



Summons to and
Agenda for a
Meeting on
**Thursday, 12th July,
2018**
at **10.00 am**



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Wednesday, 4 July 2018

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, 12 July 2018 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 in items on the agenda
3. Minutes of the meeting held on 17 May 2018 and, if in order, to be **(Pages 5 - 16)** approved as a correct record
4. Chairman's Announcements
5. Questions

6. Report by Leader of the Council (Oral)
7. Brexit Preparedness - Kent County Council Position **(Pages 17 - 36)**
8. Revenue Budget 2018-19 Update/ Highways Asset Management **(Pages 37 - 40)**
9. End of Year Performance Report 2017/18 **(Pages 41 - 92)**
10. Members Allowances Scheme 2018/19 **(Pages 93 - 98)**
11. Select Committee - Pupil Premium **(Pages 99 - 106)**
12. Amendments to the Constitution **(Pages 107 - 162)**

Benjamin Watts
General Counsel
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KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 17 May 2018.

PRESENT:

Mr M J Angell (Chairman)
Mrs A D Allen, MBE (Vice-Chairman)

Mr M A C Balfour, Mr P V Barrington-King, Mr P Bartlett, Mrs C Bell,
Mrs P M Beresford, Mrs R Binks, Mr R H Bird, Mr T Bond, Mr A Booth,
Mr D L Brazier, Miss S J Carey, Mr P B Carter, CBE, Mrs S Chandler,
Mr N J D Chard, Mrs P T Cole, Ms K Constantine, Mr A Cook, Mr P C Cooper,
Mrs M E Crabtree, Mr D S Daley, Mr M C Dance, Miss E Dawson, Mrs T Dean, MBE,
Mr T Dhesi, Mr D Farrell, Mrs L Game, Mrs S Gent, Mr G K Gibbens, Mr R W Gough,
Ms S Hamilton, Mr P M Harman, Mr P M Hill, OBE, Mr A R Hills, Mrs S V Hohler,
Mr S Holden, Mr P J Homewood, Mr A J Hook, Mr M J Horwood, Mr E E C Hotson,
Mrs L Hurst, Mr J A Kite, MBE, Mr P W A Lake, Mr B H Lewis, Ida Linfield,
Mr R L H Long, TD, Mr R C Love, Mr G Lymer, Mr S C Manion, Mr R A Marsh,
Ms D Marsh, Mr J P McInroy, Mr P J Messenger, Mr D Murphy, Mr M J Northey,
Mr P J Oakford, Mr R A Pascoe, Mr M D Payne, Mr K Pugh, Miss C Rankin,
Mr H Rayner, Mr A M Ridgers, Mr C Simkins, Mrs P A V Stockell, Dr L Sullivan,
Mr B J Sweetland, Mr I Thomas, Mr M Whiting, Mr M E Whybrow and Mr J Wright

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services) and Mr V Godfrey (Strategic Commissioner)

UNRESTRICTED ITEMS

65. Election of Chairman

(Mr D Brazier the present Chairman presided for this item)

(1) Mr Hill moved and Mr Gibbens seconded that Mr M Angell be appointed Chairman of the County Council.

Agreed unanimously

(2) Thereupon Mr Angell took the chair, made his Declaration of Acceptance of Office and returned thanks for his election.

(3) Mr Carter, Mr Bird and Mr Hotson paid tribute to Mr Brazier and thanked him for the manner in which he had carried out his duties as Chairman of the Council from May 2017 until the present day.

(4) Mr Brazier suitably replied.

66. Election of Vice-Chairman

(1) Mrs Cole moved and Mrs Binks seconded that Mrs A Allen be appointed Vice-Chairman of the Council.

Agreed unanimously

(2) Mr Allen thereupon made her Declaration of Acceptance of Office and returned thanks for her appointment.

67. Apologies for Absence

The General Counsel reported apologies from Mr Bowles, Mr Butler, Mr Chittenden, Mr Collor, Mr Cooke, Mr Kite, Mr Koowaree, Mr Murphy, Mr Ozog, Mrs Prendergast and Mr Simmonds.

68. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda

(1) The General Counsel confirmed that in relation to item 9 Members should only disclose a pecuniary interest or other significant interest in the item if they or their family gained financial benefit from the Armed Forces Covenant that would be discussed during this item.

(2) Dr Sullivan declared an interest as her husband was employed by the County Council as an Early Help and Prevention officer.

(3) Mr Lewis declared an interest as his wife worked for the County Council.

(4) Mr Wright declared a non disclosable pecuniary interest in item 13 (1) (Motion for Time Limited Debate - Electric Vehicle Charging Points) as he was a Member of an air quality management group.

(5) Mr Horwood declared a disclosable pecuniary interest in item 13 (1) (Motion for Time Limited Debate - Electric Vehicle Charging Points) as he worked for UK Power Networks.

69. Minutes of the meeting held on 15 March 2018 and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meeting held on 15 March 2018 be approved as a correct record.

70. Chairman's Announcements

Death of Wing Commander Ronald Powling

(1) The Chairman stated that it was with regret that he had to inform Members of the death of Wing Commander Ronald Powling on Friday 2 March 2018, former Conservative Member for Whitstable East between 1973 and 1989.

(2) Mr Dance and Mr Bird paid tribute to Wing Commander Powling.

Death of David Evans

(3) The Chairman stated that it was with regret that he had to inform Members of the death of David Evans on Friday 6 April 2018, former Conservative Member between 1997 and 2001.

(4) Mr Balfour and Mrs Dean paid tribute to Mr Evans.

(5) At the end of the tributes all Members stood in silence in memory of Wing Commander Powling and Mr Evans.

(6) After the one-minute silence the Chairman moved, the Vice-Chairman seconded, and it was resolved unanimously that:

(7) This Council records the sense of loss it feels on the sad passing of Wing Commander Powling and Mr Evans and extends to his family and friends our heartfelt sympathy to them in their sad bereavement.

Andy Wood

(8) The Chairman paid tribute to Andy Wood, Corporate Director of Finance and Section 151 Officer who would be leaving the County council at the end of June. The Chairman thanked him for the work that he had carried out for Kent County Council over the years in relation to the setting of the Budget. Members supported the Chairman's comments.

(9) Mrs Crabtree paid tribute to Mr Wood on behalf of the Cabinet Member for Finance and Procurement, Mr Simmonds. Mr Bird, Mr Farrell and Mr Whybrow also paid tribute to Mr Woods.

(10) Mr Wood suitably replied.

GDPR training for Members

(11) The Chairman thanked the 54 Members who had signed up and completed the GDPR training session and encouraged all Members to sign up to a session.

Engagement, Organisation Design and Development Briefing for Members

(12) The Chairman encouraged Members to attend the Engagement, Organisation Design and Development briefing on 24 May.

The Queen's Award for Enterprise

(13) The Chairman announced the Kent had four winners of The Queen's Award for Enterprise this year. They were Childrensalon Ltd, Jon Tibbs Associates Limited, Maverick Drinks and TPS Global Logistics.

No Use Empty – UK Housing award

(14) The Chairman announced that the County Council had won the outstanding approach to regeneration category at the UK Housing Awards 2018 for its pioneering 'No Use Empty' initiative to bring empty homes back to life.

Low Carbon Across the South East (LoCASE) Project – ADEPT Award

(15) The Chairman announced that a Kent County Council scheme to help businesses invest in technology to help tackle climate change had been recognised at an awards ceremony. The Low Carbon Across the South East (LoCASE) Project was selected as runner-up by the President of the Association of Directors of Environment, Economy, Planning and Transport (ADEPT) Awards.

(16) The Chairman thanked everyone that was involved in the project.

Chairman's charity

(17) The Chairman announced that he had chosen Samaritans as his charity for his year as Chairman.

71. Questions

In accordance with Procedure Rule 1.17(4), 7 questions were asked and replies given. A record of all questions put and answers given at the meeting are available [online](#) with the papers for this meeting.

72. Report by Leader of the Council (Oral)

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

(2) Mr Carter thanked Andy Wood for the enormous contribution that he had made to Kent County Council. He also sent the good wishes of all Members to Mr Simmonds for a speedy recovery.

(3) Mr Carter referred to health and social care integration through the Sustainable Transformation Programme (STP) which was starting to show good progress. The Leader had been invited to chair the Local Care Implementation Board across the health economy of Kent and Medway. Three productive meetings had been held and it was now important to put GPs at the heart of local care and empower GPs through the coming together of multi-disciplinary teams serving a population of 35-50,000 patients.

(4) Mr Carter was hopeful that additional money could be found from the £2.4billion health economy in Kent which could be put into front line services allowing

for an expanded workforce. A training programme was in place but in the short term it was going to be necessary to find, from around the world, well qualified people to come and live and work in Kent to support our health economy. To enable this it was important to have the right number of good quality key worker houses for these people to have priority access to.

(5) Mr Carter told Members of his recent visit to Farrow Court in Ashford which was a former residential care home run and owned by KCC who joined forces with Ashford Borough Council and have developed a campus of sheltered housing including enablement beds and units for adults with learning disabilities. Mr Carter considered that this was built to a stunning standard and recommended that Members visit the site and that the model was replicated across Kent. He considered that the same theory applied to the physical facilities that GPs worked out of, these needed to be state of the art and located strategically across Kent.

(6) Mr Carter then referred to education and the work in Kent on the provision of sufficient places and the basic need allocation. The Society of County Treasurers had suggested that there was around a £1billion shortfall in funding over the next five years for a sufficiency of places and it was going to be essential to input into the spending review next spring to make sure there was adequate resource to deliver the expansions in Kent.

(7) Mr Bird, the Leader of the Opposition, started by referring members to the William Beveridge report which stated that a revolution was needed, not patching. Mr Bird considered that the problem with health and social care was that it was a patchwork and he agreed with Mr Carter that what was needed was a cohesive structure which pulled all the strands together. Mr Bird agreed that resources for primary care were critical with a chronic shortage of GPs, the new training facilities were welcomed and housing was part of the process to attract good quality workers into Kent. Mr Bird stated that there were two strands of training programmes for nurses in Kent; the graduate programme and the nursing association programme and they did not interlock at all; in addition there were six nursing apprenticeships in Kent.

(8) Referring to social care Mr Bird explained that social workers got minimal initial training and no professional development opportunities. To make community care work it was necessary to have highly qualified social care workers.

(9) Referring to sheltered care housing Mr Bird reminded Members that Mrs Dean had previously proposed a Select Committee on housing, it was considered that there was a desperate need to address the housing needs for people the need supported or extra care housing.

(10) On basic needs funding and school provision generally, Mr Bird referred to the revised National Planning Policy Framework which was considered to be a frustration for residents and planners, the green paper had targets for new housing but none of the provision which was desperately needed for funding vital infrastructure.

(11) Mr Farrell, Leader of the Labour Group, welcomed the new Chairman and Vice Chairman and wished them a successful year and paid tribute to Mr Brazier.

(12) Mr Farrell referred to the STP and how he had previously warned that a lack of funding for transformation would stifle creative solutions, inhibit successful integration

and prevent the key objective of improving health care. He raised concerns about a lack of progress, but he welcomed the Leader's comments about the STP. Mr Farrell raised a question about how integration would bring about billions of pounds of savings in a service which already saw nearly £800million in foundation trust deficits.

(13) Mr Farrell welcomed the comments of the Leader relating to welcoming staff from all across the world to support the health service, he was also pleased about the bid from the University of Kent and Christchurch to form a medical school and he looked forward to hearing how it would engage with the STP. Mr Farrell raised concerns about funding available for long term transformation which was essential to meet demands, drive efficiencies and improve the service.

(14) Mr Farrell commented that a lack of funding was not only a problem for the NHS but also for the provision of education. There was a shortfall in funding for school places in Kent of around £149 million and in addition schools were having their budgets cut. Mr Farrell stated that the LGA welcomed the Government's decision to work with local councils to open new schools, particularly in Kent. Mr Farrell considered that extending grammar schools or increasing the number of religious schools did little to help the lack of higher needs funding seen across the county and the financial position of KCC.

(15) Mr Farrell joined the Leader in recognising the positive benefit Farrow Court had brought to South Ashford. The development also highlighted the way in which Councils could intervene positively in a damaged market while borrowing money to support development.

(16) Mr Whybrow, Leader of the Independents Group, welcomed the Chairman and thanked Mr Brazier for his fair efficient chairing of Council meetings.

(17) Mr Whybrow was pleased to see the Leader and the County Council Network leading the call for better funding for education, particularly for high needs. He highlighted the £75.5million overspend in SEN just in the South East, he suggested that the Government could reallocate the £50million set aside for grammar school expansion. Mr Whybrow considered that funding was not keeping up with the negative effect that it was having on people's lives and he raised the NSPCC report on referrals for pupils for mental health treatment with over half being from primary schools. He praised the contribution that Tessa Jowell made to this area, particularly in the establishment of the Sure Start Centres from which Kent and so much of the country had benefited. Mr Whybrow hoped the Centres continued to thrive despite the cuts.

(18) Referring to social care Mr Whybrow agreed that Farrow Court was a flagship development and the challenge now was how this was scaled up as quickly as possible, social care needed a major transformation.

(19) Mr Whybrow explained to Members the Shared Lives model which was where families hosted adults who needed support. Mr Whybrow recently attended an event in London hosted by Nesta and then returned to KCC to see what progress had been made regarding Shared Lives. He was pleased to find an excellent team with 185 host families and he found some inspiring stories about what the shared life model could achieve.

(20) In replying to the other Leaders' comments, Mr Carter considered that the group leaders were fairly aligned. He shared the concerns of Mr Farrell about the time spent discussing the STP and it was now time to deliver but funding was needed. The Leader was doing everything possible to ensure that there was funding into primary and community care to deliver to the ambition that had been signed up to. The Leader agreed with Mr Whybrow that progress needed to be accelerated in delivering the new model of extra care based on the quality and standards that had been delivered at Farrow Court.

(21) Referring to education the Leader reminded Members that on the expansion and provision of school modernisation Kent had a very good and proud track record of delivering new schools, expansions to existing schools and most importantly giving parents greater choice. However unless additional resource was received this would not continue and the Leader referred to an article and interview he had done in The Independent about the national problem on high needs funding and mainstream education having money taken away from it to fill the funding gap in the provision of high needs funding. Some of this was because of the legislation changing; raising the statutory responsibility to educate all young people irrespective of their disability up to the age of 25 from 19 with no additional money. Mr Carter also stated that there were some perverse incentives in getting Education Health and Care plans agreed and that the system was not good.

(22) The Leader concluded by stating that he was cautiously optimistic that provided the funding was available there were some exciting plans ahead to deliver the local care model in bringing health and social together to give better health outcomes to all residents and patients in Kent. On education he would continue to lobby on the Treasury to free up more money for school expansion programmes against rising populations.

73. Annual Report on the Implementation of the Armed Forces Covenant in Kent

(1) Mr Long moved and Mr Carter seconded the following motion:

“County Council is asked to:

- (a) NOTE Covenant work to date and COMMIT to priorities going forward.
- (b) CHAMPION the Armed Forces Covenant across the county and ENGAGE locally in Covenant efforts.”

(2) Following a presentation by Canon Peter Bruinvelds CC and the debate, the motion as set out in paragraph (1) was agreed without a formal vote.

(3) RESOLVED that the Council notes the Covenant work to date, commits to the priorities going forward, champions the Armed Forces Covenant across the county and engages locally in Covenant efforts.

74. Revenue Budget 2018-19 update

(1) The Chairman reminded Members that any Member of a Local Authority who is liable to pay Council Tax, and who has any unpaid Council Tax amount overdue for

at least two months, even if there is an arrangement to pay off the arrears, must declare the fact that they are in arrears and must not cast their vote on anything related to KCC's Budget or Council Tax.

(2) Mrs Crabtree moved and Ms Carey seconded the following motion:

“The County Council is asked to:

APPROVE an additional £2m spending on pot-hole repairs in 2018-19 in response to the severe weather event during the week of 26 February with the financing being met by a draw-down from reserves.”

(3) Following the debate the Chairman put the motion set out above to the vote and the voting was as follows:

For (67)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mrs R Binks, Mr R Bird, Mr T Bond, Mr A Booth, Mr D Brazier, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Ms K Constantine, Mr A Cook, Mr P Cooper, Mrs M Crabtree, Mr D Daley, Mr M Dance, Miss E Dawson, Mrs T Dean, Mr T Dhesi, Mr D Farrell, Mrs L Game, Mrs S Gent, Mr G Gibbens, Mr R Gough, Ms S Hamilton, Mr P Harman, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr A Hook, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr P Lake, Mr B Lewis, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr P Messenger, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr D Pascoe, Mr M Payne, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mrs P Stockell, Dr L Sullivan, Mr B Sweetland, Mr I Thomas, Mr M Whiting, Mr M Whybrow, Mr J Wright.

Against (0) Abstained (0)

Motion carried

(4) RESOLVED that the County Council approve an additional £2m spending on pot-hole repairs in 2018-19 in response to the severe weather event during the week of 26 February with the financing being met by a draw-down from reserves.

75. Proposed changes to Financial Regulations

(1) Mrs Crabtree moved and Ms Carey seconded the following motion;

“Members are asked to: 3.1 Consider and approve the updated Financial Regulations and Delegated Authority Matrix of Approval Limits.”

(2) The motion was agreed without a formal vote.

(3) RESOLVED that the updated Financial Regulations and Delegated Authority Matrix of Approval Limits, as set out in the appendix to the report, be approved.

76. Proposed changes to Top Tier posts in the Children, Young People and Education Directorate

(1) Mr Gough moved and Mr Northey seconded the following motion:

“The County Council is asked to agree:

- (a) the deletion of the posts of Director Specialist Children’s Services and Director of Early Help and Preventative Services; and
- (b) the introduction of two new Director posts, Director Integrated Children’s Services (Early Help and Preventative Services Lead) and Director Integrated Children’s Services (Social Work Lead).”

(2) Following the debate the Chairman put the motion set out above to the vote and the voting was as follows:

For (57)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mrs R Binks, Mr T Bond, Mr A Booth, Mr D Brazier, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mrs S Gent, Mr G Gibbens, Mr R Gough, Ms S Hamilton, Mr P Harman, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr P Lake, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr P Messenger, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr D Pascoe, Mr M Payne, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mrs P Stockell, Mr B Sweetland, Mr I Thomas, Mr M Whiting, Mr M Whybrow, Mr J Wright.

Against (10)

Mr R Bird, Mr K Constantine, Mr D Daley, Mrs T Dean, Mr T Dhesi, Mr D Farrell, Mr A Hook, Mr B Lewis, Ida Linfield, Dr L Sullivan

Abstained (0)

Motion carried

(3) RESOLVED that the County Council agree to the deletion of the posts of Director Specialist Children’s Services and Director of Early Help and Preventative Services; and the introduction of two new Director posts, Director Integrated Children’s Services (Early Help and Preventative Services Lead) and Director Integrated Children’s Services (Social Work Lead).

77. Motions for Time Limited Debate

(1) Mr Hook moved, and Mr Bird seconded the following motion:

“The County Council is asked to agree the following:

- (a) Government and manufacturers to continue to work to make electric vehicles more affordable for ordinary working families and small

businesses, and to support alternatives to car use altogether;

- (b) Kent to lead the UK in conversion to greener technology, such as electric vehicles, over the years ahead;
- (c) The Cabinet Member for Planning, Highways, Transport and Waste to amend the Kent Design Guide, a Supplementary Planning Document, to refer to the incorporation of charging and other facilities in all new car parking for all forms of public and commercial development; and new homes to be built with a presumption in favour of having car charging points; and
- (d) An Action Plan to be drawn up to support and encourage the conversion to electric vehicles in Kent, in particular creating access to charging points for existing homes without off-street parking.”

(2) Mr Payne proposed, and Ms Carey seconded the following amendment:

“This council calls for:

- (a) Government to continue to encourage manufacturers to develop electric vehicles that are more affordable and to support other low carbon alternatives to car use,
- (b) Kent County Council to develop strategies that reflect the government’s lead toward more sustainable and greener technology, over the years ahead,
- (c) Kent County Council to continue to work with its partners such as Kent’s District and Borough Councils to incorporate best practice in low carbon technology such as electric car charging points in our built environment, and
- (d) For the Kent Environment Strategy Informal Members Group to consider electric charging as part of any proposed Energy & Low Emissions Strategy and refresh of the Kent Design Guide.”

(3) Following the debate, the Chairman put to the vote the amendment set out in paragraph (2) above and the voting was as follows:

For (45)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mrs R Binks, Mr D Brazier, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr G Gibbens, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mr S Holden, Mr P Homewood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr P Lake, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr P Messenger, Mr M Northey, Mr P Oakford, Mr D Pascoe, Mr M Payne, Mr K Pugh, Miss C Rankin, Mr C Simkins, Mrs P Stockell, Mr I Thomas, Mr M Whiting, Mr J Wright.

Against (10)

Mr R Bird, Ms K Constantine, Mr D Daley, Mrs T Dean, Mr T Dhesi, Mr D Farrell Mr A Hook, Ida Linfield, Dr L Sullivan, Mr M Whybrow.

Abstained (0)

Amendment carried

- (4) The substantive motion was agreed without a formal vote
- (5) RESOLVED that:
- (a) the Council calls for the Government to continue to encourage manufacturers to develop electric vehicles that are more affordable and to support other low carbon alternatives to car use,
 - (b) strategies be developed to reflect the government's lead towards more sustainable and greener technology, over the years ahead,
 - (c) work continues with KCC's partners such as Kent's District and Borough Councils to incorporate best practice in low carbon technology such as electric car charging points in our built environment, and
 - (d) the Kent Environment Strategy Informal Members Group be requested to consider electric charging as part of any proposed Energy & Low Emissions Strategy and refresh of the Kent Design Guide.

Pollinator Action Plan

- (6) Mr Whybrow moved, and Mr Holden seconded the following motion:

"The County Council is asked to agree the following:

- (a) To support the setting up of a cross-party working group to work with officers to produce a Pollinator Action Plan for submission to the County Council for approval in six months' time;
- (b) To recognise the vital importance to Kent's rural economy of pollinators and the fact that local authorities are well placed to make a significant contribution to reversing their decline, including through land and verge management, development control, and leadership and education across local communities; and
- (c) To use the planning system to protect and increase pollinator-friendly habitat; managing council-owned and council-managed land to benefit bees and other pollinators including more pollinator-friendly cutting cycles; reduced use of bee-harming pesticides; and planting more wildflowers and other bee-friendly plants in our country parks and community spaces."

- (7) Following the debate, the Chairman put to the vote the motion set out in paragraph (6) above and the voting was as follows:

For (54)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mrs R Binks, Mr R Bird, Mr D Brazier, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Ms K Constantine, Mr A Cook, Mrs M Crabtree, Mr D Daley, Mr M Dance, Miss E Dawson, Mrs T Dean, Mr T Dhesi, Mr D Farrell, Mrs L Game, Mr G Gibbens, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mr S Holden, Mr P Homewood, Mr A Hook, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr P Lake, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr M Northey, Mr P Oakford, Mr D Pascoe, Mr M Payne, Mr K Pugh, Miss C Rankin, Mr C Simkins, Mrs P Stockell, Dr L Sullivan, Mr I Thomas, Mr M Whiting, Mr M Whybrow, Mr J Wright.

Against (0), Abstained (0)

Motion Carried

(8) RESOLVED that the County Council agrees:

- (a) To support the setting up of a cross-party working group to work with officers to produce a Pollinator Action Plan for submission to the County Council for approval in six months' time;
- (b) To recognise the vital importance to Kent's rural economy of pollinators and the fact that local authorities are well placed to make a significant contribution to reversing their decline, including through land and verge management, development control, and leadership and education across local communities; and
- (c) To use the planning system to protect and increase pollinator-friendly habitat; managing council-owned and council-managed land to benefit bees and other pollinators including more pollinator-friendly cutting cycles; reduced use of bee-harming pesticides; and planting more wildflowers and other bee-friendly plants in our country parks and community spaces.

From: Paul Carter, Leader

To: County Council, 12th July 2018

Subject: **Brexit Preparedness – Kent County Council Position**

Summary: This paper outlines Kent County Council's (KCC's) position on the preparedness for effectively implementing Brexit and calls for the Government to take action to better co-ordinate implementation and contingency planning across all national and local partners.

Executive Summary:

Negotiations over a UK-EU Brexit deal are ongoing; the Government expects arrangements to be signed which leaves the borders “as frictionless as possible” and we support the government in that endeavour. However, Kent’s position as the gateway to Europe means that the county faces increased risks if the conclusion of UK-EU negotiations does not deliver this. Any increased border and customs checks could lead to delays and long queues of port freight traffic which could ultimately lead to Operation Stack being implemented, with the M20 being closed in part or in both directions. It has been our long term objective to avoid this disruption to the Kent highway and to keeping the whole of the strategic network open at all times. We need to avoid the dire consequences experienced in 2015 which impacted on the Kent economy and and more broadly on the national economy.

KCC officers have positively engaged with the planning arrangements that the Government has put in place to consider these matters. However, uncertainty means inevitably plans still need to be resolved, with some concerns that multi-agency working across government departments and with Kent needs to be enhanced. This covers more than just port delays and avoiding Operation Stack and includes:

- Trading Standards
- Border Security
- Port Resilience
- Robust contingency plans covering all eventualities along with the necessary resources.

Regarding Operation Brock, the replacement to Operation Stack, it is essential there is a robust, workable implementation plan that utilises all available resources. Since 2015, Stack has been avoided through the effective deployment of Dover TAP and increased lorry parking being available at the Port of Dover and at Eurotunnel. We urge the Government to consider making further resources available including the opportunity of additional TAP on the A2 near Lydden and to exploit the Department for Transport’s (DfT) investment in Manston. We are continuing to work with Highways England on their proposals for an interim traffic management proposal on the M20 which is currently out for consultation.

The Government should consider whether any additional powers in legislation are required to ensure that all national and local agencies have the necessary authority to take emergency action to ensure the free-flow of traffic. This could support Kent Police, alongside additional technology and the cooperation of neighbouring Police forces, to stagger the arrival of lorries into Kent. Close co-operation will be needed along with sufficient funding and manpower to maintain free flowing traffic as far as

is possible. Consideration should also be given to a system of effectively holding freight at its point of origin or specific hubs when port capacity is limited. The Government should engage with port operators and the logistics sector to develop an integrated strategy and commit the necessary infrastructure investment. It should also consider investing in Kent's wider port infrastructure, including Sheerness and Ramsgate to provide additional resilience to the County's infrastructure.

Kent Trading Standards play a critical role in enforcing product safety domestically and at the border, ensuring the efficient processing of referrals from UK Border Force and National Trading Standards. If there is a greater number of vehicles subject to inspection under new customs arrangements, demand for Kent Trading Standards services will increase and require substantially greater capacity. To provide the additional Trading Standards officers with the appropriate training will take time and resource. Government should fully fund the impact on Kent Trading Standards and Kent Scientific Services to respond to any increased cost and demand pressures.

Importantly, and irrespective of any deal agreed with the EU on customs, the operation of borders and customs on the Continent is a matter for national governments not the UK/EU negotiations. Alongside UK preparations, the effectiveness of the border and customs operations at the Continental Ports is essential to maintaining freight fluidity at Kent's Channel Ports and free-flowing traffic on Kent's highways. The UK Government should strengthen its bilateral engagement with the respective national governments to agree the practical arrangements and necessary investment. The UK has previously successfully agreed bi-lateral treaties with France (including Le Touquet and Sandhurst) that have ensured effective border arrangements for the movement of people, and it should consider similar bi-lateral treaties for goods in support of the effective implementation of a UK-EU deal.

A number of immediate priorities have been identified:

- KCC will continue to pro-actively work with the Government in developing and co-ordinating its implementation planning for Brexit, including supporting the Kent Resilience Forum work on scenario and contingency planning.
- KCC will work with Highways England and the Department of Transport on their proposals for an interim traffic management solution and a permanent solution to Operation Stack which maintains free flowing access to the Queen's highways.
- KCC will urge the Government to invest in Kent's wider port infrastructure to enhance the county's resilience.
- KCC will seek the Government's commitment to fully meet the direct costs of new burdens and demand pressures because of Kent's exceptional position, through a short-term direct grant and the UK Shared Prosperity Fund.

Recommendation(s):

County Council is asked to:

(1) Endorse Kent County Council's position as set out in this paper.

1. Introduction

- 1.1 Following the UK's vote to leave the EU, the UK Government triggered Article 50 in March 2017, starting a two year negotiation on a Withdrawal Agreement. On 29th March 2019 the UK will leave the EU and all EU law will transpose into UK law, following which the UK Government will be able to keep, amend or discard each law. The UK can leave the EU in March 2019 without an agreement, but an 'orderly withdrawal' is the desired outcome for all parties.
- 1.2 A phased approach has been taken to the UK/EU negotiations. In December 2017 the first phase concluded, with satisfactory progress on citizens' rights, the UK's contribution to the EU budget and participation in EU programmes and the Ireland/Northern Ireland border arrangements. The second phase concluded in March 2018, with agreement on a 21-month transition period until December 2020 when current arrangements will continue. The UK/EU negotiations are now focused on their future relationship including customs, security, criminal justice, economic co-operation, and a science, research and innovation partnership. The expressed aim is to have an agreed Withdrawal agreement between the UK and EU by October 2018 for ratification.
- 1.3 A number of pieces of legislation will implement the UK's withdrawal from the EU. These include the European Union (Withdrawal) Bill, a Trade Bill which would allow the UK to operate its own trade policy after Brexit, a Taxation (Cross-border Trade) Bill which will replace EU customs rules and allow the UK to impose its own tariffs after Brexit, and an Immigration Bill. Several of these bills have begun passage through parliament, with the EU (Withdrawal) Bill receiving Royal Assent on 26th June 2018.
- 1.4 A European Council Summit was held on 28th and 29th June which included discussion on Brexit withdrawal issues, the Ireland/Northern Ireland border and the framework for the future relationship between the EU and UK. Details of the UK Government's Brexit White Paper, setting out the Government's priorities for the UK's future relationship with the EU, is expected following a Cabinet meeting on 6th July. Subject to progress with the negotiations, the European Council's next meeting in October provides an opportunity to agree the Withdrawal Agreement.
- 1.5 There remains significant uncertainty as to what form Brexit arrangements will take and what specific impacts or opportunities this may have for Kent. Brexit remains a fast moving agenda and both the UK and EU have stated that '*nothing is agreed until everything is agreed*'. Therefore, whilst negotiations are ongoing there remains the potential risk for the UK to leave the EU in March 2019, moving to World Trade Organisation (WTO) rules, without an implementation period.
- 1.6 Whilst the Government is negotiating with the EU and taking legislation through Parliament to enable Brexit, KCC is engaging supportively through appropriate national, regional and local partnership channels and monitoring the developments closely to consider the impact for the county. However, as we get closer to the implementation stage specific issues for the county have become apparent, which the Government needs to address. We had expected greater clarity and transparency in developing options for

implementation at this stage in the negotiations than has happened. This has led to a lack of detailed information about the implementation plans which will directly affect the county and our frontline services.

- 1.7 KCC has a strategic leadership role on behalf of the residents and businesses of Kent and needs to stand up for Kent's interests. The implementation of Brexit will likely have wide ranging impacts on public services, communities and businesses on a scale that will not be faced by other areas of the country. Kent should not have to experience a disproportionate impact on economic competitiveness or financial cost to public services as a consequence of either the deal that is or is not agreed.
- 1.8 This position paper focuses on the critical issues for the county that require a response from the Government, including borders and customs, transport, security and resilience, and the economy and business. It also outlines some of the potential solutions to these issues, including the use of the Shared Prosperity Fund to meet any direct costs of Brexit on the county.
- 1.9 KCC will work with the Government to ensure the effective implementation of Brexit and positively engage with our international, national and local partners to find collaborative solutions. We will proactively work with the Government and undertake joint lobbying with our partners. This will include collective and individual work with Kent MPs on key issues for Kent residents and businesses. Whilst we are focused on short term implementation issues, we will also seek to influence future legislative opportunities longer-term once the current EU legislation transposes into UK law.

2. Kent County Council Preparations

- 2.1 KCC has taken a proactive co-ordinated approach to support preparations for Brexit, closely monitoring national and local developments. In December 2017, we established an internal, cross-directorate Brexit Co-ordinating Group, which identified potential issues and opportunities. An informal briefing for Scrutiny Committee on Brexit was provided in January 2018. In February 2018, a Brexit Informal Cabinet Sub Group was created to provide Member co-ordination, consider evidence, identify lobbying opportunities and appropriately escalate risk.
- 2.2 Cabinet Members have identified several priority themes, which are detailed in this paper. In addition, monitoring is continuing on long-term Brexit implications including commissioning, workforce and skills, unaccompanied asylum seeking children, health and social care, environment, waste, community cohesion, business and trade and specific EU funding streams. The continued uncertainty about the nature of the future UK/EU relationship, has meant we have been unable to develop detailed impact assessments on specific issues or services; however, our approach and preparatory work has developed a better understanding of the implications for KCC's services and the county and highlighted particular risks.
- 2.3 In November 2017, KCC provided written evidence to the CLG Select Committee inquiry on Brexit and Local Government. The response focused on Kent's exceptional issues including its border, customs arrangements,

transport infrastructure capacity and cross-border relationships, alongside core issues which will potentially impact local government.

- 2.4 To support collaborative working and respond to shared opportunities and challenges, KCC is positively engaging with international, national, regional and local partners including the Hauts-de-France region, Local Government Association, South East Strategic Leaders, and Kent Resilience Forum. We also informally share information with key partners including District and Borough Councils, Kent Association of Local Councils and Kent Police. In addition, KCC has been proactively engaging with senior civil servants through a number of working groups that have been set up to explore potential post-Brexit arrangements for borders, customs and transport through the Kent Border Planning Group and the Kent Strategic Freight Forum.
- 2.5 KCC has also engaged in research to support a greater understanding of the potential opportunities and risks from Brexit including commissioning studies from the Kent Business School and contributing to the multi-agency working groups for Canterbury Christchurch University's Brexit research.

3. Borders and Customs

- 3.1 The EU customs union and single market ensures member states have regulatory alignment and all charge the same import duties to countries outside the EU. It allows member states to trade freely with each other, without customs checks at borders, but it limits their freedom to strike independent trade deals. The Government is seeking a new customs arrangement that maximises independent trade potential and facilitates the "*freest and most frictionless trade possible*" in goods with the EU.
- 3.2 However, irrespective of any deal agreed with the EU, the operation of borders and customs on the Continent is a matter for national governments, not the UK/EU negotiations. Alongside UK preparations, the effectiveness of the border and customs operations at the Continental Ports is essential to maintaining freight fluidity at Kent's Channel ports and free-flowing traffic on Kent's highways. To date, the Article 50 process has limited the ability for national customs authorities to be involved in bilateral talks with their UK counterparts. However the EU have recognised the importance in all national governments preparing for the UK's withdrawal from the EU and are supporting discussions between various national governments in July. The UK has previously successfully agreed bi-lateral treaties with France (including Le Touquet) and in January 2018, the UK/France 'Sandhurst Treaty' reinforced cooperation for the co-ordinated management of the shared border. These agreements have ensured effective border arrangements for the movement of people and the Government should consider similar bi-lateral treaties for goods in support of the effective implementation of a UK-EU deal.
- 3.3 In March 2018, the draft Withdrawal Agreement announced an implementation period from March 2019 to December 2020, where current borders and customs arrangements would continue with free movement and circulation of goods placed in the market.

3.4 The Government is developing two potential options for the future customs relationship with the EU; however, there is presently no consensus on a favoured option within the UK Government and the EU Commission has indicated that both options are not currently acceptable to the EU:

- ‘*Maximum facilitation*’ - a ‘highly streamlined’ customs arrangement to minimise customs checks using new technology and trusted trader schemes.
- ‘*A customs partnership*’ - would remove the need for new customs checks at the border, with the UK collecting tariffs set by the EU on goods coming into the UK. If those goods didn't leave the UK and UK tariffs on them were lower, companies claim back the difference.

3.5 The Government’s commitment to a ‘*frictionless as possible*’ border is critical to maintaining free-flowing trade and transport fluidity throughout Kent. Provided there is an implementation period agreed, the Government must provide a clear approach for new border and customs arrangements by October 2018 at the latest, to provide adequate planning and preparation. A 21-month implementation is unlikely to provide sufficient lead-in time required to deliver the necessary infrastructure, systems and capacity on both sides of the Channel. The length of any ‘implementation’ period for Brexit should be based on practical considerations and ‘infrastructure readiness’. This needs to recognise the significant lead-in time required to get the right infrastructure and skills workforce in place.

3.6 At a national level, parliamentary committees and the National Audit Office have highlighted the substantive systems capacity and workforce issues that need to be addressed in order to respond to future border and customs changes. A key challenge is whether new technology solutions can be implemented in time – with estimates this could take 3-5 years to put in place.

3.7 The Government has created a Kent Border Planning Group to bring together national, regional and local partners (including KCC) to prepare future arrangements. Evidence to the Treasury Select Committee in June confirmed that a post-Brexit specification for ports has been developed and shared with individual ports, with another in development for the Channel Tunnel.

3.8 ***Kent’s exceptional issues***

Kent has an exceptional geographical position as the gateway county to Europe, including the largest ‘roll on roll off’ port in the UK at Dover and the unique Channel Tunnel. Kent will experience a far greater direct impact of any change to border and customs arrangements, in comparison to other areas of the country. The impact at the Channel Ports is unique because of the volume and pace of freight. Traffic is predominately intra-EU, roll-on roll-off, with little or no space to hold vehicles and short turnaround times.

- 4.2m freight vehicle movements through the Channel Ports each year.
- 2.6m trucks and 2.2m cars through the Port of Dover in 2017.
- 1.6m trucks and 2.6m cars through the Channel Tunnel in 2017.
- 11.5m passengers travelled through the Port of Dover in 2017.
- 20.6m passengers using Eurotunnel and Shuttle services in 2017.

- 3.9 We want the county to be ready to embrace the opportunities of Brexit, but we also need to enhance the county's resilience. This is why we support the Government's commitment to a '*frictionless as possible*' border to facilitate free-flowing trade and transport fluidity throughout Kent. Provided there is an implementation period agreed, the Government must provide a clear approach for new border and customs arrangements by October 2018 at the latest, to allow adequate planning and preparation for any changes.
- 3.10 Kent's peninsular position means our road, rail and port facilities are vital to the resilience of the county and the UK's economy and productivity. Kent's infrastructure supports essential manufacturing, logistics and agricultural sectors within Kent and throughout the UK and Ireland, with £122bn of trade in goods through Dover and €137.8bn through the Channel Tunnel each year. The Channel Ports business models are entirely based on free movement and freight fluidity. Any localised impact at Dover and Folkestone could impact more widely, not only throughout Kent's local and strategic transport networks, but indeed nationally.
- 3.11 International companies such as Amazon, DHL and car manufacturers favour the speed and convenience of Kent's routes as critical to their business success. A large part of the UK's economy is dependent on imports and exports with mainland Europe through the Strait of Dover. Any disruption to these strategic ports of entry could cause fundamental market shifts, particularly if there is an impact on time sensitive products such as fresh produce or 'just in time' car parts. Some European providers are contingency planning for alternative routes directly to Ireland and other parts of the UK if there are costly time delays within Kent.

- 1,100 trucks with 'just in time' car components cross the channel daily.
- Automotive and transport exports through the Channel Tunnel have a value of £6.1bn a year.
- 36% of firms rely on 'just in time' delivery of material or components (based on survey of 800 businesses).
- 29% of firms are sensitive to delays or congestion at UK or European ports (based on survey of 800 businesses).

- 3.12 The last border and customs inspections at Dover Port were in the early '90s and the facilities are no longer suitable for additional checks on site. There should be maximum use of self-assessment to allow traders to calculate their own customs duties and aggregate their customs declarations where possible. It is important that the Government actively considers the use of inland processing centres and temporary holding/storage facilities, both within Kent and strategic locations across the country. The Government needs to recognise that private commercial investment will not deliver the scale of facilities required; this issue is of national interest and requires national investment.

3.13 ***Animal and Food Checks***

The Channel Ports form a significant transport route for food and animal feed products, with an estimated 5.48m tonnes of food from EU countries coming through each year. At present, very little of this traffic is subject to any kind of food or feed safety control and flows freely through the ports.

- 25% of all UK food imports come through the Channel Ports.
- 27% of vehicles through Channel Ports are carrying food.
- The UK exports about £8bn of fresh produce a year.
- The UK imports £12-13bn of fresh produce a year.
- In 2017 Trading Standards visited 260 high risk food, feed and farm premises and 350 samples were analysed by Kent Scientific Services.

3.14 The national Animal and Plant Health Agency (APHA), carries out checks for compliance at the ports, including supervised loadings of export consignments and checking journey documentation. At a county level, KCC's Trading Standards service are responsible for carrying out enforcement of animal health and disease control legislation (including rabies), carrying out inspections at markets, hauliers and farms, with powers to take appropriate enforcement action. At a local level, Port Health Authorities (district councils with a port or airport in their area) have responsibility to protect the public through environmental and animal health and carry out health controls at the border. These partners work closely together on food and animal health controls.

3.15 After Brexit, the UK will need to establish its own regime for import controls, including sanitary (animal health) and phytosanitary checks (related to plant health including fruit and vegetables and the control of plant diseases) which are undertaken with Port Health Authorities, supported by scientific testing and veterinary examination, in addition to any customs and security checks. This could represent a significant increase in demand required for food inspections and testing for local authorities in Kent.

3.16 The Government has said their priority is to maintain environmental, welfare and biosecurity standards in a way that supports trade and the smooth flow of goods. Sanitary and phytosanitary checks are a critical part of infection control to protect animals, plants and the public. Industry experts from Eurotunnel, Ports of Dover and Calais and the Freight Transport Association have raised concerns that the sanitary and phytosanitary checks legally required on both sides of the border potentially represent an even greater challenge than customs checks.

3.17 ***Trading Standards***

Kent Trading Standards is responsible for enforcing product safety domestically and at the borders, using over 250 acts and regulations. Under the current EU law, they have powers to prevent unsafe goods entering the EU, the cost for this is borne by the importer. They also have powers under UK law to seize and detain EU goods in free circulation, at their own expense, which is only recoverable through the criminal courts. Kent Trading Standards has a working budget of £1.6m and 26 FTE located flexibly across the county to respond to referrals quickly and efficiently. There is no permanent capacity based at the Channel Ports.

3.18 Referrals are made to Kent Trading Standards by the National Trading Standards (NTS) Single Point of Contact (SPOC) and UK Border Force for investigation and enforcement. The NTS SPOC team supports border authorities to conduct effective and appropriate border controls, based on

identified risk and intelligence. The NTS set up national profiles on non-EU goods, which identify 'hits' for referrals to local Trading Standards services. Locally, UK Border Force refer what they find on inspection to Kent Trading Standards.

- 3.19 Currently, 100,000 Non-EU 'Third Countries' vehicles are subject to inspection a year through the Channel Ports. Post-Brexit, the NTS profiles are likely to look much wider to incorporate EU goods, which may increase referrals nationally. If UK Border Force undertake more inspections, referrals are also likely to increase but will be limited by the officer capacity available and their instructions to stop.
- 3.20 Estimates prepared by Kent Trading Standards indicate that if the number of vehicles subject to inspection increased as a result of new customs arrangements from 100,000 to 2 million, as might be the case in a 'no deal' scenario, and Trading Standards were also required to deal with imports using domestic legislation, there could be a substantial increase in Trading Standards capacity required to respond to this increase in demand. Capacity for referrals could increase from 1,910 to 6,810 hours a year (a 262% increase).
- 3.21 If other port capacity in Kent increases this would also have an additional impact on demand. The Government should fully meet the costs required to provide the training, expertise and capacity to meet increased demand for public protection services to help keep consumers safe.

- 150 customs declarations an hour at the Channel Ports.
- 100,000 'Third Country' vehicles currently subject to inspection.
- 185,000 UK traders have no experience of customs declarations.
- Currently 191 referrals to Trading Standards a year, taking 1,910 hours.
- An average referral takes around 10 hours of Trading Standards time.
- The average training time for a Trading Standards officer (TSO) is 1-3 years to undertake written, oral and practical examinations, with an estimated training cost of £9,346.
- A TSO salary costs range from c.£19-21k for a trainee TSO to c.£28-32k for a qualified TSO (without on-costs).
- If the number of vehicles subject to inspection increased to 2m a year, this could require 6,810 hours of Trading Standards capacity.

- 3.22 The Government also needs to provide clarity on the future legislative and regulatory requirements for Trading Standards to support business readiness. The Government should fully fund Kent Trading Standards and Kent Scientific Services to respond to the cost and demand pressures of future customs arrangements.
- 3.23 Work undertaken on borders and customs includes:
- Submitting a Trading Standards response to the Government consultation on '*Future Customs Arrangements, A Future Partnership*' (Dec 17).
 - Participating in the European Parliament conference on freight fluidity (Mar 18).

- Providing a report on Trading Standards to the Growth, Economic Development and Communities Cabinet Committee (Mar 18).
- Contributing to the soon to be published National Audit Office report “Exiting the EU: Consumer Protection, Competition and State Aid” (Apr 18).
- Engaging with the Border Planning Group and Border Delivery Group.
- The Environment, Planning and Enforcement Division are undertaking scenario planning on service impacts (including in event of ‘no deal’).
- Trading Standards are developing a business case (including future cost pressures and demands for services to identify additional resource and allocation across the county).
- Engaging with the Dover District Council Brexit Taskforce (Jun 18).

3.24 To continue to promote Kent’s interests we will:

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| <ul style="list-style-type: none"> • Lobby the Government to fully fund the direct costs for Kent Trading Standards to respond to the cost and demand pressures of future customs arrangements. • Work with the Local Government Association and our partners to hold a ‘round-table’ to consider Kent’s exceptional issues. |
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4. Transport

4.1 The Government needs to deliver sustainable solutions for Kent’s transport networks, which are of national importance and already under pressure, to help keep the country moving and avoid wider disruption for Kent’s residents and businesses.

4.2 **Strategic and Local Road Network Infrastructure**

Any changes to Kent’s border and customs arrangements need to maintain the effective movement of freight through the Channel Ports. Kent already experiences a disproportionately higher volume of Heavy Goods Vehicles (HGVs) using its roads than other parts of the UK, which will be compounded by any further pressures on the highway network from Brexit. Alongside any UK disruption, Kent is also at risk from transport disruption due to any additional checks and delays on the EU side of the Channel.

4.3 Kent needs timely decisions and appropriate investment by Government in infrastructure improvements to ensure the resilience of the county’s network and the UK’s economic competitiveness. This includes enhancements to the M2/A2 corridor in combination with the new Lower Thames Crossing to provide a new strategic route from the Port of Dover to the Midlands and the North. Improvements also need to include the connections between the two strategic corridors of the M2/A2 and the M20/A20 to enable the bifurcation (splitting) of port-bound traffic, namely improvements to the A249 and A229.

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| <ul style="list-style-type: none"> • KCC is the Local Transport Authority for Kent responsible for 5,400 miles of roads. • The Port of Dover and Eurotunnel both predict a potential doubling of freight traffic over the next decade. |
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4.4 **Operation Stack**

Insufficient transport infrastructure to respond to the scale of traffic on Kent's roads and changes in border and customs arrangements puts our economy at risk and risks significant congestion in the county and further afield. An effective interim traffic management scheme and permanent solution for Operation Stack and overnight lorry parking is essential for a growing county and is vital to avoid additional pressure on Kent's road network. It has been our long term objective to avoid the disruption of Operation Stack to the Kent highway and to keep the whole strategic network open at all times. Finding an alternative solution to Operation Stack is a key strategic priority for KCC as set out in *Local Transport Plan 4: Delivering Growth with Gridlock (2016-2031)* and the *Freight Action Plan for Kent* policy documents.

- The disruption of Operation Stack has estimated daily costs of £1.45m to Kent and Medway's economy.
- Operation Stack is estimated to cost the UK economy £250m a day.

4.5 The direct impact of Operation Stack on Kent's economy is significant; we need to avoid the dire consequences experienced in 2015 when Operation Stack was in place for a prolonged period and transport, logistics and tourism sectors reported real losses. Kent's businesses have faced additional costs, local accessibility and business productivity has been affected and the perception of Kent as a place to do business and to visit has been undermined. There is also a significant human cost to Operation Stack of considerable journey time delays and unreliability, local service provider cancellations, and residents unable to attend doctor's surgery or hospital appointments, get to school or work, or access the most basic services such as the shops for food.

4.6 Any plan to hold HGVs on the M20 while also allowing non-port traffic to continue to travel in both directions will significantly reduce capacity on the M20. This will result in the kind of disruption to both strategic and local traffic that is suffered with the existing arrangements for Operation Stack. It is therefore essential that any solution enables the M20 motorway to remain open in both directions at all times with sufficient capacity to allow effective flow on the Strategic Road Network, maintain freight fluidity through the Channel ports, and create no leakage of traffic onto an already stressed local road network. Regarding the future arrangements for Operation Brock, the replacement to Operation Stack, it is essential there is a robust, workable implementation plan that utilises all available resources.

4.7 Highways England is developing the options for an interim traffic management scheme and a permanent solution for Operation Stack, with a 'Public Information Exercise' running during June and July 2018. KCC's draft response to Highways England public information exercise will be discussed at the Environment and Transport Cabinet Committee on 13th July 2018.

4.8 KCC will continue to work with Highways England and the Department for Transport on their interim traffic management scheme and permanent solution, considering all available options. This should include the rapid deployment of an effective contra-flow system, maximising usage of all freight holding facilities both in and beyond Kent, and further testing of the

Government's previously developed contingency plan for holding freight traffic at the former Manston airport site.

4.9 Since 2015, Operation Stack has been avoided through the effective deployment of Dover TAP and increased lorry parking being available at the Port of Dover and at Eurotunnel. To support the wider resilience of the highways network, there should be a system of control to regulate the flow of traffic heading to ports linked in real-time to the capacity of ports. For Kent, this could be an enhanced version of the traffic management solution into the Port of Dover (Dover TAP) expanded across the wider South East. Consideration should also be given to a system of effectively holding freight at its point of origin or specific hubs when port capacity is limited. The Government should engage with port operators and the logistics sector to develop an integrated strategy and commit the necessary infrastructure investment.

4.10 This may require the Government to provide additional resource, both in terms of revenue for operational staffing requirements and capital for appropriate infrastructure to support the solution and address this national issue. This includes considering making further resources available including the opportunity of additional TAP on the A2 near Lydden and to exploit the Department for Transport's (DfT) investment in Manston. The Government should also consider whether any additional powers in legislation are required to ensure all national and local agencies have the necessary authority to take emergency action to ensure the free-flow of traffic. This could support Kent Police, alongside additional technology and the cooperation of neighbouring Police forces, to stagger the arrival of lorries into Kent. Close co-operation will be needed along with sufficient funding and manpower to maintain free flowing traffic as far as is possible.

4.11 ***Lorry Parking***

Alongside an interim traffic management scheme Highways England is working up plans for a permanent on-highway Operation Stack solution or one or more lorry parks across the county to deal with the stacking of lorries when an Operation Stack event is called. KCC has actively engaged with Highways England on how these options could affect the local road network and has urged that lorry park operators are involved in the plans to include greater provision for overnight lorry parking.

4.12 As a result of significant freight volumes and the EU driver's hours regulation, HGV drivers are often required to take both daily driving breaks and overnight rests in the county. There is currently a severe shortfall of official lorry parking spaces in Kent which fails to meet the needs of the freight industry and results in inappropriate lorry parking blighting many local communities due to impacts such as lorry related crime/thefts, road safety, damage to roads, kerbs and verges, environmental health issues (including human waste), litter and noise disturbances, especially when close to residential areas. There is a high demand for purpose built lorry parking facilities.

- 11,500 freight vehicle movements through the Channel Ports each day.
- In Kent almost 1,000 lorries a night are parked in lay-bys, on verges and in other inappropriate locations across the county.

4.13 KCC is fully supportive of the concept of a permanent solution being brought forward. However, we are disappointed that the earliest completion date of any such scheme is now likely to be 2023, eight years after the Government's commitment in the Autumn Statement of 2015 to deliver a solution "at pace" and resulting in any interim solution potentially being in effect for several years. We strongly urge Highways England to make significant progress quickly on both an interim traffic management scheme and permanent solution to Operation Stack if these are to be ready in time for the UK's exit from the EU.

4.14 KCC is working with Highways England, the Department for Transport (DfT) and other relevant stakeholders to investigate the potential for constructing a network of lorry parks across Kent. We are also lobbying for additional lorry parking to be added to motorway service areas to alleviate this problem and provide safe and secure facilities for drivers. The better utilisation of motorway service areas is a clear opportunity to quickly provide some relief to the problem of overnight lorry parking until additional dedicated facilities can be provided.

4.15 KCC has made the case for a lorry park fund to help local authorities (and the private sector) to build lorry parks that provide adequate facilities for drivers. Additional lorry parking capacity is desperately needed in certain areas of the UK, especially in Kent, and is not currently being delivered to the required level by the private sector. The main obstacles to private sector delivery of lorry parks are the availability of funding or finance for the capital investment, and the planning process. Costs are often substantial and require a longer-term view of investment than a typical five to ten-year return that private investors would require. Funding for lorry parks through Highways England's proposed roadside facilities fund could help to remove this barrier to the delivery of much needed provision. KCC is currently developing business cases for potential lorry park sites in the county and a designated fund could help to finance these proposals through a capital contribution. The Government should consider upfront national investment in infrastructure such as lorry parks and act as the operator of what would normally be considered commercial facilities if circumstance require it.

4.16 ***Kent's Ports Capacity***

Kent's ports provide vital routes for cross-channel operators into the UK with demand for roll-on roll-off forecast to increase. Effective and resilient 'Ro-Ro' (roll on, roll off) capacity is crucial to those UK industries that operate on a 'just in time' (JIT) model for ordering and receiving inventory for production and sales from across the EU. Therefore, it is vital for our national economic competitiveness that the Government ensures Kent's port infrastructure is able to accommodate changes in customs requirements post-Brexit, meet future predicted increases in demand and has capacity to provide resilience.

4.17 We are conscious that the market will be preparing for Brexit and identifying the optimum routes between the UK and EU. It is important to recognise the

potential of Kent's ports in meeting this demand, through supporting an effective service at Dover Port and creating additional capacity at Kent ports. KCC recognises that if capacity and a cost effective service for cross-Channel operators is not available within Kent, businesses are likely to seek alternative routes between the UK and Europe.

- 4.18 Currently the vast majority of 'Ro-Ro' freight is routed through the Port of Dover, as the shortest sea crossing to continental Europe. It will be crucial for Dover to ensure it has the capacity and facilities to continue providing an efficient service post-Brexit. The current Dover Western Docks Revival project will create a purpose-built cargo and logistics facility at the Port, with bespoke cargo and logistics facilities, a dedicated ferry terminal in the Eastern Docks and a transformed waterfront for Dover. KCC will continue to support the ongoing development of the Port of Dover, including through our engagement in the Kent Strategic Freight Group.
- 4.19 However, whilst Dover will be the main focus for cross-Channel 'Ro-Ro' freight, KCC also recognises the potential for the Port of Ramsgate to provide additional resilience for 'Ro-Ro' freight traffic. Ramsgate has pre-existing 'Ro-Ro' berths and the c.£35m investment in the Ramsgate Harbour Approach tunnel in 2000 by KCC means that it has effective ingress/egress. With further investment to support dredging of the approach channel and a larger turning circle in the port, Ramsgate could accommodate larger 'Ro-Ro' vessels providing further resilience for the county.
- 4.20 The deep-water docks at Sheerness on the Isle of Sheppey also have 'Ro-Ro' capability and potential additional capacity to accommodate goods. Peel Ports have undertaken modelling which demonstrates that routing via ports such as Sheerness could provide additional capacity to improve productivity and provide supply chain resilience. Their analysis calls for sufficient and flexible warehouse capacity across the UK and the greater use of unaccompanied trailers, which could help to provide more time for border checks. This is an established business model for Ireland where up to 50% of cargo is trailer only, whereas 99% of Ro-Ro traffic using Dover currently uses a 'driver and cab' model.
- 4.21 Greater diversification of 'Ro-Ro' activity would enable greater resilience of cross channel ferry freight, help meet predicted growth in demand and mitigate potential delays for cross-channel operators if there are changes in border arrangements post-Brexit. The Government should consider investment into crucial infrastructure in light of the likely demands post-Brexit, and KCC will work with partners over the coming months to lobby Ministers.
- 4.22 We note that port capacity is also limited in Europe and it is important that the UK works with our European partners to ensure demand is met on both sides of the channel, for example at Calais, Dunkirk and Ostend.
- 4.23 Work undertaken on transport includes:
- Engaging with national and local partners and partnerships including the Border Planning Group, Highways England, Department for Transport, Kent

Resilience Forum, Business Advisory Board and Kent Strategic Freight Group.

- Working with the Kent Resilience Forum on scenario planning potential implications from a No Deal including the welfare aspect of an extended Operation Stack.
- Lobbying the government for a satisfactory resolution to the potential traffic implications from Brexit including writing to the Secretary of State for Transport on behalf of the Kent Strategic Freight Group in November 2017 and on concerns about the potential implications to Kent from a 'hard' Brexit in February 2018.
- Providing written evidence to the House of Commons Transport Committee's inquiry into Freight and Brexit in June 2018 highlighting the potential issues and setting out a number of solutions which the Government could support.

4.24 To continue to promote Kent's interests, we will:

- Respond to the Highways England Public Information Exercise, with a discussion on our draft response at the Environment and Transport Cabinet Committee on the 13th July.
- Work with Highways England to explore all available options for their interim traffic management solution and permanent to Operation Stack to maintain a two-way flow of traffic on the M20 at all times.
- Urge the Government to rapidly progress a permanent solution for Operation Stack, with sufficient lorry parking capacity to tackle the impact of inappropriate lorry parking on Kent's communities.
- Urge the Government to invest in Kent's wider port infrastructure to ensure the county's resilience.

5. Security and resilience

5.1 The draft Withdrawal Agreement in March confirmed the UK intends to 'opt-in' on police and justice matters on a third country basis. The future security partnership will be set out in the final Withdrawal Agreement. The UK also has a series of bespoke treaties with France related to security and the management of a shared border which include Le Touquet, the Treaty of Canterbury, and the Sangatte Protocol. The 'Sandhurst Treaty' provided £44m to reinforce security around French channel ports and accommodation facilities outside the Calais and Dunkirk area.

5.2 In June, the Government detailed the Counter-Terrorism and Border Security Bill, which intends to strengthen the UK's defences at the border against all forms of hostile state activity. This includes provisions to enable persons at ports and borders to be questioned for national security and other related purposes, which could compound any Brexit related changes to border and customs checks. Concerns have been raised about losing the ability to share intelligence with EU nations and the possible loss of European Arrest Warrant which allows EU members to request the arrest and detention of criminals in other countries without extradition talks between them. Whilst the UK Government wants to stay part of the system, the EU negotiators have said the UK could not, because of its desire to leave the EU's court and free

movement scheme. The EU would consider setting up a "streamlined" extradition process with the UK instead.

5.3 At a local level, KCC shares information with local, national and international partners on security and public protection issues. The Kent Resilience Forum's (KRF) scenario planning and live exercises with partners, locally and nationally, will inform collective planning for a post-Brexit environment. KRF partners are actively considering potential new border arrangements and the potential traffic congestion that could impact on our emergency response preparedness. It is likely that further emergency planning capacity will be required if additional security checks are introduced, in order to enhance the county's resilience.

5.4 We will continue to work with our national and local partners to protect residents and maximise the county's resilience. We would like to see continued intelligence sharing between local, national and international partners on public protection and security issues. The Government should fully fund any additional public protection resources required to support these new arrangements.

5.5 Work undertaken on security and resilience includes:

- Engagement in the Kent Border Planning Group.
- Information sharing with Kent Police and Kent Joint Chiefs.
- Participating in Kent Resilience Forum scenario planning.

5.6 To continue to promote Kent's interests we will:

- Support the Kent Resilience Forum in its scenario and contingency planning work to ensure a collective response with our partners.
- Lobby for sufficient funding to increase public protection capacity for Kent partners to enhance the county's preparedness and resilience.

6. Shared Prosperity Fund

6.1 EU funding supports Kent projects on economic development, trade and investment, rural development, health and social care and the environment. The Government has guaranteed existing EU funded programmes until 2020. However, there is a potential future funding shortfall for local government, which could also impact Small and Medium sized Enterprises (SMEs) and the voluntary and community sector. Whilst the UK's participation in future programmes remains uncertain, it seems likely there will be opportunities to continue to participate in some cross-border collaboration programmes such as Interreg.

- KCC has a target of securing £100m from EU funding for the county between 2014-20.
- 47 projects worth c.£82m had been secured by December 2017.
- There is a potential £8.4bn UK-wide funding gap for local government if EU funded activity is not matched from 2020.

6.2 The UK's 'Shared Prosperity Fund' will replace the European Social Fund and European Regional Development Fund programmes from 2021. The consultation, expected in Autumn 2018, provides an opportunity to lobby for streamlining the decision making processes to access funding. Metropolitan Mayors and Combined Authorities are already developing their narrative for how the fund could be dispersed and managed, with the Ministry for Housing, Communities and Local Government holding informal meetings with Local Enterprise Partnership (LEP) areas, 'core' cities and Combined Authorities. It is important that counties are engaged in this debate, particularly those directly affected by Brexit. We want to influence the design of the fund, in advance of the formal consultation.

6.3 The Government should fully meet immediate direct costs for Kent through a short term direct grant to provide the up-front investment needed to deliver the necessary infrastructure. From 2021, we want the Government to target the Shared Prosperity Fund to mitigate any ongoing direct costs of Brexit and deliver sustainable solutions and further investment in Kent, to ensure the county's resilience.

6.4 We believe the core principles of the Shared Prosperity Fund should include:

- The Shared Prosperity Fund should at least match the same level of EU structural funding as currently received by the UK.
- A top-slice of the Shared Prosperity Fund should be allocated for investment in infrastructure needs and fully meet the ongoing direct costs and impacts of Brexit on local services that are most affected.
- There should be flexibility for the fund to support revenue and capital activity to provide essential infrastructure capacity to enhance resilience.
- The remainder of the fund should be allocated on a fair funding formula, not create a rival bidding process between local areas. This will help to support the delivery of Industrial Strategy priorities across the country and ensure all communities benefit from the UK's exit from the EU.
- Allocations should be fairly distributed between local authority areas, not through Combined Authorities, LEPS, or areas which have historically benefited from a greater proportion of EU regeneration funding.
- How each allocation is spent should be for local determination, by local partners who are closest to their communities, to target where there is greatest need and benefit. This will maximise the impact of the fund right across the country.
- The fund should also support industrial strategy priorities including productivity and skills and compensate for the loss of EU funding on important projects for young people and the environment.

6.5 Work undertaken on Shared Prosperity Fund includes:

- Reports to the Growth, Economic Development and Communities Cabinet Committee on EU funding (June 2017 and January 2018).
- Economic Development division engagement with MHCLG.

6.6 To continue to promote Kent's interests we will:

- Develop a collective lobbying position on the Shared Prosperity Fund with key partners including the Local Government Association, County Councils Network, Kent MPs, District Councils and the Kent Association of Local Councils.
- Write to the Prime Minister setting out our principles and objectives for the use of the Shared Prosperity Fund to meet Kent's direct costs of Brexit.
- Respond to the Shared Prosperity Fund consultation this autumn.

7. Economy and Business

7.1 The ability to form new trading relationships could bring positive economic benefits for the UK. However, national economic impact assessments have highlighted that, depending on the nature of the future relationship, Brexit could have macro-economic impacts on inflation and the price of goods and services. In a 'no deal' scenario this could rapidly have an impact on local authorities who have a fixed income and have delivered significant efficiencies at a time of rising demand since 2010.

7.2 Feedback gathered from Kent businesses indicates uncertainty about the potential impacts of Brexit which are likely to be complex and vary between different sectors and types of business. The uncertainty is delaying or preventing most businesses from taking steps to prepare for Brexit in some cases, and there have been reports of planned investments in the county being postponed.

7.3 Kent's businesses are taking a pragmatic approach with confidence that they will adapt to the post-Brexit conditions when these are known rather than using resources in trying to prepare when things are uncertain. For some businesses there are potential opportunities including changes to regulations that might reduce burdens or potential to form new trade deals. Businesses are well supported to prepare for future changes by their professional networks including Chambers of Commerce and Federation of Small Businesses.

7.4 A wide range of research and engagement has been taking place to assess the implications and views of businesses. The main themes highlighted amongst Kent businesses include:

- Welcoming the announcement on 'Settled Status' for EU citizens, which helps to address short-term workforce issues.
- Highlighting the need for continued access to EU workers post-Brexit to meet longer-term skill gaps including low-skilled manual jobs and high-skilled specialist roles.
- Support for the Government's intention to introduce a new Seasonal Agricultural Workers scheme to ensure the continued availability of seasonal workers for Kent's rural economy.
- Positivity about the Government's intended transition period, providing medium-term assurances.
- Uncertainty around customs arrangements post-Brexit, including potential tariffs, additional border checks on goods and particularly the impact on fresh produce and 'just in time' deliveries. There are also a significant

number of businesses who have never completed a customs declaration before.

7.5 We continue to forge a collaborative relationship with our European neighbours on shared opportunities and cross-border issues. In June, we renewed our relationship with the Hauts-de-France region and held preliminary discussions on potential areas for collaboration such as economic development, tourism and culture. We will work together to consider further opportunities for cross-border working, especially where there is uncertainty about existing EU funding programmes. We welcome the opportunity to progress a joint work programme together, recognising the importance of our partnership adding value by focusing on local issues, beyond the national issues being considered by our respective Governments.

7.6 Work undertaken on Economy and Business includes:

- Commissioning the Kent Business School 'Kent SME Internationalisation Study' in March 2017;
- Participating in a Kent Business School Summit with the Institute of Directors and Federation of Small Businesses in January 2018;
- Participating in a 'Business Soundbites' event focused on trading internationally post-Brexit in March 2018.
- Commissioning a second Kent Business School study on Internationalisation due in Summer 2018.
- Participating in the annual Kent Vision Live event in May 2018, supported by the Chamber of Commerce which included presentations for businesses on preparing for Brexit.
- The Kent and Medway Economic Partnership's Business Advisory Board have recently received reports on potential Brexit impacts and opportunities around inward investment and the tourism industry.
- Kent's inward investment agency Locate in Kent recently surveyed over 100 Kent-based businesses about their views on the impact of Brexit for their business.
- Engaging with Canterbury Christchurch University on their 'Making a Success of Brexit' report in July to December 2016.
- Meeting with Hauts-de-France region to discuss potential cross-border collaboration in June 2018.
- Drawing on national intelligence including from the British Chambers of Commerce (BCC), Federation of Small Businesses (FSB) and Confederation of British Industry (CBI).
- An update on business preparedness for Brexit was considered by the Growth, Economic Development and Communities Cabinet Committee on 3rd July 2018.

7.7 To continue to promote Kent's interests we will:

- Work with Kent businesses to build resilience, prepare for new trading arrangements and enhance opportunities to work and trade internationally.
- Explore the potential for Free Trade Zones to facilitate international trade and local economic development.

- Promote co-operation between Kent and European regions in order to support Kent businesses to access European markets and support trade including 3 EU-funded Interreg projects on the theme of European trade.
- Progress a joint work programme with the Hauts-de-France region to support a renewed relationship on shared issues and opportunities.
- Work with the British Embassy in Paris on cross-border projects on business and tourism.
- Facilitate further business conversations to develop Kent's business potential, including through the work of the Kent County Council Chairman.

8. Recommendation(s)

Recommendation(s):

County Council is asked to:

- (1) Endorse** Kent County Council's position as set out in this paper.

9. Background Documents

- KCC response to the CLG Select Committee Inquiry into Brexit and Local Government (November 2017).
- KCC response to the Government consultation on '*Future Customs Arrangements, A Future Partnership*' (December 2017).
- EU Funding update to Growth, Economic Development and Communities Cabinet Committee (June 2017 and January 2018).
- Trading Standards update to Growth, Economic Development and Communities Cabinet Committee (March 2018).
- KCC response to the House of Commons Transport Committee Freight and Brexit Inquiry (June 2018).
- Business Preparedness for Brexit update to Growth, Economic Development and Communities Cabinet Committee (July 2018).
- KCC draft response to the Highways England public information exercise to Environment and Transport Cabinet Committee (July 2018).

By: Paul Carter, Leader of the Council
John Simmonds, Cabinet for Finance
Mike Whiting, Cabinet Member for Planning, Highways,
Transport and Waste

To: County Council – 12th July 2018

Subject: **REVENUE BUDGET 2018-19 UPDATE/HIGHWAYS
ASSET MANAGEMENT**

Classification: Unrestricted

Summary: This report seeks a formal decision for further additional funding to be made available in 2018-19 budget for pot-hole repairs

1. Introduction

- 1.1 The condition of the 5,400 miles of roads and footways maintained by the County Council has been a major issue following the damage which has occurred following winter snow and heavy spring rainfall. When the County Council agreed the 2018-19 budget in February an additional £2.4m was approved for highways drainage and pot-hole repairs. This was before the worst of the weather and at the time it was envisaged this would support a rolling budget reserve.
- 1.2 At the County Council meeting on 15 March 2018, in his oral update, the Leader announced a further £2m spending on a pot-hole blitz (a summer campaign to focus on pot-holes that would not be repaired under the Council's normal intervention criteria). This increased the total funding available for pot-hole repairs to £8m. This additional £2m was approved by County Council on 17th May 2018, funded by a draw down from earmarked reserves. At the time it was made clear that if this was not sufficient to repair the winter damage further funding would be made available.
- 1.3 Six local area contracts have been let specifically for the summer pot-hole campaign to supplement the existing planned and emergency repair contracts already let through the original revenue and capital budgets. The total forecast spending under this campaign is £10.1m i.e. £2.1m more than current approved funding. We propose this is funded by a further draw down from reserves and use of the uncommitted underspend from 2017-18 as outlined at Cabinet on 25th June.
- 1.4 In accordance with Well Managed Highway Infrastructure code of practice principles and as part of the current campaign highways engineers have been able to assess the full extent of the damage to the county's roads and footways and have advised that even more would need to be spent to fully repair the existing damage and to carry out additional resurfacing on some key routes to prevent further pot-hole damage if we have another bad winter. To fund this

additional work a further £2.5m would be needed to be drawn down from reserves and circa £10m made available from reprioritising spending within the £794.7m capital programme (i.e. without increasing the overall capital spending).

- 1.5 This report considers the financial implications and Section 151 assurance of providing additional funds into the highways maintenance budget in 2018-19 to repair more of the damage than the minimum needed to satisfy minimum statutory requirements.

2. Financial Assessment

- 2.1 The funding for highways maintenance and asset management comes from a combination of the Council’s annual revenue budget and capital grants from Department for Transport (DfT). Prioritisation of spending within the available funding is agreed by the Cabinet Member for Planning, Highways, Transport and Waste and the Director of Highways, Transport and Waste. In recent years the Council has approved additional funding for pot-hole find and fix campaigns from funds rolled forward from previous years’ underspends.
- 2.2 The 2015-16 Spending Review included the provision for five-year Pot Hole Action Fund as a separate element of capital grants. This government grant, together with KCC approved funding comprises the total available for the pot-hole blitz campaign. .
- 2.3 Chart 1 shows the total amounts available for find and fix pot-hole campaigns in recent years. It does not include prioritisation of pot-holes to meet the Council’s statutory obligations throughout the year under the term maintenance contract with Amey PLC (shown within the overall “black works” revenue spend in Chart 2), or resurfacing work carried out under the contract with Eurovia in the capital programme.

Chart 1

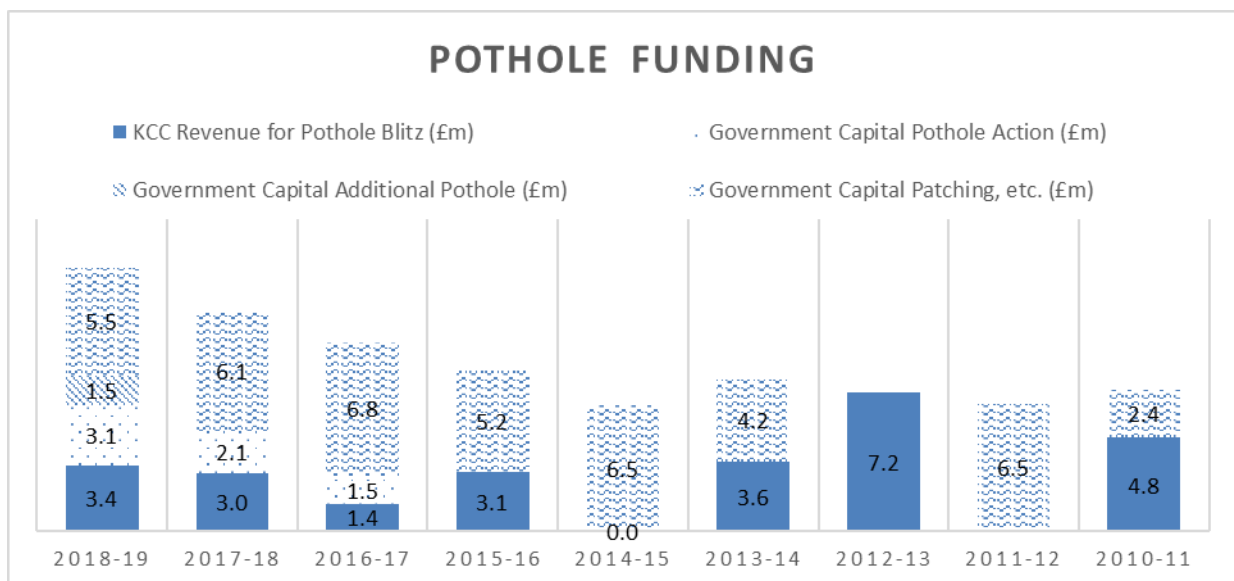
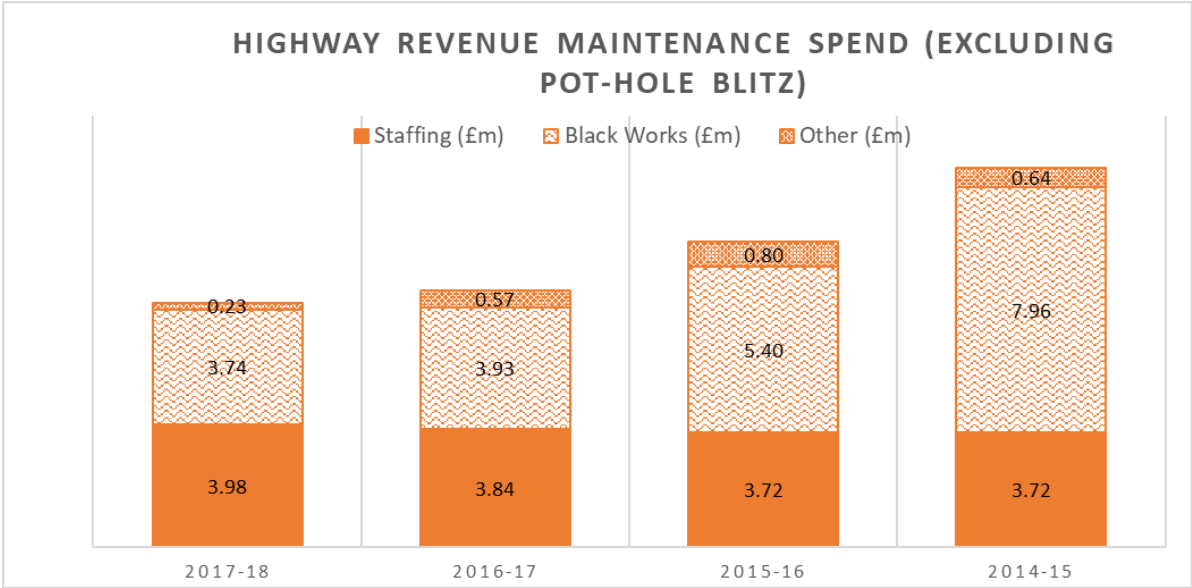


Chart 2



- 2.4 Any additional revenue funding for pot-hole repairs in 2018-19 would need to be funded from a further draw down from reserves. When the County Council approved the 2018-19 budget it was reported that the final draw down from reserves was £4.4m less than the draft proposals published in January (and £6.4m less than the Autumn Budget report in October). This was made possible by additional one-off funding (£11.9m) available following the final settlement, final collection fund balances, and estimated proceeds from the 100% business rate pilot. At the time it was recognised that holding more in reserves would help to mitigate the cliff-edge effect of lost one-off funding in 2019-20.
- 2.5 At the time the budget was set it was acknowledged that amendments could be considered which were funded from reserves provided the overall amount did not exceed the additional amount in reserve compared to the earlier drafts (£4.4m to £6.4m). The additional £2m approved in May has reduced this latitude to £2.4m to £4.4m. Further draw down from reserves within this latitude would not compromise the Section 151 assurance given to the County Council in February regarding the adequacy of reserves. The outturn report to Cabinet on 25th June identifies a further £0.5m uncommitted underspend from 2017-18 which could also be used to fund pot-hole repairs.
- 2.6 The latitude on reserves and uncommitted underspend means up to £5m could be allocated to pot-hole repairs in 2018-19 without compromising the budget for the year. The current forecast spend on pot-hole blitz campaign is £10.1m, this is £2.1m more than current approved funding (£3.4m KCC, £3.1m government pot-hole action fund, and £1.5m additional government funding). This £2.1m and the further £2.5m to cover further revenue spending are within the tolerances of the latitude on the Section 151 and thus can be approved without compromising that assurance. The circa £10m additional capital spending will be managed by reprioritising spending within the existing total £794.7m programme and therefore does not need approval and does not impact on the Section 151 assurance.

- 2.7 The published medium term financial plan (MTFP) showed an unidentified gap of £15m between forecast spending demands and the amount of funding likely to be available after £27.4m of further identified savings and £7.45m draw down from reserves. Further draw down from reserves in 2018-19 to fund pot-hole repairs could mean that the £7.45m planned draw down in 2019-20 may not be feasible without leaving inadequate reserves. If this proved to be the case using reserves to fund pot-hole repairs this year could increase the 2019-20 budget gap. It is too early in the budget cycle to say for sure whether this will be the case but in considering additional funding for pot-hole repairs it is important the Council is made fully aware of medium term financial risks.
- 2.8 The financial assessment has concluded that up to £4.6m additional revenue funding could be drawn down from reserves to fund pot-hole repairs in 2018-19 without compromising the Section 151 assurance for 2018-19. This assurance assumes that the Council achieves a balanced outturn at the end of 2018-19, and that current savings plans are delivered (or alternative implemented) including any outstanding key decisions. Any further draw down does pose an additional risk to balancing the 2019-20 budget, although it is too early in budget cycle to confirm whether this will impact on the Section 151 assurance on the adequacy of reserves for that year. There are many uncertainties and further considerations to include before this assurance can be finalised.

3. Recommendations

- 3.1 Members are asked to **APPROVE** an additional £4.6m draw down from reserves to support the £10.1m already committed and provide for a further £2.5m revenue spending on pot-hole repairs in 2018-19. Members are asked to **NOTE** that additional capital spending on road schemes will require other capital projects (as yet not identified) to be reduced.

4. Contact Details

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From: Susan Carey, Cabinet Member for Customers, Communications and Performance
David Cockburn, Corporate Director, Strategic and Corporate Services

To: County Council, 12 July 2018

Subject: **End of Year Performance Report 2017/18**

Classification: Unrestricted

Summary: This report is the year end Performance Report for the council for financial year 2017/18, ending 31 March 2018. The Performance Report includes information related to results compared to target for Key Performance Indicators, trend data on service demand, updates on programmes and service area business plan progress, and a summary of the Corporate Risk Register.

1. Introduction

- 1.1. This report provides the end of year KCC Performance Report for year ending 31 March 2018.
- 1.2. The Performance Report is reported to Cabinet on a quarterly basis and is published on the KCC web-site under “Council performance”.
- 1.3. The Performance Report is a key mechanism within the Performance Management Framework for the Council and has been delivered on a consistent basis for the last six years.
- 1.4. The Performance Report includes Key Performance Indicators (KPIs) where results are assessed against Targets set out in Directorate Business Plans at the start of the year.
- 1.5. The Report also includes trend data for activity levels relating to service demand, updates on programme delivery and service business plan progress and a summary of the Corporate Risk Register.
- 1.6. The selection of KPIs in the Performance Report have been consistent over time, ensuring that long trends are being tracked in relation to priority areas for the council.
- 1.7. The Performance Report is supported by more detailed reporting and monitoring of Performance and Activity indicators provided to Cabinet Committees.
- 1.8. The overall council Performance Management and KPI Reporting arrangements are subject to an annual internal audit process with arrangements receiving audit assurance of “substantial” with “good” prospects for improvements at the last audit (2017).

2. Performance Report

- 2.1. The Performance Report previously reported to Cabinet on 25 June 2018 is attached as Appendix 1 to this report.
- 2.2. The report contains results for the final quarter of financial year 2017/18, ending 31 March 2018.
- 2.3. The report contains results against target for 38 Key Performance Indicators (KPIs) which are assessed using a Red/Amber/Green (RAG) status.
- 2.4. Of the 38 Key Performance Indicators included in the report, the RAG status are as follows:
 - 25 are rated Green - target achieved or exceeded
 - 10 are rated Amber - below target but above floor standard
 - 3 are rated Red – below floor standard
- 2.5. For the previous year ending March 2017, the report had 39 KPIs, and the results were 23 Green, 14 Amber and 2 Red.
- 2.6. KPIs are also assessed for Direction of Travel and in the report 16 indicators improved, 14 showed a fall in performance and eight had no change.
- 2.7. The report shows that KCC staff have once again delivered a good service despite the very challenging financial situation.

3. Recommendation

County Council is asked to NOTE the Performance Report.

4. Contact details

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Strategic Commissioner
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Kent County Council

Performance Report

Year Ending

31 March 2018

Produced by: KCC Strategic Business Development and Intelligence
E-mail: performance@kent.gov.uk
Phone: 03000 41609



Key to KPI Ratings used

This report includes 38 Key Performance Indicators (KPIs), where progress is assessed against Targets which are set at the start of the financial year through the Council's Directorate Business Plans. Progress against Target is assessed by RAG (Red/Amber/Green) ratings. Progress is also assessed in terms of Direction of Travel (DoT) through use of arrows.

GREEN	Target has been achieved
AMBER	Floor Standard* achieved but Target has not been met
RED	Floor Standard* has not been achieved
↑	Performance has improved
↓	Performance has worsened
↔	Performance has remained the same

*Floor Standards are set in Directorate Business Plans and if not achieved must result in management action.

Key to Activity Indicator Graphs

Alongside the Key Performance Indicators this report includes a number of Activity Indicators which present demand levels for services or other contextual information.

Graphs for activity indicators are shown either with national benchmarks or in many cases with Upper and Lower Thresholds which represent the range we expect activity to fall within. Thresholds are based on past trends and other benchmark information.

If activity falls outside of the Thresholds, this is an indication that demand has risen above or below expectations and this may have consequences for the council in terms of additional or reduced costs.

Activity is closely monitored as part of the overall management information to ensure the council reacts appropriately to changing levels of demand.

Data quality note

All data included in this report for the current financial year is provisional unaudited data and is categorised as management information. All current in-year results may therefore be subject to later revision.

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Executive Summary

A majority of indicators at year end were rated as Green, on or ahead of target and Net Direction of Travel was positive with more indicators showing improvement than showing decline.

	G	A	R	↑	↔	↓
Customer Services	1	2			1	2
Economic Development & Communities	1	1		2		
Environment and Transport	6	1		3	2	2
Education	3	1	2	2	1	3
Integrated Children's Services	7	3		4	2	4
Adult Social Care	4	1	1	4		2
Public Health	3	1		1	2	1
TOTAL	25	10	3	16	8	14

Customer Services - Good performance was maintained for caller satisfaction, but the percentage of phone calls to Contact Point which were answered was slightly below target with high demand due to the adverse weather conditions from the 'Beast from the East' and concessionary bus pass renewals. Complaints dealt within target timescales was also slightly below target. Phone call volumes to Contact Point were slightly higher than planned in the quarter, with website visits up by 20% compared to the same time last year.

Economic Development & Communities – Jobs created and safeguarded from Regional Growth Fund loan schemes since 2012 increased to 4,161 jobs. The No Use Empty programme, which returns long term empty domestic properties into active use, exceeded its year-end target. Library visits and book issues were within expectations in the quarter. Economic indicators remain positive with economic activity levels being high. Housing delivery in the county continues to be around 7,000 new dwellings a year, now sustained at this level for three years.

Environment and Transport – Core service delivery for Highways maintenance was above target for all four indicators with demand for works above expected levels for the time of year, due to the harsh winter weather. The percentage of municipal waste diverted from landfill at 99% continued to exceed target. The recycling rate at Household Waste Recycling Centres remained below target, but overall recycling for the county was increased due to more kerbside recycling within district council collection. The council continues to reduce its Greenhouse gas emissions supported by programmes such as LED Streetlight conversions.

Education – Pupil attainment for 2017 was above national average for primary and secondary schools. Ofsted inspection results for schools and Early Years settings continue to meet target with year on year improvement. NEET figures for Young People increased and the target was not met. Apprenticeship starts are estimated to miss target for the current academic year with provisional data to January showing a decline in the number of young people starting an apprentice compared to the previous year. Falls in apprenticeship starts are being seen both locally and nationally, with the impact of the new Apprentice levy not yet being felt. Completion of Education, Health and Care Plans (EHCPs) in timescale remains below floor standard, reflecting the significant increase in demand for SEN assessments. All existing SEN Statements were transferred successfully to EHCPs by 31st March. The number of primary school children in reception year has reduced this year, for the first time in many years with the peak of the recent baby boom now in year 1.

Integrated Children Services – Outcomes achieved for Early Help cases fell to just below target. The number of pupil exclusions met target, and first-time entrants to the youth justice system continues to reduce ahead of target. The percentage of qualified social worker posts held by permanent staff improved in the quarter moving closer to target, with the percentage of Case File audits judged as Good or Outstanding improving further above target. The percentage of child protection plans which are repeat plans remains within the target range. Adoption timeliness improved further ahead of target, and use of in-house fostering met target. Placement stability for children in care improved ahead of target. The percentage of Care Leavers in education, employment and training remains above target. The number of children on child protection plans in Kent showed a reduction in the quarter, for the first time in two years. The rate of local children in care continues to remain relatively stable, and there was a reduction in the number of Unaccompanied Asylum Seeker Children in Kent with 309 children now transferred to other local authority responsibility.

Adult Social Care – Contacts resolved at first point of contact remained above target. Clients referred to enablement moved further ahead of target with numbers now including externally commissioned services such as provided by Hilton Nursing. The percentage of clients still independent after an enablement service improved and met target. The number of clients supported with Telecare increased but did not achieve the increasing target, with a greater focus on people with more complex needs who need more complex equipment. The number of admissions to residential and nursing care fell but remains higher than target. The percentage of delayed discharges from hospital where social care is considered to be responsible remained ahead of target. The total number of delays increased in the quarter which was expected seasonal variation, with increased numbers of emergency admissions during winter.

Public Health – The number of Health Checks completed in the year was on target, while the number of universal checks delivered by the Health Visiting service increased again and moved further ahead of target. Clients offered appointments to GUM services to be seen within 48 hours remained at 100%. Clients successfully completing treatment for drug and alcohol problems remained below target.

Customer Services	
Cabinet Member	Susan Carey
Corporate Director	Amanda Beer

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	1	2			1	2

Customer contact through Contact Point (KCC's call centre) and digital channels is provided by our strategic partnership with Agilisys.

Satisfaction with Contact Point advisors remained high in the quarter and exceeded the target. Performance for the percentage of calls answered by Contact Point was below target with high demand levels experienced.

Complaints responded to in timescale fell just below target, with 84% of complaints responded to in expected timescale.

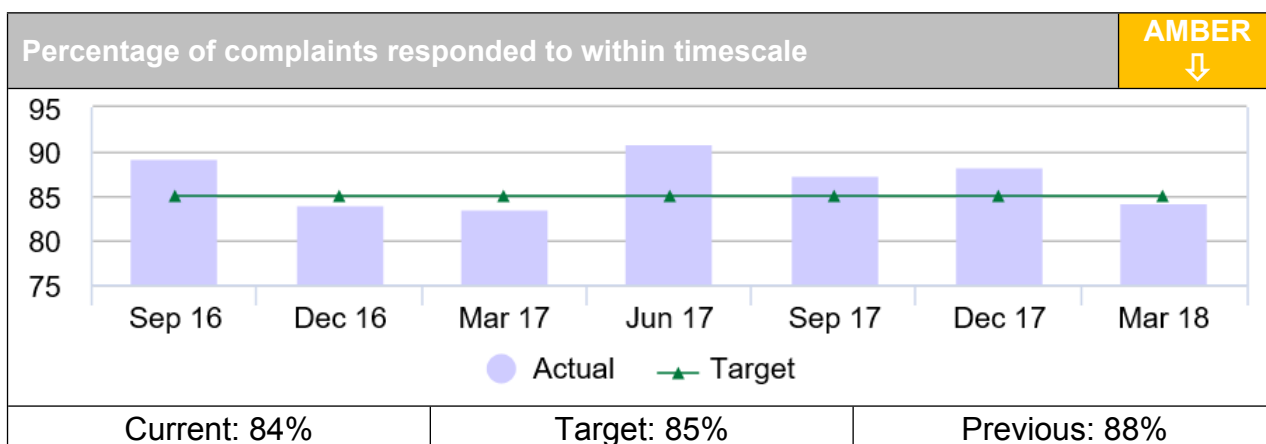
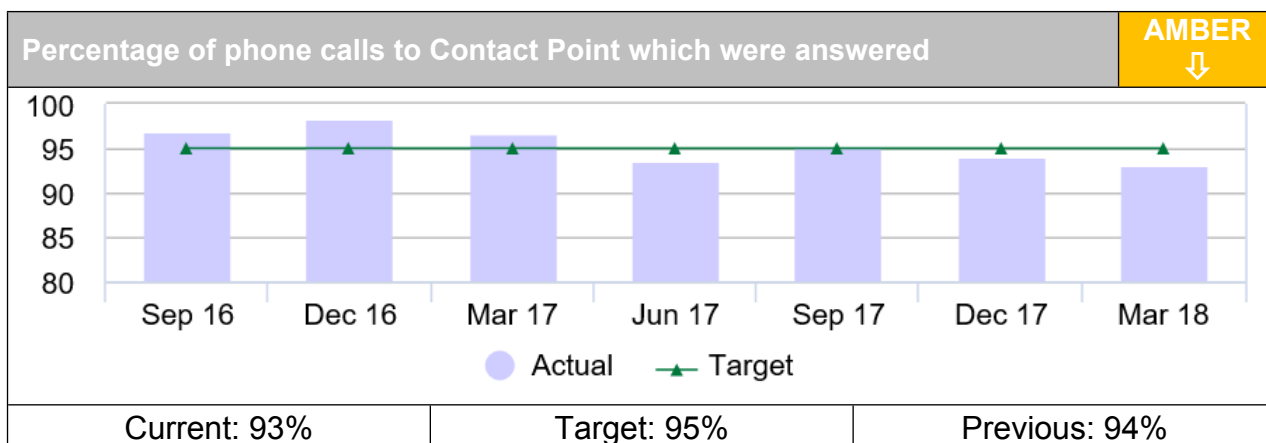
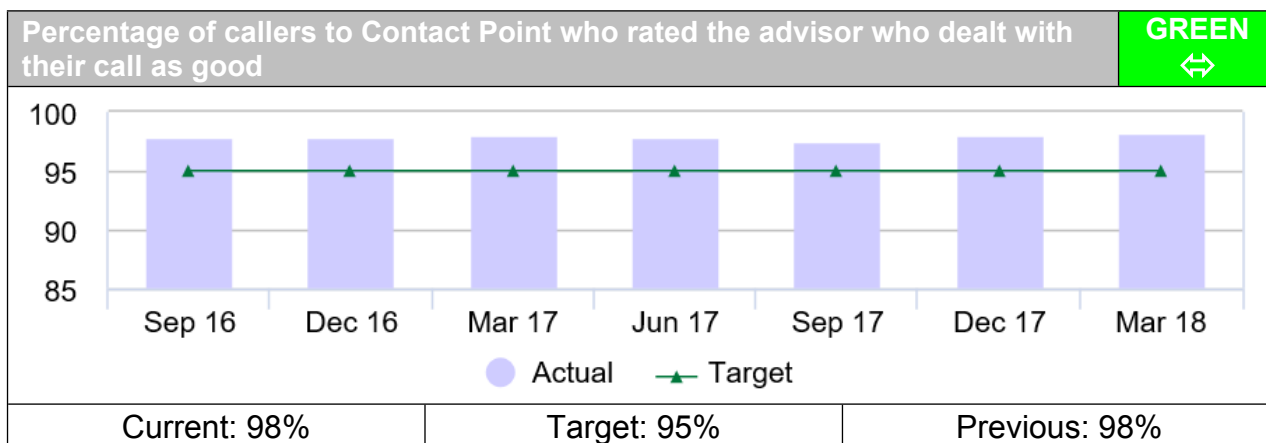
Overall call volumes handled by Contact Point were 14% higher than last quarter, and 1% lower than the same period last year. This was higher than expected due to high demand resulting from the 'Beast from the East' and the renewal of concessionary bus passes. Visits to the KCC web-site increased significantly in the quarter and were 20% higher than the same time last year.

Call volumes handled in the last 12 months were 12% lower than the previous year, with more enquiries and transactions now completed online. There have been reductions in routine and simple call types which are increasingly handled through online and automated methods. This means Contact Point is now focussing on more complex calls requiring personal attention and as a result average call time has increased significantly to 4 minutes 24 seconds.

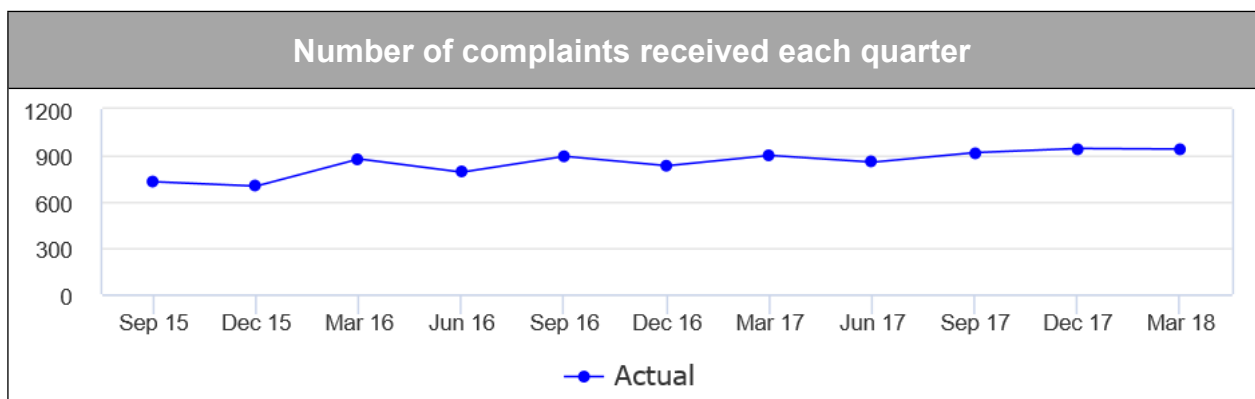
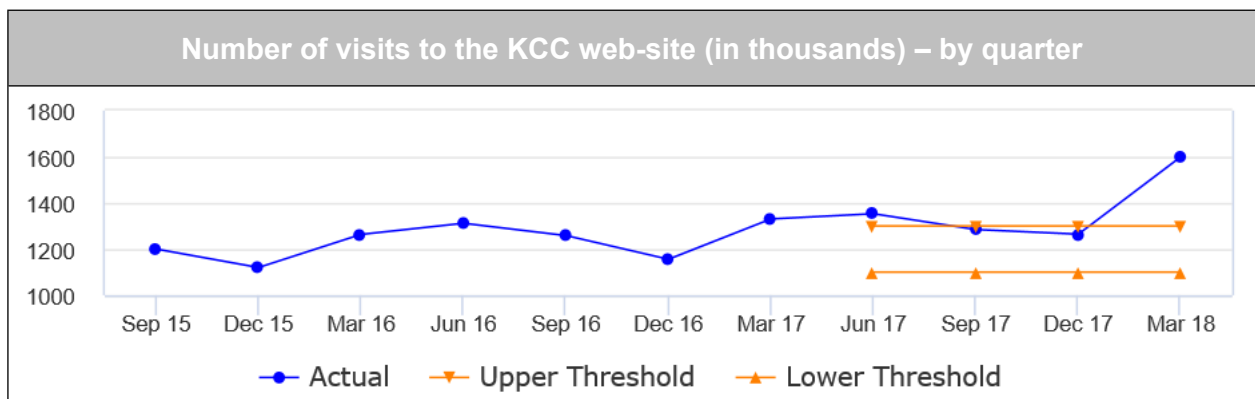
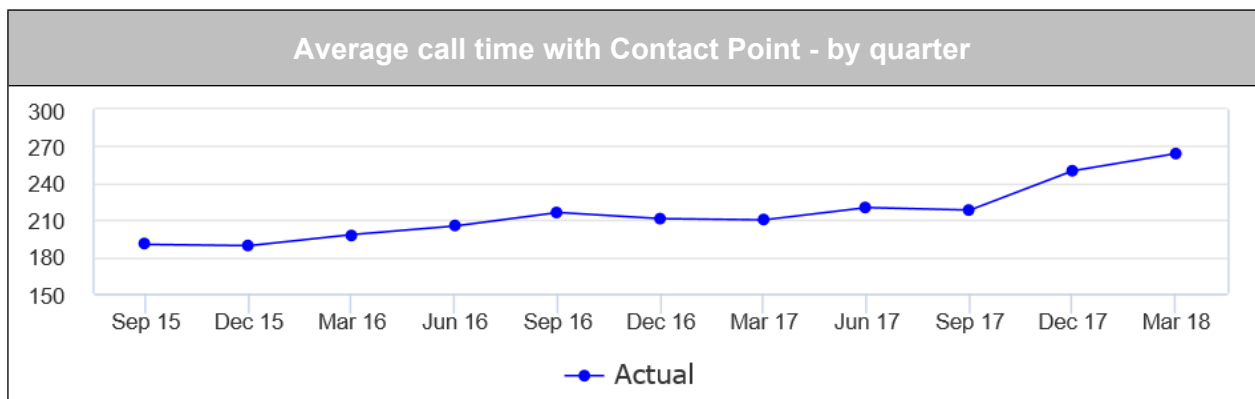
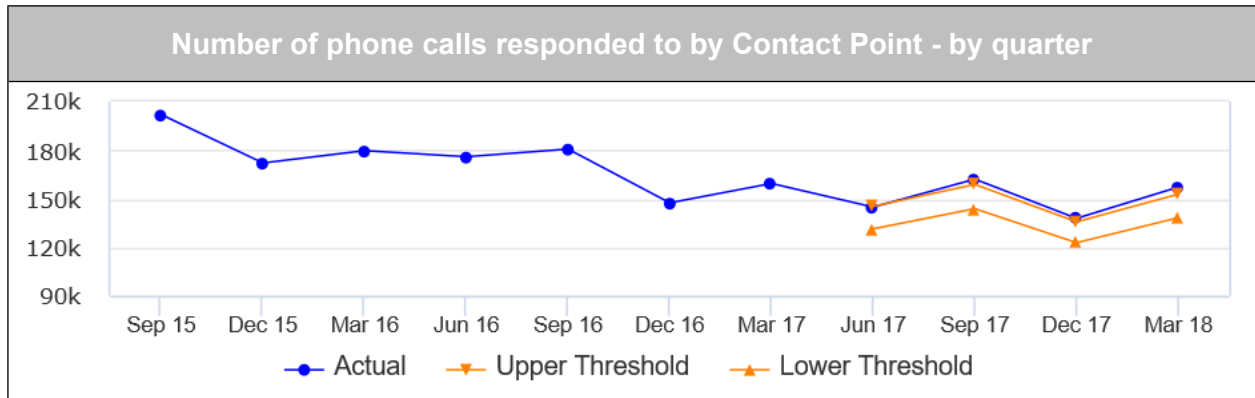
Completion of transactions on the KCC web-site has increased, leading to a reduction in the volumes of postal and phone applications, with this trend evident across most service areas.

A total of 190,000 concessionary bus passes have been renewed and customers were encouraged to self-serve via the website causing a 49% uplift in page views year on year. The snow at the end of February also generated over 14,000 additional page views for our winter weather pages. Our roadworks content created additional visits with a 75% increase on page views year on year and following a content refresh of the libraries section in the new year, the renew a library book page has seen an increase in page views of 154% year on year.

Key Performance Indicators



Activity indicators



Customer Services – Contact Activity

Number of phone calls, e-mails and post responded to by Contact Point

Contact Point dealt with 15% more total contacts than the previous quarter, but 1% more than for the same period last year. The 12 months to March 2018 saw 14% fewer contacts responded to than the year to March 2017.

Service area	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Yr to Mar 18	Yr to Mar 17
Adult Social Care	34	33	31	33	131	137
Highways	20	22	18	23	83	97
Specialist Children's Services	22	22	22	22	89	92
Transport Services	6	10	7	13	36	33
Blue Badges	9	11	11	12	43	43
Libraries and Archives	10	12	10	12	44	45
Schools and Early Years	11	14	11	10	46	54
Registrations	8	9	8	9	35	39
Adult Education	5	8	5	5	23	28
Speed Awareness	5	7	7	5	24	22
Waste and Recycling	3	4	3	3	13	14
Other Services	4	3	3	3	13	14
Main line	5	5	2	3	14	34
KSAS*	2	2	2	2	8	13
Total Calls (thousands)	145	162	138	157	604	684
e-mails handled	7	8	7	10	32	47
Postal applications	7	7	8	9	31	39
Total Contacts (thousands)	159	177	153	176	667	769

* Kent Support and Assistance Service

Numbers are shown in the 1,000's, and will not add exactly due to rounding. Calculations in commentary are based on unrounded numbers so will not precisely match changes in table.

Out of hours calls are allocated 75% to Specialist Children Services, 15% for Highways and 10% Other.

Postal volumes mainly relate to Blue Badges and Concessionary Fares correspondence.

Customer Services – Complaints monitoring

The number of complaints received in the quarter showed a 1% decrease on the previous quarter but was 4% higher than the corresponding quarter last year. Over the last 12 months there has been a 6% increase compared to the previous year.

Service	12 mths to Mar 17	12 mths to Mar 18	Quarter to Dec 17	Quarter to Mar 18
Highways, Transportation and Waste Management	1,437	1,705	418	399
Adult Social Services	650	625	159	180
Specialist Children's Services	269	365	120	110
Libraries, Registrations and Archives	270	269	88	86
Strategic and Corporate Services	481	283	34	64
Education & Young People's Services	174	214	88	46
Adult Education	86	82	22	28
Environment, Planning and Enforcement	57	78	16	22
Total Complaints	3,424	3,621	945	935

Customer Services – Digital Take-up

The table below shows the digital/online or automated transaction completions for Key Service Areas so far this financial year.

Transaction type	Online Apr 17 – Jun 17	Online Jul 17 – Sep 17	Online Oct 17 – Dec 17	Online Jan 18 - Mar 18	Total Transactions Last 12 Months
Renew a library book*	73%	74%	73%	75%	1,287,708
Report a Highways Fault	36%	37%	42%	51%	108,191
Book a Speed Awareness Course	82%	81%	78%	79%	36,094
Apply for or renew a Blue Badge	45%	47%	50%	52%	33,341
Apply for a Young Person's Travel Pass	29%	79%	84%	91%	33,259
Apply for a Concessionary Bus Pass	15%	15%	17%	30%	20,148
Book a Birth Registration appointment	75%	75%	73%	70%	17,093
Highways Licence applications	54%	61%	52%	73%	6,675
Apply for a HWRC recycling voucher	97%	97%	98%	97%	4,747
Report a Public Right of Way Fault	92%	86%	85%	95%	3,241

* Library issue renewals transaction data is based on individual loan items and not count of borrowers.

Economic Development & Communities	
Cabinet Members	Mark Dance, Mike Hill
Corporate Director	Barbara Cooper

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	1	1		2		

Support for business

Since April 2012, Kent's Regional Growth Fund (RGF) programmes, Expansion East Kent, Tiger and Escalate have committed a total of £56.3 million to provide investments for Kent businesses. As a result, over 240 businesses in Kent and Medway have so far created or safeguarded 4,161 jobs to the end of March 2018.

In January 2017 the Kent and Medway Business Fund (KMBF) was launched using the repaid loans from the original RGF programmes. Round 1 of the KMBF has committed £1.4 million to 11 businesses and Round 2 committed an additional £2.8 million to 18 businesses, with the expectation of creating 277 jobs.

On 8th March 2018 the Kent Life Sciences Equity Fund was launched at Kings College in London. The £5 million Fund has been established to support companies seeking to start up or expand within the Life Sciences sector. The Fund has already committed funding to its first company who will be based at the Kent Medical Campus site in Maidstone.

Converting derelict buildings for new housing

In the last quarter 112 long term empty properties were made fit for occupation through the No Use Empty (NUE) Programme. A total of 5,465 certified long-term empty properties have been modernised since the Programme began in 2005. Total NUE investment currently stands at £46.9 million (£21.1 million from KCC recycled loans and £25.8 million from public/private sector leverage). NUE won an award in the UK Housing Awards 2018 for the regeneration category.

NUE have been awarded an additional £1 million Growing Place Funds for use in 2018/19 to bring empty commercial space back into use as commercial/mixed residential accommodation.

Infrastructure

Since 2015/16 the South East Local Enterprise Partnership (SELEP) has allocated a total of £147m of Local Growth Funding to Kent infrastructure projects, of which £123m is for transport schemes.

In the quarter Government made announcements in relation to projects to be funded from the Housing Infrastructure Fund, which includes two elements, Marginal Viability and Forward Funding. In February the following projects were confirmed with indicative allocations from Marginal Viability Funding:

- Dover Bus Rapid Transit System: £15.8 million indicative allocation
- Manston Road/Haine Road Roundabout: £2.5 million indicative allocation
- Queenborough and Rushenden regeneration: £3.5 million indicative allocation.

And in March it was announced that improvements to the A249 junctions had been shortlisted for further consideration under Forward Funding.

Kent's Broadband Delivery UK (BDUK) programme has now brought superfast broadband to over 135,000 properties which would otherwise have had no or slow broadband connectivity. Superfast broadband services of at least 24mbps are now available to 95% of homes and businesses in Kent.

We are aiming to further extend the reach of superfast broadband across Kent by investing additional funding in the current BDUK Phase 2 project and introducing a Kent voucher scheme in summer 2018.

KCC obtains financial contributions towards KCC services from developers of new housing sites. In the fourth quarter ending March 2018, 33 Section 106 agreements were completed and a total of £15.45m was secured.

Section 106 developer contributions secured (£ 000s)

	Apr to Jun 2017	Jul to Sep 2017	Sep to Dec 2017	Jan to Mar 2018	Full Year
Primary Education	3,626	3,354	2,328	9,265	18,574
Secondary Education	1,329	1,551	576	5,393	8,849
Adult Social Care	103	153	26	189	471
Libraries	150	210	42	426	828
Community Learning	52	48	42	108	250
Youth & Community	33	38	18	74	163
Total	5,293	5,357	3,033	15,455	29,138
Total Secured as % of Amount Sought	97%	93%	100%	100%	98%

Libraries, Registration and Archives (LRA)

This year has seen the development and approval of the future ambition statements for the service, which will help shape the LRA Strategy to be developed over the coming year. These ambition statements were developed through engagement with staff, KCC members and a series of customer and resident focus groups.

During the last quarter there were a number of library closures for improvement works, which have impacted on the activity statistics for the quarter. Tonbridge library closed in January for major refurbishment work and there have been several short-term closures at other libraries for minor refurbishments and the installation of equipment for the Open+ pilot.

We launched an e-newspaper service in January and issues have risen from 1,340 in January to 13,820 in March, following a promotion on our Facebook and Twitter pages. E-books also did well during this period with a 34% increase in issues over the quarter. Online contacts have increased by 118% on the same period last year with increased social media activity together with increased use of the website, online enquiries and online reference resources.

Digital Dens, an Arts Council funded project for young people has been launched at 5 sites. These clubs are targeted at young people with a focus on areas of disadvantage, so that children in these areas can access some of the latest technology. There are waiting lists for places at several of the sites.

User satisfaction results for the year were generally positive and work is being carried out to analyse the results to identify further improvements we can make for customers.

Overall results for the year were:

- Libraries 97% (target 95%)
- Archives 91% (target 90%)
- Birth and death registration 94% (target 95%)
- Wedding ceremonies 96% (target 95%)
- Citizenship ceremonies 93% (target 95%)

Culture and Creative Economy

The Arts Investment Fund invited applications for grants in December and 74 applications for a total of £234,793 were received. Following assessment against the criteria for the Fund, 23 projects totalling £94,982 were funded, with these projects in total leveraging match funding of £2,184,903 into the Kent economy.

In the fourth quarter of 2017/18, the Kent Film Office handled 171 requests and logged 95 filming days bringing an estimated £660k direct spend into Kent. The last quarter also saw production highlights like the Pokémon film, as well as Burberry, Kellogg's, Harpers Bizarre, and Halfords commercials.

Resilience and Emergency Planning Service

A total of 137 alerts were received in the quarter by the 24/7 Duty Emergency Planning Officer, up from 74 for the same quarter in 2017, with this significant year-on-year increase reflecting activity associated with the low temperatures and snowfall in late February and early March. The service was significantly tested by the snow and water disruption incidents, with the County Emergency Centre opened for the duration of the multi-agency response, including periods where KCC was leading the response. Debriefing sessions have been held for these incidents with lessons identified for improving future responses.

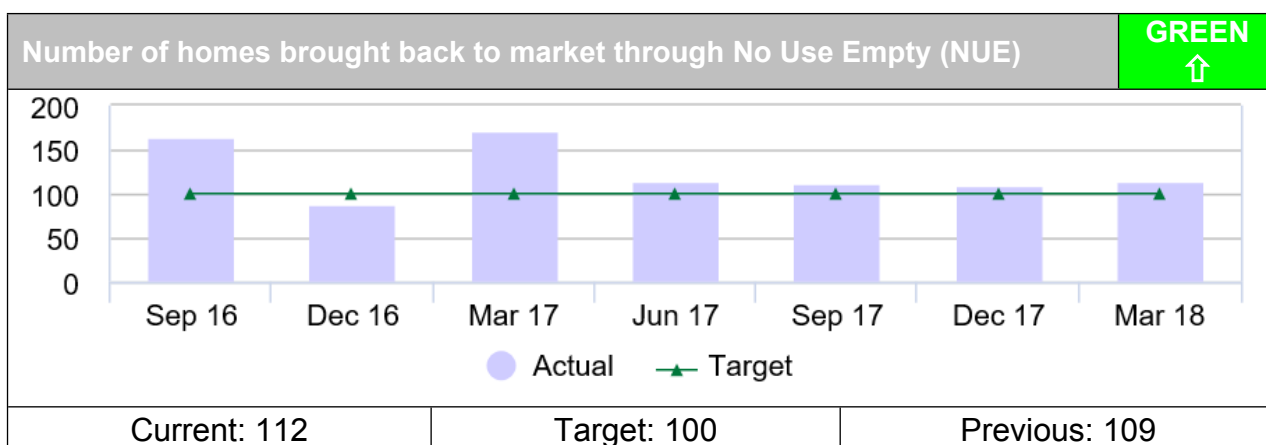
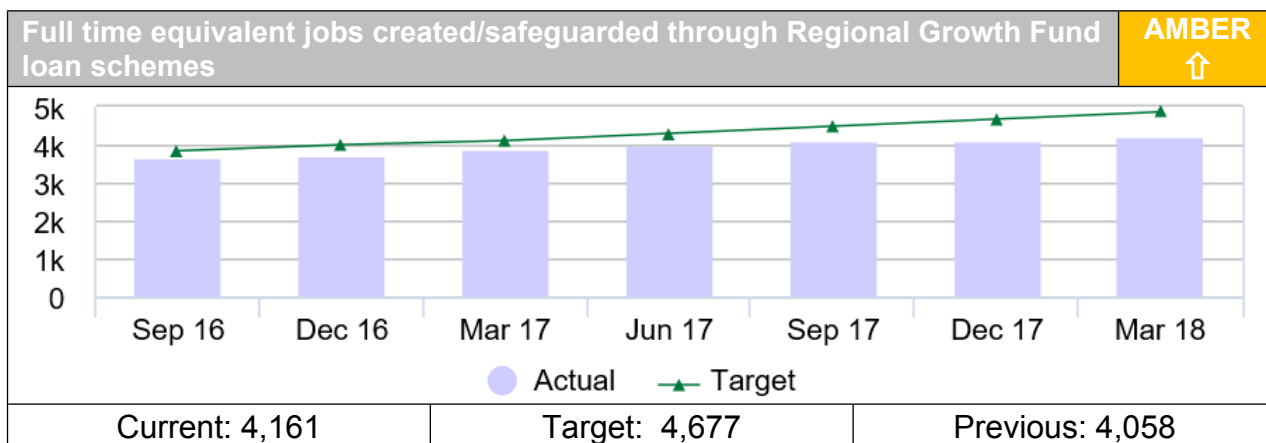
Community Safety

The Community Warden service now has 8 volunteer wardens, with another 22 parishes intending to recruit, with recruitment continuing into the summer.

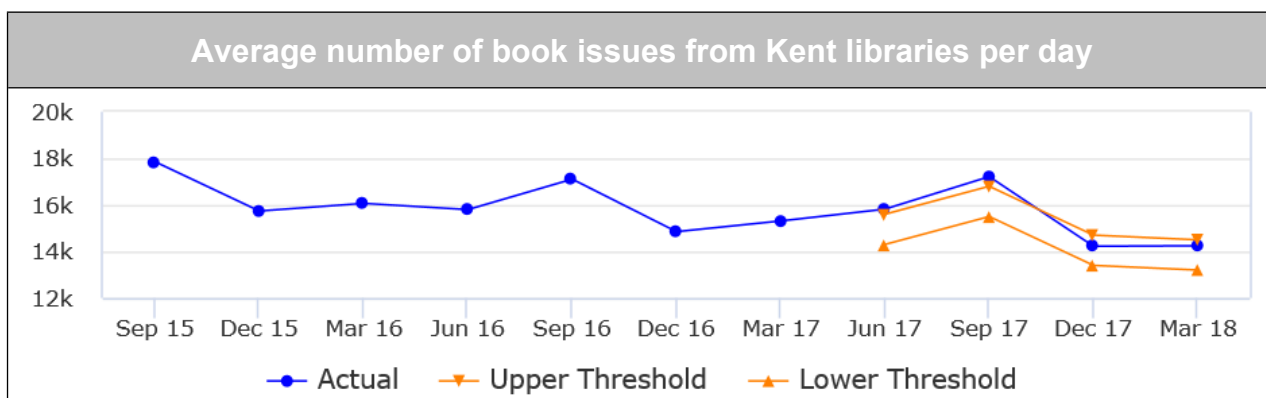
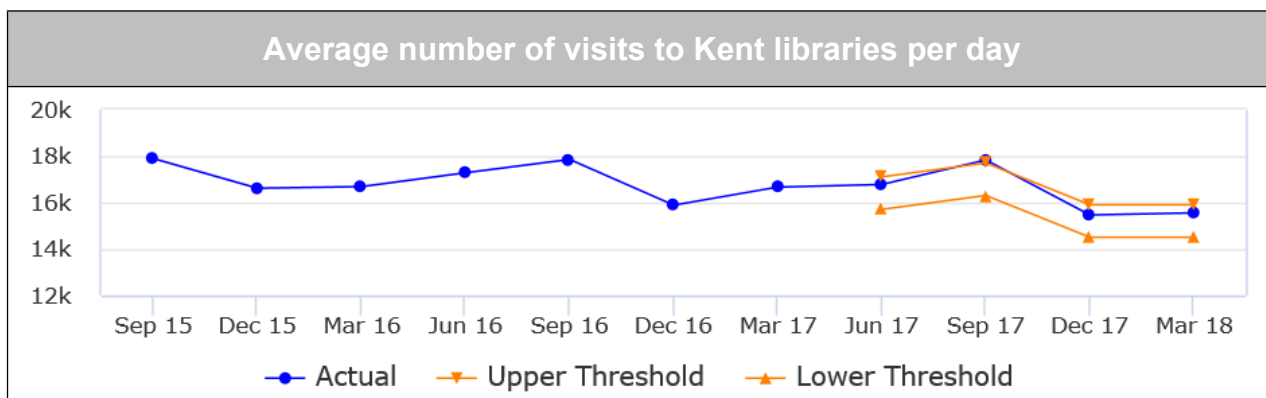
The Kent Community Safety Team (KCST), which provides guidance and promotes community safety work across the county, has run several events since the last performance report, including a Community Safety Information Session, four Online Safety Awareness Sessions and the last of three DHR Lessons Learnt Seminars. In the last quarter, a total of 338 staff from partner agencies have attended KCST events.

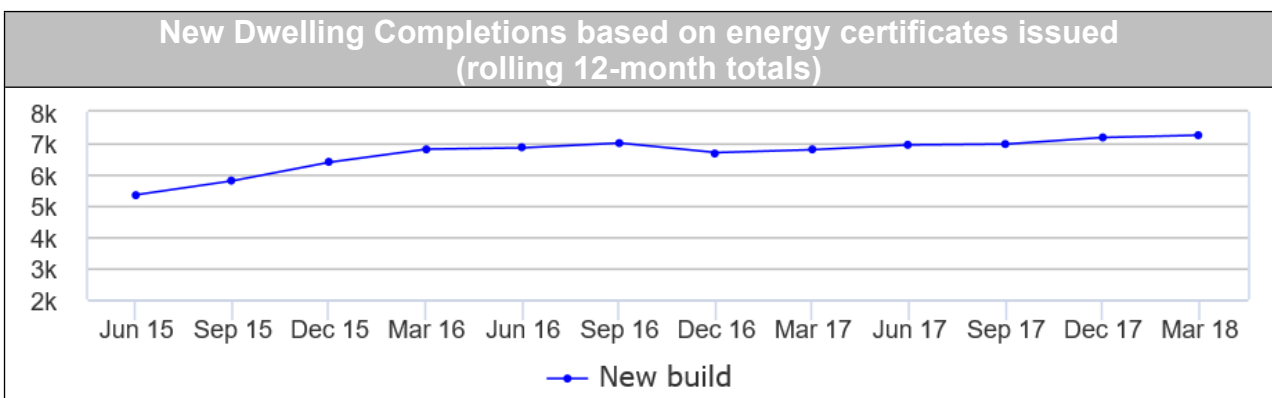
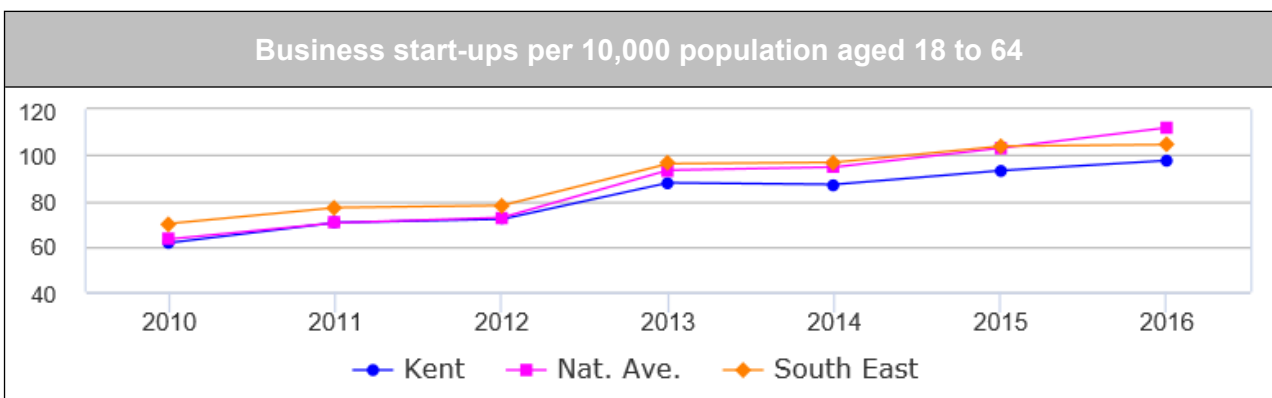
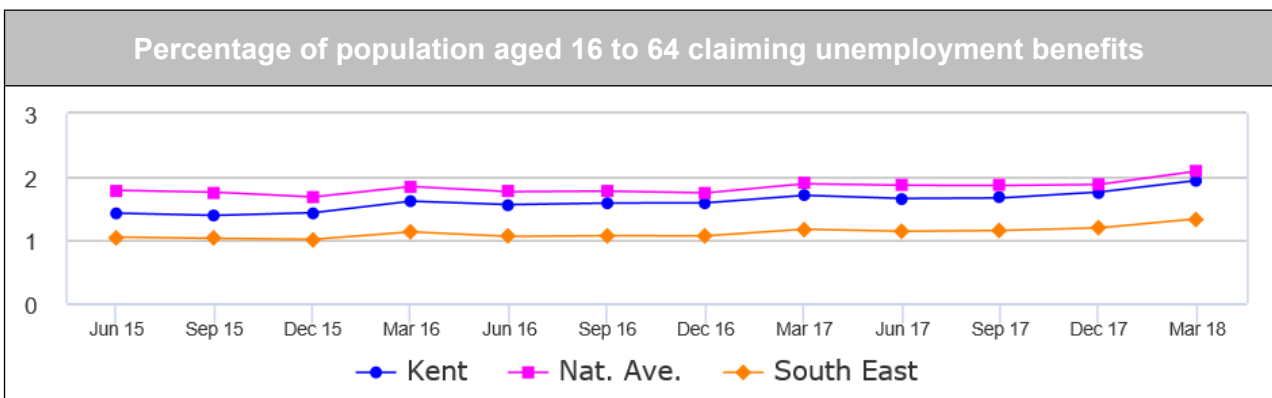
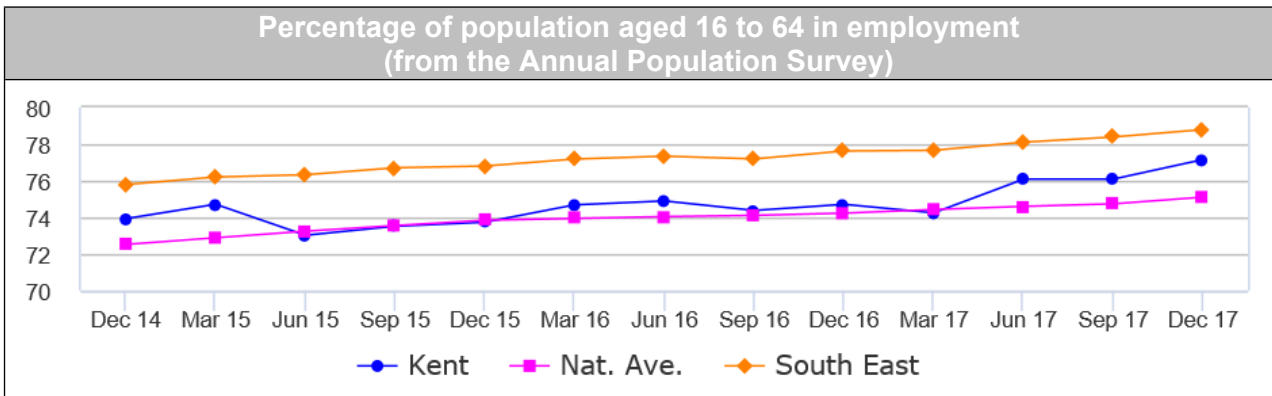
The multi-agency Kent Community Safety Agreement (CSA) has been renewed for 2018/19 by the KCST to reflect the current community safety priorities for the county, seeing the addition of a 'Preventing Extremism and Hate' priority and a cross-cutting theme of 'Support Mental Health and Wellbeing'. The CSA received support from KCC's Environment & Transport Cabinet Committee and approval / sign-off from the Kent Community Safety Partnership in March.

Key Performance Indicators



Activity indicators





Environment and Transport	
Cabinet Member	Mike Whiting
Corporate Director	Barbara Cooper

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	6	1		3	2	2

Highways

Performance for the quarter was above target for all four Highways KPIs.

During the quarter the ‘Beast from the East’ delivered one of the harshest winter periods we have seen in many years with two winter emergencies declared. As a result new enquiries raised for action by customers (faults) were above seasonal expectations at 34,899, compared to 26,733 for the same time last year. Enquiry work in progress at the end of the quarter increased and was above the seasonal expectations at 9,333 compared to 6,114 for the same time last year.

To tackle the winter damage additional funding has been allocated to commence a 2018 Pothole Blitz in April, to be delivered by a combination of local contractors and our main highways maintenance contractor.

Online fault reporting via the KCC website increased to 51% of all faults reported by customers, and for routine faults such as potholes and streetlights this was over 70%.

In this quarter we gained approval to continue to provide the management and delivery of the National Driver Offender Retraining Schemes to the Kent Police Diversionary Partnership for a further five years and updated our Fees & Charges schedule for 2018/19. We also awarded contracts for the urban grass, shrubs and hedges service as well as made good progress on the tender for Road Asset Renewal resurfacing work that will commence in the summer.

Casualty Reduction

Delivery of the £1.2m casualty reduction measures programme for the year has been completed we are now working on the scheme designs for the 2018/19 programme. This will consist of approximately 75 schemes across the county to mitigate risks at crash ‘cluster’ sites. We continue to plan and deliver joint educational interventions following the National Police Chief’s Council road safety calendar. Activity in the last quarter focused on seatbelts and young drivers, and in the coming quarter there will be a focus on speed, motorcyclists and drugs and alcohol.

Asset Management

In February, we adopted and published Developing Our Approach to Asset Management in Highways – 2018/19 to 2020/21. This includes use of an improved asset management methodology and more robust asset condition and deterioration data. Our approach to asset management has enabled us to obtain Band 3 Incentive Fund rating from the Department for Transport (DfT), which will help maximise capital funding for 2018/19 and beyond.

The need for additional funding is clear and our forecast for most highway asset groups identifies that our highway assets will continue to deteriorate, without the input of

additional funding. Given the scale of our maintenance backlogs and the potential deterioration, we are also exploring different approaches to design of highways improvement schemes, to reduce lifecycle costs and improve future maintainability.

Public Transport

Kent is one of 5 areas trialling a fully Electric Bus, the Volvo 7900, which is on demonstration in the UK for one year. The vehicle is being trialled on the Fastrack A route in Dartford and was put into service in March.

In March 2018 approximately 190,000 English National Concessionary Travel Scheme passes (older persons bus pass) needed to be replaced, and we provided automatic renewal for passes which had been used in the last 12 months. Indications are that the process was delivered without disruption, with relatively low call volumes in response and a high proportion of on-line take up for non-automated renewal.

Local Growth Fund Transport Capital Projects

So far £123 million of government funding from the Local Growth Fund (LGF) has been allocated to support 28 transport projects within Kent, with a total project value of £322 million. The table below shows the current position for the 27 of these projects with direct KCC involvement, with the M20 Junction 10a improvements managed by Highways England (cost of £104 million and a £20 million LGF contribution) not included.

Seven projects are complete, and ten are substantially under construction. Five schemes are currently not on track, Thanet Parkway and Sandwich Rail Infrastructure due to funding gaps, Dartford Town Centre is subject to rephasing of delivery, the A28 Chart Road scheme is delayed until a security bond is provided by the Developer, and the Willington Street/Sutton Road Junction improvements scheme in Maidstone has also been delayed.

LGF Spend Profile Year :	2015/16	2016/17	2017/18	Total
Total Value (£m)	49.6	111.5	56.5	217.6
LGF funds (£m)	32.8	45.3	25.5	103.6
Projects	12	8	7	27
Complete	4	3	0	7
Green (on track)	5	1	3	9
Amber (some delays)	3	2	1	6
Red (at risk)	0	2	3	5

Transport Strategy

KCC has responded to two Department for Transport (DfT) consultations on England's road network. The first, was in response to Highways England's initial report on the Strategic Road Network (motorways and trunk roads) which will shape the Government's next Road Investment Strategy post 2020. Our response made the case for improvements to the M2/A2 corridor, and the links between the M2 and the M20. The second consultation, was concerning the Government's proposal to create a new tier of roads, a Major Road Network, consisting of the busiest local authority 'A' roads

that would have access to funding opportunities for enhancements. Our response made the case for a comprehensive network of roads in Kent to be included that reflects the county's unique position as a strategic international gateway.

A response was also made to the Government's consultation on proposed changes to the Heavy Goods Vehicle (HGV) Road User Levy, making the case for a fair share of the revenue from the levy to be spent in Kent to help deal with the problems of HGVs passing through the county from the Channel Ports, e.g. provision of official lorry parking facilities to reduce the problems of inappropriate lorry parking.

Waste Management

Performance remained above target for diversion from landfill with less than 1% of waste taken to landfill, ahead of EU Landfill Directive target of less than 5% by 2020. This has been achieved by more of the county's bulky waste being processed as refuse derived fuel.

The recycling rate at Household Waste Recycling Centres (HWRCs) was down compared with last year, 68.5% compared to 70.2%. However, overall recycling for the county has improved from 49.2% to 49.9%, as district councils, which collect 75% of the county's household waste, have increased the amount of recyclable material collected at the kerbside, and this has likely led to a reduction in the amount of recyclable material taken to HWRCs.

Overall tonnage collected in the year at 718,300 was below the expected amount of 730,300 tonnes. Closure of the North Farm HWRC for 11 weeks to repair fire damage, and the snow conditions earlier in the year will have contributed to the reduced tonnage received.

The Allington Waste to energy plant remains stable, with just above 49% of waste being converted to electricity, which is the waste which can not be recycled or treated.

Environment

As part of the Kent Environment Strategy implementation plan, two areas of work have been identified for immediate focus to address environmental challenges facing Kent and Medway. These are:

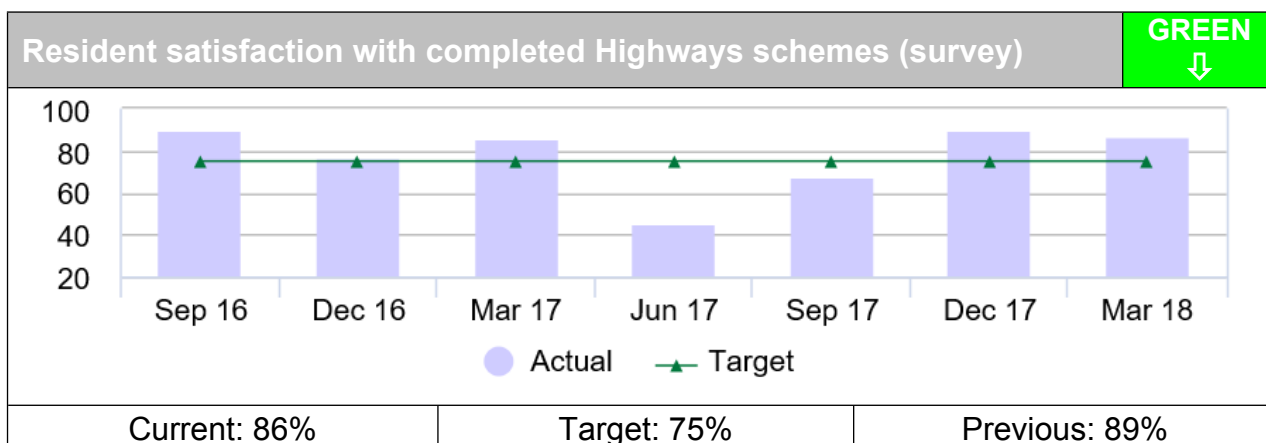
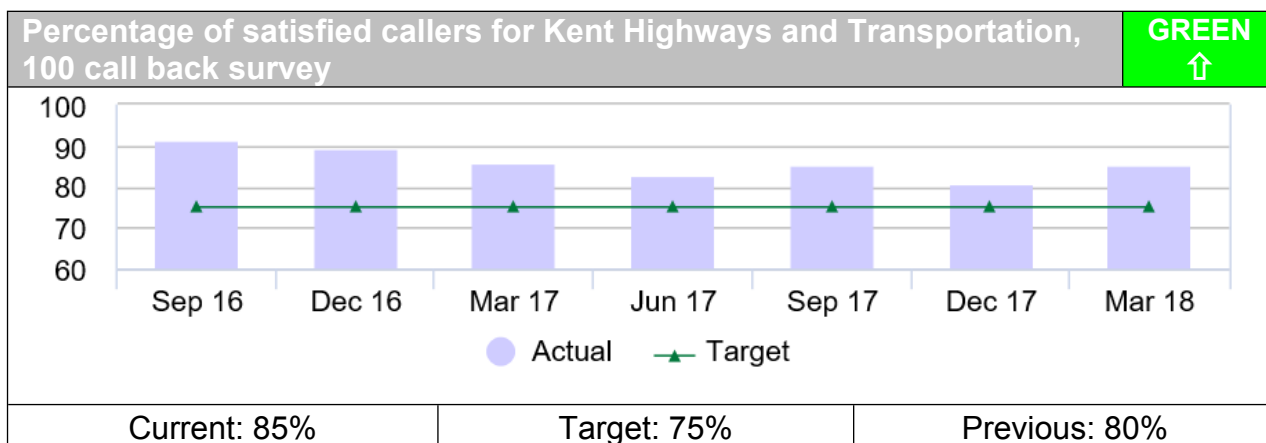
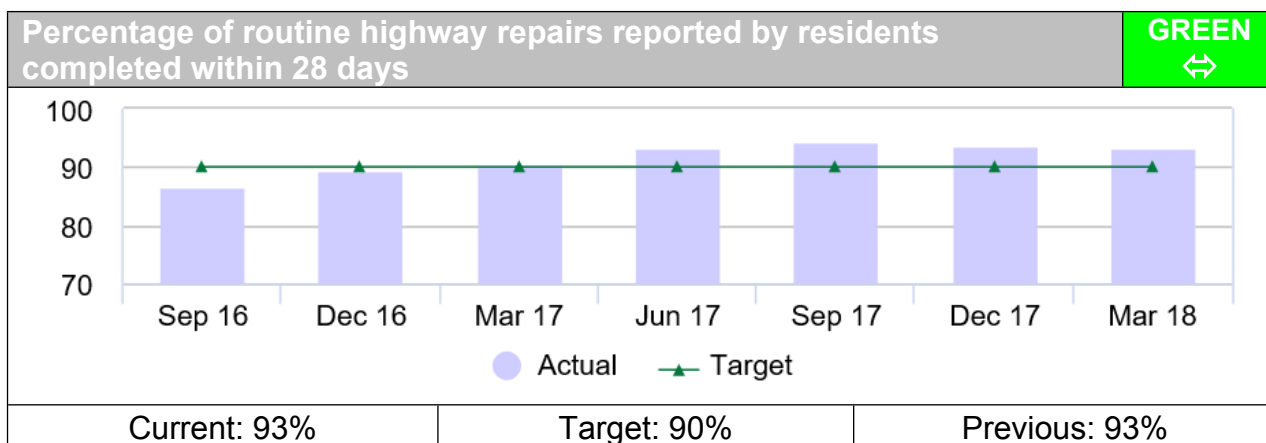
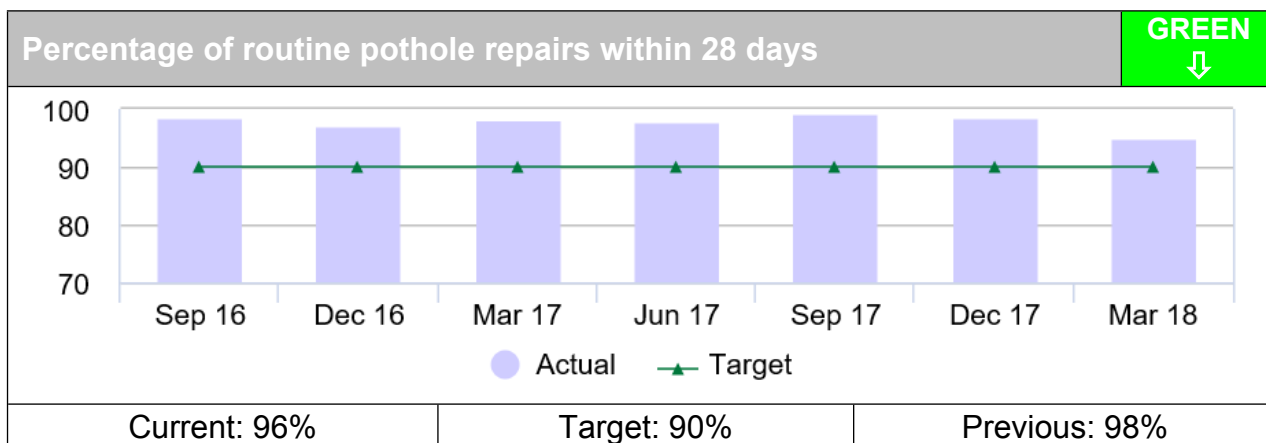
- the Kent and Medway Energy and Low Emissions Strategy,
- the Kent and Medway Climate Change Risk Assessment.

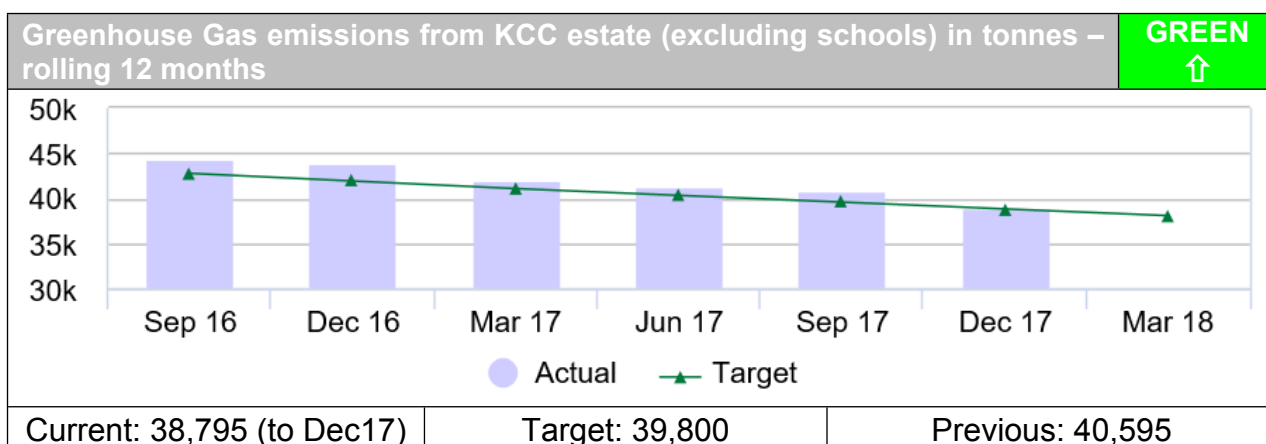
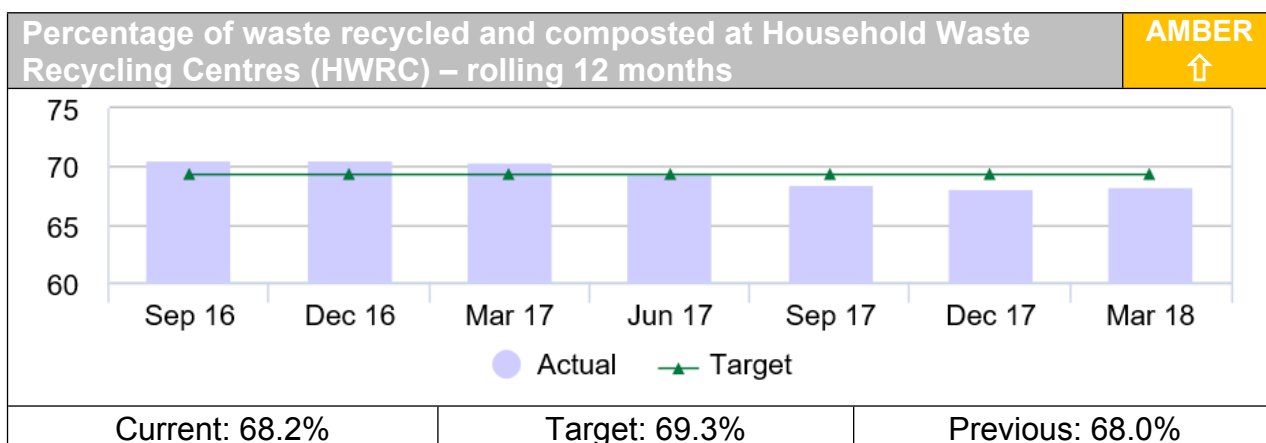
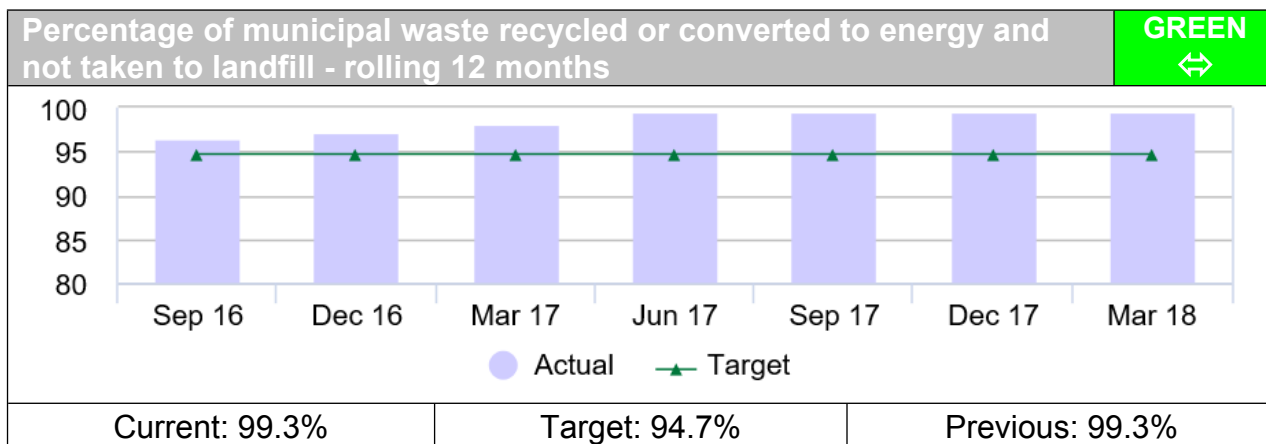
KCC estate Greenhouse Gas emissions continue to reduce. Reductions have been made across council buildings, and through the street lighting LED programme. Less progress has been made on business mileage.

The EU funded Local Carbon Across the South East (LoCASE) project has assisted 486 SME's with a total of £3.4m of match funded grants across the South East Local Enterprise Partnership (LEP) to help deliver energy efficiency projects and to support the low carbon sector.

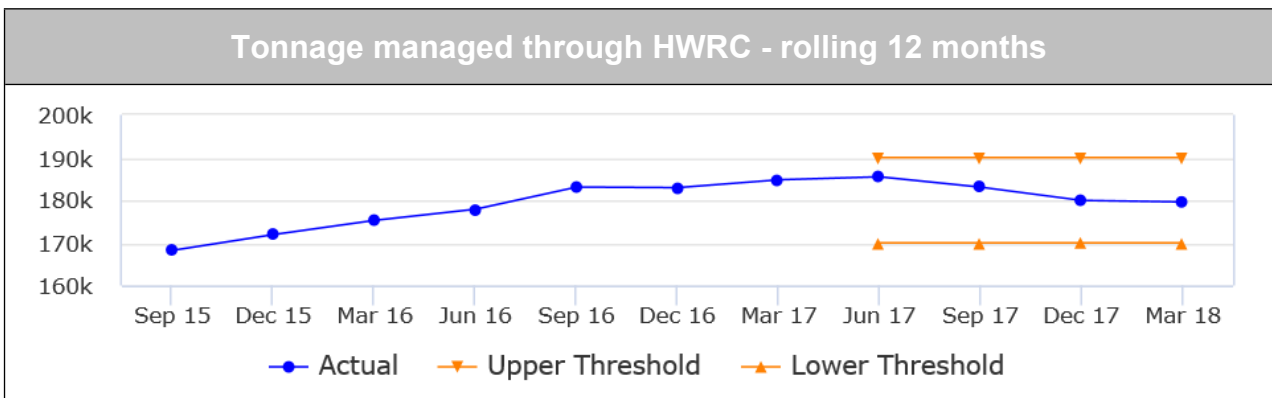
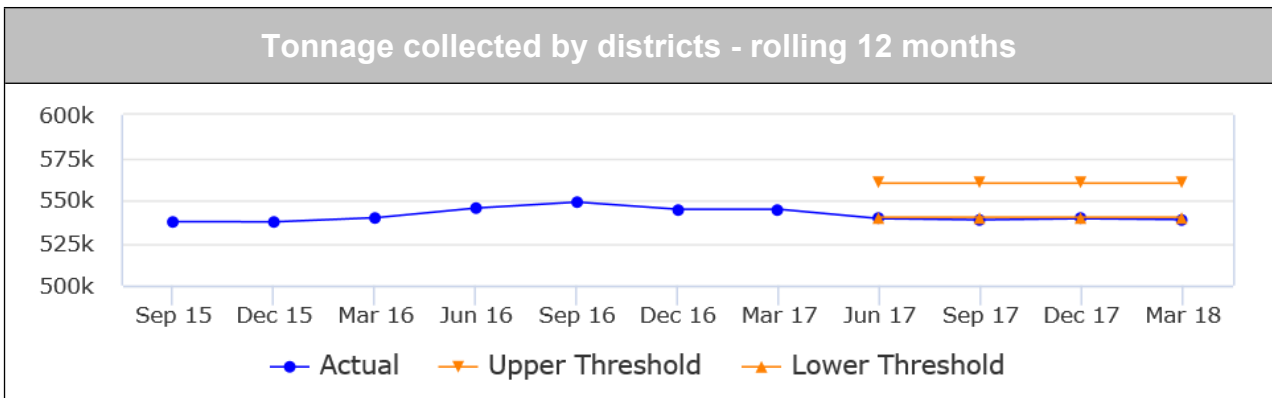
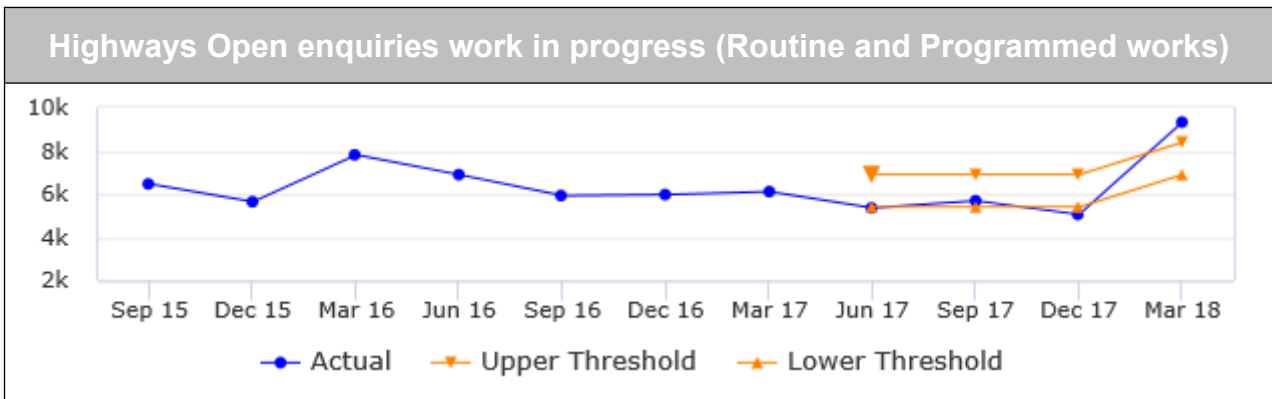
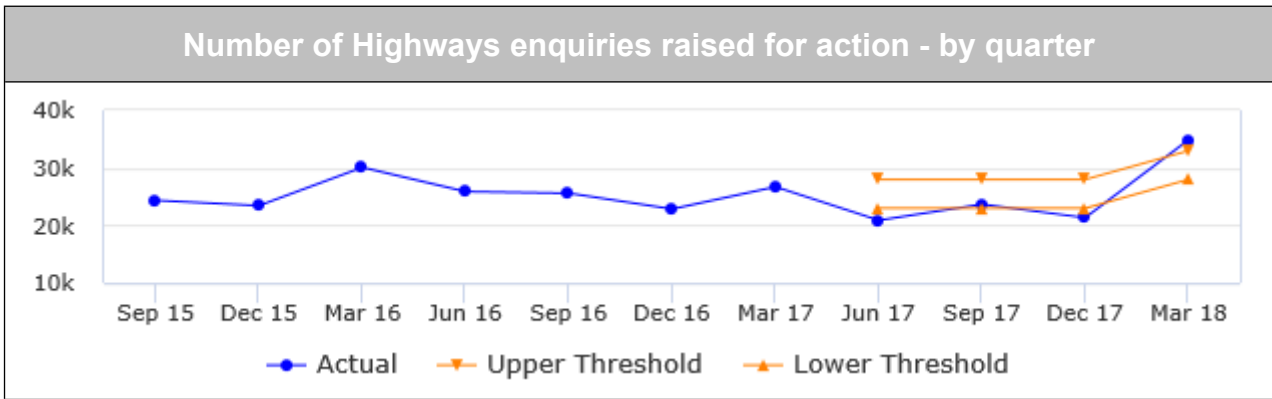
Kent Downs AONB (Area of Outstanding Beauty) Unit continues to develop the AONB Management Plan and will be running a series of stakeholder events.

Key Performance Indicators





Activity indicators



Children, Young People and Education: Education	
Cabinet Member	Roger Gough
Corporate Director	Matt Dunkley

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	3	1	2	2	1	3

Stakeholder engagement for a refreshed Vision for Children, Young People and Education will take place over the summer, and while many existing priorities will continue, this work will ensure a focus on areas most in need of improvement.

Schools

The results for Primary school attainment outcomes in summer 2017 were above the national average. In the Early Years Foundation Stage 74.2% of children attending a Kent school achieved a good level of development compared to the national average of 70.7%. At Key Stage 2, 65% achieved the expected standard compared to the national figure of 61%. However

In 2017, pupils sat reformed GCSEs in English language, English literature and mathematics for the first time, graded on a 9-1 scale. The average Attainment 8 score per pupil (which measures the average achievement of pupils in up to 8 qualifications) decreased in comparison to 2016 from 50.3 to 46.3 with this change being in line with the national figure for state funded schools, and as expected due to the changes in GCSE examinations.

While average pupil attainment is good for Kent children there is more to do in relation to attainment gaps such as for children eligible for Free School Meals.

At the end of March the percentage of Primary schools judged by Ofsted as good or outstanding was 93%, the percentage of Secondary schools that were good or outstanding was 92%, and 91% of Special schools were good or outstanding.

Overall 505 of the 549 schools in Kent with a current inspection were good or outstanding, and 92% of pupils were attending good or outstanding schools.

We remain determined, working in partnership with schools to continue the positive trajectory seen in Kent. Improving outcomes and reducing the performance gaps are at the forefront of our work.

One of the priorities moving forward is to increase the number of schools graded as outstanding and moving those who require improvement to become good as quickly as possible. Currently 22% of schools in Kent judged to be outstanding, equal to the latest national figure (published for February 2018).

We remain on track for our long-term target that 95% of Local Authority maintained schools will be good or outstanding by August 2018.

Early Years

The percentage of Early Years settings which were rated Good or Outstanding in March was 97%, equal to the target. Sustaining this standard whilst also increasing the amount of outstanding provision remains a key priority for the Early Years and Childcare Service.

Other priorities include the ongoing delivery of 30 Hours of Free Childcare, working in partnership with Children's Centres to continue to increase the take up of Free Early Education places by eligible two-year-olds, increasing the number of children achieving a Good Level of Development at the end of the Early Years Foundation Stage, narrowing achievement gaps, and increasing the number of Early Years settings working within a collaboration.

The take-up for the free childcare entitlement for eligible two years olds in Spring 2018 was 69%, which was up from 66% at the same time last year.

Skills and Employability

The March 2018 position for the percentage of 16 and 17 year olds Not in Education, Employment or Training (NEET) was 2.9% which is up from 2.4% in December. The three month rolled average for December, January and February, was 2.6% which was just off the target of 2.5% and is an improvement on the 2015/16 outturn of 3.0%, and it is this figure which is used in national reporting.

Progress continues to be made in improving our understanding of destinations for school leavers and the number of young people where this information is not known is at the lowest level in 4 years. The Kent NEET figure is the same as the national average, and the Not Known figure is below national average, giving a combined NEET and Not Known figure which is also below the national average for the first time, which reflects the significant progress that has been made over the last year.

The percentage of 16 to 18 year olds who started an apprenticeship is currently forecast to be lower this year compared to last year, which will be the second year in a row where apprenticeship numbers have reduced. Similar reductions are being seen both locally and nationally and for all age ranges. With the introduction of the Apprenticeship Levy in April 2017 there was an expectation that there would be an increase in the number of apprentice starts during the current academic year, but this has so far not materialised. The Apprenticeship Levy has raised the bar on the standards and expectations for apprenticeship schemes and many new schemes are being designed to meet these expectations. We expect to see an increase in uptake once the new schemes become available.

Through our Apprenticeship Strategy we are promoting apprenticeships throughout Kent to ensure the number of apprenticeship starts increases. We continue to develop the offer available from the Apprenticeship Kent website and the 'Made in Kent' campaign has resulted in an increase in the number of applicants for apprenticeships made through the website.

We are working collaboratively with schools, Further Education Colleges and Work Based Training providers to develop locally co-ordinated approaches to support apprenticeship. We are raising awareness of apprenticeships to employers, supporting them to engage with schools to recruit young people and to ensure they are able to deliver sustainable jobs, identifying skills progression routes and working with the Guilds.

We are providing support and guidance to Kent schools to help them understand the changes to apprenticeships for young people and to support them in providing pre-apprenticeship opportunities. Support to schools is also provided in relation to the Apprenticeship Levy, to help them achieve the public sector target of 2.3% of staff being apprentices, and to ensure all schools are able to offer an Assisted Apprenticeship programme route for vulnerable learners with disabilities and disadvantages.

SEND (Special Educational Need and Disability)

The percentage of new Education, Health and Care Plans (EHCPs) issued within the statutory 20 weeks was 56% (886 out of 1,582) against a target of 85%. This is down from last quarter and also below national average.

This result reflects the significant increase in demand for assessments this year (up 47% compared to the previous year), and the significant additional work required to convert existing SEN Statements into Statements to Education Health and Care Plans by 31 March 2018.

We have successfully transferred 100% of existing SEN Statements over to Education Health and Care Plans by 31 March 2018, and this year we also ensured 99% of Year 6 pupils with EHCPs moving to secondary school were issued with new EHCPs by 15 February (up from 93% the previous year) with 94% of those moving to post 16 education having new EHCPs finalised by 31 March (a 30% improvement on 2017).

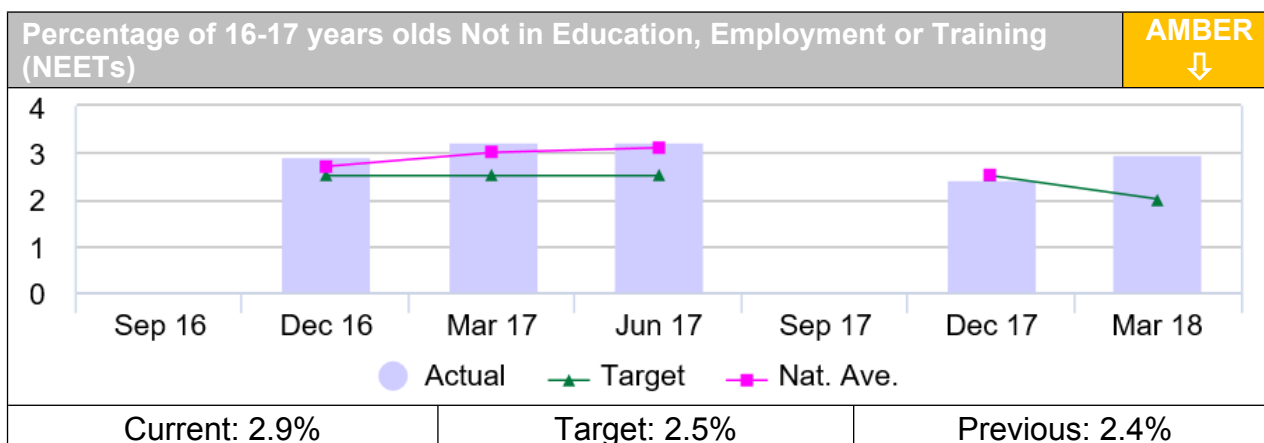
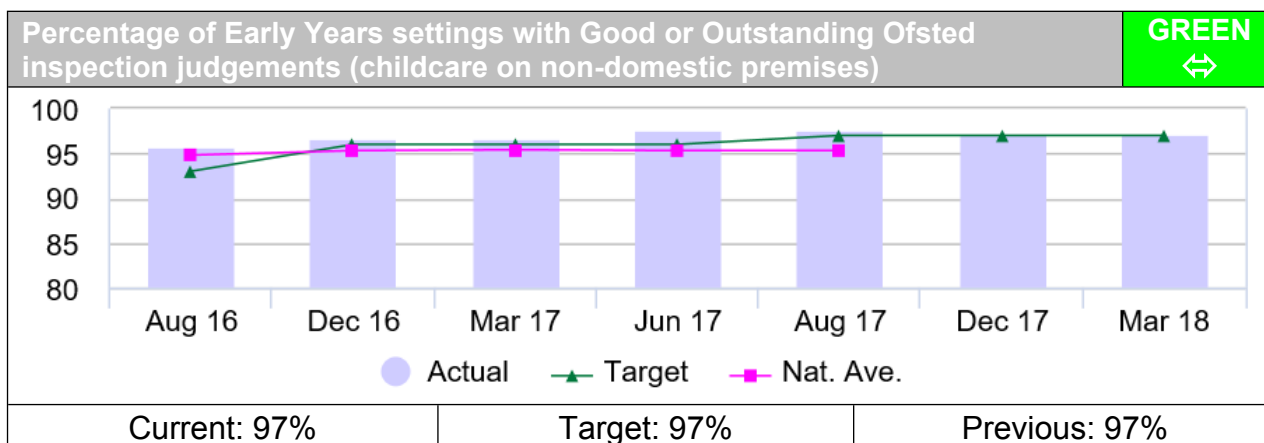
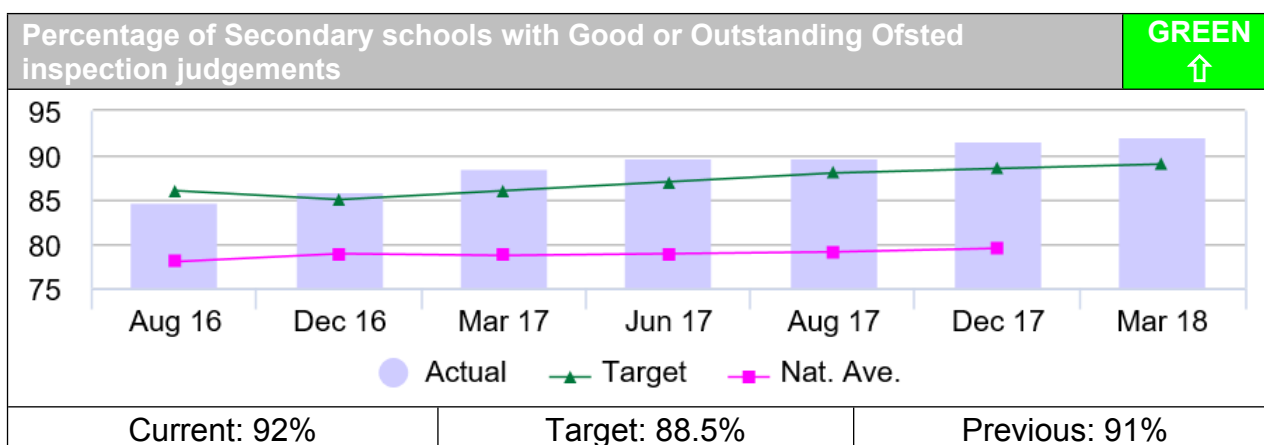
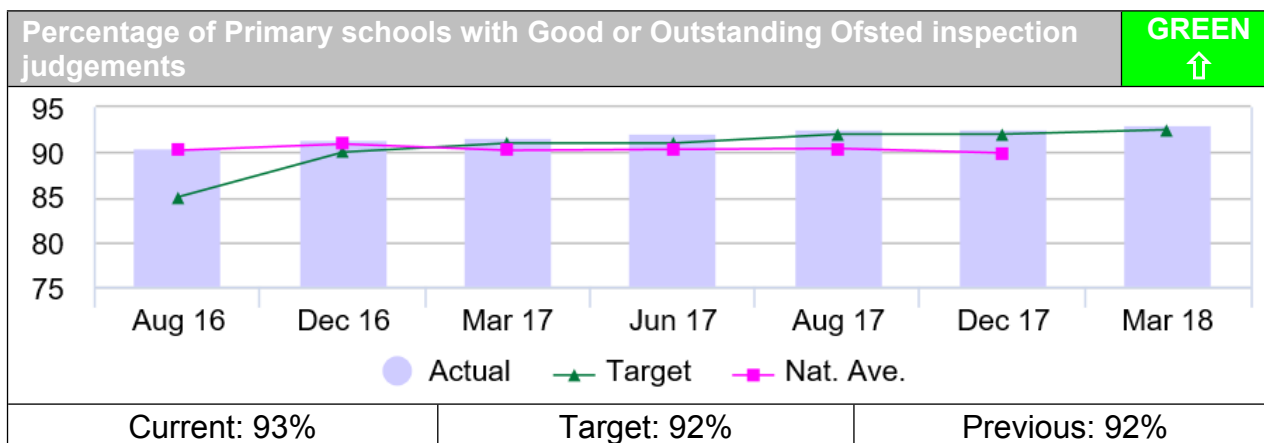
School Places and Admissions

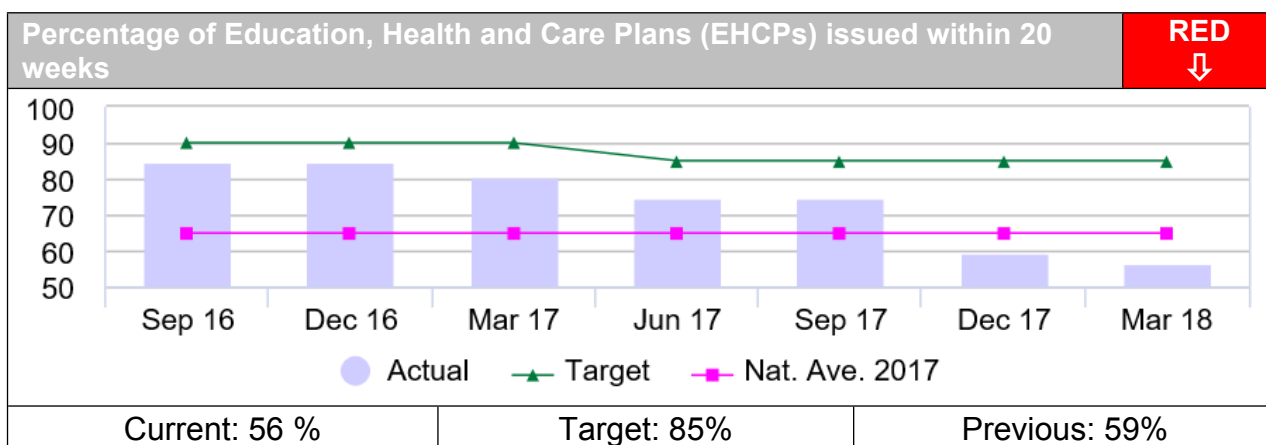
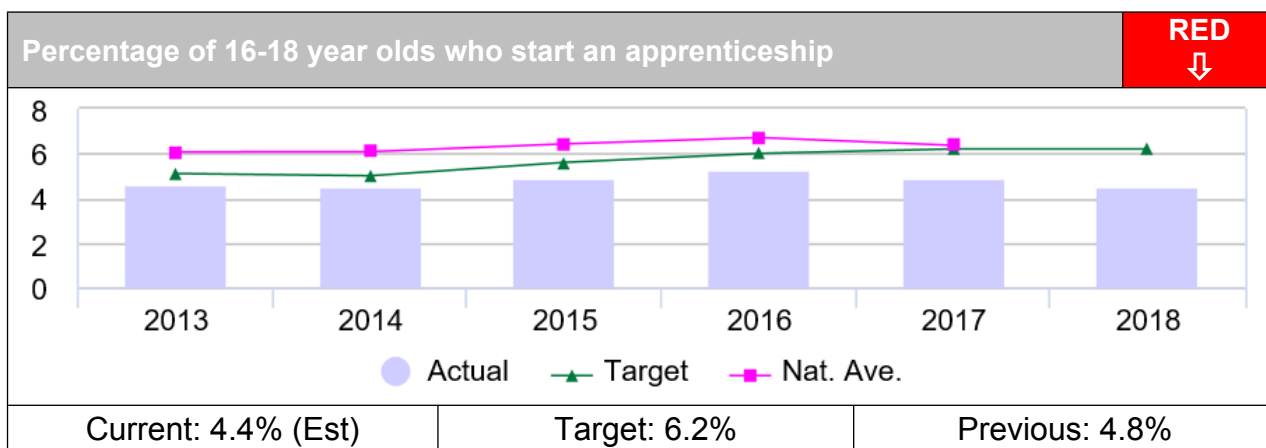
For admissions in September 2017 80% of parents secured their first preference Secondary school and 90% of families secured their first preference school for Primary school places. In September 2018 there are eight primary schools offering significant numbers of extra places, adding 225 Year R places between them. 27 secondary schools have made a further 996 Year 7 places available for this September. Additional places being offered will in some cases be temporary – and may also have been offered for September 2017 entry.

Across all Kent schools, the net change to the number of places being offered for September 2018 entry (compared with September 2017 entry) is an increase of 34 Year R places (17 schools increasing and 13 schools reducing) and an increase of 99 Year 7 places (16 schools increasing and 19 schools reducing). This is because some schools which have offered a temporary increase in their intake for one or more previous years, are unable to continue to do so and have reverted back to their (lower) determined admission numbers.

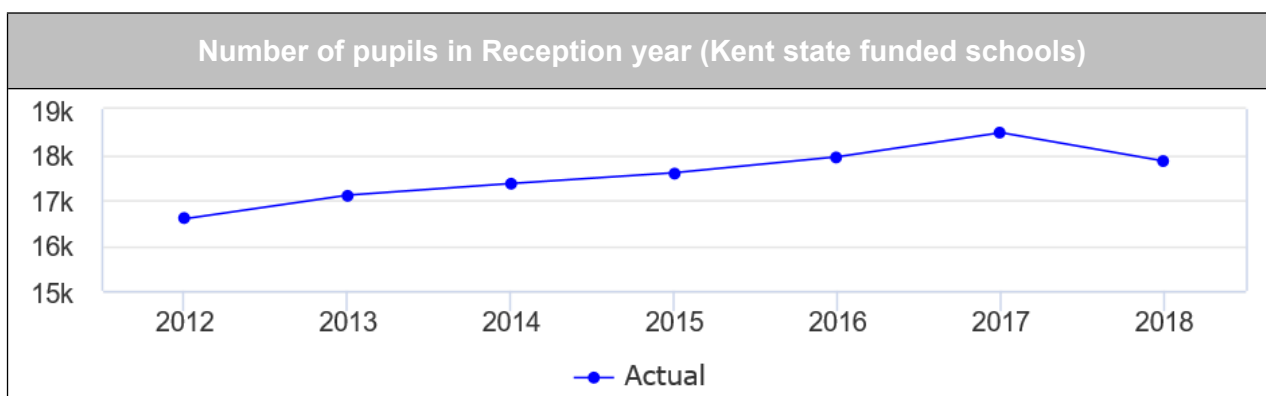
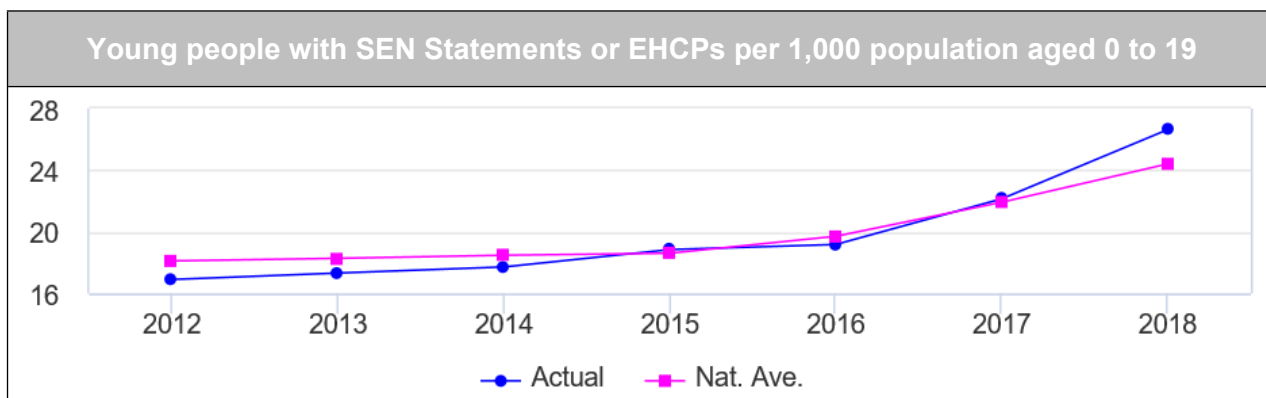
For 2017/18 across Kent as a whole, the target of maintaining at least 5% surplus capacity has been met at both primary and secondary phases. For primary schools, there are six districts with less than 5.0% surplus capacity compared to seven last year. For Reception year groups, all districts have at least 5% surplus capacity, a significant improvement on eight last year. For secondary schools, all but one district (Canterbury) have met the 5% surplus capacity target and for Year 7, four districts have missed the target, which is still an improvement on five last year, especially at a time of rising Year 7 roll numbers.

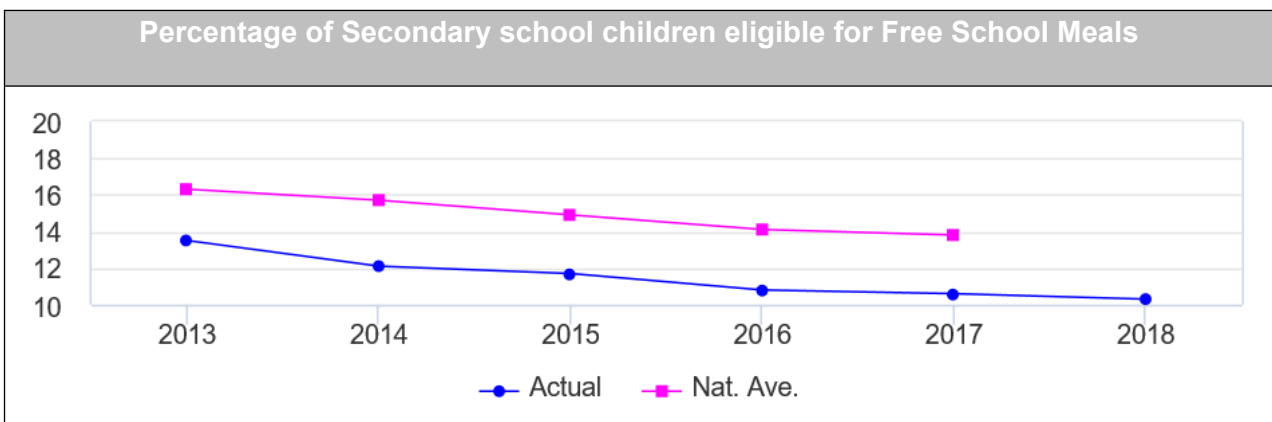
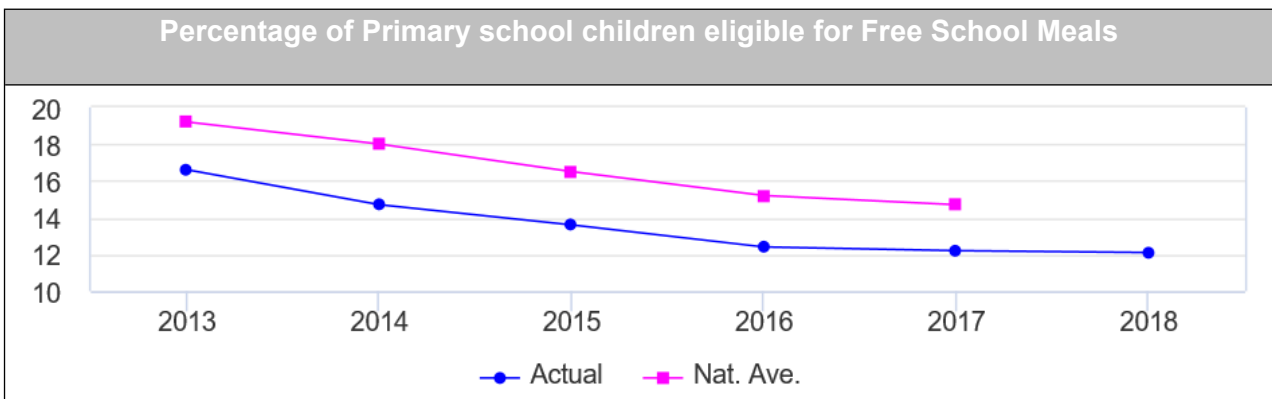
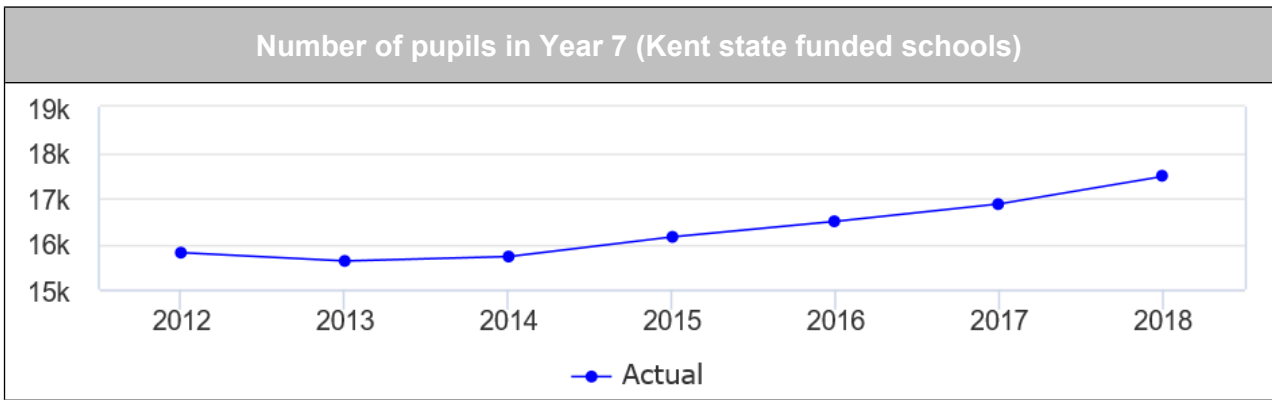
Key Performance Indicators





Activity indicators





Children, Young People and Education: Integrated Children's Services	
Cabinet Member	Roger Gough
Corporate Director	Matt Dunkley

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	7	3	0	4	2	4

Service Integration

The Children and Young People's Services Integration Programme has been set up to further align and integrate services for children and young people provided by Early Help and Specialist Children's Services. A series of pilot projects are underway across the county to test new ways of working and integration for these services.

Work is also underway to design a new integrated Front Door combining the Specialist Children Services Central Duty Team and the Early Help Triage team, which will go live this summer. This will provide a single route into support services at intensive level or higher, with a single 'request for services' form for schools and other agencies to complete.

Early Help

There were 2,344 cases open to Early Help units, which equates to support for 5,256 children and young people aged 0 to 17.

The percentage of Early Help cases closed with outcomes achieved fell slightly to 79% percentage points in the quarter and is one percentage point short of the target. There is a higher volume of Domestic Abuse Notifications from the Police prior to consent being gained, and a significant proportion of these families do not wish to engage with services, so the cases are closed due to disengagement. However, a new process has been planned with the Front Door to contact these families and explain the Early Help offer of support and see how families wish to proceed, which will support decision making about passing referrals into Early Help. For Early Help unit cases initiated via an Early Help Notification 82% of cases are closed with outcomes achieved, which is above the 80% service standard.

For permanent exclusions, the rolling 12 months total stands at 62, equating to 0.03% of the school population being excluded which equals the target of 0.03%. Of the 62 pupils to be excluded, 20 were from primary schools and 42 from secondary schools. This is a slight increase on the previous 12 months (April 2016 to March 2017) whereby 59 pupils were excluded.

The number of first time entrants to the Youth Justice system at 279 in the last 12 months was better than the target of 330, with numbers continuing to reduce each year.

All work within the service is underpinned by a Quality Assurance Framework, with a clear cycle for audit, evaluation and feedback. Family work is underpinned by the Signs of Safety model which has been rolled out to all staff working with families. Audit performance has shown good progress across casework, outcomes and impact, and a new audit tool and process, combined with moderation of audit judgements, is

providing a stronger focus on evidencing impact. Core casework audits are supported by a programme of thematic audits.

Specialist Children's Services

The Service was subject to an Annual Conversation with Ofsted in February 2018. This forms part of the new inspection framework – Inspecting Local Authority Children's Services (ILACS) and provided the opportunity for Ofsted to review all activity and actions taken since Kent's full inspection report which was published in June 2017.

The continuing high level of demand for children's social care services, and impact this has had on the caseloads for Social Workers, remains a key priority. Work to integrate the 'front door' services, both for children's social care and early help, continues and it is anticipated that this will lead to a reduction of referrals to social work teams.

The last quarter has also seen the implementation of the first phases of the Total Placement Service. This will centralise the purchasing of all placements across the service, streamlining processes, removing duplication and producing cost efficiencies.

Staffing and Quality of Practice

The percentage of case holding social worker posts held by permanent qualified social workers increased by 1% in the quarter, from 82% in December 2017 to 83% in March 2018, which is close to the target of 85%. The percentage of Social Worker posts being filled by Agency Social Workers has continued to decrease and at the end of the quarter was 12%. In the latest published figures for Agency Social Workers, which is taken from a snapshot as at 30th September 2017, the average for England was 15.8% and the published Kent figure for the same period was 14.1%.

The percentage of on-line case file audits of children's social care records rated as 'Good' is 82%, which is an increase from 78% in the previous quarter and above the 70.0% target. However, the completion rates for the on-line audits have reduced in the last quarter as staff have experienced technical difficulties resulting from a corporate change to the Firmstep software which is used to collate the audit information. The change in software has prompted a further review of the process and content of the audit tool to ensure that it provides an effective measurement of performance, with consistency of grading and opportunities for challenge. In addition to these on-line audits, the Safeguarding and Quality Assurance Unit routinely undertake a programme of targeted, thematic audits which arise from the service's self-scrutiny. Information gathered from both audit programmes is used to drive continuous service improvement.

Demand and Caseloads

Referral figures over the last year have risen by 21%. The rate of referrals for children's social care per 10,000 child population on a rolling 12 months basis moved to above national average in September 2017 and has remained above. The increase in referrals is partly due to a change in practice in the Central Duty Team, which has led to a higher conversion rate of contacts to referrals, but there has also been a 48% increase in the number of referrals from Kent Police in the year. With the continued integration of services at the front door the possibility of routing a greater proportion of the work to Early Help Services continues to be explored.

The overall rate of Children in Need cases in Kent, per 10,000 of the child population, at the end of the quarter was 302.9 which remains below the last published rate for England, which was 330.4 (as at 31st March 2017).

Child Protection

There were 1,461 children with child protection plans at the end of March 2018, a reduction of 48 from December 2017. The number of children starting a child protection plan in the quarter also reduced and was 313, compared to 484 in the previous quarter. The rate of children with a child protection plan per 10,000 of the child population in Kent is now in line with the latest published England Average.

The percentage of children becoming subject to a child protection plan for a second or subsequent time has increased from 18% to 20% in the last quarter, which is above the last published rate for England of 19% (for 2016/17). Plans for those children who have previously been subject to a Child Protection Plan are regularly reviewed by the Safeguarding and Quality Assurance Unit.

Children in Care

The number of indigenous children in care has remained broadly stable during the last year, close to 1,400. The number placed with Independent Fostering Agencies is 172, which is the same as for December 2017. At 69% the stability of children in care who have been in the same placement for the last two years has fallen just below the 70% Target. The percentage of indigenous children placed in KCC foster care or with family/friends has remained at the target level of 85%.

The number of children in care placed in Kent by other Local Authorities at the end of March 2018 was 1,274 which is a decrease of 53 from the December figure of 1,327. Some of this decrease may be attributed to improved quality of the information held, following a request to Other Local Authorities to validate the data held by Kent County Council.

For children who were adopted in the last 12 months the average number of days between coming into care and moving in with their adoptive family was 320 days, which is a decrease of 31 days compared to the previous quarter. Kent continues to exceed the nationally set target of 426 days.

Adolescents

The official launch of a Joint Housing Protocol between KCC and the twelve District Council Local Housing Authorities took place in February 2018. One particular area of focus has been the way in which homeless 16 and 17 year olds are managed. The new protocol embeds partnership working and joint assessments and there is a clear commitment for bed and breakfast accommodation not to be used for young people. Additional work is being carried out with providers to ensure that a sufficient level of supported emergency accommodation is available for homeless young people.

Care Leavers

The number of Care Leavers decreased from 1,524 in December 2017, to 1,513 in March 2018. The performance measure for Care Leavers who the Authority is in touch with who are in suitable accommodation has remained at 93% which is above the 90% target. The numbers of Care Leavers in Employment, Education and Training has also remained stable at 66%, which is above the target of 65%.

Unaccompanied Asylum Seeking Children (UASC)

The number of UASC in care at the end of March 2018 was 233, which is a reduction of 89 from December 2017. As at the 27th March 2018, 309 young people had been transferred to the responsibility of Other Local Authorities under the National Transfer Scheme for UASC which was launched in July 2016.

Our Children in Care (including Unaccompanied Asylum Seeking Children)**Age Profile**

Age Group	Jun 17	Sep 17	Dec 17	Mar 18
0 to 4	182	186	194	182
5 to 9	252	251	240	239
10 to 15	717	718	734	695
16 to 17	650	599	577	539
Total	1,801	1,754	1,745	1,655

Gender

	Jun 17	Sep 17	Dec 17	Mar 18
Male	1,163	1,112	1,114	1,019
Female	638	642	631	636

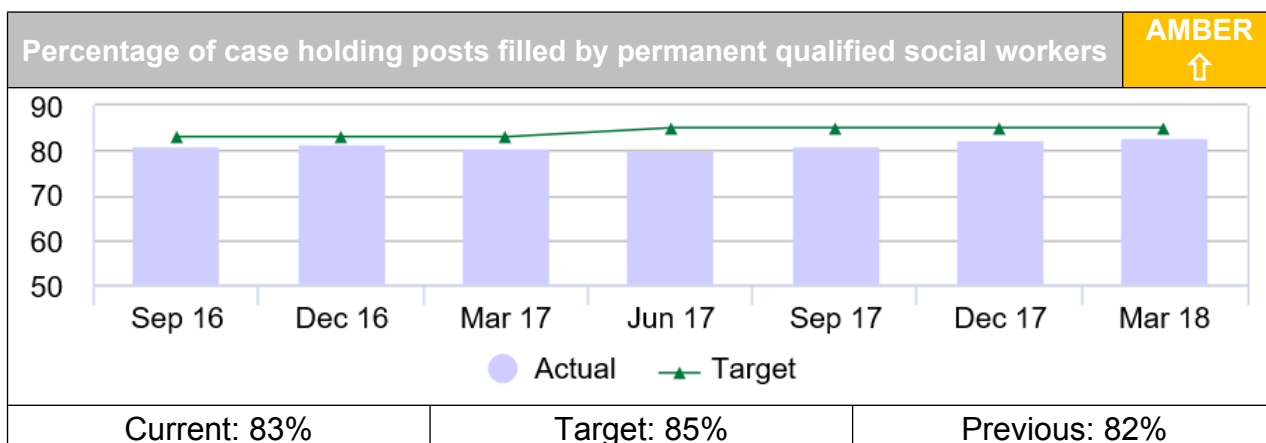
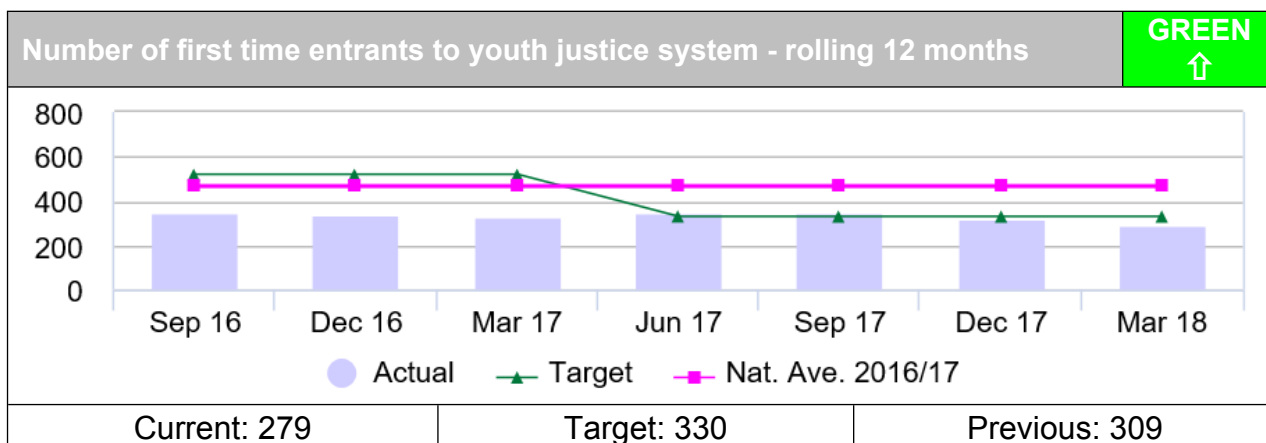
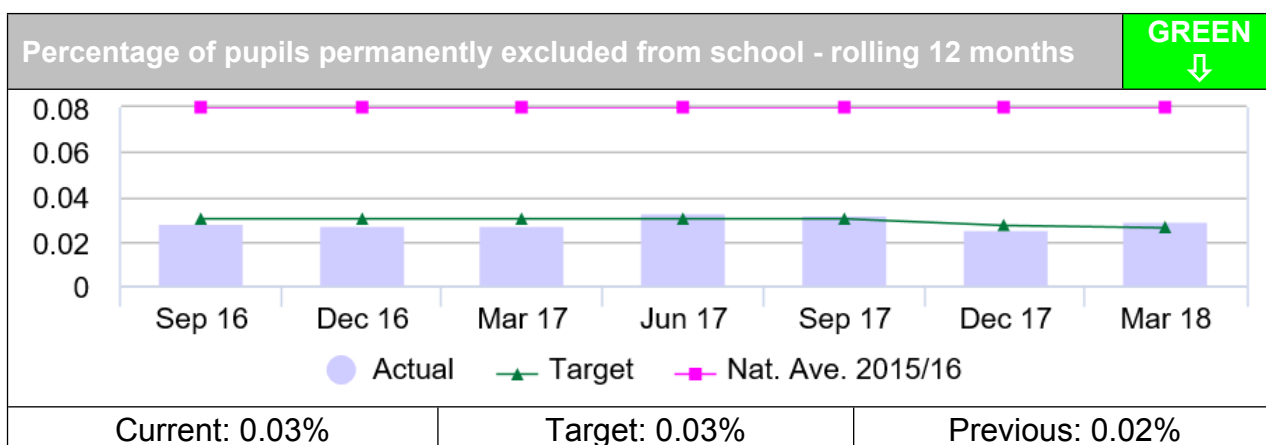
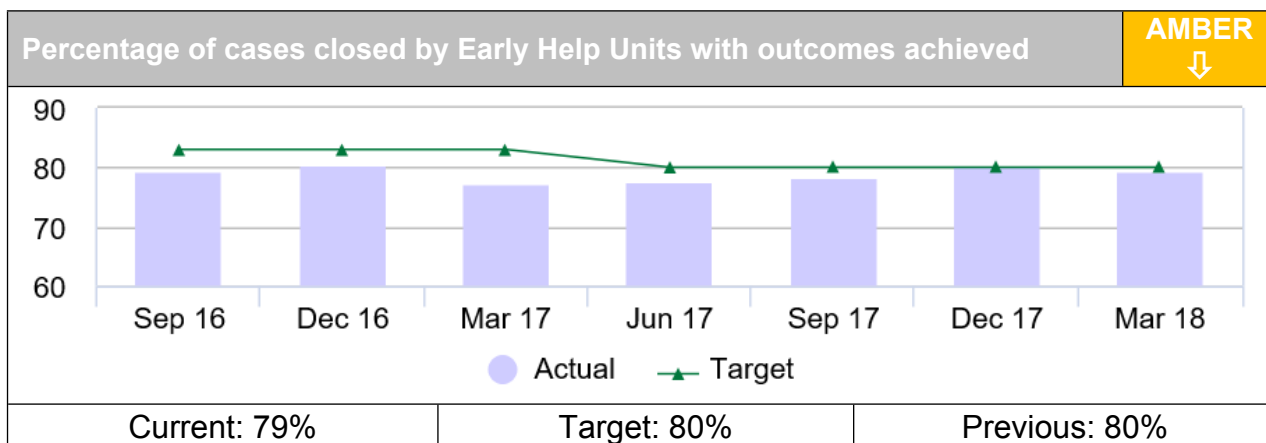
Ethnicity

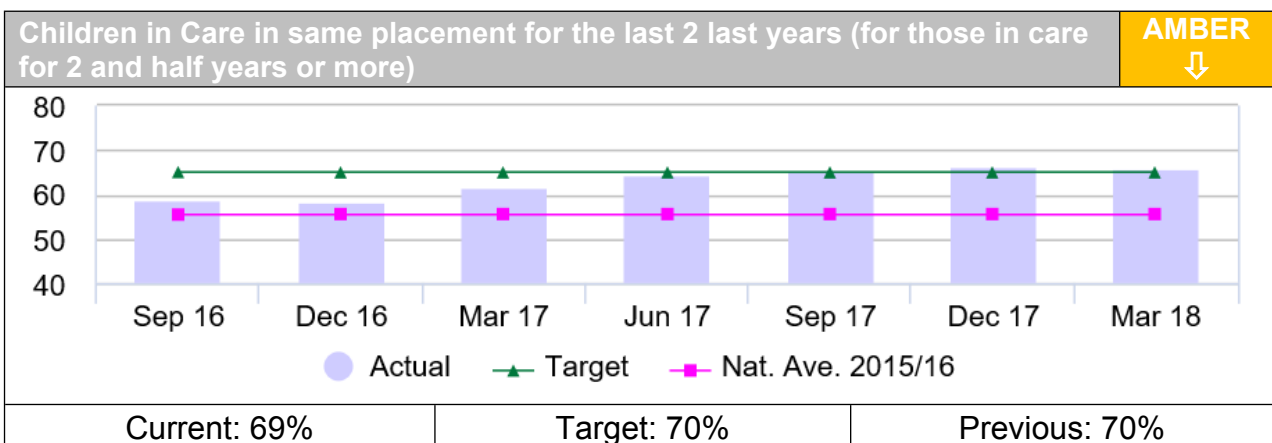
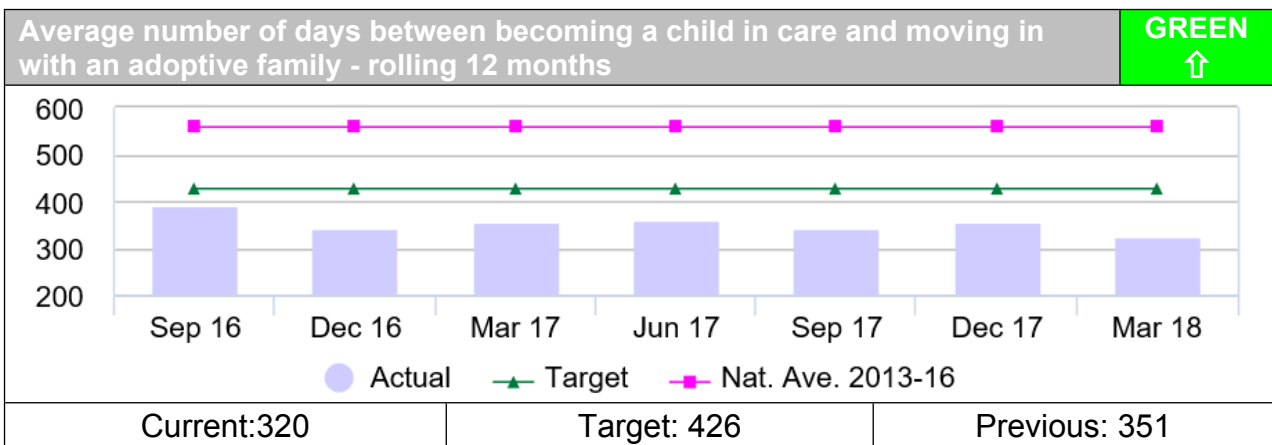
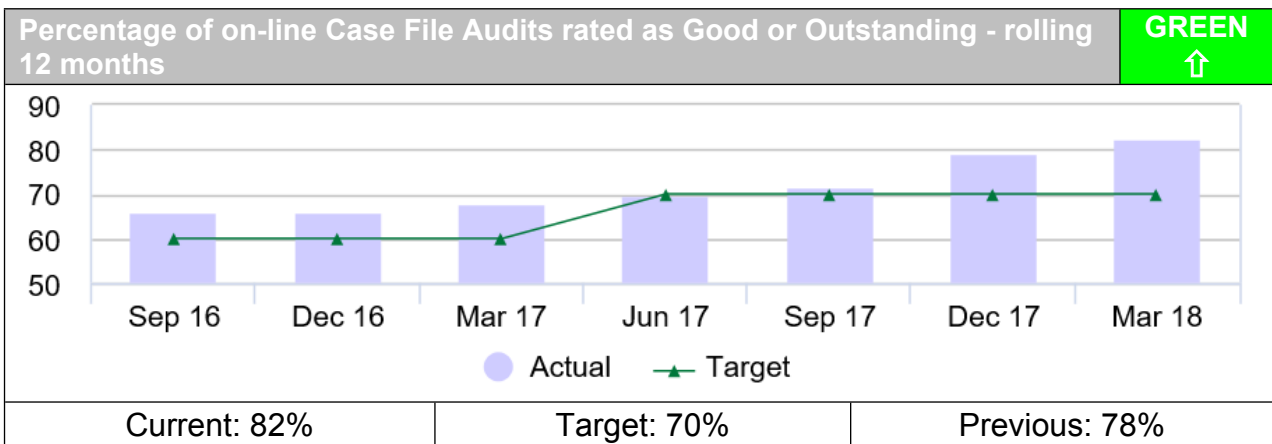
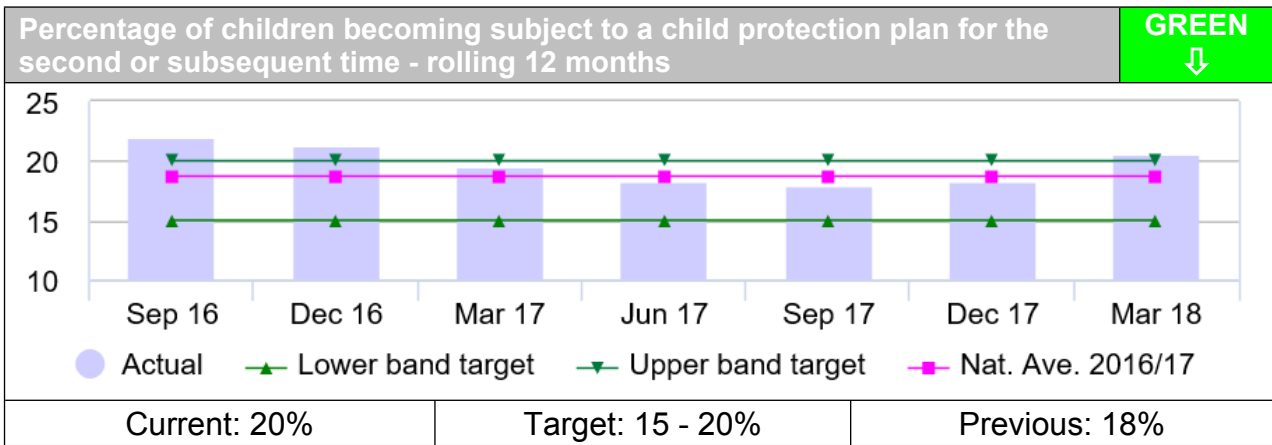
	Jun 17	Sep 17	Dec 17	Mar 18
White	1,288	1,293	1,306	1,306
Mixed	90	92	87	85
Asian	47	38	48	41
Black	158	123	107	93
Other	218	208	197	130

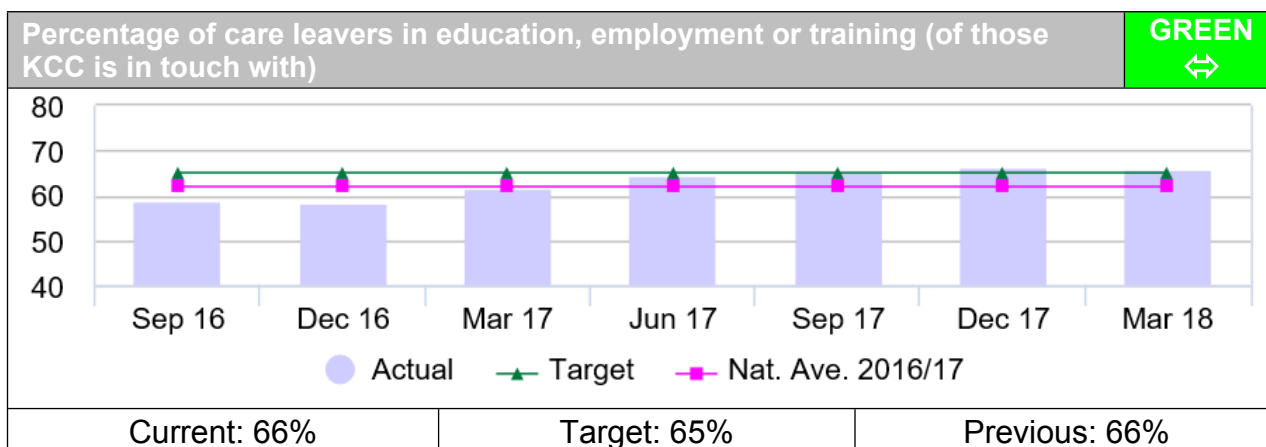
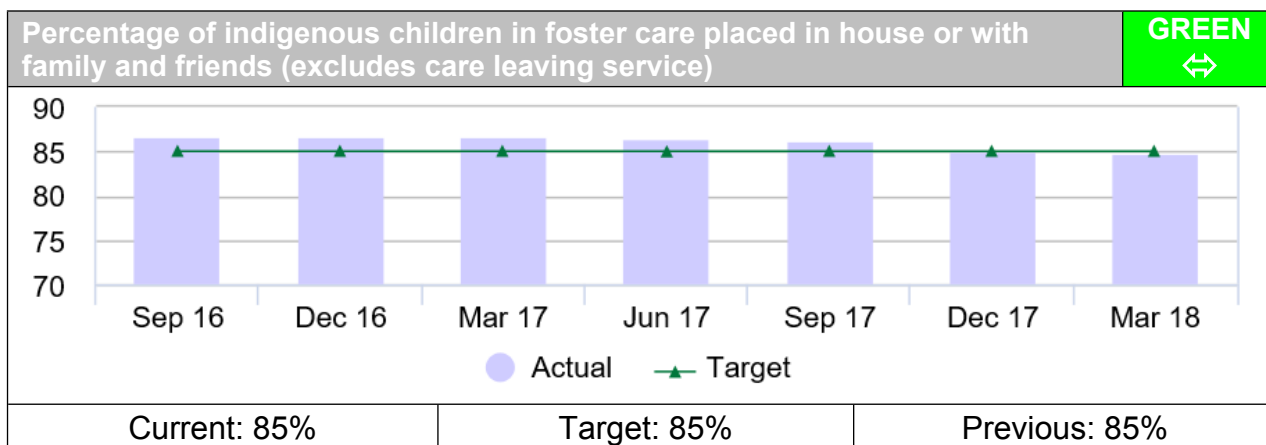
Kent and Unaccompanied Asylum Seekers (UASC)

Status	Jun 17	Sep 17	Dec 17	Mar 18
Kent Indigenous	1,398	1,403	1,423	1,422
UASC	403	351	322	233

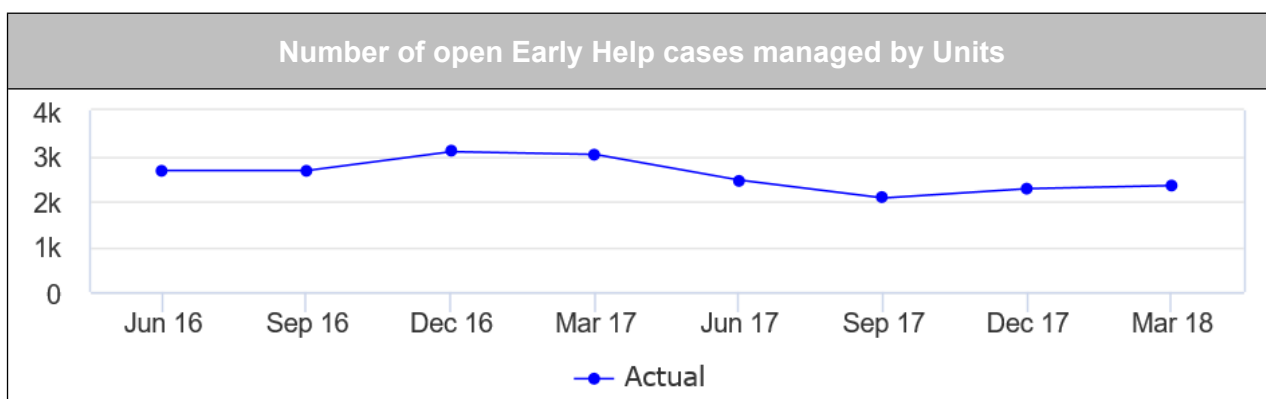
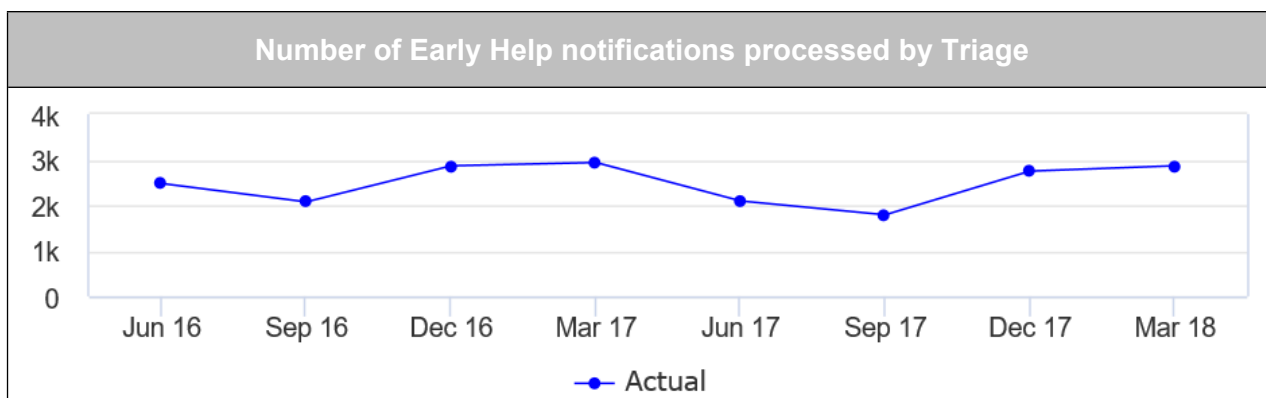
Key Performance Indicators



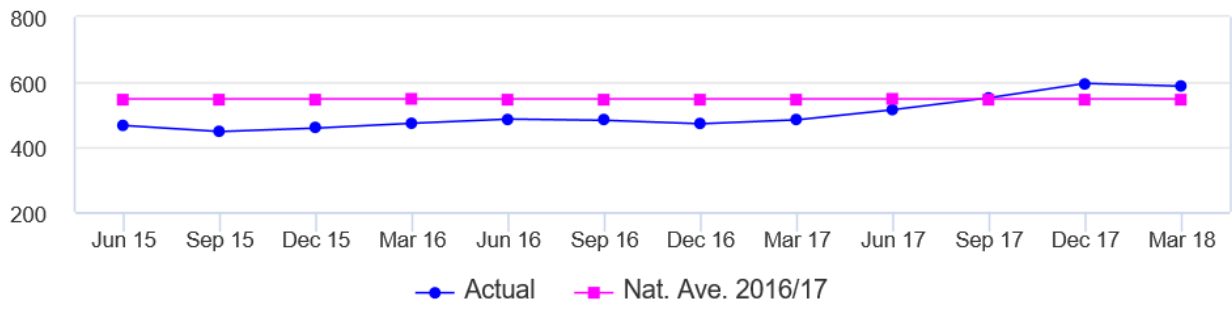




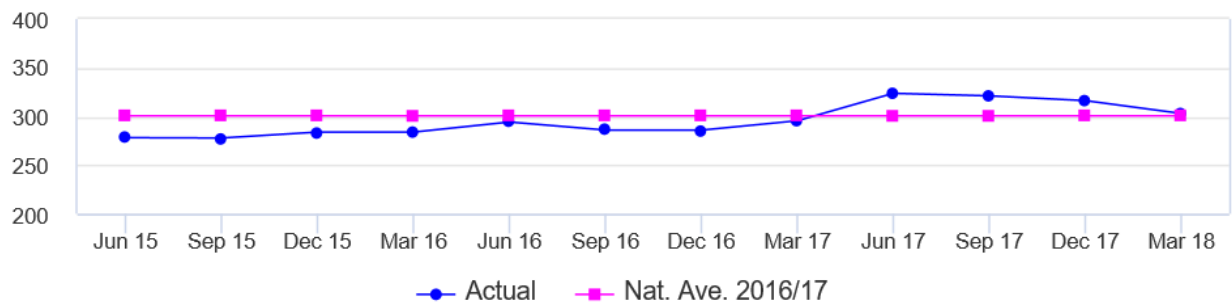
Activity indicators



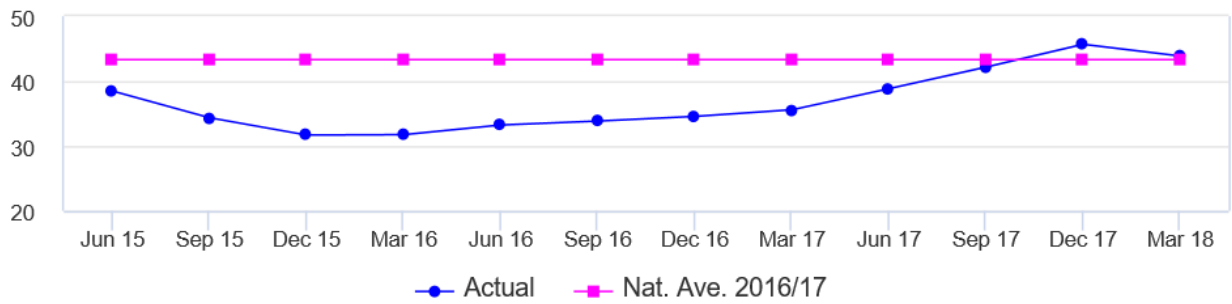
Rate of Referrals per 10,000 population aged under 18 – rolling 12 months



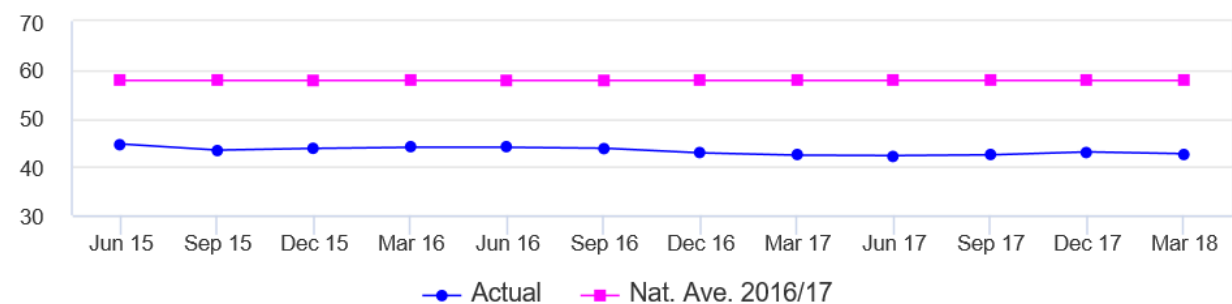
Caseload –rate of Children in Need per 10,000 child population – snapshot at quarter end



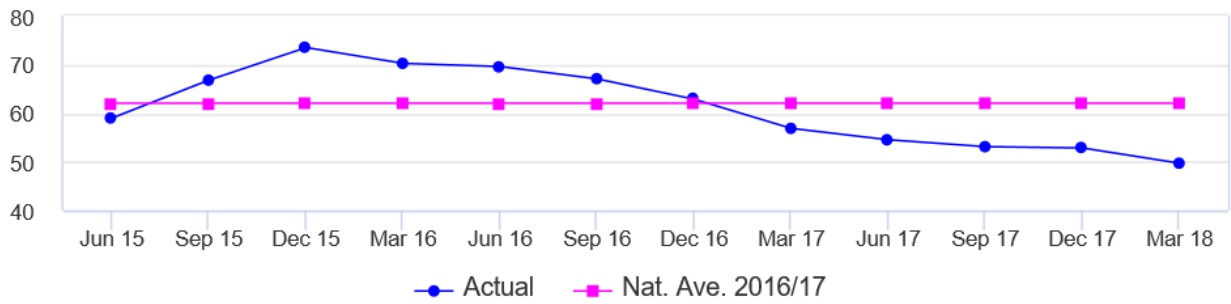
Rate of children with Child Protection Plans per 10,000 child population – snapshot at quarter end



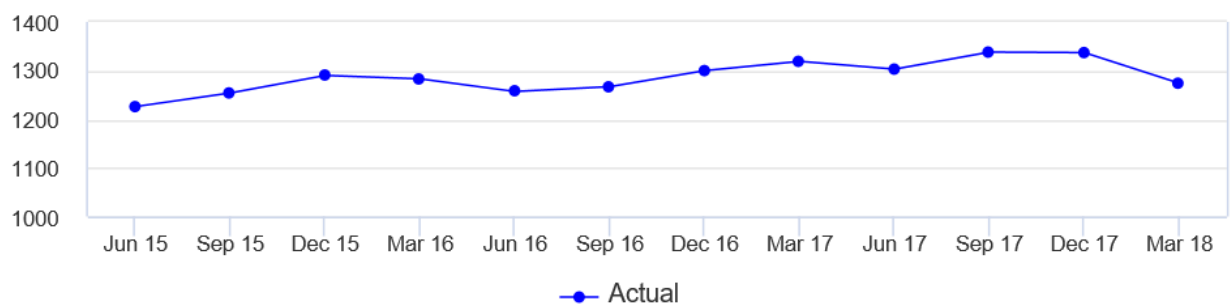
Rate of indigenous Children in Care per 10,000 child population – snapshot at quarter end



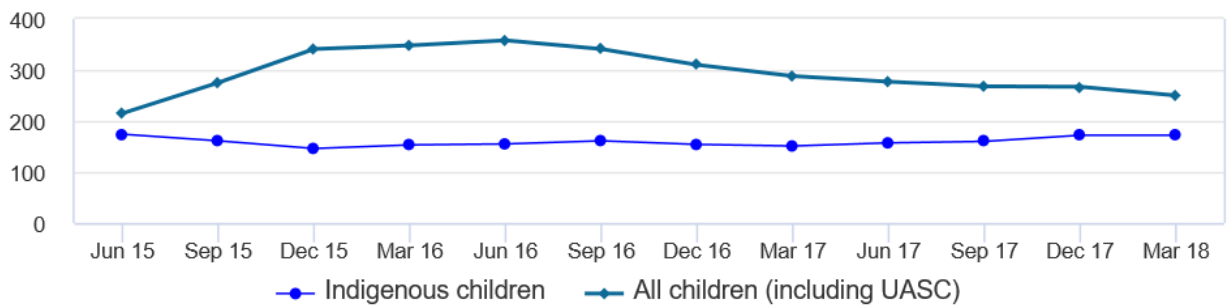
Rate of Children in Care (including UASC) per 10,000 child population – snapshot at quarter end



Number of other local authority children in care placed into Kent – snapshot at quarter end



Number of children in care placed with independent fostering agency – as at quarter end



Adult Social Care	
Cabinet Member	Graham Gibbens
Corporate Director	Penny Southern

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	4	1	1	4		2

Your life, your well-being

Our vision is to help people to improve or maintain their wellbeing and to live as independently as possible. 'Your life, your wellbeing' details Kent County Council's vision for the future of adult social care over the next 5 years. As the demand for adult social care is increasing and finances are under pressure, expectations of adult social care are changing. Adult social care in Kent needs to continue to respond to these challenges, and the new strategy sets out how we will do this. The Strategy provides the basis for health and social care integration, which is in progress, and aims to deliver more person-centred care and support for people.

All future support and services will be adhering to the following principles:

- Promoting Wellbeing - Services which aim to prevent, delay or avoid people's need for social care or health support, by helping people to manage their own health and wellbeing
- Promoting Independence - Providing short-term support that aims to make the most of what people are able to do with themselves to reduce or delay their need for care, and provide the best long-term outcome for people. They will have greater choice and control to lead healthier lives
- Supporting Independence – This is delivered through services for people who need ongoing support and aims to maintain wellbeing and self-sufficiency. The aim is to meet people's needs, keep them safe and help them to live in their own homes, stay connected to their communities and avoid unnecessary stays in hospitals or care homes. For those needing long term care in a care home ensuring it is good quality, promotes independence and is safe.

All support and provision will be either preventative, enabling, maximising independence and choice, or providing targeted personalised support where it is required. We will continue to work with partners to deliver support where it is required at the right time and the right place to meet the needs of the people who require support.

As we continue to modernise our services and the approach to the delivery of those services, we will be implementing a new operating model. The new operating model will be aligned to the emerging Local Care model aligned with GPs and primary care provision within the community, and we are currently working to realign current staffing resources to support the implementation of this new operating model. Sustainability may require further iterations to ensure we have the right staff and skills in the right place.

A new operating model is to be implemented which defines specific pathways for clients where the primary intention will be to work in a focused manner. This will not deny individuals the opportunity to matrix work to ensure there is a seamless service for our clients.

Although practitioners will sit in a specific function such as Promoting Wellbeing, Promoting Independence, Supporting Independence, Safeguarding or Quality Improvement and Social work, all functions will be expected to continue to work together as part of one team in a locality in order to manage the demand. There will be an expectation that all work is managed via a local resource allocations process led by the senior manager in that locality, which in turn will necessitate a flexible approach to the way that practice is executed.

Performance Indicators

Of the 6 indicators measured for Adult Social Care, four improved in the quarter and the two that declined were ahead of target.

The percentage of contacts resolved at first point of contact increased in the quarter and was ahead of target at 76%.

The number of referrals to enablement increased in the quarter. With an average of 227 starts per week during the quarter, activity was 4.8% ahead of the target. Referrals which have been made to the externally commissioned provider Hilton are included within the referrals to enablement indicator.

The overall picture of people being supported through the full range of enabling services is quite positive with a number of schemes commissioned by KCC, and the NHS such as Home First, Hilton's Discharge to Assess, and Virgin Care. These schemes are delivering intermediate care and enabling services, and have added additional capacity on top of the KCC in-house Kent Enablement at Home (KEaH) service.

Problems remain with the availability of home care in some parts of the county, particularly in North Kent, which is impacting on the capacity of KEaH to accept new referrals. Our in-house service has been used to support hospital discharges, double handed care and provider handbacks where the market is unable to provide a service for some clients. As a result, through-put of clients is not optimal, which impacts on the capacity within KEaH to accept new referrals.

The percentage of clients still independent after enablement was at target. The introduction of Occupational Therapists within KEaH has resulted in more people receiving either a smaller package of care or no care following their completion of enablement.

The number of clients receiving a Telecare service continues to increase and was 7,065 at the end of the quarter, but the target was not achieved. The reasons for this relate to a refocussing of delivery to support more people with complex needs with more complex pieces of equipment. This takes longer to arrange and reduces the increase in take up, but supports the longer term aims for people and the service. The target for this different approach will be re-set for 2018/19.

The number of admissions of older people aged 65 and over into residential and nursing home decreased slightly this quarter but remains higher than target. Within this residential care starts are slightly lower than expected with nursing care starts being higher than expected.

The proportion of delayed discharges from hospital where KCC was responsible in the last quarter was within the 30% target at 26.8%. In the quarter to March there were 13,809 bed day delays equivalent to 12.7 per 100,000 of the population.

Safeguarding

In October 2015 the “Making Safeguarding Personal” approach was changed. This included changing Safeguarding Alerts to Safeguarding Enquiries. As a result of the changes we have seen a significant increase in the number of safeguarding concerns received with more activity now being captured. We expect to see the number of concerns raised level off as the new approach becomes embedded in practice.

Safeguarding improvement plans have been put in place to manage the increased cases activity and new cases are being dealt with more efficiently. Tighter controls of historic safeguarding cases open over 6 months have been put in place.

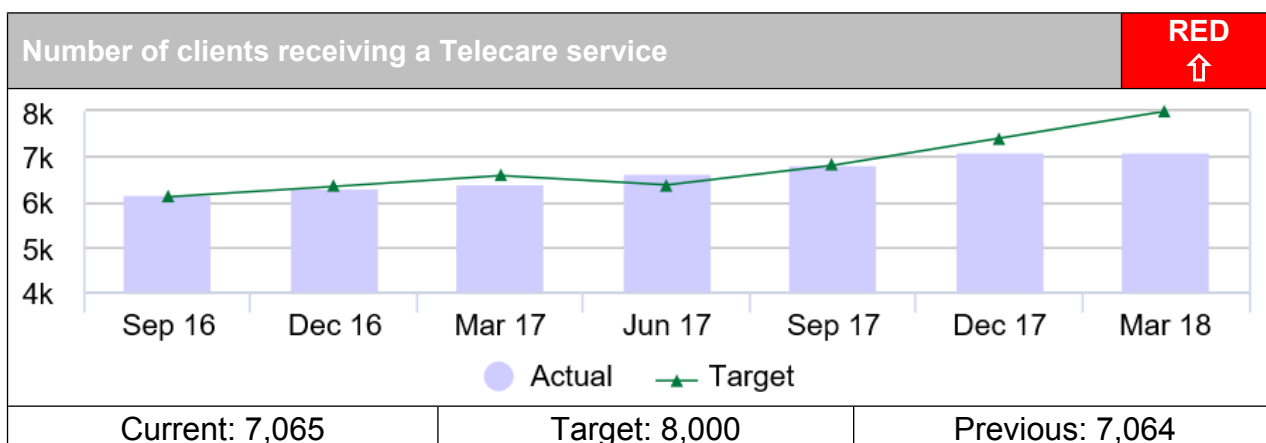
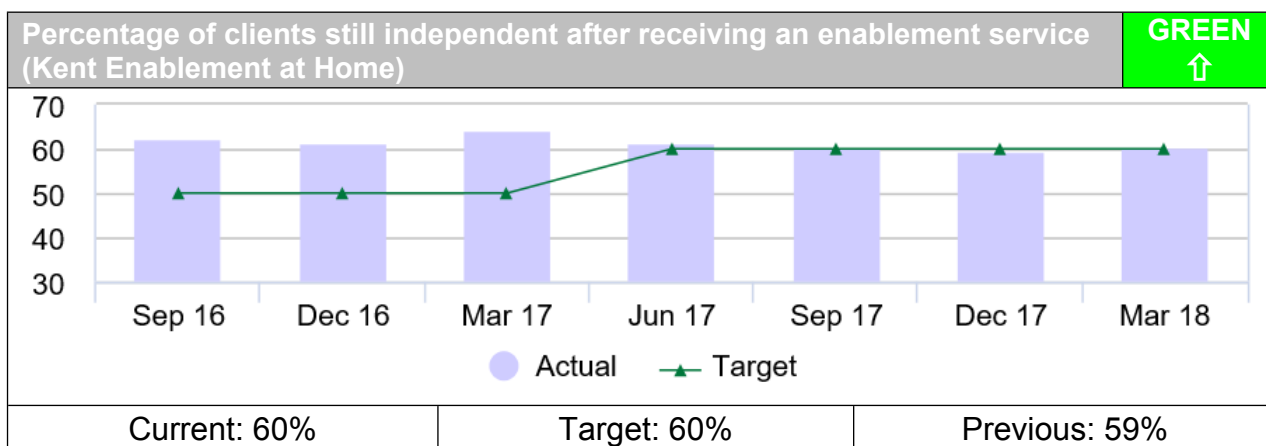
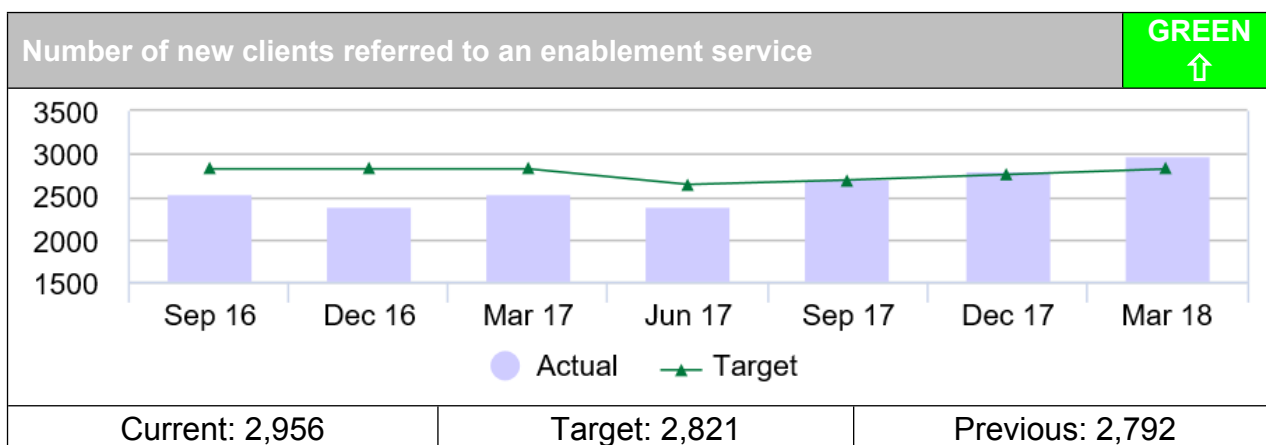
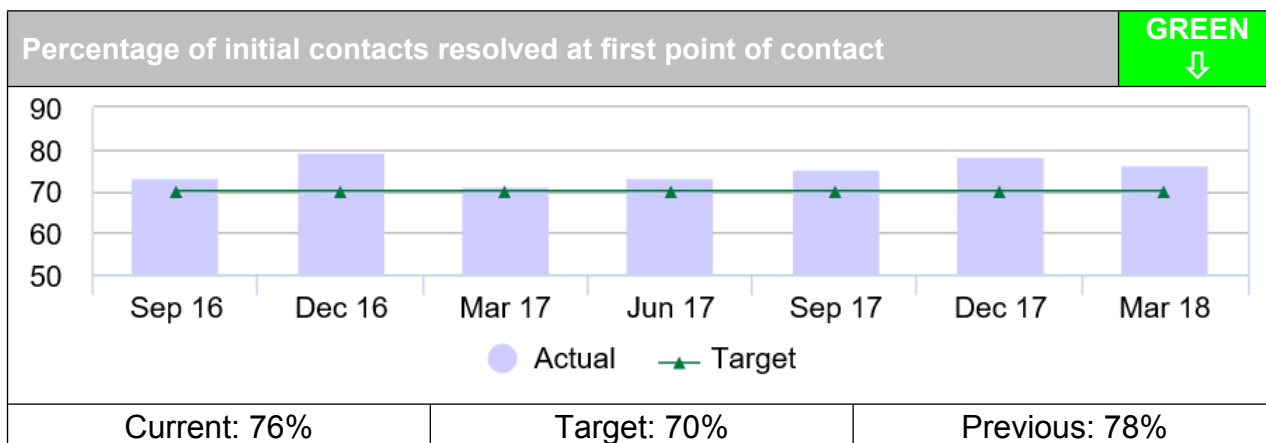
Service User Feedback

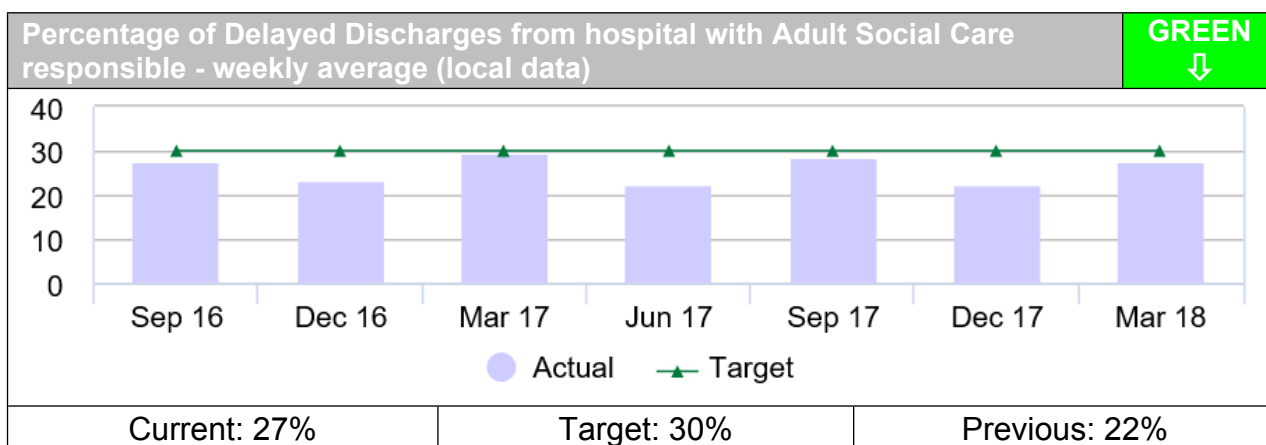
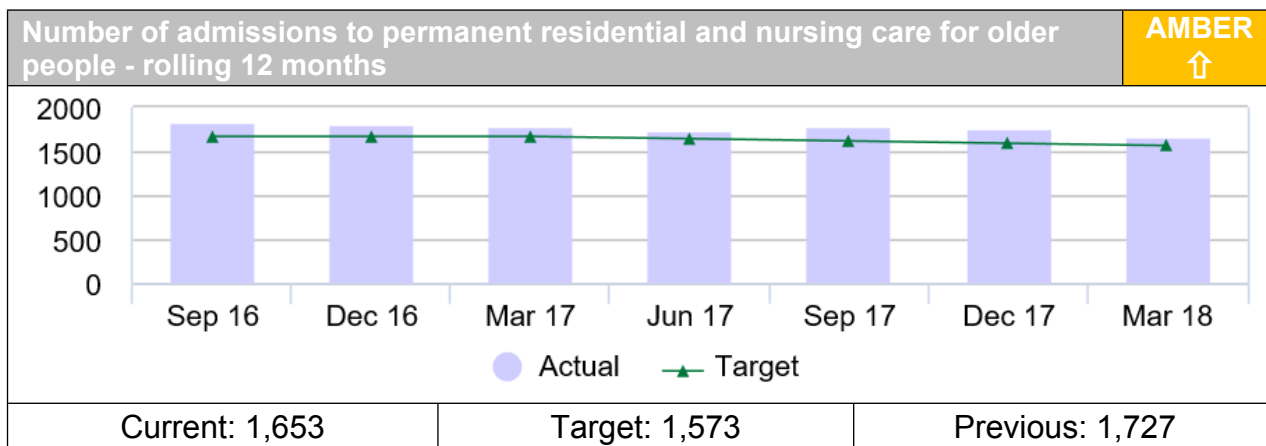
All local authorities carry out surveys of adult social care service users on an annual basis, as set out by Department of Health guidance. The survey results is used, along with other feedback gathered, to understand how we can make improvements to services. Results of some of the key survey questions areas are shown below, with national averages shown in brackets.

	2014/15	2015/16	2016/17
Service users who are extremely or very satisfied with their care and support	70% (62%)	66% (64%)	66% (65%)
Carers who are extremely or very satisfied with their care and support	41% (41%)	N/A*	35% (39%)
Service users who have adequate or better control over their daily life	84% (77%)	80% (77%)	82% (78%)
Service users who find it easy to find information about services	78% (74%)	75% (74%)	75% (74%)
The proportion of carers who find it easy to find information about support	62% (66%)	N/A*	66% (64%)
Service users who say they feel safe as they want	73% (69%)	71% (69%)	74% (70%)
Service users who say that the services they receive help them feel safe and secure	84% (85%)	85% (85%)	82% (86%)

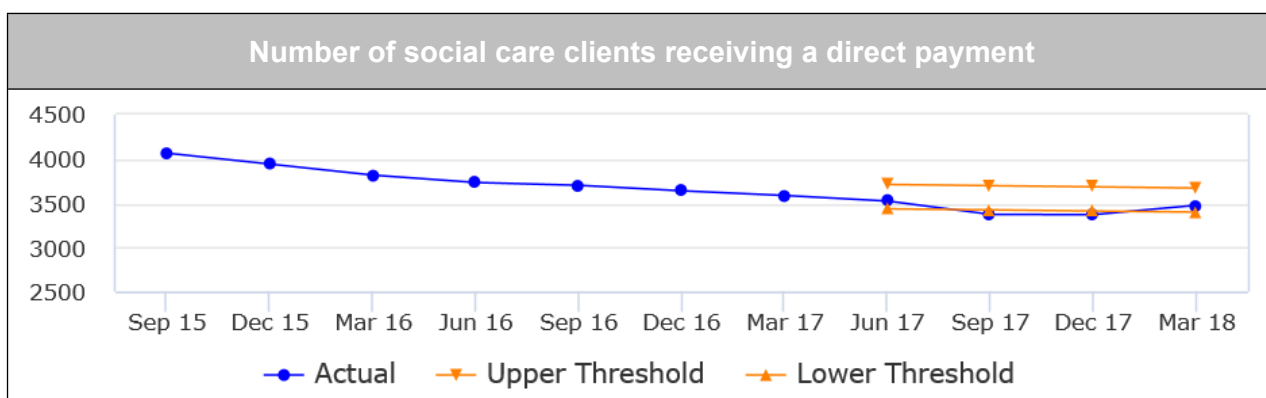
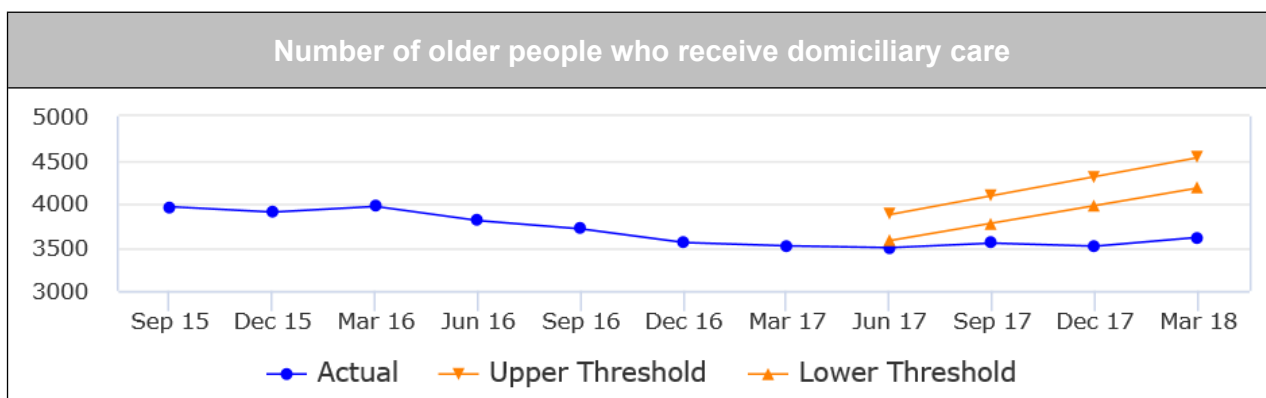
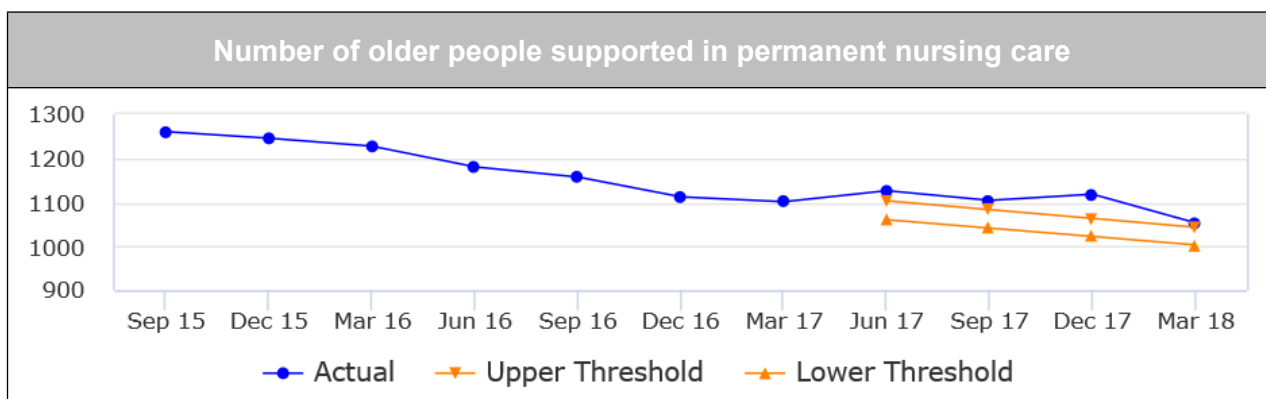
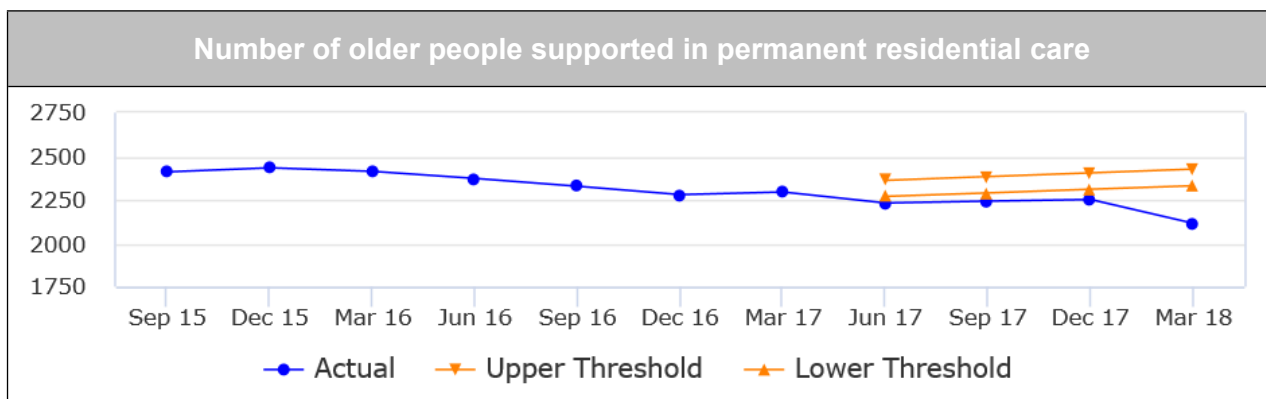
* The Carers survey is undertaken every other year

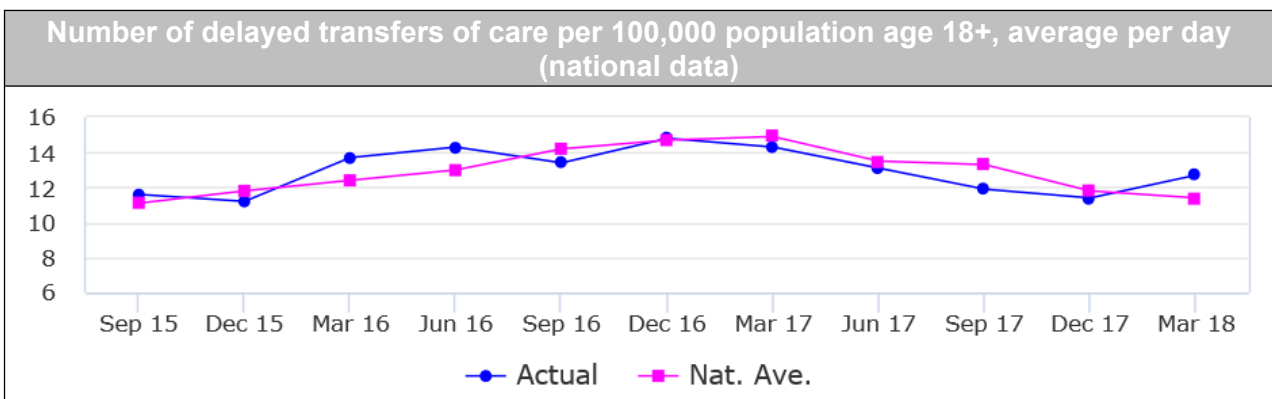
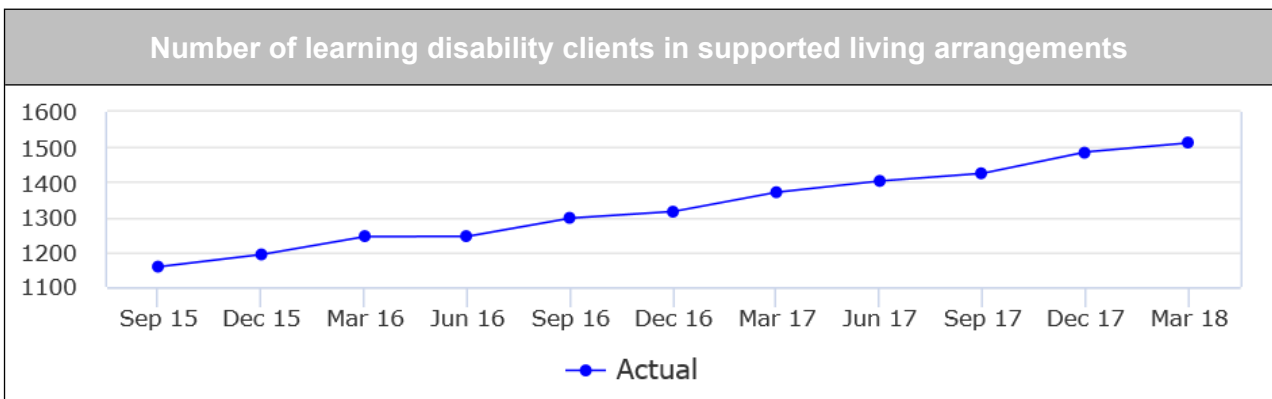
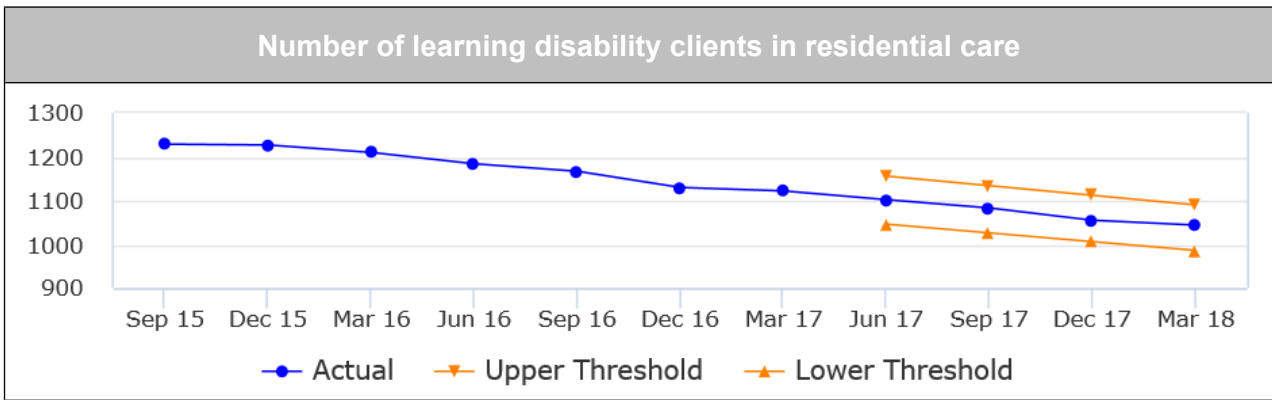
Key Performance Indicators





Activity indicators





Public Health	
Cabinet Member	Peter Oakford
Director	Andrew Scott-Clark

KPI Summary	GREEN	AMBER	RED	↑	↔	↓
	3	1	0	1	2	1

The NHS Health Check programme has now reached the end of its first five-year cycle and within Kent 487,091 invitations for a check were issued against an eligible population of 452,000. This resulted in take-up for 198,980 Health Checks, with 41,677 checks delivered in 2017/18 meeting the target for the year of 41,600. The service has supported the effective roll out of a new client management system which will support delivery for 2018/19 onwards and is compliant with General Data Protection Regulations.

The Health Visiting service has continued to improve performance against the mandated reviews and delivered more than 71,000 mandated reviews in the twelve months to March 2018. This increase reflects ongoing work to improve and integrate services for local residents. From the 1st April 2018, the Health Visiting Service was incorporated into a new overarching Partnership Agreement between KCC and Kent Community Health Foundation Trust (KCHFT). This agreement will support delivery of shared aims and objectives within limited resources and the delivery of the Sustainability and Transformation Plan (STP).

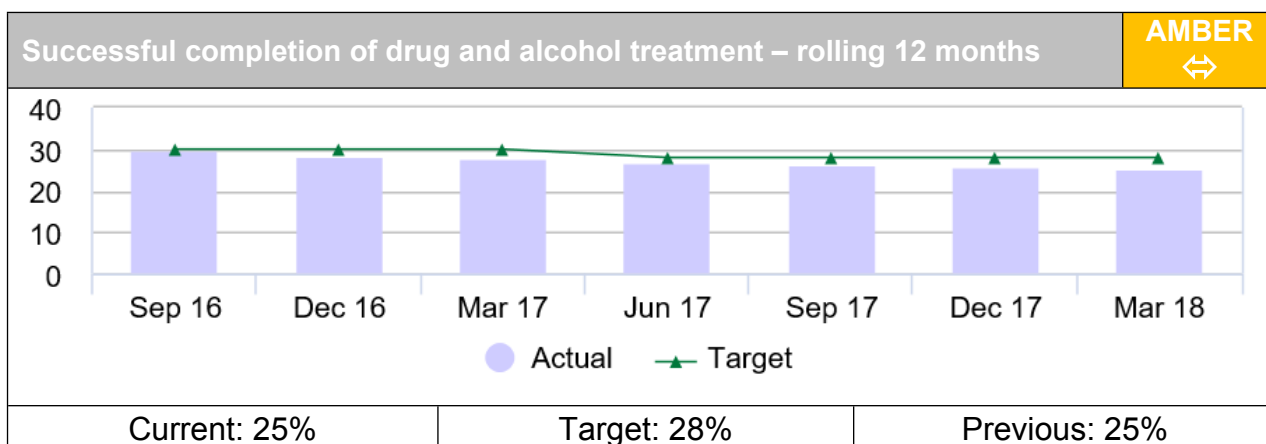
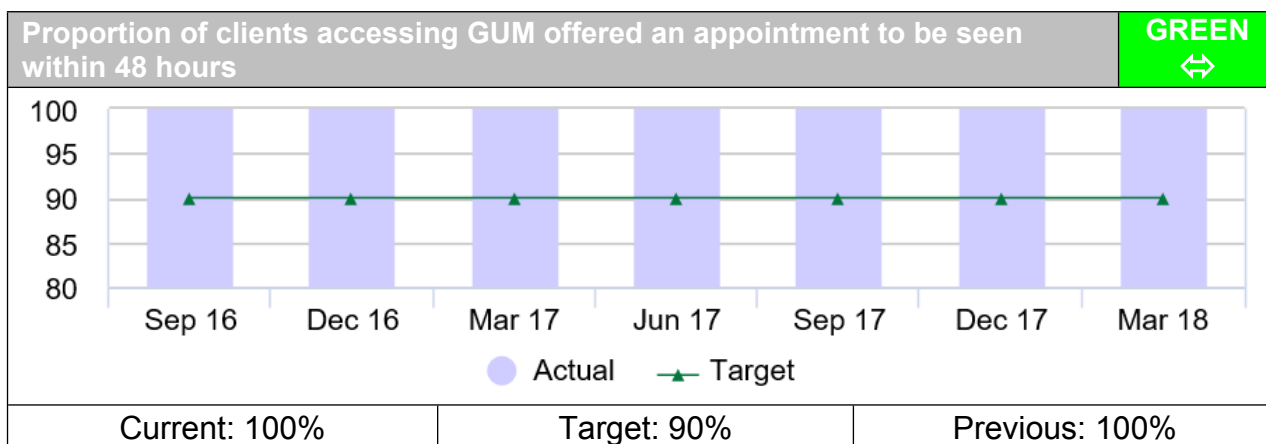
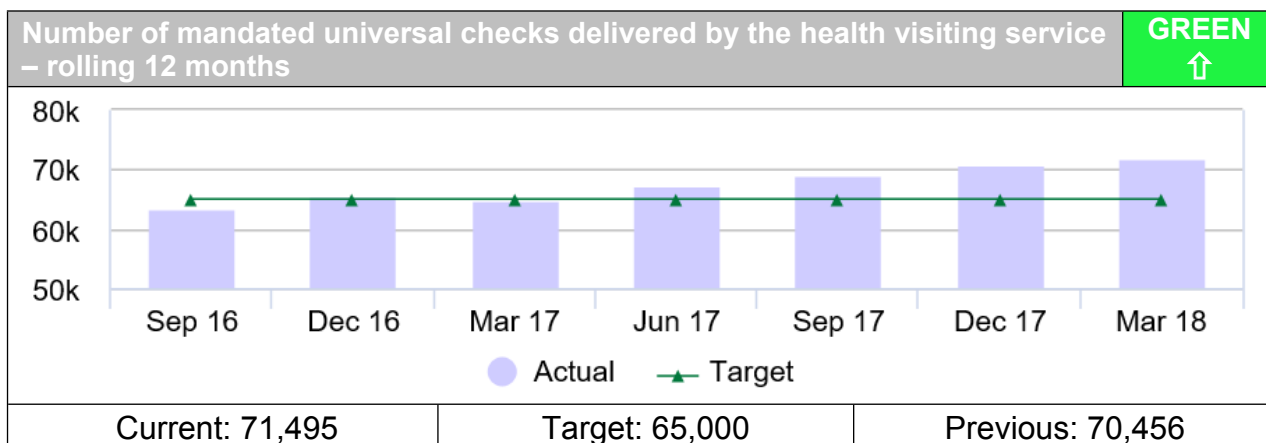
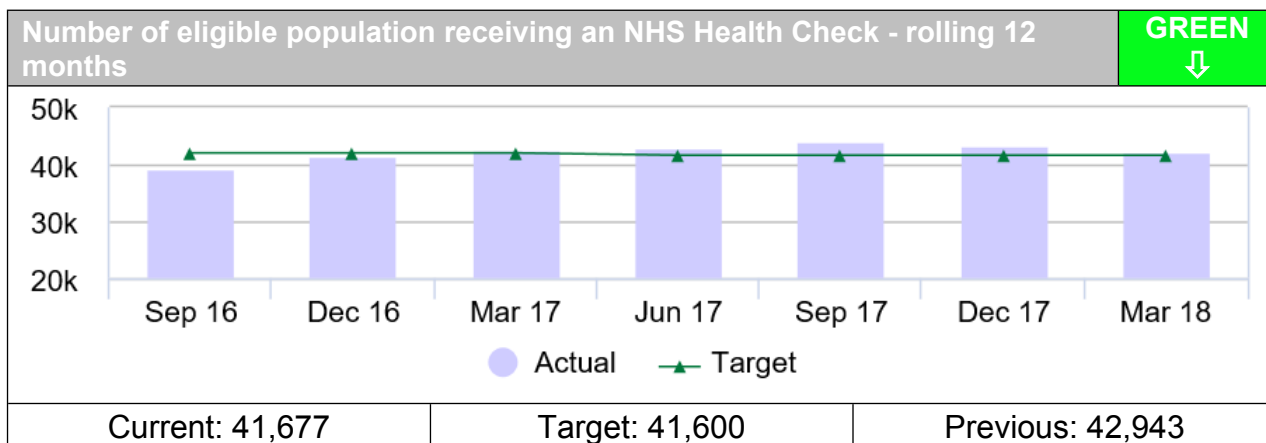
Sexual Health Services in Kent continue to offer rapid access to those needing an urgent genito-urinary medicine (GUM) appointment. Clinic attendances remain relatively stable whilst numbers accessing online services are increasing. We are currently reviewing how people are choosing to access services and this will help inform how we shape services in the future, from 2019 onwards.

The proportion of people accessing drug and alcohol services who successfully complete treatment remained stable at 25%. This is slightly below the 28% target. Drug and alcohol service providers are working with commissioners and other agencies to adapt and improve the services offered, particularly for those service users with the most complex needs.

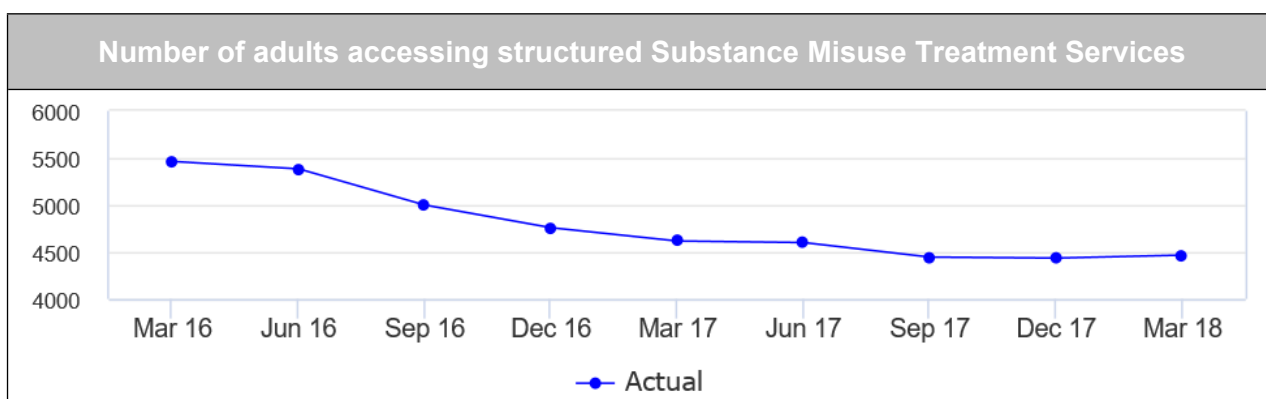
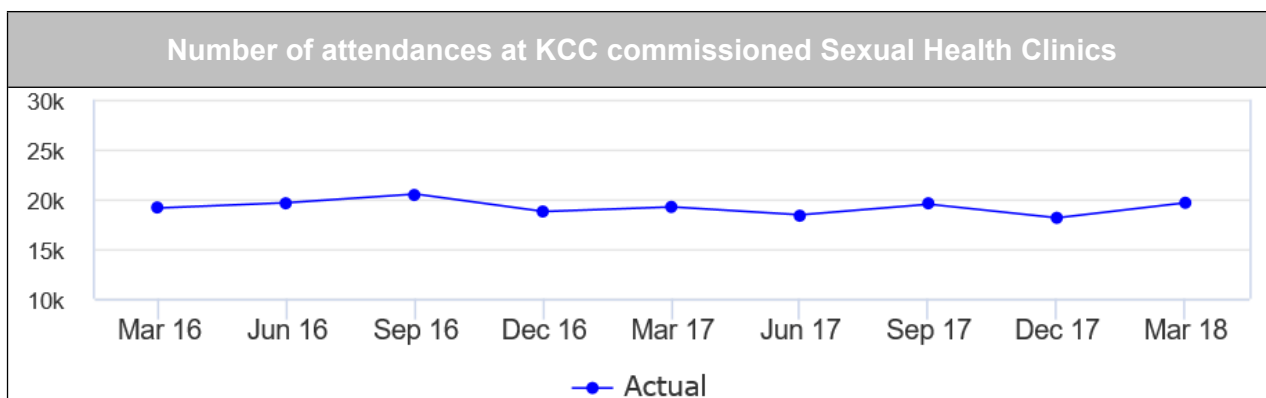
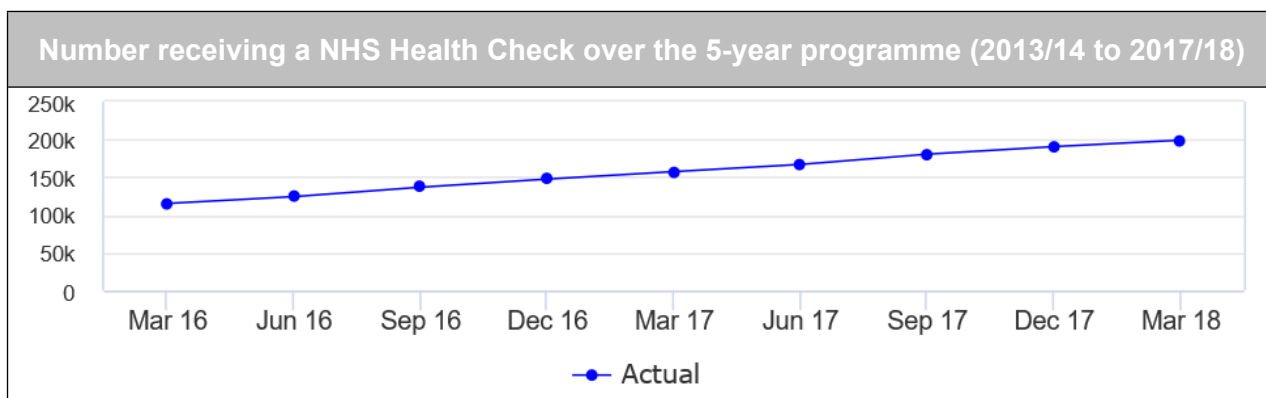
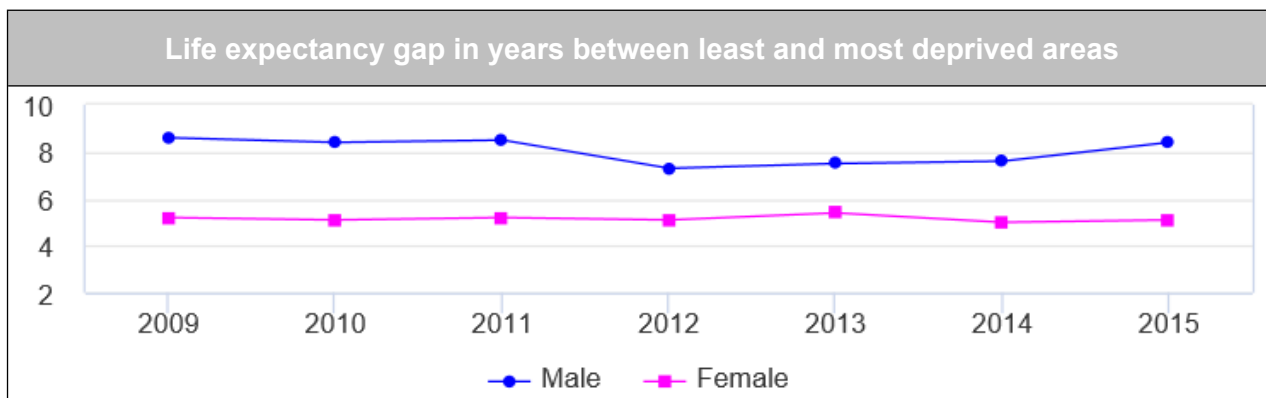
In 2017/18, the *One You* Campaign in Kent had over 155,500 visitors to the website www.oneyoukent.org.uk. There were over 32,000 completions of the 'How Are You' health quiz and 47,000 visits to Know your Score with 25,700 quiz completions. In the Release the Pressure campaign, there were over 50,000 visits to the web pages.

In January 2018 Public Health England launched a campaign entitled 'Protect against STIs'. This campaign generated 84,000 visits to Kent specific pages up to the end of March, a more than three-fold increase compared to the usual number of visits to these pages.

Key Performance Indicators



Activity indicators



Corporate Risk Register – Overview

The table below shows the number of Corporate Risks in each risk level (based on the risk score). The Target risk level is the expected risk level following further management action. Since the last quarter, one new risk has been added to the register and one risk score has been amended.

	Low Risk	Medium Risk	High Risk
Current risk level	0	8	9
Target risk level	3	14	0

NEW RISK

CRR0042 - Post Brexit border systems and infrastructure arrangements:

As UK - EU negotiations progress, there is still uncertainty as to the shape of any future customs arrangement. If one is not agreed, and / or a 'transition period' is not enacted, there are risks such as delays in the physical transport of people / goods across the border; consequential impact on the strategic road network affecting local residents and businesses; insufficient Government funding to address issues arising; or insufficient time to implement the necessary changes.

CHANGES TO RISK RATINGS

CRR0013 – Delivery of in-year savings within agreed budgets:

The risk rating has been amended to take into account the Corporate Director of Finance view on the 2018/19 position. The rating now rests at 9 (amber).

More details of this risk and associated mitigating actions are detailed within Kent County Council's Corporate Risk Register.

MITIGATING ACTIONS

Updates have been provided for 16 actions to mitigate elements of Corporate Risks that were due for completion or review up to the end of March 2018, together with updates for 11 actions due for completion or review by June 2018 and 3 updates due for completion or review by October 2018. These are summarised below.

Due Date for Completion	Actions Completed/ Closed	Actions Outstanding or Partially complete	Regular Review
March 2018	6	6	4
June 2018 and beyond	4	4	6

Mitigating actions during this period are summarised below:

Safeguarding – protecting vulnerable adults

The testing of the new safeguarding operating model commenced in February 2018 and will end on 8 August 2018. The evaluation of the new model is planned to complete by 15 August 2018. This will pave the way for the countywide roll out.

Safeguarding – protecting vulnerable children

The actions set out in the Ofsted Practice Development Plan have now been implemented. Preparation for the new multi-agency safeguarding arrangements, in response to the Children & Social Work Act requirements, have begun and will be complete by September 2019.

Access to resources to aid economic growth and enabling infrastructure – The Growth & Infrastructure Framework has been updated for 2018 and was endorsed at the Environment & Transport Cabinet Committee in March 2018. It provides a picture of planned growth across Kent and Medway to 2031 and looks ahead to 2050 including analysis on potential impacts of climate change and economic growth. KCC has contributed to the new South East Local Enterprise Partnership Strategy, which is expected to be launched in the Summer 2018. The Enterprise & Productivity Strategy 2018-2050 is currently being scoped. Advisory Board and Governance is being worked through.

Civil Contingencies and Resilience – A ‘move to critical’ terror alert exercise is included in the Resilience Activity Calendar for 2018-19 which will incorporate learning from recent multi-agency exercises. The mutual aid agreement has been drafted and will go to the Kent Local Authority Emergency Planning Group before being reported to Kent Joint Chiefs. Psychometric testing for Duty Director, Recovery Director and Incident Co-ordinator roles has been undertaken by the Corporate Management Team (CMT) ahead of the allocation of most suitable roles.

Kent & Medway Sustainability and Transformation Partnership (STP) – Agreement has been given for the establishment of a joint KCC and Medway Health and Wellbeing Board, with the first meeting being held in June 2018. All 8 Clinical Commissioning Groups have committed to establishing the Strategic Commissioner function and the sharing of a single senior management team with one accountable officer. A sub-committee, consisting of the chairs of each CCG, has been established to act as overall governance and development of the Strategic Commissioner function. A Local Care Implementation Board has also been established.

Integration of Early Help and Preventative Services and Specialist Children’s Services to improve outcomes and manage demand – Implementation of the Front Door Integration Project to better manage ‘front door’ referrals is being finalised during the Summer 2018. Potential implications arising as a result of the Children and Social Work Act regulations have been assessed.

Future financial and operating environment for local government – KCC responded to the Fair Funding Formula consultation in February 2018. Engagement with Government continues.

Evolution of KCC's Strategic Commissioning approach - Phases 1 and 2 of the restructure of the Strategic Commissioning division are now complete. However, some key appointments are still to be made. All elements of the restructure are due to be completed by autumn 2018.

Cyber-attack threats – The ICT Transformation Programme includes the rollout of the Enterprise Mobility suite, the continuing progress that is being made rolling out Windows 10 across the authority and the transformation to the cloud. All of which are strengthening the ICT resilience of the authority. The Cyber incident response policy is currently being developed and expected to be completed in June 2018.

Information Governance – The appointment of Data Protection Officer has been made. Privacy Notice guidance and templates have been produced and launched to staff. Procedures and protocols for investigating and reporting data breaches have been reviewed.

Opportunities and risks associated with alternative service delivery models – A review of KCC company governance and ownership is currently being undertaken and expected to complete in June 2018. Training has been delivered to members of Shareholder Boards to support the knowledge required. Further training will be delivered as determined by the General Counsel. The Governance arrangements for Member oversight and scrutiny have been agreed and arrangements are in place to give effect to them. Arrangements for exit strategies are being built into project planning for the creation of any planned or future KCC companies.

By: Benjamin Watts, General Counsel
To: County Council – 12 July 2018
Subject: MEMBERS' ALLOWANCES SCHEME – 2018/19
Status: Unrestricted

Summary: This report recommends a Members' Allowances Scheme for 2018/19, based on the scheme approved in July 2017, for formal adoption by the County Council.

Introduction

1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, every relevant local authority is required to review its Members' Allowances Scheme at least once every four years and formally adopt a Members' Allowances Scheme each year. In doing so, local authorities are required to establish and maintain a Member Remuneration Panel, providing the local authority with advice and recommendations on its Scheme.

2. Local authorities must include in their Members' Allowances Scheme a basic allowance, payable to all Members, and may include provision for the payment of Special Responsibility Allowances (SRAs) and a dependents' carers' allowance. In addition, the 2003 Regulations allow the inclusion of a travel and subsistence allowance and a co-optees' allowance, within the Scheme.

Members' Allowances Scheme – 2018/19

3. In July 2017, Members debated at length the Members' Allowances Scheme as part of the statutory requirement to review the scheme and made a number of decisions that were reflected in the Constitution. At that time, Members formally decided that:

“from 2018/19 onwards, an annual increase be applied to the Basic Allowance, Special Responsibility Allowances and Carer's Allowance that is index-linked to the total staff pay progression pot agreed for the previous financial year and expressed as a percentage”

4. This report proposes an amended scheme for annual adoption in accordance with our statutory obligation and pursuant to the decision of Members in 2017. Attached as an Appendix to this report is the Members' Allowances Scheme recommended by the Member Remuneration Panel for adoption by the County for 2018/19.

5. Recommendation: The County Council are recommended to adopt the Members' Allowances Scheme for 2018/19 as set out in the Appendix to this report.

Ben Watts
General Counsel
Tel No: 03000 416814
e-mail: benjamin.watts@kent.gov.uk

Members' Allowances Scheme

2018/19

Adopted by the Council on 13 July 2017

BASIC ALLOWANCE - £15,138.07 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

SPECIAL RESPONSIBILITY ALLOWANCES

	%	£
Executive		
Leader	100	49,781.26
Cabinet Members (maximum 9)	65	32,356.81
Deputy Cabinet Members (maximum 11)	30	14,933.55
Cabinet Committee Chairman (maximum 6)	17.5	8,709.27
Council		
Council Chairman	33	16,406.57
Council Vice-Chairman	17.5	8,709.27
Planning Applications Committee Chairman	22	10,956.63
Regulation Committee Chairman	22	10,956.63
Other Committee Chairmen (a)	17.5	8,709.27
Scrutiny Committee Chairman	17.5	8,709.27
Select Committee Chairmen (for period of review)	17.5	8,709.27
Opposition		
Leader of each Opposition Group (of at least five members)	15	7,466.78 plus £591.10 for each additional Group Member

Notes

- (a) Other Committee Chairmen: Governance & Audit, Health Overview & Scrutiny and Superannuation Fund.
- (b) No Member to receive more than one Special Responsibility Allowance.

- (c) No other allowance to be payable.

TRAVEL EXPENSES

- (1) Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the Inland Revenue for business travel. Currently, these are 45p per mile for the first 10,000 miles and 25p a mile thereafter.
- (2) Parking fees, public transport fares and any hotel expenses will be reimbursed at cost, but only on production of a valid ticket or receipt - the cheapest available fare for the time of travel should normally be purchased.
- (3) Taxi fares will only be reimbursed on production of a valid receipt and if use of public transport or the Member's own car is impracticable.
- (4) Travel expenses will be reimbursed for any journey on council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).
- (5) VAT receipts for fuel must always be provided to accompany Members' expense claims and any instructions issued by the General Counsel in relation to the submission of expense claims complied with.
- (6) Air travel and rail travel other than to/from London or within Kent should be booked through officers to enable use of discounting arrangements.
- (7) Journeys undertaken in accordance with the following descriptions are allowed to be claimed for:
 - (a) attendance at KCC premises to undertake KCC business, including attendance at Council, Cabinet and Committees, etc (including group meetings) and to undertake general Member responsibilities;
 - (b) representing KCC at external meetings, including Parish and Town Councils and those of voluntary organisations where the member is there on behalf of KCC;
 - (c) attendance at events organised by KCC and/or where invitations have been issued by County Officers or Members (including Chairman's events and other corporate events); and
 - (d) attendance at meetings/events where the Member is an official KCC representative (as determined by the Selection and Member Services Committee) or requested by the Leader or the relevant Cabinet Member.

SUBSISTENCE EXPENSES

- (8) These are not normally reimbursed. Hotel accommodation should be booked through officers. Any other reasonably unavoidable costs related to overnight stays,

excluding normal subsistence, will be reimbursed on production of a receipt.

DEPENDENTS' CARERS' ALLOWANCE

(9) Members who incur expenses themselves in respect of care responsibilities for dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Council duties, up to a maximum of £11.82 per hour for each dependent child or adult. Money paid to a member of the Members' household will not be reimbursed. In the case of an allowance for the care of a dependent relative, the relative must reside with the councillor, be dependent on the councillor and require constant care. Subject to the Childcare Voucher Scheme's standard terms and conditions*, any Member may, if they wish, sacrifice a portion of their Basic Allowance for Childcare Vouchers which are not subject to tax and national insurance deductions.

* For reference these terms and conditions include (but are not limited to):

- The childcare provider must be OFSTED registered.
- The children must be aged between 0 and 16.
- A sacrifice agreement would need to be signed.
- The amount that can be sacrificed varies depending on whether the applicant is a basic, higher or additional rate tax payer.

PENSIONS

(10) Members are not eligible for admission to the superannuation scheme.

CO-OPTED MEMBERS

(11) An allowance is payable to the Independent Person of £500 per annum plus a daily rate of £100 (pro rata for part of a day). An allowance is paid to the members of the Independent Remuneration Panel of £100 per day.

ELECTION TO FORGO ALLOWANCES

(12) In accordance with Regulation 13 of the Local Authorities (Members' Allowances) (England) Regulations 2003, any Member may elect to forgo all or any part of their entitlement to allowances, by notice in writing to the Head of Democratic Services.

SUBMISSION OF CLAIMS

(13) In accordance with Regulation 14 of the Local Authorities (Members' Allowances) (England) Regulations 2003, the time limit for the submission of claims relating to travel, subsistence, co-optees and dependent carers allowances is four months from the date the expense was incurred.

NO OTHER ALLOWANCES ARE PAYABLE

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By: Mr Roger Gough, Cabinet Member for Children, Young People and Education

To: County Council – 12 July 2018

Subject: **SELECT COMMITTEE: PUPIL PREMIUM**

Summary: To comment on and endorse the report of the Select Committee on the Pupil Premium.

Recommendations: The County Council is asked to:

- (a) Thank the Select Committee for producing a useful report on a complex and challenging issue; and
 - (b) Recognise the valuable contribution of the witnesses and others who provided evidence to the Select Committee, and
 - (c) Comment on and endorse the report and recommendations of the Select Committee.
-

Introduction

1. The Deputy Cabinet Member for Children, Young People and Education, Mrs Shellina Prendergast, proposed in July 2017 a select committee to explore ways to improve the effectiveness of the Pupil Premium in raising the educational achievement of disadvantaged learners and in narrowing the attainment gap in Kent. The review was agreed by the Scrutiny Committee at its meeting on 6 September 2017. The first formal meeting of the Select Committee was held on 12 October 2017.

Select Committee Process

Membership

2. The Chairman of the Select Committee was Mrs Lesley Game. Other members of the Committee were Mrs Clair Bell, Mr Andy Booth, Mrs Penny Cole, Mrs Trudy Dean, Ms Sarah Hamilton, Mr James McInroy, Dr Lauren Sullivan and Mr Mike Whiting. Mr Whiting stood down from the Committee in December 2017 due to his new appointment as Cabinet Member for Planning, Highways, Transport and Waste.

Terms of Reference

3. The terms of reference for the review were:
- To contextualise the Pupil Premium and to identify the groups of vulnerable learners who are currently supported by the Pupil Premium in Kent.
 - To assess the extent to which the Pupil Premium is currently effective in closing the attainment gap between disadvantaged pupils and their peers in Kent.
 - To identify best practice interventions and strategies where the Pupil Premium has been used successfully to narrow the attainment gap between vulnerable learners and their peers.
 - To recommend initiatives and strategies to improve the effectiveness of the Pupil Premium in raising the educational achievement of disadvantaged learners and in narrowing the attainment gap in Kent.

Evidence

4. The Pupil Premium Select Committee held 25 hearing sessions with a wide range of witnesses, including representatives of nurseries and of Kent primary and secondary schools, the Education Endowment Foundation, other local authorities, as well as a number of senior KCC officers.

5. The Committee also made one visit to local children in care, four visits to local primary and secondary schools, and one visit to the Sacred Heart Catholic School in London – the 2017 National Pupil Premium Award (Secondary) winner. Finally, the Committee received written evidence from a variety of sources, including the Kent Association of Headteachers.

Report

6.. The Select Committee met in February and April 2018 to make recommendations and produce its report, which was approved at a formal meeting on 5 June and considered by Cabinet on 25 June 2018.

7. A copy of the report's Executive Summary and its recommendations is attached in Appendix 1. A copy of the full report is available online at http://www.kent.gov.uk/data/assets/pdf_file/0017/82043/Pupil-Premium-report.pdf

Monitoring of recommendations

8. In accordance with the process for monitoring Select Committee recommendations, as set out in the Constitution (Appendix 4 Part 4 – 4.26),

an action plan from the Cabinet Member/Corporate Director will be submitted to the Scrutiny Committee in November 2018 for consideration. Any such action plan or formal decision(s) needed in order to implement the Select Committee recommendations must comply with all of the necessary requirements for making executive decisions. These include compliance with all legal obligations, the Public Sector Equality duty and consultation where necessary.

Conclusion

9. The Select Committee's report is being presented to the County Council for endorsement.

10. County Council is asked to express its appreciation to Mrs Lesley Game who chaired the Committee, and the other Members of the Select Committee. County Council is also asked to thank all of the witnesses who gave evidence in the course of the review.

11. In circumstances where the Council endorses the recommendations, it is for the Cabinet Member/Corporate Director to develop an action plan to lawfully progress the recommendations as far as practicably possible in line with the Constitution.

Recommendations

The County Council is asked to:

- (a) Thank the Select Committee for producing a useful report on a complex and challenging issue; and
- (b) Recognise the valuable contribution of the witnesses and others who provided evidence to the Select Committee, and
- (c) Comment on and endorse the report and recommendations of the Select Committee.

Background Information: *None*

Mr Roger Gough,
Cabinet Member for Children, Young People and Education

Appendix 1

The Pupil Premium Select Committee Report

Executive Summary

1.1. Committee Membership

1.1.1. The Committee consisted of nine elected Members of Kent County Council (KCC): seven members of the Conservative Party, one member of the Labour Party and one member of the Liberal Democrat Party.

1.1.2. The Chairman of the Select Committee was Mrs Lesley Game. Other members of the Committee were Mrs Clair Bell, Mr Andy Booth, Mrs Penny Cole, Mrs Trudy Dean, Ms Sarah Hamilton, Mr James McInroy, Dr Lauren Sullivan and Mr Mike Whiting. Mr Whiting stood down from the Committee in December 2017 due to his new appointment as Cabinet Member for Planning, Highways, Transport and Waste.

1.2. Scene Setting

1.2.1. One of the key ambitions of KCC is that Kent should be a place where families thrive and where all children and young people develop well and are equipped for achievement in life.

1.2.2. Education is the greatest opportunity young people have to achieve life-long benefits but at present the life chances of some are greater than those of others, as social and economic conditions determine more than ever a child's success in the education system and labour market.

1.2.3. Although the school system alone cannot solve the problem of low social mobility, it can make a significant contribution to improving the life chances of disadvantaged children.

1.2.4. The introduction of the Pupil Premium in 2011 provided schools with additional funding for disadvantaged pupils with the aim of improving their academic achievement and narrowing the attainment gap between them and their peers. Although the school system in Kent is performing generally well, gaps in educational achievement for pupils supported by the Pupil Premium - such as children in receipt of free school meals (FSM) and looked-after children (LAC) - remain too wide.

1.2.5. KCC, as a champion and advocate for all children, young people and families in Kent, aims to ensure that there is high quality support to improve the life prospects of vulnerable pupils in the County. The Pupil Premium Select Committee was set up to investigate the impact of the Pupil Premium, and to inform policies aimed at narrowing the attainment gap and at helping disadvantaged children and young people to achieve the educational and life outcomes they deserve.

1.3. Terms of Reference

1.3.1 To contextualise the Pupil Premium and to identify the groups of vulnerable learners who are currently supported by the Pupil Premium in Kent.

1.3.2 To assess the extent to which the Pupil Premium is currently effective in closing the attainment gap between disadvantaged pupils and their peers in Kent.

1.3.3 To identify best practice interventions and strategies where the Pupil Premium has been used successfully to narrow the attainment gap between vulnerable learners and their peers.

1.3.4 To recommend initiatives and strategies to improve the effectiveness of the Pupil Premium in raising the educational achievement of disadvantaged learners and in narrowing the attainment gap in Kent.

1.4. Scope

1.4.1. The complexity of this topic and the tight timetable for the review required a clear and focused approach. Key themes and aspects covered by the review are detailed below:

1. To contextualise the Pupil Premium and to identify the groups of vulnerable learners who are supported by the Pupil Premium in Kent.

- a. To define and contextualise the Pupil Premium, the Early Years Pupil Premium and the Pupil Premium Plus as school funding policies.
- b. To identify the groups of vulnerable learners who are currently supported by the Pupil Premium in Kent.

- 2. To assess the extent to which the Pupil Premium is currently effective in closing the attainment gap between disadvantaged pupils and their peers in Kent.**
 - a. To examine how the Pupil Premium is allocated, and whether it is currently used to support the children in Kent who need it the most.
 - b. To assess the extent to which the Pupil Premium is closing the attainment gap between vulnerable learners and their peers in each academic Key Stage in Kent.

- 3. To identify best practice interventions and strategies where the Pupil Premium has been used successfully to narrow the attainment gap between vulnerable learners and their peers.**
 - a. To identify best practice examples of Kent primary and secondary schools that have successfully used the Pupil Premium to narrow the attainment gap between disadvantaged pupils and their peers.
 - b. To explore best practice interventions and strategies in other local authorities in England where the Pupil Premium is closing the attainment gap between vulnerable learners and their peers.

- 4. To recommend initiatives and strategies to improve the effectiveness of the Pupil Premium in raising the educational achievement of disadvantaged learners and in narrowing the attainment gap in Kent.**

1.5. Recommendations

Recommendation 1

KCC's Directorate for Children, Young People and Education should carry out an in-depth investigation into the reasons behind the under-registration of children eligible for Free School Meals and Pupil Premium funding, and into interventions that will promote Free School Meal registrations and Pupil Premium take-up.

Recommendation 2

Many Kent schools identify one school governor to act as champion for all children in receipt of any type of Pupil Premium. The Committee recommends that this good practice is shared by all Kent schools.

The governor should:

- be responsible for monitoring the allocation of Pupil Premium funding and its impact
- raise awareness of this funding amongst the rest of the governing body
- attend regular Pupil Premium training to keep up-to-date with policy developments in this area.
- encourage better exchange of information between schools to promote a smoother transition.

Recommendation 3

KCC's Early Help and Preventative Services team should increase the provision and presence of its services within local schools' premises by locating some of its operations within those settings.

Recommendation 4

KCC's Directorate for Children, Young People and Education should continue to actively promote better information sharing between Kent Early Years providers, primary and secondary schools in order to facilitate a smoother transition for disadvantaged children and to provide them with the academic and pastoral support that meets their specific needs.

Recommendation 5

KCC's Directorate for Children, Young People and Education should explore opportunities to support and promote additional speech and language provision in pre-school settings, including working with the NHS as a key partner and organisations in the voluntary sector.

Recommendation 6

KCC's Cabinet Member for Children, Young People and Education should write to the Secretary of State for Education to inform him that the Committee supports the recommendation of the Social Mobility Commission's report that Early Years Pupil Premium funding should be doubled, funded by either a re-distribution of Primary Pupil Premium or from elsewhere within the DfE budget.

Recommendation 7

KCC's Directorate for Children, Young People and Education should carry out a pilot to determine the extent to which increasing the Early Years Pupil Premium funding rate would have a positive impact on narrowing the attainment gap.

Recommendation 8

KCC's Corporate Director for Children, Education and Young people should work with other local authorities that place children in care in Kent schools to ensure that consideration is given to the appropriateness of the placements, taking into account whether adequate support is in place for the Pupil Premium Plus to be spent effectively.

Recommendation 9

KCC's Directorate for Children, Young People and Education should produce more concise versions of both the Kent Primary and Secondary Pupil Premium Toolkits. For the current cost of £240, each of these versions should be sold as part of a package that includes the full version as well as training for school leaders on how best to use them.

Recommendation 10

KCC's Directorate for Children, Young People and Education should ensure that Pupil Premium best practice at many Kent schools continues to be encouraged and shared across all Kent schools and Early Years providers. This best practice should be further promoted through the Kelsi website and through collaboration with the Kent Association of Headteachers.

From: Ben Watts, General Counsel
 To: **County Council – 12th July 2018**
 Subject: Amendments to the Constitution
 Classification: **Unrestricted**

Summary:

The purpose of this report to seek authority to adopt the CIPFA/SOLACE “Delivering Good Governance in Local Government: Framework 2016 Edition” and to make the necessary consequential changes to the constitution. The report also provides an update on progress on the complete rewrite of the constitution.

Recommendation:

That the County Council

- (1) AGREE the adoption of the CIPFA/SOLACE 2016 Framework**
- (2) AGREE the changes to the Constitution as detailed in the report and recommend their adoption**

- 1.1 The Constitution has served the Council well since it was first written in 2001. It has gone through a significant number of iterative versions driven by ad-hoc legislative, regulatory changes required of all local authorities and the changes that have been consequential from decisions that are taken by the Council.
- 1.2 The Constitution is the high-level set of arrangements for governing the council’s activity, model of governance and decision-making. It sets out how the organisation operates from a Member perspective and establishes how the policy and budgetary framework is set and decided upon by Members. It also sets out the expectations of Members in relation to the accountabilities, responsibilities and Member scrutiny of Officers in delivering the activity following from decisions formally taken by the executive or by the full Council.
- 1.3 The process for making changes to the Constitution is set out in Article 14.2:
 “Changes to the Articles of the Constitution must be approved by the full Council after consideration of the proposal by the Selection & Member Services Committee and appropriate public consultation. Changes to factual references or changes required by a change in the law will be made by the Monitoring Officer. Changes to the Appendices of the Constitution will be published by the Monitoring Officer to reflect decisions duly taken by the Council, Leader, Cabinet, a Committee or Senior Officer.”
- 1.4 This process rightly reserves to Members any changes to the Articles of the Constitution which are the basic rules governing the Council’s business. It requires any amendment to the Articles to be approved by the full Council after consideration of the proposal by Selection and Member Services Committee.

- 1.5 At the County Council meeting on 16 March 2017, the County Council agreed to ask the Monitoring Officer to review the entire Constitution. It was recognised that, whilst legally sound, the document is long and could benefit from a review to consider what improvements could be made to benefit those who might read it, including elected members, our partners, residents and staff.
- 1.6 That review has taken longer than anticipated given the pace and scale of change within the Council during that period. It had been hoped that it would be possible to bring the new constitution to this meeting but given a need to reflect learning from the report into Northamptonshire County Council and imminent recommendations anticipated in relation to local government scrutiny arrangements, this will now come forward in the autumn.
- 1.7 Ahead of that paper, the Monitoring Officer and Head of Internal Audit are of the view that the Council should move to adopt the CIPFA/SOLACE “Delivering Good Governance in Local Government: Framework 2016 Edition” and make the necessary consequential changes to the Code of Corporate Governance and the Constitution.
- 1.8 The previous version of the framework represents the foundations of the Council's existing corporate governance arrangements. The Monitoring Officer has already implemented a range of elements of the new code in operational arrangements for the council including some of the Annual Governance Statement process.
- 1.9 It is recognised that the adoption of such a framework is a matter for Members and a copy of the framework is attached at Appendix 1.
- 1.10 In order to achieve compliance with the framework and to reflect the Member-Led nature of Kent County Council, amendments are proposed to the constitution and these are tracked on the document attached at Appendix 2.
- 1.11 Explicit reference to the Member-Led nature of the council appears in the constitution for the first time in response to the strong views expressed by Members and to reflect the reality of the organisation. For a number of years the council has clearly asserted the Member Led/Officer Managed demarcation and this is now clearly provided for in our key piece of governance.
- 1.12 The opportunity has also been taken to modernise Appendix 3 of the Constitution regarding the policy framework and make amendments to accountabilities and responsibilities of senior officers as a result of previous decisions taken by the County Council.
- 1.13 The draft changes were discussed with Cabinet Members and the Corporate Management Team. They were also discussed at Selection and Member Services Committee on 2nd July 2018 with some further small consequential amendments made.
- 1.14 Selection and Member Services Committee recommended that the County Council should
 - Agree the adoption of the CIPFA/SOLACE 2016 Framework
 - Endorse the changes to the Constitution
- 1.15 Given the current constitution runs to more than 240 pages, the attached pages only include those with substantive amendments in an effort to reduce the cost of printing and for Member's ease of reading.

Recommendation:

That the County Council

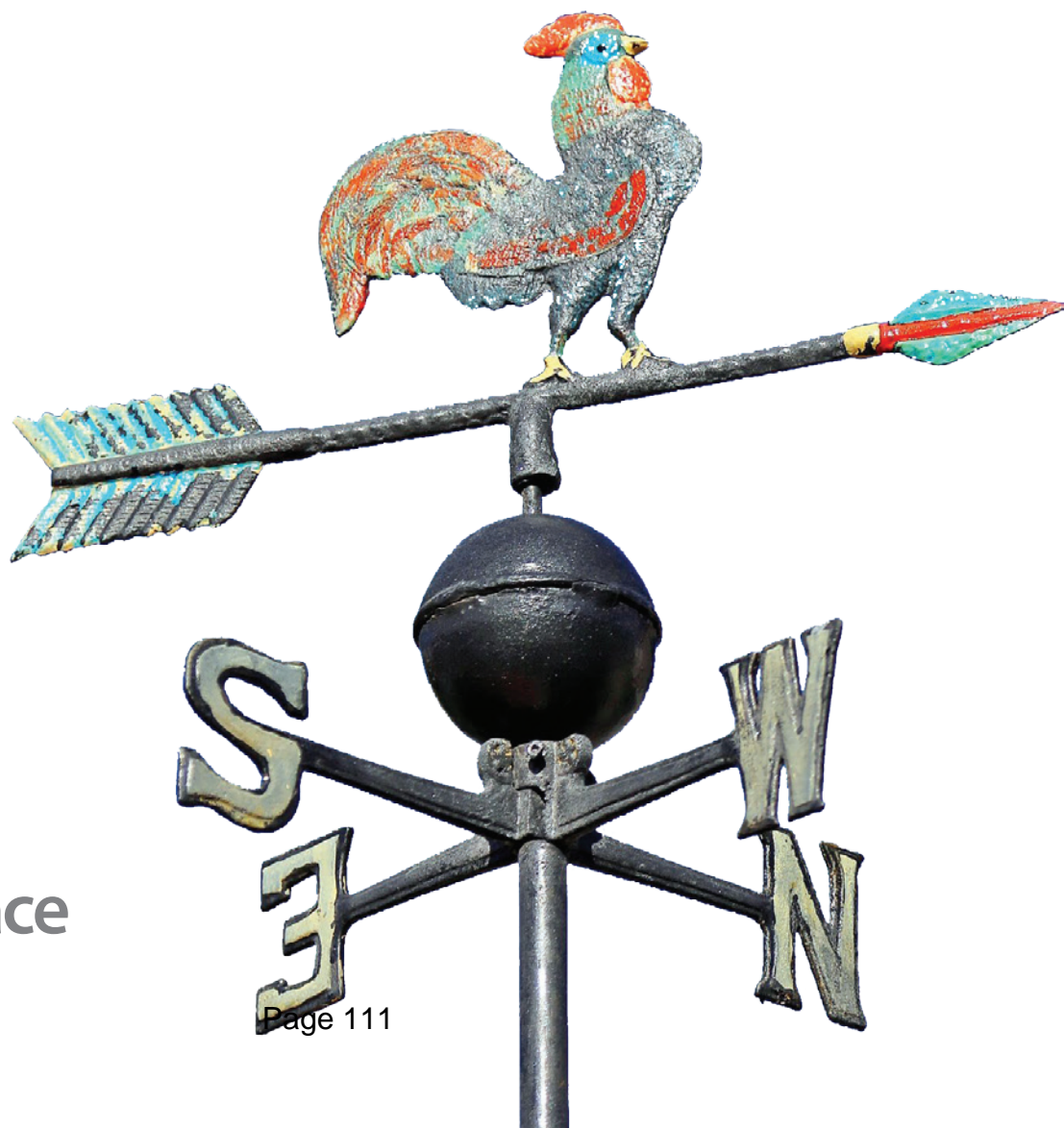
- (1) AGREE the adoption of the CIPFA/SOLACE 2016 Framework**
- (2) AGREE the changes to the Constitution as detailed in the report and recommend their adoption**

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delivering good governance

in Local Government
Framework
2016 Edition



CIPFA, the Chartered Institute of Public Finance and Accountancy, is the professional body for people in public finance. Our 14,000 members work throughout the public services, in national audit agencies, in major accountancy firms, and in other bodies where public money needs to be effectively and efficiently managed. As the world's only professional accountancy body to specialise in public services, CIPFA's qualifications are the foundation for a career in public finance. We also champion high performance in public services, translating our experience and insight into clear advice and practical services. Globally, CIPFA shows the way in public finance by standing up for sound public financial management and good governance.

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CHAPTER ONE

Introduction

- 1.1** Governance arrangements in the public services are keenly observed and sometimes criticised. Significant governance failings attract huge attention – as they should – and one significant failing can taint a whole sector. Local government organisations are big business and are vitally important to tax payers and service users. They need to ensure that they meet the highest standards and that governance arrangements are not only sound but are seen to be sound.
- 1.2** It is crucial that leaders and chief executives keep their governance arrangements up to date and relevant. The main principle underpinning the development of the new *Delivering Good Governance in Local Government: Framework* (CIPFA/Solace, 2016) ('the Framework') continues to be that local government is developing and shaping its own approach to governance, taking account of the environment in which it now operates. The Framework is intended to assist authorities individually in reviewing and accounting for their own unique approach. The overall aim is to ensure that resources are directed in accordance with agreed policy and according to priorities, that there is sound and inclusive decision making and that there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.
- 1.3** The Framework positions the attainment of sustainable economic, societal, and environmental outcomes as a key focus of governance processes and structures. Outcomes give the role of local government its meaning and importance, and it is fitting that they have this central role in the sector's governance. Furthermore, the focus on sustainability and the links between governance and public financial management are crucial – local authorities must recognise the need to focus on the long term. Local authorities have responsibilities to more than their current electors as they must take account of the impact of current decisions and actions on future generations.

CHAPTER TWO

Status

- 2.1** Section 3.7 of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2016/17 notes:

Regulation 6(1)(a) of the Accounts and Audit Regulations 2015, Regulation 4(2) of the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2015, Regulation 5(2) of the Local Authority Accounts (Scotland) Regulations 2014 and Regulation 5(2) of the Accounts and Audit (Wales) Regulations 2014 require an authority to conduct a review at least once in a year of the effectiveness of its system of internal control and include a statement reporting on the review with any published Statement of Accounts (England) (as a part of the Annual Accounts (Scotland)). Regulation 6(1)(b) of the Accounts and Audit Regulations 2015, Regulation 4(4) of the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2015 and Regulation 5(4) of the Local Authority Accounts (Scotland) Regulations 2014 require that for a local authority in England, Northern Ireland and Scotland the statement is an Annual Governance Statement.

The preparation and publication of an Annual Governance Statement in accordance with Delivering Good Governance in Local Government: Framework (2016) would fulfil the statutory requirements across the United Kingdom for a local authority to conduct a review at least once in each financial year of the effectiveness of its system of internal control and to include a statement reporting on the review with its Statement of Accounts. In England the Accounts and Audit Regulations 2015 stipulate that the Annual Governance Statement must be “prepared in accordance with proper practices in relation to accounts”. Therefore a local authority in England shall provide this statement in accordance with Delivering Good Governance in Local Government: Framework (2016) and this section of the Code.

- 2.2** This Framework applies to annual governance statements prepared for the financial year 2016/17 onwards.

CHAPTER THREE

Requirements

- 3.1** The Framework defines the principles that should underpin the governance of each local government organisation. It provides a structure to help individual authorities with their approach to governance. Whatever form of arrangements are in place, authorities should therefore test their governance structures and partnerships against the principles contained in the Framework by:
- reviewing existing governance arrangements
 - developing and maintaining an up-to-date local code of governance, including arrangements for ensuring ongoing effectiveness
 - reporting publicly on compliance with their own code on an annual basis and on how they have monitored the effectiveness of their governance arrangements in the year and on planned changes.
- 3.2** The term ‘local code’ essentially refers to the governance structure in place as there is an expectation that a formally set out local structure should exist, although in practice it may consist of a number of local codes or documents.
- 3.3** To achieve good governance, each local authority should be able to demonstrate that its governance structures comply with the core and sub-principles contained in this Framework. It should therefore develop and maintain a local code of governance/governance arrangements reflecting the principles set out.
- 3.4** It is also crucial that the Framework is applied in a way that demonstrates the spirit and ethos of good governance which cannot be achieved by rules and procedures alone. Shared values that are integrated into the culture of an organisation, and are reflected in behaviour and policy, are hallmarks of good governance.

Applicability and terminology

APPLICABILITY

- 4.1** The Framework is for all parts of local government and its partnerships, including:
- county councils
 - district, borough and city councils
 - metropolitan and unitary councils
 - the Greater London Authority and functional bodies
 - combined authorities, city regions, devolved structures
 - the City of London Corporation
 - combined fire authorities
 - joint authorities
 - police authorities, which for these purposes since 2012 includes both the police and crime commissioner (PCC) and the chief constable
 - national park authorities.
- 4.2** The Framework is applicable to a system involving a group of local government organisations as well as to each of them individually. The Framework principles are therefore intended to be relevant to all organisations and systems associated with local authorities, ie joint boards, partnerships and other vehicles through which authorities now work. However, a one-size-fits-all approach to governance is inappropriate. Not all parts of the Framework will be directly applicable to all types and size of such structures, and it is therefore up to different authorities and associated organisations to put the Framework into practice in a way that reflects their structures and is proportionate to their size.

TERMINOLOGY

- 4.3** The terms ‘authorities’, ‘local government organisations’ and ‘organisations’ are used throughout this Framework and should be taken to cover any partnerships and joint working arrangements in operation.
- 4.4** In the police service, where the accountabilities rest with designated individuals rather than a group of members, terms such as ‘leader’ should be interpreted as relating to the PCC or the chief constable as appropriate.

CHAPTER FIVE

Guidance notes

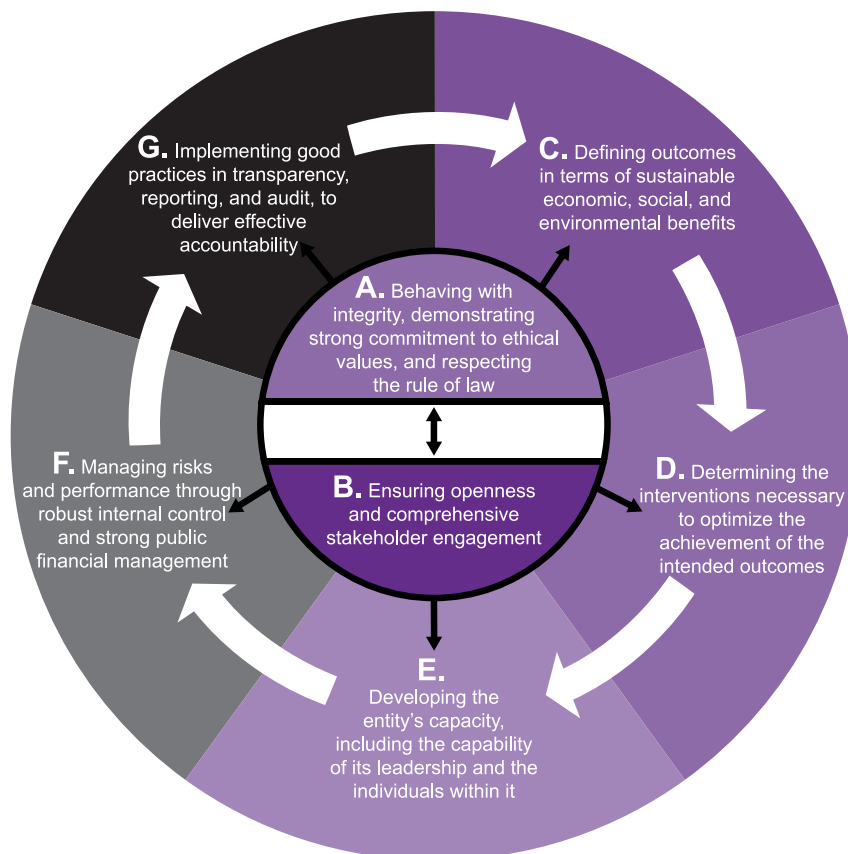
- 5.1** In recognition of the separate legislation applicable to different parts of local government, guidance notes to accompany the Framework have been developed for:
- local government in England (excluding police)
 - local government in Wales (excluding police)
 - police in England and Wales
 - local government in Scotland.
- 5.2** The guidance notes, which should be used in conjunction with the Framework, are intended to assist authorities across their governance systems, structures and partnerships in reviewing their governance arrangements. It will also help them in interpreting the overarching principles and terminology contained in the Framework in a way that is appropriate for their governance structures, taking account of the legislative and constitutional arrangements that underpin them.

The principles of good governance – application

DEFINING THE CORE PRINCIPLES AND SUB-PRINCIPLES OF GOOD GOVERNANCE

6.1 The diagram below, taken from the *International Framework: Good Governance in the Public Sector* (CIPFA/IFAC, 2014) (the ‘International Framework’), illustrates the various principles of good governance in the public sector and how they relate to each other.

Achieving the Intended Outcomes While Acting in the Public Interest at all Times



The International Framework notes that:

Principles A and B permeate implementation of principles C to G. The diagram also illustrates that good governance is dynamic, and that an entity as a whole should be committed to improving governance on a continuing basis through a process of evaluation and review.

DEFINING GOVERNANCE

6.2 The International Framework defines governance as follows:

Governance comprises the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved.

The International Framework also states that:

To deliver good governance in the public sector, both governing bodies and individuals working for public sector entities must try to achieve their entity's objectives while acting in the public interest at all times.

Acting in the public interest implies primary consideration of the benefits for society, which should result in positive outcomes for service users and other stakeholders.

6.3 In local government, the governing body is the full council or authority. In the police, PCCs and chief constables are corporations sole and are jointly responsible for governance. The many references to 'members' in the tables which follow should be read in the context that the principles set out apply equally in the police.

PRINCIPLES OF GOOD GOVERNANCE IN LOCAL GOVERNMENT

6.4 The core principles and sub-principles of good governance set out in the table below are taken from the International Framework. In turn they have been interpreted for a local government context.

It is up to each local authority or local government organisation to:

- set out its commitment to the principles of good governance included in this Framework
- determine its own governance structure, or local code, underpinned by these principles
- ensure that it operates effectively in practice.

Core principles and sub-principles of good governance

Core principles (shown in bold)	Sub-principles (shown in bold)
<p>Acting in the public interest requires a commitment to and effective arrangements for:</p>	<p>Behaviours and actions that demonstrate good governance in practice are illustrated in the bullet points.</p>
<p>A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</p> <p>Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions across all activities and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.</p>	<p>Behaving with integrity</p> <ul style="list-style-type: none"> ■ Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the organisation ■ Ensuring members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood. These should build on the Seven Principles of Public Life (the Nolan Principles) ■ Leading by example and using the above standard operating principles or values as a framework for decision making and other actions ■ Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively <p>Demonstrating strong commitment to ethical values</p> <ul style="list-style-type: none"> ■ Seeking to establish, monitor and maintain the organisation’s ethical standards and performance ■ Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation’s culture and operation ■ Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values ■ Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with ethical standards expected by the organisation

Core principles (shown in bold)	Sub-principles (shown in bold)
	<p>Respecting the rule of law</p> <ul style="list-style-type: none"> ■ Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations ■ Creating the conditions to ensure that the statutory officers, other key post holders, and members, are able to fulfil their responsibilities in accordance with legislative and regulatory requirements ■ Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders ■ Dealing with breaches of legal and regulatory provisions effectively ■ Ensuring corruption and misuse of power are dealt with effectively
<p>B. Ensuring openness and comprehensive stakeholder engagement</p> <p>Local government is run for the public good, organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders.</p>	<p>Openness</p> <ul style="list-style-type: none"> ■ Ensuring an open culture through demonstrating, documenting and communicating the organisation’s commitment to openness ■ Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided ■ Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear ■ Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/ courses of action <p>Engaging comprehensively with institutional stakeholders</p> <p>NB institutional stakeholders are the other organisations that local government needs to work with to improve services and outcomes (such as commercial partners and suppliers as well as other public or third sector organisations) or organisations to which they are accountable.</p> <ul style="list-style-type: none"> ■ Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably

Core principles (shown in bold)**Sub-principles (shown in bold)**

- Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively
- Ensuring that partnerships are based on:
 - trust
 - a shared commitment to change
 - a culture that promotes and accepts challenge among partners

and that the added value of partnership working is explicit

Engaging with individual citizens and service users effectively

- Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve communities, individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes
- Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement
- Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including reference to future needs
- Implementing effective feedback mechanisms in order to demonstrate how views have been taken into account
- Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity
- Taking account of the impact of decisions on future generations of tax payers and service users

Principles (shown in bold)	Sub-principles (shown in bold)
<p>In addition to the overarching requirements for acting in the public interest in principles A and B, achieving good governance also requires a commitment to and effective arrangements for:</p>	<p>Behaviours and actions that demonstrate good governance in practice are illustrated in the bullet points.</p>
<p>C. Defining outcomes in terms of sustainable economic, social, and environmental benefits</p>	<p>Defining outcomes</p>
<p>The long-term nature and impact of many of local government’s responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the organisation’s purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.</p>	<ul style="list-style-type: none"> ■ Having a clear vision, which is an agreed formal statement of the organisation’s purpose and intended outcomes containing appropriate performance indicators, which provide the basis for the organisation’s overall strategy, planning and other decisions ■ Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer ■ Delivering defined outcomes on a sustainable basis within the resources that will be available ■ Identifying and managing risks to the achievement of outcomes ■ Managing service users’ expectations effectively with regard to determining priorities and making the best use of the resources available
	<p>Sustainable economic, social and environmental benefits</p>
	<ul style="list-style-type: none"> ■ Considering and balancing the combined economic, social and environmental impact of policies and plans when taking decisions about service provision ■ Taking a longer-term view with regard to decision making, taking account of risk and acting transparently where there are potential conflicts between the organisation’s intended outcomes and short-term factors such as the political cycle or financial constraints ■ Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs ■ Ensuring fair access to services

Principles (shown in bold)	Sub-principles (shown in bold)
<p>D. Determining the interventions necessary to optimise the achievement of the intended outcomes</p> <p>Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions (courses of action). Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed frequently to ensure that achievement of outcomes is optimised.</p>	<p>Determining interventions</p> <ul style="list-style-type: none"> ■ Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and associated risks. Therefore ensuring best value is achieved however services are provided ■ Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts <p>Planning interventions</p> <ul style="list-style-type: none"> ■ Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets ■ Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered ■ Considering and monitoring risks facing each partner when working collaboratively, including shared risks ■ Ensuring arrangements are flexible and agile so that the mechanisms for delivering goods and services can be adapted to changing circumstances ■ Establishing appropriate key performance indicators (KPIs) as part of the planning process in order to identify how the performance of services and projects is to be measured ■ Ensuring capacity exists to generate the information required to review service quality regularly ■ Preparing budgets in accordance with objectives, strategies and the medium term financial plan ■ Informing medium and long term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy

Principles (shown in bold)	Sub-principles (shown in bold)
	<p>Optimising achievement of intended outcomes</p> <ul style="list-style-type: none"> ■ Ensuring the medium term financial strategy integrates and balances service priorities, affordability and other resource constraints ■ Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term ■ Ensuring the medium term financial strategy sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period in order for outcomes to be achieved while optimising resource usage ■ Ensuring the achievement of ‘social value’ through service planning and commissioning
<p>E. Developing the entity’s capacity, including the capability of its leadership and the individuals within it</p> <p>Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mindset, to operate efficiently and effectively and achieve intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an organisation operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of individual staff members. Leadership in local government is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.</p>	<p>Developing the entity’s capacity</p> <ul style="list-style-type: none"> ■ Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness ■ Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how resources are allocated so that defined outcomes are achieved effectively and efficiently ■ Recognising the benefits of partnerships and collaborative working where added value can be achieved ■ Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources <p>Developing the capability of the entity’s leadership and other individuals</p> <ul style="list-style-type: none"> ■ Developing protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained ■ Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body ■ Ensuring the leader and the chief executive have clearly defined and distinctive leadership roles within a structure whereby the chief executive leads in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other’s authority

Principles (shown in bold)**Sub-principles (shown in bold)**

- Developing the capabilities of members and senior management to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by:
 - ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged
 - ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis
 - ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external
- Ensuring that there are structures in place to encourage public participation
- Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections
- Holding staff to account through regular performance reviews which take account of training or development needs
- Ensuring arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing

Principles (shown in bold)	Sub-principles (shown in bold)
<p>F. Managing risks and performance through robust internal control and strong public financial management</p> <p>Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities.</p> <p>A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery and accountability.</p> <p>It is also essential that a culture and structure for scrutiny are in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful service delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.</p>	<p>Managing risk</p> <ul style="list-style-type: none"> ■ Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making ■ Implementing robust and integrated risk management arrangements and ensuring that they are working effectively ■ Ensuring that responsibilities for managing individual risks are clearly allocated <p>Managing performance</p> <ul style="list-style-type: none"> ■ Monitoring service delivery effectively including planning, specification, execution and independent post implementation review ■ Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the organisation’s financial, social and environmental position and outlook ■ Ensuring an effective scrutiny or oversight function is in place which provides constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation’s performance and that of any organisation for which it is responsible (Or, for a committee system) Encouraging effective and constructive challenge and debate on policies and objectives to support balanced and effective decision making ■ Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement ■ Ensuring there is consistency between specification stages (such as budgets) and post implementation reporting (eg financial statements)

Principles (shown in bold)**Sub-principles (shown in bold)****Robust internal control**

- Aligning the risk management strategy and policies on internal control with achieving objectives
- Evaluating and monitoring risk management and internal control on a regular basis
- Ensuring effective counter fraud and anti-corruption arrangements are in place
- Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor
- Ensuring an audit committee or equivalent group/function, which is independent of the executive and accountable to the governing body:
 - provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment
 - that its recommendations are listened to and acted upon

Managing data

- Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data
- Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies
- Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring

Strong public financial management

- Ensuring financial management supports both long term achievement of outcomes and short-term financial and operational performance
- Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls

Principles (shown in bold)	Sub-principles (shown in bold)
<p>G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability</p> <p>Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.</p>	<p>Implementing good practice in transparency</p> <ul style="list-style-type: none"> ■ Writing and communicating reports for the public and other stakeholders in a fair, balanced and understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate ■ Striking a balance between providing the right amount of information to satisfy transparency demands and enhance public scrutiny while not being too onerous to provide and for users to understand <p>Implementing good practices in reporting</p> <ul style="list-style-type: none"> ■ Reporting at least annually on performance, value for money and stewardship of resources to stakeholders in a timely and understandable way ■ Ensuring members and senior management own the results reported ■ Ensuring robust arrangements for assessing the extent to which the principles contained in this Framework have been applied and publishing the results on this assessment, including an action plan for improvement and evidence to demonstrate good governance (the annual governance statement) ■ Ensuring that this Framework is applied to jointly managed or shared service organisations as appropriate ■ Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other, similar organisations <p>Assurance and effective accountability</p> <ul style="list-style-type: none"> ■ Ensuring that recommendations for corrective action made by external audit are acted upon ■ Ensuring an effective internal audit service with direct access to members is in place, providing assurance with regard to governance arrangements and that recommendations are acted upon ■ Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations ■ Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement ■ Ensuring that when working in partnership, arrangements for accountability are clear and the need for wider public accountability has been recognised and met

Annual review and reporting

THE ANNUAL GOVERNANCE STATEMENT

- 7.1** Local authorities are required to prepare an annual governance statement (see Chapter two) in order to report publicly on the extent to which they comply with their own code of governance, which in turn is consistent with the good governance principles in this Framework. This includes how they have monitored and evaluated the effectiveness of their governance arrangements in the year, and on any planned changes in the coming period. The process of preparing the governance statement should itself add value to the effectiveness of the governance and internal control framework.
- 7.2** The annual governance statement is a valuable means of communication. It enables an authority to explain to the community, service users, tax payers and other stakeholders its governance arrangements and how the controls it has in place manage risks of failure in delivering its outcomes. It should reflect an individual authority's particular features and challenges.
- 7.3** The annual governance statement should provide a meaningful but brief communication regarding the review of governance that has taken place, including the role of the governance structures involved (such as the authority, the audit and other committees). It should be high level, strategic and written in an open and readable style.
- 7.4** The annual governance statement should be focused on outcomes and value for money and relate to the authority's vision for the area. It should provide an assessment of the effectiveness of the authority's governance arrangements in supporting the planned outcomes – not simply a description of them. Key elements of an authority's governance arrangements are summarised in the next section.
- 7.5** The annual governance statement should include:
- an acknowledgement of responsibility for ensuring that there is a sound system of governance (incorporating the system of internal control) and reference to the authority's code of governance
 - reference to and assessment of the effectiveness of key elements of the governance framework and the role of those responsible for the development and maintenance of the governance environment, such as the authority, the executive, the audit committee, internal audit and others as appropriate
 - an opinion on the level of assurance that the governance arrangements can provide and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework

- an agreed action plan showing actions taken, or proposed, to deal with significant governance issues
 - reference to how issues raised in the previous year's annual governance statement have been resolved
 - a conclusion – a commitment to monitoring implementation as part of the next annual review.
- 7.6** The annual governance statement should be signed by the leading member (or equivalent) and chief executive (or equivalent) on behalf of the authority.
- 7.7** The annual governance statement should be approved at a meeting of the authority or delegated committee (in Scotland, the authority or a committee with a remit including audit or governance).
- 7.8** Local authorities are required to include the annual governance statement with their statement of accounts. As the annual governance statement provides a commentary on all aspects of the authority's performance, it is appropriate for it to be published, either in full or as a summary, in the annual report, where one is published. It is important that it is kept up to date at time of publication.

GOVERNANCE ARRANGEMENTS

- 7.9** Key elements of the structures and processes that comprise an authority's governance arrangements are summarised below. They do not need to be described in detail in the annual governance statement if they are already easily accessible by the public, for example through the authority's code of governance.
- Developing codes of conduct which define standards of behaviour for members and staff, and policies dealing with whistleblowing and conflicts of interest and that these codes and policies are communicated effectively.
 - Ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful.
 - Documenting a commitment to openness and acting in the public interest.
 - Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation.
 - Developing and communicating a vision which specifies intended outcomes for citizens and service users and is used as a basis for planning.
 - Translating the vision into courses of action for the authority, its partnerships and collaborations.
 - Reviewing the effectiveness of the decision-making framework, including delegation arrangements, decision-making in partnerships, information provided to decision makers and robustness of data quality.
 - Measuring the performance of services and related projects and ensuring that they are delivered in accordance with defined outcomes and that they represent the best use of resources and value for money.

- Defining and documenting the roles and responsibilities of members and management, with clear protocols for effective communication in respect of the authority and partnership arrangements.
- Ensuring that financial management arrangements conform with the governance requirements of the [CIPFA Statement on the Role of the Chief Financial Officer in Local Government \(2015\)](#) or [CIPFA Statement on the Role of the Chief Financial Officer of the Police and Crime Commissioner and the Chief Financial Officer of the Chief Constable \(2014\)](#) as appropriate and, where they do not, explain why and how they deliver the same impact.
- Ensuring effective arrangements are in place for the discharge of the monitoring officer function.
- Ensuring effective arrangements are in place for the discharge of the head of paid service function.
- Providing induction and identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training.
- Reviewing the effectiveness of the framework for identifying and managing risks and for performance and demonstrating clear accountability.
- Ensuring effective counter fraud and anti-corruption arrangements are developed and maintained in accordance with the [Code of Practice on Managing the Risk of Fraud and Corruption \(CIPFA, 2014\)](#).
- Ensuring an effective scrutiny function is in place.
- Ensuring that assurance arrangements conform with the governance requirements of the [CIPFA Statement on the Role of the Head of Internal Audit \(2010\)](#) and, where they do not, explain why and how they deliver the same impact.
- Undertaking the core functions of an audit committee, as identified in [Audit Committees: Practical Guidance for Local Authorities and Police \(CIPFA, 2013\)](#).
- Ensuring that the authority provides timely support, information and responses to external auditors and properly considers audit findings and recommendations.
- Incorporating good governance arrangements in respect of partnerships and other joint working and ensuring that they are reflected across the authority's overall governance structures.



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APPENDIX 2

ARTICLES OF THE CONSTITUTION

Article 1 – The Constitution

1.1 The Role of the Council

The overriding role of the County Council is to improve the quality of life of the people of Kent by:

- (1) arranging delivery of responsive, accessible and cost-effective services with policies driven by the sole purpose of serving all Kent residents and Council Tax payers
- (2) providing clear and accountable community leadership
- (3) championing the county's interests, supporting the local economy and enhancing the environment
- (4) consulting and involving the Kent public in planning ahead and making decisions on their behalf
- (5) influencing and working in partnership with other organisations

1.2 Powers of the Council

The Council exercises its powers and duties in accordance with the law and this Constitution.

1.3 The Constitution

These articles comprise the Constitution of the Kent County Council and should be read in conjunction with the Appendices.

1.4 Interpretation and Review of the Constitution

- (1) Where the Constitution permits the Council to choose between different courses of action, the Council will choose that option which is closest to the role and purposes stated in 1.1, above.
- (2) The Council monitors and reviews the operation of the Constitution, as set out in Article 15.
- (3) References in this Constitution to male persons shall be deemed to include male and female persons.

1.5 Informal Governance

This constitution makes express provision for the formal governance and meetings of the Council. It is recognised that arrangements at an operational level are necessary and that these are not reflected in the constitution but must be consistent with it.

(1) Arrangements for informal governance involving Members and Officers shall be agreed between the Leader and the Head of Paid Service and lodged with the Monitoring Officer who shall make the arrangements available to all Members.

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(2) The Head of Paid Service is responsible for making arrangements for the management of the organisation from an officer perspective and is required to provide the Leader and the Monitoring Officer with a copy of these arrangements.

Article 2 – Members of the Council

2.1 Composition and eligibility

(1) The Council comprises 81 Members. Members are elected by the voters of each electoral division in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State.

(2) Only registered voters of Kent or those living or working there are eligible to hold the office of Member.

2.2 Election and terms of Members

(1) The election of all Members is held on the first Thursday in May every four years. The terms of office of Members start on the fourth day after being elected and finish on the fourth day after the date of the next all-Member election.

(2) A list of the names, addresses and electoral divisions of current Members is set out in Appendix 9, together with a description of the Register of Members' Interests and the procedures for publicising, maintaining and updating that Register, the amounts paid in allowances and expenses to Members, and Members' Annual Reports.

2.3 Roles and functions of Members

(1) Non-executive Members may participate in:

- (a) developing policies for the delivery of services for the whole of the community of Kent
- (b) approving Kent-wide policies and budgets
- (c) monitoring the effectiveness of service delivery and the appropriateness of policy across the County
- (d) holding the Leader and Cabinet to account through scrutiny
- (e) ensuring the probity of Council financial and other transactions (including through audit and standard processes)
- (f) regulatory and other direct functions of the Council (planning applications, appeals, etc)
- (g) appointing Senior Officers
- (h) appointing people to serve on outside bodies

and as Local Members should:

- (i) seek to ensure the application of Council policies and the delivery of services in their own locality meet the needs of the local community

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- (j) represent and support individual constituents in their dealings with the Council

(2) The Leader and Cabinet Members should:

- (a) be the focus for leading the Kent community
- (b) consult with and be accountable to non-executive Members
- (c) propose the annual Budget to the full Council
- (d) participate in the approval by the full Council of Kent-wide policies and budgets
- (e) lead the development of policies for the delivery of services to the whole community of Kent
- (f) monitor the effectiveness of service delivery and the appropriateness of policy across the County
- (g) ensure they account for the efficient and effective delivery of services and functions within Council policies and budgets
- (h) support and contribute to the probity of Council financial and other transactions

and may participate in the ordinary committees of the Council (with the exception of Governance & Audit Committee) that:

- (i) discharge regulatory and other direct functions of the Council (planning applications, appeals, etc)
- (j) appoint Senior Officers
- (k) appoint people to serve on outside bodies

and as Local Members should:

- (l) seek to ensure the application of Council policies and the delivery of services in their own locality meet the needs of the local community
- (m) represent and support individual constituents in their dealings with the Council. In the absence of a Member for reasons of ill health or otherwise, the Local Member concerned (or, if they are unwilling or unable to do that, the relevant Group Leader) should nominate another Member to act on their behalf in relation to representing their constituents.

(3) Rights and duties

- (a) All Members have such rights of access to documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law

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- (b) Members will not make public information that is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Member or officer entitled to know it. For these purposes, “confidential” and “exempt” information are as defined in the Access to Information Procedure Rules in Part 6 of Appendix 4
- (c) All Members commit to undertaking training and development to assist them in fulfilling their roles and responsibilities in accordance with the Elected Member Development Policy Statement

(4) Member-Led Authority

- (a) Kent County Council is a Member-Led Authority. The Council operates executive arrangements as defined in Appendix 1 and elsewhere in this constitution.
- (b) Accordingly, Members are responsible for all formal decision-making as set out in this constitution save for those decisions that are delegated to officers or those where the officer has a statutory duty that takes precedence.
- (c) Members define and agree the policy and budgetary framework of the council in accordance with applicable laws providing sufficiency of resources.
- (d) Members are also responsible for the scrutiny of the decisions that are made. This is done through pre-scrutiny of decisions at Cabinet Committees, the formal scrutiny process and the review of decisions and activity in Cabinet Committees, Non-Executive committees and the Governance and Audit Committee specifically.
- (e) Officers are responsible for advising Members in relation to proposed decision-making, acting in accordance with this constitution and on areas where they have professional expertise. Officers are responsible for delivering and managing the activity that flows from decisions that are taken by Members and for the day to day activity and management of the services that they are responsible for.
- (f) All officers are managed under the direction and control of the Head of Paid Service. The Head of Paid Service is responsible for ensuring the accountability of officers.

2.4 Conduct

Members will at all times observe the Code of Member Conduct set out in Part 1 of Appendix 6 and related advice issued by the Council’s Standards Committee.

2.5 Allowances

Members will be entitled to receive allowances and reimbursement of expenses in accordance with the Members’ Allowances Scheme set out in Appendix 7. This scheme is approved by the full Council with advice from an independent Member Remuneration Panel.

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2.6 Disabled Members

The Council will make reasonable adjustments, or take positive steps, to make services accessible to disabled Members so that they are able to fully participate in the affairs of the Council. This includes assessing and meeting physical and sensory requirements as reasonably required by such Members.

Article 3 – The Public and the Council

3.1 Public rights

Members of the public have the following rights:

(1) **Voting and petitions.** People on the electoral roll for Kent have the right to vote and sign a petition to request a referendum for an alternative form of Constitution.

(2) People who live, work or study in the County Council's area have the right to submit or sign a petition in accordance with the County Council's Petition Scheme as set out in Appendix 4 Part 5 Annex E.

(3) **Information.** Representatives of the media and members of the public have the right to:

- (a) attend meetings of the Council, the Cabinet and Council committees, except where confidential or exempt information is likely to be disclosed and the meeting is held in private. The Council will make reasonable adjustments, or take positive steps, to make its premises accessible to disabled members of the public.
- (b) find out from the list of Forthcoming Executive Decisions (FED) what key decisions will be taken by the Leader and Cabinet and when
- (c) access agendas for meetings, reports by officers, background papers and records of decisions in a variety of different formats
- (d) inspect the Council's accounts and make representations to the external auditor
- (e) see all information included in the Council's Publication Scheme issued under the Freedom of Information Act 2000

(4) **Public Rights.** Public rights to information and to participate are explained in more detail in the Access to Information Procedure Rules in Part 6 of Appendix 4.

(5) Members of the public also have the opportunity to address committees of the Council exercising regulatory or final appellate powers.

(6) **Complaints.** Members of the public have the right to complain to:

- (a) the Council under its complaints scheme

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- (b) the Local Government Ombudsman after using the Council's complaints scheme
- (c) the Council's Standards Committee about a breach of the Members' Code of Conduct.

Article 4 – The Full Council

4.1 Meanings

(1) **Policy Framework.** The Policy Framework means the plans and strategies selected by the Council annually within the framework set by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and set out in Appendix 3.

(2) **Budget.** The Budget includes the allocation of financial resources to different services and projects, contingency and other funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement and the planning of its capital expenditure.

4.2 Functions of the full Council

Only the full Council exercises those functions set out in Part 1 of Appendix 2.

4.3 Council meetings

There are three types of Council meeting:

- (1) the annual meeting
- (2) ordinary meetings
- (3) extraordinary meetings

and they will be called and conducted in accordance with the Procedure Rules set out in Appendix 4.

4.4 Responsibility for functions

The Council discharges other functions through committees and officers. Appendix 2 sets out the committees and officers who discharge those functions. The Schedule in Part 3 of Appendix 2 sets out the functions of the Council that are not the responsibility of the Leader and Cabinet.

Article 5 – Chairing the Council

5.1 Role and function of the Chairman

- (1) The Chairman and Vice-Chairman are elected annually by the Council.
- (2) The Chairman of the Council or, in his absence, the Vice-Chairman has the following responsibilities:

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- (a) to uphold and promote the purposes of the Constitution and to interpret the Constitution when necessary
- (b) to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Members and the interests of the community
- (c) to ensure that the Council meeting is a forum for the debate of matters of importance to Kent and for non-executive Members to hold the Leader, Cabinet Members and committee chairmen to account
- (d) to attend such civic and ceremonial functions as the Council and the Chairman determines appropriate.

Article 6 –Scrutiny Committees

6.1 Scrutiny Committee

Under section 21 of the Local Government Act 2000, the Council has appointed the Scrutiny Committee from among the non-executive Members to perform the roles and functions set out in Part 2 of Appendix 2. Their terms of reference cover all the main services of the Council and also meets at least once a year as the Crime and Disorder Committee. In addition, the Scrutiny Committee co-ordinates the Select Committee work programme.

6.2 Health Overview and Scrutiny Committee

The Health Overview and Scrutiny Committee is appointed by the Council under the Health and Social Care Act 2012 to scrutinise the health services across Kent and to perform the functions set out in Appendix 2 Part 2.

6.3 All Scrutiny Committees shall:

- (1) exercise overall responsibility for the resources made available to them by the Council
- (2) exercise overall responsibility for the work programme of the officers employed to support their work
- (3) conduct their proceedings in accordance with the Procedure Rules set out in Appendix 4.

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Article 7 – The Leader and Cabinet

7.1 Role of the Leader and Cabinet

The Leader with the Cabinet comprise the Executive and are responsible for all of the Council's functions that are not the responsibility of any other part of the Council, whether by law or under this Constitution, as set out in Part 4 of Appendix 2.

7.2 Proceedings of the Cabinet

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules determined by the Leader and set out in Part 5 of Appendix 4.

Article 8 – Regulatory and Ordinary Committees

8.1 Regulatory and other Council functions

The Council appoints committees to discharge functions that are not the responsibility of the Cabinet as set out in Part 2 of Appendix 2.

Article 9 – The Standards Committee

9.1 Standards Committee

The Council appoints the Standards Committee to support the proper conduct of the Council's business by Members.

9.2 Role and Function

The Standards Committee has the composition, roles and functions as set out in Part 2 of Appendix 2.

Article 10 – Partnership and Joint Working Arrangements

10.1 Promotion of Economic, Social and Environmental Well-being

The Council or the Leader, in order to promote or improve the economic, social and environmental well-being of Kent, may:

- (1) enter into arrangements or agreements with any person or body
- (2) co-operate with, or facilitate or co-ordinate the activities of, any person or body
- (3) exercise on behalf of that person or body any functions of that person or body
- (4) appoint Joint Committees or establish other partnership bodies
- (5) delegate to or accept the delegation of functions from another local authority.

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10.2 Joint arrangements and Committees

Details of joint arrangements, including any delegations to Joint Committees, are set out in Part 5 of Appendix 2.

Article 11 – Officers

11.1 Management Structure

(1) **General.** The Council engages those officers it considers necessary to carry out its functions.

(2) **Structure.** The overall management structure is determined by the Council on the advice of the Head of Paid Service and the Leader. The Head of Paid Service reports to the Cabinet and the Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers. A description of the overall directorate structure of the Council showing the management structure and deployment of officers is set out at Appendix 8.

(3) **Chief Officers.** The most senior posts in the structure are designated as Chief Officers within the terms of the Local Government Acts; these are set out in Appendix 8. The most senior officer is the Head of Paid Service

(4) **Appointment of Officers.** The Head of Paid Service is appointed by the full Council on the recommendation of the Personnel Committee. Other Senior Managers (Chief and Deputy Chief Officers in terms of the Local Government Act 1972) are appointed by the Personnel Committee acting on its behalf. Appointment of all other officers is delegated by the Council to Senior Managers. The recruitment, selection and dismissal of officers will comply with the Personnel Management Rules set out in Appendix 2.

(5) **Head of Paid Service, Monitoring Officer, Chief Finance Officer, Director of Adult Social Services and Director of Children's Services.** The Council will designate officers to act as each of the following:

- (a) Head of Paid Service (Corporate Director Strategic & Corporate Services)
- (b) Monitoring Officer (General Counsel)
- (c) Chief Finance Officer (Corporate Director of Finance & Procurement)
- (d) Director of Adult Social Services (Corporate Director Adult Social Care and Health)
- (e) Director of Children's Services (Corporate Director Children, Young People and Education)

The officers designated are listed in Appendix 8 and will have the functions described in Article 11.2–11.7 below.

11.2 Functions of the Head of Paid Service

- (1) The core roles of the Head of Paid Service are:

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- (a) overall corporate management and operational responsibility (including overall management responsibility for all staff including Corporate Directors)
- (b) the provision of professional advice to all parties in the decision making process (the executive, overview and scrutiny, full council and other committees)
- (c) together with the Monitoring Officer, responsibility for a system of record keeping for all the local authority's decisions (executive or otherwise)
- (d) representing the council on partnership and external bodies (as required by statute or the council)
- (e) arrangements for internal control and the inclusion of the Annual Governance Statement in the annual accounts.
- (f) discharge the statutory responsibilities relating to the Head of Paid Service role including those pursuant to section 4 of the Local Government and Housing Act 1989
- (g) make arrangements for the management of the organisation from an officer and delivery perspective.

(2) The Head of Paid Service will report to the Council on:

- (a) the manner in which the discharge by the authority of its functions is co-ordinated
- (b) the number and grades of staff required by the authority for the discharge of its functions
- (c) the organisation of the authority's staff
- (d) the appointment and proper management of the authority's staff.

(3)

The Head of Paid Service will:

- Be the most senior Council officer
- Support the Leader of the Council to develop and implement a corporate strategy and relevant business priorities for the council
- Provide regular advice on the corporate performance of the Council as well as provide written briefings on key corporate and strategic issues to enable effective political leadership and control
- Support the Leader of the Council represent the needs of Kent at a local, regional and national level.
- In conjunction with the General Counsel, support opposition Leaders and backbench Members in ensuring that they receive information, advice and assistance from officers.

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11.3 Functions of the Monitoring Officer

The Monitoring Officer will:

(1) Maintain an up-to-date version of the Constitution and will ensure that it is widely available for inspection by Members, officers and the public.

(2) After consulting with the Head of Paid Service and the Chief Finance Officer, report to the full Council (or to the Leader or Cabinet in relation to an executive function) if he considers that any proposal, decision or omission would give, is likely to give, or has given, rise to a contravention of any enactment or rule of law, or any maladministration or injustice. Such a report has the effect of stopping the proposal or decision being implemented until the report has been considered.

(3) Contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

(4) Receive complaints relating to alleged breaches of the adopted Code of Conduct and to process complaints in accordance with the adopted Arrangements for dealing with Code of Conduct Complaints.

(5) Ensure that records of executive decisions, including the reasons for those decisions and relevant officer reports and background papers, are made publicly available.

(6) Provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members.

(7) Ensure appropriate governance for the council in the execution of its role as a shareholder of its portfolio of companies

(8) Contribute to the corporate management of the Council, in particular through the provision and commissioning of professional legal advice.

[\(9\) In conjunction with the Head of Paid Service, support opposition Leaders and backbench Members in ensuring that they receive information, advice and assistance.](#)

[\(10\) Discharge the statutory responsibilities relating to the Monitoring Officer role including those pursuant to section 5 of the Local Government and Housing Act 1989](#)

11.4 Functions of the Chief Finance Officer

The Chief Finance Officer will:

(1) After consulting with the Head of Paid Service and the Monitoring Officer, report to the full Council (or to the Leader or Cabinet in relation to an Executive function) and the Council's external auditor if he considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.

(2) Have responsibility for the administration of the financial affairs of the Council.

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(3) Maintain an adequate and effective internal audit.

(4) Contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(5) Provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members and will support and advise Members and officers in their respective roles.

(6) Provide financial information about the Council to Members of the Council, the media, members of the public and the community.

[\(7\) Discharge the statutory responsibilities relating to the Chief Finance Officer role including those pursuant to section 151 of the Local Government Act 1972.](#)

11.5 Duty to provide sufficient resources to the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer

The Council will provide the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer with such staff, accommodation and other resources as are, in their opinion, sufficient to allow their statutory duties to be performed.

11.6 Functions of the Director of Adult Social Services

(1) The Director of Adult Social Services is known in Kent as the Corporate Director Adult Social Care and Health.

(2) The functions of the Director of Adult Social Services include:

(a) Providing accountability for assessing local needs and ensuring availability and delivery of a full range of quality adult social services

(b) Providing professional leadership, including workforce planning

(c) Championing the rights of adults with social care needs and their carers in the wider community, including proactive and person-centred services

(d) Leading the implementation of standards to drive up the quality of care

(e) Promoting local access and ownership and driving partnership working to delivering a responsive whole system approach to social care

(f) Delivering an integrated whole systems approach to supporting communities, in particular by working closely with the Director of Children's Services to support individuals with care needs through the different stages of their lives

(g) Promoting social inclusion and well-being to deliver a proactive approach to meeting the care needs of adults in culturally sensitive ways

(h) Discharging all statutory obligations, requirements and responsibilities on behalf of the council regarding the safeguarding and protection of vulnerable adults

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- (i) Ensuring that the obligations and responsibilities at (h) above are complied with by the directorate as well as internal and external commissioned providers.
- (j) Immediately notifying the Head of Paid Service and Monitoring Officer in relation to a failure to discharge statutory obligations, requirements and responsibilities by the Corporate Director, the directorate or an internal or external commissioned provider
- (k) Ensuring that appropriate training is in place for all staff within the directorate around discharging statutory obligations and statutory guidance relating to vulnerable adults and that appropriate contractual provisions are in place to apply the same requirement to internal and external commissioned providers.
- (l) Implementing such working arrangements as are necessary with the Corporate Director Children, Young People and Education and Lead Cabinet Members to ensure that statutory compliance is achieved and any overlaps are managed effectively and in compliance with legislation and best practice.
- (m) Working with the Strategic Commissioner and the Corporate Director for Children, Young People and Education to ensure relevant services work effectively, lawfully and commercially at all times with demonstrable governance.

11.7 Functions of the Director of Children's Services

- (1) The Director of Children's Services is known in Kent as the Corporate Director Children, Young People and Education.
- (2) The functions of the Director of Children's Services include:
 - (a) professional responsibility and accountability for the effectiveness, availability and value for money of all local authority children's services;
 - (b) leadership both within the local authority to secure and sustain the necessary changes to culture and practice, and beyond it so that services improve outcomes for all and are organised around children and young people's needs; and
 - (c) building effective partnerships with and between those local bodies, including the voluntary and community sectors, who also provide children's services in order to focus resources (financial, human, physical or any other) jointly on improving outcomes for children and young people.
 - (d) Discharging all statutory obligations, requirements and responsibilities on behalf of the council regarding the safeguarding and protection of vulnerable young people between the ages of 0 and 25.

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- (e) Ensuring that the obligations and responsibilities at (d) above are complied with by the directorate as well as internal and external commissioned providers.
- (f) Immediately notifying the Head of Paid Service and Monitoring Officer in relation to a failure to discharge statutory obligations, requirements and responsibilities by the Corporate Director, the directorate or an internal or external commissioned provider
- (g) Ensuring that appropriate training is in place for all staff within the directorate around discharging statutory obligations and statutory guidance relating to vulnerable adults and that appropriate contractual provisions are in place to apply the same requirement to internal and external commissioned providers.
- (h) Implementing such working arrangements as are necessary with the Corporate Director Adult Social Care and Health and Lead Cabinet Members to ensure that statutory compliance is achieved and any overlaps are managed effectively and in compliance with legislation and best practice.
- (i) Working with the Strategic Commissioner and the Corporate Director for Adult Social Care and Health to ensure relevant services work effectively, lawfully and commercially at all times with demonstrable governance.

11.8 Working Arrangements for the Director of Children's Services, Director of Adult Services and Lead Members for Children's Services, Education and Adult Services

The relevant Corporate Directors and Cabinet Members shall ~~make formalise~~ such working arrangements as necessary to ensure statutory compliance and maintain service delivery to vulnerable children, young people and adults. The relevant post-holders are responsible for ensuring these arrangements are kept up to date with a copy of the arrangements being provided to the Leader, the Head of Paid Service and the Monitoring Officer for their approval prior to adoption. ~~and that~~ These obligations must also form part of the job descriptions and employment contracts for both Corporate Director posts.

11.9 Functions of the Director of Public Health

- (1) The Director of Public Health will:
 - (a) ensure the County Council exercises its public health functions including but not limited to improving and protecting public health across the county and championing health matters throughout the County Council;
 - (b) act as the principal adviser on health matters, advise the County Council on all matters relating to public health: health improvement, health protection and healthcare and such other areas as may be prescribed;
 - (c) act as a statutory member of the Health and Wellbeing Board, advise and contribute to the development of the Joint Strategic Needs

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Assessment and Joint Health and Wellbeing Strategy and the commissioning of services;

(d) be accountable for the public health grant being used to gain public health outcomes for the population of Kent through the commissioning of public health services, particularly those mandated; and

(e) have direct access to and work with the Head of Paid Service in line with national guidance in order to discharge the functions of the Director of Public Health.

11.10 Conduct

Officers will comply with the Officers' Code of Conduct set out in Appendix 6.

Article 11.11 Statutory and Proper Officers:

It is the function of the Personnel Committee to recommend to the County Council for approval the designation of individuals as statutory and proper officers. The schedule of statutory and proper officers is contained in Appendix 2 Part 7.

Article 12 – Decision Making

12.1 Responsibility for decision making

A record of what part of the Council or individual has responsibility for particular decisions is set out in Appendix 2.

12.2 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

- (1) action proportionate to the desired outcome
- (2) due consultation and the taking of professional advice from officers
- (3) respect for human rights in all its forms
- (4) a presumption in favour of openness
- (5) clarity of aims and desired outcomes
- (6) explanation of the options considered and giving reasons for decisions.

12.3 Decision Making Procedure Rules

Subject to Article 12.4, the Council, Council Committees and Sub-Committees, the Leader, the Cabinet, Cabinet Committees and Cabinet Members may only make decisions in accordance with the relevant Procedure Rules set out in Appendix 4.

12.4 Decision making by Council bodies acting as tribunals

The Council, a Committee or Sub-Committee, a Member or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility

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of any person will follow a proper procedure which accords with the requirements of natural justice and the Human Rights Act 1998.

Article 13 – Finance, Contracts, Resource Management and Legal Matters

13.1 Code of Corporate Governance

The Council seeks to follow best practice in corporate governance for local authorities. Appendix 10 lists the documents agreed by the Governance & Audit Committee to form the Council's Code of Corporate Governance.

13.2 Financial management

The management of the Council's financial affairs will be conducted in accordance with the Resource Management Responsibilities Statement set out in Appendix 5, the Council's Financial Regulations and the other procedures approved under those Regulations.

13.3 Legal proceedings

The Monitoring Officer is authorised to institute, defend or participate in and settle any legal proceedings, or authorise others to do so, in any case where such action is necessary to give effect to decisions of the Council or in any case where he considers that such action is necessary to protect or pursue the Council's interests or where he considers it expedient for the promotion or protection of the interests of the inhabitants of Kent.

13.4 Authentication of documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Monitoring Officer or other person authorised by him, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

13.5 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Monitoring Officer. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which, in the opinion of the Monitoring Officer, should be sealed. The affixing of the Common Seal will be attested by the Monitoring Officer or some other person authorised by him, provided that in any transaction relating to land to which The Regulatory Reform (Execution of Deed and Documents) Order 2005 applies, the Common Seal shall be attested by a Member of the County Council and an authorised signatory.

Article 14 – Review and Revision of the Constitution

14.1 Duty to monitor and review the Constitution

The Council regularly monitors and reviews the operation of the Constitution to ensure that its aims and principles are given full effect.

14.2 Changes to the Constitution

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Changes to the Articles of the Constitution must be approved by the full Council after consideration of the proposal by the Selection & Member Services Committee and appropriate public consultation. Changes to factual references or changes required by a change in the law will be made by the Monitoring Officer. Changes to the Appendices of the Constitution will be published by the Monitoring Officer to reflect decisions duly taken by the Council, Leader, Cabinet, a Committee or Senior Officer.

Article 15 – Suspension, Interpretation and Publication of the Constitution

15.1 Suspension of the Constitution

(1) The Articles of this Constitution may not be suspended.

(2) Rules of the Council set out in the Appendices to the Constitution may be suspended in accordance with the law and the procedures set out in those rules.

15.2 Interpretation

The ruling of the Chairman of the Council as to the interpretation or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

15.3 Publication

The Monitoring Officer will:

(1) give a copy of this Constitution to each Member upon delivery of that individual's declaration of acceptance of office on first being elected to the Council.

(2) ensure that copies of the Constitution are available for inspection at council offices, libraries and other appropriate locations, and can be purchased by Members of the local media and the public on payment of a reasonable fee.

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Within Appendix 2 Part 4:

Executive Scheme of Officer Delegation

1. Principles

1.1 This scheme operates from [12 July 2018-1 April 2012](#).

1.2 In this scheme “officer” means the holder of any post named in this scheme as having delegated powers and duties.

1.3 This scheme delegates powers and duties in relation to Executive functions which are the responsibility of Leader and Cabinet Members.

1.4 This scheme delegates powers and duties within broad functional descriptions and includes powers and duties under all legislation within those descriptions and all powers and duties incidental to that legislation.

1.5 This scheme operates under Section 14 of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (‘the Regulations’) and all other enabling powers.

1.6 This scheme includes the obligation on officers to keep Members (notably Cabinet Members) properly informed of activity arising within the scope of these delegations.

1.7 Any exercise of these delegated powers shall be subject to the policies approved by the Leader from time to time and shall be guided by the relevant Codes of Conduct.

1.8 Any exercise of delegated powers shall be subject to any statutory restrictions, provisions made in the revenue or capital budgets, Standing Orders, Financial Regulations or other Procedure Rules as contained within the Constitution.

1.9 This scheme assumes that once a Member-level decision has been taken, the implementation of that decision will normally be delegated to officers, so that multiple Member decisions are not required in respect of the same matter.

1.10 However, Cabinet Members may at any time require officers to refer a matter that would otherwise be taken under this scheme of delegation to either themselves or Cabinet for decision.

1.11 This scheme includes the power for officers to further delegate in writing all or any of the delegated functions to other officers (described by name or post) either fully or under the general supervision and control of the delegating officer. Sub-delegations may be made across service boundaries.

1.12 Officers to whom matters have been sub-delegated may escalate the making of those decisions to the relevant Corporate Director, who can then (if appropriate) refer the matter to the Cabinet Member or Cabinet.

1.13 A power specifically delegated by this scheme to one officer shall not be exercised by another officer without the consent of the former.

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1.14 Sub-delegations shall be recorded in a register kept by each Directorate and notified to the Monitoring Officer under Section 100G of the Local Government Act 1972.

1.15 Any officer exercising powers or duties in pursuance of full sub-delegation will be politically restricted under Section 2(1)(g) of the Local Government and Housing Act 1989.

1.16 All action taken under the terms of these delegations shall be properly discussed in advance with the relevant Cabinet Members and documented.

1.17 In each case, the delegated authority to officers includes management of the human and material resources made available for the service areas and the functions concerned within the limitations of this scheme and subject to specific delegations in this scheme or elsewhere to another officer.

1.18 In each case the delegated authority excludes the determination by the officer concerned of policy, exceptions to policy and budgets.

2. Delegations to officers

2.1 The powers delegated to officers exclude the authority to take Key Decisions.

2.2 Officers are [accountable and](#) responsible for the management [and delivery](#) of their services and the implementation, [management and delivery](#) of Council and Cabinet policies and Executive Decisions.

2.3 Decisions which an officer takes under delegated powers **must**:

- (a) implement a policy or decision previously approved or taken by the Cabinet or a Cabinet Member or
- (b) facilitate or be conducive or incidental to the implementation of a policy or decision previously taken by the Cabinet or a Cabinet Member or
- (c) relate to the management of the human, material and financial resources made available for the functions for which they are responsible

2.4 It shall always be incumbent on an officer to consult in advance with the appropriate Cabinet Member on the exercise of a delegated Executive Function, or agree with them not to exercise a delegated Executive Function but to refer the matter instead to the Cabinet or relevant Cabinet Member.

[2.5 Given the seniority of Chief Officers, the Constitution has been predicated on the following expectations:](#)

- [Officers advise on the delivery of the agenda of the executive but support all Members](#)
- [Where statutory duties apply to officers, these take precedence.](#)
- [Officers whilst leading their Directorate will always prioritise the global needs of Kent County Council rather than their individual service](#)
- [Officers will work together to ensure seamless service delivery for the benefit of Kent residents.](#)

[2.6 Chief Officers will transparently, proactively and in a timely manner raise concerns and difficulties with Corporate Management Team, Head of Paid Service, Section 151 Officer or the Monitoring Officer as appropriate. Corporate Directors are](#)

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required throughout the year to provide ongoing assurance and proactively raise matters of concern.

2.7 Officers are also responsible for ensuring that decision makers, Committees and Members receive appropriate, full and impartial advice to support lawful, reasonable and proportionate decision making. Officers are expected to deploy their professional expertise honestly and directly in the best interests of Kent County Council.

2.8 All Chief Officers must work with the Head of Paid Service to discharge the Council's statutory and discretionary responsibilities. The sharing of all relevant information, particularly at the early stages of any decision-making by Chief Officers and their services will assist in fulfilling those responsibilities.

3. Subject to the provisions of paragraph 2.3 (above), the Executive Functions to be the Responsibility of Chief Officers are as follows:

3.1 TO THE HEAD OF PAID SERVICE

(i) To exercise the relevant functions of the Leader of the Council (Cabinet Member for Business Strategy, Audit & Transformation) in relation to the overall strategic direction, policies and priorities of the Cabinet and of Council, including the overall corporate revenue and capital budget strategy and ensuring that the appropriate systems are in place to assure the performance management of the authority.

(ii) To exercise the relevant functions of the Cabinet Member Corporate & Democratic Services, the Cabinet Member Adult Social Care & Public Health, the Cabinet Member Commercial & Traded Services and the Cabinet Member Economic Development in relation to their portfolios.

(iii) To exercise in cases of urgency the Executive Functions delegated to other Chief Officers.

(iv) To incur expenditure in the event of a civil emergency.

(v) On behalf of the County Council, to receive assurance from other Chief Officers that they have discharged their delegated functions in accordance with the provisions of this constitution and at all times lawfully, reasonably and proportionately.

3.2 TO THE CORPORATE DIRECTOR, CHILDREN, YOUNG PEOPLE AND EDUCATION

(i) To exercise the functions conferred on or exercisable pursuant to Section 18 of the Children Act 2004 and Regulations made thereunder.

(ii) To exercise the relevant functions of the Cabinet Member Specialist Children's Services, Cabinet Member Education & Health Reform and the Cabinet Member Adult Social Care & Public Health in relation to their portfolios.

(iii) To exercise the relevant functions conferred on or exercisable pursuant to Section 532 of the Education Act 1996 and Regulations made thereunder.

3.3 TO THE CORPORATE DIRECTOR, ADULT SOCIAL CARE AND HEALTH

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(i) To exercise the relevant functions of the Cabinet Member Specialist Children's Services, Cabinet Member Education & Health Reform and the Cabinet Member Adult Social Care & Public Health in relation to their portfolios.

(ii) To exercise the functions conferred on or exercisable pursuant to Section 6(A1) of the Local Authority Social Services Act 1970 and Regulations made thereunder.

3.4 TO THE CORPORATE DIRECTOR, GROWTH, ENVIRONMENT & TRANSPORT

(i) To exercise the relevant functions of the Cabinet Member Environment & Transport, the Cabinet Member Economic Development and the Cabinet Member for Community Services in relation to their portfolios.

3.5 TO THE CORPORATE DIRECTOR FINANCE

(i) To exercise the relevant functions conferred on or exercisable pursuant to Section 151 of the Local Government Act 1972 and Regulations made thereunder.

(ii) To exercise the relevant functions of the Leader of the Council (Cabinet Member for Business Strategy, Audit & Transformation), the Cabinet Member Finance & Procurement, the Cabinet Member Corporate & Democratic Services, the Cabinet Member Commercial & Traded Services and the Cabinet Member Education & Health Reform in relation to their portfolios.

3.6 TO THE CORPORATE DIRECTOR ENGAGEMENT, ORGANISATION DESIGN AND DEVELOPMENT.

(i) To exercise the relevant functions of the Leader of the Council (Cabinet Member for Business Strategy, Audit & Transformation) and the Cabinet Member Corporate & Democratic Services in relation to their portfolios.

(ii) To amend, as necessary, the job titles of officers in consultation with the relevant Cabinet Member and Corporate Director.

3.7 TO THE GENERAL COUNSEL

(i) To exercise the relevant functions conferred on or exercisable pursuant to Section 5 of the Local Government and Housing Act 1989, as amended by Schedule 5 paragraph 24 of the Local Government Act 2000.

(ii) To exercise the relevant functions of the Leader of the Council (Cabinet Member for Business Strategy, Audit & Transformation), the Cabinet Member Corporate & Democratic Services, and the Cabinet Member Commercial & Traded Services in relation to their portfolios.

3.8 TO ALL CHIEF OFFICERS

a) Request for written explanation

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In discharging responsibilities under paragraphs 1.16 and 2.4-2.8 above, where a Chief Officer considers the direction or specific course of action proposed by the Leader or Cabinet Member in:

- a) policy or budgetary development ahead of a Key or other decision; or
- b) implementing an already agreed Key decision,

Will not meet minimum standards of:

- a) Regularity and Propriety; or
- b) Feasibility; or
- c) Value for money

Then the Chief Officer is required to write to the Leader or Cabinet Member asking for a written explanation as to the reasons for that direction or proposed course of action.

When a request for written explanation is made under this provision to the Leader or Cabinet Member, then they will respond to the Chief Officer in writing within 7 days.

When a request for written explanation is made by a Chief Officer and responded to by the Leader or Cabinet Member, the Head of Paid Service will be notified.

b) Requirement to report any request for written explanation

The Head of Paid Service will report, at the next appropriate meeting of the Governance and Audit Committee, on any use of this provision for written explanation from the Leader or a Cabinet Member.

3.9 Involvement of Local Members

(1) In exercising any delegations or in preparing a report for consideration by the Cabinet or a Cabinet Member, where appropriate officers shall consult the relevant Local Member(s) on any matter that appears to specifically affect their division.

(2) Any formal objection by a Local Member to a proposed course of action shall be immediately raised by the Local Member with the relevant Cabinet Member.

(3) All reports to the Cabinet or a Cabinet Member shall include the views of Local Members.

(4) In providing views on issues to officers, Local Members are respectfully reminded of their obligations under the member code of conduct and the need to consider any conflict or disclosable personal or pecuniary interest when representing local issues.

(5) In responding to external consultations, the process for involvement of local members as set out in the consultation protocol at Appendix 11 shall apply.

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Appendix 3: Policy Framework

PLANS AND STRATEGIES INCLUDED IN THE POLICY FRAMEWORK

The Following Policies and Procedures Rrequireing Council debate and approval:

- [The Strategic Statement](#)
- [The Minerals and Waste Development Framework](#)
- [The Youth Justice Plan](#)
- [Community Strategy](#)
- [Community Safety Framework](#)
- [The Local Transport Plan](#)
- [Pay Policy](#)
- [Medium Term Financial Plan](#)
- [Annual Budget](#)

Name of Plan
Strategic Statement (Bold Steps for Kent)
Community Strategy (Vision for Kent)
Commissioning Framework for Kent County Council

Requiring consideration by Cabinet Committees and Scrutiny Committee, and Cabinet recommendation to the Council for approval

Name of Plan	Statutory	Duration	Next Due	Notes
Crime and Disorder Reduction Strategy (KCC Community Safety Framework)	Yes	2012–14	2012	
Local Transport Plan 3 (Local Transport Plan for Kent 2011-16)	Yes	5 years	1 April 2016	DfT Guidance requires LTP3 to consist of a Strategy and Implementation Plan(s). Local authorities decide duration of each to suit their needs. Progress reporting is not required.
Local Transport Plan 4 (Local Transport Plan for Kent 2016-21)	Yes	5 years (Tentative)	1 April 2021	Normally, Dept. for Transport LTP guidance is issued 2 years before submission but since all local authorities have decided their own LTP3 timescales, not clear if this approach will continue.

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Name of Plan	Statutory	Duration	Next Due	Notes
Kent Minerals and Waste Development Framework (Minerals and Waste Core Strategy – Mineral site Allocations)	Yes	At least 15 year timeframe from adoption, i.e. until 2030	(Estimated dates of adoption in this column) 2013 2014	In preparation. Development Scheme and Programme agreed by KCC and Communities and Local Government in December 2011. Submission of key document (core strategy and site plans) to Government respectively in 2012 and 2013. Subject to regular (approximately five yearly) reviews.
Waste Management Site Allocations			2014	
Youth Justice Plan	Yes	1 Year	July 2012	
				Annual Operating Plan submitted for approved by County Council.