

## KENT COUNTY COUNCIL

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### **POLICY AND RESOURCES CABINET COMMITTEE**

MINUTES of a meeting of the Policy and Resources Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 14 March 2016

PRESENT: Mr A J King, MBE (Chairman), Mr R H Bird (Substitute for Mrs T Dean, MBE), Miss S J Carey, Mr N J D Chard, Mr M Heale, Mr C P D Hoare, Mr R A Latchford, OBE, Mr R L H Long, TD, Mr S C Manion, Mr L B Ridings, MBE, Mr C P Smith (Substitute for Mr J A Davies), Mr D Smyth, Mrs P A V Stockell and Mr N S Thandi

ALSO PRESENT: Mr G Cooke and Mr J D Simmonds, MBE

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services) and Mrs A Hunter (Principal Democratic Services Officer)

#### **UNRESTRICTED ITEMS**

##### **193. Apologies and Substitutes**

*(Item A2)*

Apologies for absence were received from Mr Davies and Mrs Dean. Mr Smith and Mr Bird attended as substitutes for Mr Davies and Mrs Dean respectively.

##### **194. Declarations of Interest by Members in items on the Agenda**

*(Item A3)*

There were no declarations of interest.

##### **195. Minutes of the meeting held on 15 January 2016**

*(Item A4)*

- (1) Resolved that the minutes of the meeting held on 15 January 2016 be approved as a correct record and that they be signed by the Chairman.
- (2) The Chairman said that he had agreed to defer the report on the Strategic and Business Development and Intelligence division referred to in Minute 192 (2)(b).

##### **196. Relocation of KCC Services from Tonbridge Gateway**

*(Item B1)*

*Rebecca Spore (Director of Infrastructure) and Peter Brook (Design Authority) were in attendance for this item*

- (1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report on behalf of the Leader of the Council and Cabinet Member for Business Strategy, Audit, Transformation and Commercial and Traded Services. The report asked the Cabinet Committee to endorse and

comment on the proposed decision to re-locate KCC services and commissioned services from the Tonbridge Gateway to other properties in Tonbridge. He referred, in particular, to the on-going commitment to review how services were provided and to the commitment to getting the best value from the Council's property portfolio.

- (2) Mrs Spore confirmed that the proposals referred only to KCC services and drew attention to the number of customer transactions for each of KCC's services which were set out in paragraph 2 of the report. She also said that 50% of those who had responded to the consultation favoured accessing services in the library or Adult Education Centre and that concerns raised about accessibility and car parking had already been taken into account. In the longer term it might be possible to re-locate to a more convenient location in the High Street.
- (3) In response to questions, officers said that conversations had not taken place with Tonbridge and Malling Council about detailed funding arrangements and that the break notice could be served while such conversations took place.
- (4) Members of the Committee considered that: the continuation of service provision was important; the consultation did not propose an alternative option; work should continue to review KCC-owned properties in Tonbridge and Malling; consideration be given to providing services from a centrally located premises and the needs of people who could not access services on-line be taken into account.
- (5) Resolved that:
  - (a) The proposed decision, to be taken by the Leader of the Council and Cabinet Member for Business Strategy, Audit, Transformation and Commercial and Traded Services, for KCC to re-locate its services and commissioned services from Tonbridge Gateway to the Tonbridge Library and Adult Education Centre be endorsed.
  - (b) The Cabinet Member be asked to provide assurance that an urgent review of the Council's estate in Tonbridge and the services provided from that estate be undertaken.

## **197. Strategic and Corporate Services Directorate Dashboard** *(Item C1)*

*Richard Fitzgerald (Performance Manager) was in attendance for this item*

- (1) Mr Fitzgerald introduced the report which set out progress made against targets set for Key Performance Indicators. He said that overall performance was very good and he drew particular attention to FP03 (invoices received by Accounts Payable within 20 days of KCC received date) and GL03 Data Protection Act Subject Access requests completed within 40 calendar days) which were assessed as "red". He also said that the key performance indicators relating to the Contact Centre were positive and the next quarter's performance report would reflect the performance of Agilisys.

- (2) Concerns were expressed about FP03 and the importance of ensuring small suppliers received timely payments was emphasised.
- (3) Resolved that the report be noted.

### **198. Financial Monitoring 2015-16**

*(Item C2)*

*Jackie Hansen (Strategic and Corporate Services Directorate Finance Business Partner) was in attendance for this item*

- (1) Mr Simmonds (Deputy Leader and Cabinet Member for Finance and Procurement) introduced the report which set out the third quarter's full budget monitoring report for 2015-16 which would be reported to Cabinet on 21 March 2016. He commended the work done to ensure the authority had an underspend and hoped the underspend position would continue to the end of the financial year to enable some funding to be rolled over.
- (2) Mrs Hansen drew attention to the forecasted underspend of just under £2.4 million for the Strategic and Corporate Services Directorate and, in particular, to the management action taken in relation to the underspend projected for the Engagement, Organisation Design and Development Division, the Infrastructure Division and underspends in the capital budget.
- (3) In response to a question, Mrs Hansen said that the budget for services to be provided by Agilisys would continue to have its own line in the budget.
- (4) Resolved that the revenue and capital forecast variances from budget for 2015-16, based on the third quarter's full monitoring to Cabinet, be noted.

### **199. Work Programme 2016**

*(Item C3)*

Resolved that the word programme for 2016 be agreed.

### **200. Welfare Reform Update**

*(Item D1)*

*Richard Fitzgerald (Performance Manager) and Jeanette Forster (Business Intelligence Officer – Economy and Demography) were in attendance for this item*

- (1) Mr Fitzgerald introduced the report which provided an update on the indicators relating to welfare reform.
- (2) Members of the Committee said the report was useful and informative and that it should be circulated to all Members of the Council and to MPs as well as being updated annually.
- (3) Concerns were raised about the length of time taken to process claims for Personal Independence Payments which took an average of nine weeks in London and the South East compared with a national average of six weeks.

- (4) Questions were raised about whether claimants of universal credit were in full time or part time work and about people moving to Kent from other parts of the UK.
- (5) Resolved that:
  - (a) The report be noted;
  - (b) The report be circulated to all Members of the Council;
  - (c) Consideration as to how evidence and research, such as the welfare reform report, influenced policy, service delivery and decision-making across the Council be included as part of the paper on Strategic Business Development and Intelligence paper to be received by the Cabinet Committee in July 2016.

**201. Draft Strategic and Corporate Services Directorate Business Plan 2016-17**  
*(Item D2)*

*David Whittle (Director Strategy, Policy, Relationships and Corporate Assurance) was in attendance for this item*

- (1) Mr Whittle introduced the report which set out the draft Strategic and Corporate Services Directorate Business Plan (2016-17) for consideration and comment, prior to approval by Cabinet Members and publication online in April 2016.
- (2) In response to questions, he confirmed that the services provided by external contractors would be subject to the same assessment of contestability as internally provided services and that the business planning process would be reviewed in the autumn in accordance with normal practice.
- (3) Resolved that:
  - (a) The Strategic and Corporate Services Directorate Business Plan (2016-17) be noted;
  - (b) The intention to publish the plans online in April 2016 be noted.

**202. ICT Service Resilience**  
*(Item D3)*

*Rebecca Spore (Director of Infrastructure) and Kathy Stevens (ICT Compliance and Risk Manager) were in attendance for this item*

- (1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report which provided an update for Members following the disruption to ICT services on 9 February 2016. Mr Cooke commended staff for their efforts and for working through the night to restore services quickly.
- (2) In response to questions, Mrs Spore said it was unlikely there would be another incident as a result of the chiller units, however, the incident had emphasised the impact on service delivery and in particular that having a secondary data centre had enabled the authority to maintain its critical

services. She also said that a balance had to be struck between business resilience and cost.

- (3) Mrs Spore further said that a full review of the incident was continuing and that the authority was not at greater risk as a result of an ICT outage than it had been before the incident.
- (4) Mr Cooke said the ICT Strategy was kept under review and increased use of the “Cloud” was being considered which would reduce the dependency on data centres which, in turn, would reduce the risk to the authority.
- (5) Resolved that the report be noted.

### **203. Risk Management: Strategic and Corporate Services**

*(Item D4)*

*David Whittle (Director Strategy, Policy, Relationships and Corporate Assurance) and Mark Scrivener (Corporate Risk Manager) were in attendance for this item)*

- (1) Mr Simmonds (Deputy Leader and Cabinet Member for Finance and Procurement) introduced the report by saying that risk management was an on-going and dynamic process. He drew particular attention to the risks arising from the financial and operating environment in which local government existed and to the unique position of Kent in responding to the numbers of unaccompanied asylum seeking children.
- (2) In response to concerns about the risk of cyber-crime, Mr Cooke (Cabinet Member for Corporate and Democratic Services) said that the authority had a good track record in resisting cyber-attacks and Mr Cockburn (Corporate Director Strategic and Corporate Services) said that a report on cyber security would be received by the Cabinet Committee in May 2016.
- (3) Resolved that the report be noted.

### **204. Corporate Assurance Quarterly Report**

*(Item D5)*

*David Whittle (Director Strategy, Policy, Relationships and Corporate Assurance) and Elizabeth Sanderson (Corporate Assurance Manager) were in attendance for this item)*

- (1) Mr Whittle introduced the report which outlined the key findings from Corporate Assurance on major change projects and programmes between January and March 2016. He also said that the first report on corporate assurance had been presented to the Cabinet Committee in December 2015 and suggested that further updates be received at six-monthly intervals.
- (2) Resolved that:
  - (a) The findings of the Corporate Assurance Quarterly Report be noted;
  - (b) Future reports be presented to the Cabinet Committee on a biannual basis.

**205. Engagement, Organisation Design & Development Division - Update**  
*(Item D6)*

*Amanda Beer (Corporate Director Engagement, Organisation Design and Development) was in attendance for this item*

- (1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report which provided an update on the re-design activity across the Engagement, Organisation Design and Development Division and on its operating model for providing professional advice and support across the authority. He said the new division brought together a number of professional functions in a way that supported becoming a commissioning authority.
- (2) Mrs Beer said the new division had been established in April 2015 and, since then, each of the functions within the Division had been reviewed and the service offer re-designed to ensure it could provide an effective, professional and integrated service to the authority. She said that customer insight and intelligence would inform the development of a corporate communications strategy as well as the design and commissioning of services. A key role of the division would be to provide challenge to service managers based on professional knowledge and insight as well as to support increased self-sufficiency among managers and staff and to ensure that clearly defined outcomes for all service delivery was commissioned and reviewed appropriately.
- (3) In response to questions, she said that decisions relating to thin-client or other options would be considered based on size, complexity and cost.
- (4) Resolved that the changes made and direction proposed for the Engagement, Organisation Design and Development Division to provide expert support to the organisation, through a period of transformation, be noted and endorsed.

**206. Exclusion of the Press and Public**  
*(Item )*

Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business 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.

**207. Facing the Challenge - Legal Services Update**  
*(Item E1)*

*Geoff Wild (Director of Governance and Law), Ben Watts (Head of Law – Litigation and Social Welfare) and Guy Record (Independent Consultant)*

- (1) Mr Simmonds (Deputy Leader and Cabinet Member for Finance and Procurement) introduced the report which set out details of the conclusions drawn from the Facing the Challenge market engagement for Legal Services

and recommendations relating to the implementation of the Council's commissioning strategy and a new service delivery model for Kent Legal Services.

- (2) The report was welcomed by the Cabinet Committee. Officers responded to questions raised about: the length of the proposed contract; the assumptions made about the transfer of existing work to the new entity; the ability to attract new work in a competitive environment; and the transfer of existing staff.
- (3) Mr Record gave a presentation which set out the approach taken to assessing value for money and a comparison of the two options considered.
- (4) Resolved that the recommendations to Cabinet be endorsed as follows:
  - (a) That the Council does not enter into a joint venture and officers be instructed to advise the remaining bidder that their bid had been unsuccessful;
  - (b) That the Council proceeds to create a wholly-owned company and seeks Solicitors' Regulation Authority approval for it to operate as an Alternative Business Structure for the delivery of legal services to the Council and the wider market;
  - (c) That the Council concludes the procurement process by awarding the contract for legal services to a wholly-owned company.