### **SCRUTINY COMMITTEE**

Tuesday, 26th March, 2013

10.00 am

Darent Room, Sessions House, County Hall, Maidstone





#### **AGENDA**

#### **SCRUTINY COMMITTEE**

Tuesday, 26th March, 2013, at 10.00 am
Darent Room, Sessions House, County

Ask for:
Telepho

Hall, Maidstone

Ask for: Anna Taylor
Telephone: 01622 694764

#### Membership

Conservative (7): Mr R F Manning (Chairman), Mr D A Hirst (Vice-Chairman),

Mr B R Cope, Mrs S V Hohler, Mr P J Homewood, Mr J E Scholes

and Mr C T Wells

Liberal Democrat (1): Mrs T Dean

Labour (1) Mr G Cowan

Independent (1) Mr R J Lees

Church Dr A Bamford and Mr A Tear

Representatives (3):

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

Refreshments will be available 15 minutes before the start of the meeting Timing of items as shown below is approximate and subject to change.

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

#### **Webcasting Notice**

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

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

#### **UNRESTRICTED ITEMS**

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

#### A - Committee Business

- A1 Introduction/Webcast Announcement
- A2 Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meeting held on 12 December 2012 (Pages 1 6)
- A5 Minutes of the meeting held on 21 January 2013 (Pages 7 8)
- A6 Follow-up Items from Scrutiny Committee (Pages 9 14)

#### **B - Select Committee Updates**

B1 Domestic Abuse Select Committee 3 Month Review (Pages 15 - 34)

The following people will attend the meeting to introduce the report and answer members' questions.

- Angela Slaven : Director Service Improvement
- Stuart Beaumont: Head of Community Safety & Emergency Planning
- Alison Gilmour : Kent & Medway Domestic Violence Co-ordinator
- Stuart Skilton: Area Manager Community Safety (Kent Fire and Rescue Service)

#### EXEMPT ITEMS

#### C - Motion to exclude the press and public

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

C1 Exempt Minute - 12 December 2012 (Pages 35 - 36)

Peter Sass Head of Democratic Services (01622) 694002

#### Monday, 18 March 2013

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

#### **KENT COUNTY COUNCIL**

#### **SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 12 December 2012.

PRESENT: Mr R F Manning (Chairman), Mr D A Hirst (Vice-Chairman), Mr B R Cope, Mr G Cowan, Mrs T Dean, Mrs S V Hohler, Mr R J Lees, Mr J E Scholes, Mr C T Wells and Mr D L Brazier (Substitute for Mr P J Homewood)

ALSO PRESENT: Mr M J Whiting and Mr R W Gough

IN ATTENDANCE: Mr P Leeson (Corporate Director Education, Learning and Skills Directorate), Mr M Austerberry (Corporate Director, Environment and Enterprise), Mr J Farmer (Regeneration & Projects Manager), Mrs A Crease (Estates Surveyor), Mr P Sass (Head of Democratic Services), Mrs A Taylor (Research Officer to Scrutiny Committee) and Mrs M White (Area Education Officer - East Kent)

#### **UNRESTRICTED ITEMS**

### **10.** Introduction/Webcast Announcement (*Item A1*)

(1) The Chairman welcomed Members to the meeting, there had been a technical fault with the webcasting equipment and unfortunately it would not be possible to webcast or record the Scrutiny Committee meeting.

### 11. Minutes of the meeting held on 24 October 2012 (*Item A4*)

RESOLVED that the minutes of the meeting held on 24 October 2012 were correctly recorded and that they be signed by the Chairman.

# 12. Amalgamation of Walmer Science College and Castle Community College Decision:- 12/01977 (Item B1)

- (1) The spokespeople questioned the Chairman on the process for agreeing witnesses to the Scrutiny Committee. Disappointment was expressed that the Scrutiny Committee was one of the only Committees at which the public could put forward their views on issues and on this occasion this was not being done. It was considered that this was the most appropriate time to hear the views of local people and that an opportunity had been missed.
- (2) The Chairman explained that he had received the call-in request from Mr Christie which set out four issues for the Committee to investigate. The Chairman had emailed the spokespeople explaining that although he was open to public speaking at the Scrutiny Committee meeting he did not think it appropriate on this occasion as the purpose of the Scrutiny Committee meeting was to question the decision maker on his decision rather than re-run

the Education Cabinet Committee meeting and hear the whole case again. One of the points raised by Mr Christie was the failure to circulate papers with sufficient time to allow Members an informed debate. The Chairman reminded Members that the Cabinet Member's decision was to agree to the issuing of a Public Notice to close Walmer Science College and that during the 6 week Public Notice period comments and objections could be made about the proposal. There would be a further decision at the end of January/February 2013.

- (3) A Member of the Committee concurred with the Chairman and stated that two public consultations had already taken place and there would be further consultation over the Public Notice. It was important to listen to local people but it was for the Education Authority to be mindful of the best education provision in a local area.
- (4) The Chairman welcomed the witnesses Mr M Whiting, Cabinet Member for Education Learning and Skills, Mr P Leeson, Corporate Director, Education, Learning and Skills, and Ms M White, Acting Area Education Officer and invited Mr Christie to explain his reasons behind this call-in.
- (5) Mr Christie explained that the Education Cabinet Committee, on 21 November, had received papers on the morning of the meeting to consider and debate relating to the Walmer amalgamation decision. Consultation responses had also been placed in the Members lounge for viewing. The consultation had had a high response with a large opposition, 86% of those who responded were not in favour of the decision and there was also a petition of over 2000 signatures. Mr Christie was not the local member but he was a member of the Education Cabinet Committee.
- (6) Forecasting pupil numbers was difficult, Mr Christie had no confidence in the Council's forecasting figures and requested an explanation of why Kent's figures differed from the Save Walmer Group's figures. Mr Christie raised his concerns about the statement that the Walmer Science College governors voted unanimously in favour of the closure of the school, and that actually the vote was not unanimous, three governors voted against and two subsequently resigned. One of the local members, Mrs Julie Rook, was in favour of the decision but with caveats proposing a highways investigation and an independent review of the figures. Mr Christie stated that his chances of overturning the Cabinet Members' decision were remote, but this was the first opportunity and it was going to be more difficult once the Public Notice was issued. Mr Christie was unhappy that the Education Authority was handing over to an Academy, with a separate admissions policy and it was his hope that the Scrutiny Committee would recommend that the Cabinet Member reconsider his decision to post the Public Notice of closure.
- (7) In response to a request for clarity from the Chairman Mr Christie stated that it was not a certainty that the money would be made available from the Government and that the decision was conditional on this. There was doubt over the accuracy of the forecast pupil numbers as the local people had put forward an alternative forecast and wanted to challenge the Council's figures.

- (8) Members asked the officers how confident they were that the pupil figures were correct. It was understood that Dover District Council was also discussing this issue but no comment had been received at the date of the meeting. Mrs Dean confirmed that Mr Vye had also raised this decision as an issue for scrutiny; he had concerns around the quality of the buildings and their lack of suitability for the future. Walmer school buildings were a public asset and Members asked for assurance that they would be retained for educational use. Questions were also raised about whether the redevelopment funding figure discussed with the Secretary of State was sufficient and was it planned to replace like for like or improved facilities.
- (9) The local member for Deal and Walmer, Mr Kit Smith was invited to address the Committee. He had listened to and sought out opinions about the proposal to amalgamate but had not made a decision until the meeting of the Education Cabinet Committee. Mr Smith was confident that he had heard everything that there was to say about the proposed decision. He had held 10hours of face to face meetings, attended two public meetings in schools, had a session with the 6<sup>th</sup> form and with the Chair of Governors and Headteachers. Mr Smith had also spent two hours talking to the Save Walmer College Group on 20 November. Mr Smith was confident that the forecasting numbers were robust, variables had been taken into account and he was confident that the figures did not fit the requirement for two separate schools. With regards to the site Mr Smith would secure, as far as possible, the site remaining open for educational purposes.
- (10) Mr Ridings was the local member for Sandwich; he had chaired the public consultation meetings and was confident in the forecast figures. No significant changes had been seen in the numbers of primary school students in the past 5 years. The number of students was likely to decrease by 2016 which stopped the flow of pupils into secondary schools. New building was mainly in Whitfield and Aylesham and on that basis Mr Ridings didn't see that there would be a big increase in secondary school pupils in Walmer and Deal. These numbers had been reported previously at the Education Cabinet Committee and Mr Ridings did not believe that there had been a paucity of information. Due to the deadline of the consultation some of the papers had been late, for which an apology had been made, and the full consultation response was available in the Members' lounge.
- (11) Mr Cowan was the local member for Dover Town; he considered that with the number of new homes being built in the area the school figures produced by the Save Walmer Group were justified.
- (12) Mr Whiting stated that on 12 September the Education Cabinet Committee received a report on the forecast pupil numbers along with a report from the Governors proposing a merge of the two schools. On 13 November Democratic Services published a report setting out the consultation responses, the appendix to that report did state that a final version would be tabled. On 20 November the final appendix summary of consultation responses was published, it was not normal practice to make all the individual responses available however these had been placed in the Members' lounge and were removed on 3 December for review by Mr Whiting before he took his decision.

- In response to a query Mr Whiting confirmed that there had been a high response to the consultation.
- (13) Mr Leeson confirmed that when putting together the education commissioning plan (which set out the requirements for schools) officers looked very carefully at birth data, transfer rates into secondary schools, local preferences and planning developments. The plan had been tested at every district council in Kent. The figures had been debated in detail at the Education Cabinet Committee and the projected numbers for both schools to 2020/2021 were not sufficient to sustain two secondary schools.
- (14) Mrs White explained that the Save Walmer Science College Group's figures were based on the whole of Dover District whilst the Council's were looking specifically at the Sandwich/Walmer/Deal area. Historical and current patterns of travel to school were taken into account and there was no suggestion of change.
- (15) Members asked for clarification of the funding from the Secretary of State had agreement been received before the suggestion to amalgamate the two schools? What would the funding provide and would it support the continuation of facilities at Walmer Science College?
- (16) Mr Leeson explained that the funding would go towards a brand new building, not a refurbishment. There was a clear view, through the consultation, that the Walmer site should be retained for education purposes. Members queried why the funding couldn't go towards both schools or to improving Walmer, Mr Leeson explained that the Council had to bid for funding and had been successful in relation to 14 schools in the county. Castle school was one of the successful ones and the money was allocated to a particular school with no further discussion. The Castle school had been awarded funding for a rebuild at its current size, subsequent discussions have been had about the school in the future if it was to amalgamate.
- (17) Mr Whiting explained that there were no plans to build a grammar school on the existing site; there was no viable alternative to the proposal. The Education Cabinet Committee voted unanimously in support of the proposal. Mr Whiting stated that education provision would be maintained at the Walmer site for at least five years.
- (18) In response to a query it was confirmed that no visits of the Education Cabinet Committee to the schools was arranged.
- (19) Mr Whiting confirmed that having listened to the points raised by Mr Christie and the subsequent debate his view remained the same, and that the decision he had made was sound.
- (20) Mrs Dean raised a point about ease of access to information on this issue. It was considered that the Cabinet Member had not made the best effort to ensure that Members or the public were able to readily access the relevant information. Mrs Dean asked that all the relevant information be put together on KCC's webpage so that it could be accessed in one place by all interested parties. She regretted the decision not to hear from the public as witnesses

and considered that this was against the previous practice of the Council. The consultation process was still running and Members needed to be clear on the Governors views, many of the issues raised would be for the future Governing body of the amalgamated schools rather than issues for the Council.

(21) Mrs Hohler proposed that the Committee noted the comments made and did not require reconsideration of the decision, this was seconded by Bryan Cope and was put to the vote:

For 8 Against 1 Abstain 1

the proposal was carried.

#### RESOLVED that the Scrutiny Committee:

- (22) Thank Mr Whiting, Mr Leeson and Ms White for attending the meeting and answering Members questions
- (23) Request that a webpage be developed containing all information relevant to the proposal to amalgamate Walmer Science College and Castle Community College. This would allow all interested parties to easily access the information in one place.
- (24) Does not require reconsideration of the decision.

### **13.** Select Committee - Apprenticeships (*Item D1*)

- (1) The Scrutiny Committee received a report proposing the establishment of a Select Committee to look at the Council's Apprenticeship Scheme.
- (2) Mr Wickenden introduced the report and explained that since the introduction of the new Governance Arrangements in April 2012 the Scrutiny Committee had a remit for establishing Select Committees.

#### RESOLVED that the Scrutiny Committee:

- (3) Thank Mr Wickenden for presenting the report, and
- (4) Approve the establishment of a Select Committee, with the Membership set out in sub paragraph 2 (2) of the report to examine and make recommendations on the County Council's Apprenticeship Scheme as set out in the draft terms of reference attached to the report.

### **14.** Exclusion of the Press and Public (*Item*)

That under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following business on the grounds that it involves

the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

# 15. Fastrack Phase 1 Major Scheme - Compulsory Purchase Order Claim by Darent Valley Hospital Trust, Dartford (Item C1)

#### **Public Summary of the Exempt Minute:**

The Committee received a report on the Fastrack Phase 1 Major Scheme - Compulsory Purchase Order Claim by Darent Valley Hospital Trust.

The Committee discussed this issue and made some specific recommendations to the Cabinet Member.

#### **KENT COUNTY COUNCIL**

#### **SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 21 January 2013.

PRESENT: Mr R F Manning (Chairman), Mrs S V Hohler, Mr J E Scholes and Mr D L Brazier (Substitute for Mr D A Hirst)

ALSO PRESENT: Mr A J King, MBE, Mr J D Simmonds and Ms S J Carey

IN ATTENDANCE: Mr A Wood (Corporate Director of Finance and Procurement), Mr D Shipton (Acting Head of Financial Strategy), Mr K Abbott (Finance Business Partner, ELS Directorate) and Mrs A Taylor (Research Officer to Scrutiny Committee)

#### UNRESTRICTED ITEMS

### **16.** Introduction/Webcast Announcement (*Item A1*)

The Chairman welcomed Members, the witnesses and anyone watching on the webcast to the meeting. He apologised for the delay in starting the meeting but it had to be quorate and due to the inclement weather conditions many members of the Committee were absent.

### 17. Draft Budget 2013/2014 and Medium Term Financial Plan (Item A4)

- (1) Mr Wood highlighted two issues of concern which would be adjusted in the budget before it was presented to County Council on 14 February 2013. These related to the future cost of residents claiming ordinary residence for social care and review the provision for price increases (particularly social care).
- (2) Members discussed the money that had previously been taken from reserves but it was considered entirely appropriate that this should have been done in times of austerity and any money taken out would be replaced.
- (3) Questions were raised around the Freedom Pass and if any consideration had been given to increasing the cost of the pass. This had been increased two years ago and it was decided to retain the current cost of the Freedom Pass this year to help families. It was accepted that a small increase, e.g. £5, would not raise significant additional income.
- (4) Witnesses confirmed that the "saving" on the arrangements to renew concessionary fares passes was in fact an avoidance of additional costs rather than a cash saving.
- (5) In response to a question around procurement the witnesses confirmed that they were confident that the savings made by the procurement team would more than outweigh the cost of the procurement team. The team was also mindful of using

- Kent businesses where possible which had led to a 10% increase in the use of Kent businesses.
- (6) There had been a recent focus, led by the procurement team, to ensure that the Council's contracts were not linked to inflation indices and that indexation of contracts was not generally included in new arrangements.
- (7) It was confirmed that KCC's current Council Tax was below the average for other county councils.
- (8) Savings had been made from reviewing the ways in which the 97 Children's Centres were run, without impacting on the number or opening hours of centres. The £1.4m saving in the 2012/13 budget should be seen in the light of a £11 million reduction compared to the current year on a like for like basis in the Early Intervention Grant included in the new local government funding arrangements.
- (9) There would be a need for an additional 10,000 primary school places over the next 2-3yrs which presented a risk to the budget. Much would depend on the level of basic needs funding received from Government. There were concerns around the associated highways issues and costs and the need to negotiate with the districts whose role had become crucial as a result of the new Community Infrastructure Levy legislation.
- (10) KCC was still trying to recover asylum money relating to the Swattenden Centre and a letter had recently been sent to the Minister to try to resolve this issue. Conflicting legislation within the Children's Act and the Leaving Care Legislation, particularly around the "all rights exhausted" clients, and different interpretations of the legislation meant that this was a complicated situation but the council was pressing the Government for settlement.
- (11) Provision had been made within the budget for the recent settlement for the Dartford Fast Track CPO claim in 2007 which would cover almost the entire final compensation figure.

#### **RESOLVED that the Scrutiny Committee:**

- (12) Thank Mr King, Mr Simmonds, Ms Carey, Mr Wood, Mr Shipton and Mr Abbott for attending the meeting and for answering Members' questions. Members expressed their appreciation for the clear and understandable budget document that had been produced by the finance team.
- (13) Ask for clarification on savings in transport because of an increased use of the Freedom Pass. Confirm whether contracted services for home to school transport were paid for by headcount or per vehicle/journey.

By: Peter Sass - Head of Democratic Services

To: Scrutiny Committee – 26 March 2013

Subject: Recommendations from Scrutiny Committee – 12 December 2012 and

21 January 2013.

Classification: Unrestricted

Summary: This report sets out the recommendations from the Scrutiny Committee

#### Introduction

- 1. This is a rolling schedule of previous recommendations of the Scrutiny Committee.
- 2. If the information supplied is satisfactory it will be removed following the meeting, but if the Committee should find the information to be unsatisfactory it will remain on the schedule with a request for further information.
- 3. The recommendations from the meeting of the Scrutiny Committee on 12 December 2012 and 21 January 2013 are set out in the table below along with the response of the relevant Cabinet Member.

#### Recommendation

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

Contact: Peter Sass

peter.sass@kent.gov.uk

01622 694002

Background Information: Nil

# Amalgamation of Walmer Science College and Castle Community College Decision:- 12/01977 (12 December 2012)

Cabinet portfolio: Mr M Whiting, Cabinet Member for Education, Learning and Skills

<u>Synopsis:</u> The report set out the reasons for the call in of the Cabinet Member's decision to issue a Public Notice to close Walmer Science College with effect from 31 August 2013, conditional upon the Secretary of State's agreement to the enlargement of Castle Community College.

#### **Recommendations and responses:**

- (1) Thank Mr Whiting, Mr Leeson and Ms White for attending the meeting and answering Members questions
- (2) Request that a webpage be developed containing all information relevant to the proposal to amalgamate Walmer Science College and Castle Community College. This would allow all interested parties to easily access the information in one place.
- (3) Ask the Cabinet Member for assurance that the Walmer Science College buildings, which were a public asset, would be retained for future educational use.
- (4) Does not require reconsideration of the decision.

#### **Cabinet Member's Response:**

A webpage has been developed containing all information relevant to the proposal to amalgamate Walmer Science College and Castle Community College. This webpage can be found at the following link:

http://consultations.kent.gov.uk/consult.ti/WalmerandCastle/consultationHome

The Cabinet Member wrote to the Chairman of Governors of Castle Community College and Walmer Science College on 4<sup>th</sup> December regarding the provision of a lease; copies of these letters are available on the designated webpage. In addition, a phone call was made by officers to alert them to the discussions that took place at the Education Cabinet Committee on 21st November 2012 and at the Scrutiny Committee on 12th December 2012.

Furthermore, Walmer Science College being retained for educational use is reflected in the published decision taken by the Cabinet Member for Education Learning and Skills on 3<sup>rd</sup> December 2012.

# Fastrack Phase 1 Major Scheme – Compulsory Purchase Order Claim by Darent Valley Hospital Trust, Dartford (12 December 2012)

#### **OPEN REPORT ON EXEMPT DISCUSSION**

<u>Cabinet portfolio:</u> Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform.

<u>Synopsis:</u> The report set out the concerns of the Chairman and Spokespeople around this urgent decision

#### **Recommendations and responses:**

- 1. Thank Mr Gough, Mr Austerberry, Mr Farmer and Ms Crease for attending the meeting and answering Members' questions
- 2. Urge the Cabinet Member to pass all information relating to the Council's advisors appointment and conduct of the Compulsory Purchase Order claim to the Council's Legal Department to determine whether there was a case for pursuing the Advisors for compensation. In particular the letter dated 30/11/2010, which in the opinion of the Scrutiny Committee, and Counsel, substantially weakened the County Council's negotiating position.
- 3. Ensure that in future when urgent decisions are to be taken that the full facts are provided in any documentation to Members.
- 4. Ask that the Policy and Resources Cabinet Committee (or Property Sub-Group whichever is deemed most appropriate) review the Compulsory Purchase Order procedure, including the negotiation and valuation process and also to examine value for money issues.

Cabinet Member's Response:

The Cabinet Member has asked for the relevant documents, as proposed by the Scrutiny Committee, to be passed to the Council's Legal Department and this has been done.

Date of Response:

26.01.13

### Draft Budget 2013/14 and Medium Term Financial Plan (21 January 2013)

Cabinet portfolio: Mr J Simmonds, Cabinet Member for Finance and Procurement

<u>Synopsis:</u> The report presented the Draft Budget 2013-2014 and the Medium Term Financial Plan 2013-2015

#### Main Points from debate:

- 1. Mr Wood highlighted two issues of concern which would be adjusted in the budget before it was presented to County Council on 14 February 2013. These related to the future cost of residents claiming ordinary residence for social care and review the provision for price increases (particularly social care).
- 2. Members discussed the money that had previously been taken from reserves but it was considered entirely appropriate that this should have been done in times of austerity and any money taken out would be replaced.
- 3. Questions were raised around the Freedom Pass and if any consideration had been given to increasing the cost of the pass. This had been increased two years ago and it was decided to retain the current cost of the Freedom Pass this year to help families. It was accepted that a small increase, e.g. £5, would not raise significant additional income.
- 4. Witnesses confirmed that the "saving" on the arrangements to renew concessionary fares passes was in fact an avoidance of additional costs rather than a cash saving.
- 5. In response to a question around procurement the witnesses confirmed that they were confident that the savings made by the procurement team would more than outweigh the cost of the procurement team. The team was also mindful of using Kent businesses where possible which had led to a 10% increase in the use of Kent businesses.
- 6. There had been a recent focus, led by the procurement team, to ensure that the Council's contracts were not linked to inflation indices and that indexation of contracts was not generally included in new arrangements.
- 7. It was confirmed that KCC's current Council Tax was below the average for other county councils.
- 8. Savings had been made from reviewing the ways in which the 97 Children's Centres were run, without impacting on the number or opening hours of centres. The £1.4m saving in the 2012/13 budget should be seen in the light of a £11 million reduction compared to the current year on a like for like basis in the Early Intervention Grant included in the new local government funding arrangements.
- 9. There would be a need for an additional 10,000 primary school places over the next 2-3yrs which presented a risk to the budget. Much would depend on the level of basic needs funding received from Government. There were concerns around the associated highways issues and costs and the need to negotiate with the districts whose role had become crucial as a result of the new Community

- Infrastructure Levy legislation.
- 10. KCC was still trying to recover asylum money relating to the Swattenden Centre and a letter had recently been sent to the Minister to try to resolve this issue. Conflicting legislation within the Children's Act and the Leaving Care Legislation, particularly around the "all rights exhausted" clients, and different interpretations of the legislation meant that this was a complicated situation but the council was pressing the Government for settlement.
- 11. Provision had been made within the budget for the recent settlement for the Dartford Fast Track CPO claim in 2007 which would cover almost the entire final compensation figure.

#### **Recommendations and responses:**

- 1. Thank Mr King, Mr Simmonds, Ms Carey, Mr Wood, Mr Shipton and Mr Abbott for attending the meeting and for answering Members' questions. Members expressed their appreciation for the clear and understandable budget document that had been produced by the finance team.
- 2. Ask for clarification on savings in transport because of an increased use of the Freedom Pass. Confirm whether contracted services for home to school transport were paid for by headcount or per vehicle/journey.

An update on point 2 will be provided to the Committee.

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By: Stuart Beaumont, Head of Community Safety &

**Emergency Planning** 

**To:** Scrutiny Committee – 26<sup>th</sup> March 2013

**Subject:** Report on Progress of the Select Committee Domestic

Abuse Action Plan

Classification: Unrestricted

**Summary:** This report proposes and outlines the establishment of a delivery structure in order to achieve the implementation of the recommendations set out within the Domestic Abuse Select Committee Report and identifies the initial positive progress made towards addressing those recommendations.

#### 1.0 Introduction

- 1.1 The Domestic Abuse Select Committee was put forward at the Crime and Disorder Policy Overview and Scrutiny Committee in July 2011 as a result of concerns that victims of domestic violence and abuse often fell through the 'safety net' or discontinued pursuing their cases in Court due in part to a lack of clarity on referral points.
- 1.2 The Select Committee established the following terms of reference for the review:
  - To investigate breaking the vicious cycle and impact of domestic abuse in Kent, focusing on equitable access to support for victims and the efficacy of perpetrator programmes in reducing repeat victimisation and repeat offending.
  - To examine co-ordination and collaboration within and between statutory and voluntary agencies, with a particular focus on delivering efficient services and maximising safety while reducing negative impacts of organisational change in key organisations.
  - To make recommendations for Kent County Council and partner organisations (having explored funding options and feasibility) in order to improve outcomes for, and reduce long term damage to, individuals and families affected by domestic abuse.

#### 2.0 Proposed Delivery Structure

- 2.1 It is proposed that the Kent and Medway Domestic Abuse Strategy Group (KMDASG) is the accountable body for delivering the recommendations. The Chairman and members of KMDASG, which is a sub group of the statutory Kent Community Safety Partnership, have agreed to undertake this role and to the setting up a task and finish group assigned with carrying out the Select Committees recommendations.
- 2.2 It is proposed that a Task and Finish Group, comprised of Kent County Council lead officers along with key partners, including Kent Probation, Kent and Medway NHS, Kent Police and a range of local Domestic Abuse Services, is established to consider the work that can be done to assist the achievement of the recommendations identified within the Select Committee Report.
- 2.3 It is proposed that the Task and Finish Group will consider any Equality Impact Assessment issues emerging from the implementation of the recommendations as appropriate.

#### 3.0 Summary of the Domestic Abuse Action Plan Progress

- 3.1 There has already been considerable work undertaken by a range of agencies and departments that addresses a number of the recommendations identified within the Domestic Abuse Select Committee Report.
- 3.2 It is intended that the Task and Finish Group will identify those actions that can be taken to progress all of the recommendations set out by the Select Committee see appendix A for first progress report.
- 3.3 The Task and Finish Group will meet bi-monthly during 2013 to provide progress reports on the work underway to address the recommendations.
- 3.4 Progress will be monitored by the KMDASG at their quarterly meetings during 2013 where the achievement of the recommendations will be included on each meeting agenda and reported back to the KCC Scrutiny Committee and the Kent Community Safety Partnership.

#### 4.0 Recommendations

4.1 Members are asked to:-

- Agree that the KMDASG should be the accountable body to oversee the implementation of recommendations within the DA Select Committee Report.
- Agree that a small multi-agency Task and Finish Group should be established to put into place appropriate management and service delivery action in order to work towards achieving the Select Committee recommendations.

#### **Supporting Documents:**

- 1. Appendix 1 Action Plan to address Recommendations.
- KCC Select Committee Report on Domestic Abuse - https://shareweb.kent.gov.uk/Documents/council-and-democracy/select%20committees/Domestic%20Abuse%20Report.pdf

For further information contact: Alison Gilmour Kent and Medway DV Co-ordinator

Tel: 01622 650455

Email: alison.gilmour@kent.pnn.police.uk

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#### **VERSION CONTROL & MANAGEMENT**

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<b>Current Status:</b>	Draft

Change History			
Version:	Date:	Editor:	Summary of Change:
V1	17.12.2012	AG	Master copy supplied by Business Strategy and Support
V2	04.02.2013	AG	Addition of lead names following KMDASG suggestions
V3	07.03.2013	AG	Additions following 1 <sup>st</sup> meeting of Task and Finish Group
V4	14.03.2013	AG	Reformat of plan and additional inclusions from partners

That KCC seeks to collaborate with Clinical Commissioning Groups in Kent so that the Kent and Medway domestic violence and abuse care pathway can inform the development of a Map of Medicine Clinical Care Pathway to assist all General Practitioners (GPs) in Identifying and responding appropriately to cases of domestic violence and abuse and abuse and abuse and asks  That NHS Kent and Medway:  • expedites use of the Health Information Service Business Intelligence (HISBI) system to enable sharing of information on the presence of domestic violence and abuse (actual/disclosed or strongly suspected) in health settings such as Accident & Emergency (A&E) departments, GPs, Midwifery, Ante-natal and maternity settings. That in line with established protocols this information is shared and collated within Health and made available to other appropriate agencies/bodies such as Multi-Agency Risk Assessment Conferences (MARAC) especialist Domestic Abuse Health Visitor roles across Kent.  Progress to date  Work is underway outlining DA support available to assist GPs to take to Clinical Commissioning Groups seeking their approval for use across county by Qtr 2013/14. They will also use the GP bulletin to promote the DA website as a tool to assist signposting patients to relevant services.  A DA flagging system is being developed currently in an East Kent GP practice. This will act as a pilot scheme during 2013 and once evaluated will be shared as an example of good practice across different health settings—training will be required to support flagging systems and will need to be built into a roll out plan.  The Domestic Abuse Health Visitor service has recently been reviewed and development options are currently being considered by Kent and Medway Health visitors Commissioning Managers. All health visitors across county to use an assessment to indentify their clients' needs that also addresses domestic abuse issues.

Recommendation 2	Progress to date	Status
That to mitigate the loss of specialist domestic abuse police officers and to strengthen contact and referral processes:  Kent Police:  ensure that there is a system for flagging the number of domestic abuse incidents and making this information available to responding officers and that a third (and any subsequent) incident, regardless of risk level, should trigger an	Kent Police are currently reviewing their systems with the aim of ensuring adherence to good practice/guidance. A new IT system (Project Athena) is being constructed for use by a number of Police Forces, including Kent Police, and will assist with identification of DA cases; this should be implemented by the end of 2013.  Kent Police and Victim Support implemented a revised procedure at the end of 2012 to ensure that Victim Support receives all DA incident referrals that are made to Kent Police.  2 specialist CAF co-ordinators have now been located within the Kent Police Central Referral Unit (CRU) that will ensure domestic abuse	Work is underway to address this recommendation, although still at early stages for some of the review processes.  Amber
automatic discussion with a domestic abuse specialist to determine whether a MARAC referral is required (in line with Co-ordinated Action Against Domestic Abuse (CAADA) guidance on potential escalation of domestic abuse cases);	notifications (DANs) not meeting social care thresholds are linked to a Common Assessment Framework pathway. CRU staff now use the DA website to ensure that appropriate service information is provided to victims and families affected by domestic abuse. In addition Kent and Medway NHS will be recruiting 2 additional CAF co-ordinators during 2014.	
• carry out an immediate review of information provision and referral to partner organisations including those in the voluntary sector and in particular Victim Support and, in addition, agree (with input from key partners) a process or processes to expedite urgent information requests.	DASH training was provided to CRU staff during 2012.  KSCB partners are currently reviewing what processes are in place, or can be put in place, for those families when CAF permission has been declined.	
Kent Police with KCC and Health:		
• Determine whether the presence in the Central Referral Unit (CRU) of a domestic violence and abuse specialist worker could help with the effective triaging of cases;		
<ul> <li>Ensure that all staff in CRU are trained in CAADA Domestic Abuse Stalking and Harassment (DASH) risk assessment;</li> </ul>		

Recommendation 3	Progress to date	Status
That KCC seeks to strengthen and develop the co-ordinated community response to domestic violence and abuse, in particular by:  • promoting the Kent and Medway Domestic Abuse Strategy Group (KMDASG) domestic abuse website  • establishing a single point of telephone contact to complement the domestic abuse website  • gaining commitment at strategic level from relevant agencies e.g. housing, Police, solicitors, health agencies, Victim Support, to the development and staffing of Multi Agency Domestic violence and abuse One Stop Shops (OSS) and facilitating more flexible provision (to include evenings and exploring ways to reach remote communities).	Website posters and cards have been widely distributed in GP surgeries, social services offices etc and made available to agencies working across the county; banners advertising the website have been used at several multi-agency events during 2012 and will be at forthcoming events during 2013.  A revised Kent and Medway IDVA service is currently being commissioned as part of this service the successful provider will have to ensure easy access arrangements such as single telephone contact number. This service will be operational during April 2013.  One Stop Shops (OSS) are continuing to be developed at local level – more flexible provision being actively reviewed by partners, with Canterbury district partners opening their second OSS service to address the needs of their coastal residents in November 2012. In November 2012 support for the OSSs was discussed at Kent CSP and all partners were asked to support the resource and development of the OSSs. Good Practice Protocols for OSS to follow were designed in December 2012 and have been adopted by all 12 OSSs currently operating across Kent and Medway. Numbers of DA victims seeking support at OSSs continues to grow.	Work is underway to address this recommendation.  Amber
<ul> <li>providing funding to publicise the One Stop Shop widely in each area</li> <li>seeking to support through the joint commissioning process the development of a Specialist Domestic Violence Court in the south of Kent</li> </ul>	All OSSs have been made aware that they can apply for Member grants to assist with costs for publicity. Some OSS receive ongoing funding support from their local community safety partnerships.  It is anticipated that the South Kent Specialist Domestic Violence Court will become operational in June 2013 (as part to the work that is currently being commissioned under the Kent and Medway IDVA Service).	

Recommendation 4	Progress to date	Status
That KCC seeks to rationalise the existing patchy provision of domestic violence and abuse services and drives up the quality of services, by devising and implementing a commissioning plan, beginning with Independent Domestic Violence Adviser (IDVA) services and aiming to achieve joint commissioning of a 'domestic violence and abuse care pathway' informed by needs assessments and taking account of different forms and types of DVA.  • that joint commissioning is enabled by consolidating existing funding sources and seeking to align this with further funding from internal and external sources (e.g. Supporting People, KDAAT, Families and Social Care (FSC), Public Health, Police, Fire and Rescue, Probation, Health and Mental Health, the Police and Crime Commissioner (PCC), Health and Wellbeing Boards (HWB) and Clinical Commissioning Groups (CCGs) to provide a multi-agency domestic violence and abuse commissioning 'pot';  • that commissioned domestic violence and abuse services are monitored and evaluated through a Quality Assurance Framework.	A thorough joint needs assessment was completed in late 2012 and a joint commissioning business model was established.  A range of public services have pledged contributions totalling £759,700 for 13 /14 including KCC, Medway Council, Public Health, The Police & Crime Commissioner, Probation, KFRS and the majority of District Councils.  Pooled commissioning arrangements of Kent and Medway IDVA Services has now commenced with contracts due to be let in March 2013 and it is anticipated that the new service will be operational from April 2013.  Public Health colleagues are leading on discussions with the Clinical Commissioning Groups (CCGs) during Qtr 1 and 2 2013/14 with a goal for CCGs to adopt health contribution element of this service in their commissioning arrangements for 2014 onwards.  KCC Commissioning Team are currently tendering for Independent Needs Analysis work to look into different commissioning models. This work will look at a range of commissioning arrangements that KCC are currently involved in and partner agencies will also be asked to contribute to this review. The review will be completed by June 2013 and will help inform future commissioning processes involving those funded internally by KCC and those that could be, or are currently, funded through partnership arrangements.  Quality Assurance is included within DA service specifications and outcome monitoring arrangements.	Work is underway to address this recommendation, although still at early stages for some of the review processes.  Amber

Recommendation 5	Progress to date	Status
That KCC demonstrates strong leadership and commitment to addressing domestic violence and abuse by:	KCC HR Organisational Development will ensure that DA is included within the Member development programme following the May 2013 elections.	Work to address the training programme is underway; the other parts of this recommendation will
<ul> <li>ensuring that basic awareness training in domestic violence and abuse awareness is included in the Member Development</li> </ul>	Cllr. Mike Hill is currently the nominated KCC Member on the Police and Crime Panel and also the meeting Chair.	be progressed following May 2013 elections.
Programme so that all Members can be ambassadors and advocates for a change in public attitude (and can signpost effectively to help and support);	KCC Community Safety will progress Member Champion recommendations following May 2013 elections.	Amber
• identifying a Member Champion for Domestic abuse to help drive forward changes and expedite the development of a network of Domestic violence and abuse Champion roles including in Health, (within Clinical Commissioning groups, GP surgeries, Accident and Emergency Departments);		
ensuring that the Member chosen to sit on the Police and Crime Panel (which will scrutinise the work of the PCC) is also a domestic violence and abuse Champion;		
having Member (Champion) representation on the Kent and Medway Domestic Abuse Strategy Executive Group.1		

<sup>&</sup>lt;sup>1</sup> One or more Members could undertake these roles.

Recommendation 6	Progress to date	Status
Members welcome the development of a Kent and Medway domestic violence and abuse training matrix in order to rationalise existing provision and ensure all statutory sector professionals have the appropriate level and content of training and recommend that:  • to complement current training resources: a portfolio of domestic violence and abuse webinars is developed, with the involvement of survivors, offering professionals an alternative, quick and easy way to increase their knowledge and engagement.  • KCC Learning & Development Team take a more proactive role in the development of training on domestic violence and abuse and ensure that there is a mechanism to engage survivors in the development of training, policy, practice and future services.	A Training Matrix for Kent and Medway DA services has been completed and is available on the DA Website. It has been publicised in the Kent DA Newsletter and will continue to be highlighted there as a resource for all agencies.  To build upon the Training Matrix, KCC Learning and Development Team will establish a small multi-agency working group to devise a portfolio of webinars. The group is to complete this work by December 2013.	Work is underway to address this recommendation, still at early stages.  Amber

Recommendation 7	Progress to date	Status
That KCC seeks to influence attitudinal change	The Kent PCC has adopted the County Community Safety Agreement	Work is underway to
on domestic violence and abuse using a 'multi-	which has DA as a priority and has ratified Kent Police support for the	address this
pronged' approach:	Kent and Medway IDVA service commissioning project. DA also	recommendation.
and the state of t	features in the Police and Crime Plan. Additionally the PCC has met	
asking the incoming Police and Crime  Commissioner to have demonstic violence and	with representatives from some of the DA service providers.	Amber
Commissioner to have domestic violence and	Domestic Abuse will continue to be a priority for all CSP's following the	
abuse as a top priority in the Police and Crime Plan for the duration of the Plan and that given	PCC's adoption of the County Community Safety Agreement as the key	
domestic abuse represents 25% of violent	policy driver.	
crime in Kent, the new PCC is invited by Kent	policy driver.	
and Medway Domestic Abuse Strategy Group	DA is a public health priority area both for vulnerable children, reducing	
(KMDASG) to become a domestic violence and	reoffending and improving mental wellbeing. The Public Health	
abuse Champion and to receive appropriate	communications plan will reflect this.	
support and training for that role.	·	
asking that the County Community	Domestic Abuse will feature in the plans for the 2013 Safeguarding	
Safety Partnership continues to have	Week.	
domestic abuse as a high priority and		
cascades this to the local Partnerships	Various options are being considered by KCC Community Safety Team	
	to expand the current circulation of domestic abuse information and add	
using a Public Health campaign to help	further information sources.	
change perceptions		
using Safaguarding Week 2012 to raise		
using Safeguarding Week 2013 to raise awareness of domestic violence and abuse		
awareness of domestic violence and abuse		
• using established community safety		
routes to get domestic violence and abuse		
information and links into the public eye (e.g.		
Fire & Rescue Service leaflets in GP surgeries)		
,		

Recommendation 8	Progress to date	Status
That in implementing its Early Intervention and Prevention Strategy KCC creates culture change – through a process of:  • Embedding understanding of domestic violence and abuse and its impacts throughout the organization  • Examining the interface with individuals and families experiencing domestic violence and abuse  • Ensuring that practice, processes and communications are as supportive as possible	Progress to date  KSCB, KCC Adult Safeguarding and KCC Specialist Children's Services are all offering DA training to staff currently.  Early Intervention work commissioned by KCC in 2012 is already identifying an unmet need for those affected by domestic abuse and this is being reviewed with the aim of commissioning if funds available. Parenting programmes are currently being commissioned and this avenue is also being explored to determine if DA can be covered as part of these programmes.	Status  Work is underway to address this recommendation, still at early stages.  Amber

Recommendation 9	Progress to date	Status
That KCC asks the Criminal Justice Board to carry out a review to determine whether breaches of Non-molestation or Restraining order in domestic abuse cases are being dealt with effectively by criminal justice agencies.	Initial discussions have commenced with KCJB representatives to determine scope of issue.	Work is underway to address this recommendation, still at early stages.
with chectively by driminal justice agencies.		Amber

Recommendation 10	Progress to date	Status
That (in the light of the Family Justice Review, and given the proven impacts on children of witnessing/experiencing domestic violence and abuse) KCC lobbies the Ministry of Justice (MoJ) with regard to making perpetrators of domestic violence and abuse more accountable for their actions:	KCC Specialist Children's Services are developing options to take forward this recommendation and to identify other key partners that should be involved; scoping work is being completed to inform lobbying approach and also to determine what actions can be delivered locally.	Initial discussions underway to address this recommendation, still at early stages.  Amber
• The select committee support the recommendations of Children and Family Court Advisory and Support Service (CAFCASS) and RESPECT <sup>2</sup> that, as a condition of perpetrators having contact with their children, they should be required to attend a specialist perpetrator programme and/or parenting classes and ask that these recommendations are taken into consideration by Families and Social Care during case conference proceedings		
That KCC and relevant partners conduct a review of arrangements in Kent for parental contact (including those families not in touch with Families and Social Care) and seeks opportunities for further safeguards to be put in place regarding supervision where a parent has perpetrated domestic violence and abuse		

<sup>&</sup>lt;sup>2</sup> Membership association for domestic violence perpetrator programmes and associated support services

Recommendation 11	Progress to date	Status
Recommendation 11  Members welcome the new services commissioned by FSC for children aged 5-13 who have experienced domestic violence and abuse and those targeted at healthy relationships (girls aged 11-16) and would like to see services commissioned for boys of this age to address unhealthy attitudes and behaviours towards girls or same sex partners in their peer relationships. Members would also like to see the gap in universal services to address healthy relationships within schools addressed through the commissioning process to augment schools' own teaching.	Progress to date  A small working group has been set up by KCC Specialist Children's Services looking into the current commissioned services provision, demand, unmet need and gaps in service.  During Qtr 1 2013/14 the group plan to conduct a needs and resource analysis, with a view to addressing future service alignment issues and resourcing gaps in service. The needs analysis is due to be completed by October 2013; this will then inform commissioning plans for 2014 onwards.	Status  Work is underway to address this recommendation.  Amber

Recommendation 12	Progress to date	Status
That KCC takes a number of actions designed to increase knowledge and understanding within schools of the impact of domestic violence and abuse on children and young people:  • supports links between social care and education and retains vital Family Liaison Officers/Parent Support Adviser-type roles within schools;	Early intervention workers already link with FLOs and PSAs. DA information is already cascaded to FLOs. Communications with Academies are being reviewed.  KSCB will raise the issues around healthy relationship education within schools and do currently offer training and support to schools, including DA training.  Letters will be drafted in consultation with the KCC Business Intelligence Unit.	Work is underway to address this recommendation, still at early stages.  Amber
<ul> <li>asks the Kent Safeguarding Children Board (KSCB) and Kent Head Teachers to ensure there is a focus on healthy relationships within the schools' Personal, Social and Health Education (PSHE), religious or ethics frameworks and that staff are trained to recognise and respond to issues of domestic violence and abuse affecting pupils at home or in their peer relationships.</li> <li>writes to the Teaching Agency asking</li> </ul>		
them to require that teacher training programmes include compulsory modules on the impact of domestic violence and abuse on children and young people  • writes to the Department for Education asking that schools are encouraged to place a greater emphasis on the health and wellbeing of pupils, in order to underpin their ability to achieve academically.		

Recommendation 13	Progress to date	Status
That KCC should take a lead on developing approaches to young people who show aggressive or violent behaviour towards their parent(s) and that this should be reflected in the Integrated Youth Support Strategy and pilot programmes and any other relevant strategies.	Initial discussions are taking place with lead services associated with the Integrated Youth Support Strategy to build the necessary links with IYSS and determine other work steams currently being progressed around this recommendation.	Initial discussions underway to address this recommendation, still at early stages.  Amber

That KCC seeks to include information and links (such as <a href="www.thehideout.org.uk">www.thehideout.org.uk</a> and the new Kent Domestic violence and abuse website - young people's resources) in materials published for young people.  A number of partner agencies are also ensuring information is being cascaded.  Discussions with KCC Communication Team underway to develop this recommendation.  Initial discussions underway to address this recommendation, still at early stages.  Amber	Recommendation 14	Progress to date	Status
	links (such as <a href="www.thehideout.org.uk">www.thehideout.org.uk</a> and the new Kent Domestic violence and abuse website - young people's resources) in	A number of partner agencies are also ensuring information is being	underway to address this recommendation, still at
			Amber

Key:

Green = Completed /advanced progress

Amber = Progress underway

**Red** = No significant progress made

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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