

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 7 July 2014.

PRESENT: Mr P B Carter, CBE (Chairman), Mr D L Brazier, Mr G Cooke, Mr M C Dance, Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mr P J Oakford, Mr J D Simmonds, MBE and Mr B J Sweetland

UNRESTRICTED ITEMS

67. Declarations of Interest

(Item 2)

No declarations of interest were received.

68. Minutes of the Meeting held on 2 June 2014

(Item 3)

The minutes of the meeting held on 2 June 2014 were agreed and signed by the Chairman as a true record.

69. Christmas and New Year Flooding 2013-14 - Update

(Item 4 - Report of Cabinet Member for Communities, Mr Mike Hill and Interim Corporate Director of Growth, Environment and Transport, Mike Austerberry)

(1) Cabinet received a report providing a full review of lessons learned from severe weather events, particularly the Christmas and New Year 2013-14 storms and flooding and making recommendations as to how the County Council, in collaboration with its partners, could be better prepared to manage such future events and flood risk.

(2) Cabinet Member for Communities, Mr Mike Hill introduced the report. He reminded members of the extreme conditions experienced over the Christmas and New Year of 2013 – 14 and the resulting flooding and loss of power for over 28,000 homes. He explained that the report to Cabinet was in two parts, each of which would be accompanied by a presentation. The first part of the report focused on the emergency response by KCC and partner agencies and encapsulated feedback from parties involved in that response and from those affected. Mr Hill was, overall, proud of the response, which had involved staff working long hours in difficult circumstances and cancelling Christmas leave to return to work. However, lessons could be learned and to that end the report contained twelve recommendations for improvement. The second part of the report considered long term flood risk management solutions and put forward recommendations to improve protection from flooding in the future.

(3) Paul Crick, Director of Environment, Planning and Enforcement made a presentation to Cabinet regarding the emergency response review and subsequent

recommendations [attached as appendix 1 online]. In particular the presentation referred to the following:

- i. Statistics related to the 2013-14 flooding, namely that:
 - 50,000 sandbags had been provided to try to protect affected properties
 - 32,000 calls had been received by KCC
 - 6km of public rights of way had been left in need of repair, as had many kilometres of public highway
 - A total of 929 properties had been flooded in Kent.
- ii. Identified successes of the emergency response:
 - Staff systems had withstood the pressure of exceptional circumstances
 - No lives had been lost and property had been saved in many instances
 - Staff commitment and resourcefulness
- iii. Identified areas for improvement:
 - Visibility, of all partners, in affected communities
 - Warning and informing
 - Multi agency co-ordination
 - Internal KCC resilience – not relying on a small number of people to work many hours
 - Provision of sandbags & other practical support
 - Individual and community resilience
 - Role and involvement of central government
- iv. 17 recommendations, which related to:
 - Review and enhance KCC resilience
 - Multi agency on scene liaison arrangement – ‘Bronze’ on site liaison must occur more quickly.
 - Review and enhance flood warning arrangements
 - Strengthen multi-agency protocols
 - Creation and implementation of a Countywide, partner-wide emergency response policy.
 - Explore opportunities for contributions from KCC and partners toward future flood resilience programmes.

(4) Andrew Pearce, representing the Environment Agency made a further presentation to Cabinet [attached as appendix 2 online]. In particular he referred to:

- The fact that 60,000 properties in Kent were considered to be at risk of flooding and less than 1000 had flooded during the unprecedented weather. He regarded this as a good return on the financial investment and hard work carried out on flood defences in the County to date.
- The take up rate for the flood warning service, which had increased since 1999 to between 75% and 90% of all targeted residents. The warning system had three stages which each reflected the risk to life and property.
- The timeliness of the final stage (2 hour) alerts had proven to be approximately 90% accurate but not all residents were aware of what

action they should take in response to different alerts and to different types of flooding.

- Work had been, and would continue to be, undertaken to clarify further geographical areas at risk of flooding in order that alerts would be even more relevant and enabled residents to take action when necessary.
- Work had begun to repair assets damaged in the floods and were scheduled for completion by November 2014 in order that they could afford protection once again to vulnerable areas during winter. This programme of repair was estimated to cost £7million.
- Flood risk management provided good returns on investment, saving millions of pounds when it successfully defended properties, business and infrastructure as it had on this occasion, albeit not completely.
- The Environment Agency had identified a six year capital programme, consisting of 68 schemes with an approximate cost of £115million. If completed the schemes would offer protection to a further 22,000 properties in Kent. In order to complete the programme, financial contributions were sought and some priority schemes, both coastal and fluvial would not be undertaken unless those contributions were secured.
- The annualised cost of delivering all schemes would be approximately £3million and would attract investment of much higher value whilst also protecting existing homes and businesses.

(5) The Leader requested confirmation from Mr Pearce that should the £40million of contributions required to undertake every scheme identified be put forward by partners, that this would be a comprehensive solution to the potential for future flooding in Kent. Mr Pearce confirmed that if that were the case Kent would be able to make a very strong bid to the national prioritisation scheme for the remainder of the funding.

(6) The Leader continued, seeking to ascertain whether contributions would also be sought from precepting Parish and Borough Councils. Mr Pearce reported that the Environment Agency worked with all relevant parties on a scheme by scheme basis with the ultimate aim of securing contributions for the entire six year programme and therefore creating a position of certainty that would ensure strong representation in national priority scheme, security of investment in specific schemes and enhanced bargaining power with contractors.

(7) The Leader thanked Mr Pearce for his presentation and answers and assured him that the Council would consider the issue of contributions as part of its medium term capital programme. However he regarded the challenge presented by the request from national government to contribute to these schemes as a difficult one owing to recent reductions in both capital and revenue settlements from Whitehall. He considered that statements by Ministers following the flooding had indicated that this kind of commitment would not be necessary and considered it extremely challenging for local government that this was now the case.

(8) Stuart Beaumont, Head of Emergency Planning for Kent County Council, spoke to the item. He spoke of the two areas within which work would be undertaken should the recommendations in the report be approved. These were internal measures and work with partners, in particular:

- i. Internal (KCC) action:

- Increased capacity and resilience within KCC by ensuring that the recommendations within the report were enacted. To this end a cross-directorate task and finish group would be established and regular update reports would be brought before Cabinet to measure the successful implementation of recommendations.
- ii. External (with partners and communities) action:
- By utilising the Kent Resilience Forum and the newly established Kent Resilience Team many agencies with different responsibilities in emergencies would be brought together to encourage greater co-operation and this work had already begun. In addition a seminar would be held in September for partners in order to build on the issues and recommendations contained within the report and to formulate a 'Plan for winter' which would be adopted in October 2014. The second strand of external action would involve the engagement of communities and residents in order to enhance community resilience. Work was already underway with the Kent Association of Local Councils, Environment Agency, the Fire and Rescue Authority and others to establish and introduce new ways of working with communities to ensure they were strengthened in the event of future flooding.

(9) Stuart Beaumont confirmed at the request of the Leader that an update report detailing work undertaken toward implementation of recommendations discussed would be presented to Cabinet at its October meeting.

(10) Max Tant, KCC Flood Risk Manager, spoke briefly to report that he continued to work with the Environment Agency regarding the priority schemes detailed in Andrew Pearce's presentation and the specific funding requirements for each and would also report to Cabinet the detailed outcomes of these discussions in October.

(11) The Leader reminded the Environment Agency that in order for the Council to have meaningful discussions regarding contributions to flood defences as part of the Medium Term Capital Programme assurances must be forthcoming that sufficient investment would be made in the maintenance of rivers, in line with recommendation 13, so that any flood defence investment was protected and effective and the Environment Agency and others were open and transparent and responded to concerns.

(12) Andrew Pearce confirmed that the Environment Agency had been responding to such queries from members of the public, currently approximately 400 per month, and offered to return to a future meeting to give account of such operations. He acknowledged, following further questioning from the Leader, that it was recognised nationally that as revenue budgets had been reduced and funding had become more scarce, the maintenance of river channels had been negatively affected. However he assured members that assets, such as critical locks, were maintained to the highest operational standards and to support this, this year an additional £1million of funding for revenue and maintenance activities had been secured and enhanced programmes would be in place before the winter.

(13) The Cabinet Member for Corporate and Democratic Services, Mr Gary Cooke, spoke to the item. He referred to comments made by Mr Beaumont about his desire to establish a network of volunteers to help with emergency response efforts. He advised that selection of volunteers within relevant geographical areas would be crucial to the success of such a programme, owing to the difficulties of access that such emergencies inevitably caused. In addition he urged that, where volunteers were also employees of KCC, they were duly rewarded after having been called upon with time off in lieu from their employed posts. Mr Beaumont agreed with the points made.

(14) It was RESOLVED that:

Cabinet Christmas and New Year Flooding 2013-14 – Update 7 July 2014	
1.	That the recommendations as set out in the action plan at annex 1 of the report, be agreed (R1 – R17 below)
R1	Undertake a fundamental review & update of key KCC and partnership plans to ensure they are fit-for-purpose for even the most complex and protracted of incidents.
R2	Provide Cabinet with an options paper for enhancing KCC’s resilience , including training a cadre of ‘emergency reservists’. Once approved, implement a programme to train, equip & support relevant personnel in readiness for Winter 2014.
R3	Develop a consistent countywide policy & plans for maintaining & providing sandbags and other practical support to individuals & communities at risk of flooding.
R4	Implement a strategy to encourage greater flood awareness & individual / community resilience , including improving sign-up for the EA’s Floodline Warnings Direct (FWD) Service and training local volunteers as Flood Wardens.
R5	Undertake a fundamental review & update of the Floodline Warnings Direct (FWD) Service for communities with high / complex flood risk.
R6	Develop enhanced arrangements for warning & informing the public in flooding / severe weather scenarios , including contingency arrangements in the event of power outages and greater usage of social media.
R7	Develop multi-agency arrangements to provide critical ‘on scene’ liaison & support to affected communities e.g. via multi-agency ‘Bronze’ / Operational teams.
R8	Work with DCLG and the Flood Recovery Minister for Kent to bring pressure to bear on utilities companies to improve their arrangements for engaging & supporting partners & customers.
R9	Streamline & enhance existing multi-agency information management protocols & systems for sharing critical data in the planning for & management of emergencies.
R10	Formalise the recovery management structures developed during Operation Sunrise 4 and adopt these as good practice.
R11	Develop protocols to support emergency responders in deciding when to escalate / de-escalate to / from the ‘emergency response’ & ‘recovery’ phases.
R12	Influence Central Government to secure additional financial support in recognition of the severe burden that these incidents have placed on KCC.

R13	EA / Southern Water to respond to queries / concerns regarding the perceived lack of / effectiveness of their rivers & flood management systems / assets
R14	Explore all possible opportunities with partners and beneficiaries to contribute to the priority flood defence schemes required in Kent , including influencing the EA, Defra & HM Treasury to secure funding to deliver the schemes that do not currently receive sufficient FDGiA funding even with substantial partnership contributions.
R15	Ensure the consequences of flood risk are fully considered before promoting development in flood risk areas by consulting all organisations with a role in flood risk management and emergency management.
R16	Implement a strategy to encourage greater awareness & take-up of individual & community flood protection measures e.g. property-level protection, sandbags.
R17	Support awareness & implementation of key initiatives to support communities with high / complex flood risk, particularly e.g. Surface Water Management Plans (SWMPs), Multi-Agency Flood Alleviation Technical Working Groups
REASON	
1.	In order that measures can be taken to improve and strengthen flood prevention and response and Cabinet can be kept properly informed of progress toward those ends.
ALTERNATIVE OPTIONS CONSIDERED	None
CONFLICTS OF INTEREST	None
DISPENSATIONS GRANTED	None

70. The Care Act 2014

(Item 5 - Report of Cabinet Member for Adult Social Care and Health, Mr Graham Gibbens and Corporate Director of Families and Social Care, Andrew Ireland)

(1) Cabinet received a report regarding the Care Act 2014 (The Act), which received Royal Assent on 14 May 2014 and which would establish a new legal framework for adult care and support services. The Care Act, the report informed, was widely considered to be the biggest change to care and support law in England since 1948 and would replace over a dozen pieces of legislation with a single consolidated law coming into effect incrementally between April 2015 and April 2016. The report set out for consideration the work already underway to prepare for implementation and an assessment of the main financial and other implications that the Council may face.

(2) The Cabinet Member for Adult Social Care and Health introduced the report. He reported that in an administrative error; the agenda front sheet wrongly referred to The Social Care Act 2014, and should read, as the report, The Care Act 2014. Having clarified this point Mr Gibbens moved to the substantive issues contained within the report and in particular referred to the following:

- i. That he welcomed The Act and the changes and clarification it would bring to the arena of Social Care.

- ii. That the draft regulations had been issued and Councils were asked to respond by August 2014 part of this consultation would address the financial implications of The Act. As was customary with consultation responses in the field of social care, he would invite representatives of the opposition groups to join discussions as KCC's response was finalised.
- iii. The Transformation Programme in Adult Social Care had pre-empted some of the requirements of The Act such as new rights for carers and as such Kent was well positioned for its introduction.
- iv. That the Safeguarding Adults Board would inherit a statutory status and as the Board in Kent had been established for some time this too was a change for which the Council was well prepared.
- v. One further important consideration that would be assessed in due course would be the capability of the Council's IT systems to ensure that they were fit for purpose in the future.

(3) The Leader echoed the positive comments of the Cabinet Member for Adult Social Care and Health, and agreed that The Act was good news for families but reminded members that the positive changes must be financed. The Council was involved in discussions with Central Government to ensure that not only was additional funding made available but that that funding was distributed in a way which reflected the demographics of each geographical area.

(4) Michael Thomas-Sam, Strategic Business Advisor, was in attendance to present to Cabinet. The presentation [attached as appendix 3] particularly drew the attention of members to the following information:

- i. That The Act would replace over forty pieces of current legislation, and would expand the reach of formal social care arrangements, bringing additional people in to the legal care framework.
- ii. The Act would be implemented in two phases:
 - Phase one would be implemented in April 2015 and would include:
 - One new national minimum eligibility criteria, which on inspection of the draft regulations appeared to be very generous.
 - New rights for Carers. KCC would be expected to conduct more carer's assessments and to provide support packages to carers where appropriate.
 - New rights to deferred payment for those in permanent residential care. KCC currently offer this service to residents in Kent but it was expected that the number of people applying would increase.
 - A new emphasis on preventative duties, ensuring that local authorities took responsibility for the provision of information and advice to help those people outside of the formal care system to plan and help themselves.
 - The creation of a statutory framework for the Safeguarding of Adults Board, including statutory responsibilities and required partner membership.
 - Introduction of legal powers to delegate most Social Care functions

- New duties relating to Social Care for prisoners. These duties were particularly relevant for Kent which had the highest number of prison establishments of any local authority area, with a total of approximately 5000 prisoners at any one time.
- Phase two (the Dilnott recommendations) would be implemented in April 2016 and would include:
 - A lifetime cap on care costs of £72,000 for those over 65. For those people who develop care needs before the age of 18 that care would be free for as long as they need it and a decision was yet to be made in relation to those people who developed care needs between the age of 18 and 65.
 - Changes to the means-test threshold, currently £23,250 would change to £118,000 bringing additional people into the system.
 - Extension of direct payments to those people living in residential care establishments
- iii. The draft regulations would be brought before parliament in October following the consultation to which the Cabinet Member had referred and, should they be approved as expected, local authorities would then have six months to prepare for implementation.
- iv. The changes represented challenges for local authorities, specifically financial challenges, but the exact nature of these challenges would not be known until the regulations were approved.
- v. The government would make additional funding available for local authorities; of particular note were the Better Care Fund of £135m and £60m for the conducting of reviews. The implications for KCC would rest largely on how funds were allocated. 2014/15 funding had been distributed equally regardless of authority size. It was not yet known if this approach would continue but there would be a consultation on what the social care funding formula should be and KCC would strive to influence the debate in order to secure a fair and equitable solution.
- vi. Current projections signalled that all areas of social care commitments for KCC would increase in the next 2 years and work would continue to be undertaken, via the Care Act Implementation Board, to ensure that the service and the Council was prepared for these increases.
- vii. In addition there would be policy choices for Members to make in relation to new functions such as charging and potential delegations of duties.
- viii. That it was important that officers were aware of the wide reaching consequences of the legislation and that all relevant officers; lawyers, practitioners, managers and others, were familiar with The Act before it was implemented.

(5) The Leader thanked Michael Thomas-Sam for his comprehensive presentation. He referred to the financial consequences of the predicted increase in state funded social care service users, to which the presentation had referred, and asserted that the allocation of national funds must recognise the demographics of each area

accurately and fairly. He gave as examples the number of people aged 85 and over in Kent being double that of London and the varied wealth profiles of counties such as Surrey and Kent. The Leader concluded by insisting that if the changes were not to damage local authority budgets beyond repair there must be a sufficient national fund that was allocated equitably.

(6) Andrew Ireland, Corporate Director for Families and Social Care joined the debate. He agreed with comments received about the potential financial challenges of The Act and in particular he referred to the large number of self-funders in residential care in Kent for whom the change in the cap could be significant. He also stated that although the position adopted by the Council and its efficiency partner to date had positioned it well to deal with the strategic direction of The Act it would not be until the regulations were approved and published that the full implications for practice would be assessable and at that point issues of training and development for frontline staff would need to be addressed.

(7) Following questions from the Leader regarding plans to inform families in Kent of the changes Michael Thomas-Sam confirmed that a communication plan had been developed to explain to both current and potential social care service users what the impact of The Act might be for them. The plan included meetings with voluntary sector partners, local area meetings for members of the public and web based activity on the KCC website.

(8) The Cabinet Member for Adult Social Care and Health re-joined the debate to report that he had recently attended a very positive meeting with voluntary sector partners, who had been enthusiastic about the changes and eager to help disseminate important messages to their particular clients.

(10) It was RESOLVED that

1. The information contained within the report and presentations be noted;
2. The intention to present a further report to the Adult Social Care and Health Cabinet Committee on 11 July 2014 be noted; and
3. The implementation plan to be presented to the Adults Transformation Board on 23 July 2014 be distributed to Cabinet Members at that time.

71. 2013-14 Budget Outturn

(Item 6 - Report of the Deputy Leader and Cabinet Member for Finance and Procurement, Mr J Simmonds, and Corporate Director of Finance and Procurement, Andy Wood)

(1) Cabinet received a report providing for consideration, the provisional revenue and capital budget outturn position for 2013-14, which included a final update on key activity data. In addition the report contained a summary of the contribution of each Directorate toward the successful financial outturn reported.

(2) The Deputy Leader and Cabinet Member for Finance and Procurement introduced the report for Members. With regard to the revenue budget he reported the following information:

- i. That £95million of savings had been achieved despite already having made £105million in the two previous years and that delivery of a 14th

consecutive balanced budget in such circumstances was a significant achievement.

- ii. That a final underspend of £9.8million excluding schools had been reported after having transferred £4million to reserves with the agreement of Council to support the 2014-15 budget.
- iii. That after rolling forward monies required as a result of rephasing commitments listed within the report, the remaining £4.7million would also be credited to the Economic Downturn Reserve.
- iv. That congratulations were owed to all directorates for the achievement reported.
- v. Individual Directorate performance was as follows:
 - a. Education, Learning and Skills despite continuing pressures had reported a saving of £1.8million
 - b. Specialist Children's Services whilst it continued to experience approximately £3million of underlying pressures had shown some signs of stabilisation, although fostering continued to present particular difficulties.
 - c. Adult Social Care had reported significant savings of approximately £18million as a result of the Adult Transformation Programme and work undertaken with the NHS support for social care funds.
 - d. Enterprise and Environment had reported a £3million overspend but, as widely reported, had spent £4.9million on 'Find and Fix' to repair highway damage caused by the extreme weather conditions experienced in the winter months.
 - e. Customer and Communities had reported an excellent saving of £6.3million largely as a result of clever vacancy management and work with the Libraries and Registration service.
 - f. That £3.7million of government funding above that which had been predicted had been received in the financial year and had been committed to the Economic Downturn Reserve.

(3) The Cabinet Member continued to the Capital Budget and reported that:

- a. That the working budget for 2013-14 had been £256million and the actual spend reported was £203million. The individual variances which constituted the overall £53million variance were almost exclusively the result of rephasing and would be rolled over to the 2014-15 budgets.

(4) Corporate Director for Finance and Procurement, Andy Wood spoke to make two points. Firstly, he reiterated the appreciation expressed by the Cabinet Member for the hard work of officers and Members that had ensured the delivery of a successful budget and secondly to remind members that the £9.8million of savings reported, represented approximately 1% of budget and therefore illustrated the fine line that existed between delivering targets and overspending and further evidenced the need for the hard work to be continued.

(5) It was RESOLVED that

Cabinet 2013-14 Budget Outturn 7 July 2014	
1.	That the roll forward of £5.099m of the revenue underspend to fund existing commitments in the 2014-15 budget be agreed.
2.	That the commitment of £4.766million of the 2013-14 underspend to the Economic Downturn Reserve be agreed.
3.	That the rephasing of £53.337m of the 2013-14 capital budget to the 2014-15 capital budget be agreed.
4.	That the provisional outturn position for 2013-14 for both the revenue and capital budgets be noted.
5.	That the revenue position reflects all appropriate and previously agreed transfers to reserves including the £4m to support the 2014-15 budget as approved by County Council be noted.
6.	That the financial monitoring of the 2013-14 key activity indicators, financial health indicators and prudential indicators as reported in appendices 3,4 and 5 respectively; the final staffing numbers for 2013-14 as detailed in section 5 and the impact of the provisional outturn on reserves as detailed in sections 3.8 and 4.4 be noted
REASON	
1-3	In order that relevant actions to reserve, roll-forward and rephrase spending are authorised and actioned.
4-6	In order that information received is duly noted and effective monitoring maintained.
ALTERNATIVE OPTIONS CONSIDERED	None
CONFLICTS OF INTEREST	None
DISPENSATIONS GRANTED	None

72. 2014/15 Budget - First Exception Report

(Item 7 - Report of the Deputy Leader and Cabinet Member for Finance and Procurement, Mr J. Simmonds and the Corporate Director of Finance and Procurement, Andy Wood)

(1) The Deputy Leader & Cabinet Member for Finance introduced the report for Members. He observed that the first report of the year was slightly disappointing and emphasised the importance of careful budget management particularly in light of the discussion regarding the potential financial implications of The Care Act that had taken place earlier in the meeting. He assured Members that main aim for the administration would be to once again deliver a balanced budget despite this and other challenges.

(2) Mr Simmonds continued; he reported that pressures of £8.39million were reported and although this was a concern it was not unusual for early indications to be somewhat negative.

(3) There were three areas in which significant pressure had arisen. These were:

- £2million on Home to School SEN transport
- £3.3million on Specialist Children’s Services and
- £2million on Learning Disability Services

(4) Each pressure had arisen between the setting of the budget in February and the end of the financial year in April. Each Directorate was aware of the issues and had put in place action plans which would seek to stabilise the issues as soon as was possible.

(5) Corporate Director for Finance and Procurement, Andy Wood confirmed at the request of the Leader that the Senior Management Team were committed to managing the reported overspend down in order to deliver a balanced budget. He made one further comment; the spend reported in June was slightly higher than he would have liked and although this alone would not have a significant adverse effect on the budget, he reminded members and officers of the caution with which spending should be undertaken.

(6) Finally Mr Wood, reiterating the comments of the Cabinet Member, expressed concern at the reported pressures but acknowledged that early negative reports were part of a familiar cycle.

(7) It was RESOLVED that the report be noted.

Cabinet 2013-14 Budget – First Exception Report 7 July 2014	
1.	That the initial forecast revenue budget monitoring position for 2014-15, capital budget monitoring position for 2014-15 to 2016-17, and required elimination of the forecast pressure on the revenue budget as the financial year progressed, be noted
2.	That the cash limit adjustments contained in paragraphs 5.2 – 5.5 of the report, be agreed.
REASON	
1	In order that information received is duly noted and effective monitoring maintained.
2	In order that relevant actions to reserve, roll-forward and rephrase spending are authorised and actioned.
ALTERNATIVE OPTIONS CONSIDERED	None
CONFLICTS OF INTEREST	None
DISPENSATIONS GRANTED	None

73. Elective Home Education

(Item 8 - Report of the Cabinet Member for Education and Health Reform, Mr Roger Gough and Corporate Director for Education and Young People’s Services)

(1) Cabinet received a report containing a revised Elective Home Education policy for consideration and approval.

(2) The Cabinet Member for Education and Health Reform introduced the report for Cabinet. He described the recent development of the area of Elective Home Education and the growth in the number of children now classed as being educated at home. The draft Elective Home Education Policy therefore dealt with a range of complex and serious issues.

(3) Mr Gough reported that a number of representations had been made in relation to the draft policy, since its publication as part of the Cabinet agenda and as such he proposed a two stage approach to agreement of the document in order that further debate and investigation could take place. The matter would be considered here for noting and returned for further consideration and agreement in the autumn following discussion at Cabinet Committee and further investigation of points raised by members of the public.

(4) The Corporate Director for Education and Young People's Services, Patrick Leeson, was asked to comment. He spoke of the very clear duty on the Local Authorities to ascertain whether children educated at home were receiving a suitable education and described the draft policy as being designed to help and support parents who chose to educate their children at home, to provide that suitable education.

(5) Mr Leeson also commented on the growth in numbers to which Mr Gough had made reference. This growth, he reported, had seen the numbers of children in Kent being educated at home almost double over the last 4-5 years to just under 1400. Of these children approximately one third were aged 14 and 15 and therefore at a critical stage of both their development and their education.

(6) It was important that the policy allowed the Council to assess the suitability of education being received so that where it was needed support could be offered.

(7) To evidence the difficulties that children educated at home sometimes face and the importance of a policy that allowed the Council to properly fulfil its duty to ascertain that children are suitably educated Mr Leeson reported to members:

- That a sizeable number of those children who become home educated are already regarded as needing additional support.
- That 45% of those children home educated had persistent absence in the year before they were removed and overall the average attendance of home schooled children in the year before they became home educated was 59%
- That 15% of home educated children in the County were already known to Children's social services and almost 20% of home educated children go on to become NEET.

(8) Finally Mr Leeson reminded Members that many parents who elected to home educate their children, did so for very principled reasons and delivered an excellent education. The Council's policy would not seek to interfere or intervene where this was the case.

(9) The Leader agreed with the final comments made by Mr Leeson and assured Members that families who provided a suitable education at home for reasons of personal choice need not be concerned by the proposed changes. However the number and age profile of children educated at home in Kent meant that the Council must have in place a policy that allowed identification of those, often vulnerable, young people who were not receiving such an education at home.

(10) Mr Leeson added that in the last year where advice and support has been offered to those families who wished to receive it, 25% of children had now returned to school as a result of particular issues of concern being addressed.

(11) Mr Cooke commented to support the approach of the draft policy as described by the Cabinet Member and Corporate Director and echoed the comments of the Leader; that it would be imperative to the success of the policy that parents were clear that any changes were motivated by a need to fulfil statutory duties and a desire to support families, when that support is wanted. He asked Mr Gough and Mr Leeson to engage with the Elective Home School groups in order to disseminate this message.

(12) It was RESOLVED that the information be noted and the decision deferred until the Autumn.