



Summons to and
Agenda for the Annual
Meeting on
**Wednesday, 17th
June, 2020**
at 10.00 am

County Council Session 1 (10:00 start) - https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTJhYjI0NjEtMjk2NC00NTU4LWJmYTEtOWNkZjhkNmRkNTk3%40thread.v2/0?context=%7b%22Tid%22%3a%223253a20d-c735-4bfe-a8b7-3e6ab37f5f90%22%2c%22Oid%22%3a%22d4b0fac9-b912-43bd-b643-1ab35f8cdeac%22%2c%22IsBroadcastMeeting%22%3atru%7d

County Council Session 2 (13:30 start) - https://teams.microsoft.com/l/meetup-join/19%3ameeting_MWYzZTRiMzUtZjAxNC00MzRiLTk0MDktNTVhYzNmNmQzNjU0%40thead.v2/0?context=%7b%22Tid%22%3a%223253a20d-c735-4bfe-a8b7-3e6ab37f5f90%22%2c%22Oid%22%3a%22d4b0fac9-b912-43bd-b643-1ab35f8cdeac%22%2c%22IsBroadcastMeeting%22%3atru%7d



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Tuesday, 9 June 2020

To: All Members of the County Council

The Annual County Council meeting will be held online on Wednesday, 17 June 2020 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30pm.**

AGENDA

1. Apologies for Absence
2. Election of Chairman
3. Election of Vice-Chairman
4. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
5. Minutes of the meeting held on 13 February 2020 and, if in order, **(Pages 1 - 16)** to be approved as a correct record
6. Protocol for Virtual Meetings **(Pages 17 - 22)**
7. Corporate Parenting Panel - Minutes for noting
 - (a) Minutes of the meeting held on 17 September 2019 **(Pages 23 - 30)**
 - (b) Minutes of the Meeting held on 10 December 2019 **(Pages 31 - 40)**
8. Chairman's Announcements
9. Questions
10. Report by Leader of the Council (Oral)
11. Pay Policy Statement **(Pages 41 - 46)**
12. Children, Young People and Education Directorate - Top Tier Restructure **(Pages 47 - 62)**

- 13. Members Allowances Scheme 2020- 21
 - (a) Annual Increase of Members' Allowance Scheme **(Pages 63 - 72)**
 - (b) Update of the Members Allowances' Scheme **(Pages 73 - 90)**
- 14. Annual Report on Urgent Executive Decisions **(Pages 91 - 102)**
- 15. Independent Person (Standards) **(Pages 103 - 104)**
- 16. Treasury Management 6 Month Review 2019/20 **(Pages 105 - 120)**



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, 13 February 2020.

PRESENT:

Mrs A D Allen, MBE (Chairman)
Mr G K Gibbens (Vice-Chairman)

Mr M J Angell, Mr M A C Balfour, Mr P V Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P M Beresford, Mr R H Bird, Mr T Bond, Mr A Booth, Mr A H T Bowles, Mr D L Brazier, Mr J Burden, Mr D Butler, Miss S J Carey, Mr P B Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mr J Clinch, Mrs P T Cole, Mr A Cook, Mr G Cooke, Mr P C Cooper, Mrs M E Crabtree, Mr D S Daley, Mr M C Dance, Miss E Dawson, Mrs T Dean, MBE, Mr D Farrell, Mrs L Game, 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 S J G Koowaree, Mr P W A Lake, Mr B H Lewis, Ida Linfield, Mr R L H Long, TD, Mr R C Love, OBE, Mr G Lymer, Mr R A Marsh, Ms D Marsh, Mr J P McInroy, Mr P J Messenger, Mr D D Monk, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr M D Payne, Mrs S Prendergast, 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 R J Thomas, Mr M E Whybrow and Mr J Wright

IN ATTENDANCE: Mrs A Beer (Corporate Director of People and Communications), Mr D Cockburn (Corporate Director Strategic & Corporate Services), Ms Z Cooke (Corporate Director of Finance), Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr M Dunkley CBE (Corporate Director for Children Young People and Education), Mr A Scott-Clark (Director of Public Health), Mr D Shipton (Head of Finance - Planning, Policy & Strategy), Ms P Southern (Corporate Director, Adult Social Care and Health) and Mr B Watts (General Counsel)

UNRESTRICTED ITEMS

199. Apologies for Absence

The General Counsel reported apologies from Mrs Binks, Mr Collor, Mr Manion, Mr Murphy, Mr Pascoe and Mr Whiting.

Mr Clinch had given his apologies for the meeting's afternoon session.

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

(1) Dr Sullivan declared a Disclosable Pecuniary Interest as her husband was employed by the County Council in the Early Help and Prevention Team and stated that she would withdraw from the meeting during consideration of the amendment on the Youth Services, as set out in paragraph 9 below.

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

201. Minutes of the meetings held on 17 December 2019 and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meetings held on 17 December 2019 be approved as a correct record.

202. Chairman's Announcements

Mr Frederick Wood-Brignall, MBE

(1) The Chairman stated that it was with regret that she had to inform Members of the death of Mr Frederick Wood-Brignall, former Conservative Member for Romney Marsh from 1997 to 2009.

(2) The Chairman informed Members that Mr Wood-Brignall's service of thanksgiving had taken place on Monday 13 January 2020.

(3) Mr Hills and Mrs Dean paid tribute to Mr Wood-Brignall.

(4) Following the tributes, all Members stood in silence in memory of Mr Wood-Brignall.

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

“This Council records the sense of loss it feels on the sad passing of Mr Wood-Brignall and extends to his family and friends our heartfelt sympathy to them in their sad bereavement.”

New Year's Honours List 2020

(6) The Chairman referred Members to the list of New Year Honours Recipients from Kent and in particular Graham Razey who had received an OBE for services to Education. He had also been a member of the Corporate Parenting Panel. She formally congratulated all those who had received an Honour.

Thank you letter from Steve Sherry

(7) The Chairman referred to the letter of thanks from Steve Sherry, for the Invicta Award which he had received at the County Council meeting which had taken place on 17 December 2019.

(8) The Chairman informed Members that a copy of the letter of thanks had been circulated via the Members Information Bulletin.

Try-Angle Award

(9) The Chairman informed Members that she had attended the Try-Angle Awards event which had taken place on Sunday 9 February 2020. The event recognised the outstanding efforts and achievements of young people at school, work, organisations and within their own communities.

(10) The Chairman congratulated Kent's district category winners and commended the excellent work that Kent's young people had undertaken as ambassadors for the county.

203. Capital Programme 2020-23 and Revenue Budget 2020-21 (including Council Tax setting 2020-21)

(1) The Chairman reminded all Members that any Member of a Local Authority who was liable to pay Council Tax, and who had any unpaid Council Tax amount overdue for at least two months, even if there was 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) The Chairman draw Members attention to the Section 151 Officers assurance set out on page 36 paragraph 7.5 of the of the report as the budget estimates were robust and the level of reserves adequate, as required by the Local Government Act 2003

(3) Mr Oakford moved and Mr Gough seconded the following motion:

“(i) The County Council is asked to agree the following:

- (a) The net revenue budget requirement of £1,063.654m for 2020-21.
- (b) The 10-year Capital programme and investment proposals of £1,014.339m over three years from 2020-21 to 2022-23 together with the necessary funding and subject to approval to spend arrangements.
- (c) The Capital Strategy as set out in appendix 1 of this report including the Prudential Indicators.
- (d) The Minimum Revenue Provision (MRP) Statement as set out in appendix 3 of this report.
- (e) The directorate capital programmes as set out in sections 1 & 2 of the draft Budget Book (white-combed) for Council approval published on 5th February.

- (f) The directorate revenue budget proposals as set out sections 3, 4 and 5 of the draft Budget Book (white-combed) for Council approval published on 5th February.
 - (g) To delegate responsibility to Cabinet Members and Corporate Directors to manage the budget within the parameters set out in the Constitution and Financial Regulations.
 - (h) To increase Council Tax band rates up to the maximum permitted without a referendum as set out in table 2 in appendix A of the draft Budget Book (white-combed) for Council approval published on 5th February.
 - (i) To levy the additional 2% social care precept (raising an additional £14,375,896 and taking the total social care precept to £65,789,689 out of precept set out in (j) below).
 - (j) The total Council Tax requirement of £749,443,400 to be raised through precepts on districts as set out in table 1 in appendix A of the draft Budget Book (white-combed) for Council approval published on 5th February.
 - (k) The Treasury Management Strategy as set out in appendix 2 of this report.
 - (l) The reforms to the lowest Kent Scheme pay ranges (KR2 and KR3) to a single point paying £9.35 per hour.
 - (m) The governance process for the allocation of unallocated amounts within the approved budget set out in paragraph 6.1 of this report.
- (ii) In addition:
- (n) To note that the Cabinet Member for Communications, Engagement & People after consultation with the Leader and Cabinet, will determine the TCP reward thresholds for staff assessed as successful, excellent, and outstanding, and the uplift to the Kent Ranges in accordance with the 0.5%/£1,200 principles.
 - (o) To delegate authority to the Corporate Director of Finance (after consultation with the Leader, Cabinet Member for Finance, Corporate & Traded Services and the political Group Leaders) to resolve any minor technical issues for the final budget publication which do not materially alter the approved budget or change the net budget requirement. This includes approving the distribution of unallocated amounts within the approved budget set out in paragraph 6.1.
 - (p) Changes made in (o) above to be reflected in the final version of the Budget Book (blue combed) due to be published in March.
 - (q) To note the proposed review of reserves to be conducted by the Council's Section 151 Officer after consultation with Cabinet and Corporate Management Team set out in paragraph 5.36.
 - (r) To note the Section 151 Officer's opinion on the robustness of the budget estimates and the level of reserves held by the Council.
 - (s) To note the uncertain financial outlook for later years in the absence of a multi-year settlement from government
 - (t) To note the development of an outcome-based budgeting approach from 2021-22 onwards
 - (u) To note reviews to the realignment of base budgets and treatment of unallocated amounts in future year's budgets.

Children, Young People and Education Directorate

(4) The Cabinet Member for Education and Skills and the Cabinet Member for Integrated Children's Services introduced the budget for this Directorate prior to a general debate.

(5) Mrs Dean proposed and Ida Linfield seconded the following amendment:

“Proposed spend: Increase the ‘Children in Need - Care & Support’ (Section 5, line 59, page 44 of the Budget Book) by £250,000 in 2020-21 which can be used to provide a training programme aimed at school staff to help them identify young carers, provide them with some initial support and signpost them to the appropriate agencies.

Funded by: This would be funded by deducting £250,000 in 2020-21 from the £3,500,000 ‘Growth for Strategic Statement Priorities’ budget that has been set aside (listed on page 22 of the Budget Book, which sits under line 120 ‘Financing Items – Unallocated’, page 55).”

(6) Following the debate, the Chairman put to the vote the amendment set out in paragraph (5) above and the voting was as follows:

For (14)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr J Clinch, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (55)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, 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 D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, 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 R Thomas, Mr J Wright

Abstain (0)

Amendment lost

(7) Mr Farrell proposed and Mr Lewis seconded the following amendment:

“Proposed spend: Funding of shortlisted projects at the KCC facilitated serious violence hackathon 2019.

Funded by: Removal of additional data analyst post (£27,000) in the GET directorate budget as a result of Knife crime select committee recommendation.”

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

For (13)

Mr R Bird, Mr J Burden, Mr J Clinch, Mr P Cooper, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (58)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, , Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mr I Chittenden, Mrs P Cole, Mr A Cook, Mr G Cooke, , Mrs M Crabtree, , Mr M Dance, Miss E Dawson, , , Mrs L Game, 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 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 P Messenger, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, 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 R Thomas, Mr J Wright.

Abstain (0)

Amendment lost

(9) Mr Farrell proposed and Mr Burden seconded the following amendment:

“Proposed spend: £400,000 Programme of detached youth work (4 nights per week) in each Kent district + £100,000 on associated infrastructure and equipment to assist delivery.

Detached, Universal, street-based youth work responds to the needs of often hard to reach young people and the communities in which they live.

Funded by: £500,000 reduction in cross directorate budget for conferences and meetings at third party venues.”

(10) Following the debate, the Chairman put to the vote the amendment set out in paragraph (9) above and the voting was as follows:

For (70)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr R Bird, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr J Burden, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mr I Chittenden, Mr J Clinch, Mrs P Cole, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M

Crabtree, Mr D Daley, Mr M Dance, Miss E Dawson, Mrs T Dean, Mr D Farrell, Mrs L Game, 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 G Koowaree, Mr P Lake, Mr B Lewis, Ida Linfield, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, 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 R Thomas, Mr M Whybrow, Mr J Wright

Against (0), Abstain (0)

Amendment carried

(In accordance with her declaration of interest, Dr Sullivan withdrew from the meeting and took no part in the debate or voting on the 'Youth Services' amendment in paragraph (9) above.)

Growth, Environment and Transport Directorate

(11) The Cabinet Member for Highways and Transport, the Cabinet Member for Environment, the Lead Member for Economic Development and the Cabinet Member for Community and Regulatory Services introduced the budget for this Directorate prior to a general debate.

(12) Mr Chittenden proposed and Mrs Dean seconded the following amendment:

“Proposed spend: We propose a ringfenced fund of £500,000 (split over 2 years at £250,000 per annum) to be available to Kent’s Parish and Town Councils and community groups, to fund costs towards the procurement and installation of public charging points, whilst assisting them with the procurement process via a Kent-managed framework which they can access

The sum available would be capped to a maximum of £2,500 per installation, conditional on being used for off-street or on-street charging points. Where eligible, this funding can be used in conjunction with other grants

This fund will be allocated to the ‘Highway Transportation (including School Crossing Patrols)’ budget (Section 5, line 82, page 48 of the Budget Book).

Funded by: This would be funded by deducting £250,000 in 2020-21 and 2021-22 the £1m ‘County Council Climate Emergency Time Limited Debate’ budget that has been set aside (listed on page 22, of the Budget Book, which sits under line 129 ‘Financing Items – General, page 55).”

(13) Following the debate, the Chairman put to the vote the amendment set out in paragraph (12) above and the voting was as follows:

For (13)

Mr R Bird, Mr J Burden, Mr J Clinch, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (55)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mrs L Hurst, Mr J Kite, Mr P Lake, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, 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 R Thomas, Mr J Wright

Abstain (0)

Amendment lost

(14) Ida Linfield proposed and Mr Bird seconded the following amendment:

“Proposed spend: We propose a fund of £125,000 to be allocated for the provision of a controlled pedestrian crossing. The funds are to be used in conjunction with the Section 106 contribution to the Pilgrims Way Primary School expansion. This fund will be allocated to a new line within the Highways, Transportation & Waste capital budget (Section 2, pages 11-12 of the Budget Book).

Funded by: This would be funded by deducting £125,000 in 2020-21 from the ‘Highway Major Enhancement / Other Capital Enhancement / Bridge Assessment and Strengthening’ capital investment budget (Section 2, page 9, line 5 of the Budget Book).”

(15) Following a short discussion, the proposer and seconder withdrew the amendment set out in paragraph (14) above.

(16) Dr Sullivan proposed and Mr Lewis seconded the following amendment:

“Proposed spend: £500,000 increase on highway asset management, highway drainage cleansing repairs and soakaways.

Funded by: Use £500,000 of the net £4,500,000 additional council tax base and retained business rate growth which have been used to reduce the draw down from corporate reserves in the proposed budget. (page 25 of Section 3 to the budget book). This is within Financing Items - General (Section 5, page 55, line 119).”

(17) Following the debate, the Chairman put to the vote the amendment set out in paragraph (16) above and the voting was as follows:

For (14)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr J Clinch, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (54)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, 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, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, 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 R Thomas, Mr J Wright

Abstain (1)

Mr A Bowles

Amendment lost

(18) Mr Whybrow proposed and Mr Chittenden seconded the following amendment:

“Proposed spend: Provide capital funding for dedicated cycle and walking schemes of £5 million per year for three years. This to be used to support district and borough council walking and cycling strategies and schemes; identify, design and fund and match fund new schemes, including ones to link existing routes; deliver Phase 4 and 5 of the Cinque Ports Cycle Route, between Hythe and the sea wall at Dymchurch.

Funded by: Reducing by £15 million the £221,854,000 three-year budget for Highway Major Enhancements (Section 2 Capital Investment Plans by Directorate – page 9 Row 5 of the Budget Book 2020-21).”

(19) Following the debate, the Chairman put to the vote the amendment set out in paragraph (18) above and the voting was as follows:

For (14)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr J Clinch, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (55)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, 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, Mr R Gough,

Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, 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, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, 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 R Thomas, Mr J Wright

Abstain (0)

Amendment lost

Adult Social Care and Health Directorate

(20) The Cabinet Member for Adult Social Care and Public Health introduced the budget for this Directorate prior to a general debate.

(21) Ida Linfield proposed and Mrs Dean seconded the following amendment:

“Proposed spend: We propose an increase in the ‘Community Based Preventative Services’ budget (Section 5, line 25, page 40 of the Budget Book) by £250,000 in 2020-21. Funding to continue on an ongoing basis in subsequent years. This will be used to support befriending services aimed at prevention of social isolation and onset of dementia.

Funded by: This would be funded by deducting £250,000 in 2020-21 from the £3,500,000 ‘Growth for Strategic Statement Priorities’ budget that has been set aside (listed on page 22 of the Budget Book, which sits under line 120 ‘Financing Items – Unallocated’, page 55).”

(22) Following the debate, the Chairman put to the vote the amendment set out in paragraph (21) above and the voting was as follows:

For (12)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (55)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, 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 M Horwood, Mr E Hotson, Mr J Kite, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, 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 R Thomas, Mr J Wright

Abstain (0)

Amendment lost

(23) Mr Burden proposed and Mr Farrell seconded the following amendment:

“Proposed spend: Respite care for Carers is crucial to the care of Kent’s vulnerable people and to prevent the more expensive care provided by hospitals and residential care facilities. Additional £500,000 to be added to in-house respite care to meet current demand, changing need and greater identification of Carers.

Funded by: Use £500,000 of the net £4,500,000 additional council tax base and retained business rate growth which have been used to reduce the draw down from corporate reserves in the proposed budget. (page 25 of Section 3 to the budget book). This is within Financing Items - General (Section 5, page 55, line 119)”

(24) Following the debate, the Chairman put to the vote the amendment set out in paragraph (23) above and the voting was as follows:

For (13)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (52)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mr J Kite, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr B Sweetland, Mr I Thomas, Mr R Thomas, Mr J Wright

Abstain (0)

Amendment lost

(25) Dr Sullivan proposed and Mr Farrell seconded the following amendment:

“Proposed spend: An additional £800,000 will be spent on developing current approaches within the integrated domestic abuse service such as those supported by district domestic abusive co-ordinators and programmes such as one stop shops, recovery tool kits and perpetrator programmes as well as measures identified by the multi-agency risk assessment conference.

Funded by: Use £800,000 of the net £4,500,000 additional council tax base and retained business rate growth which have been used to reduce the draw down from corporate reserves in the proposed budget. (page 25 of Section 3

to the budget book). This is within Financing Items - General (Section 5, page 55, line 119)”

(26) Following the debate, the Chairman put to the vote the amendment set out in paragraph (25) above and the voting was as follows:

For (13)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Mr Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (52)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mr J Kite, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr B Sweetland, Mr I Thomas, Mr R Thomas, Mr J Wright

Abstain (0)

Amendment lost

Strategic and Corporate Services Directorate

(27) The Cabinet Member for Finance, Corporate and Traded Services and the Cabinet Member for Communications, Engagement and People introduced the budget for this Directorate prior to a general debate.

(28) Mr Bird proposed and Mr Chittenden seconded the following amendment:

“Proposed spend: We propose KCC commits £300,000 per annum for 3 years to commission specialist work by partner agencies aimed at identifying and addressing the causes and origins of violent behaviour and led by the Public Health Department through the Director of Public Health. This would mean creating a new line, ‘Violence Reduction’, within the Public Health Budget sitting just above line 116 on page 54 of the Budget Book.

Funded by: This would be funded by deducting £300,000 in 2020-21 from the £3,500,000m ‘Growth for Strategic Statement Priorities’ budget that has been set aside (listed on page 22 of the Budget Book, which sits under line 120 ‘Financing Items – Unallocated’, page 55). A further £300,000 would also be set aside in both 2021-22 and 2022-23. A recurrent theme in the work to date in developing the Strategic statement is that of Kent people feeling unsafe in their local communities; we propose this money is used to address this need.”

(29) Following the debate, the Chairman put to the vote the amendment set out in paragraph (28) above and the voting was as follows:

For (13)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Mr Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (52)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, 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, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mr J Kite, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr B Sweetland, Mr I Thomas, Mr R Thomas, Mr J Wright

Abstain (0)

Amendment lost

(30) Mr Whybrow proposed and Mr Bird seconded the following amendment:

“Proposed spend: Increase funding to public health (Budget Book Section 5 – Revenue Budget Key Services page 54 line 112) by £300,000 to increase front-line drug and alcohol service provision. This would include establishing a naloxone pilot in an area of high-need and analysis of future long-term funding options if successful.

Funded by: Higher than anticipated council tax base (use £300,000 of the reduced draw-down from reserves on page 25 of Section 3 to the budget book).”

(31) Following the debate, the Chairman put to the vote the amendment set out in paragraph (30) above and the voting was as follows:

For (13)

Mr R Bird, Mr J Burden, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr D Farrell, Mr P Harman, Mr A Hook, Mr G Koowaree, Mr B Lewis, Mr Ida Linfield, Dr L Sullivan, Mr M Whybrow

Against (49)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mrs M Crabtree, Miss E Dawson, Mrs L Game, Mr G Gibbens, Mr R Gough, Ms S Hamilton, Mr M Hill, Mr T

Hills, Mrs S Hohler, Mr P Homewood, Mr M Horwood, Mr E Hotson, Mr J Kite, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr B Sweetland, Mr I Thomas, Mr R Thomas, Mr J Wright

Abstain (0)

Amendment lost

(32) As all of the amendments had either been determined or withdrawn, the Chairman put to the vote the substantive Motion (as set out in paragraph (3) above, with the addition of the amendment in paragraph 9) and the voting was as follows:

For (52)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr P Barrington-King, Mrs C Bell, Mrs P Beresford, Mr T Bond, Mr A Booth, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mrs P Cole, Mr A Cook, Mr G Cooke, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, 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 M Horwood, Mr E Hotson, Mr J Kite, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Mr J McInroy, Mr D Monk, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr I Thomas, Mr R Thomas, Mr J Wright

Against (8)

Mr R Bird, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr A Hook, Mr G Koowaree, Ida Linfield, Mr M Whybrow

Abstain (4)

Mr J Burden, Mr D Farrell, Mr B Lewis, Dr L Sullivan

Substantive Motion carried

(33) RESOLVED that

(i) The County Council approve the following:

(a) The net revenue budget requirement of £1,063.654m for 2020-21.

(b) The 10-year Capital programme and investment proposals of £1,014.339m over three years from 2020-21 to 2022-23 together with the necessary funding and subject to approval to spend arrangements.

(c) The Capital Strategy as set out in appendix 1 of this report including the Prudential Indicators.

(d) The Minimum Revenue Provision (MRP) Statement as set out in appendix 3 of this report.

(e) The directorate capital programmes as set out in sections 1 & 2 of the draft Budget Book (white-combed) for Council approval published on 5th February.

- (f) The directorate revenue budget proposals as set out sections 3, 4 and 5 of the draft Budget Book (white-combed) for Council approval published on 5th February.
 - (g) To delegate responsibility to Cabinet Members and Corporate Directors to manage the budget within the parameters set out in the Constitution and Financial Regulations.
 - (h) To increase Council Tax band rates up to the maximum permitted without a referendum as set out in table 2 in appendix A of the draft Budget Book (white-combed) for Council approval published on 5th February.
 - (i) To levy the additional 2% social care precept (raising an additional £14,375,896 and taking the total social care precept to £65,789,689 out of precept set out in (j) below).
 - (j) The total Council Tax requirement of £749,443,400 to be raised through precepts on districts as set out in table 1 in appendix A of the draft Budget Book (white-combed) for Council approval published on 5th February.
 - (k) The Treasury Management Strategy as set out in appendix 2 of this report.
 - (l) The reforms to the lowest Kent Scheme pay ranges (KR2 and KR3) to a single point paying £9.35 per hour.
 - (m) The governance process for the allocation of unallocated amounts within the approved budget set out in paragraph 6.1 of this report.
 - (n) allocate £400,000 for a programme of detached youth work (4 nights per week) in each Kent district plus £100,000 on associated infrastructure and equipment to assist delivery to be funded from a £500,000 reduction in cross directorate budget for conferences and meetings at third party venues.
- (ii) In addition:
- (n) To note that the Cabinet Member for Communications, Engagement & People after consultation with the Leader and Cabinet, will determine the TCP reward thresholds for staff assessed as successful, excellent, and outstanding, and the uplift to the Kent Ranges in accordance with the 0.5%/£1,200 principles.
 - (o) To delegate authority to the Corporate Director of Finance (after consultation with the Leader, Cabinet Member for Finance, Corporate & Traded Services and the political Group Leaders) to resolve any minor technical issues for the final budget publication which do not materially alter the approved budget or change the net budget requirement. This includes approving the distribution of unallocated amounts within the approved budget set out in paragraph 6.1.
 - (p) Changes made in (o) above to be reflected in the final version of the Budget Book (blue combed) due to be published in March.
 - (q) To note the proposed review of reserves to be conducted by the Council's Section 151 Officer after consultation with Cabinet and Corporate Management Team set out in paragraph 5.36.
 - (r) To note the Section 151 Officer's opinion on the robustness of the budget estimates and the level of reserves held by the Council.
 - (s) To note the uncertain financial outlook for later years in the absence of a multi-year settlement from government
 - (t) To note the development of an outcome-based budgeting approach from 2021-22 onwards

13 FEBRUARY 2020

(u) To note reviews to the realignment of base budgets and treatment of unallocated amounts in future year's budgets.

From: Ben Watts, General Counsel
To: County Council – 17 June 2020
Subject: Protocol for Virtual Meetings
Classification: Unrestricted

1. Introduction

- (a) In line with provisions in the Coronavirus Act, regulations have come into force giving local authorities the ability to take a more flexible approach to holding meetings.
- (b) However, the core governance requirements for meetings remain. Notice still needs to be given for meetings and the Agendas need to be made available online. The public's right to observe meetings remains the same and so provision needs to be made for the public to hear the discussion and see it where possible as well.
- (c) The regulations are written so that each local authority can tailor their ability to hold virtual meetings to the technology they are able to put into place. Use of the technology needs to ensure the business of the Council can be conducted fairly and without any participant or observer being unduly disadvantaged.
- (d) Formal meetings held virtually are still formal meetings, and while the procedures and rules remain the same as when all Members are present in the same room, it will be a different way of working.

2. Protocols for Virtual Meetings

- (a) Each Committee is being asked to adopt a set of supplementary protocols to guide how virtual meetings will be run. These are geared to explaining how the requirements of the Constitution will be put into effect in a virtual setting.
- (b) Adopting these Protocols will enable Members to have a common point of reference and to understand how business will be conducted. For members of the public observing our virtual meetings, this will improve transparency and understanding of the democratic process.
- (c) A set of Protocols for County Council meetings are attached as an Appendix to this report.

3. Recommendation:

That in order to facilitate the smooth working of its virtual meetings, the County Council agrees to adopt the appended Protocols.

4. Background Documents

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) England and Wales) Regulations 2020 - SI 2020 392, <http://www.legislation.gov.uk/uksi/2020/392/contents/made>

5. Contact details

Report Author and Relevant Director:

Ben Watts, General Counsel 03000 416814
benjamin.watts@kent.gov.uk

Draft – Protocol for Meetings of the County Council held under SI 2020 392

General

1. Part Three of the Constitution (Standing Orders) shall continue to apply for all virtual meetings except where there is a requirement, implied or otherwise, for Members to be physically present in the same location.
2. These Protocols supplement but do not replace the Standing Orders in the Constitution and exist to make meetings held under SI 2020 392 more effective and efficient.
3. Reference to Chair or Clerk relate to the Chair or Clerk of the specific virtual meeting.
4. The Monitoring Officer or his deputies are available to assist and advise the Chair and the Clerk as necessary.
5. Members are respectfully reminded to ensure that the electronic device through which they are attending the virtual meeting has sufficient battery charge.

Rules of Conduct

6. The Chair's ruling on the meaning or application of these Protocols or any other aspect of the proceedings of a meeting held virtually cannot be challenged.
7. The Chair may give any direction, or vary these Protocols, when they consider it appropriate to do so in order to allow for the effective and democratic management of the meeting but must take advice from the Clerk before so doing.
8. Immediately before the commencement of the virtual meeting, all participants must switch the video and microphone settings to "off" and only turn them on when invited to speak by the Chair.
9. Members are reminded that any member of the public may observe the meeting.
10. The conversation function referred to in the Protocols is also known as the 'meeting chat'. Members should proceed as if the content can be viewed by participants and the wider public and only use the function for procedural matters as set out below. It should not be used to discuss the substantive issue – this should be done verbally.

Attendance

11. Members must affirm their presence by typing the word 'Present' in the conversation function of the meeting. This shall be accepted by the Clerk as the equivalent of the Member having signed the attendance list.
12. Where a Member is leaving the meeting permanently or temporarily, the word 'Absent' shall be typed in the conversation function. Where the Member joins the meeting once more, 'Present' shall be typed once more.

13. Where a Member has declared a DPI or other interest which means they need to absent themselves for part of the meeting, the Member shall leave the meeting completely at the appropriate time. The Clerk shall email the Member when they are able to re-join. The Clerk will confirm the absence by checking the meeting attendees and confirming the same to the Chair.
14. The standard quorum of one third of the total voting membership applies and this number must have indicated they are 'Present' for the meeting to commence or continue. The Clerk will conduct electronic checks on quoracy periodically throughout the meeting.

Speaking

15. Members and other participants in the meeting must wait to be called on by the Chair before speaking.
16. Attendees may indicate a desire to speak through use of the conversation function. The Clerk will ensure these are brought to the attention of the Chair in the order received.

Motions and Amendments

17. Except where the motion before the Committee is set out in the Agenda, any Member is entitled to request that a motion or amendment before the Committee be typed out in the conversation function by the proposer. Where this is done, the Clerk shall read out the motion/amendment.
18. All proposed motions/amendments will need to be seconded by a Committee Member present in line with usual practice.
19. The Chair shall ask for Members' views on the motion/amendment. Where the view of the Committee is unclear, the Chair shall call for a vote.

Voting

20. Voting will be through a poll overseen by the Clerk through the conversation function, or through a rollcall of all Members taken in alphabetical order with the Clerk announcing whether the motion/amendment was agreed or not agreed once this has concluded. The Chair will announce at the start of the meeting which of these methods is to be used.
21. Where a poll is the chosen method but is not able to take place, the Chair shall ask Members to record whether they are for, against, or abstaining in the conversation function. No response shall be taken as an abstention.
22. No votes shall be recorded in the Minutes unless sections 16.31 or 16.32 of the Constitution apply.

Clerking

23. There will normally be a minimum of two Officers supporting the Chair and Committee during a virtual meeting. One will act as a facilitator to support the Chair. The other will be taking minutes.

Other Provisions

24. Where the minimum legal requirements apply and Members are only able to hear each other and be heard, the Chair shall be responsible for identifying speakers etc., and will be supported in this by the Clerk as facilitator. A rollcall shall be held at the start of the meeting, and at other times as deemed necessary by the Chair, to establish quoracy in these circumstances.

Part Two Meetings

25. At the start of any formal meeting, or part of any formal meeting, from which the press and public have been excluded in accordance with section 15.17 of the Constitution, Members shall type the words 'Present - Alone' to verify that no unauthorised person is able to hear, see, or otherwise participate in the meeting.
26. A Part Two meeting will normally be anticipated and will be scheduled in advance as a separate virtual meeting. Where the need to move into a Part Two meeting only becomes apparent during the meeting, the item affected should be adjourned to a later date.

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KENT COUNTY COUNCIL

CORPORATE PARENTING PANEL

MINUTES of a meeting of the Corporate Parenting Panel held in Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 17 September 2019.

PRESENT: Mrs A D Allen, MBE (Chairman), Ida Linfield (Vice-Chairman), Ms D Bride, Mr T Byrne, Mr T Doran, Mrs L Game, Ms S Hamilton, Mrs S Hammond, Mr A Heather, Mrs S Prendergast, Ms N Sayer, Mrs T Scott (Substitute for Ms J Bayford), Ms C Smith and Ms S Vaux

ALSO PRESENT: Mr R W Gough

IN ATTENDANCE: Mr M Dunkley CBE (Corporate Director for Children Young People and Education), Mr R Barton (Apprentice Participation Worker, Virtual School Kent), Ms J Carpenter (Participation and Engagement Manager, Virtual School Kent) and Miss T A Grayell (Democratic Services Officer)

UNRESTRICTED ITEMS**176. Apologies and substitutes**

(Item 1)

Apologies for absence had been received from Julianne Bayford, Gary Cooke, Stephen Gray, Stuart Griffiths, Geoff Lymer and Michael Northey.

Tracy Scott from the Kent Foster Care Association was present as a substitute for Julianne Bayford.

177. Membership

1. The Democratic Services Officer announced that, since publishing the agenda, she had received news from Stuart Griffiths that he was unable to continue as a Member of the Panel as new work commitments meant he was no longer able to attend meetings.

2. The Chairman placed on record her thanks to Stuart for his participation over the years and for his valuable insight as an experienced foster carer and adopter, in particular his experience of caring for UASC.

178. Minutes of the meeting of the Panel held on 25 July 2019

(Item 2)

It was RESOLVED that the minutes of the meeting held on 25 July 2019 are correctly recorded and they be signed by the Chairman. There were no matters arising.

179. Chairman's Announcements

(Item 3)

The Chairman said how very proud she had been to attend the recent ceremony at Canterbury cricket ground to present young people in care with awards and certificates of achievement. It had been very pleasing to see young people's joy at having their achievements celebrated. She thanked the participation team who had organised and attended the event for the care they had put into the arrangements.

180. MOTION TO EXCLUDE THE PRESS AND PUBLIC FOR EXEMPT ITEMS

It was RESOLVED that, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of part 1 of Schedule 12A of the Act.

The Chairman explained that the meeting was being closed so a film could be shown which featured children and young people in care attending participation events.

EXEMPT ITEM

181. Verbal Update from Our Children and Young People's Council (OCYPC) *(Item 4)*

1. Tom Byrne and Rob Barton, Apprentice Participation Workers, Virtual School Kent (VSK), gave a verbal update on the work of the OCYPC, the Super Council and Young Adult Council and forthcoming participation events. *The text of this update will be appended to these minutes.*

2. The first part of the update included a film of children and young people enjoying various participation events over the long summer holiday. These covered a range of activities, including gliding, horse-riding and a sports day. Young people attending had also taken part in a discussion about the qualities needed by a good foster carer.

UNRESTRICTED ITEMS (meeting re-opens to public)

182. Verbal Update from Our Children and Young People's Council (OCYPC)

1. The update continued in open session with a second film, made using a new 'Videoscribe' animation facility which presented participants as animated figures, with the voices of real young people as a soundtrack. It was noted that this would make it easier for young people to share their views at first hand with a wider audience as they could not be identified and the challenges of protecting their privacy were thus avoided. This new medium and its possible uses were welcomed.

2. It was RESOLVED that the verbal updates be noted, with thanks.

183. Verbal Update by Cabinet Member *(Item 5)*

1. The Cabinet Member for CYPE, Roger Gough, gave a verbal update on the following issues:

Awards ceremony - he agreed with the view of the Chairman that the awards ceremony held on the previous weekend had been a wonderful occasion. The presence of the Panel Chairman as Chairman of the County Council had given the occasion a higher profile than it had had before. Such an event aimed to celebrate all young people in care, not just those who had achieved good academic results. Many were involved in community activities or excelled at sports or the performing arts. He referred to the number of County Council Members who had attended and suggested that more publicity of the event among Members might encourage more to attend.

Unaccompanied Asylum Seeking Children (UASC) – the number of UASC had been increasing for a while. 18 months ago, the number of UASC under 18 in Kent had been 230, which was Kent's 'fair share', using the formula which accompanied the National Transfer Scheme. There were now 353 under 18 and 900 over 18. So far in 2019, just over 200 new UASC had arrived in Kent.

2. He explained that the general position on funding for care leavers, including UASC, had not changed since reporting to the Panel in July. A Government review had increased the rates paid in support of UASC under 18 but there were still outstanding funding issues relating to care leavers over 18. Although the shortfall for this sector was between £500,000 and £600,000, this was the lowest it had been in ten years.

3. It was RESOLVED that the verbal updates be noted, with thanks.

184. Report on Looked After Children and Custody (Item 6)

1. Dan Bride, Assistant Director, Adolescent and Open Access, West, introduced the report and responded to comments and questions from the Panel, including the following:

- a) a Panel member who had visited Cookham Wood Young Offenders Institute praised the education facilities there but expressed concern about the number of children in care in the youth justice system and that 60% of those had special educational needs and disability (SEND). Ms Bride advised that the number of children in care in custody or awaiting sentencing was a challenge not just in Kent but nationally, and work was going on to seek to reduce this number. The Home Office, the Ministry of Justice and the Department for Education were collaborating on a national protocol to reduce the unnecessary criminalisation of children in care and care leavers. Early Help and Preventative Services aimed to achieve very early intervention and an holistic approach, with schools being able to refer young people and families to self-refer. There was also a move to use more out-of-court disposals, for example, restorative justice and community solutions, to avoid young people entering the youth justice system;

- b) asked what role Virtual School Kent (VSK) could play in this work, Tony Doran, Head Teacher, VSK, explained that VSK aimed to improve the school attendance of all young people, not just those with SEND, to keep them away from risk-taking behaviour, but pointed out that VSK was only part of a larger picture. Ms Bride added that 'open access' offers were being reviewed to make these more robust and identify earlier those who might be at risk of becoming involved in criminal behaviour;
- c) asked what would happen to residents of the Medway Secure Training Centre (STC) during its conversion to a school, and how many of those residents were girls, Ms Bride explained that there were no girls currently resident at Medway. Current residents would move to the nearest suitable centre, as close to their foster families as possible. A recent inspection had advised Medway STC that they needed to ensure that a social worker was in post. Asked where any girls would go, Ms Bride *undertook to find out about this and the social worker appointment and advise the questioner outside the meeting*;
- d) asked about health services for young people in custody, Ms Bride advised that some young people coming into care at the time of they entered the youth justice system did not have a GP and hence had health needs which were not being met. There was an established relationship between secure institutions and the North East London NHS Foundation Trust to deliver healthcare services;
- e) asked if the County Council would have any input into the establishment of the first secure school in the UK, Ms Bride advised that, although she would be meeting shortly with the Oasis Charitable Trust, which would run the school, to talk about providing suitable training for staff, the County Council had no jurisdiction over the running of the school;
- f) asked how young people at risk of exploitation could be protected from county lines and gang activity, Ms Bride advised that a model of risk management was being established which would involve joint working and shared intelligence between professionals, as well as mentoring for young people, which had been shown to be effective when used elsewhere; and
- g) asked how the achievements of young people in the youth justice system would be celebrated, compared to other children in care, Ms Bride advised that the youth justice service aimed to establish a scheme by which young people's achievements could be celebrated, replicating the arrangements made by VSK for other children in care. She referred to the excellent work started by Josh, the Youth Justice Apprentice, who had since moved on to a new role. The aim now was to establish a Youth Justice Apprentice in each of the four regional teams, rather than one to cover the whole county, and that their work would focus on black, Asian, and minority ethnic (BME),

children in care and care leavers, as these groups were over-represented in the youth justice system.

2. It was RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks, and that a further update report be presented to the Panel in six months' time.

185. Performance Scorecard for Children in Care (Item 7)

Chris Nunn, Senior Management Information Officer, was in attendance for this item.

1. Mr Nunn introduced the report and explained that pattern changes had arisen from the re-inclusion of UASC in the figures and the completion of fewer initial health assessments. Nancy Sayer, Designated Consultant Nurse for Looked After Children, Kent Clinical Commissioning Groups, added that there had been a large increase in the first half of 2019 in the number of both children in care and those placed in Kent by other local authorities, especially in East Kent, and this had stretched resources to breaking point. Health assessment interviews for UASC were necessarily more complicated than for other children in care as UASC required interpreters, came with no health records and hence could have all manner of hitherto unidentified and unmet health needs. Asked about the long-term impact of this and how long it might take to clear the backlog, Ms Sayer said this was not easy to predict. She explained, however, that additional capacity would be made available later in the autumn and more nursing resources would be requested in instalments thereafter. This would hopefully include specialist paediatricians with experience of working with children in care and UASC. Sarah Vaux, Chief Nurse, Medway Clinical Commissioning Group, agreed that resourcing initial health assessments for children and young people coming into care was an ongoing concern.

2. It was RESOLVED that the performance data set out in the report and the information given in response to comments and questions be noted, with thanks.

186. Kent Adoption Service Annual Report 2018/2019 and Kent Adoption Service Business Plan 2019 (Item 8)

Sarah Skinner, Head of Adoption Service, was in attendance for this item.

1. Ms Hammond and Mrs Skinner gave an update on the regional adoption agency (RAA) and explained the work which was continuing to establish it. The Government had committed to the development of an RAA involving Kent, Medway and Bexley Councils, and those three councils had formally agreed to work together, which meant their respective staffs would have no change of employer or terms and conditions of employment. Mrs Skinner would be the Interim Head of the RAA, as well as retaining some of her responsibilities at Kent County Council, and her County Council post would be back-filled. Executive and operational boards for the RAA had

been set up and stakeholder events organised for social workers, the NHS, young people and others. There would be an Adoption Advisory Board event in November 2019.

2. Mrs Skinner then responded to comments and questions from the Panel, including the following:-

- a) the Chairman commented that the Adoption Annual Report was not just a regular report of activity but a celebration of the work of Kent's Adoption service;
- b) although there was a target timespan during which a child should be matched with suitable adopters, it was surely more important that the match ultimately made was the right one. Mrs Skinner advised that the target timespan was set by the Government and was required to be met; and
- c) Mrs Skinner explained that the aim of the adoption service was to meet the needs of all children awaiting adoption, in the best way possible for each child. Sometimes the needs of children were so great that they may need to be the only child in a family at a point in time. Mrs Skinner emphasised that any decision to separate siblings would be taken only after much thought and only by weighing up how the needs of each child could best be met in a secure permanent placement, which would avoid unnecessary future moves. Although some siblings may not be placed together, every effort would be made to keep them as geographically close as possible, and to encourage contact between their adoptive families, so they could still see their siblings while being parented by different adults.

3. It was RESOLVED that the information set out in the Kent Adoption Annual Report 2018/19 and Business Plan 2019 and given in response to comments and questions, be noted, the excellent work of the adoption team be welcomed and celebrated and all adoption staff be sent the Panel's thanks for their work.

187. Special Educational Needs and Disability (SEND) Action Plan/Children in Care with Education, Care and Health Plans (ECHPs) (6 monthly review)
(Item 9)

Lesley Burnand, Special Educational Needs County Manager, was in attendance for this item.

1. Ms Burnand introduced the report and responded to comments and questions from the Panel, including the following:-

- a) the facilities for delivering an alternative curriculum to young people excluded from school were impressive and were praised. Ms Burnand set

out some of the innovative and creative projects which were in place, including one which encouraged young people to learn to maintain a bicycle and plan and undertake cycle rides. This would develop the practical skills of mechanics, route planning and orienteering as well as encouraging them to get out into the fresh air and take regular exercise. Such schemes would be run alongside other educational provision, and in a young person's education record this would be listed as 'other education'. Mr Doran added that the success of such schemes was evidenced by the reduced number of young people with an Education, Care and Health Plan who were not in education, employment or training (NEET); and

- b) asked if there were any schools specialised in working with 'school refusers', Ms Burnand explained that some independent providers offered outreach packages and mentoring schemes.

2. The Corporate Director, Matt Dunkley, suggested that one role of a corporate parent could be that of a 'pushy parent', to champion and pursue what any other parent might pursue for their child. He added that the recent integration of the Child Disability, Early Help and Children's Social Care teams provided one co-ordinated, integrated service for children with special needs. As a service provider, the County Council needed to be responsible for the whole service provision and, as such, would seek to achieve a first class and outstanding service.

3. It was RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks, and a further update report be made to the Panel in six months' time.

188. Looked After Children Annual Report for the Kent Clinical Commissioning Groups, April 2018 - March 2019
(Item 10)

1. Ms N Sayer introduced the report and explained that she had a statutory duty to report annually on the health services provided to looked after children in Kent and priorities for future work. She responded to comments and questions from the Panel, including the following:-

- a) concern was expressed about there being only one designated nurse for looked after children in Kent, against the recommended total of five. Ms Sayer advised that, since writing the report, two deputy designated nurses had been appointed and interviews for a third appointment were due to take place shortly;
- b) Ms Sayer advised that an interim designated doctor for looked after children, Dr Leather, had been appointed substantively in July 2019, working two days a week. She hoped that Dr Leather could attend a future Panel meeting to talk about her work. It was hoped also to be able to

appoint three deputy designated doctors, at least one of whom could be a GP;

- c) asked about the funding available to recruit more designated doctors and nurses, and if this funding could be protected until suitable appointments could be made, Ms Sayer confirmed that the funding was reserved and would be protected while suitable staff were being sought. Recruitment of such staff could take a long time as the subject area was very specialised and required a very specific skills set;
- d) asked if other local authorities placing their children in care in Kent made a contribution to the costs of their health care, Ms Sayer advised that there was a national tariff for health assessments which other CCGs in the placing local authorities were required to pay, but no formal arrangement for them to pay for any other, secondary health services the child may need during their placement in Kent. Some authorities, in particular London authorities, had limited placements near to their boundaries and so had to place them elsewhere, and many London children came to Kent; and
- e) asked about funding for training about gang activity and knife crime, Ms Sayer advised that one-off funding had been made available by NHS England, but no further training was being planned.

2. It was RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks, and the opportunity to meet a designated doctor at a future Panel meeting be welcomed.

KENT COUNTY COUNCIL

CORPORATE PARENTING PANEL

MINUTES of a meeting of the Corporate Parenting Panel held in Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 10 December 2019.

PRESENT: Mrs A D Allen, MBE (Chairman), Mr R Barton, Ms J Bayford, Mr D L Brazier (Substitute for Mrs S Prendergast), Mr T Byrne, Mrs T Dean, MBE (Substitute for Ida Linfield), Mr T Doran, Ms S Dunstan, Mr S Gray, Ms S Hamilton, Mrs S Hammond, Ms N Sayer, Mrs T C Scott and Ms C Smith

ALSO PRESENT: Mrs S Chandler, Dr S Leather and Mr A M Ridgers

IN ATTENDANCE: Mr M Dunkley CBE (Corporate Director for Children Young People and Education), Ms J Carpenter (Participation and Engagement Manager, Virtual School Kent) and Miss T A Grayell (Democratic Services Officer)

UNRESTRICTED ITEMS**1. Membership**

(Item 1)

1. The Panel noted that Michael Northey and Reece Graves had left the Panel and that Tracy Scott and Rob Barton had joined. Tracy had filled one of the foster carer places and Rob had taken Reece's place as an Apprentice Participation Worker with Virtual School Kent.

2. Apologies and substitutes

(Item 2)

Apologies for absence had been received from Dan Bride, John Burden, Lesley Game, Andy Heather, Ida Linfield, Geoff Lymer, Shellina Prendergast and Sara Vaux.

David Brazier was present as a substitute for Shellina Prendergast and Trudy Dean as a substitute for Ida Linfield.

3. Chairman's Announcements

(Item 3)

1. The Chairman welcomed Rob and Tracy to their first meeting as Panel members and thanked Reece for his excellent work with the Children in Care Councils.

2. As part of her aim to promote the corporate parenting role during her year as Chairman of the Council, Mrs Allen had been very pleased to come across Fairshare,

an organisation which collects surplus food and directs it to those who could use it. Stephen Gray, Chief Executive Officer, Young Lives Foundation, told the Panel that Fairshare provided hampers and welcome packs of cupboard essentials and basic groceries to care leavers setting up home independently for the first time. Ms Smith added that Fairshare also offered apprenticeships for young people in care and leaving care, to help them get a start in the hospitality and catering industries.

3. As last year, a Christmas dinner would be arranged on 19 December for care leavers who might otherwise be on their own at Christmas. Surplus goods from the County Council's public relations team, including fleeces and other items featuring a 'Kent' logo, had been sold to raise money to put towards the costs of the dinner, raising over £600.

4. Mrs Allen had recently hosted at County Hall an 8-year-old girl in foster care who had designed the County Council's Christmas card for 2019. It had been good to see her enjoyment of the visit and her pride in her design winning the competition.

5. The Corporate Parenting Giving Tree at Sessions House had received a good initial donation of toiletries sets and chocolate selection boxes and it was hoped that enough parcels would be collected for every young man or woman leaving care to have a parcel to open at Christmas. It was hoped that all Members would feel able to contribute something suitable to boost the total, and it was agreed that *all Members be contacted by the Democratic Services Officer in advance of the next full Council meeting on 17 December so they would have time to organise and bring something.*

4. Minutes of the meeting of the Panel held on 17 September 2019 (Item 4)

It was RESOLVED that these are correctly recorded and they be signed by the Chairman. There were two matters arising under Minute 188:

- a) Nancy Sayer, Designated Consultant Nurse for Looked After Children, advised the Panel that the **recruitment of deputy designated nurses** for Looked After Children was continuing, with two now having been appointed and another due to be appointed soon. The third round of recruitment had unfortunately not been successful so would be repeated. This problem arose from the very specific nature of the role and the importance of finding people who were completely right for it. In addition, it was hoped that designated doctors could be recruited to each of three posts, including doctors able to cover a range of specialisms. Dr Sue Leather had been recruited to the first of these three posts in July 2019; and
- b) further to the Panel's wish at its September meeting to meet a **designated doctor**, **Dr Sue Leather** was in attendance and told the Panel briefly about her role and experience of working as a community paediatrician for 28 years, then in an advocacy and advice role to clinical commissioning groups, particularly relating to neurodevelopmental services for children. She had also trained staff and service managers on the needs of unaccompanied asylum-

seeking children (UASC) and children preparing for adoption, and had a quality assurance role for these services.

Dr Leather was thanked for taking the time to attend and it was suggested that she also be invited to attend meetings of the Children In Care Councils to talk about her role.

5. Motion to exclude the press and public for exempt business

It was RESOLVED that, under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.

EXEMPT ITEM

(open access to minutes)

6. Verbal Update from Our Children and Young People's Council (OCYPC) (Item 5)

1. The Virtual School Kent (VSK) team started their update by showing a film, 'My Kent, My Identity', in which UASC and young people in care from black and minority ethnic backgrounds talked about their experiences of living in Kent and what it meant to them. They spoke about how different cultures were celebrated at their schools and youth clubs and how they thought young people of different races and cultures could spend more time together and understand better each other's cultures, for example, by playing sports together and via social activities. They also set out what they would tell a younger person experiencing the same things they had dealt with. The film had a positive message of mutual support, understanding and caring, and was much welcomed.

2. The Panel discussed how the film could be used to raise awareness of and start conversations about cultural diversity. Members were mindful, however, that the film featured young people whose identities and privacy would need be protected, and as such could not be shown to a public audience.

UNRESTRICTED ITEMS

(meeting re-opens to the press and public)

7. Verbal update by Our Children and Young People's Council (OCYPC)

1. Sophia Dunstan, Participation Support Assistant, and Tom Byrne and Rob Barton, Apprentice Participation Workers, Virtual School Kent, continued their update on the work of the OCYPC, the Super Council and Young Adult Council and set out forthcoming participation events. *The text of this update would be added to these minutes.*

2. Julianne Bayford, foster carer and Chairman of the Kent Foster Care Association, gave some feedback on the Teen Conference she had attended in October. This had been an excellent event which had generated a good buzz. Foster carers who had attended the conference were keen that social workers be made fully aware of the messages arising there, including the need to look at what could be done to improve the experiences of young people in care. In response to a question about what careers advice was made available to young people in care, Ms Dunstan said that nothing arose about that at the conference but explained that her social worker had given her an application form for an apprenticeship with the VSK. Young people in care applying for such posts would always be considered favourably but they would first need to know that it was possible to apply for such a thing. Tony Doran, Head Teacher, VSK, advised that every school had a duty to provide individual careers advice and guidance to every student, and every student had to be offered a suitable placement in the September after they had left school.

3. It was RESOLVED that the verbal updates be noted, with thanks.

8. Challenge Card update *(Item 6)*

1. Jo Carpenter, Participation and Engagement Manager, VSK, and Caroline Smith, Assistant Director, Corporate Parenting, introduced the report and set out a new challenge, 'Mind Your Language', and updated the Panel on progress made on the Council Tax exemption for care leavers.

2. **Mind Your Language** sought to address the vocabulary, both spoken and written, used by professionals when talking to and about children and young people in care, to make sure that both were as child-friendly as possible. OCYPC members had prepared an initial list of words and phrases for which they suggested more child-friendly alternatives.

3. Panel members commented that this list could be useful for elected County Council Members, foster carers and NHS staff and asked that it be sent round to all Panel members, who could then share it with their respective colleagues. It was suggested also that the fortnightly newsletter from the Corporate Director could include a 'dictionary corner', featuring one or two phrases each time, to remind officers and Members and reinforce the campaign as an ongoing project.

4. Matt Dunkley, Corporate Director of Children, Young People and Education, added that Ofsted also used some of the jargon which was being targeted in the challenge, and suggested that the subject be raised at the next annual conversation with Ofsted in March 2020 with the tag line 'we are changing our language, you could change yours'.

5. **Council Tax exemption for care leavers** had been a challenge card in March 2019 and work had been ongoing since to look into the feasibility and costs to the

County Council of establishing this as policy. The proposed exemption and all the supporting and financial information would be presented to and discussed by the Children's, Young People and Education Cabinet Committee on 10 January 2020, prior to a key decision being taken by the Cabinet Member for Integrated Children's Services under the County Council's decision-making process. Feedback on the discussion at the Cabinet Committee would be reported to the Panel on 18 February.

6. The current proposed scheme would cover care leavers up to the age of 21, as many of this age group would still be studying and seeking work. Older young people were more likely to be settled in work and hence more able to pay their own Council Tax. To extend the scheme to all care leavers up to the age of 25 would have an enormous financial impact on the County Council; to support each of the young people (approximately 200) between 21 and 25 with whom the Council was currently in touch would involve allocating each a personal advisor, and a higher age limit might attract more young people to delay leaving, or come back into, the service to benefit from the exemption.

7. It was RESOLVED that:-

- a) progress made to date on the exemption from Council Tax for care leavers up to 21 be welcomed; and
- b) the new 'Mind Your Language' challenge be accepted and the details of it be sent to all Panel members and elected County Council Members so it could be shared further among foster carer and NHS colleagues.

9. Verbal Update by Cabinet Member (Item 7)

1. Mrs Chandler, **Cabinet Member for Integrated Children's Services**, paid tribute to the previous Cabinet Member for Children, Young People and Education, Roger Gough, and the huge workload he had managed during his time in office, which had since been divided between two Cabinet portfolios, her own and that of Richard Long, Cabinet Member for Education and Skills. She then gave a verbal update on the following issues:-

Kent Association of Head Teachers Conference 21 November – this had been an excellent event at which she had felt very proud of the VSK Apprentices who had attended and addressed the conference. The conference had used the 'balloon challenge' (which had previously been used with the Panel at the Takeover Day in May 2019), in which a number of balloons, each featuring a subject with which vulnerable learners like children in care had to contend – for example, meeting a new social worker, coping with a new foster sibling, contact with their birth family – were thrown to a volunteer one at a time, with the aim of demonstrating how difficult it was for one person to juggle all the balloons and keep them all in the air at the same time, and the importance of having someone to help them to manage the large number of competing challenges.

Members for Children's Services in the South East – Political Leaders and Directors working in Children Services in the South East had recently met. They had touched on the same issue of language and the use of jargon addressed in the 'Mind Your Language' challenge and had raised the importance of corporate parents challenging what their authority did to help young people prepare for independent adult life. Participants had agreed on the need for elected Members to be kept in touch with language currently in use. She suggested that the initial list of words and phrases be sent to all elected County Council Members in advance of the County Council meeting on 17 December, as well as being tabled there, to raise awareness of the campaign.

2. The Chairman thanked Mrs Chandler for her first update as the new Cabinet Member and emphasised that the relationship between the serving Cabinet Member and the Children In Care Councils had always been one of open communication and mutual support, which Mrs Chandler welcomed.

3. It was RESOLVED that the verbal updates be noted, with thanks.

10. Performance Scorecard for Children in Care (Item 8)

1. Ms Smith introduced the report. Asked about the apparent contradiction between two graphs in the scorecard, one showing children in care (CIC) numbers decreasing over the last five years and the other showing the number of CIC placed by other local authorities increasing over the same period, Sarah Hammond, Director, Integrated Children's Services (Social Work Lead), explained that the decreasing figure was of Kent citizen CIC only. The total number of CIC in Kent at any one time would be a total of three cohorts - the number of citizen CIC, the number of UASC and the number of CIC placed by other local authorities. Asked why this total was not reported in the scorecard, Ms Hammond explained that CIC placed by other local authorities were not counted in Kent's performance figures, which were measured using the national key performance indicators. Kent had the highest rate of CIC placed by other local authorities in the UK, which was an ongoing challenge. Ms Sayer added that, although the County Council did not have corporate parenting responsibility for CIC placed by other local authorities, the NHS had a duty to provide health services to *all* CIC in Kent, including UASC and those placed by other local authorities, and this exerted much pressure on NHS budgets, which were already very stretched, particularly in East Kent. The costs of providing some services could be reclaimed later from the clinical commissioning group but the demand for those services needed first to be met.

2. It was RESOLVED that the information and performance data set out in the scorecard and given in response to questions be noted, with thanks.

11. The Corporate Parenting Annual Report 2019 (Item 9)

1. Ms Smith introduced the report, which was the second to be produced and which would be considered also by the full County Council on 17 December, to raise the profile of the corporate parenting role shared by all elected Members. Ms Smith and Ms Hammond responded to comments and questions from the Panel, including the following:-

- a) asked about the progress of foster carer recruitment advertising, Ms Smith explained that an advert had been produced by young people and used by SkyTV and on social media in September and October 2019. This had been targeted at households which were most likely to have capacity to accommodate an extra child and had been well received. A TV advert had also been recorded, which had had a cost similar to that of the radio adverts recorded previously. It would be a little while before the success of these could be identified, hopefully in an increase in the number of foster carers being recruited;
- b) the report was welcomed as being clear and easy to read as an introduction and scene-setter to the corporate parenting role and the work of the directorate;
- c) asked how the number of 'Sense of Belonging' referrals in Kent compared to the national figure, and if it would be possible to report the figure yearly so an ongoing comparison could be made, Ms Hammond and Ms Smith explained that the Sense of Belonging service was unique to Kent so was difficult to compare with the service at any other local authority as none had a comparative model. Kent had recently established a placement stability team so had had an extra resource in 2019 to address placement stability. Kent had a target to keep the number of children in care (CIC) having more than three placements in a 12-month period to less than 10%, and was currently achieving 9.8%, compared to a national indicator of 12-14%;
- d) asked how the number of young people who were not in education, employment or training (NEET) in Kent compared to the national figure, Ms Smith explained that Kent performed better than the national average and had maintained that position for some time;
- e) a view was expressed that the target for achievement levels for CIC should be inspirational but should not be different from those set for their peers, simply because of their care status, and a question asked about why children from economically disadvantaged homes did not also have a special target set for them. Mr Doran agreed that targets should be aspirational but explained that the two cohorts of students, in care and not in care, faced different challenges. National key performance indicators relating to narrowing the achievement gap measured the performance of CIC to that of all other learners. Other children who could be considered to be disadvantaged educationally, for example, children claiming free school meals, did not face the same

challenges as CIC. For example, many CIC came into care shortly before their vital GCSE year and had their schooling disrupted by moves between placements. The figures for the number of children with special educational needs and disability (SEND) illustrated the difference; 30% of CIC had SEND, compared to only 1% of those not in care; and

f) Ms Bayford reminded the Panel that the dragon boat race which had been so successful in 2019 would be repeated in 2020.

2. It was RESOLVED that the Corporate Parenting Annual Report 2019 be welcomed and commended and the responsibilities of the County Council as corporate parents be noted.

12. Unaccompanied asylum-seeking children (UASC) and the impact of leaving the European Union

(Item 10)

1. Penny Ademuyiwa, Assistant Director, Front Door, introduced the report and advised the Panel that, as of 3 December 2019, the number of UASC in Kent under the aged of 18 was 411. Of these, 26 had arrived during November, and 292 had arrived so far in 2019. There were many reasons why UASC would continue to come to Kent after Britain had left the European Union, and pressure for places needed to be compared to the capacity of the accommodation and services available. Taking the 0.7% of the population which was agreed under the National Transfer Scheme as any one local authority's 'fair share' of UASC under 18, Kent's share would be 231 young people, yet Kent currently had 411, 70 of whom were accommodated at the Millbank centre. Another local authority where UASC tended to arrive, Portsmouth, currently had only 118.

2. Asked about the age profile of Kent's UASC, Ms Hammond advised that:

- 75% of the cohort were boys and young men aged 16–17
- 23% were aged under 16
- only 3-5% of the total cohort were girls and young women

3. Mr Dunkley pointed out that the number of UASC arriving in Kent had peaked at each of the earlier proposed deadlines for leaving the European Union. He advised the Panel that Kent would be approaching other local authorities in the South East to ask them to take on a larger share of the UASC currently in Kent.

4. It was RESOLVED that the information set out in the report and given in response to questions, ie:-

- a) the uncertainty that exists regarding the eventual impact of the UK's withdrawal from the European Union on all services and future rates of UASC arriving in Kent;

- b) that an influx of arrivals, for any reason, will impact upon Kent County Council's ability to meet its corporate parenting responsibilities for both UASC and citizen children placed with them; and
 - c) that Kent County Council's Service for Unaccompanied Asylum-Seeking Children (SUASC) is developing its staffing establishment and processes to ensure it is as prepared as possible for such an event,
- be noted.

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By: Shellina Prendergast – Cabinet Member for
Communications, Engagement & People
Amanda Beer – Corporate Director People &
Communications

To: County Council **Date:** 17 June 2020

Subject: Pay Policy Statement

Classification: Unrestricted

Summary: This paper addresses the actions the Authority is required to make on pay as part of delivering its responsibilities under the Localism Act 2011.

1. **BACKGROUND**

- 1.1 An objective of the Localism Act is to increase transparency of local pay. This requires councils to publish the salaries of senior officials, as part of the ambitions to enable local people to better understand how public money is being spent in their area.
- 1.2 The Act requires a local authority pay policy to be openly approved by democratically elected councilors on an annual basis.

2. **PAY POLICY STATEMENTS**

- 2.1 The Pay Policy Statement for 2020-21 is attached in Appendix 1. As in previous years, and as agreed by County Council on 29 March 2012, the statement relates to:
 - the level and elements of remuneration for each chief officer which includes recruitment, increases and additions
 - the use of performance-related pay (PRP) for chief officers and the use of bonuses, if applicable
 - the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority
 - the publication of and access to information relating to remuneration of chief officers.

For the purpose of the Localism Act, a Chief Officer in KCC is defined as being at 'Director level'. This includes the County Council's Corporate Directors and Directors.

- 2.2 The provisions do not apply to the staff of local authority schools.

3. PAY MULTIPLE

- 3.1 A pay multiple is calculated in order to measure the difference in pay between the norm and highest salary. The definition of pay multiple in the 'Code of Recommended Practice for Local Authorities on Data Transparency' document is the ratio between the highest paid salary and the median average salary of the authority's workforce.
- 3.2 KCC's current Pay Multiple figure is 8.1 : 1. This excludes schools.

4. GUIDANCE

- 4.1 The policy is compliant with expectations and guidance in the Code of Recommended Practice along with supplementary updates which have been received.

5. RECOMMENDATION

- 5.1 County Council is asked to endorse the attached Pay Policy Statement.

Colin Miller
People Strategy Adviser
03000 416483

Kent County Council Pay Policy Statement 2020-2021

The Authority seeks to be able to recruit and retain staff in a way which is externally competitive and internally fair. The Kent Scheme Pay Policy applies in a consistent way from the lowest to the highest grade.

- The pay policy is influenced by a number of factors which include local pay bargaining, market information, market forces, economic climate, measures of inflation and budgetary position.
- The policy referred to in this Statement is relevant to Council employees generally. The scope of this Statement does not include all Terms and Conditions as some are set on a national basis. These include Teachers covered by the school teachers pay and conditions in (England and Wales) document, Soulbury Committee, Adult Education, National Joint Council (NJC), Joint National Council (JNC) and the National Health Service (NHS).
- The Kent Scheme pay range consists of grades KR3 – KR20. There is a difference of at least £1,200 between the top of each successive grade. The pay gap between the top of one grade and the minimum of the next makes the distinction between grades clear. Details of the pay range are at the bottom of the page.
- The details of the reward package for all Corporate Directors and Directors are published and updated on the County Council's web site.
- KCC will publish the number of people and job title by salary band. This is from £50,000 to £54,999 and then by pay bands of £5,000 thereafter. This will include elements made on a repeatable or predictable basis such as market premium payments.
<https://www.kent.gov.uk/about-the-council/finance-and-budget/spending/senior-staff-salaries>
- The appropriate grade for a job is established through a job evaluation process which takes into account the required level of knowledge, skills and accountability required for the role.
- The lowest point of KCC's grading structure (Grade KR3) is set such that the hourly rate is above the National Minimum Wage.
- Staff who are new to the organisation must be appointed at the minimum of the grade unless there are exceptional reasons to appoint higher. These must be based on a robust business case in relation to the level of knowledge, skills and experience offered by the candidate and consideration is given to the level of salaries of the existing staff to prevent pay inequality. For senior staff, any such business case must be approved by the relevant Corporate Director.
- Council signs off the pay structure. The subsequent appointment of individuals, including those receiving salaries in excess of £100k, is in accordance with the pay structure and the principles outlined in the pay policy.

- Staff who are promoted should be appointed to the minimum of the grade. However, their pay increase should equate to at least 2.5%.
- All progression within a grade is subject to performance as assessed through Total Contribution Pay (TCP) process and a percentage awarded for each appraisal level. This applies to all levels in the Authority and there are no additional bonus schemes for senior managers.
- The award for each appraisal rating is set annually following the outcome of the appraisal process.
- People at the top of their grade have the opportunity to receive a pay award which is consistent with others who have the same appraisal rating. This amount will be paid separately and not built into base pay.
- The 'Lowest' paid employees are defined as those employees on KCC's lowest grade, KR3. They receive relevant benefits and are remunerated in the same proportionate way as others.
- The entry level will increase to £18,039 which equates to £9.35 per hour.
- In order to establish the pay difference and the relative change in pay levels over time, a pay multiplier can be calculated. This is the base pay level of the highest paid employee shown as a multiple of the median Kent Scheme salary. This multiplier will be published on the County Council's website annually.
<http://www.kent.gov.uk/about-the-council/information-and-data/data-about-the-council>
http://www.kent.gov.uk/data/assets/pdf_file/0006/13578/Pay-Multiplier.pdf
- KCC recognises that managers need to be able to reward performance in a flexible and appropriate way to the particular circumstances.
- Should it be shown that there is specific recruitment and retention difficulties, the Market Premium Policy may be used to address these issues.
- The Council would not expect the re-engagement of an individual who has left the organisation with a redundancy, retirement or severance package.
- Managers have delegated powers to make cash awards when necessary and where not covered by any other provision as defined in the Blue Book Kent Scheme Terms & Conditions.
<http://www.kent.gov.uk/jobs/careers-with-us/working-for-us>
http://www.kent.gov.uk/data/assets/pdf_file/0019/12574/Kent-Scheme.pdf
- Policies about termination payments and employer discretions under the Local Government Pension Scheme will be reviewed and published for all staff. These will be produced with the intention of only making additional payments when in the best interests of the Authority and maintaining consistency through all pay grades.

2020-21 Kent Scheme pay scale

Pay Range

Grade	Minimum	Maximum
KR20	£202,661	£207,884
KR19	£147,888	£201,616
KR18	£123,753	£147,152
KR17	£98,804	£117,432
KR16	£77,394	£97,251
KR15	£68,074	£77,009
KR14	£60,131	£67,735
KR13	£53,662	£59,832
KR12	£45,817	£53,395
KR11	£39,812	£45,589
KR10	£33,678	£39,613
KR9	£29,446	£33,510
KR8	£25,692	£29,299
KR7	£22,581	£25,564
KR6	£20,585	£22,469
KR5	£19,335	£20,483
KR4	£18,129	£19,239
KR3	£18,039	£18,039

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By: Roger Gough – Leader
David Cockburn – Head of Paid Services

To: County Council

Date: 17 June 2020

Subject: Children Young People and Education Directorate – Top Tier Restructure

Classification: **Unrestricted**

SUMMARY: This paper sets out proposals to delete the post of Director Education, Planning and Access and create two new Director posts in the Children, Young People and Education Directorate.

1. RECOMMENDATIONS

- 1.1 The County Council is invited to endorse the recommendation of the Personnel Committee to agree:
- the formal deletion in the structure of the post of Director Education Planning and Access in the Children Young People and Education Directorate.
 - the introduction of a new Director – Education role and a new Director – Special Educational Needs and Disabilities role, both as described in Appendix 3.

2. INTRODUCTION

- 2.1 The current senior structure of the Children, Young People and Education (CYPE) Directorate, as shown Appendix 1 has consisted of the Corporate Director and three Directors since the Directorate was established in April 2017.
- 2.2 Recent changes in the responsibilities of the Directorate and outcome of the SEND Ofsted inspection has led the Corporate Director CYPE to review the sufficiency of senior management capacity to deliver the statutory and other responsibilities and improvements that are now required.
- 2.3 This report recommends the formal deletion of the current post of Director Education, Planning and Access and the creation of two new Director roles: a Director – Education and a Director – Special Educational Needs and Disabilities.
- 2.4 These changes were discussed by the Personnel Committee on 30 January 2020 and the Committee agreed to endorse the proposals. The Personnel Committee also agreed that the recruitment process for the new roles could

begin immediately but that no permanent appointments would be made prior to the full County Council agreeing the revised structure

3 REASONS FOR CHANGE TO THE DIRECTOR ROLES CONFIGURATION

- 3.1 In September 2019, it was agreed between the Director Children Services (DCS) and Director Adult Social Services (DASS) that Disabled Children and Young People Services (DCYPS) should transfer from Adult Social Care and Health to CYPE. This decision was taken to ensure the pathway of services to young people with disabilities was optimised for service users.
- 3.2 The Council for Disabled Children had been invited earlier in 2019 to assist in making the decision about the best location for DCYPS across the adult and children directorates and in that work highlighted the scope to strengthen co-ordination and join-up of provision to address the picture that emerged of parental perception of a fragmented offer for their children and a need to think about expanding the scope of the (well evaluated) DCYPS to meet the needs of a wider cohort of children.
- 3.3 In the current CYPE structure, the transferred responsibilities would sit with the Director Education, Planning and Access. This role already has a considerable breadth of responsibility. The postholder has lead responsibility for liaising with over 600 schools; access and inclusion; school admissions; children with Special Educational Needs (SEN) and oversight and management of The Education People contract. The responsibilities of the post increased dramatically following the SEN reforms contained in the 2014 Children and Families Act which were described as the “biggest education reforms in a generation for children and young people with special educational needs”. These changes have had a significant impact on services both locally and nationally. Whilst this is a national problem, it is clear that the struggle in Kent to keep pace with the increased expectations and demands has been even greater than elsewhere given our size and complexity.
- 3.4 The poor outcome of the Local Area SEND Ofsted Inspection early in 2019 led to the requirement for a Written Statement of Action with nine identified areas of weakness. This necessitates significant additional leadership, input and scrutiny of provision. Whilst KCC is not an outlier in the requirement to produce a Written Statement of Action, the scale of the challenges that we are faced in Kent is reflected in the number of improvements that we need to deliver.
- 3.5 Given the changing requirements of the post, it became clear that the responsibilities of Director Education Planning and Access role were too broad and onerous for a single person. The SEND inspection outcome requires a greater level of management drive and scrutiny than is possible within current resources. There is also a recognition, both from the internal review but also from the work carried out by the Council for Disabled Children, that services are too siloed, did not meet the needs of a sufficiently wide group of young people and needed to be better connected and co-ordinated.

4 PROPOSED TOP TIER DIRECTORATE STRUCTURE

- 4.1 It is proposed to introduce two new Director level roles. Both have been evaluated at KR17 and will be direct reports to the Corporate Director CYPE and a member of the Directorate's Management Team. The proposed top tier structure chart for the CYPE Directorate is shown at Appendix 2.
- 4.2 The Director – Special Educational Needs and Disabilities would be responsible for the management of the Special Education Needs (SEN) service, Disabled Children and Young People Service (DCYPS) and Education Psychology Service, the latter to create a smoother link for pupils with SEN. The post will lead and drive the improvements required as a result of the SEND Ofsted inspection and the reforms required as a result of the changes contained in the 2014 Children and Families Act. A full job description for the role is shown at Appendix 3.
- 4.3 The Director – Education will lead, shape and direct:
- The development and delivery of strategies aimed at improving educational outcomes for all children in Kent including effective school place planning, provision and inclusion.
 - The delivery of support for schools (school improvement, governor services, finance, early years etc), currently through its commissioning strategy in respect of the provision of these education services, through The Education People, to Kent County Council.
 - The strategy for and delivery of Community Learning & Skills across the county.

A full job description is shown at Appendix 3.

5 CONSULTATION

- 5.1 There was one individual directly affected by the proposal to change the Director level posts. Individual consultation has been undertaken about the changes to the senior structure and the content of the new Director roles. The detail of the job descriptions and accountabilities has been developed in consultation with the wider Directorate leadership team. Following the Personnel Committee endorsement of the structure in January 2020, formal discussions were held with the individual personally impacted.
- 5.2 The postholder indicated that he did not wish to be considered for either of the new roles. Importantly he did not meet the requirements of the person specification for the Director –Special Educational Needs and Disabilities role and the Director Education would not have been a “slot” for him because it is more than 25% different than his previous role because of the transfer of activity.
- 5.3 The top tier structure was due to be discussed at the County Council meeting on 19 March 2020. This meeting was cancelled because of the Covid-19 pandemic. In the circumstances and to mitigate legal risk, it was agreed that

it was appropriate for the redundancy to be implemented as planned from 31 March 2020.

6 FINANCIAL CONSIDERATIONS

- 6.1 The cost of the additional KR17 Director post will be accommodated within the Directorate budget, so no additional funding is being sought for this new structure.

7 NEXT STEPS

- 7.1 Further work is required to ensure activity levels are evenly distributed at the levels below the Directors and this will comprise a second phase of the work.
- 7.2 Interim arrangements for the two Director posts will be put in place whilst a full recruitment process is undertaken should the new structure be agreed by the County Council. This will involve an internal and external recruitment/ Executive search campaign. A Personnel Committee Member Appointment panel will be convened.

8. RECOMMENDATIONS

- 8.1 The County Council is invited to endorse the recommendation of the Personnel Committee to agree:
- the formal deletion in the structure of the post of Director Education Planning and Access in the Children Young People and Education Directorate.
 - the introduction of a new Director – Education role and a new Director – Special Educational Needs and Disabilities role, both as described in Appendix 3.

Amanda Beer
Corporate Director People and Communications
Ext 415835

Background Documents: Personnel Committee paper 30 January 2020

**Corporate Director
Children, Young People & Education**

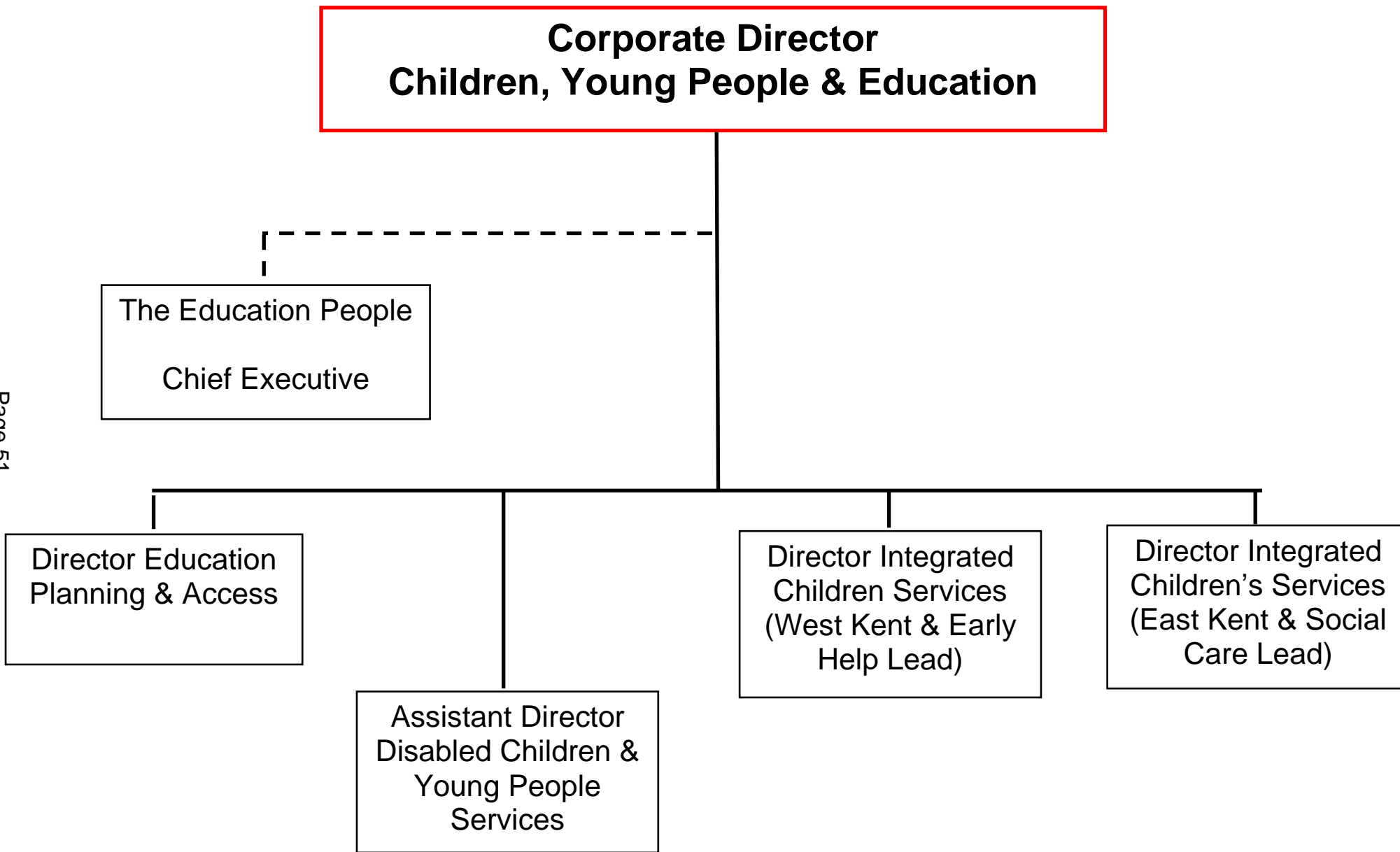
The Education People
Chief Executive

Director Education
Planning & Access

Assistant Director
Disabled Children &
Young People
Services

Director Integrated
Children Services
(West Kent & Early
Help Lead)

Director Integrated
Children's Services
(East Kent & Social
Care Lead)



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**Corporate Director
Children, Young People & Education**

The Education People
Chief Executive

Director Education

Director
Special Educational
Needs & Disabilities

Director Integrated
Services

Director Integrated
Services

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Kent County Council

Job Description:

Director – Education

Date: February 2020

Directorate: Children, Young People and Education

Division: Education

Grade: KR17

Responsible to: Corporate Director Children, Young People and Education

Job Purpose:

Lead, shape and direct:

- The development and delivery of strategies aimed at improving educational outcomes for all children in Kent including effective school place planning and provision and inclusion, for all children and young people including those with SEND.
- The Directorate's delivery of support for schools (school improvement, governor services, finance, early years etc), currently through its commissioning strategy in respect of the provision of these education services, through The Education People, to Kent County Council.
- The Directorate's strategy and delivery of Community Learning & Skills across the county.

Accountabilities

Directors will work within the KCC Corporate Responsibilities for Senior Officers. In addition, as members of Extended Corporate Management Team, Directors and Corporate Directors will work together to make strategic decisions on the most effective use of the Council's agreed budget, resources and policies and enhance the reputation

of Kent as a place as well as Kent County Council as the democratic agent of change in the region.

Lead on commissioning strategies and implementation in close partnership with Directorate leads across the Council to plan and secure the provision of high-quality school places across a diverse range of schools for children and young people at all ages, helping to improve parental choice.

Lead on the work with key external partners such as the RSC and ESFA in delivering the provision of high-quality school places particularly in respect of Academies and Free Schools

Promote fair access in admissions to all educational settings, working with a range of providers and authorities to ensure that Admissions policy and practice, and the development of new school provision meet legal requirements and that every child in Kent receives their educational entitlement.

Lead the development of district-based working so that there is coordinated and integrated delivery of children and young people's services in each district, working in partnership with schools and other providers, and with other directorates in KCC

Lead on all evaluation and impact work in school organisation, place planning and provision, transport and admissions.

Determine, develop and maintain systems to enable strategy and policy development, effective performance management and statistical analysis.

Ensure that policy and performance is informed by best practice in school organisation, admissions and assessment, advising schools on all aspects of policy.

Ensure that appropriate interventions are made in schools to resolve management issues and risks, liaising with The Education People to highlight areas of concern for standards and school improvement.

Shape, develop and review the Commissioning strategy for commissioned Education Services through The Education People to ensure it continues to incorporate current thinking, creates further opportunity for synergy across the Council and supports delivery of the Council's objectives and its statutory requirements, to ensure a sufficient supply of good quality school places, including children with SEN.

To ensure the commissioning strategy builds and maintains effective relationships with The Education People and other key stakeholders to ensure effective engagement in the delivery of the Council's objectives and its statutory requirements.

To work closely with the Director of Special Educational Needs and Disabilities to provide leadership of curriculum and quality for SEND children and young people across the system in Kent.

Lead on commissioning strategies and implementation in close partnership with Directorate leads across the Council to plan and secure the provision of high-quality provision for Community Learning & Skills

Actively review all services provided by this post to identify the 'right source' for their future delivery including consideration of outsourcing, co-sourcing or in-sourcing to ensure the most effective and efficient delivery methods are employed.

This job description sets out the accountabilities specific to the role. These should be read in conjunction with the Corporate Responsibilities that apply to the Corporate Director and Director roles.

Services

Provision Planning and Operations

Capital Programme

Fair Access (including Admissions, Transport, Elective Home Education, Children Missing Education and Home Tuition)

Education Services Planning and Resources (includes Academies & Free Schools)

Community Learning & Skills

Person Specification

Qualifications

- Evidence of continuing professional development
- Educated to degree level or equivalent.

Experience

Extensive experience and successful track record of strategic leadership and successful delivery in local government and/or other relevant large and complex organisations working within the children's services arena.

Extensive experience of working with schools, school-based organisations, related partners and regulatory/support bodies such as Ofsted and the Regional Schools Commissioner (RSC)

Experience of effectively managing and delivering a range of key integrated services and change programmes for children and families within a budget

Experience and successful track record of achieving improvements in service delivery and improved outcomes for children and young people.

Experience and track record in delivering a range of services in partnership with other agencies and stakeholders, both internal and external, including within a highly political environment.

The commissioning and decommissioning services

Planning and performance monitoring across agencies in a children's service environment

Skills and Abilities

Able to operate effectively as a member of the Extended Corporate Management Team, shaping the strategic Council priorities and setting clear direction, and service commitment to the successful delivery of the Council's strategic priorities.

Able to establish strong positive relationships across the education sector at all levels, in order to provide effective leadership and direction including a relationship of both personal and professional credibility and trust with elected Members.

The ability to gain the confidence and trust of Head-teachers across Kent.

Able to establish strong positive relationships across partner and other external organisations that command professional confidence.

Able to demonstrate effective motivational strategic leadership and vision to staff at all levels including a positive attitude to change in order to maintain and develop services in a constantly changing environment.

Able to command respect, influence and negotiate at a strategic professional and political level both locally and nationally in order to ensure the best interests of the Council are met.

Able to demonstrate a high level of personal resilience, challenge and focus in order to ensure the whole Organisation delivers the right services in the right way.

Highly developed communication and presentation skills.

Able to lead, influence and implement strategic policies and decisions.

Effective management of large budgets and ability to demonstrate value for money for customers with a string focus on maximising a return on investment

Ability to analyse complex data and problem solve

Ability to plan, monitor and review all areas in the discipline

Knowledge

Expert knowledge in a relevant professional area and proven track record of using professional expertise to develop and deliver strategic objectives and expected outcomes

Knowledge of complex statutory duties and codes of practice

Knowledge and understanding of the relevant inspectorates and the roles of DFE and the RSC

Broad knowledge of the range of children's services across partner agencies and sectors
In depth understanding of the strategic challenges and operational realities of managing services for children and young people in a large and diverse authority

Kent County Council

Job Description:

Director – Special Educational Needs and Disabilities

Date: February 2020

Directorate:	Children, Young People and Education
Division:	Special Educational Needs and Disabilities
Grade:	KR17
Responsible to:	Corporate Director Children, Young People and Education

Job Purpose:

Lead the delivery and strategic development of services to disabled children and young people and those with Special Educational Needs ensuring those services (in-house and commissioned) meet the needs of all those children, are aligned to information on need and that they continue to meet the changing needs of children and young people in Kent.

To contribute as a member of the Directorate Management Team to the strategic leadership of the Directorate.

To champion the needs of children with additional needs ensuring an inclusive high-quality service that works in partnership with families to maximise children's potential.

Accountabilities

Directors will work within the KCC Corporate Responsibilities for Senior Officers. In addition, as members of Extended Corporate Management Team, Directors and Corporate Directors will work together to make strategic decisions on the most effective use of the Council's agreed budget, resources and policies and enhance the reputation of Kent as a place as well as Kent County Council as the democratic agent of change in the region.

Lead the operational delivery and strategic development of all services to disabled children and young people (0-25yrs) and those with SEND in Kent, ensuring that services match needs, are developed in partnership with parents and young people and adapt to Kent's changing needs and demography. Page 59

Lead the development of a culture across KCC, schools and other partners that works in partnership with parents and focusses relentlessly on the needs of children through consultation, engagement and co-production with families.

To take a key role in the inclusion agenda, liaising with other Directors and where appropriate, schools to ensure that services are inclusive and supportive of children achieving their potential.

Lead the delivery of high-quality services to disabled children that safeguard their needs in line with national standards, policies and procedures.

Lead the development of services, ensuring that they are client centred, high quality and fit for purpose, driving the earlier identification of emerging need and be responsible for putting into place a range of services that prevent those needs escalating as young people grow older and working with families to provide tailored support which allows them to stay together.

Ensure that SEND assessments are of the highest quality and that they result in the appropriate educational provision for children.

Lead the delivery and development of the Education Psychology service, ensuring that it is fully integrated with the SEND offer, meets statutory requirements and provides a streamlined and efficient service to children and their families.

Undertake a key role in the joint strategic commissioning for disabled children and SEND services across Kent including those with learning disabilities and Autistic Spectrum Disorders, ensuring a seamless fit between in-house and commissioned provision.

Lead the establishment of key governance frameworks and a culture that ensure services are delivered within budget, to local and national standards and in line with the relevant policies and frameworks.

Determine, develop and maintain systems to enable strategy and policy development, effective performance management and statistical analysis.

Ensure that schools maintain a relentless focus on inclusion and the improvement of educational standards for those with SEND, liaising with The Education People and Director of Education as appropriate.

Lead the development of district-based working so that there is coordinated and integrated delivery of children and young people's services in each district, working in partnership with schools and other providers, and with other directorates in KCC

This job description sets out the accountabilities specific to the role. These should be read in conjunction with the Corporate Responsibilities that apply to the Corporate Director and Director roles.

Services

- Special Educational Needs service including the Local Offer
- Education Psychology
- Disabled children and young people's social care services 0-25yrs
- Short Breaks services

Person Specification

Qualifications

- Evidence of continuing professional development
- Educated to degree level or equivalent.

Experience

Extensive experience and successful track record of strategic leadership and successful delivery in local government and/or other relevant large and complex organisations working within the children's services arena.

Experience of SEND and (preferably) disabled children services at a senior level. Experience of the interface between the local authority statutory function (code of practice) and schools for vulnerable pupils and those with special educational needs.

Extensive experience of working with schools, school-based organisations, related partners and regulatory/support bodies such as Ofsted and the Regional Schools Commissioner (RSC)

Experience of effectively managing and delivering a range of key integrated services and change programmes for children and families within a designated budget

Extensive experience and successful track record of achieving improvements in service delivery and improved outcomes for children and young people.

Extensive experience and track record in delivering a range of services in partnership with other agencies and stakeholders, both internal and external.

Experience of Planning and performance monitoring across agencies

Experience of commissioning and decommissioning of services

Extensive experience of working and influencing the direction of services within a highly political environment.

Skills and Abilities

Able to operate effectively as a member of the Extended Corporate Management Team, shaping the strategic Council priorities and setting clear direction, and service commitment to the successful delivery of the Council's strategic priorities.

Able to establish strong positive relationships across the education sector at all levels, in order to provide effective leadership and direction including a relationship of both personal and professional credibility and trust with elected Members.

The ability to gain the confidence and trust of Head-teachers across Kent.

Able to establish strong positive relationships across partner and other external organisations that command professional confidence.

Able to demonstrate effective motivational strategic leadership and vision to staff at all levels including a positive attitude to change in order to maintain and develop services in a constantly changing environment.

Able to command respect, influence and negotiate at a strategic professional and political level both locally and nationally in order to ensure the best interests of the Council are met.

Able to demonstrate a high level of personal resilience, challenge and focus in order to ensure the whole Organisation delivers the right services in the right way.

Highly developed communication and presentation skills.

Able to lead, influence and implement strategic policies and decisions.

Effective management of large budgets and ability to demonstrate value for money for customers with a string focus on maximising a return on investment

Ability to analyse complex data and problem solve

Ability to plan, monitor and review all areas in the discipline

Knowledge

Expert knowledge in the relevant professional area and proven track record of using professional expertise to develop and deliver strategic objectives and expected outcomes

Knowledge of complex statutory duties and codes of practice as it relates to the role

Knowledge and understanding of the relevant inspectorates and the roles of DFE and the Regional Schools Commissioner.

Broad knowledge of the range of children's services across partner agencies and sectors
In depth understanding of the strategic challenges and operational realities of managing services for children and young people in a large and diverse authority

Item 13(a)

By: Benjamin Watts, General Counsel

To: County Council – 17 June 2020

Subject: ANNUAL INCREASE OF THE MEMBERS' ALLOWANCES SCHEME – 2020/21

Classification: Unrestricted

Summary: This report recommends a Members' Allowances Scheme for 2020/21, based on the scheme approved in July 2017, for formal adoption by the County Council.

1. Introduction

- 1.1 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.
- 1.2 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”*
- 1.3 This report proposes an amended scheme for annual adoption in accordance with our statutory obligation and pursuant to the decision of Members in 2017.
- 1.4 Appendix A1 to this report sets out the Members' Allowances Scheme for 2019/20. Appendix A2 sets out the Scheme to be adopted for 2020/21. Once adopted, the Constitution will be updated to reflect this agreed change.

2. Recommendation:

The County Council approve the Members' Allowances Scheme for 2020/21 as set out in Appendix A2 to this report.

Item 13(a)

3. Background Documents

None.

8. Contact details

Report Author and Relevant Director:

Ben Watts, General Counsel
03000 416814
benjamin.watts@kent.gov.uk

Appendix A1 – Members’ Allowances Scheme 2019/20

Members’ Allowances Scheme (2019/20 Scheme - Adopted by the Council on 23 May 2019)

21.14 Basic Allowance - £15,561.94 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

	%	£
Executive		
Leader	100	51,175.14
Cabinet Members (maximum 9) + Lead Member for Traded Services	65	33,262.80
Deputy Cabinet Members (maximum 11)	30	15,351.69
Cabinet Committee Chair (maximum 6)	17.5	8,953.13
Council		
Council Chairman	33	16,865.96
Council Vice-Chairman	17.5	8,953.13
Planning Applications Committee Chair	22	11,263.42
Regulation Committee Chair	22	11,263.42
Other Committee Chairs (a)	17.5	8,953.13
Scrutiny Committee Chair	17.5	8,953.13
Select Committee Chairs (for period of review)	17.5	8,953.13
Opposition		
Leader of each Opposition Group (of at least five members)	15	7,675.84 plus 607.65 for each additional Group Member

21.15 Notes to Table in 21.14:

- (a) Other Committee Chairs: Governance and Audit, Health Overview and Scrutiny and Superannuation Fund.
- (b) No Member to receive more than one Special Responsibility Allowance.
- (c) No other allowance to be payable.

Travel Expenses

21.16 Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the HM Revenue and Customs for business travel. Currently, these are 45p per mile for the first 10,000 miles and 25p a mile thereafter.

- 21.17 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.
- 21.18 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.
- 21.19 Travel expenses will be reimbursed for any journey on Council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).
- 21.20 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.
- 21.21 Air travel and rail travel other than to/from London or within Kent should be booked through Officers to enable use of discounting arrangements.
- 21.22 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 Chair'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

- 21.23 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

- 21.24 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 £12.15 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.

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

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

Pensions

21.25 Members are not eligible for admission to the superannuation scheme.

Co-Opted Members

21.26 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

21.27 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 Monitoring Officer.

Submission of Claims

21.28 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

21.29 Only allowances complying with the above scheme are payable.

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Appendix A2 – Members’ Allowances Scheme 2020/21*Members’ Allowances Scheme (2020/21 Scheme -)*

21.14 Basic Allowance - £16,217.10 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

	%	£
Executive		
Leader	100	53,329.61
Cabinet Members (maximum 9) + Lead Member for Traded Services	65	34,664.16
Deputy Cabinet Members (maximum 11)	30	15,998.88
Cabinet Committee Chair (maximum 6)	17.5	9,332.68
Council		
Council Chairman	33	17,598.77
Council Vice-Chairman	17.5	9,332.68
Planning Applications Committee Chair	22	11,732.51
Regulation Committee Chair	22	11,732.51
Other Committee Chairs (a)	17.5	9,332.68
Scrutiny Committee Chair	17.5	9,332.68
Select Committee Chairs (for period of review)	17.5	9,332.68
Opposition		
Leader of each Opposition Group (of at least five members)	15	7,999.44 plus 633.23 for each additional Group Member

21.15 Notes to Table in 21.14:

- (a) Other Committee Chairs: Governance and Audit, Health Overview and Scrutiny and Superannuation Fund.
- (b) No Member to receive more than one Special Responsibility Allowance.
- (c) No other allowance to be payable.

Travel Expenses

21.16 Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the HM Revenue and Customs for business travel. Currently, these are 45p per mile for the first 10,000 miles and 25p a mile thereafter.

- 21.17 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.
- 21.18 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.
- 21.19 Travel expenses will be reimbursed for any journey on Council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).
- 21.20 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.
- 21.21 Air travel and rail travel other than to/from London or within Kent should be booked through Officers to enable use of discounting arrangements.
- 21.22 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 Chair'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

- 21.23 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

- 21.24 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 £12.66 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.

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

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

Pensions

21.25 Members are not eligible for admission to the superannuation scheme.

Co-Opted Members

21.26 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

21.27 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 Monitoring Officer.

Submission of Claims

21.28 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

21.29 Only allowances complying with the above scheme are payable.

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Item 13(b)

By: Benjamin Watts, General Counsel
To: County Council – 17 June 2020
Subject: UPDATE OF THE MEMBERS' ALLOWANCES SCHEME
Classification: Unrestricted

Summary:

The purpose of this report is to seek agreement to update the Members' Allowances Scheme consequent on the Leader's decisions on Executive arrangements and ongoing developments in the governance of the Council.

Recommendation:

That the County Council be asked to agree to the adoption of the updated Members' Allowance Scheme as set out in Appendix B1 to this report.

1. Introduction

- 1.1 The election of the Leader of Kent County Council took place on 17 October 2019. Under Sections 9.5 and 9.6 of the Constitution, the Leader made determinations about the allocation of responsibilities between the Executive Members and made arrangements for the discharge of Executive functions.
- 1.2 One of these changes was the deletion of the Lead Member for Traded Services role and the introduction of the Lead Member for Partnerships role. The Members' Allowances Scheme requires updating to reflect this change.
- 1.3 Prior to agreeing any substantive changes to the Members' Allowances Scheme, Members must have before them a report of the independent Members Remuneration Panel (MRP). The current Panel were appointed on 20 October 2016 with a term covering 1 November 2016 to 31 October 2020. The Panel members are:
 - a) Steve Wiggett (Chair).
 - b) Margaret Ryder.
 - c) Haider Khan.
- 1.4 On 2 December 2019, the Selection and Member Services Committee requested that the MRP consider the change set out in 1.2 above along with several other changes considered necessary to keep the Scheme in line with the developing governance of the Council (see part 2 below).

- 1.5 The MRP has met to consider these changes and its independent report is contained in Appendix B2. The figures quoted in this report all refer to the 2019/20 scheme.

2. Proposed Changes to the Members' Allowances Scheme

- 2.1 The updated Scheme as proposed is set out in Appendix B1 (the numbering is as set out in the Constitution). The changes from the current scheme are as follows:
- a) Deletion of the SRA for 'Lead Member for Traded Services'. This was set at 65% of the Leader's SRA.
 - b) Addition of an SRA for the 'Lead Member for Partnerships.' In line with the recommendation of the MRP, this is to be set at 45% of the Leader's SRA.
 - c) Inclusion of the Chair of the Selection and Member Services Committee in the 'Other Committee Chairs' list set out in 21.15(a). This role would receive an SRA of 17.5% of the Leader's SRA in line with the recommendation of the MRP. This SRA will be introduced in full but will be reviewed as part of the review of the entire Scheme due to commence later this year.
 - d) Additional wording to clarify the formula for determining the SRA payable to the Leader of each Opposition Group (of at least five Members). This is taken from the recommendation of the MRP.
- 2.2 The updated Scheme raises the total number of SRAs from 39 to 40, which is below the 50% of the total number of Members recommended by the MRP.
- 2.3 In line with the recommendation of the MRP, the question of an SRA for non-executive Members on the Shareholder Board will be considered once it is clearer what the nature of the role will be in practice.
- 2.4 Appendix B1 shows the amended version of the Members' Allowances Scheme as it would look with these changes and is inclusive of the annual increase agreed in Agenda item 13(a). If agreed the Constitution will be amended.

3. Financial Implications

- 3.1 The proposed changes will see a net reduction of £1,280.86 in the total amount payable through SRAs¹.

¹ This figure is based on the Members Allowances Scheme for 2019/20 in place when the MRP produced their report.

4. Recommendation:

That the County Council be asked to agree to the adoption of the updated Members' Allowance Scheme as set out in Appendix B1 to this report.

5. Background Documents

Minutes of the Selection and Member Services Committee, 2 December 2019,
<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=143&MId=8516&Ver=4>

6. Contact details

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Appendix B1 – Members’ Allowances Scheme 2020/21 – Proposed Revisions to Scheme

Members’ Allowances Scheme (2020/21 Scheme -)

21.14 Basic Allowance - £16,217.10 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

	%	£
Executive		
Leader	100	53,329.61
Cabinet Members (maximum 9)	65	34,664.16
Lead Member for Partnerships	45	23,998.33
Deputy Cabinet Members (maximum 11)	30	15,998.88
Cabinet Committee Chair (maximum 6)	17.5	9,332.68
Council		
Council Chairman	33	17,598.77
Council Vice-Chairman	17.5	9,332.68
Planning Applications Committee Chair	22	11,732.51
Regulation Committee Chair	22	11,732.51
Other Committee Chairs (a)	17.5	9,332.68
Scrutiny Committee Chair	17.5	9,332.68
Select Committee Chairs (for period of review)	17.5	9,332.68
Opposition		
Leader of each Opposition Group (of at least five members) (c)	15	7,999.44 plus 633.23 for each additional Group Member

21.15 Notes to Table in 21.14:

- (a) Other Committee Chairs: Governance and Audit, Health Overview and Scrutiny, Selection and Member Services, and Superannuation Fund.
- (b) No Member to receive more than one Special Responsibility Allowance.
- (c) The Opposition Group must comprise a minimum of five Members, one of which will be the appointed Opposition Group Leader. In these circumstances, the Opposition Group Leader is entitled to receive an SRA based on 15% of the Leader’s SRA. Excluding the Opposition Group Leader, an additional sum of £607.65 will be available for each of the other

Group Members (i.e. a minimum of four), which may be allocated amongst these Group Members by each Opposition Group Leader at their discretion, to recognise any specific responsibilities undertaken.

(d) No other allowance to be payable.

Travel Expenses

- 21.16 Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the HM Revenue and Customs for business travel. Currently, these are 45p per mile for the first 10,000 miles and 25p a mile thereafter.
- 21.17 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.
- 21.18 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.
- 21.19 Travel expenses will be reimbursed for any journey on Council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).
- 21.20 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.
- 21.21 Air travel and rail travel other than to/from London or within Kent should be booked through Officers to enable use of discounting arrangements.
- 21.22 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 Chair'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

21.23 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

21.24 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 £12.66 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.

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

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

Pensions

21.25 Members are not eligible for admission to the superannuation scheme.

Co-Opted Members

21.26 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

21.27 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 Monitoring Officer.

Submission of Claims

21.28 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

21.29 Only allowances complying with the above scheme are payable.

By: Independent Remuneration Panel

To: County Council – 17 June 2020

Subject: MEMBERS' ALLOWANCE SCHEMES – 2019/20

Classification: Unrestricted

Summary: This report provides the Independent Remuneration Panel's response and recommendations in respect of the specific requests made by the Selection and Member Service Committee's regarding proposed changes to the Members' Allowances Scheme 2019/20.

1.0 Introduction

1.1 Following a meeting of the Selection and Member Services Committee on 2nd December 2019, the following recommendation was agreed:

That the Selection and Member Services Committee request that the Member Remuneration Panel convene and prepare a report for County Council on the following matters:

- (a) The appropriate level of SRA for the position of Lead Member for Partnerships reporting to the Leader;
- (b) The appropriate level of SRA, if any, for the position of Chair of the Selection and Member Services Committee;
- (c) Clarification of the wording relating to the SRA for the Leader of each Opposition Group (of at least five Members).
- (d) The appropriate level of SRA, if any, for non-executive Members appointed by the executive to support oversight and scrutiny of traded activities."

2.0 Background

2.1 In respect of the above requests (a) to (d), the following context was set out in the Review of the Members' Allowances Scheme' Report prepared by Peter Oakford, Deputy Leader and Cabinet Member for Finance and Ben Watts, General Counsel.

- (a) The appropriate level of SRA for the position of Lead Member for Partnerships reporting to the Leader;** The current scheme has an SRA for the Lead Member for Traded Services and the same level as that of a Cabinet Member at 65% of the Leader's SRA. The position of Lead Member for Traded Services has been removed by the Leader. There is now a new position of 'Lead Member for Partnerships reporting to the Leader.' From the date of appointment, this role will be paid as a Deputy Cabinet Member (30% of the Leader's SRA). The Leader's wish is for this 'Lead Member' position to receive an SRA higher than that of a Deputy Cabinet Member but lower than that of a Cabinet Member.
- (b) The appropriate level of SRA, if any, for the position of Chair of the Selection and Member Services Committee;** There is no SRA for the Chair of the Selection and Member Services Committee currently. As the governance of KCC develops in the near future, it is intended to develop and enhance the role of the Selection and Member Services Committee and thus the responsibility of the Chair. The Leader's wish here, is to amend the scheme so that the Chair receives an SRA in line with that made to the appropriately equivalent Chairs of other Committees.
- (c) Clarification of the wording relating to the SRA for the Leader of each Opposition Group (of at least five Members);** The current scheme gives the Leader of each Opposition Group (of at least five Members) £7,675.84 plus £607.65 for each additional Group Member. This has been interpreted in the past as meaning the number of additional Group Member payments equals the number of Group Members minus 1 (the one being the group leader), subject to there being at least five Members in the Group. However, the wording is ambiguous and could be interpreted to mean that there are only additional payments made for each Group Member over the number of five (so that the Leader of a Group with exactly 5 Members would get the basic £7,675.84 only, and not four additional payments as would be current practice). The Selection and Member Services Committee's wish is to add a few words to the Scheme to clarify KCC practice rather than change the practice.
- (d) The appropriate level of SRA, if any, for non-executive Members appointed by the executive to support oversight and scrutiny of traded activities;** The Council has recently reviewed the governance arrangements for the trading companies that KCC wholly owns. As part of that process, the Council has established a holding company (Kent Holdco Ltd) to control and manage our investments on a commercial basis. The Council exercises our interest in Kent Holdco Ltd through reserved matters and the activities of the Shareholder Board. Given the deletion of the Cabinet Lead for Traded Services, the Executive is keen to utilise the commercial expertise of non-executive Members. It is therefore proposed that the Member Remuneration Panel be approached to provide a view in relation to any allowances for additional roles were they to be created to support the Executive discharging these responsibilities given the potential for considerable additional work and responsibility. The question is whether the current scheme needs to be amended to allow for such an SRA.

3.0 Independent Remuneration Panel – Considerations

- 3.1 To enable the Panel to better understand the Selection and Member Services Committee's requests, further supporting information was sought to articulate the rationale underpinning the matters identified for consideration. The supporting information provided by Benjamin Watts, General Counsel and Monitoring Officer is set out below along with the Panel's comments.
- 3.2 The Panel recognise that the Selection and Member Services Committee's requests for consideration, involve a potential increase to the number of SRA's currently in payment i.e. from 39 to 44. This would have the effect of increasing the number of SRA's from 48% to 54%, which will equate to more than half of the total elected County Councillors, being in receipt of an SRA (44/81). Notwithstanding, the SRA for the Lead Member for Partnerships which is already in place, and based on the SRA of the previous Lead Member for Traded Services, the cost of the additional requested SRA's would total £11,953.13. The Council's Chief Finance Officer (Section 151 Officer) has confirmed that the cost of the financial changes is affordable. Also, if it transpires that the Lead Member for Partnerships SRA is reconfigured to an amount between that of a Cabinet Member and Deputy Cabinet Member, overall the financial increase would be minimal.
- 3.3 **(a) The appropriate level of SRA for the position of Lead Member for Partnerships reporting to the Leader**

In October 2019, the new Leader of the Council appointed his Cabinet and added to his Cabinet a new role of Lead Member for Partnerships reporting to the Leader. This reflected a change in his priorities from his predecessor and resulted in the deletion of the post of Cabinet Lead for Traded Services which was subsumed into the Deputy Leader portfolio (see below for further information).

The Leader was concerned to ensure that relationships, primarily with Borough, District and Medway Council were strengthened to ensure improved outcomes for the people of Kent and to make sure that different authorities are able to work together effectively with local government finances at critical levels and the new Governments wish to proceed with devolution.

The Leader appointed Mr Hotson to this role who had been the Leader of Maidstone Borough Council in the past, recognising the importance of an understanding of the different roles and needs of those in other tiers of government locally.

The responsibilities of the role have included meeting all borough, district and unitary Leaders and their Cabinets to hear what was good, bad and indifferent with all 13 authorities during November and December. The role is a strategic support to the Leader and given the interaction with other Councils at a

strategic level merits an additional SRA beyond that of a Deputy Cabinet Member. The Leader receives direct reports in detail on the comments, concerns and suggestions from the meetings and the role feeds into the Cabinet on this important priority. The level of accountability and responsibility is not that of a Cabinet Member but it does exceed the expectations of a Deputy Cabinet Member in terms of role, expertise, responsibility and time commitment.

The role also liaises with senior officers and in due course opposition Leaders with a continual dialogue between established Group Leader meetings both inside and outside the Council.

The holder of the role is also required to attend national and county meetings on behalf of the Leader when he is not available i.e. County Councils Network and liaising with the board of KALC (Kent Association of Local Councils, representing parish councils), the Chief Executive of the Fire Authority with the aim of working closer for the benefit of all.

3.4 **Supplementary information for the above: Lead Member for Traded Services**

The Leader has removed this post from his current structure. The Member Remuneration Panel previously assessed and valued the role at equivalence to the role of Cabinet Member. The Monitoring Officer has suggested that the role has changed significantly with the introduction of the Holding Company overseeing these services and were it to be re-introduced that it should be subject to a fresh assessment by the MRP. Before confirming this, the Monitoring Officer has asked that the MRP are consulted for their views to confirm they are content with this approach.

Having considered the initial and supporting information provided, the Panel agree that the SRA for the new Cabinet role of Lead Member for Partnerships should be re-configured to reflect the scope and responsibility of the new Lead Member for Partnerships role. In determining the level of SRA to be awarded the Panel have taken into account the comments of the Monitoring Officer, which set out the following in respect of the Lead Member for Partnerships role:

‘The level of accountability and responsibility is not that of a Cabinet Member but it does exceed the expectations of a Deputy Cabinet Member in terms of role, expertise, responsibility and time commitment.’

The panel are given to understand that the Lead Member for Partnerships role is unique to Kent County Council. Therefore, it has not been possible to draw any comparisons with other similar County Councils, regarding this type of role and respective level of SRA paid.

The current SRA's in place for Cabinet Members is based on 65% of the Leader's SRA. Each Cabinet Member receives an SRA of £33,262.80. The current SRA's in place for Deputy Cabinet Members is based on 30% of the Leader's SRA and each Deputy Cabinet Member receives an SRA of £15,531.69. To reflect the anticipated scope, expertise, responsibility and time commitment of the new Lead Member for Partnerships role, the Panel agree an SRA based on 45% of the Leader's SRA. This will mean that if the Panel's recommendation is endorsed, the Lead Member for Partnerships will receive an SRA of £23,028.81.

3.5 **(b) Chairman of Selection and Member Services Committee**

In recent years, the role of Chairman of Selection and Member Services Committee has been a very limited one. There have not been many meetings and those meetings that have taken place have largely been procedural or lacking complexity. The change in Leadership has led to a reduction in the number of informal Member groups. To provide visibility and transparency on that activity, the outcomes will now be presented to a refreshed Selection and Membership Services Committee.

At the same time, as part of changes to the Council's Constitution, the Council's Monitoring Officer was keen to see an increased level of oversight in relation to a number of areas of Member activity. Firstly, the outputs of the Member Constitution Working Party need to be reported formally and regularly to the S&MS Committee which will see a number of important and detailed governance discussions in the coming year. Secondly, good governance suggests that there should be scrutiny on Member grant spending which will amount to circa £3m in 2020/21. The refreshed guidance in this regard needs to be considered and approved and then S&MS will have an ongoing role in supporting transparency and oversight of this considerable spend. The Monitoring Officer is also of the view that governance could be improved through the formal consideration by Members of a number of issues that would benefit from transparency and accountability for all involved. This will provide an opportunity for all Members to attend and speak on issues that affect them as a Member and for the administration and recording of outcomes to be done efficiently and in accordance with the necessary rules. Issues would include Member Training, ICT for Members, resources and support for Members, planning of meetings, briefings and the member section of KNet.

In short, the S&MS Committee is about to become extremely busy with a range of challenging and important conversations that in the view of the Monitoring Officer bear equivalence or even greater responsibility and importance to the Committees where Chairmanship attracts an SRA. It is therefore asked that the MRP consider this.

- 3.6 The panel agree in principle with the award of an SRA to the Chair of the Selection and Member Services committee, based on 17.5% of the Leader's SRA. However, the rationale for payment of this proposed SRA, is based on

what may potentially or likely emerge as part of future additional workstreams for the Selection and Member Services Committee Chair. The Panel are of the opinion that the SRA should only be payable on a pro rata basis, for planned, ongoing additional workstreams and the actual additional work undertaken or in hand. This proposed SRA should be reviewed on a quarterly basis to reflect the additional work completed and any decrease in the levels of activity.

3.7 (c) Clarification of the wording relating to the SRA for the Leader of each Opposition Group (of at least five Members);

The current scheme gives the Leader of each Opposition Group (of at least five Members) £7,675.84 plus £607.65 for each additional Group Member. This has been interpreted in the past as meaning the number of additional Group Member payments equals the number of Group Members minus 1 (the one being the group leader), subject to there being at least five Members in the Group. However, the wording is ambiguous and could be interpreted to mean that there are only additional payments made for each Group Member over the number of five (so that the Leader of a Group with exactly 5 Members would get the basic £7,675.84 only, and not four additional payments as would be current practice). The wish is to add a few words to the Scheme to clarify KCC practice rather than change the practice.

3.8 The Panel recommend the following text along with the table below, which sets out the current working example to clarify the award of the SRA payable to a Leader of an Opposition Group:

The Leader of an Opposition Group is entitled to receive an SRA based on 15% of the Leader's SRA, providing the following criteria is satisfied:

The Opposition Group must comprise a minimum of five members, one of which will be the appointed Opposition Group Leader. In these circumstances, the Opposition Group Leader is entitled to receive an SRA based on 15% of the Leader's SRA. Excluding the Opposition Group Leader, an additional sum of £607.65 will be available for each of the other Group Members (i.e. a minimum of four), which may be allocated amongst these Group Members by each Opposition Group Leader at their discretion, to recognise any specific responsibilities undertaken.

At present there are two Opposition Groups who comprise a minimum of at least

five Group Members. The Liberal Democrat Group who have a total of seven Members and the Labour Group who have a total of five Members.

Liberal Democrat Group	SRA and additional payments
Seven Group Members (in total)	<u>Group Leader</u> 1 x SRA payment of £7,675.84

	(based on 15% of the Leader's SRA) <u>Other Group Members</u> 6 payments of £607.65
Labour Group	SRA and additional payments
Five Group Members (in total)	<u>Group Leader</u> 1 x SRA payment of £7,675.84 (based on 15% of the Leader's SRA) <u>Other Group Members</u> 4 payments of £607.65

3.9 (d) The appropriate level of SRA, if any for non-executive to support oversight and scrutiny of traded activities;

The Council has recently reviewed the governance arrangements for the trading companies that KCC wholly owns. As part of that process, the Council has established a holding company (Kent Holdco Ltd) to control and manage our investments on a commercial basis. The Council exercises our interest in Kent Holdco Ltd through reserved matters and the activities of the Shareholder Board. Given the deletion of the Cabinet Lead for Traded Services, the Executive is keen to utilise the commercial expertise of non-executive Members. It is therefore proposed that the Member Remuneration Panel be approached to provide a view in relation to any allowances for additional roles were they to be created to support the Executive discharging these responsibilities given the potential for considerable additional work and responsibility. The question is whether the current scheme needs to be amended to allow for such an SRA.

Shareholder Board Members

In the light of the deletion of the Lead Member for Traded Services SRA, the Monitoring Officer is reviewing the governance around Member involvement regarding the Council's trading companies. The Council operates a Shareholder Board which meets quarterly and considers detailed papers around the performance of the Council's trading companies whose combined turnover exceeds £500m per annum. The Monitoring Officer is exploring the possibility of the executive appointing up to 3 non-executive Members to support the executive in their Shareholder role in the Board. The papers and responsibilities given the Companies Act have an impact that goes beyond the purely political and a nominal SRA is sought which will enable the consideration of clearly defined roles and responsibilities beyond the political.

- 3.10 At the present time, the Panel is unable to agree an SRA for Non-Executive Board Members. However, this should be reviewed in 12-months' time when the responsibilities and volume of work involved can be quantified and effectively demonstrated.
- 3.11 In addition to the Panel's consideration of the requests made by the Selection and Member Services Committee, the Panel also discussed the Council's ongoing intention to progress as a strategic commissioning authority. As the Council's commissioning approach is further embedded the Panel agreed that the opportunities presented through commissioning should increase efficiencies leading to a potential reduction in the number and level of existing SRA's, which currently stands at 39 (48% of elected Members).
- 3.12 If the Panel's recommendations set out below are endorsed, the total SRA's will increase to 40.

4.0 Recommendations in response to Selection and Member Services Committee requests

- 4.1 In response to the requests submitted to the Panel by the Selection and Member Services Committee and the initial and follow-up information provided, the Panel sets out the following recommendations below:
- (a) The Panel recommend an SRA for the Lead Member for Partnerships based on 45% of the Leader's SRA. This takes into account the Leader's wish to configure the SRA between the SRA for a Cabinet Member and the SRA for a Deputy Cabinet Member;
 - (b) In principle, the Panel recommend an SRA for the Chair of the Selection based on 17.5% of the Leader's SRA. This is subject to planned and ongoing activities undertaken and in hand and based on a pro rata basis, reviewed quarterly;
 - (c) The wording set out below is recommended to clarify the conditions for the award of an SRA payable to an Opposition Group Leader:

The Opposition Group must comprise a minimum of five members, one of which will be the appointed Opposition Group Leader. In these circumstances, the Opposition Group Leader is entitled to receive an SRA based on 15% of the Leader's SRA. Excluding the Opposition Group Leader, an additional sum of £607.65 will be available for each of the other Group Members (i.e. a minimum of four), which may be allocated amongst these Group Members by each Opposition Group Leader at their discretion, to recognise any specific responsibilities undertaken.

(d) The Panel at this stage, do not recommend the proposal for the introduction of nominal SRA's for three Non-Executive Board Members. However, a review of this proposal is recommended in 12 months' time, whereby the responsibilities and volume of the work involved can be quantified and effectively demonstrated to assess the appropriateness of an SRA.

4.2 Other Recommendation

The Panel strongly recommends that as the Council's commissioning role expands and delivers increased efficiencies, a review of existing Members Allowances should be undertaken. This would provide a framework for maintaining the level of SRA's below 50% and reducing this percentage where possible.

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By: Roger Gough – Leader of the Council
Benjamin Watts – General Counsel

To: County Council – 17 June 2020

Subject: **Annual Report on Urgent Decisions taken by the Executive – 2019-2020**

Classification: Unrestricted

Summary: The Constitution requires that the Leader of the Council reports urgent Executive Decisions to County Council on an annual basis.

Recommendation: The Council is asked to note the report.

INTRODUCTION

1. The Constitution makes provision, under sections 12.31 and 12.32, for the use of urgency procedures as part of Executive Decision-making, complying with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
2. In accordance with section 12.36 of the Constitution, this paper serves as the required annual report to Council providing details of when the urgency procedures have been used.
3. Since April 2019, 14 decisions were taken via the urgency procedures allowed under the constitution and the Executive Arrangements Legislation during the timeframe covered by this Annual Report to Council. 2 Decisions in 2019 and 12 in 2020.
4. This report sets out the key information of each of these decisions; the decision-maker, the date of decision, a brief summary of the decision, the type of urgency process used and the reason for urgency.
5. It should be noted that 10 of the 14 urgent decisions were taken in response to the COVID-19 pandemic, hence the necessity to progress at pace and ensure KCC addressed the challenges of the situation without delay.

URGENT EXECUTIVE DECISIONS

20/00070 – Southborough Hub

Decision by the Cabinet Member for Corporate and Democratic Services on 30 September 2019.

6. Urgency process:
Statutory urgency – immediate implementation.

7. Summary:
The Southborough Hub Project is a joint project between Kent County Council (KCC), Tunbridge Wells Borough Council (TWBC) and Southborough Town Council (STC) to deliver a Community Hub scheme which has been a long-term aspiration for Southborough Town. Two previous key decisions (15/00041 and 15/00024) were taken authorising the inclusion of the library and the funding/land transactions required to facilitate the project.

8. The project involves the construction of a new Community Hub with a total floor area of 2,828m², containing the following accommodation:
 - a library;
 - adjoining kitchen/café;
 - community hall with capacity arrangement for up to 350 people
 - storage and dedicated changing and WC facilities;
 - STC offices and community rooms;
 - a retail unit that can be leased as a shell and is linked to the medical centre in anticipation that it will be taken by a pharmacy;
 - a medical centre leased to St Andrews medical practice.

9. Reason for Urgency:
Following a delay to the start of the of key decision process some months prior to the eventual decision, a delay which was outside of KCC's control, the completion of necessary tendering and contracting was not possible until September 2019. By this time, it was not possible accommodate the normal decision-making timetable as it became necessary to expedite implementation to ensure all key parties could be appropriately committed, protecting the credibility of KCC and the deliverability of the project. A delay could have put the entire project at risk which may have prevent the provision of a range of important community facilities.

19/00078 – Review of planned provision of School places within the Thanet area

Decision by the Leader of the Council (Mr P Carter) on 17 October 2019.

10. Urgency process:
Statutory urgency – immediate implementation

11. Summary:
The decision was to vary the school place planning in Thanet through an urgent applications being made to the Secretary of State to terminate the Academy Presumption process publishing in November 2017.

12. On the basis of approval from the Secretary of State being forthcoming, the decision also planned for KCC reversing its decision (17/0088) to establish a new secondary school in Thanet and instead; agree to expand Ursuline College, King Ethelbert's School and a temporary expansion of Roya Harbour Academy to meeting additional need up to 2023/24.
13. Reason for Urgency:
The Department for Education (DfE) indicated that they were only willing to consider proposals when they are formally put before them. Given the urgent timelines, the Leader determined that it was imperative to bring forward the decision urgently and that KCC cannot wait for the conclusion of the normal key decision timetable.
14. The short-term demand on places in Thanet over the following two to three years rises to 5FE in 2021 and reduces to 1FE in 2025. Urgency was therefore required to obtain the DfE's formal support. Note, building a new 6FE school in Margate would not be completed until September 2022, which is predominantly post bulge and therefore an interim solution needs to be found.

Urgent Executive Decisions - 2020

20/00023 – Barton Court Free School – Building Contract

Decision taken by Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on 12 March 2020.

15. Urgency Process:
Semi-urgent (fewer than 28 days on the FED)
16. Summary:
Agreement to award the Main Construction Contract for the Barton Court School project. KCC is delivering the construction of the new Barton Court Free School on the former Chaucer School site in Canterbury. The DfE has appointed KCC to act as the Local Delivery Agent (Responsible Body). As the Responsible Body, KCC will be the contracting authority for the purpose of delivering the scheme. The new school will be located on part of the former Chaucer School site, with the remainder allocated to the land disposal programme. The school's places are identified in the Kent Commissioning Plan to meet school demand in the area.
17. The previous Record of Decision, 19/00077 which was taken on 30 December 2019, related to entering into a JCT Minor Works building contract with Kier Construction for the enabling works. This decision related to the Main Contract works for this project.
18. Reason for Urgency:
An urgent decision was required prior to the completion of the 28 day FED publication period and before the next available P&R Cabinet Committee meeting on 20 March 2020. This was in order to avoid further delay to the delivery programme, which would have extended the period of time the school would have to spend in temporary accommodation after opening in September 2021. Delay would also have caused the contractor to vacate the site at the end of the enabling works, causing KCC to incur demobilisation and remobilisation costs together with

security costs for holding the vacated site. Further delay would also have seen the expiration of the Contractor's tender offer allowing them to claim increased inflation costs in accordance with the terms of the DfE framework. Delay to the current programme was also preventing the DfE from making payment to the Academy Trust of start-up funding grant, to offset the costs that they have invested to date.

20/00024 – Local Growth Fund Round 3b Third Party Scheme – Kent and Medway Medical School

Decision taken by Cabinet Member for Highways and Transport on 23 March 2020.

19. Urgency Process:
Semi-urgent (fewer than 28 days on the FED)
20. Summary:
Approval of the progression of the Kent and Medway Medical School project via KCC's Local Growth Fund arrangements.
21. The decision enabled a legal agreement to be signed by between the County Council and the Universities delivering the scheme as external funding partners.
22. Reason for Urgency:
KCC's position as Accountable body for LGF projects in Kent is confirmed in KCC decision 16/00050 and the approval to release funds was a decision made by SELEP. To ensure an appropriate audit trail for KCC's involvement in the transfer of funding and project management responsibility, a key decision was necessary. However, in view of KCC's intermediary status in this transaction, the Key Decision requirement was identified later in the process – to ensure funding could still be drawn down, it was still necessary to take this decision prior to it having been published on the FED for 28 days.

COVID-19 Related Urgent Decisions (April 2020 to 9 June 2020)

20/00035 – Emergency bulk purchase of Personal Protective Equipment (PPE)

Decision taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on 1 April 2020.

23. Urgency Process:
Statutory urgency process (fewer than 5 days on the FED)
24. Summary:
£2m funding allocation to support the bulk purchase of PPE.
25. The PPE was for use by KCC and for mutual aid to KCC's suppliers where they were unable to source supplies. KCC will pay for the additional cost and usage of PPE during the outbreak from the additional funds (£39m) provided by central

Government. Where KCC provides mutual aid, the provider will be charged the full cost, recognising that any cost increases they incur will be reflected in the contract price KCC pays for service delivery, so also drawn from the additional funds KCC receives.

26. The Council has a legal obligation and duty of care to provide appropriate PPE to relevant employees. Whilst it does not have an obligation to supply it to providers, the outbreak has caused PPE to be in very short supply and the means of placing bulk orders to be beyond many of them, particularly the smaller and voluntary sector organisation. In order for them to continue to provide essential services e.g. care home placements, care in the community etc., KCC has to provide mutual aid through these bulk orders.
27. Reason for Urgency:
The Council's stocks of PPE were exhausted and needed to be replenished as soon as possible given the unprecedented demand both internally and for mutual aid to its providers (particularly social care). Many buyers worldwide were chasing supplies with demand exceeding supply. Suppliers required buyers to place and confirm bulk orders at very short notice (almost immediately) when stock is identified. Otherwise, the stock was passed to the next buyer. It was therefore necessary to ensure orders could be placed immediately to avoid losing access to required stock.

20/00034 – Temporary Morgue Facilities

Decision taken by the Leader of the Council on 6 April 2020.

28. Urgency Process:
Statutory urgency process (fewer than 5 days on the FED)
29. Summary:
Funding allocation of £10m to facilitate the securing and development of additional mortuary capacity to cope with increased mortality rates as a result of COVID-19 (Based on UK Government modelling).
30. To support the COVID-19 response and the statutory obligation for KCC to provide mortuary space in an excess death scenario a site within KCC's ownership has been identified to support the initial requirement. However, it may not be possible to provide all of the required capacity within this site and a number of alternative sites are currently being investigated to provide additional capacity should it be required.
31. Reason for Urgency:
Kent was not alone in the need to make appropriate preparations for increased mortuary demand and supplies of the relevant equipment, land and ancillaries are limited. It was therefore crucial that KCC took necessary steps to secure the additional capacity immediately while it was still available. Failure to take immediate action could have limited KCC's ability to meet its statutory obligations to provide sufficient mortuary capacity.

32. The decision was required urgently to ensure appropriate authority was in place to support ongoing retention and use of the additional capacity which had already been identified and to provide necessary flexibility to allow for swift significant Officer decisions on this project should further capacity and facilities be required in response to the fast-moving situation. Should additional facilities be required, officers would inform the Leader in writing at the time.

20/00041 – Support for Community Based Wellbeing Providers

Decision taken by the Cabinet Member for Adult Social Care and Public Health on 7 April 2020.

33. Urgency Process:
Statutory urgency process (fewer than 5 days on the FED)
34. Summary:
In order to protect and maintain a community response and support for elderly and vulnerable people, these providers needed to be secure in their financial footing and be able to pay their staff and run their vital services. Government financial support packages were not appropriate or available for these providers.
35. The COVID-19 outbreak significantly impacted on the providers' incomes, due to all their centre closures, while demand for support had increased since the lockdown was declared.
36. Reason for Urgency:
The decision had to be taken urgently to ensure the survival of key community-based providers, that would be key to supporting the most vulnerable and isolated residents through the COVID-19 crisis. If this package of support was not put in place, within 3 months, the majority of these organisations would have had to close or cease to exist through a lack of income or support from the Government. If the latter were to happen the majority of the support would then fall to Adult Social Care to cope with.

20/00042 – Integrated Digital Assistive Technology Solution

Decision taken by the Cabinet Member for Adult Social Care and Public Health on 7 April 2020.

37. Urgency Process:
Statutory urgency process (fewer than 5 days on the FED)
38. Summary:
The early introduction of integrated digital assistive technology would reduce the potential spread of the disease whilst providing a range of supportive solutions and links to services to maintain independence and mitigate the negative impact of social isolation of service users and their carers.
39. The use of assistive technology can support long term independence and maximises opportunities for self-determined support. In turn, this can reduce demand on key services across both the local authority and provider network.

Thus, there are economic efficiencies for both the local authority and KCC's key partners. During the COVID-19 pandemic, visits will be achievable via the technology and feedback from this can be utilised to inform future practice changes, balancing the need for the human relationship at particular points of the service user need against time and service efficiency.

40. Reason for Urgency:

Whilst the current Government guidelines relating to self-isolating and the shielded cohort are seeking to positively impact the rate and intensity of the progression of the disease, rapid deployment of a virtual care delivery model will have a significant beneficial impact for vulnerable people in Kent who are currently in receipt of care services in the home. The delivery of this option will significantly enhance the effectiveness of disease / infection prevention measures – particularly in the light of PPE shortages.

41. The provision of this equipment into people's homes will save lives by strengthening compliance with all public health guidance related to minimising the spread of COVID-19. In particular, by targeting this solution at COVID-19 high risk cohorts (over 70 and / or with underlying health conditions) and, for some, removing the need for any hands-on care delivery / anyone entering their home we are protecting some of the most vulnerable members of the local community.

20/00043 – Community Based Wellbeing Services Procurement

Decision taken by the Cabinet Member for Adult Social Care and Public Health on 7 April 2020.

42. Urgency Process:

Statutory urgency process (fewer than 5 days on the FED)

43. Summary:

The decision provided for the award of temporary rolling three month contracts to all those currently grant aided through the Community Wellbeing Service Officer, with the option to extend a further three months on a rolling basis as required depending the position and longevity of the COVID-19 crisis.

44. Reason for Urgency:

To support the security of the social care provider market in Kent during the COVID-19 crisis and while the procurement programme for the Community Based Wellbeing Services Offer is paused, to enable providers to maintain delivery of essential services to the vulnerable people of Kent.

20/00044 – COVID-19 Block Beds for Older Persons Residential Nursing

Decision taken by the Cabinet Member for Adult Social Care and Public Health on 9 April 2020.

45. Urgency Process:

Statutory urgency process (fewer than 5 days on the FED)

46. Summary:

Purchase of a number of block bed capacity across all need types within the Older Persons Residential and Nursing service to support the discharge of clients from hospital with the increase caused by COVID-19 with a review planned within 6 months.

47. Reason for Urgency:

Public Health England modelling indicated that there was going to be a surge in COVID-19 cases. In order to relieve pressure and free capacity within an already overburdened hospital system there was an urgent need to procure additional bed capacity from the current Older Persons Residential & Nursing market. These beds were short term (6 months) and will be used to assist with timely discharge from a hospital setting and as stated relieve pressure and create additional capacity within the hospital system.

20/00049 – Social Providers – Additional Payments

Decision taken by the Cabinet Member for Adult Social Care and Public Health on 24 April 2020.

48. Urgency Process:

Statutory urgency process (fewer than 5 days on the FED)

49. Summary:

Providers are seeing an immediate impact on their cashflow, with a significant increase in costs for items PPE, Agency staff, food and taxis. The most efficient way to inject funding in the sector is to provide an additional payment to help cover these costs and to ensure they have sufficient capacity to continue to deliver key services.

50. Social care providers are a key part of the emergency response to the COVID-19 pandemic. The social care provider market has been significantly affected by rising costs associated with the COVID-19 pandemic, this could impact on their ability to continue delivering the services commissioned by Kent County Council and on the ability to support the NHS and social care to discharge their statutory responsibilities.

51. Guidance was published jointly from the Local Government Association (LGA) and Directors of Adult Social Services (ADASS) on providing temporary funding to assist social care providers during the period of COVID19.

52. In line with the guidance Kent supported the security of the social care provider market in Kent during the COVID-19 crisis to enable providers to maintain delivery of essential services to the vulnerable people of Kent. KCC awarded additional payments to Adult Social Care Providers in Kent, the equivalent of 2 weeks provision of care, in recognition of the additional costs that providers are incurring during the COVID-19 pandemic.

53. Advance payments equivalent to one week's provision of care (approx. £6.5m) were previously made to providers on the basis that this would be recovered, however, this payment will not be recovered, and will form one of the 2 weeks' payment identified above.

54. Reason for Urgency:
The relevant providers required additional payment to manage the additional costs in relation to pandemic immediately. The system for processing payments and banking rules meant that this would take approximately a week to implement and any further delay would have meant that some providers would struggle to continue delivering services because of cash flow implications.

20/00050 – PPE funding increase

Decision taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on 29 April 2020.

55. Urgency Process:
Statutory urgency process (fewer than 5 days on the FED)
56. Summary:
Agreement to increase the funding allocation for PPE purchase from £2m to £5m.
57. Decision 20/00035 was made to facilitate the bulk purchase of PPE to a value of £2m. This decision allowed for additional expenditure of £3m bringing total expenditure to £5m.
58. KCC's role in the supply of PPE is to provide it to its own staff and, working with the Kent Resilience Forum (KRF), provide mutual aid to those outside of the NHS acute and ambulance services where their supply chains have failed such as care homes. Mutual aid is for those who currently have close, unavoidable contact with confirmed or suspected COVID-19 cases, including highly vulnerable "shielded" groups, that can outline their needs in line with the latest clinical guidance. Furthermore, it is only for those in urgent need in vital services, where service providers have explored their usual routes for PPE and there remains an urgent need for additional stock.
59. Reason for Urgency:
The demand for PPE had increased significantly and been far greater than was envisaged when Record of Decision 20/00035 was made to facilitate the initial bulk purchase of PPE. Further orders had to be placed immediately to secure continuity of supplies.

20/00048 - COVID-19 Rent Management Policy

Decision taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on 4 May 2020.

60. Urgency Process:
Semi-urgent (fewer than 28 days on the FED)
61. Summary:
COVID-19 has had a considerable impact on businesses. Whilst the Government was offering a level of support, many tenants would still be impacted. Whilst arrangements may be contractual, responsible landlords are maintaining a spirit of

partnership with their tenants and doing what they can to mitigate the extraordinary circumstances they find themselves in. The decision adopted a policy that would:

- Support tenants during their most critical time of vulnerability.
- As a landlord, support Kent's economy and particularly SMEs against the considerable impact during this time.
- Mitigate some of the impact KCC as landlord is likely to experience to its investment portfolios and ensure that voids and bad debt are minimised.
- Ensure it has a ready to go solution to offer tenants with minimal resource deployment.
- Many of the tenants provide community, social and policy benefit to the County and this policy will, together with support offered by Government, go some way to preserve these valued services.

62. Reason for Urgency:

The decision was required urgently, following the extension of lockdown period by Government, to support businesses that may have already been struggling and mitigate against some having to cease trading. If this policy was not implemented quickly, the effects and reasons for the decision would have been lessened.

20/00056 – Capital Construction Programme (delay costs to projects as a result of COVID-19)

Decision taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on 1 June 2020

63. Urgency Process:

Statutory urgency process (fewer than 5 days on the FED)

64. Summary:

KCC has a significant capital construction programme that has and will be, adversely impacted by COVID-19 pandemic. A review has identified over 30 capital projects, which are at risk due to contractors having stopped work or reported delays due to reduced labour and material supply issues. Under the terms of existing contractual arrangements, contractors are able to claim for additional costs. There are also additional costs to KCC, associated with the implementation of the Government's Procurement Policy Note (PPN) 02/20 guidance for construction contracts. Additionally, there is a risk that KCC will be unable to meet its statutory responsibility to deliver sufficient school places in 2020, 2021 and 2022 were these mitigation measures not put in place by this decision.

65. Reason for Urgency:

The assessment of the impact on the capital programme had been undertaken as quickly as possible working with Schools, Stakeholders and Contractors. KCC are contractually obligated to agree the relief claims where these are provided for under the contracts and there are increasing requests from contractors for KCC to apply the Cabinet Office PPN guidance to assist with financial pressures that are

being experienced by the contractors. These measures were needed urgently applied to support the supply chain.

66. The most significant initial impact for KCC was the delivery of the Basic Need programme and ensuring that KCC would be able to meet its statutory duties to provide school places for September 2020. In order to achieve this and secure the temporary accommodation and any temporary works, orders had to be placed on 1 June 2020.

RECOMMENDATION

The Council is asked to note the report.

Background Documents

Executive Decisions – FED entries Records of Decision and published Reports:

19/00070 – Southborough Hub

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2281>

19/00078 – Review of planned provision of School places within the Thanet area

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2288>

20/00023 – Barton Court Free School – Building Contract

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2324>

20/00024 – Local Growth Fund 3b Third Party Scheme – K & M Medical School

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2327>

20/00035 – Emergency bulk purchase of Personal Protective Equipment (PPE)

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2332>

20/00034 – Procurement of Temporary Body Storage Facilities

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2334>

20/00041 – Support for Community Based Wellbeing Providers

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2335>

20/00042 – Integrated Digital Assistive Technology Solution

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2336>

20/00043 – Community Based Wellbeing Services Procurement and Grants

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2337>

20/00044 – COVID-19 Block Beds for Older Persons Residential and Nursing

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2338>

20/00049 – Additional Payments to Adult Social Care Providers
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2339>

20/00050 – Continued bulk purchase of Personal Protective Equipment
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2342>

20/00048 – COVID-19 Rent Management Policy
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2343>

20/00056 – Capital Construction Programme – Delay costs to projects as a result of COVID-19
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2352>

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By: Ben Watts, Monitoring Officer
To: County Council – 17 June 2020
Subject: Independent Person (Standards)
Classification: Unrestricted

Past Pathway of Paper: Selection and Member Services Committee, 27 February 2020

Summary: In accordance with the Localism Act 2011 the County Council is required to appoint an Independent Person with whom the Monitoring Officer can engage on alleged breaches of the Kent Member Code of Conduct.

Recommendation: The County Council is asked to agree the appointment of Michael George as the Independent Person for the Members Code of Conduct for the four-year term 1 July 2020 to 30 June 2024.

1. Introduction

1.1 The Localism Act 2011 requires that the County Council appoint an Independent Person from whom the Monitoring Officer can seek advice when they are in receipt of an alleged breach of the Kent Member Code of Conduct.

1.2 The legislation came into operation on 1 July 2012 just a few days after it was published. Therefore, the County Council approved at its meeting in October 2012 the appointment of Mr Michael George retrospectively for a four-year term expiring 30 June 2016. In July 2016, following the recommendation of the Selection and Member Services Committee and consultation with Group Leaders, County Council agreed to reappoint Mr George to a further four-year term.

2. Reappointment of Mr George

2.1 The Selection and Member Services Committee agreed on 27 February 2020 to recommend to the County Council the reappointment of Mr George for a further four-year term. This four-year period will run from 1 July 2020 to 30 June 2024.

2.2 Mr George has said verbally that he would be delighted to accept the appointment for a further term of four years.

2.3 The remuneration for this post is a £500 annual retainer (payable over 12 months) plus a daily rate of £100 (pro rata for part of a day) when required to

undertake any duties, and travel expenses at the same rate as for elected Members (currently 45p per mile)

3. Kent and Medway Fire and Rescue Authority

3.1 The Committee is reminded that the County Council works in co-operation with the Kent and Medway Fire and Rescue Authority. Should the Independent Person of either not be available or have a conflict of interest the other authority's Independent Person would act.

4. Recommendation

The County Council is asked to agree the appointment of Michael George as the Independent Person for the Members Code of Conduct for the four-year term 1 July 2020 to 30 June 2024.

5. Background Documents

None.

6. Report Author and Relevant Director:

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By: Peter Oakford, Deputy Leader and Cabinet Member for
Finance, Traded and Corporate Services
Zena Cooke, Corporate Director of Finance

To: County Council – 17 June 2020

Subject: **TREASURY MANAGEMENT REVIEW 2019-20**

Classification: Unrestricted

Summary: To provide an update on Treasury Management Activity

FOR INFORMATION

INTRODUCTION

1. The attached report is the regular six monthly update that covers the treasury management activity for the 6 months to 30 September 2019 and developments to the end of December 2019. The report was prepared for the County Council meeting on 19 March in line with the CIPFA treasury management code. Given the impact of the Covid 19 pandemic, this covering report briefly covers developments since the beginning of 2020.

EXTERNAL CONTEXT

2. At the beginning of 2020 the global economy was entering a period of slower growth. Then coronavirus swiftly changed everything. In response to the spread of the virus and the sharp increase in those infected, Central banks and governments around the world cut interest rates and introduced massive stimulus packages in an attempt to reduce some of the negative economic impact to domestic and global growth.
3. The Bank of England moved in March to cut bank rates to 0.25% from 0.75% and then swiftly brought them down further to the record low of 0.1%. In conjunction with these cuts, the UK government introduced a number of measures to help businesses and households impacted by a series of ever-tightening social restrictions, culminating in pretty much the entire lockdown of the UK.
4. Financial markets sold off sharply as the impact from the coronavirus worsened. After starting positively in 2020, the FTSE 100 fell over 30% at its worst point with stock markets in other countries seeing similar huge falls. In March sterling touched its lowest level against the dollar since 1985.
5. Gilt yields fell substantially with 5-year yields falling to 0.26% on 31 March. The 10-year and 20-year yields fell to 0.4% and 0.76% over the same period. 1-month, 3-month and 12-month LIBID rates dropped to 0.61%, 0.72% and 0.88% respectively over the 12 months to 31 March.

6. The measures implemented by central banks and governments helped restore some confidence and financial markets have rebounded in recent weeks but remain extremely volatile.

TREASURY MANAGEMENT

7. During this period of economic uncertainty officers with the assistance of Arlingclose, the council's treasury advisor, are closely monitoring the council's cash balances as well as its debt and investment portfolios and reporting the monthly activity to the Treasury Management Advisory Group.

BORROWING ACTIVITY

8. The total value of debt outstanding was £883.82m at the end of March 2020, a reduction of £3.72m from 30 November 2019 as the result of the repayment of some loans and the continuing policy of using internal cash balances rather than borrowing from external sources.

INVESTMENT ACTIVITY

9. The value of the council's investments at 31 March 2020 had fallen to £381.4m mainly as a result of the fall in value of the pooled funds offsetting a rise in internally managed cash.
10. The council held some £86.7m in its NatWest call account and in Money Market Funds with same day access to cover urgent payments and enhance the council's liquidity. The returns on cash investments fell as a result of the cut in the base rate on 19 March.

Strategic pooled funds

11. The fall in the market value of the pooled funds reflected the considerable global market volatility amidst the Covid-19 crisis. Equity funds in particular fell in value.
12. During March trading in the CCLA property fund was also suspended based on advice from the valuer that an accurate fund price could not be calculated and CCLA's duty to treat customers fairly.
13. It should be noted however the KCC has invested in the strategic pooled funds for the long term seeking an income return and these funds had achieved a return of 4.71% for the year to end of March.

RECOMMENDATION

14. Members are asked to note this report.

Alison Mings
Treasury and Investments Manager
Ext: 03000 416488, 8 June 2020

By: Peter Oakford, Deputy Leader and Cabinet Member for Finance, Traded and Corporate Services
Zena Cooke, Corporate Director of Finance

To: County Council – 19 March 2020

Subject: **TREASURY MANAGEMENT 6 MONTH REVIEW 2019-20**

Classification: Unrestricted

Summary: To present a review of Treasury Management Activity 2019-20 to date

FOR DECISION

INTRODUCTION

1. This report covers Treasury Management activity for the 6 months to 30 September 2019 and developments in the period since up to the date of this report.
2. The Chartered Institute of Public Finance and Accountancy's Treasury Management Code (CIPFA's TM Code) requires that authorities report on the performance of the treasury management function at least twice yearly (mid-year and at year end). This report therefore ensures this council is embracing Best Practice in accordance with CIPFA's recommendations.
3. The Council's Treasury Management Strategy for 2019-20 was approved by full Council on 14 February 2019.
4. The Council has both borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. This report covers treasury activity and the associated monitoring and control of risk.

GOVERNANCE

5. The Corporate Director Finance is responsible for the Council's treasury management operations and day to day responsibility is delegated to the Head of Finance (Policy, Planning & Strategy) / Head of Finance (Operations) and Treasury and Investments Manager. The detailed responsibilities are set out in the Council's Treasury Management Practices.
6. Council will agree the Treasury Management Strategy and receives annual and half yearly reports on treasury management activity. Governance and Audit Committee receives annual and half-yearly reports and makes recommendations to County Council. It also receives quarterly updates. The Treasury and Investments Manager produces a monthly report for members of the Treasury Management Advisory Group.

EXTERNAL CONTEXT

8. UK Consumer Price Inflation (CPIH) fell to 1.5% year/year in November 2019 from 2.0% in July, below the Bank of England's target. The most recent labour market data for the three months to October 2019 showed the unemployment rate at 3.8% unchanged from the previous quarter while the employment rate was 76.1%, slightly higher than the previous quarter. The 3-month average annual growth rate for pay excluding bonuses dipped to 3.2% while adjusting for inflation real wages were up 1.8%.
9. Quarterly GDP increased by 0.4% in Q3 2019 having contracted by 0.2% in Q2 2019, services and construction provided a positive contribution while agriculture contributed negatively.
10. Politics, both home and abroad, continued to be a big driver of financial markets over the period to end November. The issue of Brexit continued to dominate in the UK. After Boris Johnson became leader of the Conservative party he committed to the UK leaving the EU on 31 October however the date of leaving was then further delayed to 31 January 2020. The global economy is entering a period of slower growth in response to political issues, including the trade policy stance of the US. Some positivity on the trade negotiations between China and the US has however prompted worst case economic scenarios to be pared back.
11. The Bank of England maintained Bank Rate at 0.75% though gilt yields remained volatile over the period on the back of ongoing economic and political uncertainty. From a yield of 0.63% at the end of June, the 5-year benchmark gilt yield fell to 0.32% by the end of September. There were falls in the 10-year and 20-year gilts over the same period, with the former dropping from 0.83% to 0.55% and the latter falling from 1.35% to 0.88%. 1-month, 3-month and 12-month LIBID (London Interbank Bid) rates averaged 0.65%, 0.75% and 1.00% respectively over the period.
12. KCC has previously raised the majority of its long-term borrowing from the PWLB but the government increased PWLB rates by 100 basis points in October 2019. The new margin above gilts is now 180 basis points for certainty rate loans. Early repayment rate margins were unchanged.
13. After rallying early in 2019, financial markets have been adopting a more risk-off approach in the following period as equities saw greater volatility and bonds rallied (prices up, yields down) in a flight to quality and anticipation of more monetary stimulus from central banks. The Dow Jones, FTSE 100 and FTSE 250 are broadly back at the same levels seen in March/April.

LOCAL CONTEXT

1. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Council's current strategy is to maintain borrowing and investments below their underlying levels, known as internal borrowing, in order to reduce risk and keep interest costs low.

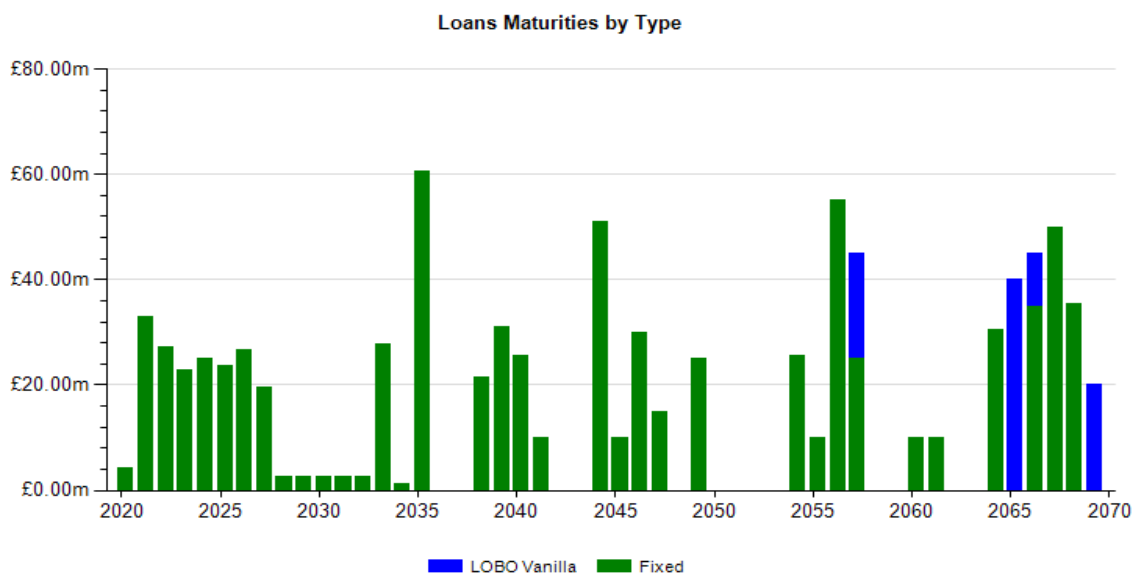
BORROWING ACTIVITY

2. At 30 November 2019 the Council had total debt outstanding of £888m, a reduction of £18.66m from the balance as at 31 March 2019. Outstanding loans at 30 November are summarised in the table below.

	31/03/2019 Balance £m	2019-20 Movement £m	30/11/2019		
			Balance £m	Average Rate %	Value weighted Average Life (yrs)
Public Works Loan Board	490.94	-15.33	475.61	4.96%	16.67
Banks (LOBO)	90.00	0.00	90.00	4.15%	44.38
Banks (Fixed Term)	325.26	-3.33	321.93	4.08%	35.61
Total borrowing	906.20	-18.66	887.54	4.56%	26.35

Borrowing Position

3. The maturity profile of KCC's outstanding debt is as follows:



4. The following table shows the maturity profile of KCC's debt in 5 year tranches.

Loan Principal Maturity Period	Total Loan Principal Maturing	Balance of Loan Principal Outstanding
Opening Balance 30/11/2019		£887,541,233
Maturity 0 - 5 years	£113,502,341	£774,038,892
Maturity 5 - 10 years	£77,060,833	£696,978,059

Maturity 10 - 15 years	£38,700,173	£658,277,886
Maturity 15 - 20 years	£114,668,374	£543,609,512
Maturity 20 - 25 years	£87,009,512	£456,600,000
Maturity 25 - 30 years	£79,800,000	£376,800,000
Maturity 30 - 35 years	£35,700,000	£341,100,000
Maturity 35 - 40 years	£100,000,000	£241,100,000
Maturity 40 - 45 years	£50,600,000	£190,500,000
Maturity 45 - 50 years	£190,500,000	£0
Total	£887,541,233	

5. The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective.
6. In keeping with these objectives no new borrowing was undertaken and £15m of existing loans were allowed to mature without replacement.
7. With short-term interest rates remaining much lower than long-term rates, KCC has considered it to be more cost effective in the near term to use internal resources or borrowed short term loans instead. The Council's strategy has enabled it to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.
8. KCC continues to hold LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the period.

INVESTMENT ACTIVITY

9. The Council holds significant invested funds representing income received in advance of expenditure plus balances and reserves held. During the period the Council's investment balance ranged between £383m and £538m due to timing differences. The investment position is shown below.

	31/03/2019	2019-20	30/11/2019		
	Balance	Movement	Balance	Rate of Return	Average Credit Rating
	£m	£m	£m	%	
Bank Call Accounts	2.0	-2.0	0		
Money Market Funds	92.9	-49.4	43.5	0.71	AA-
Local Authorities	65.0	10.0	75.0	0.89	AA-

Treasury Bills	52.4	-52.4	0		AA
Covered Bonds	90.4	-2.4	88.0	1.12	AAA
Icelandic Recoveries o/s	0.4	-	0.4		
Equity	2.1	-	2.1		
Internally managed cash	305.2	-96.2	209.0	0.95	AA
Strategic Pooled Funds	150.0	19.1	179.9	4.98	
Total	455.2	-66.3	388.9	2.83	

Investment Position

10. Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
11. In furtherance of these objectives and given the increasing risk and low returns from short-term unsecured bank investments the Council has continued to diversify into more secure and/or higher yielding asset classes as set out in its Treasury Management Strategy Statement for 2019-20.
12. A detailed schedule of KCC's investments as at 30 November 2019 is attached in Appendix 1. This schedule is circulated to members of the Treasury Management Advisory Group with the monthly TM report.

Benchmarking at 30 September 2019

13. The Council's treasury advisor, Arlingclose, monitors the risk and return of some 130 local authority investment portfolios. The metrics over the 6 months to 30 September 2019 extracted from their quarterly investment benchmarking, per the table below, show that we have marginally reduced the risk within the Kent internally managed funds while maintaining the return and that this risk is lower than that of other local authorities.

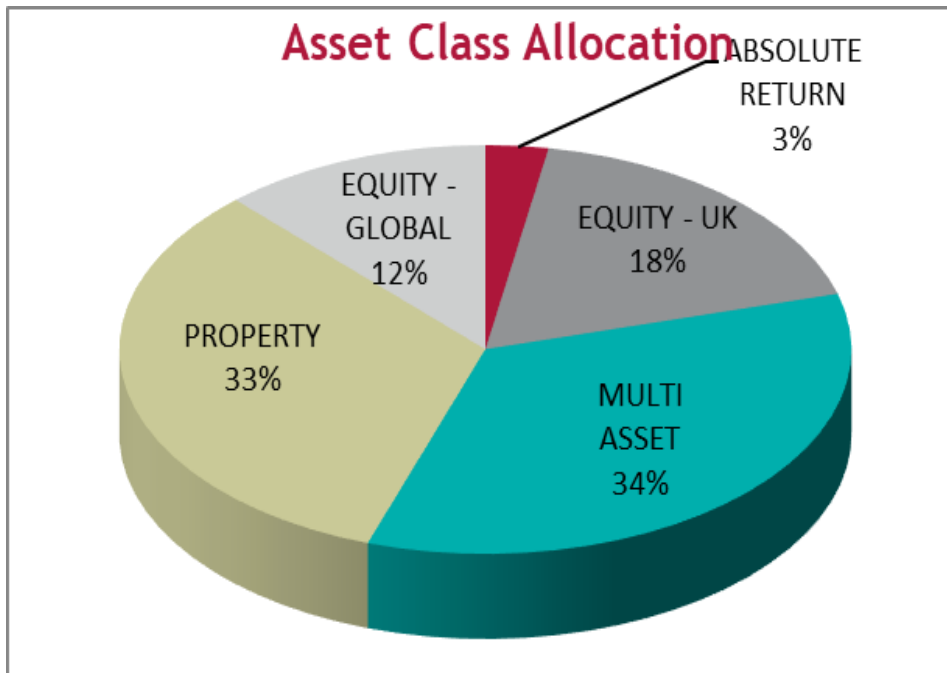
Internally managed investments	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return %
Kent - 31.03.2019	3.02	AA	31%	381	0.92
Kent - 30.09.2019	2.81	AA	22%	375	0.90
Similar LAs	3.97	AA-	54%	751	0.97
All LAs	4.28	AA-	62%	28	0.83

14. The following table shows that overall KCC's investments are achieving a strong return compared with that of other local authorities.

Strategic Funds at 30.09.2019	Rate of Return %	
	Income only	Total
Kent	4.53	4.23
Similar LAs	3.92	3.50
All LAs	3.68	3.32
Total Investments at 30.09.2019	Income Only	Total
Kent	2.19	2.09
Similar LAs	1.44	1.30
All LAs	1.34	1.22

Strategic Pooled Funds

15. The strategic investment funds have no defined maturity date, rather they are available for withdrawal after a notice period. Their performance and continued suitability in meeting the Council's investment objectives is regularly reviewed. Investment in these funds has been increased in 2019-20 in light of their performance and the Council's latest cash flow forecasts.
16. A breakdown of the pooled funds by asset class is as follows:



READINESS FOR BREXIT

17. The scheduled date for the UK to leave the EU is now 31 January 2020 and as this date approaches KCC will ensure there are enough accounts open at UK domiciled banks and Money Market Funds to hold sufficient liquidity and that its account with the Debt Management Account Deposit Facility (DMADF) remains available for use in an emergency.

ACTUAL AND FORECAST OUTTURN

18. Over the 8 months to end November the Council's investments generated an average total return of 2.83%, comprising a 2.55% income return which is used to support services in year, and 0.28% of capital gains.
19. It is anticipated that there will be an underspend against the net debt costs budget for the year of £2.4m as a result of higher dividends and interest receipts. Average cash balances during the year are forecast to be £426m earning an average income return of 2.4%.
20. The forecast average rate of debt interest payable in 2019-20 is 4.58%, based on an average debt portfolio of £875.2m.

COMPLIANCE

21. The Corporate Director of Finance reports that all treasury management activities undertaken during the quarter complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy.

Treasury Management Indicators

22. The Council measures and manages its exposures to treasury management risks using the following indicators.
23. **Security:** The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its internally managed investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Actual 30/09/2019	Target
Portfolio average credit rating	AA	AA

24. **Liquidity:** The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

Liquidity risk indicator	Actual 30/09/2019	Target
Total cash available within 3 months	£140m	£110m

25. **Interest rate exposures:** This indicator is set to control the Council's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates will be:

Interest rate risk indicator	Actual 30/09/2019	Upper Limit
One-year revenue impact of a 1% <u>rise</u> in interest rates	-£200k	£10m
One-year revenue impact of a 1% <u>fall</u> in interest rates	-£900k	-£10m

26. **Maturity structure of borrowing:** This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

	Actual 30/09/2019	Upper limit	Lower limit
Under 12 months	0.49%	100%	0%
12 months and within 5 years	12.31%	50%	0%
5 years and within 10 years	8.68%	50%	0%
10 years and within 20 years	17.28%	50%	0%
20 years and within 40 years	34.08%	50%	0%
40 years and longer	27.16%	50%	0%

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

27. **Principal sums invested for periods longer than a year:** The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Price risk indicator	Actual	Limit		
	30/09/2019	2019/20	2020/21	2021/22
Principal invested beyond year end	£256m	£300m	£300m	£300m

RECOMMENDATION

28. Members are asked to consider and comment on the report.

Alison Mings
Treasury and Investments Manager
Ext: 03000 416488
22 January 2020

Investments as at 30 November 2019

1. Internally Managed Investments

1.1 Term deposits, Call accounts and Money Market Funds

Instrument Type	Counterparty	Principal Amount £	Interest Rate	End Date
Fixed Deposit	Kingston Upon Hull City Council	5,000,000	0.85%	20/12/19
Fixed Deposit	Warrington Borough Council	5,000,000	0.82%	18/12/19
Fixed Deposit	Highland Council	5,000,000	1.05%	06/01/20
Fixed Deposit	Royal Borough of Windsor and Maidenhead	5,000,000	0.95%	30/04/20
Fixed Deposit	Royal Borough of Windsor and Maidenhead	10,000,000	0.95%	07/05/20
Fixed Deposit	Kingston Upon Hull City Council	5,000,000	0.85%	20/01/20
Fixed Deposit	Thurrock Borough Council	10,000,000	1.07%	29/05/20
Fixed Deposit	Thurrock Borough Council	10,000,000	0.81%	30/04/20
Fixed Deposit	Blackburn with Darwen Borough Council	5,000,000	0.87%	27/02/20
Fixed Deposit	Conwy County Borough Council	5,000,000	0.75%	31/03/20
Fixed Deposit	Rotherham Metropolitan Borough Council	£10,000,000	0.78%	23/04/20
Total Local Authority Deposits		75,000,000		
Money Market Fund	Aberdeen Sterling Liquidity Fund	12,601,055	0.73%	n/a
Money Market Fund	Deutsche Managed Sterling Fund	10,622,467	0.71%	n/a
Money Market Fund	Federated (PR) Short-term GBP Prime Fund	16,716,362	0.73%	n/a
Money Market Fund	HSBC Global Liquidity Fund	552	0.66%	n/a
Money Market Fund	Insight Liquidity Funds PLC	13,615	0.67%	n/a
Money Market Fund	LGIM Sterling Liquidity Fund	3,493,128	0.70%	n/a
Money Market Fund	SSgA GBP Liquidity Fund	8,915	0.66%	n/a
Total Money Market Funds		43,456,095		
Equity and Loan Notes	Kent PFI (Holdings) Ltd	2,135,741		n/a
Icelandic Recoveries outstanding	Heritable Bank Ltd	366,905		n/a

1.2 Bond Portfolio

Bond Type	Issuer	Adjusted Principal £	Coupon Rate	Maturity Date
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Floating Rate Covered Bond	Australia and New Zealand Banking group	3,000,000	1.39%	24/01/22
Floating Rate Covered Bond	Bank of Montreal	5,004,690	1.04%	17/04/23
Fixed Rate Covered Bond	Bank of Nova Scotia	4,993,773	0.88%	14/09/21
Fixed Rate Covered Bond	Bank of Scotland	4,703,496	1.71%	20/12/24
Floating Rate Covered Bond	Canadian Imperial Bank of Commerce	5,027,505	0.95%	10/01/22
Floating Rate Covered Bond	Coventry Building Society	3,001,035	1.01%	17/03/20
Fixed Rate Covered Bond	Leeds Building Society	4,205,814	1.29%	17/04/23
Floating Rate Covered Bond	Lloyds	4,500,000	1.31%	14/01/22
Floating Rate Covered Bond	Lloyds	2,503,420	0.97%	27/03/23
Floating Rate Covered Bond	Lloyds	2,502,563	0.98%	27/03/23
Floating Rate Covered Bond	Lloyds	5,006,040	0.98%	27/03/23
Fixed Rate Covered Bond	National Australia Bank	4,978,564	1.35%	10/11/21
Fixed Rate Covered Bond	National Australia Bank	3,001,266	1.10%	10/11/21
Floating Rate Covered Bond	Nationwide Building Society	4,504,217	1.02%	12/04/23
Floating Rate Covered Bond	Nationwide Building Society	5,586,421	1.00%	12/04/23
Floating Rate Covered Bond	Nationwide Building Society	3,998,847	1.42%	10/01/24
Floating Rate Covered Bond	Santander UK	5,003,488	0.93%	05/05/20
Floating Rate Covered Bond	Santander UK	3,751,521	0.98%	13/04/21
Fixed Rate Covered Bond	Santander UK	3,265,748	0.65%	14/04/21
Floating Rate Covered Bond	Santander UK	5,002,600	1.00%	16/11/22
Floating Rate Covered Bond	Santander UK	2,002,868	1.40%	12/02/24
Floating Rate Covered Bond	TSB	2,503,572	1.54%	15/02/24
Total Bonds		88,047,449		

Total Internally managed investments	209,006,190
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2. Externally Managed Investments

Investment Fund	Book Cost £	Market Value at 30 November 2019 £	12 months return to 30 November 2019	
			Income	Total
CCLA - Diversified Income Fund	5,000,000	5,231,571	3.33%	8.39%

CCLA – LAMIT Property Fund	60,000,000	59,094,964	3.56%	0.54%
Fidelity Global Multi Asset Income Fund (purchased 20 March 2019)	25,038,637	25,990,006	3.36%	7.16%
Fidelity Multi Asset Income Fund (sold 20 March 2019)		0	1.12%	2.92%
Investec Diversified Income	10,000,000	9,999,852	0.30%	0.30%
Kames Diversified Monthly Income Fund	20,000,000	20,982,227	2.51%	7.42%
M&G Global Dividend Fund	10,000,000	11,156,139	3.23%	8.65%
Pyrford Global Total Return Sterling Fund	5,000,000	4,974,449	2.29%	3.68%
Schroder Income Maximiser Fund	25,000,000	22,173,683	7.57%	1.49%
Threadneedle Global Equity Income Fund	10,000,000	10,352,353	3.46%	9.28%
Threadneedle UK Equity Income Fund	10,000,000	9,951,822	4.23%	10.10%
Total External Investments	180,038,637	179,907,065	4.39%	4.98%

3. Total Investments

Total Investments	£388,913,256
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GLOSSARY

Local Authority Treasury Management Terms

Bond	A certificate of long-term debt issued by a company, government, or other institution, which is tradable on financial markets
CET 1	Core equity tier 1 - the purest form of capital for a financial institution, which is available to absorb losses while it remains a going concern, usually expressed as a ratio to risk weighted assets.
CFR	Capital Financing Requirement. A local authority's underlying need to hold debt for capital purposes, representing the cumulative capital expenditure that has been incurred but not yet financed. The CFR increases with capital expenditure and decreases with capital finance and MRP.
Covered bond	Bond issued by a financial institution that is secured on that institution's assets, usually residential mortgages, and is therefore lower risk than unsecured bonds. Covered bonds are exempt from bail-in.
CPI	Consumer Price Index - the measure of inflation targeted by the Monetary Policy Committee, measured on a harmonised basis across the European Union
FTSE	Financial Times stock exchange – a series of indices on the London Stock Exchange. The FTSE 100 is the index of the largest 100 companies on the exchange, the FTSE 250 is the next largest 250 and the FTSE 350 combines the two
GDP	Gross domestic product – the value of the national aggregate production of goods and services in the economy. Increasing GDP is known as economic growth.
IFRS	International Financial Reporting Standards, the set of accounting rules in use by UK local authorities since 2010
IMF	International Monetary Fund
LOBO	Lender's Option Borrower's option
MMF	Money Market Funds. A collective investment scheme which invests in a range of short-term assets providing high credit quality and high liquidity. Usually refers to CNAV and LVNAV funds with a WAM under 60 days which offer instant access, but the European Union definition extends to include cash plus funds
Monetary Policy	Measures taken by central banks to boost or slow the economy, usually via changes in interest rates. Monetary easing refers to cuts in interest rates, making it cheaper for households and businesses to borrow and hence spend more, boosting the economy, while monetary tightening refers to the opposite. See also fiscal policy and quantitative easing.
MPC	Monetary Policy Committee. Committee of the Bank of England responsible for implementing monetary policy in the UK by changing Bank Rate and quantitative easing with the aim of keeping CPI inflation at around 2%.
MRP	Minimum Revenue Provision – an annual amount that local authorities are required to set aside and charge to revenue for the repayment of debt associated with capital expenditure. Local authorities are required by law to have regard to government guidance on MRP. Not applicable in Scotland, but see Loans Fund
Municipal	Bond issued or guaranteed by local authorities.

bond	
Municipal bond Agency	Company that issues bonds in the capital market and lends the proceeds back to local authorities. The bonds are guaranteed by the local authorities
Pooled Fund	Scheme in which multiple investors hold units or shares. The investment assets in the fund are not held directly by each investor, but as part of a pool (hence these funds are also referred to as 'pooled funds').
Prudential Code	Developed by CIPFA and introduced in April 2004 as a professional code of practice to support local authority capital investment planning within a clear, affordable, prudent and sustainable framework and in accordance with good professional practice. Local authorities are required by law to have regard to the Prudential Code
PWLB	Public Works Loan Board – a statutory body operating within the DMO that lends money from the National Loans Fund to local authorities and other prescribed bodies and collects the repayments. Not available in Northern Ireland.
REIT	Real estate investment trust – a company whose main activity is owning investment property and is therefore similar to a property fund in many ways
Share	An equity investment, which usually also confers ownership and voting rights
Short-term	Usually means less than one year