the decision-making process.

~~7.12 The call-in procedure shall not apply where the decision being taken is urgent in accordance with the rules for Urgent Decisions (at 7.18, below).~~

~~7.163 The reasons justifying the call-in of a decision shall be clearly set out. Should the reasons for call-in be considered by the Head of Democratic Services to be clear, correct and in line with 7.14-7.15 above, the decision taker will be notified the call-in of a decision shall be clearly set out. Reasons must be legitimate and not designed to impede the proper transaction of business for vexatious, repetitive or other improper reasons.~~

~~7.14 If the Clerk is satisfied that the procedures set out above have been met, the decision taker will be notified of the call-in.~~

7.175 The Scrutiny Committee will consider the call-in at a meeting that will take place within ten working days of the decision to call the matter in.

7.186 A Member who called-in a decision may participate in the debate of that call-in by the Scrutiny Committee, irrespective of whether they are a Member of the Scrutiny Committee.

Scrutiny Committee meeting process

7.197 When considering an Executive decision that has been called-in the Scrutiny Committee can:

(a) Make no comments

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

~~—Require implementation of the decision to be postponed pending reconsideration of the matter in the light of the Committee's comments by whoever took the decision~~

(c) or

(d) If the decision is deemed to be contrary to the Policy Framework or Budget, require implementation of the decision to be postponed pending consideration of the matter by the full Council.

7.20 If the Scrutiny Committee refers a decision to the full Council, it shall be considered at the next meeting of the Council when the Council may either:

(a) Agree the decision be implemented

~~—Express comments but not require reconsideration of the decision~~

(b) or

(c) Require implementation of the decision to be postponed pending reconsideration by the Cabinet of the matter, taking into account the Council's comments.

When considering any other matter:

~~7.2(1)~~ The Chairman and spokesmen on the Scrutiny Committee shall agree:

(a) which matters the Committee is to scrutinise, including

~~(i) any decisions that have met the criteria for call-in~~

~~(ii)(i)~~ Any matter that is relevant to the functions of the committee referred to it by any member of the Council, with the exclusion of:

- a local crime and disorder matter within the meaning of section 19 of the Police and Justice Act 2006 (which should be dealt with by the Crime and Disorder Committee)
- any matter relating to a planning decision
- any matter relating to a licensing decision
- any matter relating to a person in respect of which that person has a right of recourse to a review or right of appeal conferred by or under any enactment
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Scrutiny Committee or at a meeting of a sub-committee of that committee.

~~(iii)(ii)~~ However, an allegation that a function for which the authority is responsible has not been discharged, or that discharge has failed or is failing on a systemic basis, does not count as an excluded matter, even if the allegation relates to a planning decision, a licensing decision, or a matter relating to a person in respect of which that person has a right of recourse to a review or right of appeal conferred by or under any enactment.

(b) the amount of time to be allowed for questioning and debate on each of these items

(c) which Members of the Cabinet and officers it requires to attend and answer questions

(d) which other witnesses it will ask to attend

~~(7.22)~~ The Scrutiny Committee will meet, question Cabinet Members and officers, debate the issues identified by the Chairman and Group Sspokesmen and resolve by a majority vote to either:

(a) make no comments

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

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

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

~~(7.23)~~ If the Scrutiny Committee refers a decision to the full Council, it shall be considered at the next meeting of the Council when the Council may either:

(a) agree the decision be implemented

- (b) express comments but not require reconsideration of the decision or
- (c) require implementation of the decision to be postponed pending reconsideration by the Cabinet of the matter, taking into account the Council's comments.

~~(7.24)~~ In the event of a decision being referred back for reconsideration by either the decision maker or the full Council, the Cabinet shall first reconsider it on the basis of a report setting out the comments expressed and confirm, rescind or amend the decision in the light of those comments. A written statement of that reconsidered decision will be published and sent to all Members of the Council.

~~(7.25)~~ If the Scrutiny Committee requires implementation of a decision that has been called-in to be postponed or refers it to Council, it may not be implemented until the processes set out in ~~Rules paragraphs (7.23)~~ and ~~(7.24)~~ above have been completed.

~~(7.26)~~ Nothing in the above rules prevents a Member of the Scrutiny Committee from exercising their legal right to propose discussion and/or postponement of any decision taken by the Leader, the Cabinet or a Cabinet Member. The agenda for the meeting of the Scrutiny Committee shall include an item for this purpose.

Rules for Urgent Decisions

~~7.18 (1) There will inevitably be occasions when a decision, although not required to be taken under the urgency procedures below, nevertheless needs to be taken by a Cabinet Member between meetings of the relevant Cabinet Committee. In these circumstances, the relevant Cabinet Committee Chairman and Group Spokesmen on the Cabinet Committee will be consulted prior to a decision being made and their views recorded on the Record of Decision. The decision will be published to all members of the Cabinet Committee and Scrutiny Committee and reported for information to the following meeting of the relevant Cabinet Committee.~~

~~(2) If a decision has to be taken or implemented for reasons of urgency before the procedures set out above have been completed, it may be taken and implemented provided that:~~

~~(a) the Chairmen and Group Spokesmen of the relevant Cabinet Committees and the Scrutiny Committee have been consulted (unless the circumstances render this impractical) and~~

~~(b) both the relevant Senior Manager and (in the case of a key decision that ought to be included in the Forward Plan) the Chairmen and Group Spokesmen of the relevant Cabinet Committee and the Scrutiny Committee agree that the making of the decision is urgent and cannot reasonably be deferred until after the next diarised meeting of the relevant Cabinet Committee and Scrutiny Committee~~

~~(3) If any of the Chairmen and Group Spokesmen of the relevant Cabinet Committee and the Scrutiny Committee are unable to act, the Chairman or Vice Chairman of the Council may be consulted instead.~~

~~(4) The reasons why it was not practical to comply with the relevant procedures and the agreement and any comments of the relevant Senior Manager and Chairmen and Group Spokesmen of the relevant Cabinet Committee must be included and published in the written statement of the decision.~~

~~(5) — The relevant Cabinet Member shall report to the next meeting of the Cabinet Committee giving details (including particulars of the matters in respect of which decisions were made) of any decisions that were taken as an urgent matter since the last Committee meeting.~~

Decisions by Officers and Council Committees

7.1927 The Scrutiny Committee may resolve (or the Chairman and Group Spokesmen may agree) to consider any decision taken by an officer or by a Committee exercising functions delegated to it by the Council. It (or they) may request, but not require, that implementation of any such decision be postponed. The agenda for each meeting of the Scrutiny Committee shall include an item for this purpose. Following such consideration, the Scrutiny Committee may:

- (1) comment to the relevant Senior Manager
- (2) report to the Council
- (3) refer any issues arising from its debate for consideration by a Cabinet Committee, Cabinet Member or the Cabinet.

Decision Making Procedure Rules – Virement

Revenue

7.280 Transfers between revenue budget headings can take place as follows, provided they do not involve new policy or policy change and do not involve an increasing commitment in future years that cannot be contained within existing approved budget allocations:

- (a) Virement within a portfolio for which a Cabinet Member is responsible:
 - (i) Up to £200,000: the relevant Senior Manager in consultation with the relevant Cabinet Member and the Chief Finance Officer;
 - (ii) Between £200,000 and £1m: the relevant Cabinet Member in accordance with the decision making Procedure Rules and after consultation with the Cabinet Member for Finance;
 - (iii) Above £1m: the Leader or Cabinet in accordance with the decision making Procedure Rules.
- (b) Virement between portfolios:
 - (i) Up to £200,000: the relevant Senior Managers in consultation with the relevant Cabinet Members and the Chief Finance Officer;
 - (ii) Between £200,000 and £1m: the relevant Cabinet Members in accordance with the decision making Procedure Rules and after consultation with the Cabinet Member for Finance;
 - (iii) Above £1m: the Leader or Cabinet in accordance with the decision making Procedure Rules.

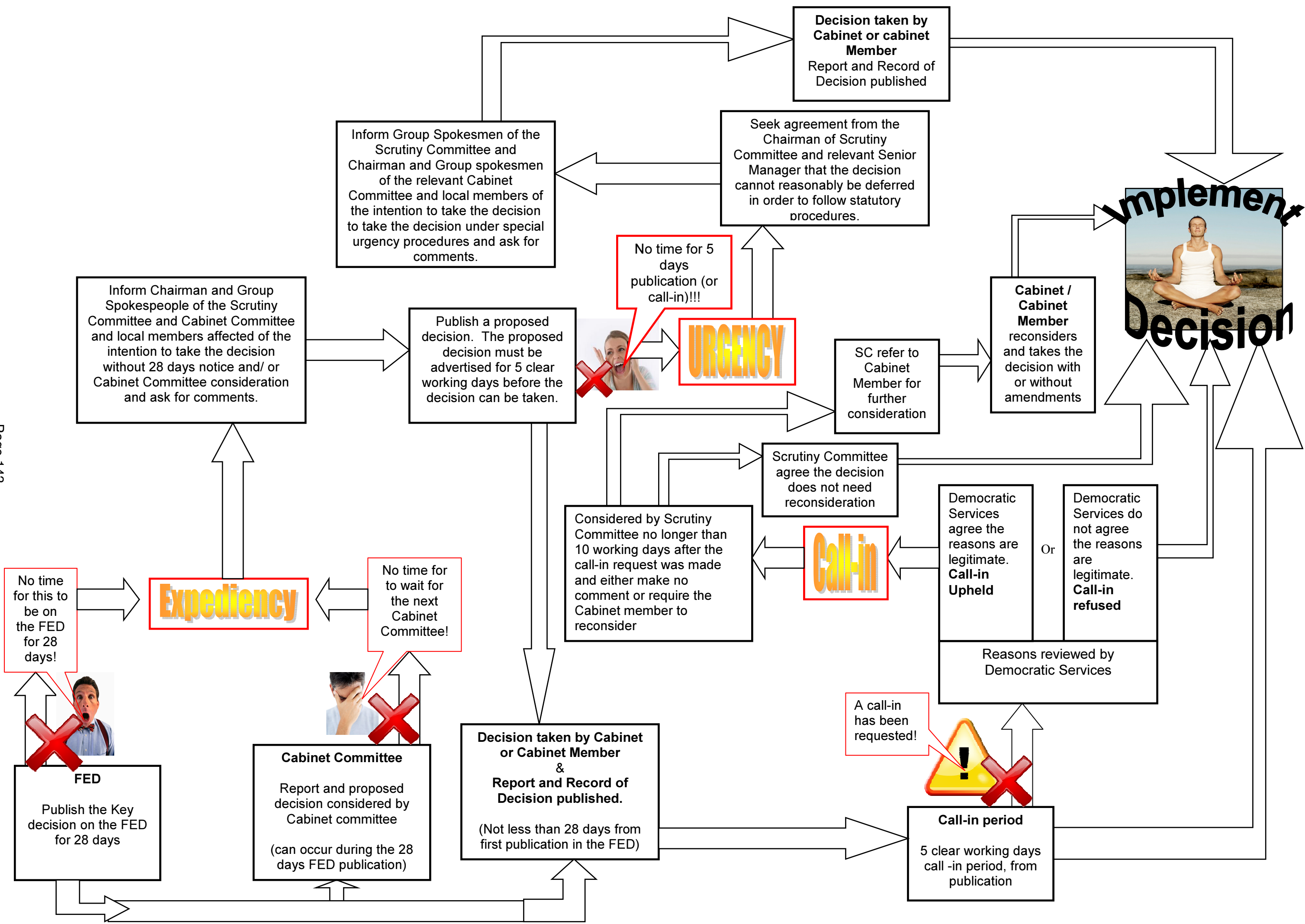
Capital

| 7.294 Resources may be vired from one capital project or heading to another as follows, provided that such transfers do not result in an overall increased commitment of capital resources and do not involve new policy or policy change:

- (i) Up to £50,000: the relevant Senior Manager;
- (ii) Between £50,000 and £200,000: the relevant Senior Manager in consultation with the relevant Cabinet Member and the Chief Finance Officer;
- (iii) Between £200,000 and £1m: the relevant Cabinet Member in consultation with the Cabinet Member for Finance; and
- (iv) Above £1m - the Leader or Cabinet.

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Start



No time for this to be on the FED for 28 days!



No time for to wait for the next Cabinet Committee!



No time for 5 days publication (or call-in)!!!



URGENCY

Call-in

A call-in has been requested!



Implement Decision



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By: Gary Cooke, Cabinet Member for Corporate & Democratic Services
To: County Council – 19 September 2013
Subject: Member Development Policy Statement

Summary: This report invites the County Council to adopt the Member Development Policy Statement.

1. Introduction

(1) The County Council was the first County Council in England to be awarded the Member Development Charter Plus for its commitment to Member Development in September 2011. This Charter is awarded for a three year period

(2) A mid term review of the County Council's performance against the Charter Plus standard was conducted last month and the South East Employers Organisation, the awarding authority, was happy that the County Council is continuing to meet the Charter Plus Standard.

(3) Underpinning the Charter is the Member Development Policy Statement and the commitment of the Leaders of the political groups and the two independent members to member development

2. Member Development Policy Statement

(1) The Selection and Member Services Committee met on 4 September 2013 to consider the refreshed Member Development Policy Statement attached to this report as an appendix which they commend to the County Council for adoption.

(2) The Selection and Member Services Committee have agreed to re-constitute the Member Development Steering Group which will ensure that the principles and aspirations within the member Development Policy Statement is delivered.

(3) The Steering Group will also have the task of developing a programme of development opportunities to support elected Members in the "Facing the Challenge Programme.

3. Recommendation

The County Council is recommended to adopt the Member Development Policy Statement attached to this report.

Paul Wickenden
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KENT COUNTY COUNCIL
ELECTED MEMBER DEVELOPMENT
POLICY STATEMENT



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INTRODUCTION

This Policy Statement is a key part of our commitment to providing development opportunities for Elected Members to enable them to effectively fulfil their role/s, now and in the future.

The Council has attained the South East Charter Plus for Elected Member Development and is fully committed to the principles of the Charter.

The Member Development Steering Group is committed to working with elected Members and partners to enshrine the principles of the Member Development Charter Plus.

PRINCIPLES/STANDARDS

The Council is committed to:

- Developing elected Members to assist them fulfil their responsibilities to the local community, provide clear leadership and contribute to the achievement of the Council's aims and objectives.
- Equality of opportunity and access to training and development for all Members.
- Assessment for Members through an annual review of activity and ongoing development needs analysis.
- Ensuring adequate resources are available to meet Members' knowledge, training and development requirements.
- Working in partnership with other local authorities and other organisations in the development and delivery of training for Members where appropriate.
- Using varied and innovative methods of delivering training and development that make the best use of technology and meet the personal needs of Members.
- Defining general and specific mandatory training and development requirements relating to the role/s of Members.
- Evaluating the impact and added value of training and development activity at an individual and organisational level.

PURPOSE OF ELECTED MEMBER DEVELOPMENT

The purpose of elected Member Development is to ensure Members have the knowledge, skills and behaviours they need to effectively undertake their role.

We will achieve this through a programme that:

- Develops Members' knowledge and awareness of local and national issues and legislation

- Develops Members' skills and behaviours across a range of areas including personal development; leadership, political and communication skills and ICT
- Provides opportunities to network with each other, other local authorities and partners
- Provides internal and external mentoring support

INDUCTION

A comprehensive induction will be provided for all Members following County Council elections and by-elections. The programme will be developed in conjunction with the Member Development Steering Group and include:

- Knowledge based learning
- Skill based learning
- E learning
- Community issues including leadership, planning and public engagement
- Regulatory functions
- Scrutiny
- Dedicated half day member briefings

Both Member and Officer Mentors will be provided to support all County Councillors who have been elected for the first time.

MANAGEMENT

Each political group will nominate Members to act as 'Member development' champions for the group and serve on the Member Development Steering Group. The Council will nominate officers as members of the Member Development Steering Group

Reporting to the Selection and Member Services Committee the Member Development Steering Group will have responsibility for approving the annual development programme and providing a steer for future requirements (see Annex 1 for full Terms of Reference).

EVALUATION

All training and development events for members will be evaluated through individual feedback, achievement of planned outcomes and the overall contribution to the achievement of the council's aims and objectives.

The completion by Members of Personal Development Plans and the 360 degree feedback process will inform the preparation of the Member Development Programme and Briefing programmes.

Regular reports will be presented to the Member Development Steering Group to enable the information to inform future planning of programmes and events. An annual report will be presented to County Council.

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Member Development Steering Group

Terms of Reference

1. To champion and promote the development of Members
2. To regularly review the Member Training and Development Strategy to ensure its relevance.
3. To agree the Members' training and development plan annually including induction programmes in appropriate years.
4. To monitor and evaluate the development programme for Members on an annual basis.
5. To support and encourage Members in maintaining the Member Development Charter Plus
6. To report to the Council annually on progress of Member development.

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