

KENT COUNTY COUNCIL

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 Friday, 2 February 2018

PRESENT: Mr B J Sweetland (Chairman), Mr R A Marsh (Vice-Chairman), Mr P V Barrington-King, Mr R H Bird, Mr T Bond, Mr N J D Chard, Mrs M E Crabtree, Mrs T Dean, MBE, Mr D Farrell (Substitute for Ms K Constantine), Mr P W A Lake, Mr J P McInroy, Miss C Rankin, Mr H Rayner and Mr I Thomas

ALSO PRESENT: Miss S J Carey, Mr E E C Hotson, Mr R L H Long, TD and Mr P J Oakford

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

UNRESTRICTED ITEMS

44. Apologies and Substitutes

(Item 2)

- (1) Apologies for absence were received from Mrs Cole and Mrs Constantine. Mr Farrell attended as substitute for Mrs Constantine.
- (2) Apologies for absence were also received from Mr Carter (Leader and Cabinet Member for Traded Services and Health Reform) and Mr Simmonds (Cabinet Member for Finance). Mrs Crabtree (Deputy Cabinet Member for Finance) attended in place of Mr Simmonds.

45. Declarations of Interest by Members in items on the Agenda

(Item 3)

During discussion of item 7 on the agenda (Financial Monitoring 2017-18), Mr Rayner made a declaration of interest as he had shares in Kier. He remained in the meeting and took part in the discussion.

46. Minutes of the meeting held on 5 December 2017

(Item 4)

Resolved that the minutes of the meeting held on 5 December 2017 are correctly recorded and that they be signed by the Chairman.

47. Minutes of the meeting of the Property Sub-Committee held on 18 January 2018

(Item 5)

To note the minutes of the Property Sub-Committee held on 18 January 2018.

48. Strategic and Corporate Services Performance Dashboard

(Item 6)

Richard Fitzgerald (Business Intelligence Manager - Performance), Ben Watts (General Counsel), Amanda Beer (Corporate Director, Engagement, Organisation Design and Development) and Rebecca Spore (Director of Infrastructure) were in attendance for this item

- (1) Mr Fitzgerald introduced the report which set out progress made against targets set for Key Performance Indicators to the end of December 2017. He said that overall performance was good and there had been improvements in performance for some indicators which had previously been rated red or amber. He drew attention to the narrative relating to P101 (Percentage of Rent Due to KCC outstanding over 60 days) and said it should say that the lease was now with the new provider and would be resolved imminently.
- (2) In response to questions, Mr Fitzgerald said he would investigate the possibility of providing some national comparator or benchmarking data for back office services.
- (3) Mrs Beer said that training for the GDPR regulations being introduced in May 2018 would be mandatory and a timescale would be set for staff to complete it. She said information about staff who had completed training was sent to heads of service every month, but it was unrealistic to expect a 100% completion rate as there were always new staff, and staff on maternity or long-term absence who would not be able to complete it.
- (4) Mrs Beer also said that e-learning was cost-effective, feedback from staff and managers was positive and care was taken to introduce it in areas where managers considered it to be appropriate.
- (5) Resolved that the report be noted.

49. Financial Monitoring 2017-18

(Item 7)

Dave Shipton (Head of Finance policy, Planning and Strategy) and Andy Wood (Corporate Director, Finance) were in attendance for this item

- (1) Mrs Crabtree (Deputy Cabinet Member for Finance) introduced the report which set out the budget monitoring position which was presented to Cabinet on 15 January 2018. Mrs Crabtree said the position was discussed regularly at Cabinet and that the Leader was lobbying government for full reimbursement of the £4m shortfall on asylum services.
- (2) Mr Wood said that the projected overspend of £8m was not reducing as quickly as he would like. However, it was considered that a moratorium on all expenditure was not appropriate at this time. He also said that the experience of the last 21 years indicated that savings were usually realised between November and March. In response to a question, he confirmed that the budget for 2018-19 assumed the full recovery of costs associated with providing the asylum service.

- (3) In response to comments about the relevance of scrutinising the budget figures for October 2017 in February 2018, officers said that alternatives which would reduce the time-lag were being considered and officers would write to Committee Chairmen with some proposals shortly.
- (4) Mr Shipton said there had been no change in the position of the Strategic and Corporate Services Directorate budget since it was last considered by the Cabinet Committee.
- (5) Resolved that the revenue and capital forecast variances from the budget for 2017-18, that are in the remit of this Cabinet Committee, based on the October monitoring to Cabinet be noted.

50. Budget 2018-19 and Medium Term Financial Plan 2018-20

(Item 8)

Dave Shipton (Head of Finance Policy, Planning and Strategy) and Andy Wood (Corporate Director, Finance) were in attendance for this item

- (1) Mrs Crabtree (Deputy Cabinet Member for Finance) introduced the report which asked the Cabinet Committee to comment on the draft budget proposals and make recommendations to the Cabinet. She corrected a typographical error in paragraph 5.2 of the report so it read £794.7m and not £794.7bn. Mrs Crabtree also said that the savings required to balance the budget amounted to £53m and that this was the seventh consecutive year of savings.
- (2) Mr Shipton outlined the process for developing the budget including quantifying the increase required to enable the Council to provide existing services much of which was unavoidable as it related to inflationary increases in contracts or increased demand for services. Recommendations were then made about whether this increase should be met from savings or from increasing tax. He also said that the amount received in grants from government had reduced substantially.
- (3) In response to a question it was confirmed that there was no requirement to consult with the public again as the proposal was not substantially different than at the time of the consultation. Comments were made that as district councils were the tax collectors, they were likely to receive a bigger response to public consultations about their budget proposals than the County Council.
- (4) In response to a question about road maintenance, Mr Wood said that roads would be kept safe, however, like many other authorities, it was a case of 'managed decline'. It was also confirmed that Mr Whiting (Cabinet Member for Planning, Highways, Transport and Waste) was lobbying government for funding to repair major roads damaged by foreign lorries and agreed that roads maintenance be considered for inclusion on an agenda for the Environment and Transport Cabinet Committee.
- (5) Resolved that the draft budget and MTFP, including responses to the consultation and government provisional settlement be noted.

51. Information Governance Update

(Item 9)

Ben Watts, (General Counsel (Senior Information Risk Owner)) was in attendance for this item

- (1) Miss Carey (Cabinet Member for Customers, Communications and Performance) said she had responsibility for Freedom of Information Requests while Mr Hotson (Cabinet Member for Corporate and Democratic Services) had responsibility for requests received under the Data Protection Act.
- (2) Mr Watts introduced the report which provided further detail about the performance monitoring data on requests made under the Freedom of Information Act and Data Protection Act. He drew attention to the increase in the number of disclosure requests since 2012 and paid tribute to the Information Governance team who had coped with increased demand without any increase in resources and who were working many more hours than they were contracted for.
- (3) In response to comments and questions, Mr Watts said: the GDPR regulations would enable officers to give more nuanced explanations for any delays in responding to requests; requests for information for academic or commercial purposes could not be identified as requests were 'application blind'; and the legislation set a high threshold for considering requests as unreasonable or vexatious.
- (4) Resolved that the report be noted.

52. Customer Services

(Item 10)

Amanda Beer (Corporate Director, Engagement, Organisation Design and Development), Christina Starte (Head of Communications) and Diane Trollope (Head of Engagement & Consultation) were in attendance for this item

- (1) Miss Carey introduced the report which provided an overview of customer services at Kent County Council including information about customer contact channels and planned development in customer contact.
- (2) Ms Starte and Ms Trollope gave a short presentation which is available online as an appendix to these minutes.
- (3) In response to questions and comments, officers said: the key to successful consultation was early engagement; a software package known as HotJar was used to make the webpage layout and navigation of the Council's website user-friendly; routine and simple queries were answered on-line while the more complex queries were dealt with by the call centre; the out of hours call centre was operated from a shared service with other councils, providing added resilience; and the annual report produced by the Local Government Ombudsman was considered in conjunction with directorates and services were benchmarked against other authorities

- (4) There was lengthy discussion about how much it might cost to amend the performance indicator that is currently set to 80% of calls answered in 40 seconds to 80% of calls answered in 20 seconds.
- (5) Resolved that the report be noted.

53. Work Programme 2018/19
(Item 11)

Resolved that the work programme for 2018/19 be noted.

54. Considering information exempt from publication (agenda item 12)
(Item)

Considering information exempt from publication (agenda item 12 – Business Services Centre Trading Company)

The Chairman asked Members if, in discussing agenda item 12, they wished to refer to the information set out in the exempt appendix to the report, and hence if they wished to pass a motion to exclude the press and public from the meeting and discuss that item in closed session. Members confirmed that they did wish to refer to the exempt information and, accordingly, discussion of the item took place in closed session and is minuted below at minute 58.

55. Total Facilities Management - Bi-annual Review
(Item 13)

Rebecca Spore (Director of Infrastructure) and Karen Ripley (Facilities Management and Capital Lead) were in attendance for this item

- (1) Mrs Spore introduced the report which said the Property Sub-Committee had reviewed the performance of the Total Facilities Management Contracts (Mid Kent with Amey, West Kent with Skanska, and East Kent with Kier) at its meeting on 18 January 2018.
- (2) Mrs Spore said this approach was in line with the commissioning cycle principles set out in “Facing the Challenge: Towards a Strategic Commissioning Authority” which had been agreed by County Council on the 15 May 2014.
- (3) Members then indicated that they wished to consider information set out in the exempt part of the report and so the meeting then proceeded to a closed session.

56. 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 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.

Exempt Items
(open access to minutes)

57. Total Facilities Management - Bi-annual Review
(Item)

Rebecca Spore (Director of Infrastructure) and Karen Ripley (Facilities Management and Capital Lead) were in attendance for this item

- (1) Mrs Spore provided further detail about the information set out in the exempt part of the report and answered Members' questions.
- (2) Members welcomed the actions taken to improve performance.
- (3) Resolved that the current performance of the Total Facilities Management contractors and assurance from the Property Sub Committee be noted.

58. Business Services Centre Trading Company
(Item 12)

Mr Carter (Leader of the Council), Rebecca Spore (Director of Infrastructure), Ben Watts (General Counsel) and Mark Scott (Head of the Business Services Centre) were in attendance for this item

- (1) Mr Hotson (Cabinet Member for Corporate and Democratic Services) described the background and the journey to developing the current proposal to establish a business services centre to deliver back office services. He emphasised the importance of ensuring Members had oversight as proposals developed.
- (2) Mrs Spore introduced the report which provided an update in relation to the new service delivery model for the Business Services Centre. The report asked the Cabinet Committee to consider and endorse or make a recommendation to Cabinet on the proposed decision to progress the establishment of an alternative delivery model for the Business Service Centre.
- (3) Mrs Spore, Mr Scott and Mr Watts responded to questions from Members and provided further detail.
- (4) Resolved that the Cabinet Committee endorsed the proposed Cabinet decision to:
 - a) Approve the business case for the proposed creation of a trading structure for the Business Services Centre;
 - b) Create a trading structure for the Business Services Centre, in line with the approved business case, and agree to enter into such contractual arrangements as are appropriate to facilitate that creation;
 - c) Delegate authority to the Monitoring Officer to agree the final details of the company structure and contractual arrangements in consultation with the Head of Paid Service, the Cabinet Member for Corporate and

Democratic Services, the Cabinet Member for Traded Services & Health Reform, the Director of Infrastructure and the Corporate Director of Finance; and

- d) Agree that a shadow governance structure be implemented.

59. Contract Management

(Item 14)

Vincent Godfrey (Strategic Commissioner) and Emma Mitchell (Director, Strategic Business Development and Intelligence) were in attendance for this item

- (1) Mrs Mitchell introduced the report which provided details on the Contract Group Review Schedule planned until December 2018. She also said a sub-group of the Budget and Programme Delivery Board chaired by the Cabinet Member for Finance had started a programme of contract management reviews in the 2016-17 financial year and that this programme had resumed in September for the 2017-18 financial year.
- (2) Resolved that the report be noted.