

**SCRUTINY COMMITTEE**

**Monday, 20th January, 2014**

**10.00 am**

**Darent Room, Sessions House, County Hall,  
Maidstone**







## AGENDA

### SCRUTINY COMMITTEE

**Monday, 20th January, 2014, at 10.00 am**      Ask for:      **Anna Taylor**  
**Darent Room, Sessions House, County Hall,**      Telephone:      **01622 694764**  
**Maidstone**

#### **Membership**

Conservative (6):      Mr R J Parry (Chairman), Mrs S V Hohler, Mr A J King, MBE,  
Mr L B Ridings, MBE, Mr J E Scholes (Vice-Chairman) and  
Mrs P A V Stockell

UKIP (2)      Mr M Baldock and Mr C P D Hoare

Labour (2)      Mr G Cowan and Mr R Truelove

Liberal Democrat (1):      Mrs T Dean

Church      Mr D Brunning, Mr Q Roper and Mr A Tear

Representatives (3):

Parent Governor (2):      Mr P Garten and Mr G Lawrie

*Refreshments will be available in the Darent Room 15 minutes before the start of the meeting*

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

#### **Webcasting Notice**

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

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

## **UNRESTRICTED ITEMS**

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

### **A - Committee Business**

- A1 Introduction/Webcast Announcement
- A2 Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meeting held on 17 April 2013 (Pages 5 - 8)
- A5 Minutes of the meeting held on 12 November 2013 (Pages 9 - 12)

### **B - Items for discussion**

- B1 Draft Budget 2014/15 and Medium Term Financial Plan 2014/17

**To be circulated on 14 January 2014 – Members are asked to bring their copy with them to the meeting.**

## **EXEMPT ITEMS**

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

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

- C1 Exempt Minute - 17 April 2013 (Pages 13 - 14)

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Friday, 10 January 2014**

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

**KENT COUNTY COUNCIL****SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 17 April 2013.

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

ALSO PRESENT: Mr P B Carter, (Leader of the Council), Mr G K Gibbens (Cabinet Member for Adult Social Care and Public Health), Mr J D Simmonds (Cabinet Member for Finance and Procurement) and Mr L Christie

IN ATTENDANCE: Mr A Ireland (Corporate Director, Families and Social Care), Mr M Lobban (Director of Strategic Commissioning), Mr P McCallum (Strategic Initiatives Advisor), Mrs J Doswell (Project Manager) and Mr K Bratley (Category Manager: Corporate and Learning)

**UNRESTRICTED ITEMS****23. Minutes of the meeting held on 26 March 2013**

*(Item A4)*

RESOLVED that the minutes of the meeting held on Tuesday, 26 March 2013 be approved as a correct record and that they be signed by the Chairman.

**24. Decision Ref: 13/0001 Appointment of Efficiency Partner for Delivery of Transformation Programme**

*(Item B1)*

- (1) The Chairman welcomed Members and the witnesses to the Scrutiny meeting.
- (2) The Chairman then set out Mr Christie's reasons for calling in the decision to appoint Newton Europe as the transformation and efficiency partner to manage the delivery of the Adult Social Care Transformation Programme.
- (3) Mr Christie raised a number of further points and questions:
  - a. That the debate should be held in public
  - b. Why the decision was not taken by the Cabinet Member but instead by the Leader of the Council?
  - c. Who decides where the savings would be made?
  - d. Why the Directorate didn't have the skills to undertake this review in house.
- (4) In relation to paragraph 1 (5) of the introduction Mr Christie asked who the consultant company was who advised KCC during the review? If it was Newton Europe was the Committee comfortable that this was the same company who was awarded the contract?

- (5) The Leader explained that significant savings needed to be found within the Adult Social Services budget and that the most efficient way of carrying out this piece of work was by engaging with Newton Europe. Members were keen to determine whether the service provided by Newton Europe was satisfactory and in response the Leader explained that he had been impressed at their identification of savings within the middle office to enable a reduction in the bureaucracy for the social workers on the front line. Adult Social Services was a complex directorate and it was necessary to obtain an independent view of the deliverability of savings. The Leader explained that Mr Gibbens was on leave when the decision was taken but they were in close contact. Every week that the decision was delayed was costing the Council £300,000 - £400,000 of 'lost' savings and Newton Europe had assembled a team to start work as soon as the contract was in force.
- (6) The contract with Newton Europe was on a payment by results system and the Council's finance team had inspected the contract to ensure that any savings made would be honest savings; the Council would be exposed to risk if the savings were not found.
- (7) Mr Gibbens confirmed that he was on holiday when the Leader took this decision and that he endorsed the decision being taken shortly after Easter. Mr Gibbens stated that this was not about cutting services but about doing things differently for the people of Kent and transforming services for vulnerable people in the community.
- (8) The Chairman asked whether the savings were deliverable, and where the threats and weaknesses were. Mr Ireland explained that a diagnostic exercise had been undertaken to test whether the transformation approach could deliver savings. There would be a need to commission different services with different outcomes, to reduce dependence with an intense programme of enablement. It was not possible to do this in house due to the scale of the task, the pace at which it needed to progress and the capacity within the service.
- (9) The call in was welcomed by the Committee who were able to ask questions and for an explanation of the process. One Member queried what would happen if the consultants recommended policies that delivered savings but were not acceptable to members? Mr Gibbens explained that the consultants knew the policy of the council so Newton Europe would be working within the agreed policy of Kent County Council to deliver savings. With regards to the capacity of the service to carry out this review in house many management professionals had been removed from the service and so it did not now contain a large number of staff. Key staff were delivering the tasks for which they had been trained and against which they would be managed.
- (10) A Member raised concerns about the decision and asked how many members were aware of the additional cost of the consultants and the savings figures. Mr Lobban explained that KCC had been part of the Local Government Association Efficiency programme and was successful in bidding for a grant which was put towards the diagnostic provided by Newton Europe. The diagnostic was factual, the consultants then looked at opportunities for the Council based on their own opinion. There was a framework within which the consultants looked for opportunities; there would be no recommendations that fell outside of agreed

Council policy. Once the contract was awarded it would be necessary to agree the Governance arrangements and Mr Ireland stated that there was nothing in the process that circumvented the formal decision process. There was an arrangement with the efficiency partner that would fit in with the Council's Governance process and principles. There was confidence that there was a sufficient clarity of understanding and a strong working arrangement with Newton Europe that the issues would be dealt with in a pragmatic way.

- (11) Mr Simmonds clarified that Andy Wood, Corporate Director of Finance and Procurement, had spoken in depth about embarking on this project when he discussed his Section 151 officer responsibilities at the County Council meeting. Mr Simmonds considered that staff within the Adult Social Services Directorate were not the right people to make the changes necessary within the service, different skills were needed, this was endorsed by the Leader.
- (12) In response to the earlier comment about how many members knew about the decision the Leader reminded Members that the move to Cabinet Committees allowed more openness in discussions and pre-scrutiny of decisions. Adult Social Care was facing increasing demand and pressures, older people were living longer and other boroughs were placing people in Kent who needed care. It would not be possible to continue to spend on adult social care at the current rate. The Council had tried to recruit people with suitable skills to undertake this programme but it had not been possible.
- (13) It was accepted that there was no requirement to consult on an issue such as this but Mr Christie explained that the lack of early engagement with members had contributed to the issue being called in.
- (14) Members asked how they were going to be kept informed of the process, and/or made aware of any problems at an early stage. The Cabinet Member confirmed that he would report back on a 6-9 monthly basis to the Cabinet Committee and the Cabinet through the financial monitoring report.
- (15) Mr Lobban explained that officers were working to ensure the right links between cost, activity and outcomes.
- (16) In response to a question the officers confirmed that the Leader had had all the available documents when he took the decision.
- (17) A Member asked why the issues were not brought to the Cabinet Committee until the preferred bidder had been chosen. The Cabinet Member explained that the issue was discussed at County Council and the decision was published on the forward plan on 4 February and had been debated on 21 March.

*That under section 100A of the Local Government Act 1972, the press and public were excluded from the meeting for the rest of the item on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.*

- (18) Following the exempt discussion the Chairman referred the Committee to the options they had with regard to this call in.

RESOLVED that the Scrutiny Committee express comments but not require re-consideration of the decision.

(19) The Scrutiny Committee expressed the following comments:

(20) The Scrutiny Committee welcomes the undertaking of the Cabinet Member for Adult Social Care and Public Health that there will be improved Member involvement in the monitoring of the efficiency partner contract with Newton Europe and asks for a report to go to the Social Care and Public Health Cabinet Committee every 6 months on progress in addition to the joint group mentioned below.

(21) However, the Committee believes it is important for ordinary Members to be made aware of problems and issues at an early stage and feels a small group of officers and Members should meet with the performance partners on a regular basis to monitor performance in an ongoing and proactive manner.

(22) The Committee feels that information had been provided to them which had not been made available to the Cabinet Committee and that if this information had been forthcoming earlier and the Cabinet Committee been more involved in the decision, it may not have been called in.



**KENT COUNTY COUNCIL**

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**SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 12 November 2013.

PRESENT: Mr R J Parry (Chairman), Mr M Baldock, Mr G Cowan, Mrs T Dean, Mr C P D Hoare, Mrs S V Hohler, Mr A J King, MBE, Mr J E Scholes (Vice-Chairman), Mrs P A V Stockell and Mr R Truelove

ALSO PRESENT: Mr M J Angell

IN ATTENDANCE: Mr R Hallett (Head of Business Intelligence), Mr R Moys (Head of European Policy), Mr A Corcoran (Traffic Schemes & Member Highway Fund Manager), Ms E Sanderson (Strategic Business Advisor (Corporate & Communities)), Ms D Fitch (Democratic Services Manager (Council)) and Mrs A Taylor (Scrutiny Officer)

**UNRESTRICTED ITEMS**

**30. Introduction/Webcast Announcement**  
(Item A1)

1. The Chairman welcomed Members to the Scrutiny Committee meeting. For the benefit of new Members and the webcast Committee Members introduced themselves and which division they represented.

**31. Election of Vice-Chairman**  
(Item A4)

1. The Chairman asked for nominations for Vice Chairman.
2. Mr King proposed and Mrs Stockell seconded Mr Scholes as Vice Chairman.

*Carried: 6 votes for, 5 against, 0 abstentions (Chairman's casting vote)*

RESOLVED that Mr J Scholes be elected Vice Chairman of the Scrutiny Committee.

**32. Minutes of the meeting held on 23 May 2013**  
(Item A5)

1. In response to a question from a Committee Member it was confirmed that the minutes of the meeting on 17 April 2013 should have appeared on this agenda for approval and would form part of the agenda for the next meeting of the Scrutiny Committee.

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

### **33. Select Committee Work Programme** *(Item B1)*

#### Select Committee Proposal - Commissioning

1. Mr Angell introduced the first Select Committee proposal, a review into Commissioning. He set out the reasons for the review; the Select Committee would focus on removing barriers to entry for the provision of KCC services from new providers, particularly small to medium sized enterprises and members of the voluntary, community and social enterprise sector.
2. In response to a question Mr Angell explained that the Select Committee should report to County Council on 15 May 2014.
3. Members agreed that this was a vitally important topic. Changes to the Commissioning process were essential to drive down cost.
4. Richard Hallett confirmed that it was possible to resource this review with a Research Officer from the Business Intelligence Team but that it would mean that this resource would be diverted from other tasks.

#### Select Committee Proposal – Review of Kent’s European Relationship

5. Mr King introduced the second Select Committee proposal, a review of Kent’s European Relationship. This Select Committee would look at what had been achieved between 2009 and 2013 in difficult economic times, what the benefit was to trade and lessons to be learned for the future. This Select Committee would report to County Council on 27 March 2014.
6. One Member expressed his concern about the short timescale for this review, that it might be a more in depth piece of work if it reported to County Council during summer 2014.
7. It was considered that Kent’s relationship with Europe was fundamental to the growing economy of Kent.
8. Some Members expressed the view that this review could be a desktop exercise, a statement of what has been achieved which could be reported back to the relevant Committee. There was a suggestion that the review was delayed to enable the issues and scope to be re-drawn with tighter and more cohesive aims and objectives. The proposal form should confirm how this review would contribute to the corporate objectives of KCC and incorporate the concerns of some Members of the Scrutiny Committee.
9. Mr King explained that he understood the points that had been made, he assured Members that, if the Select Committee was established, it would devote time at it’s first meeting to making sure that there were detailed Terms of Reference.

10. Other Members welcomed this Select Committee which would set out what Kent had gained and lost in its relationship with Europe as the Front Line County.

Select Committee Proposal – KCC policy towards traffic speed restrictions and methods of implementing them

11. Mrs Dean introduced her Select Committee proposal on traffic speed restrictions and explained that this review had originally been suggested 12 months ago and it was accepted that the County Council had moved on since then. The proposer was content for the review to be scheduled for 12 months time. The Select Committee had been proposed following concerns about traffic speed and there were also concerns about the Council's policy of turning off streetlights in some areas and any changes as a result of this decision.

12. In response to a question Mr Corcoran explained that areas where streetlights were to be turned off would still be subject to a 30mph speed limit but it would be necessary to implement a Traffic Regulation Order (TRO) to ensure that the 30mph was enforceable.

13. In relation to the proposed Select Committee review Mr Corcoran explained that it was expected that most of the issues raised by the proposal would be covered by the Casualty Reduction Strategy (which was expected to be submitted to the Environment, Highways and Waste Cabinet Committee in December 2013) (POST MEETING NOTE: This would now be submitted to the Cabinet Committee in April 2014) and the recently adopted 20mph policy. It was considered that this review might be more appropriate if it were to commence in January 2015 (12 months from the planned strategy adoption date).

14. It was suggested that the proposal form be reworded and brought back to the next meeting of the Scrutiny Committee.

15. In response to a query about the costs of implementing speed restrictions Mr Corcoran explained that in the short term the typical cost of a speed limit is provided as part of the Member Highways Fund pack, however, there were a number of local factors to consider such as location and other geographical factors.

RESOLVED that the Scrutiny Committee agree to establish the Commissioning Select Committee, to report to County Council on 15th May 2014 and establish the Review of Kent's European Relationship Select Committee to report to County Council on 27th March 2014. The Committee agreed that the proposed review on 'KCC policy towards traffic speed restrictions and methods of implementing them' would be revised and brought back to the next meeting of the Scrutiny Committee (10 December 2013) for consideration.

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

Agenda Item C1

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