



Summons to and
Agenda for a
Meeting on
**Thursday, 11th
December, 2014**
at **10.00 am**



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Wednesday, 3 December 2014

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, 11 December 2014 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 the live or subsequent broadcast via the Council's internet site or by any member of the public or press present.

By entering into this room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

Voting at County Council Meetings

Before a vote is taken the Chairman will announce that a vote is to be taken and the division bell shall be rung for 60 seconds unless the Chairman is satisfied that all Members are present in the Chamber.

20 seconds are allowed for electronic voting to take place and the Chairman will announce that the vote has closed and the result.

A G E N D A

1. Apologies for Absence
2. Declarations of Disclosable Pecuniary Interests or Other Significant Interests
3. Minutes of the meeting held on 23 October 2014 and, if in order, to **(Pages 5 - 26)** be approved as a correct record
4. Chairman's Announcements
5. Questions **(Pages 27 - 40)**

6. Report by Leader of the Council (Oral)
7. Facing the Challenge: Commissioning Framework (Pages 41 - 66)
8. Facing the Challenge: Draft Corporate Outcomes Framework for KCC (Pages 67 - 82)
9. Motion for Time Limited Debate

Community Wardens

To be proposed by Mr Baldock and seconded by Mr Burgess

“This Council applauds the sterling work of our Community Wardens, and recognises the huge benefits that they bring to the communities that they serve. This Council further acknowledges that the social value they bring to those communities far outweighs the financial costs to the County Council. Consequently, we believe Kent County Council should continue to champion this scheme, publicise its achievements, and consider ways of promoting the concept to other councils.”

To this end, this Council pledges its full support to our team of Community Wardens, and will ensure that they continue to be able to provide such a constructive role in our communities.”



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, 23 October 2014.

PRESENT:

Mr P J Homewood (Chairman)
Mr M J Harrison (Vice-Chairman)

Mrs A D Allen, MBE, 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, CBE, 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 J Dagger, Mr D S Daley, Mr M C Dance, Mr J A Davies, Mrs T Dean, MBE, Dr M R Eddy, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Ms A Harrison, Mr M Heale, Mr P M Hill, OBE, Mr C P D Hoare, Mrs S V Hohler, Mr S Holden, Mr E E C Hotson, 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 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, MBE, 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 M E Whybrow, Mr M A Wickham and Mrs Z Wiltshire

IN ATTENDANCE: David Cockburn (Corporate Director Strategic & Corporate Services), Geoff Wild (Director of Governance and Law) and Denise Fitch (Democratic Services Manager (Council))

UNRESTRICTED ITEMS

37. Apologies for Absence

The Director of Governance and Law reported apologies from Mr P Harman, Mr B MacDowall, Mr J Wedgbury and Mrs J Whittle.

38. Declarations of Disclosable Pecuniary Interests or Other Significant Interests

- (1) Mr Cowan declared an interest in that both he and his wife were foster carers for Kent County Council.
- (2) Mr Hoare declared an interest in that he was a director of an employment agency and public interest company called Conduit that sought to get young people into employment in the construction industry.

39. Minutes of the meeting held on 18 September 2014 and, if in order, to be approved as a correct record

RESOLVED that the Minutes of the meeting held on 18 September 2014 be approved as a correct record and signed by the Chairman, subject to the amendment of the following typographical errors, Minute no 31 – (d) “Nijmegen” , Minute no 33 (5) – “Members”;(6) – “Mr Carter”; (7) – “priority”; (10) – “saddened”; (11) - “Leader’s”;(21) “transformation” and (29) – “ CCN” “NPPF”.

40. Chairman's Announcements

(a) National Multi-Faith Week

The Chairman made the Council aware that 16 to 22 November 2014 was designated national multi-faith week. Kent County Council’s Standing Advisory Council for Religious Education, which was chaired by Mr Manion, was celebrating this by holding its second youth conference on 18 November 2014, which would provide an opportunity for young people to improve their understanding of multi-faith issues.

(b) FT Innovative Lawyers Awards 2014

The Chairman stated that he was delighted to announce that on 8 October, Geoff Wild had been named Most Innovative European In-House Lawyer at the FT Innovative Lawyers’ Awards 2014. The FT awards were widely recognised as being the most prestigious international legal awards and were the product of in-depth independent research. In winning the award, Geoff fought off competition from across Europe, including General Counsel for EDF Energy, Reckitt Benckiser, E.ON and Roche Products, and was the first public sector lawyer ever to receive the award. The awards panel said “After transforming the council’s legal team into a revenue generator, Geoff Wild is recognised as an industry leader and has had a positive impact on perceptions of public-sector lawyers”.

(c) CASA (Consortium for Assistive Solutions Adoption) Award for Innovative Excellence

The Chairman stated that he was pleased to announce that the Kent Integration Pioneer Innovation Hub had been recognised by the EU, as a site of excellence. The Integration Pioneer team, together with the international team in Brussels, had delivered innovative work around assistive technologies creating an Innovation Hub and integrated working with the health service.

The work of the Kent team under the leadership of Dr Robert Stewart, Chairman of the Integration Pioneer, and Anne Tidmarsh, Director Older People and Physical Disability, had been recognised as a good practice example and the award was received by Mr Gibbens at a conference in Brussels of all CASA representatives.

(d) Dandelion Time's 'Rowathon'

The Chairman expressed his thanks to Members and officers who gave such generous donations in support of Dandelion Time's 'Rowathon' earlier this month.

He informed the Council that Dandelion Time was a charitable project for children and young people displaying emotional distress through aggressive or withdrawn behaviour. The charity, based in West Farleigh, helped children to overcome previous suffering, develop confidence and self-esteem, and discover a new and positive path to follow.

He explained that a team of seven KCC representatives managed to row more than 10,000 metres in 50 minutes, and in so doing raised over £1,000 for the charity, which would make a significant difference to the life chances of the children and families that came to Dandelion Time.

(e) Visit to HMS Kent

The Chairman stated that he was very proud to have been invited to visit HMS Kent at Portsmouth prior to its six-month deployment focusing on maritime security operations in the Indian Ocean.

41. Questions

In accordance with Procedure Rule 1.17(4), eight questions were asked and replies given, which are attached as an appendix to the minutes.

42. Report by Leader of the Council (Oral)

(1) The Leader updated the County Council on events since the previous meeting.

(2) Mr Carter referred to the launch of the public consultation for the medium term budget proposals for the next three years. He expressed the view that these had generally been well received. He hoped that opposition Members were pleased with the content, which was a rigorous thrust to deliver effective and efficient services to residents and businesses making sure that best value was extracted from every council tax payer's pound. He believed that the solutions that had been arrived at would allow the Council to pursue with rigour the continuous improvement of good quality frontline services. He referred to what had been said by Mr Hill earlier in the meeting in relation to the community wardens. This related to finding other ways of supplementing community wardens with community volunteer wardens. There was also the potential for parish and town councils to precept if they wanted to retain the same or increased presence.

(3) Mr Carter mentioned that the transformation agenda was gaining pace under the banner of Facing the Challenge and big decisions would be needed very soon. He therefore felt sure that Members would support the principle of establishing the all-party advisory board on commissioning which would be chaired by Mr Hotson, subject to the Council agreeing the recommendations later in the meeting.

(4) Mr Carter then referred to the need to focus on working towards the outcomes framework for the authority, which was currently scheduled to come to the December County Council meeting. That framework would start to articulate the outcomes required to achieve the component parts that made up the complex array of services and support that was delivered in Kent. There was a need for clarity about the component parts of KCC's business to ensure they were delivered in the most efficient and effective way. He said that it was important to ensure that services were effective and efficient regardless of who was commissioned to provide them. Even if services were retained in house the same business rigour had to be applied to the way they were configured and delivered. This message needed to pervade the whole organisation. He stated that KCC needed to be much more commercial in how services were delivered.

(5) Mr Carter mentioned the publication of "NHS Five Year Forward View" which had been produced by Simon Stevens (Chief Executive of NHS England). The report majored on the point that there was no one size fits all solution and, therefore, there was no need for a homogenous delivery pattern across the NHS. This was very much in line with the direction of travel that KCC was taking in delivering social care and public health with clinical commissioning groups and providers such as the acute hospital trusts. This document started to deliver the vision of good quality neighbourhood national health services and social care emphasising the role of community based preventative services. It suggested that the Department of Health should allow different approaches rather than the one size fits all approach imposed by Whitehall, which inhibited innovation across the country.

(6) Mr Carter then referred to devolution and the opportunity for county councils across the country to draw Westminster and Whitehall's attention to the potential of local government. Whitehall should be encouraged to empower good local decision making at the right local level. An example of this was the skills agenda where funding was determined by Whitehall and not by local businesses who were best placed to determine the courses that needed to be run to fit their skills requirements. In relation to skills for the public sector he referred to the need for skills training for the provision of community health services.

(7) Mr Carter stated that he was working with the County Council Network (CCN) to draw the attention of ministers and shadow ministers to the art of the possible and to remind them of the track record county councils had established in saving significant amounts of public money. This had been done through a rigorous efficiency drive to deliver more effective services. The "one place one budget" concept was beginning to gain traction. This was not just about a bit of devolution to city regions and thereby totally ignoring 40% of the rest of the country. Total public expenditure in Kent was in excess of £10bn. If the delivery of 5% efficiencies could be imposed along with the freedoms and flexibility to make good locally based decisions, it would save £500 million a year in the delivery of Kent public services. The 5% over three years could equate to £30bn nationally if the knowledge gained was applied to other areas of significant public expenditure.

(8) Mr Latchford, the Leader of the Opposition, congratulated Mr Wild on the award that he had been given. On behalf of himself and Mr Birkby, Mr Latchford said that they had enjoyed representing their group at the Poppy Day Launch on 22 October and he referred to the excellent work of the Royal British Legion.

(9) Mr Latchford responded to the Leader's report by referring to the medium term budget proposals. He stated that he accepted there would have to be significant cuts. In relation to the draft budget proposals and that he looked forward to the public response on what they perceived to be priority areas. He went on to say that his group would monitor the situation and that at this stage it would be premature to make observations and recommendations. However, he was able to say that already certain proposals did not meet with his Group's approval. He stated that with the national debt at an all-time high of £1.5 trillion and borrowing continuing to increase it was patently clear that there were many more challenges to come.

(10) Mr Latchford mentioned that like all group leaders he had been grateful to have been included in the briefings on the transformation process and that all officers involved should be congratulated on facing such a complex task so professionally. He stated that again there were areas of unease and although the opposition party would be supporting the commissioning framework and the continuing transformation process each step would be subject to scrutiny.

(11) Mr Latchford then referred to devolution. Following the concessions promised during the Scottish referendum there was now a ground-swell of opinion to increase devolution in England. He expressed support for devolution to second tier local authorities but recognised that it was early days and it was important that additional responsibilities were properly funded. He expressed the view that Parliament was basically governed by the European Union and that this would be a major issue in next year's election. He explained that his group supported the form of devolution where there was an English Parliament making decisions for the country as a whole on such issues as defence, foreign affairs, immigration and big infrastructure projects. He stated that he did not see any other powers exercised by Parliament that could not be carried out in Kent. In Kent there were 1.6m people which was more than some US states that had full powers. He believed there was too much interference from Whitehall and that Kent should have more power devolved to it; however, it this must be properly funded.

(12) Mr Latchford then mentioned the recently published "NHS Five Year Forward View" and stated that he was clear that much needed to be done to deliver good NHS services throughout the UK.

(13) Mr Latchford concluded by saying that, although, he was present with other group leaders at the Manston Airport briefing, he was surprised that the Leader had not included this in his report. He believed that all Members should be apprised of this major issue.

(14) Mr Cowan, Leader of the Labour Group, referred to the Medium Term Financial Plan and that KCC was entering this budget consultation with some £93m of cuts having to be made via next year's budget. The Chancellor of the Exchequer was supposed to have eliminated the budget deficit by this time and for there to be some easement in budget cuts. However, the austerity programme continued and he expressed the view that if these policies continued the deficit might not be eliminated until 2020. He would encourage as many people as possible to give their views in the budget consultation to help assess the budget proposals.

(15) Mr Cowan stated that his group's budget amendments would be designed to ease the burden on those on middle and low incomes. He noted that in the budget consultation views were being sought on a Council Tax rise of 1.99%. His group was prepared to accept this increase providing that the £10m raised was spent on maintaining frontline services and specifically helped those in previously mentioned income groups.

(16) Mr Cowan referred to the "NHS Five Year Forward View". He expressed the view that this should start at the bottom and then push through to the rest of the National Health Service. He stated that the growing crisis in recruitment and retention of GPs was gaining increased attention in the media. A large proportion of GPs were in their 50s and GPs had an average retirement age of 59. Newly qualified doctors were less keen than their predecessors to take on the additional financial worries of a partnership and were reluctant to accept the unsociable, long hours of working as a GP. He mentioned that Concordia Health, which ran surgeries in Dover and Thanet, had restructured their business and had requested the termination of their contract to provide these less profitable surgeries. He emphasised that 90% of GPs were private contractors and were driven by the same need of all small businesses to turn a profit. He agreed that the drive to have more practice nurses in GP surgeries was a sensible one. However, there were problems of recruitment as most nurses were hospital rather than community trained.

(17) Mr Cowan mentioned the transformation agenda. He stated that phase 1, due by May 2015, was critical in terms of the savings that had to be made and in ensuring that the Council was moving into a commissioning programme in the right way.

(18) Mr Cowan emphasised the importance of keeping control of the management of the transformation programme. He believed that it would be better for KCC to keep control of in-house services and to retain a minimum of 51% of whatever was commission externally.

(19) Mr Cowan expressed the view that it was too early to discuss devolution.

(20) Mrs Dean, Leader of the Liberal Democrat Group, referred to the budget consultation and stated that her group was not happy with this as it invited the population of Kent to vote for "motherhood and apple pie". The consultation did not refer to specific service cuts or specific developments and, therefore, was not a budget consultation. Although Mr Latchford had made reference to budget proposals she had not yet seen a draft budget proposal.

(21) Regarding the suggestions made by the Leader for the funding of the community wardens, Mrs Dean stated that if her parish council wished to pay for a community warden it would have to increase the parish precept by 300%. She stated that parish councils did not have the facility to meet this kind of expenditure. She mentioned that she had met with the Police and Crime Commissioner to ask whether it was possible for the parish council to pay for a police officer. Mrs Dean had been strongly advised that such an officer would still be regarded as part of the general complement and there would be no guarantee therefore, that they would work in specific parishes.

(22) Mrs Dean referred to devolution and welcomed the all-party support she anticipated for this during the debate later in the meeting. She stated that devolution had been a central policy of the Liberal Democrat party for many years but that governments of all descriptions had been somewhat schizophrenic with regard to devolution. Governments could devolve and they could claw back control. She mentioned the Localism Act was which supposed to provide control over planning decisions to the local communities. However, the National Planning Policy Framework allowed the Secretary of State to sweep that aside. As far as KCC was concerned Mrs Dean wondered how much of the devolution agenda could reasonably be handled when every service was part of a range of restructuring. She stated that she preferred people in this Chamber rather than the people in Whitehall to be running services so the principle had to be right but the devil was in the detail.

(23) In terms of commissioning and the outcomes framework Mrs Dean referred to two recent reports, which emphasised the gap between the rich and the poor in this country. A recent Cabinet Office report pointed out that the end of this decade might be the first when the attainment gap between children from poor families and those from wealthy families would have got worse rather than better. The report suggested that a new focus was needed in national education policy to ensure that this gap was narrowed. If there was not a new focus, it would take 20 years before the difference in the attainment gap could be halved. She hoped that the Leader would agree that this was one of the priorities in the outcomes framework.

(24) Mr Whybrow, Leader of the Independents' Group, stated that he welcomed the CCN's report on devolution. He was concerned about the lack of publicity for the report and would like the Leader to confirm whether there had been a positive reaction to the report from the Secretary of State for Communities and Local Government. He believed that the report highlighted some anomalies in the allocation of monies across London, the cities and county councils. The report also had some very good recommendations such as a five year budget settlement, fully integrated budgets and a Care Act reserve fund.

(25) Mr Whybrow stated that he particularly liked what the CCN's report said about Council Tax; it talked about revaluation and a review of the number of bands. He expressed the view that at least one new Council Tax band should be introduced at the higher end. He stated that for every £1 of additional tax raised by this government, it had made £9 of spending cuts. The CCN had said that 87% of county councils said that their budget pressures were severe. Finally the report said that local government finance was becoming increasingly unsustainable. He believed that this should be given more publicity otherwise, without a major restructuring of the way in which local government was funded, the cuts that the Council had to make this year would become harder to achieve.

(26) In replying to the other group leaders' responses, Mr Carter stated that the CCN document was gaining real traction. He stated that he and the chairman of the CCN had been invited to the Cabinet Office to meet Joseph Johnson MP. Mr Johnson insisted that they spoke to Lord Heseltine and Greg Clerk MP regarding Local Enterprise Partnerships and general devolution to county councils. Mr Johnson had also insisted that they had a high level meeting with the Treasury about the content of this document.

(27) Mr Carter agreed that in relation to devolution the devil was in the detail, the track record of being empowered with no money was quite a significant one. He stated that it was not necessarily about the transfer of functions and powers to local government, it was also about having the influence to bring people together in a sensible way, to make partnerships deliver and having the necessary tools to take action if those partnerships did not come together.

(28) Mr Carter stated that he had been assured by Mr Gough that the educational attainment of those on free school meals had improved in last 12 months. KCC had been focusing on this for some time.

(29) In relation to retaining services in-house, Mr Carter stated that there were many voluntary, charitable and community organisations that needed to be empowered who may then be able to provide some services better than the in-house provider. The adoption service was an example of this; the adoption statistics had been greatly improved by the transfer of that function to another body.

(30) Mr Carter stated that all group leaders had received a briefing by David Smith, Director of Economic Development, on KCC's position on the future of Manston Airport and the suggestion that there may or may not be a Compulsory Purchase Order. If Members would like a briefing, David Smith would be pleased to assist.

(31) Regarding the relationship with Europe and the future potential of that relationship, Mr Carter stated that before the referendum took place there was a need to have a sensible debate around what the strengths and positives had been and issues that may be to our detriment.

43. A collaborative approach to Member involvement in Commissioning - Report of the Member Working Group

(1) Mr Hotson moved and Mr Carter seconded the following recommendations as set out on page 29 of the report:

“County Council is asked to:

- a) Note and comment on the deliberations and findings set out in section 3 of the report.
- b) Agree that a cross-party, informal advisory board, chaired by a backbench Member, should consider commissioning decisions in depth and advise Cabinet Committees accordingly before Key Decisions are made, with the arrangement reviewed after a 12 month period
- c) Agree that given the majority of significant commissioning decisions facing the council over the next 12 months will come from the Facing the Challenge transformation programme, that the advisory board should also take on the responsibilities of the Transformation Board, with the arrangement reviewed after a 12 month period

d) Delegate to the Head of Democratic Services, in consultation with the Group Leaders, the establishment of a cross-party, advisory board as set out in this report.”

(2) RESOLVED that the recommendations set out in paragraph (1) above be approved.

44. Motions for Time Limited Debate

a) Devolution

(1) Miss Carey moved and Mr Marsh seconded the following motion:

“Kent County Council calls upon central government to devolve more powers and money not just to Scotland but to existing levels of local government at county, district and parish level. We also call for a transfer of powers from unelected and remote quangos to existing democratically elected bodies.”

(2) Dr Eddy moved and Mr Truelove seconded the following amendment:

“Kent County Council calls upon Central Government to devolve more powers and finance from central government to appropriate communities across England. We call for a Constitutional Convention as proposed by the Local Government Association, to determine what powers should be devolved in England and to determine the appropriate structure to dispense these powers in a more democratic and accountable way. We also call for a well-planned transfer of power from unelected and remote quangos to democratically elected bodies”

(3) Mr Parry moved and Mr Baldock seconded the procedural motion “that the question be put” and the votes cast were as follows:

For (63)

Mrs A Allen, Mr M Angell, Mr D Baker, Mr M Baldock, Mr M Balfour, Mr R Bird, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cowan, Mrs M Crabtree, Ms J Cribbon, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Dr M Eddy, Mr J Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Heale, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Ms S Howes, Mr G Koowaree, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr R Parry, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mr A Terry, Mr M Vye, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire.

Against (9)

Mr H Birkby, Mrs P Brivio, Mr C Caller, Ms A Harrison, Mr R Latchford, Mr T Maddison, Mrs E Rowbotham, Mr W Scobie, Mr N Thandi.

Abstain (2)

Mrs M Elenor, Mrs P Stockell.

Procedural motion carried

(4) The Chairman then put the amendment outlined in paragraph (2) above to the vote and the votes cast were as follows:

For (19)

Mr N Bond, Mrs P Brivio, Mr L Burgess, Mr C Caller, Mr G Cowan, Ms J Cribbon, Mr D Daley, Dr M Eddy, Ms A Harrison, Ms S Howes, Mr T Maddison, Mrs E Rowbotham, Mr W Scobie, Mr T Shonk, Mr D Smyth, Mr A Terry, Mr N Thandi, Mr R Truelove, Mr M Whybrow.

Against (55)

Mrs A Allen, Mr M Angell, Mr M Baldock, Mr M Balfour, Mr R Bird, Mr H Birkby, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mrs T Dean, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Heale, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr R Latchford, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr R Parry, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr C Simkins, Mr J Simmonds, Mrs P Stockell, Mr B Sweetland, Mr M Vye, Mr A Wickham.

Abstain (5)

Mr D Baker, Miss S Carey, Mr G Koowaree, Mr C Smith, Mrs Z Wiltshire.

Amendment lost

(5) Mr Vye moved and Mrs Dean seconded the following amendment:

“KCC calls upon central government to devolve more powers and budgetary responsibility, not just to Scotland but to existing levels of local government at county, district and parish level, and to restore powers and responsibility taken from these democratically elected authorities, for example under the current academy schools programme. We also call for a transfer of powers from unelected and remote quangos to existing democratically elected bodies.”

(6) Mr Parry moved and Mr Sweetland seconded the procedural motion “that the question be put” and the votes cast were as follows:

For (58)

Mrs A Allen, Mr M Angell, Mr D Baker, Mr H Birkby, Mr N Bond, Mr A Bowles, Mr D Brazier, Mrs P Brivio, Mr R Brookbank, Mr L Burgess, Mr C Caller, 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 T Gates, Mr G Gibbens, Mr R

Gough, Ms A Harrison, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Ms S Howes, Mr A King, Mr J Kite, Mr R Long, Mr G Lymer, Mr T Maddison, Mr S Manion, Mr A Marsh, Mr F McKenna, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr R Parry, Mr C Pearman, Mr L Ridings, Mrs E Rowbotham, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mr N Thandi, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire.

Against (19)

Mr M Baldock, Mr R Bird, Mr I Chittenden, Mr B Clark, Ms J Cribbon, Mr G Cowan, Mr D Daley, Mrs T Dean, Dr M Eddy, Mrs M Elenor, Mr M Heale, Mr C Hoare, Mr G Koowaree, Mr R Latchford, Mr B Neaves, Mr W Scobie, Mr A Terry, Mr R Truelove, Mr M Vye.

Abstain (0)

Procedural motion carried

(7) The Chairman put the amendment outlined in paragraph (5) above to the vote and the votes cast were as follows:

For (17)

Mr M Baldock, Mr R Bird, Mr N Bond, Mr L Burgess, Mr I Chittenden, Mr B Clark, Mr D Daley, Mrs T Dean, Mr T Maddison, Mr F McKenna, Mr G Koowaree, Mrs E Rowbotham, Mr W Scobie, Mr T Shonk, Mr A Terry, Mr M Vye, Mr M Whybrow.

Against (57)

Mrs A Allen, Mr M Angell, Mr D Baker, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr C Caller, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mr G Cowan, Mrs M Crabtree, Ms J Cribbon, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Dr M Eddy, Mr J Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Ms A Harrison, Mr M Harrison, Mr M Heale, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Ms S Howes, 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 R Parry, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr D Smyth, Mr B Sweetland, Mr N Thandi, Mr R Truelove, Mr A Wickham.

Abstain (3)

Mr H Birkby, Mrs M Elenor, Mrs Z Wiltshire.

Amendment lost

(8) Mr Caller moved and Mr Scobie seconded the procedural motion that "the question be put" in relation to the original motion and the votes cast were as follows:

For (56)

Mrs A Allen, Mr M Angell, Mr D Baker, Mr N Bond, Mr A Bowles, Mr R Brookbank, Mr L Burgess, Mr C Caller, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mr G Cowan, Mrs M Crabtree, Ms J Cribbon, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Dr M Eddy, Mr J Elenor, Mr G Gibbens, Mr R Gough, Ms A Harrison, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Ms S Howes, Mr J Kite, Mr G Koowaree, Mr R Long, Mr G Lymer, Mr T Maddison, Mr S Manion, Mr A Marsh, Mr M Northey, Mr P Oakford, Mr R Parry, Mr C Pearman, Mr L Ridings, Mrs E Rowbotham, Mr J Scholes, Mr W Scobie, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr D Smyth, Mr B Sweetland, Mr A Terry, Mr N Thandi, Mr R Truelove.

Against (15)

Mr M Baldock, Mr R Bird, Mr H Birkby, Mr D Brazier, Mr J Davies, Mrs T Dean, Mrs M Elenor, Mr T Gates, Mr M Heale, Mr C Hoare, Mr R Latchford, Mr F McKenna, Mr B Neaves, Mr M Whybrow, Mr A Wickham.

Abstain (2)

Mr I Chittenden, Mr B Clark.

Procedural motion carried

(9) The Chairman put the original motion set out in paragraph (1) above to the vote and the votes cast were as follows:

For (77)

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

Against (1)

Mr J Elenor.

Abstain (1)

Mrs M Elenor.

Motion carried

- (10) RESOLVED: that Kent County Council calls upon central government to devolve more powers and money not just to Scotland but to existing levels of local government at county, district and parish level. We also call for a transfer of powers from unelected and remote quangos to existing democratically elected bodies.

b) Reduction in the voting age

- (1) Mr Clark moved and Mr Bird seconded the following motion:

"This Council supports reducing the voting age to 16 and believe that encouraging participation in the political process is a valuable means of engaging young people in modern society.

We recognise the important contribution of 16 and 17 year olds to the recent Scottish Independence referendum and believe that the young people of Kent should also play a role in determining the future of their county and country.

Therefore, we propose that the Chairman should write an open letter to the Prime Minister urging him to introduce legislation to reduce the voting age to 16."

- (2) Following a debate the Chairman put the motion outlined in paragraph (1) above to the vote and the votes cast were as follows:

For (56)

Mrs A Allen, Mr M Baldock, Mr R Bird, Mr N Bond, Mr A Bowles, Mr D Brazier, Mrs P Brivio, Mr R Brookbank, Mr L Burgess, Mr C Caller, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mr G Cowan, Mrs M Crabtree, Mr A Crowther, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Dr M Eddy, Mr T Gates, Mr G Gibbens, Mr R Gough, Ms A Harrison, Mr M Harrison, Mr M Heale, Mr M Hill, Mr S Holden, Mr P Homewood, Mr E Hotson, Ms S Howes, Mr A King, Mr J Kite, Mr G Koowaree, Mr G Lymer, Mr T Maddison, Mr S Manion, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr C Pearman, Mr L Ridings, Mr W Scobie, Mr J Simmonds, Mr D Smyth, Mr B Sweetland, Mr N Thandi, Mr R Truelove, Mr M Vye, Mr M Whybrow.

Against (17)

Mr M Angell, Mr D Baker, Mr H Birkby, Mr J Elenor, Mrs M Elenor, Mrs V Dagger, Mr C Hoare, Mrs S Hohler, Mr R Long, Mr F McKenna, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr C Smith, Mr A Terry, Mr A Wickham, Mrs Z Wiltshire.

Abstain (4)

Ms J Cribbon, Mr R Latchford, Mrs E Rowbotham, Mrs P Stockell.

Motion carried

(3) RESOLVED: that this Council supports reducing the voting age to 16 and believe that encouraging participation in the political process is a valuable means of engaging young people in modern society.

We recognise the important contribution of 16 and 17 year olds to the recent Scottish Independence referendum and believe that the young people of Kent should also play a role in determining the future of their county and country.

Therefore, we propose that the Chairman should write an open letter to the Prime Minister urging him to introduce legislation to reduce the voting age to 16.

Question 1

COUNTY COUNCIL

Thursday 23 October 2014

Question by Susan Carey to David Brazier, Cabinet Member for Environment and Transport

Last year one of my parish councils was warned by its insurance company that the parish council should not clear any snow and ice in case they set up an expectation that the area would be regularly cleared and leave the parish council open to a claim from anyone who slipped. As we make preparations for winter would the cabinet member for environment and transport give some guidance to parish and town councils and volunteers who want to help keep pavements and public areas in their community clear of snow and ice.

Answer

As Miss Carey states many parish councils are keen to get involved in snow clearance and this is welcomed by Highways, Transportation and Waste.

The question of liability has come up several times over the years and we have sought advice from our risk and insurance team. I have left copies of the advice received outside the chamber for Members to consider, but in short, Zurich Municipal, who insures many parish councils, advises it should not be a problem for parish councils to extend their normal business activities to include snow clearing. Whilst Zurich acknowledge there is an issue around expectation management, KCC's Risk and Insurance team's opinion is that they would hope the courts would prefer to see this activity taking place rather than abandoned due to the fear of being sued. KCC will provide this full guidance to any parish councils seeking to clear snow in their area.

The advice to parish councils also applies to town councils, though I recommend they seek guidance from their legal departments. However, it is likely that many town areas will be on primary routes cleared by Kent County Council and its partners as part of our local winter service plans.

For members of the public wishing to volunteer to clear snow or grit footpaths, if they are acting on behalf of the parish or town councils any potential liability should be covered by their own household insurance. If they are acting on their own initiative then they should abide by the guidance on the www.gov.uk website which states that

“despite some media reports to the contrary, it is extremely unlikely that someone who has attempted to clear snow in a careful manner will be sued or held legally responsible if someone slips or falls on ice or snow at their property. People should not be deterred from performing a socially responsible act.

Though the person clearing the snow does have responsibilities when doing the job, mainly to ensure that they are not making the area more dangerous by allowing it to

refreeze, it is important to note that those walking on snow and ice have responsibilities themselves. A common sense approach is encouraged.”

Question 2

Question by Martin Vye to Graham Gibbens, Cabinet Member for Adult Social Care and Public Health

Given the increasing number of residents of Kent falling into food poverty, as evidenced by those needing to make use of Foodbanks, will the Leader:

- undertake to make safeguarding of the budget for the Kent Support and Assistance Service a priority for 2015/16, in the case that Government does not continue its funding of this service; and
- will he take steps to ensure that the County Council, as the strategic lead authority for Kent, uses its influence to help coordinate the response to the crisis by voluntary and statutory organisations?

Answer

The Kent Support and Assistance Service (KSAS) was established following the abolition of central government operated crisis loans and community care grants, as part of the package of measures to reduce spending nationally on welfare payments. A reduced level of resource was allocated to county and single tier authorities to provide some emergency assistance. KCC used this money to establish KSAS, which is an innovative local welfare provision service that works with the voluntary and community sector and other partners to target funding at those most in need and has moved away from the purely financial transaction model that had previously existed. KSAS now plays a pivotal role by supporting those going through a financial crisis with the provision of information and signposting; emergency support (such as grocery products and reconnection of fuel supply charges); and non-emergency support (such as the provision of furniture, white goods and cookers).

Like Mr Vye, I and the Cabinet wish to express our support for KSAS, which has quickly established a good reputation as a service of first and last resort when Kent residents are faced with a crisis or have no other recourse.

Whilst I cannot make a firm commitment on the future KSAS budget at this stage of the budgetary cycle, I can confirm my preference is for the service to continue. As John Simmonds will inform Council colleagues shortly, in response to Mr Whybrow's question, it is our intention to roll-forward this year's forecast underspend into next year subject to there being no shortfall at the end of this financial year - and at this time, we are on track to balance the books.

It will be possible to provide greater clarity later in the budgetary cycle and a paper on the future of KSAS will be taken to Adults Social Care & Health Cabinet Committee on 4th December. I would be delighted to speak to Mr Vye at that time, when further details will be known, about the actions being taken by the County Council.

Question 3

Question by Ian Chittenden to David Brazier, Cabinet Member for Environment & Transport

Most of us love Kent's green landscapes but as I travel along the roads in Maidstone and the surrounding countryside I have noticed that much of our greenery has become overly rampant. More and more roadside signs are obscured, some are completely hidden and footways are becoming impassable.

In most cases residents, farmers and other landowners are responsible for cutting back hedgerows bordering their properties. However, it is Kent County Council that is responsible for safety on our roads.

Would the Cabinet Member for Environment and Transport please advise what steps Kent Highways are taking to ensure the county's hedgerows are properly maintained?

Answer

As has rightly been pointed out, in most cases the responsibility for cutting back of vegetation rests with the adjacent landowners. Kent County Council has a duty to ensure the highway is clear so as not to cause a danger for highway users.

As you are no doubt aware, we have a team that inspect the network at set frequencies depending on the classification of the road. In real terms it can mean an inspection takes place on either a monthly or six monthly basis for carriageways and monthly or annually for footways. Where vegetation is noted to be causing a safety issue, action is taken ranging from knocking on doors asking for the vegetation to be cut back, to legal action for non-compliance. If the overgrowth is considered to be of such severity that it is causing a potential hazard, then Kent County Council Highways, Transportation & Waste may take direct action to remove it to ensure public safety.

In addition, we have our highway stewards dealing with individual enquiries from parishes and customers. Each enquiry is investigated and the appropriate action taken depending on the severity of the issue.

We are given powers under the Highways Act 1980 Section 154 to carry out enforcement action if necessary. This however can be a lengthy process and take many months to bring to a conclusion. Whilst we have to take into consideration the bird nesting season, public safety will always come first.

As far as county-owned hedgerows are concerned, these are cut annually over the winter months.

Question 4

Question by Martin Whybrow to John Simmonds, Cabinet Member for Finance and Procurement

The Kent Support and Assistance Service (KSAS) is a vital lifeline for Kent's most vulnerable and impoverished residents. Would the Cabinet Member for Finance and Procurement confirm that any underspend (currently predicted at £2.691 million) will be ring-fenced for the purpose for which it was intended and will not be used to make up for any overspend elsewhere? This is regardless of whether or not the service continues to be financed next year by central government in light of the high court action by Islington Council.

Answer

I totally understand your concern Mr Whybrow, and it is our intention to roll-forward this year's forecast underspend into next year, subject to there being no shortfall at the end of this financial year. In these difficult financial times, if a shortfall occurs then we would have to reassess this situation, however at this this time I'm satisfied that we are on track to balance the books. We are very mindful of the value of this fund in supporting and assisting the most vulnerable, and I hope we are able to do so beyond the 31 March.

Question 5

Question by Rob Bird to Peter Oakford, Cabinet Member for Specialist Children's Services

Given the persistent excess of demand for Specialist Children's Services, and of unit costs, over the level budgeted for in this financial year, will the Cabinet Member for Specialist Children's Services specify what action has been taken to reduce the forecast deficit in the budget for which he is responsible, and how he proposes to eliminate the deficit by the end of the financial year?

Answer

Thank you for your question. Specialist Children's Services were set a challenging £7 million saving target for 2014/15, following a number of years in which spending had increased to reflect demand. This additional investment helped to substantially improve children's services in the county and culminated in the lifting of OFSTED's improvement notice in 2013.

As part of the council's Facing the Challenge, the service is now engaged in the ambitious 0-25 Transformation Programme with the assistance of our Efficiency Partner, Newton Europe. Following a detailed diagnostic assessment, it was decided that some elements of the initial savings plans would not be delivered in 2014/15 as these would impact on the long-term efficiency of the service. This means the service will overspend this year against that challenging saving target and currently this is

forecasted to be by £6.5 million. However, management action is already in place to reduce this by £1.9 million to a £4.6 million overspend. We are doing everything possible to reduce this even further, including continuing to raise with the government the £1.8m unfunded cost of unaccompanied asylum seeking children.

We are starting to see the impact of this action with a steady decrease in the number of children needing to be taken into care, reflecting the quality of our early help and social work services. In addition we fully anticipate that further savings will be achieved in subsequent years as the Transformation Programme progresses.

As a final note, one aspect of the service which has created a financial pressure in recent years has been the cost of employing agency staff due to challenges with the recruitment of permanent social work professionals. I am pleased to be able to say that we have recently taken action in this regard – by agreeing to a range of salary incentives that aim to attract the best talent to the county, and encourage the excellent social workers we already have to stay.

Question 6

Question by Dan Daley to Graham Gibbens, Cabinet Member for Adult Social Care & Public Health

With an apparently increasing likelihood of the Ebola virus eventually coming to the British Isles, would the Cabinet Member for Adult Social Care & Public Health please advise what preparations KCC's Public Health team have already made or are making for the immediate containment of any case - or epidemic in Kent - should this sadly come to pass.

Answer

The outbreak of Ebola virus disease (EVD), first reported in March 2014, continues in three countries in West Africa, Sierra Leone, Guinea and Liberia. Additionally other countries have experienced importation of cases (Nigeria, Senegal, USA) and limited local transmission has occurred (Nigeria and Spain).

Ebola can only be transmitted from one person to another by direct contact with blood or bodily fluids of an infected person. No cases of Ebola have been contracted in the UK; the overall risk still remains low, but never the less there remains a risk of importing cases from West Africa into the UK.

Public Health England (PHE) as the lead agency is co-ordinating the NHS response. PHE is providing regular information to front-line health services including Hospitals, Microbiologists, GP's, Ambulance Services, Community Pharmacists and Dentists, the Border Agency and the Private Hospital sector. Advice has also been provided to universities, schools and other childcare settings.

If a case is identified here in the UK there is robust, well developed, well tested NHS systems for managing unusual infectious diseases such as Ebola.

Enhanced screening in Heathrow, Gatwick and Eurostar has been recently initiated on the basis that these are the significant ports of entry for people travelling to the UK from West Africa.

The County Council has no specific responsibilities in respect of Ebola other than to gain assurance that PHE and the NHS have robust local systems. We must ensure that our role of informing and warning is co-ordinated with the NHS and PHE. I have asked for assurance that suitable protections are in place at the Port of Dover, to ensure, that people entering through the port are screened as appropriate. We are aware of the situation in Calais of people seeking entry to the UK and, therefore, it is very important that suitable protections are in place at Dover. Our communications team have good links with both PHE and local NHS.

In summary the risk of Ebola virus disease remains low in Kent and the UK. Never the less there is a real risk; PHE and the NHS have plans in place to prepare for and manage that risk.

Question 7

Question by Chris Hoare to Roger Gough, Cabinet Member for Education and Health Reform

On 15th May you told this council that the KSA contractor (Wilmot Dixon) had confirmed that they had delivered four apprenticeships, an offer of 60 days of work experience, for local students, and that the contractor made contact with K-College and Job Centre Plus to offer trade awareness, mentoring and shadow opportunities.

Each of those assertions has proved to be untrue. I have since shown you that Wilmot Dixon maintained throughout the life of the contract that they had no apprentices, and confirmed in writing to the Mystery Shopper that they did not provide apprenticeships. Towards the end of the contract, in their KPI reports to the council, they said that apprenticeships had been provided by their subcontractors. There has been no evidence of any subcontractor having any apprenticeships. And no evidence of any new apprenticeships being offered through or because of this contract. K-College agreed that there was a meeting with the contractor, but confirmed that no such places or trade awareness, mentoring or shadow opportunities were offered, and that there were no apprenticeships on the KSA site. Job Centre Plus confirmed the same.

What action do you propose to take on Wilmot Dixon's breach of their contractual commitments?

Answer

The detail provided on 15th May 2014 relates to the information provided by Willmott Dixon Construction directly. We have asked for substantiation of these figures with actual names and subcontractors who employed these apprentices. Willmott Dixon Construction have agreed to provide this information but this has necessitated contact with their subcontractors directly which has taken time. The project finished, in the majority, in April 2013 and therefore the attendance and subcontractor information has been archived since this time. I cannot agree that my answer to the

CCQ on the 15th May has proved to be untrue and I will address each of these in turn:

Within the Cabinet Office Mystery Shopper exercise of October 2012 which you have referred to, Willmott Dixon focussed their reply on the engagement with SME's, Employment of Local Labour and their engagement with the local community. Willmott Dixon confirmed that they do not directly employ Apprentices as they do not employ staff directly engaged in construction trades as is common with many large contractors. Willmott Dixon however do encourage their trade subcontractors to undertake this directly and this is how the upskilling/ apprenticeship requirement was met. The Mystery Shopper exercise confirmed that this was the approach that has been taken and indeed in your own question you go onto to confirm that Willmott Dixon did report that they have apprentices on site as part of the works.

With regard to engagement with the local employment agencies, Willmott Dixon did make contact with the local Job Centre Plus and K-college, and whilst this contact did falter due to changes in personnel, Willmott Dixon gave us assurance that they would make contact and continue this association for their subcontractor use. You have also shown me copies of correspondence which confirm in the case of K-college that this contact was made and that Willmott Dixon did provide opportunities but that the college was unable to take these up at that particular time. It must also be noted that apprenticeships may be arranged through a variety of organisations and are not always directly through the local FE college.

We take our responsibilities to manage the contract requirements seriously, and request updates on a periodic basis. Once the main construction period ended in April 2013, there was very little opportunity for further upskilling and apprenticeships. It was accepted by ourselves that Willmott Dixon had engaged with their subcontractors and had engaged within the local area. Our intention is to always to encourage our main contractors to look for additional upskilling opportunities and we know of a number of other organisations who are indeed working within Kent to provide Apprenticeships.

As you are aware we have subsequently met and you showed me hard copies of various documents which you took away with you. You undertook to provide copies of the various correspondence so that these matters can be looked into further. I have yet to receive these but please be assured if there is any evidence that our contractor has not delivered then we of course be taking appropriate action, however at the present time I am unable to agree with your assertions.

Question 8

Question by Brian Clark to Mike Hill, Cabinet Member for Community Services

I am sure members will agree that Kent's community wardens provide a valuable service, preventing low level crime in local communities. In reducing warden numbers from 79 to 40 across the county as outlined in the public consultation, there is a real risk that the scheme will become inadequate, local crime will increase and long term viability of community wardens called into question.

Beyond the consultation, can the cabinet member for communities explain how he will ensure that the quality of this service will remain fit for purpose, and how he will prevent residents, businesses and the county from bearing a cost greater than the savings made?

Answer

I thank Mr Clark for his praise and understanding of the value of the wardens which I fully endorse and it is with regret that we are having to propose a reduction in this highly successful service. But I recognise the realities of life and the enormous savings the authority is required to make and I accept that the warden service must play its part in achieving these savings. However I am absolutely determined that we will retain a robust and efficient service, even though there will be some reduction in the numbers.

Officers are working very closely with our Police colleagues to ensure that the high quality of the service is maintained and interlinked with the neighbourhood policing model.

Wardens will maintain a connection with the areas and localities they currently serve and will be tasked and coordinated via the local community safety unit to respond to any other appropriate issues across the District on a daily basis.

We are considering establishing a cadre of volunteer wardens across the county based upon the special police constable model. This I hope will provide an additional presence on the ground.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Mike Eddy to
David Brazier, Cabinet Member for Environment and Transport**

At the Dover Joint Transportation Board of 11 September 2014 members were informed that the sewerage system of Deal and Sholden was at capacity. In view of the number of houses being planned and built in the area, what representations has the Cabinet Member for Environment and Transport made to Ofwat and the privatised water companies to increase the sewerage capacity in and around Deal, and has this council advised the local planning authority of the situation?

Answer

Water Companies prepare five-year asset management plans that are agreed with OfWat, which set out the infrastructure investment they will undertake over that period and the charges they can make to their customers to fund it. Southern Water should review local growth projections when developing its five-year investment plan.

The next five-year investment period will commence next April, so Southern Water should be appraised of the projected growth in Deal and planning accordingly. KCC has recently set up regular liaison meetings with main Kent water companies. At the last meeting the issue of sewer flooding in East Kent, including Deal, was raised and it was agreed that a representative from the wastewater side of the Southern Water business will attend future meetings to discuss their plans.

Southern Water is a statutory consultee for any development that proposes to connect to the public sewer. If an increase in capacity is required there is an opportunity for the sewerage undertaker to negotiate with the developer an appropriate S106 agreement at the application stage. However, it should be noted that new development has an automatic right to connect to the public sewer, which the water companies cannot refuse.

Any new development is required by the NPPF to maintain the existing discharge of surface water from the site and is encouraged to reduce it. We understand that Dover District Council is aware of the wastewater capacity in Deal and are proposing to adopt the sustainable drainage measures for proposed development in Deal.

Question 2

COUNTY COUNCIL

Thursday 11 December 2014

Question by Roger Latchford to Paul Carter, Leader of the Council

Manston Airport:

What steps has KCC taken to demonstrate support for the motion passed with unanimous support on the 17th July , and what resources has it or is it willing to give to support Thanet District Council and partners pursuing a CPO?

Answer

Thank you Roger for providing me with the opportunity to update members on Manston.

If Members cast their minds back they will recall this Council unanimously agreed the following motion on 17th July:

“That Kent County Council supports the actions taken so far by Thanet District Council to retain Manston as a regional airport. We recognise the value that a regional airport brings to East Kent and are disappointed at its closure. Kent County Council will explore with Thanet District Council ways in which it can support proposals to retain Manston as an airport.”

As I made clear during the debate, Kent County Council would consider how best it could support any compulsory purchase order by Thanet District Council subject to a viable business case being presented by a commercial partner.

Thanet District Council's Cabinet received legal advice on 31st July which concurred with this stance that in order to demonstrate the case for a CPO is “*compelling*”, “*the Council should identify a CPO indemnity partner capable of delivering a 20 year business plan*” for the site.

Eager to support any sensible proposition, Kent County Council has been in contact with Thanet District Council to request copies of any expressions of interests received from any prospective indemnity partners so we could determine how best to support any viable business plan.

Thanet District Council has made us aware of only one company that made a substantive proposal. Naturally we have requested copies of this party's business plan, but due to a confidentiality agreement between Thanet District Council and this

company, Thanet is prevented from disclosing the information provided by the company to Kent County Council.

I had already asked RiverOak - which I believe is the company that has been in discussions with Thanet District Council - if I could see their business case and they have refused to share it with me.

Thanet District Council's Cabinet will tonight receive a report that the company that has approached them *"does not demonstrate that it has the appropriate financial status or has committed investors to:*

- 1) enable it - if required - to acquire the site by private treaty prior to a CPO process being commenced*
- 2) fund the preparation of a robust case for CPO acquisition*
- 3) meet the expected compensation costs, and*
- 4) to develop the airport and operate it viably in the long-term"*

In the absence of a viable proposition from a possible airport operator, KCC has worked with the new owners of Manston who are promising a very exciting redevelopment of Manston – including 4,000 new jobs and £1 billion new investment in Thanet.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Zita Wiltshire to
Peter Oakford, Cabinet Member for Specialist Children's Services**

Thanet has again seen rising complaints regarding Children's Homes and private foster carers who draw disruptive children from other local authorities into Thanet. This includes enhanced payments to foster carers, undermining the ethos of care, and replacing it with business incentive.

How does KCC control such activity, considering the blight on resident lives and the impacts on education, hospitals and other services, whose own public service ethos unwillingly subsidises this activity?

Answer

Thank you for the question. As Members will know, both the previous Cabinet Member for Specialist Children's Services and I have proactively campaigned for other Local Authorities to not place their children in care in Thanet, and other districts in Kent, due to the strain on resources including education, police and CAMHS.

For these reasons the Council's own policy is to not place non-Thanet children in care in Thanet. However the Council is unable to prevent the independent sector recruiting in Kent, or other Local Authorities placing in Kent when that placement meets the needs of the individual, and the placement does not impact on the resources available for our children in care.

I would like to point out that not all children placed in Thanet or elsewhere in Kent will be disruptive. These are children who have often not had the best start in life.

Financial incentives for the recruitment of foster carers are becoming a national issue and the Council has raised its concerns with the Fostering Networks National Steering Group, with this item being tabled for discussion at the next meeting.

Additionally, in part due to the campaign this council has carried out, this year has seen amendments come into force to the Care Planning, Placement and Case Review Regulations 2010 (the "Care Planning Regulations"), and a new amendment to Regulation 31 of the Children's Homes Regulations. These amendments should see an impact in the reduction of other Local Authority children in care placed in Kent. I am happy to provide further details of the amendments outside of this meeting.

Question 4

COUNTY COUNCIL

Thursday 11 December 2014

Question by Martin Vye to Mark Dance, Cabinet Member for Economic Development

Given the outstanding A level results achieved by students at both Simon Langton Grammar Schools, Girls' and Boys', in Canterbury, and their ongoing success at university, will the Cabinet Member for Economic Development say what he plans to do to attract high tech physics-based companies to East Kent, to build on and develop this undoubted local strength?

Answer

All of us in the County should be very proud of the extraordinary success of the Simon Langton Grammar Schools enabling young people to work on authentic science research at the school, with many of them continuing with science and engineering at University. I particularly welcome their success in encouraging more girls to engage with science and engineering at school and continuing at University. We are working with the Head Teacher and his staff to promote the Langton Star Centre to become the basis of a National Centre for Science Research in Schools whose aim would be to extend national research collaborations for students and train and support the science training profession to embrace this model. This would link with the activity of Locate in Kent to bring together a science-based cluster of innovative companies in Kent.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Martin Whybrow to
Gary Cooke, Cabinet Member for Corporate & Democratic Services**

Why do the summary records for members' attendance at meetings no longer appear on the KCC website? Was this an oversight, in which case when will they be put back? Was it a deliberate decision, in which case, what were the reasons for this loss of transparency for residents, why were members not informed of the change, and should the matter not have gone through the Selection and Member Services Committee for approval?

Answer

The information on the Council's website relating to Members' attendance at formal Council, Cabinet and Committee meetings is produced via a reporting facility on the Council's Committee Management System known as modern.gov. The statistics are generated automatically when the minutes of the various meetings are uploaded to the system, which confirms the names of those Members who were present as expected and those who for whatever reason were absent and had to send a substitute. It is a statistical snapshot about just one of the many responsibilities that elected Members perform in terms of representing the communities they serve and gives no information about the genuine reasons why individual Members cannot attend all of the meetings they are invited to.

Following representations from a number of Members, I formed the view that these statistics, whilst accurate, could lead to an entirely misleading impression being given about how hard Members work for their communities, which goes way beyond attending formal meetings. I consulted the Head of Democratic Services, who confirmed that there is no requirement to publish these summary statistics of meeting attendance in addition to publishing the minutes themselves, which is a legal requirement and I, therefore, took the decision to remove them from the website. The statistics remain available for any Member or member of the public who may wish to see them. In fact, officers have recently responded to a Freedom of Information request about the attendance at formal meetings by Members of the UKIP group on KCC.

As far as I am aware, the Selection and Member Services Committee was not asked to sanction the purchase or deployment of the modern.gov system some 7 years ago or agree to the use of the automatic meeting attendance function, which is just one part of that system's functionality. This, together with the fact that it is not a requirement to publish these statistical summaries led me to conclude that the Committee did not need to be asked to approve this measure.

However, I have asked for a report to be prepared for the Selection and Member Services Committee to consider early in the New Year, which will look at innovative and creative ways each individual Member can demonstrate to the communities they serve the total contribution that they make to the Council on their behalf and I look forward to that discussion with colleagues from all political parties.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Rob Bird to
Roger Gough, Cabinet Member for Education and Health Reform**

Energy bills can be a significant expense for our schools. In recent years a number of schools across the country have arranged for solar energy companies to install panels on their premises. Thus the schools have significantly reduced their electricity bills and significantly reduced their carbon footprint for zero capital outlay, a true win win.

Accordingly, would the Cabinet Member for Education and Health Reform advise how many KCC controlled schools have installed equipment for generating renewable energy, what the value of the savings has been and what encouragement and advice KCC is providing to those schools that haven't?

Answer

The Authority is aware of 29 Kent schools (both maintained and non-maintained) that have solar panels. This is not a definitive list, but is informed by Officer knowledge as well as data from LASER.

We are able to estimate the electricity savings for 16 of these 29 schools, and the collective figure is £13,436.70. We have no data on any schools receiving the government's feed in tariff payments.

KCC do not currently provide finance for, or actively promote the various finance offers from, the private sector to install solar panels in schools, due to a number of risks identified, but officers do provide information and advice to schools that request it. KCC does provide support to schools directed at energy efficiency projects, as these type of projects still provide more significant energy savings than solar panels. We also offer interest free invest-to-save financing and just recently we held a successful campaign to promote the benefits of this finance scheme and also LED lighting in partnership with the schools finance team. As a result we have 40 school enquiries, these schools will receive a free survey and quote for LED lighting or any other energy saving project they are keen to explore. Unfortunately, this finance is not available for solar panels, as to qualify projects must pay back within 7 years or less.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Brian Clark to
Peter Oakford, Cabinet Member for Specialist Children's Services**

With the backdrop of the Child Sex Scandal in Rotherham and the release of Ofsted's report "The sexual exploitation of children: it couldn't happen here could it", Debbie Jones, Ofsted's National Director for Social Care, said it "cannot be acceptable that local authorities and partners are still failing to grasp and deal with abuse effectively". She stated, "We are calling on all local authorities and their partners to ensure that they have a comprehensive multi-agency strategy and action plan in place to tackle child sexual exploitation,"

In light of these comments and recent events, can the Cabinet Member for Specialist Children's Services say what steps is KCC taking to ensure it is not an authority considered to be failing to face up to its responsibilities in preventing child sexual exploitation.

Answer

Thank you for your question and I would like to assure Members that this authority takes child sexual exploitation very seriously. As Members may know, following the well documented exploitation of children in Rochdale and elsewhere, Ofsted undertook a Child Sexual Exploitation thematic inspection which included Kent. Although not an assessed inspection, this has confirmed both our areas of good practice and those that make sense to strengthen further.

Ofsted described the recent major multi-agency operation in Kent as a highly impressive child focussed piece of work, that was well resourced and with strong cross agency information sharing. The quality of the Kent and Medway multi-agency Child Sexual Exploitation Strategy was also recognised.

However I, the officers and our partners are not complacent. We are continuing to raise standards by ensuring return interviews for children who go missing are of consistently high quality and that trends are carefully analysed across agencies. The Kent Children's Safeguarding Board has also raised the priority of dealing with Child Sexual Exploitation. Additionally the multi-agency training on exploitation is now mandatory for all our staff who work directly with children and young people.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Andrew Bowles to
Mark Dance, Cabinet Member for Economic Development**

"Could I first congratulate the Cabinet Member and his department for progress so far in enabling our residents to access high speed Broadband. I am sure he is able to access more up to date figures than I but the latest figures I possess for October 2014 show high speed fibre Broadband is available to in excess of 610,00 homes in Kent.

Much of my division is scheduled to go live during the current phase, October 2014 to October 2015. My concern is the small number of communities, many in my division, who are outside the areas where coverage is currently scheduled. There are communities along the North Downs such as Throwley and Stalisfield that have no clear information as to what level of service upgrade they may expect or when. May I add that I know this also applies to some communities in the Borough of Maidstone.

Can the Cabinet Member update the County Council on the matters raised in my question?"

Answer

KCC has made significant progress in delivering the Broadband Delivery UK (BDUK) Phase 1 project across the County, since it began in March 2013, and the project remains on track.

The project is bringing superfast broadband to over 120,000 properties by the end of 2015 in areas that will not benefit from commercial upgrade programmes. The project also aims to ensure that all properties in the intervention area have access to a standard broadband service of at least 2 mbps. Further details on the project and the deployment plan – including a 7 digit postcode checker and an interactive map are publically available on www.kent.gov.uk/broadband.

Over 60,000 homes and businesses have so far benefited from the Kent and Medway BDUK Phase 1 Project who would otherwise have been left with no or slow broadband. We are currently procuring a Phase 2 project. This is part of BDUK's national superfast extension programme which is seeking to ensure that at least 95% of properties across the UK can access superfast broadband. At a local level, our overriding intention is to get as much superfast and fibre-based broadband to as many premises as possible in Kent.

We are also working with BDUK as a pilot location for their 'Innovation Market Testing' Scheme. This initiative involves 8 small-scale field trials across the UK of new technological approaches for delivering superfast broadband services in 'final 5% areas' – of which the Swale-based pilot specifically targeting communities on the North Downs

is one. We understand that the findings of this work will be used by BDUK to inform the development of a new national BDUK Phase 3 Programme to bring faster broadband to communities that will not benefit from Phase 1 or Phase 2 project work.

I have noted what Mr Bowles has said about the communities he mentioned in his question. It should be stressed that delivering to 'final 5%' locations is challenging. However, KCC remains committed to working with local partners and BDUK to realise our longstanding ambition of wanting all rural communities to have access to superfast broadband services.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Gordon Cowan to
Roger Gough, Cabinet Member for Education and Health Reform**

For many years there have been concerns of how the Kent Test has been run. Can the Cabinet Member for Education and Young People Services confirm how many children sat the Kent test this year, and what proportion of candidates sitting the Kent Test were from all primary schools in Kent as well as their rate of success, what percentage sat it from outside of Kent and their rate of success?

Answer

It is not apparent what concerns about how the Kent test is run would be related to the number of children taking part and how they performed, but the following data may be helpful.

The approximate cohort for Year 6 in Kent primary schools is 15,600, of whom 9,909 took part in testing (c.64%) and 4,063 were assessed suitable for grammar school – c.41% of the Kent children taking part, representing c.26% of the Kent Y6 cohort.

A further 3,089 children from outside Kent took part in testing and 1,695 of these were assessed suitable for grammar school – c.55% of those taking part. Most external candidates are competing for places in grammar schools close to the borders of the county, some of which prioritise candidates for admission taking account of their test scores, so we normally see a higher success rate, as it is mainly highly motivated candidates who opt in. Not all of them will apply for or gain places at Kent grammar schools, the majority of which offer places taking account of sibling links and home address.

In each of the last two years approximately 8% of the Kent grammar school place offers made on National Offer Day were to children who were resident outside Kent when they made their application.

Mr Cowan will be aware that the tests children took in September this year are the first following the review and reshaping of the 11+ process which began in 2012. I am pleased to report that this has gone well.

As a result of the changes both the amount of school time taken up and the number of tests involved have been reduced. While administration has been streamlined, we have nevertheless achieved the welcome reintroduction of a literacy element in the skills assessed. Refreshing the test format has also resulted in a reduction in the number of very high test scores without any adverse effect on the proportion of Kent pupils assessed suitable for grammar school.

COUNTY COUNCIL

Thursday 11 December 2014

**Question by Trudy Dean to
Roger Gough, Cabinet Member for Education and Health Reform**

There has been a marked increase in the number of out of county pupils taking the Kent Test for starting school in September 2015 and being assessed as suitable for grammar school, compared to the previous year. I believe KCC is required to open its test to anyone who applies to be tested and that the authority also receives basic need allocations for the additional school buildings that might be required, but would the Cabinet Member for Education and Health Reform please provide further information with regard to this worrying situation, including where the out of county pupils will be offered grammar school places.

Answer

It is true that we cannot limit access to the Kent Test, and that the number of children from outside Kent who take it has increased over the last few years. The phenomenon of “test tourism” is not peculiar to Kent, and we know that other Local Authorities with grammar schools are experiencing a similar growth in numbers seeking assessment.

The law governing us is the School Admissions Code, which enables parents to express their preference for a place at any state funded school, regardless of whether it is in the local authority area in which they live. (SAC 2.1)

School places must be allocated according to their determined admission arrangements, and as all Kent’s grammar schools take account of the Kent Test the Council must allow children to take part so that parents have the results in time “to make an informed choice of school – while making it clear that this does not equate to a guarantee of a selective place” (SAC 1.32c)

Kent does, however, restrict registration for testing to children resident in the UK, with the exception of children of UK service personnel and Crown Servants, who are privileged by section 2.18 of the Code.

At the same time we encourage schools, both for those whom we are Admissions authority and those for whom we are not, where possible within the law to give priority to Kent children in the admission arrangements for Kent schools, as the majority of the county’s grammar schools do. We have had some success and are continuing to work on this.

As mentioned in the answer to the last question, an increase in the number of out of county pupils assessed as suitable for admission does not guarantee that they will

go to a Kent grammar school, and where schools take account of home address in their criteria, this may well work against out of county applicants unless they live close to the county boundary. You will recall that the proportion of Kent grammar school places offered to children who were living outside Kent when they applied has remained at 8% in the last two years.

As the co-ordinated admission process is still under way we cannot predict where those that took the Kent test this year will be offered a place. As always, those schools close to boundary with other Local Authorities, and whose criteria do not have a strong geographic focus will be more likely to draw in pupils from outside Kent.

As of now, there has been little Basic Need expenditure on secondary schools places, and even less on Grammars. As demand increases, mostly from Kent pupils, it is quite possible that a grammar will be expanded under this programme.

By: Paul Carter, Leader of the Council

To: County Council – 11 December 2014

Subject: Facing the Challenge: Commissioning Framework

Summary: This paper provides an overview of the new KCC Commissioning Framework and seeks Members' approval to proceed with implementation of the Framework.

RECOMMENDATIONS:

The County Council is asked to agree the following:

- The Commissioning Framework in Appendix 1 is adopted by the County Council and becomes part of the Council's Policy Framework
- The principles proposed within the Framework are taken forward and embedded across KCC by Directorates and Change Portfolios as appropriate.

1. INTRODUCTION

- 1.1 With public sector austerity expected to continue for years to come, coinciding with unprecedented demand for our highest cost public services, KCC needed to respond to these challenges in a way which not only ensures that we can sustainably manage the financial impact on the Council and on our residents, but also continue to support the people and place of Kent in a way that is integral to the values of KCC.
- 1.2 In July 2013, KCC set out our response to these challenges through 'Facing the Challenge: Whole-Council Transformation'. This paper outlined how we would urgently rethink our delivery models to drive out short-term savings, alongside a longer-term strategy of evolving towards becoming a strategic commissioning authority by 2020.
- 1.3 In September 2013 the council's first corporate transformation plan for the whole organisation was agreed. 'Facing the Challenge: Delivering Better Outcomes' set out how the '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'. It sought to align all pre-existing and future change activity under one banner, to ensure that our change activity is coordinated and targeted towards addressing our most significant challenges.
- 1.4 This transformation programme is being delivered at pace, and significant benefits have already been achieved. Our portfolio approach is ensuring that we are focused on outcomes for residents across each 'age and stage', and we are

in the process of establishing new delivery models which will enhance our ability to deliver effective, value for money services to our residents.

- 1.5 These transformation activities are integral to KCC's response to our financial challenges, and are vital steps on our journey of moving towards becoming a commissioning authority, but we also need to ensure that we are taking a strategic approach to this progression. Therefore in May 2014, through 'Facing the Challenge: Towards a Strategic Commissioning Authority', County Council recognised the level of change required, identified several key gaps that need to be addressed, and recommended the development of a Commissioning Framework for KCC.
- 1.6 In May 2014 Members considered a paper entitled Facing the Challenge: Towards a Strategic Commissioning Authority, which highlighted key areas in which we need to strengthen our capability to enable KCC to become a more effective strategic commissioning authority, focused on achieving our outcomes however our services are delivered. It also provided more detail on the proposed role of Members in commissioning. As a result Members agreed to the development of a Commissioning Framework that would "enable consistency of approach to commissioning across KCC, provide a process and principles for commissioners to apply, and standards to meet, when commissioning any service".
- 1.7 This Framework has now been developed and is attached to this paper as Appendix 1 for consideration by County Council.

2. APPROACH

- 2.1 The Commissioning Framework has been developed in close partnership with Members and with officers across the Council. This engagement has involved:
 - A cross-service Officer Working Group was established to lead on the delivery of the Commissioning Framework. The Group has met six times since July 2014 and comprised Officers from all KCC Directorates.
 - Discussions with Cabinet Members as a group and individually, to inform the development of the commissioning principles.
 - Engagement with the Member Working Group on Commissioning which was established by the Leader of the Council to consider the role of Members in commissioning. Regular updates have been provided to the Group on the development of the Framework, and the Group has had several discussions on the emerging principles. A joint meeting between the Member and Officer Working Groups was also held to discuss how Members and Officers could collaborate more through the commissioning cycle, informing the Terms of Reference of the new Commissioning Advisory Board.
 - Engagement workshops were held with staff from all change Portfolios, to seek views on what we are already doing well in relation to commissioning and how we can improve our approach. Over 100 staff attended these workshops.

- Initial thinking on the emerging principles was discussed with union representatives to help inform the development of the Framework.
 - Initial thinking on the emerging principles was also discussed with representatives of our voluntary sector partner organisations, to help ensure that the commissioning approach we will be embedding helps us to be an effective commissioning partner for our local voluntary and community sector.
 - The draft Framework was also considered by Directorate management teams across KCC.
- 2.2 The feedback received from these various groups had an integral role in the development of the Framework and the document now being considered by County Council has been significantly redesigned to ensure that it meets the needs of stakeholders within and beyond KCC.
- 2.3 The Commissioning Framework aims to reflect the recommendations from the Select Committee on Commissioning, which published its report in April 2014 and which was a key driver of the Framework. The Select Committee made several recommendations which have been incorporated into the Framework, in particular in respect to social value and the importance of close working with our voluntary sector partners.
- 2.4 In addition, the Local Government Association (LGA) and the Association of Directors of Adult Social Services (ADASS) recently commissioned the development of a national set of commissioning standards. The purpose of these national standards, like our local Framework, is to help improve outcomes and authorities will be self-assessing their commissioning practice against these national standards. As such, we have also ensured that there is significant alignment between the national standards and KCC's new Commissioning Framework, to ensure that we are reflecting national best practice.

3. OVERVIEW OF THE FRAMEWORK

- 3.1 The purpose of the Commissioning Framework is to provide a clear picture to Members, staff, residents, partners and providers about how we will use a commissioning approach to achieve the impact articulated within the Corporate Outcomes Framework.
- 3.2 It reinforces statements already made by County Council, for example emphasising that becoming a strategic commissioning authority does not mean that we will outsource all KCC services. Instead, it is a core principle of the Council that we will be open-minded about how best to achieve outcomes, and will hold all providers to account for the delivery of KCC's strategic outcomes, be they internal providers, external providers or those funded through grants.
- 3.3 It also emphasises the priority placed by Members on genuine consideration of social value in all KCC commissioning. This reflects the recommendations of the Select Committee on Commissioning and helps ensure that we are making informed decisions about the extent to which we will enhance social value within the funding available for any KCC service.

- 3.4 Building our internal and external commissioning capacity is another fundamental element of the Commissioning Framework. Not only do we need to support our staff and Members to embed this commissioning approach, but also in line with our continued commitment to the voluntary sector in Kent, we will need to support the development of commissioning skills and capacity in our partner organisations. We will ensure that our commissioners are empowered to commission services in the way that best delivers the outcomes we seek, and that our residents and our provider partners (particularly those in the voluntary sector) are able to fully engage in our commissioning activities.
- 3.5 The Framework sets out ten core principles which we will embed in everything that we do as an authority, to use the discipline of commissioning to develop an outcomes-focused commissioning culture across KCC. These principles are:
- **Principle 1:** Focused on outcomes for our residents
 - **Principle 2:** A consistent commissioning approach to planning, designing and evaluating services
 - **Principle 3:** The right people involved at the right stage of commissioning
 - **Principle 4:** Open-minded about how best to achieve outcomes
 - **Principle 5:** High-quality, robust evidence informing our decisions
 - **Principle 6:** Hold all providers to account for the delivery of KCC's strategic outcomes (strong contract management)
 - **Principle 7:** Customers at the heart of our commissioning approach (including customer insight)
 - **Principle 8:** A commitment to building capacity
 - **Principle 9:** We will maximise social value
 - **Principle 10:** Our supply chains will be sustainable and effective
- 3.6 The Framework sets out our goal for each principle and what this means in practice, for KCC, for our staff and our partners.

4. IMPLEMENTATION

- 4.1 The Framework makes clear that becoming a strategic commissioning authority is not about implementing new organisational structures or bureaucratic processes. As such the way in which the principles of the Framework are embedded will vary from service to service across KCC. Cabinet Members and Corporate Directors will be responsible for embedding these principles within their Directorates, and our established project assurance and audit processes will be used to assess the extent to which we are progressing towards making these goals a reality.
- 4.2 Each Directorate will be responsible for taking forward actions which support the implementation of the Framework, for example ensuring that commissioning-related accountabilities are clearly defined, and updating our existing transformation blueprints to reflect the Council's agreed strategic outcomes.

- 4.3 A toolkit will also be developed to support practical implementation of the Framework, for example providing more detailed guidance on the role of Procurement and on how social value can be measured. A Workforce Development plan for commissioning skills is also being developed.

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Appendices:

- Appendix 1: A commissioning framework for Kent County Council: Delivering better outcomes for Kent residents through improved commissioning

Background Documents:

- [Facing the Challenge: Towards a Strategic Commissioning Authority, May 2014](#)
- [A collaborative approach to Member involvement in Commissioning - Report of the Member Working Group, October 2014](#)
- [KCC Commissioning Framework – Equality Analysis/ Impact Assessment](#)

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A commissioning framework for Kent County Council:

Delivering better outcomes for Kent residents through improved commissioning

Introduction

Kent County Council (KCC) has extensive experience of commissioning, but our ambitions for the way in which we commission and the impact that we can achieve through this approach are growing.

The Council has already stated its intention to become a strategic commissioning authority. KCC's Members have made it very clear that this does not mean that we are outsourcing all services – KCC is committed to commissioning as an approach because we need to:

- Use our resources and those of our partners in a more joined up way, better connecting these resources to the needs of Kent and ensuring that we are achieving optimum value for money
- Have confidence that we are making the greatest possible difference to Kent residents through the services that we offer
- Take tough decisions that are informed by evidence when resources that we invest aren't working well enough to make a difference for our residents
- Work less in isolation than we have done in the past, by listening more to our residents, providers and partners, including District councils, to benefit from the expertise, capacity and resources that each bring
- Acknowledge that commissioning will feel very different to our local providers, in particular those from the voluntary sector, and that we need to support them to adapt to this change.

Our goal is to use the discipline of commissioning to develop the culture and 'mindset' of the organisation, and as such we will be embedding several core principles in everything that we do as an authority.

These principles and what they mean in practice are outlined in this Commissioning Framework, the purpose of which is to ensure that:

- We are commissioning all services to consistently high standards, making best use of the tools and resources available - in an era of ever reducing financial resources, fulfilling our statutory responsibilities will remain our first priority, and taking a commissioning approach to how we achieve this will help ensure that we deliver the best outcomes for the resources available
- We are creating the conditions within KCC for the changes emerging from our transformation activity to be sustainably embedded
- Reflecting the public sector commitments within the Kent Partners' Compact, providers are supported to understand the process that KCC uses to commission services, and understand how they can be involved at each stage
- We are compliant with relevant legislation including the Best Value Statutory Guidance 2012, the Care Act 2014, the Public Services (Social Value) Act 2012 and The Equality Act 2010, and also that we are in line with best practice such as the National Commissioning standards for Adult Social Care.

The way in which these principles are embedded will vary from service to service across KCC but across the Council:

- Executive Members and Corporate Directors will be accountable for ensuring that these principles are embedded within their Directorates
- Non-Executive Members will play an important role in ensuring that these principles are reflected through our commissioning activities
- Our established project assurance and audit processes will be used to assess the extent to which we are progressing towards making these goals a reality.

The rest of this document outlines what we are seeking to achieve through each commissioning principle, and what this will mean in practice.

Summary of principles

Principle 1:

Focused on outcomes for our residents

Principle 2:

A consistent commissioning approach to planning, designing and evaluating services

Principle 3:

The right people involved at the right stage of commissioning

Principle 4:

Open-minded about how best to achieve outcomes

Principle 5:

High-quality, robust evidence informing our decisions

Principle 6:

Hold all services to account for the delivery of KCC's strategic outcomes

Principle 7:

Customers at the heart of our commissioning approach

Principle 8:

A commitment to building capacity

Principle 9:

We will maximise social value

Principle 10:

Our supply chains will be sustainable and effective

Principle 1

Focused on outcomes for our residents

Our goal:

We will plan and operate with a whole system approach, thinking 'what is the outcome we are trying to achieve, and is there a different way we could achieve this outcome?' We will have confidence that all services commissioned by KCC (internally or externally) are contributing to the Council's strategic outcomes (as set out in our new Outcomes Framework), and we will be less prescriptive about how this is achieved, to provide space for innovation.

What this means in practice:

As we apply a commissioning approach throughout KCC, we need to ensure that we have a clear focus on improving outcomes for the lowest possible cost, maximising social value for the resources that we and our partners have available.

The Council will increasingly fund internal and external providers on the basis that they will achieve particular agreed outcomes (rather than deliver particular outputs). The exact balance between inputs, outputs and outcomes prescribed will vary for every service but an increasing focus on outcomes will remain important across KCC, through the delivery of our statutory responsibilities. Commissioners will of course retain responsibility for ensuring that risk is managed appropriately, and safeguards are put in place within contracts to ensure that risks are managed, statutory requirements delivered and quality of service achieved and maintained.

The Council's contract management approach will also change to reflect this increased focus on outcomes. For example, to seek new perspectives on the effectiveness of commissioned services we may use approaches such as community events and formal evaluations involving service users to test service effectiveness.

Principle 2

A consistent commissioning approach to planning, designing and evaluating services

Our goal:

Good commissioning is not an end in itself, but rather it is an approach that we use to ensure that the decisions we take and the services we offer to our residents are the most effective that they can be. The way this commissioning approach is applied will vary for each service, but across every service we will demand equally high standards of those commissioning.

What this means in practice:

As the scale of our commissioning activity increases, it is important that our commissioners retain overall accountability for achieving outcomes, and that all stakeholders are clear about what should be happening at each stage of the commissioning cycle, what good should look like, and who is responsible for carrying out these activities.

Figure 1 overleaf outlines KCC's core standards for the key deliverables at each stage of the commissioning cycle.

Figure 1: Deliverables through the commissioning cycle



Stage: Analyse

Deliverable: Diagnostic report

Purpose of document

To summarise the findings of the 'Analyse' phase, and use these findings to inform proposals for what should be achieved through this commissioning exercise

Questions the Diagnostic report should answer

- What are the challenges we are seeking to address?
- What are the needs of our residents and/or service users and how are these likely to change?
- What are practitioners and service users telling us?
- What other resources are being used to tackle similar issues and outcomes?
- What is driving demand for these services and what is our evidence for this?
- How is demand for these services likely to change and what will be the impact?
- How effective are the services currently being delivered and what is the current cost?
- What is the state of the current market and how is this likely to change?
- Is KCC the best placed organisation to provide services to support this outcome?
- How can we join up resources and activities with other partners to maximise our impact?
- What are the outcomes we are seeking to achieve through this new commissioning exercise?
- What will success look like?

Stage: Plan

Deliverable: Commissioning plan

Purpose of document

To demonstrate how we will put in place services to achieve the agreed strategy and meet the identified needs

Questions the Commissioning plan should answer

- What options are available to us for how we could improve these outcomes?
- Should we 'make' this service in-house, 'buy' from an external provider, or do something else?
- Should we redesign or decommission an existing service?
- How can we ensure the diversity, sustainability and quality of the market?
- What are the advantages and disadvantages of each option and what do we think is the approach that will give us the greatest likelihood of success, balanced against likely risk?
- How will local priorities and differences be considered and addressed through the service, including findings from the equality impact assessment?
- How can our commissioning approach help to manage demand for these services?
- Is it more appropriate to commission a countywide or local service? Why?
- What will be the financial impact of doing this?

Stage: Plan

Deliverable: Specification

Purpose of document

To ensure that the service commissioned (internal or external) has a specification which sets out the outcomes which must be improved through that service, and the level of change KCC expects to see for the funding available

Questions the Specification should answer

- What are the outcomes that we need to see achieved/improved through this contract?
- What are the constraints that the provider needs to take into account? E.g. statutory requirements, legislation, established processes etc.
- What particular activities, services, processes or outputs specifically have to be delivered, and what can be determined by the provider?
- Who is the service for / not for?
- How will the performance of the contract be measured?
- What short, medium and long term indicators will we use to track impact?
- What information will providers need to share with KCC during the life of the contract and who will own this data during and at the end of the contract, including data on risks and issues?
- How is the contract expected to be staffed? Any TUPE implications?

Questions the **Specification** should answer (cont.)

- Any expectations regarding use of sub-contractors?
- How will the relative merits of each bidder be evaluated?
- How will the provider be rewarded?
- What will the commissioner commit to doing / providing?
- How long will the contract last and can it be extended?
- What is our exit strategy should it be required?
- What will happen at the end of the contract and how will this need to be managed?

Stage: Do
Deliverable: Contract or SLA
<p>Purpose of document Agreement which will set out what all parties are legally obliged to deliver and achieve through the contract / SLA</p>

Questions the **Contract or SLA** should answer

- What contractually is required to be delivered?
- What do KCC and the provider both commit to doing / providing?
- Who will be the main point of contact for issues relating to local service delivery (in particular as an escalation point for elected Members)?
- How will the provider be paid, including any payment by results and penalties for failure?
- How can both parties terminate the contract and under what circumstances?

Stage: Do
Deliverable: Contract/SLA management framework
<p>Purpose of document Define how the contract/SLA will be managed, so that commissioners, contract managers and providers know how contract performance will be measured</p>

Questions the **Contract/SLA management framework** should answer

- What are the short, medium and long term indicators KCC will use to measure service impact?
- What combination of indicators will be used to measure impact on outcomes, financial performance/impact, and output/process/activity measures?
- How often will these indicators be measured and how will the data be collected?
- What are the risk management arrangements that will ensure transparency of risks faced by both parties and how will they be managed?
- What is the escalation process if measures indicate a performance outside agreed tolerance?
- What is the process through which indicators can be changed during the life of the contract?

Stage: Review
Deliverable: Contract/SLA review report
<p>Purpose of document Report to summarise findings from formal evaluation of the service and identify priorities for next commissioning exercise</p>

Questions the **Contract/SLA review report** should answer

- Has the service delivered what we expected (outputs and outcomes)? If not, why not?
- What do service users tell us about the impact of the service/s commissioned?
- What were the results of the formal evaluation?
- How has the market for these services changed?
- What do we now know about how needs and demand are changing?
- What does this mean for future commissioning? What should our commissioning priorities be?
- What should we do next? Re-commission, commission differently, decommission?
- What should we do differently in the next commissioning exercise?

Principle 3

The right people involved at the right stage of commissioning

Our goal:

Improving outcomes using a commissioning approach is not the responsibility of any one person or team within KCC. Instead it requires genuine collaboration between those providing services internally and externally, our Executive and non-Executive Members and our partner organisations in all sectors across Kent.

To address any commissioning challenge we need to free up our commissioners to appropriately harness the skills and expertise of each group, trust the input that they provide, and work together to make the difference we demand for our residents.

What this means in practice:

Effective strategic commissioning within KCC will see greater collaboration underpinned by high levels of trust. The specific stakeholders and partners collaborating on any particular commissioning exercise will depend on the outcomes to be achieved. We will be clearer about who is responsible for each aspect and stage of commissioning within each Directorate, and this is a critical step that we need to take to ensure that our commissioning activity is as effective as possible. Extensive commissioning is already carried out across KCC, and people contribute to this comprehensive process in a range of different ways, which are outlined in **Table 1**¹:

The different roles of commissioning and procurement teams through the commissioning cycle can sometimes cause confusion when a procurement exercise is undertaken, and to maximise efficiency and effectiveness it is important that all stakeholders involved understand their roles. We will provide guidance to staff to ensure that these roles are clearly defined and that KCC's procurement expertise facilitates high-quality commissioning.

Table 1: involvement of different commissioners

Role in commissioning	Definition
Political	Elected Members defining the outcomes they require or desire for the county of Kent
Strategic	Executive Members, Chief Officers, Directors and their delegated officers (working with colleagues with relevant expertise) balancing the required political outcomes with statutory obligations, practical constraints and assessment of need and demand to define the outputs they require from their provider partners, within the total resources available
Operational	Directors and senior managers delivering projects and services to achieve the required outputs and outcomes, as directed politically and strategically
Personal	Residents directing their own support using personal and individual budgets or via self-funding

¹ Based on http://www.nlgn.org.uk/public/wp-content/uploads/Effective-Commissioning_WHITE-PAPER.pdf

Principle 4

Open-minded about how best to achieve outcomes

Our goal:

We will be open-minded about the provider most suitable to help achieve outcomes or deliver a service – this not only means being flexible about the sector from which to commission, but also means being creative when thinking about how to achieve an outcome.

What this means in practice:

Our empowered commissioners will build on KCC's experience of exploring new delivery models, by transparently and robustly appraising the most appropriate delivery model for each service, ensuring that the optimum balance between cost and outcomes is achieved. The questions to be asked at the 'Analyse' stage of the commissioning cycle outlined in **Figure 1** will have a critical role to play in helping Members to decide how best to provide services to meet needs. We will not default to always procuring services – we will consider the full range of delivery options available to us, including the use of grants where appropriate, in line with KCC's policy on the use of grants.

KCC will also think more creatively about the type of skills a provider might use to achieve the required outcomes, for example could arts organisations help to improve mental health outcomes?

Principle 5

High-quality, robust evidence informing our decisions

Our goal:

We will become an organisation that actively values and harnesses the power of data. We will use the wealth of data within KCC and from our providers in a more intelligent way, applying cutting-edge analysis skills and techniques to drive better understanding and decision-making. We will listen to and act upon evidence that challenges our assumptions.

What this means in practice:

The way in which we ensure that high-quality, robust evidence informs decisions will depend on activities within each Directorate, but will involve:

- Using data available across KCC and our partner organisations to identify patterns and drivers of demand and impacts of interventions on outcomes
- Targeting this information to identifying solutions to critical challenges that KCC is facing
- Ensuring that the findings from this analysis drive different commissioning plans and decisions, focusing more on the root causes of demand than on the symptoms
- Carrying out rigorous evaluations of the effectiveness of the services commissioned
- Ensuring that we retain ownership of data produced and used by our providers.

The Council's governance structures will also have a role to play in ensuring that evidence is informing our commissioning decisions and that we act upon impartial evidence about the impact achieved by services that we commission, whether they are provided internally or externally.

Principle 6

Hold all services to account for the delivery of KCC's strategic outcomes

Our goal:

As we move to a more diverse range of delivery models, effective contract management will take on an increasingly important role within KCC. We will hold all services to account for delivering KCC's key outcomes (be they with internal or external service providers), and will demand robust evidence that demonstrates the impact that is being achieved with KCC resources. This stems from having mature, collaborative relationships with our providers and this positive engagement will help to shape effective solutions for our residents.

What this means in practice:

Each service commissioned by KCC (internally or externally, through a contract, SLA or grant) will be expected to contribute to a significant impact on outcomes as specified in the Council's Outcomes Framework, but whatever is being delivered and whichever delivery vehicle is selected, we will expect all commissioned services to demonstrate the following attributes and behaviours:

- A collaborative relationship with KCC commissioners, in particular working together to develop innovative solutions to meeting the needs of Kent residents
- A transparent approach to designing, delivering and evaluating services commissioned by KCC
- Commitment to involving service users in the design, monitoring and evaluation of services
- Flexibility to adapt to the changing needs of service users through the life of the contract
- Ability to help manage demand, by understanding and tackling the root drivers of demand
- Meet statutory requirements which KCC is obliged to fulfil
- Making best use of KCC's resources, joining up with other delivery partners to reduce duplication and maximise impact where possible
- A commitment to supporting Members to know what is taking place on the ground in their local areas and resolve local issues
- A genuine commitment to maximising social value through the delivery of the services commissioned.

In turn, we have a commitment to be an excellent commissioning partner by:

- Developing and maintaining effective and productive relationships with our providers, based on honesty, transparency and collaboration
- Providing clarity when commissioning about the outcomes we require, the constraints that we are working within and how we will measure success
- Limiting the administrative burden placed upon providers
- Supporting providers (in particular smaller providers and those from the voluntary sector) to engage in our commissioning and tendering processes, helping ensure that they understand what is required of them and how they can compete effectively.

Principle 7

Customers at the heart of our commissioning approach

Our goal:

Recognising that customers themselves have a vital role to play in shaping services to meet their needs, we will listen more to what our customers tell us about the way in which we can together meet their needs and increase their independence. Kent residents will be regularly and actively engaged in the commissioning of our services, and will have confidence that their priorities shape the services we put in place.

What this means in practice:

Our engagement approach will become more consistent to ensure continuity, and we will use a coherent approach towards engaging residents and service users across all directorates. This will provide a commitment to service users about standards and also allow a baseline to be established. The key ways in which we may involve KCC residents at each stage of the commissioning cycle are shown in **Table 2** on the next page.

Not all residents or service users will want to be involved in planning and designing new services, but there is likely to be a significant proportion who will want to receive information about what is happening or be involved in other ways, and our approach to engagement needs to reflect these preferences.

It is also important to recognise that stakeholder engagement can have an impact on the cost and timescales of commissioning activities, therefore commissioning plans will need to consider what is the most appropriate way of balancing stakeholder engagement with resources available to manage this, and timescales necessary to carry out the commissioning exercise.

Principle 7

Customers at the heart of our commissioning approach

Table 2: customer engagement in commissioning

Stage	How we may engage service users and other stakeholders
Analyse	<ul style="list-style-type: none"> • Workshops with providers to find out what is working well / less well at present • Focus groups, interviews and other engagement approaches with service users, potential service users and partner organisations to find out about their needs and help to establish priorities • Where appropriate, service user representatives included in the Steering Group for the commissioning exercise • Better establish and standardise community analysis tools and processes such as mystery shopping, and community evaluators
Plan	<ul style="list-style-type: none"> • Work with service user representatives and partner organisations where appropriate to define the outcomes to be achieved through the new service and the characteristics of what a good service will achieve for them • Service user representatives are involved in developing the service specifications and setting the evaluation criteria
Do	<ul style="list-style-type: none"> • Service user representatives are involved in the tendering process e.g. through attending provider presentations and reviewing tender submissions • Support providers to engage in the tendering process through capacity-building workshops and advice
Review	<ul style="list-style-type: none"> • Providers' performance evaluated against the outcomes originally defined by service users • People who use the service play a key role in reviewing the performance of providers, through a variety of methods, such as service user assessments, mystery shopping or as peer researchers

Principle 8

A commitment to building capacity

Our goal:

We will actively lead the growth of commissioning skills and capacity within KCC to ensure that we are commissioning effectively. We will build commissioning capacity within our provider partners (including private sector, voluntary and SME sectors as well as our in-house providers), developing diverse and sustainable local markets to ensure that these organisations have the opportunity to compete for KCC services by demonstrating the impact that they can deliver. We will encourage new models of delivery (such as consortia of partners from public, private and voluntary sectors) and work with a mixed economy of providers from different sectors, all of whom will be committed to maximising social value and bringing greater cohesion to our communities.

What this means in practice:

Every member of KCC will have their part to play in helping us operate as an effective strategic commissioning authority, and it is essential that our staff have the skills required as our ways of working evolve. We will therefore develop a Workforce Development Plan which will identify the skills, competencies and behaviours needed within a strategic commissioning authority across commissioners, internal providers, support staff or Members, and will ensure that they have access to the range of training required to meet their own development needs. This will also help to ensure that our commissioners have the skills required to understand and manage local markets effectively.

The Council is already supporting our partner organisations to build their commissioning skills and capacity, and will build on this significantly as we move forward to further support our partners, depending on the needs that they have and the areas in which they would most benefit from capacity building support. For example, we are likely to:

- Actively encourage and promote investment and innovation in the market and ensure our tendering and procurement processes promote and accommodate the full range of providers in order to deliver the best possible outcomes for residents
- Offer procurement training to local voluntary sector organisations and SMEs to help them understand how our commissioning and procurement processes work, so that they are prepared to participate
- Support local providers to join up with other providers to help combine skills and expertise, thereby increasing their chances of competitive success
- Seek opportunities to engage consortia of small and medium sized organisations to jointly provide KCC services, and support Lead Providers to select their partner providers to ensure they reflect variety and innovation as well as historic track record of improving outcomes
- Publishing our timeline of commissioning intentions for a given period so that providers can see the range of commissioning activity underway and can be prepared to participate if a decision to procure externally should be taken.
- Ensure that we have clear plans in place to prevent and manage provider failure, if appropriate.

Principle 9

We will maximise social value

Our goal:

We will plan how to maximise the community benefits through any commissioning activity that is being undertaken. We will apply the same considerations of social value to all commissioning that we undertake, we will focus on social value priorities that are most relevant to KCC and from the earliest possible stage, as a standard part of designing and specifying any KCC service, we will incorporate social value outcomes and consider how equality can be advanced, where relevant and in a proportionate way.

What this means in practice:

Although we are only required to comply with the Social Value Act when procuring services above the threshold value, KCC's commitment to maximising the community benefits of its expenditure means that **we will apply the same considerations to all commissioning that we undertake**, for goods and services. The way in which we apply these considerations will differ from case to case, however the commitment to improve the economic, social and environmental well-being of Kent will be consistent.

We will consider and act to ensure that social value can be enhanced and equality can be advanced **both a) through the delivery of a service itself as well as b) through additional value that a provider might offer in addition to the core requirements of a contract.**

We will focus on social value priorities that are most relevant to KCC, depending on the nature of the specific commissioning exercise, including:

- **Local Employment:** creation of local employment and training opportunities
- **Buy Kent First:** buying locally where possible to reduce unemployment and raise local skills (within the funding available and whilst minimising risk to KCC)

- **Community development:** development of resilient local community and community support organisations, especially in those areas and communities with the greatest need
- **Good Employer:** support for staff development and welfare within providers' own organisations and within their supply chain
- **Green and Sustainable:** protecting the environment, minimising waste and energy consumption and using other resources efficiently, within providers' own organisations and within their supply chain

From the earliest possible stage, as a standard part of designing and specifying any KCC service, we will incorporate social value outcomes and consider how the service will contribute toward achieving KCC's equality objectives, where relevant and in a proportionate way. This will also be done in line with the Council's policy on the use of grants.

We need to ensure that social value is maximised within the funding available for the particular service, and that assessment of social value is one factor considered when evaluating a potential service delivery model or proposition – not at the expense or risk of issues such as value for money and service quality.

This means asking the type of questions outlined in **Table 3** – these are just examples and commissioners will no doubt expand and refine this to reflect the particular social value priorities most relevant to the services they are commissioning.

Principle 9

We will maximise social value

Table 3: social value considerations in commissioning

Have you considered questions such as:		
Social	Environmental	Economic
<ul style="list-style-type: none"> • What other community benefits can be achieved through the delivery of this service? • What other social outcomes can we achieve in addition to the core requirements of the contract? • How can we make better use of community assets when commissioning and delivering this service? • What is the impact on equalities of our commissioning plan? 	<ul style="list-style-type: none"> • How can we minimise any negative environmental impacts? • How can we encourage ethical and fair trade purchasing? • How could 'green objectives' be promoted to staff and the wider community? • How can waste be reduced or recycled? 	<ul style="list-style-type: none"> • How can we create skills, training opportunities? • How can we create short and/or long-term employment opportunities? • How can we create supply chain opportunities for SMEs and voluntary organisations? • Will this service employ mainly Kent staff? • How can we enhance market diversity?

Principle 10

Our supply chains will be sustainable and effective

Our goal:

KCC's shift towards more outcomes-based commissioning is likely to lead to an increase in the commissioning of lead providers who manage consortia of partner organisations, harnessing the wide range of expertise across different sectors. We will ensure that the Council's supply chains not only play their part in the delivery of outcomes for Kent residents but do so in a way that is sustainable and effective for all organisations involved.

What this means in practice:

There are several principles that KCC will adhere to when commissioning, to help ensure that these supply chains are sustainable and effective for all organisations involved.

Similarly there are several principles which we will expect our suppliers to embed within their own activity, outlined in **Table 4 on the next page**. These principles are in line with the Kent Partners' Compact. This does not mean that we will always use a lead or prime provider model when commissioning, but where sub-contracting is taking place, we will expect compliance with these principles:

Principle 10

Our supply chains will be sustainable and effective

Table 4: supply chain principles for commissioners and providers

Supply chain principles for commissioners	Supply chain principles for providers
<ul style="list-style-type: none"> Commissioners will clearly define the outcomes expected from each contract, focusing on the skills and expertise required rather than the way in which a service should be provided, so that providers can develop the most appropriate consortia of providers Commissioners (including Elected Members) will look at the performance of all providers within a supply chain when monitoring the effectiveness of any service We will work closely with providers to ensure that the pricing model developed for each consortia contract is effective for all partners, rewards good performance, drives the required behaviours and outcomes, and does not have unintended impacts on demand We will have visibility of the role played by each subcontractor, including payment terms, volumes of activity and change mechanisms Commissioners will recognise the investment made by lead providers in managing the supply chain to the required standard Issue resolution and exit strategies for the contract as a whole and for individual subcontractors will be clearly defined within the specification and contract 	<ul style="list-style-type: none"> Providers will select their sub-contractor partners not only to ensure that the requirements of the contract are fulfilled, but also to ensure that there is alignment of values and approach Providers should ensure variety in supply chains and promote innovation Supply chain partners will agree how they will work together through the life of the contract and make this clear in their tender submissions to KCC Relationships between commissioners, lead providers and subcontractors will be developed to facilitate effective collaboration through the life of the contract Providers have a responsibility to manage supply chains with integrity and openness. Subcontractors should be clearly informed of the lead provider’s expectations, managed in a transparent way and supported via clear communication and guidance. All providers within a supply chain will be clear as to what they are responsible for delivering, how they will be rewarded and penalised, and how impact and delivery of each subcontractor will be tracked All risk should be appropriately managed to ensure that risk is not passed to subcontractors in a way that is disproportionate to their part in the contract Providers will negotiate terms with their subcontractors to ensure that the subcontractor’s reliability, progress and achievement, can be monitored by KCC Providers should be able to demonstrate that they actively seek and use feedback from all stakeholder groups

November 2014

A commissioning framework for Kent County Council:

Delivering better outcomes for Kent residents
through improved commissioning

- By:** Paul Carter, Leader of the Council
- To:** County Council – 11 December 2014
- Subject:** Facing the Challenge: Draft Corporate Outcomes Framework for KCC
- Summary:** This report seeks agreement to launch the draft corporate outcomes framework *Supporting Independence & Opportunity* for consultation as the new strategic statement for KCC.

RECOMMENDATIONS:

The County Council is asked to agree the following:

- The draft corporate outcomes framework at Appendix 1 is approved for consultation.

1. INTRODUCTION

1.1 KCC has had a series of four-year strategic statements which set out the administrations ambitions and priorities for the medium term. These included *The Next Four Years* which ran from 2002 to 2006, *Towards 2010* which ran from 2006 to 2010, and *Bold Steps for Kent* which ran from 2010 to 2013. Bold Steps was closed by County Council in May 2013 to ensure the focus is on delivering our transformation programme *Facing the Challenge*.

1.2 *Supporting Independence & Opportunity* is the new draft corporate outcomes framework for KCC and is intended to replace Bold Steps for Kent as the strategic statement. It is designed to support KCC's transformation into a strategic commissioning authority. A necessary part of operating as a strategic commissioning authority is to have a clear statement of the high-level outcomes that the County Council is seeking to achieve.

1.3 The intention is that this draft Corporate Outcomes Framework is approved for consultation by County Council and subject to any changes resulting from that consultation, ask County Council to approve the final framework in March 2015.

2. APPROACH

2.1 As an outcomes framework, *Supporting Independence & Opportunity* is a very different strategic statement from those that have gone before. It links the vision and priorities of the council to a series of strategic and supporting outcomes that will drive commissioning and service delivery across KCC. This will help KCC, the public, our providers and partners to:

- Be clear about what KCC is seeking to achieve as an organisation
- Provide a framework for deciding where KCC should focus effort
- Drive the commissioning and design of KCC's in-house and externally commissioned services

2.2 The Framework focuses on 'what' the council is seeking to achieve rather than specifying the detail of 'how' services are designed and delivered. The detail about how services are designed and commissioned to meet these outcomes will emerge through the strategic commissioning / transformation process.

2.3 The report of the Member Working Group on Commissioning and the introduction of the Commissioning Advisory Board ensure that as the strategic commissioning authority model develops and matures within KCC, elected members will continue to have a strong role in agreeing commissioning priorities, as well as the design and delivery of services, whether commissioned or delivered in-house.

2.4 The Outcomes Framework reinforces the vision of KCC as a strategic commissioning authority, which has been consistent since the first Facing the Challenge paper in July 2013. Operating as a strategic commissioning authority does not mean KCC will play no role in providing services in the future. It does mean the council must:

- Build a stronger understanding of community and user needs
- Be clear about the outcomes we want to achieve
- Commission from the best provider from a range of providers, in-house or external, from across the public, private and voluntary sector
- Incorporate social value in our commissioning
- Shape markets and building strong relationships
- Be a strong client, but also be a good partner

2.5 As such, the Framework sets out a number of indicators which will be used to monitor the 'corporate health' of KCC as a strategic commissioning authority. These include:

- The volume and spend of services commissioned jointly with our public sector partners
- The number of VCS and Kent SME providers competing for contracts listed on the Kent Business Portal
- The total amount spent on goods and services with the VCS and Kent SME both directly by KCC and through the KCC supply chain
- Feedback from service providers regarding KCC's role as an effective commissioner and a good client

2.6 KCC is going through a significant amount of complex change in a very short period of time. In developing the Framework the overarching priority has been to ensure that it is simple. It is accepted that the narrative around Facing the Challenge is complex and that the Outcomes Framework must be accessible for staff, members and the public if it is to be effective. The ambition has been that the framework should be able to be summarised within a one-page diagram.

3. OVERVIEW OF THE FRAMEWORK

3.1 The outcomes framework reflects the direction of travel that has been taken by KCC through the *Facing the Challenge* transformation programme. However, it is also reflective of the wider policy framework of the county council as well as the

priorities that are set out through the national adults, children's and public health outcomes framework.

3.2 In developing the Framework the aim has not been to layer significant new priorities or programmes on top of the existing and extensive transformation activity, but instead bring together the broad range of outcomes that have been identified across KCC services and bring them into a single corporate framework.

3.3 The Framework is structured around four elements:

- The council's overall **vision**
- The **approach** the council wishes to take to delivering the vision
- Three **strategic outcomes** for KCC
- A series **supporting outcomes** which underpin the delivery of the strategic outcomes

3.4 It will be necessary to ensure that the Framework is strongly linked to the strategic planning process of the council and that there is a clear 'golden thread' so that these outcomes are reflected in commissioning and business plans. It is also proposed that the county council receives an annual report on the progress in delivering the outcomes within the Framework.

4. NEXT STEPS

4.1 Work is ongoing to develop a range of strategic indicators that will be used to monitor progress against these outcomes. It is important to note that these indicators will not be used to performance manage particular services or judge the effectiveness of any particular KCC programme, as outcomes can be influenced by a range of factors which may not be controlled by KCC. Rather, the indicators will support KCC taking a more evaluative approach from a broad a range of evidence as possible.

4.2 As the strategic statement for KCC, the draft Framework will go through a period of consultation with the public, our partners and providers. As part of that consultation, we will be seeking views as to whether the outcomes in the Framework are right, whether anything is missing or should have greater emphasis, and what should be measured to track progress in delivering the outcomes.

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Appendices:

Appendix 1: Supporting Independence & Opportunity: Draft Corporate Outcomes Framework for KCC 2015/2019

Background Documents:

Facing the Challenge: Towards a Strategic Commissioning Authority, May 2014

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Supporting Independence & Opportunity:

Draft Corporate Outcomes Framework 2015 - 2019

Foreword:

Kent County Council (KCC) is widely considered to be one of the strongest member-led councils in the country.

Through documents such *'The Next Five Years'*, *'Towards 2010'* and *'Bold Steps for Kent'* the elected members of the County Council have set out their ambitions for Kent and driven the strategic direction of the Council.

This Corporate Outcomes Framework, and the Commissioning Framework that sits alongside it, replace *Bold Steps for Kent* as the Strategic Statement for KCC.

It is however a very different Strategic Statement from those that have gone before. It reflects the need for KCC to become a very different type of council over the next five years - to become a strategic commissioning authority.

If we are to remain ambitious for Kent, committed to securing high-quality services for our residents and supporting the most vulnerable to live independently in our local communities wherever possible, then KCC's role must change.

Our focus must be on the outcomes we want to achieve and ensuring that every pound spent in Kent is delivering those improved outcomes for Kent's residents, communities and businesses.

Who delivers services in support of meeting those outcomes will depend on who is best placed to achieve them from across the public, private and voluntary sector.

The discipline of commissioning applied across the whole council at a strategic level will help elected members make those difficult commissioning decisions, as the council continues to face at least another five years of austerity and budget reductions.

This Corporate Outcomes Framework articulates the vision and priorities of the council into a single set of

outcomes which will act as a beacon, guiding the work of our commissioners, partners and services in a time of increasing complexity and financial challenge.

It builds upon the transformation already being delivered through our Facing the Challenge programme to redesign and reshape our services around the principles of demand management, prevention and value for money.

Most importantly, our intention is to keep the draft outcomes framework as simple as possible to promote greater accountability and transparency.

This simplicity will drive accountability both within KCC, and of KCC, by our residents and our partners.

Most importantly, it provides the mandate for our commissioners and providers across the public, private and voluntary sectors to innovate and radically redesign what we do and how we do it, to meet these outcomes for Kent.

Paul Carter
Leader, Kent County Council

Background:

Over the past four years Kent County Council (KCC) has made £350m in savings whilst continuing to provide effective services for Kent's residents, businesses and communities.

However, the council's finances will remain under the significant pressure for many years to come. KCC needs to make a further £206m in savings over the next three years alone, with significant further savings beyond the next three years also very likely.

Alongside the financial challenge, the population is increasingly older, increasingly living with long-term health conditions, with greater expectations about how to access services, and how services can be provided, requires a radically different offer from that traditionally provided by public services.

Given the scale of these financial and service delivery challenges, KCC needs to become a council that is increasingly agile and adaptable to change itself, and a council that is able to shape and reshape the services it provides to meet the changing needs of Kent residents, business and communities.

In July 2013 County Council approved Facing the Challenge: Whole Council Transformation, which set out its ambition to become a strategic commissioning authority by 2020.

By becoming a strategic commissioning authority KCC can become the leaner, more agile and outcome focused organisation it needs to be to successfully meet the financial and public service challenges it faces. It will ensure KCC aligns the resources at its disposal, and those it can leverage through more effective partnership working across the public, private and voluntary sector of Kent, to best meet the needs of Kent residents and communities.

In May 2014, Facing the Challenge: Towards a Strategic Commissioning Authority set out that KCC would begin to operate as a strategic commissioning authority from April 2015.

A necessary part of operating as a strategic commissioning authority is to have a **clear statement of the high-level outcomes that the County Council is seeking to achieve**, alongside the new Commissioning Framework, which sets out the high-level approach to ensure effective and consistent standard of commissioning.

The intention is that this draft Corporate Outcomes Framework is **approved for consultation by County Council in December 2014**, and subject to changes resulting from the consultation process, ask County Council to approve the final framework in March 2015.

Introduction:

The Corporate Outcomes Framework links the vision and priorities of the council to a series of strategic and supporting outcomes that will drive the commissioning and service delivery across KCC.

This will help KCC, the public, our providers and partners to:

- Be clear about what KCC is seeking to achieve as an organisation
- Provide a framework for deciding where KCC should focus our effort
- Drive the commissioning and design of KCC's in-house and externally commissioned services.

Unlike previous strategic statements, this outcomes framework does not attempt to set out the detail of how these outcomes will be achieved.

This will emerge through the strategic commissioning and strategic planning process of the council, as directors and commissioners plan, with elected members, residents, service users and providers how to design and deliver innovative new services to meet these outcomes.

Our vision and approach:

Our vision is for Kent to be a county which promotes independence and maximises opportunity for all residents, businesses and communities.

It is critical that public services do not inadvertently trap people in dependency or promote a dependency culture.

The services commissioned and provided by KCC, either by ourselves or jointly with our partners, should focus on helping individuals, families and communities to be resilient and support themselves wherever possible.

For the most vulnerable in our society, who are less resilient and will always need some support, then we will ensure that they are well supported, safe, socially included and treated with dignity and respect.

In order to tackle dependency we must also promote opportunity.

We will promote opportunity by ensuring that Kent young people have the education and skills necessary to support Kent businesses to be increasingly competitive in the national and international economy.

By helping Kent businesses increase economic growth and deliver new jobs across the whole of Kent, and by ensuring the physical, social, cultural and environmental infrastructure is protected, we can make Kent an attractive place to live and work.

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By helping Kent businesses increase economic growth and deliver new jobs across the whole of Kent, and by ensuring the physical, social, cultural and environmental infrastructure is protected, we can make Kent an attractive place to live and work. In supporting this vision, our approach will be to:

- **Promote personal and family responsibility:**

The services we commission and provide must focus on promoting personal and family responsibility. Our aim is for individuals and families to be resilient and support themselves without the need for support from the council. Where support is needed, our services should be focused on pro-active interventions that allow individuals and families to become independent quickly, and not

require long-term support from the council. For the most vulnerable in our communities, where long-term support is required, then our services should always enable people to live as independently as possible.

- **Focus on prevention and supporting independent living:**

Prevention is always better than cure. KCC services, whether commissioned or provided in-house, should focus on prevention as the best way to support independent living, protect Kent's infrastructure and natural assets, and also protect the interests of the Kent taxpayer by avoiding the need for expensive service interventions once things have gone wrong.

- **Maximise social value from the services we commission:**

KCC services have a social purpose and therefore KCC must become smarter at determining social value through the commissioning process, especially where the council is seeking to leverage social value through the commissioning of services from external providers (for example, in the form of requiring providers to take on apprentices).

- **Commission and design services with our partners:**

KCC is one part of a much wider network of public service delivery across Kent, and if we are to meet the needs of our residents and communities within the resources available to Kent as a whole, then we must jointly commission, design and deliver services with our partners.

- **Maximise the value of the Kent tax pound:**

It is vital that our services deliver value for money for the taxpayer. If the resources of the County Council can be used to deliver better outcomes and provide savings to the Kent taxpayer through our partners (e.g. NHS) rather than through KCC directly, then we should seek to do so.

- **Recognise that no one size fits all and small can be beautiful:**

Kent is a socially and economically diverse county. Service delivery, commissioning and what constitutes success may be different and look different across parts of the county or for different groups of residents. One size fits all solutions are unlikely to be the most effective way to overcome the big challenges, and it is important that we tailor solutions to need.

- **Be a strong voice for Kent nationally and internationally:**

We will be a strong voice for Kent ensuring the county receives its fair share of resources from central government and doesn't face a disproportionate hit in public spending reductions, as well as benefiting from devolution and maximising additional funding coming into the county.

- **Deliver back office services at the lowest possible cost – to maximize resource to the front line:**

By moving our back office services to new delivery arrangements which promote greater efficiency, increase commercial trading and generate new income, we can deliver our back office at the lowest possible cost and maximise the resources available for front line services.

KCC as a strategic commissioning authority:

Becoming a strategic commissioning authority does not mean KCC will play no role in providing services, or will simply be a passive buyer of services from the private sector.

Instead it means building a stronger understanding of community and user needs, being clear about the outcomes we want to achieve, and commissioning from a range of providers – whether in-house and external, and from across the public, private and voluntary sector - that can best deliver these outcomes. It's not just about being a strong client, but also about being a trusted partner.

We want our commissioning activity to shape markets and build relationships with a diverse range of providers who can bring innovative thinking into our services design and commissioning.

Only through strong relationships between our service users, our partners and our providers can we deliver the outcomes we want to achieve within the resources that we have available. In order to monitor the corporate health of KCC as a strategic commissioning authority, we will regularly monitor:

- The volume and spend of services commissioned jointly with our public sector partners
- The number of VCS and Kent SME providers competing for contracts listed on the Kent Business Portal
- The total amount spent on goods and services with the VCS and Kent SME both directly by KCC and through the KCC supply chain
- Feedback from service providers regarding KCC's role as an effective commissioner and a good client.

Links to National Outcomes Frameworks and KCC Transformation:

It is important to recognise that the Corporate Outcomes Framework does not sit in isolation from the national priorities which the council is committed to supporting.

As such, the Corporate Outcomes Framework is aligned to the:

- National Adult Social Care Outcomes Framework
- National Children's Outcomes Framework
- National Public Health Outcomes Framework
- The National Indicator Set for Local Government

Also important is the significant amount of change and activity already ongoing within KCC through the 'Facing the Challenge' transformation programme.

As a result, the Corporate Outcomes Framework is reflective of the council's strategies and service transformation blueprints (which set out how we are transforming our services under the Facing the Challenge programme), including:

- Joint Health and Wellbeing Strategy
- Kent and Medway Draft Growth Strategy
- Social Care Accommodation Strategy
- Kent Pioneer Programme and Better Care Fund Plan
- Child Poverty Strategy
- 0-25 Transformation Blueprint
- Growth, Environment and Transport Transformation Blueprint
- Adults Transformation Blueprint
- Preventative Services Prospectus

Our aim is not to cut across or layer significant new priorities or programmes on top of the existing and extensive transformation activity already being delivered by the council.

Instead, the Corporate Outcomes Framework synthesises and brings together the broad range of outcomes that have been identified across KCC services for local communities and client groups, and brings them into a single framework.

There will need to be strong alignment between our strategies and plans to the outcomes set out in this framework, and we will update our strategies and plans to reflect these outcomes in this framework as necessary.

Draft Outcomes:

'Bold Steps for Kent' was built around three strategic ambitions of Supporting the Economy to Grow, Protecting the Vulnerable and Putting the Citizen in Control – and this focus on three strategic ambitions provided a simple and effective narrative that was recognised by members, our staff, partners and the wider public.

To replicate this simple narrative in the outcomes framework, there are three strategic or population-level outcomes which then frame a wider subset of supporting outcomes:

- **Children and young people in Kent get the best start in life**
- **Kent communities benefit from increasing prosperity by being in-work, healthy and enjoying a high quality of life**
- **Older and vulnerable residents are safe, supported to live well and independently.**

The vision, approach, strategic and supporting outcomes are summarised in **Diagram 1** on the next page.

Diagram 1: Summary of Draft Corporate Outcomes Framework:



Delivering these outcomes:

We need to ensure that the strategic and supporting outcomes in this framework drive the commissioning and service delivery of the authority, and that there is a 'golden thread' running through our plans and strategies that links delivery to these outcomes.

We will therefore ensure our strategic planning process is aligned to the outcomes in this framework through:

- Making this **Outcomes Framework** the strategic statement for KCC, the agreed policy of County Council.
- Updating our **strategies and strategic plans** and our **transformation blueprints** to ensure a clear alignment to the outcomes in this framework.
- Our **Medium Term Financial Plan (MTFP)** and annual budget setting process will set out the resources available to support the delivery of these outcomes.
- Continue to develop annual **Directorate Business Plans** which set how the services each KCC directorate commissions and provides support the delivery of these outcomes.
- **Service level commissioning and business plans** will set out how individual KCC services, whether provided in-house or externally, will contribute to the delivery of these outcomes.

Reporting progress:

Delivering outcomes requires a rounded view to be taken, recognising that outcomes can be influenced by a range of factors, not just the efforts of a single service provider.

As such, moving to an outcomes based commissioning approach requires a stronger focus on evaluation, alongside performance and contract management.

When evaluating progress in delivering outcomes, three questions need to be considered to come to a balanced judgment:

1. **How much did we do? (Quantity)**
2. **How well did we do? (Quality)**
3. **Is anyone better off? (Quality and quantity of effect)**

In evaluating KCC's impact on these outcomes, it will be necessary to consider a broad evidence base, including the indicators that KCC can influence directly, as well as those that are relevant to the outcome but may not be directly controllable by KCC services or commissioning.

Targets for specific indicators relating to the delivery of specific KCC services will continue to be set through our strategic planning process and monitored through our corporate performance framework.

However, given the emphasis on evaluation, reporting progress against the Corporate Outcomes Framework will focus on the overall direction of travel of the county, balanced against the resources expended and the impact achieved.

Progress against the Corporate Outcomes Framework will be reported through an annual report to County Council.

To support the delivery of a first annual report, a benchmarking exercise will be undertaken to provide an evidence base of current progress against these outcomes, and provide a framework for future annual reports to County Council.

Links to the Commissioning Framework:

If this Corporate Outcomes Framework sets out the 'what' we want to achieve, then the Commissioning Framework is the other side of the same coin. It sets out the 'how' we want to achieve these outcomes by ensuring a consistent standard and approach to commissioning.

The standards the Commissioning Framework sets out are:

1. **Focused on outcomes for residents**
2. **A consistent commissioning approach to planning, designing and evaluating services**
3. **The right people involved at the right stage of commissioning**
4. **Open-minded about how best to provide services**
5. **High-quality, robust evidence informing our decisions**
6. **Hold all services to account for the delivery of KCC's strategic outcomes**
7. **Customers at the heart of our commissioning approach**
8. **A commitment to building capacity**
9. **We will maximise social value**
10. **Our supply chains will be sustainable and effective**

By ensuring that our commissioning meets these standards, KCC can become a high performing strategic commissioning authority which has the evidence base upon which to effectively commission and de-commission services as the needs of Kent residents and our key client group change over time.

Consultation Questions:

We want to know what you think of the strategic and supporting outcomes outlined in this document, and how KCC should measure progress in achieving these outcomes. Therefore, we are asking three simple questions regarding this draft Outcomes Framework. These are:

- Do you think these are the **right** outcomes for Kent, and what KCC services should be working towards achieving?
- Are any outcomes that you think important for Kent **missing**, or should any of the draft outcomes have greater **emphasis** than others?
- What do you think it is important that KCC should **measure** to track our progress in delivering the draft outcomes?

The answers to these questions during the consultation period will inform the design of the final Corporate Outcomes Framework for KCC.

The final Corporate Outcomes Framework which will be considered by County Council at its meeting in March 2015.

November 2014

Supporting Independence & Opportunity:

Draft Corporate Outcomes Framework 2015 - 2019

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