

**SCRUTINY COMMITTEE**

**Wednesday, 24th November, 2021**

**2.30 pm**

**Council Chamber, Sessions House, County  
Hall, Maidstone**







## AGENDA

### SCRUTINY COMMITTEE

**Wednesday, 24th November, 2021, at 2.30 pm**  
**Council Chamber, Sessions House, County Hall, Maidstone**

Ask for: **Anna Taylor**  
Telephone: **03000 416478**

#### **Membership**

- Conservative (10): Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mrs R Binks, Mr N J Collor, Mr G Cooke, Mrs S Hudson, Mr R C Love, OBE and Mr O Richardson
- Labour (1) Dr L Sullivan
- Liberal Democrat (1): Mr A J Hook
- Green and Independent (1): Mr P Stepto
- Church Representatives (3): Mr J Constanti, Mr M Reidy and Mr Q Roper
- Parent Governor (2): Vacancies

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

#### **UNRESTRICTED ITEMS**

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

## **A - Committee Business**

A1 Introduction/Webcast Announcement

A2 Membership

To note that Mr Ridgers and Mr Wright are no longer members of this Committee.

A3 Apologies and Substitutes

To receive apologies for absence and notification of any substitutes present.

A4 Declarations of Interests by Members in items on the Agenda for this Meeting

To receive any declarations of interest made by Members in relation to any matter on the agenda. Members are reminded to specify the agenda item number to which it refers and the nature of the interest being declared.

A5 Minutes of the meeting held on 13 October 2021 (Pages 1 - 6)

To consider and approve the minutes as a correct record.

## **B - Any items called-in**

B1 21/00086 Commissioned Open Access Provision for Youth Services and Children's Centres (Pages 7 - 38)

## **C - Any items placed on the agenda by any Member of the Council for discussion**

C1 Covid - 19 Financial Monitoring (Pages 39 - 58)

## **D - For Information**

D1 Work Programme (Pages 59 - 62)

## **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Benjamin Watts  
General Counsel  
03000 416814

**Tuesday, 16 November 2021**

**KENT COUNTY COUNCIL**

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**SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 13 October 2021.

PRESENT: Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mrs R Binks, Mr N J Collor, Mr G Cooke, Mr R C Love, OBE, Mr H Rayner, Mr O Richardson, Mr J Wright, Dr L Sullivan and Mr P Stepto

ALSO PRESENT: Mrs C Bell (Cabinet Member for Adult Social Care and Public Health), Mr P M Hill, OBE (Cabinet Member for Community and Regulatory Services) and Mr C Beart

IN ATTENDANCE: Mr R Smith (Corporate Director of Adult Social Care and Health), Mr D Whittle (Director of Strategy, Policy, Relationships and Corporate Assurance), Ms L Jackson (Policy and Relationships Adviser), Mr S Peerbux (Head of Community Safety), Ms S Sheppard (Communities and Place Lead, Adults Social Care and Health), Mrs A Taylor (Scrutiny Research Officer) and Mr M Dentten (Democratic Services Officer)

**UNRESTRICTED ITEMS****10. Introduction**

*(Item A1)*

The Chairman informed Members that it was Mr Wright's last Scrutiny Committee meeting. He thanked him for his contributions over the past 4 years, which included service as the Committee's Vice-Chairman.

**11. Declarations of Interests by Members in items on the Agenda for this Meeting**

*(Item A3)*

No declarations were made.

**12. Minutes of the meeting held on 7 July 2021**

*(Item A4)*

RESOLVED that the minutes of the meeting held on 7 July 2021 were an accurate record and that they be signed by the Chairman.

**13. Update on Progress of the Loneliness and Social Isolation Select Committee Recommendations**

*(Item C1)*

*Mrs C Bell, Cabinet Member, Adult Social Care and Public Health; Mr M Hill, Cabinet Member, Community and Regulatory Services; Mr R Smith, Corporate Director for Adult Social Care and Health; Mr D Whittle, Director of Strategy, Policy, Relationships and Corporate Assurance; Ms L Jackson, Policy and Relationships*

*Adviser; Mr S Peerbux, Head of Community Safety and Ms S Sheppard, Communities and Place Lead, Adults Social Care and Health were in attendance for this item.*

1. Mrs Bell introduced the progress made against the recommendations of the Loneliness and Social Isolation Select Committee. She reminded Members that her predecessor, Mr Gibbens, presented the report to County Council in March 2019 and that a cross-service approach, involving Community Services within Mr Hill's portfolio, was followed. Regarding progress generally, she recognised that whilst the Covid-19 pandemic had highlighted social isolation and loneliness, the required response had impacted certain work streams. The impact of the Resilient Communities project, part of the Making a Difference Everyday, Adult Social Care policy was noted. Mrs Bell highlighted the positive impact digital technology had over the last two years in reducing social isolation and recognised that technology had become more popular with older age groups.
2. Mr Smith acknowledged that social care had come to the forefront of public consciousness during the pandemic. He recognised that many individuals entered social care due to a lack of support from family or friends, and that this was directly linked to loneliness and social isolation. He further highlighted the impact of Kent's older demographics and rural geography on isolation.
3. Mr Hill commended the performance of community wardens in tackling social isolation and mentioned that the service had directly supported over 4,000 vulnerable people during pandemic.
4. Mr Whittle confirmed that the final draft of the Civil Society Strategy had been out for public consultation from 6 September to 3 October, which would be followed by Policy and Resources Cabinet Committee consideration, 9 November, and an Executive Decision by Cabinet, after which the strategy would be Council policy.
5. Members scrutinised the progress made against the Select Committee's 11 recommendations. Key points raised by the committee and responded to by the attendees included the following:
  - a. Following a question from a Member, Mr Smith acknowledged that socially isolated individuals were hard to engage by nature and that Adult Social Care worked with partners across the health and voluntary sectors, which included GPs and NHS mental health services. He noted that Adult Social Care made up part of a wider network which collaborated tackle the issue. Mr Hill added that libraries and registry services had the widest KCC service outreach and acted as a conduit for engaging and raising awareness of lonely individuals.
  - b. Members asked whether the Civil Society Strategy could include a dedicated policy for tackling social isolation. Mr Whittle clarified that the strategy was intended as the corporate policy for voluntary and community sector partnership and was never intended to be a social isolation strategy, though he noted that it included how civil society provided support.

- c. A Member stressed the need to engage further with active and former armed forces personnel, it was remarked that many suffered from loneliness or social isolation and that future strategies should directly address the issue.
- d. Members commented that the work to fulfil recommendation 3 had not been completed, despite being cited as complete in Appendix 1 of the report.
- e. Concerning recommendation 4, that KCC work with local partners to enable Kent residents to access, from a single online source and contact number, services that reduce loneliness, Ms Sheppard confirmed that a directory was due to launch in November 2021. The features highlighted included a single contact number, postcode and activity searchability and information on how to contact health, social care and community services. It was noted that the directory would be maintained by community organisations. Following a question from a Member, Mrs Bell gave reassurance that the actions taken to fulfil recommendation 4 would be completed in November 2021. She added that an update on social prescribing would be brought to the Adult Social Care Cabinet Committee.
- f. In relation to recommendation 5, Mr Peerbux confirmed that funding had been secured to pilot a social prescribing plus model, with an overall focus on the over 65 age group, that the pilot would be evaluated by the University of Essex and that the project ran until 2023. He verified that 8 connectors had been recruited from the community warden service, with others receiving training. Collaboration between wardens and Adult Social Care through the MADE Build and Test pilot and Area Referral Management Service was highlighted. Regarding prevention, Mr Peerbux informed Members that wardens were able to resolve 43% of issues without referral.
- g. A Member asked whether community wardens covered all rural and urban areas in Kent. Mr Hill confirmed that KCC's 70 community wardens operated in both areas, though acknowledged that there were some urban areas where it wasn't appropriate for wardens to operate.
- h. The attendees were asked to explain the provision of support for lonely disabled individuals and their carers. Mrs Bell confirmed that multiple services provisioned by KCC and the NHS engaged and support disabled residents. Mr Peerbux noted that community wardens were directly involved with a variety of vulnerable groups, including disabled and caring residents. Ms Sheppard added that Adult Social Care commissioned a community navigation service, which provide access and support to those over 55 or with 2 or more long term health conditions, as well as carers. It was further noted that Kent and Medway CCG were in the process of commissioning dementia coordinators, a form of social prescriber. The work of community wardens, which included their proactive support of disabled residents, was commended by a Member.

- i. Members stressed the need to reach out to socially isolated individuals who were not eligible, or a recipient of a service provided by the Council.
- j. Concerning recommendation 8, Mrs Bell confirmed that the Kent Community Foundation had led, with the support of KCC, a Kent campaign to raise awareness of loneliness and social wellbeing. She noted that the decision to go forward with a single campaign was taken to avoid duplication or confusion. Following a Member question, she confirmed that the campaign was shared through KCC's appropriate communication channels and commented that the level of engagement had been satisfactory.
- k. In relation to recommendation 10, Mrs Bell informed Members that an Office for National Statistics (ONS) tool had been used to measure loneliness.
- l. Regarding recommendation 11, Mrs Bell confirmed that a panel had been set up and met once prior to the pandemic to receive updates on progress, against the recommendations, to that point.

6. Mr Cooke moved and Mr Booth seconded **“That the committee:**

- a) notes the report on the progress of the loneliness and social isolation select committee recommendations;**
- b) observes that while the pandemic had influenced the authority's ability to respond it has not diminished the importance of addressing the issues, indeed the pandemic if anything has highlighted the importance of an appropriate and timely response; and**
- c) recommends that a reset might be the best way to progress the Select Committee's recommendations and therefore refers the matter back to the executive to review the recommendations in the light of lessons learnt through the pandemic and to report back to the committee in 6 months' time.”**

7. The motion was agreed unanimously.

8. Mrs Bell thanked the Committee for their comments and recognised that whilst progress had been made on the Select Committee's recommendations, the Covid-19 pandemic had been the main priority for Adult Social Care in recent times.

9. The Chairman thanked Mrs Bell, Mr Hill and the officers for their attendance, answers and commitment to revisit the progress made on loneliness and social isolation in the future.

RESOLVED that the committee:

- a) notes the report on the progress of the loneliness and social isolation select committee recommendations;



- b) observes that while the pandemic had influenced the authority's ability to respond it has not diminished the importance of addressing the issues, indeed the pandemic if anything has highlighted the importance of an appropriate and timely response; and
- c) recommends that a reset might be the best way to progress the Select Committee's recommendations and therefore refers the matter back to the executive to review the recommendations in the light of lessons learnt through the pandemic and to report back to the committee in 6 months' time.

POST MEETING NOTE: A full update on the progress made against recommendations 6 and 7 of the Select Committee's report will be included as part of the Executive's update to the Committee in March 2022.

#### **14. Short Focused Inquiry - Home to School Transport - Update** *(Item C2)*

1. The Chairman introduced the item, noted the progress made on the Short Focused Inquiry, as outlined in the report, and confirmed that the inquiry would be chaired by Mr Barrington-King. Members that wished to be involved were encouraged to contact Mr Barrington-King.

RESOLVED that the update on the Short-Focused Inquiry on Home to School Transport be noted.

#### **15. Work Programme** *(Item D1)*

1. Mrs Taylor gave a verbal overview of the work programme and confirmed that any member of the Council could request an item. Members were reminded that agenda setting meetings, involving the Chairman and Group Spokespeople, took place in advance of each meeting.
2. Mr Rayner requested that an item on the input of planning officers into local plans, including the scrutiny of their decisions by Members, be added to the work programme. The Chairman agreed to consider this item.

RESOLVED that the report be noted.

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From: **Sue Chandler, Cabinet Member for Integrated Children's Services**  
**Matt Dunkley, Corporate Director for Children, Young People and Education**

To: **Scrutiny Committee – 24 November 2021**

Subject: **Response to Call-In Request: Decision Number 21/00086 - Commissioned Open Access Provision for Youth Services and Children's Centres**

Classification: **Unrestricted**

**Past Pathway of Paper:** Cabinet Member Decision

**Future Pathway of Paper:** Implementation of Decision following Scrutiny Consideration

**Electoral Division:** All

**Summary:** This report contains the responses to the call in to Scrutiny

**1. Recommendation(s):**

**The Scrutiny Committee may:**

- a) make no comments
- b) express comments but not require reconsideration of the decision
- c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision-maker in light of the Committee's comments; or
- d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

**Background**

- 1. On 2 November 2021 the Cabinet Member for Integrated Children's Services took a decision to:
  - a) directly award contracts to all existing commissioned Open Access provision (Youth Services, seven providers, for 16 months and Children's Centres, two providers, for 12 months) on the same terms and conditions and values as the current contracts. The contracts will end on 31 March 2023.
- 1.1. A valid call-in of this decision was received by Democratic Services from Dr Sullivan, supported by Mr Stepto, on the reasons below:

## Reason for Call in and Responses

### 2. Reason: Para 8.5, Sub section(d) presumption in favour of openness.

Comment: There has been a lack of openness about this process and indeed it does not seem to have consulted and engaged with local young people and service users (on a universal open access basis not just those in social care or in early help). There does not seem to have been any engagement with local communities or indeed with staff in regards to this decision.

#### 2.1. Cabinet Member Response:

- 2.1.1. The County Council has a duty and responsibility to formally consult where it is proposing changes to service provision. The Decision is not to change any element of the current service delivery. The decision is to extend the existing service provision, under current arrangements meaning no changes are required. There is no intended change to either the provider or the location, therefore the decision does not require a formal consultation.
- 2.1.2. Children, young people and families who use these services have their views heard through Compliments, Comments and Complaints and service user feedback is reviewed as part of the formal contract management process. Providers are also asked to provide this feedback and demonstrate how it has been used to develop their services. One practical example is the way that service user feedback has helped to shape the virtual offer during lockdown. Feedback also provides the commissioning team with an understanding of the views and perspectives of various stakeholders and provides a key source of information for decision-making.
- 2.1.3. Youth Hub Delivery Managers and Childrens Centre Delivery Managers also form part of the contract management process. In addition to the formal contract monitoring, commissioners hold a monthly forum with providers to discuss any universal issues, share best practice and service developments. Through these mechanisms the voices of the service users, service experts, partners and stakeholders are captured and used to shape provision.
- 2.1.4. A further forum where the thoughts and views of young people are discussed is in the Member led Local Children's Partnership Boards.
- 2.1.5. The overarching responsibility of the Young Person Partnership Conversations (YPPC) and Children's Partnership Conversations (CPC) is to engage with relevant partners, young people and parents/caregivers to develop service priorities for children aged 8-19 and 0-7 years respectively, and to contribute to a single, district-wide partnership LCPG action plan to ensure provision and development of

co-ordinated, high quality, responsive services.

- 2.1.6. The partnership conversations are Chaired by the relevant Delivery Manager for that District. The YPPC and CPC meet 3 times a year prior to each LCPG meeting to allow members to feed into that group. Members of the YPPC and CPC also participate in an Annual Event, led by the LCPG, to ensure the strategic overview of priorities and outcomes for children and young people is shared across the district. Terms of Reference for the YPPC and CPC state that arrangements must be put in place to allow young people and parents/caregivers to attend and have their views represented at Partnership Conversations.
- 2.1.7. Kent County Council Officers have reported to CYPE Cabinet Committee in September 2018 and October 2019 on the quality of provision of the commissioned services. Officers and Members are therefore assured that these services are offering a good provision for our Children and Young People. Officers also reported on the oversight and progress of the commissioned contracts to the Contract Management Review Group in April 2019 and February 2021. The feedback from the Contract Management Review Group in February 2021 is provided with this report.

**3. Reason: Sub section F) Explanation of the options considered and giving reasons for decisions.**

Comment: This decision has been made due out of cycle to what is quoted in the decision as being one of 'extreme urgency'. There is no explanation for the lack of other options presented. No satisfactory explanation or accountability for the delay to contracts or recommissioning when this commissioning cycle was clearly coming to an end under the previous decision(s) regarding these contracts.

**3.1. Cabinet Member Response:**

- 3.1.1. These contracts were due to end November 2021 and it was the intention from the Service and Commissioning to undertake a full recommissioning activity to replace these contracts. However, it was necessary to await the full outcome of the budget consultation, to fully consider the impact of how we shape our commissioned service offer and ensure that we have a clear vision for this to get the best from the market.
- 3.1.2. Following the budget consultation, we were not in a position to be able to confidently provide a clear vision for our commissioned services across Children's Centres and Youth Services without being able to undertake a consultation and coproduction exercise.
- 3.1.3. The budget consultation ended on 19th September 2021 and therefore, it was felt that extending the current contracts would provide the opportunity to fully consider the learning from this consultation and to undertake a robust recommissioning activity.

- 3.1.4. Due to the urgency of the decision, which related to the contract end dates, an All Member Briefing was arranged and held on 18th October 2021, to allow for the opportunity for discussion and debate on the proposed contract extensions as an alternative to the CYPE Cabinet Committee which we would normally attend for this item. We accept that this may not be the preferred mechanism for all Members but it was felt that this alternative still provided the openness and transparency required for the Key Decision to be discussed.
- 3.1.5. All KCC Members were invited to attend a Member briefing on 18 October 2021 to hear and discuss the rationale for the decision to extend these contracts being taken out of cycle. Members who attended the All Member Briefing have heard the reasons and received the written presentation outlining the extreme urgency action. The slides are provided and all members will have access to the recording. Unfortunately, the recording missed the introduction from both the Cabinet Member and the Director for Integrated Children's Services.
- 3.1.6. A timeline was shared which showed the commencement of work for a re-procurement in January 2021. This work slowed in line with the phased reopening of services from national lockdown. Further to consultations with all providers due consideration as also given to the impact of tendering these services when the Voluntary and Community Sector were recovering from the impact of Covid-19. This was a very clear message from the sector through the Kent Resilience Forum throughout the pandemic.
- 3.1.7. The end of Covid-19 restrictions on 19 July 2021 did not mean that everything was back to normal. Officers were balancing the risk of running the tender, preparing the documentation and embarking on a significant amount of work for the Council and the voluntary sector for providers not able to recover and bid for multi-million-pound contracts as well as delivering good outcomes for the children and young people they support, whichever cohort their organisation is focused on.
- 3.1.8. On 28 July 2021, the County Council's own budget consultation was launched stating "We are continuing to look at how we might do things differently in the future to make some savings. Following the strong support for doing things differently, we are planning how we could use our buildings in different ways, including exploring how we could share spaces with our partners, and deliver services in joined up ways in communities and places across Kent."
- 3.1.9. This position has a direct impact on these commissioned services and throughout August, Officers sought to understand what impact this would be. This of course includes wider considerations for the outcome of the budget consultation against the options given the contracts were due to end in November.
- 3.1.10. To run a tender for a contract which may be given for a short period of time with the potential TUPE implications is likely to mean that providers

would not submit a tender, resulting in services stopping. Running tenders for longer periods could see these services drift away from any requirements needed on the in-house services resulting in potential early termination of contracts. By the time Officers agreed on the best course of action, the deadline for CYPE Cabinet Committee consideration had passed.

3.1.11. Providers were consulted and have raised concerns about the delays. The Youth contracts end on 30 November 2021 and there has been communication on the intention, following the publication of the Forthcoming Executive Decision on 22 September 2021.

3.1.12. The options considered were:

1. **Do nothing** – this would result in the commissioned youth services coming to and end at a time when we launched the Reconnect Programme and have invested significantly with these providers to deliver additionality.
2. **Bring the services in-house** – this would significantly increase the KCC head-count and introduce additional management pressures which would need to be scoped alongside the existing structure and costs, as well as building requirements and was discounted, at this time, due to the published consultation on the budget.
3. **Tender with a shorter contract term to align with the work needed as identified in the budget consultation** – providers were reluctant to tender given it is a costly and time intensive process for them for short return.
4. **Tender with a longer term** – risking early termination following the outcome of the work required as part of the budget consultation.
5. **Directly award short contracts to the incumbent providers** - providing stability to the services and young people as they recover from the global pandemic.

#### 4. Recommendation(s)

##### Recommendation(s):

4.1 The Scrutiny Committee may:

- a) make no comments
- b) express comments but not require reconsideration of the decision
- c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision-maker in light of the Committee's comments; or

d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

## 5. Background Documents

Letter from the Contract Management Review Group to Corporate Director for CYPE.

Presentation given at the All-Member briefing on 18 October 2021.

[Record of Decision](#)

[Decision Report](#)

## 6. Contact Details

### Report Author

Stuart Collins, Director of Integrated Children's Services (West Kent and Early Help and Preventative Services)

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Relevant Director:

Stuart Collins, Director of Integrated Children's Services (West Kent and Early Help and Preventative Services)

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**From:** Mrs Margaret Crabtree – Deputy Cabinet Member for Finance

**To:** Matt Dunkley – Corporate Director for Children, Young People and Education

**Cc:** Ms Sue Chandler – Cabinet Member for Integrated Children’s Services  
Peter Oakford – Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services  
David Cockburn – Head of Paid Service  
Zena Cooke – Corporate Director of Finance  
Jonathan Idle – Head of Internal Audit  
Stuart Collins – Director of Integrated Children’s Services  
Christy Holden – Head of Children’s Commissioning  
Clare Maynard – Head of Commissioning Portfolio – Communities, Vulnerable and Older People

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Dear Matt,

## **CONTRACT MANAGEMENT REVIEW GROUP (CMRG)**

### **Commissioned Youth Services**

I am writing to share the findings of the CMRG meeting held on 1 February 2021 that considered the above contracts. Helen Cook and Matthew Hazelton attended as the commissioners with responsibility for contract management in this area. Stuart Collins attended as the Director with operational accountability for this service area.

The conversation at the meeting was open and honest and we are pleased to say the review showed that effective contract management is in place on these contracts with many positives to be taken from the practice that has been demonstrated.

As always, if there is anything you are unsure about regarding the approach that the CMRG takes or the findings which will be detailed further on in this letter, then please refer to Michael Bridger, Commissioning Standards Manager.

### Maturity

It is not for the CMRG to question the individual ratings put forward in the assessment, but the group felt that the overall current ratings were likely an accurate reflection of the current maturity of the contract management in the service area.

On the whole, the group was pleased to learn that the management of these contracts is comprehensive in its maturity, with the commissioners also able to demonstrate their expectations and plans for further continued improvement. The CMRG felt that much of what was presented to the group represents best practice.

Particular strengths include robust planning and governance arrangements, collaborative and transparent working relationships with the various providers, and the comprehensive oversight of commercial, financial and operational performance.

The CMRG was also impressed with the clear visibility and understanding that the commissioners have of the risks associated with these contracts.

### Organisation

The CMRG was impressed by the substantial experience and in-depth knowledge that those present demonstrated of the service area and the commercial arrangements in place. It was evident that there is a strong and well-resourced contract management team in place with the assignment of a strategic lead for these contracts providing additional benefits.

### Operational and Commercial Performance

The CMRG was pleased to learn that there is a detailed understanding and regular scrutiny of provider performance in this area.

The group was particularly impressed by how officers worked effectively with providers to ensure that services were flexibly adapted in response to the COVID-19 pandemic and to ensure critical service continuity. Officers and providers should be credited for maintaining a high standard of performance despite such pressures.

The CMRG was also satisfied that performance indicators are appropriate and relevant with it clear that these are reviewed and adjusted as and when relevant in order to ensure continued alignment with strategic and operational objectives.

### Financial Performance

The CMRG acknowledged that the decision to continue to pay providers the full contract price despite the change in provision was taken to maintain and protect critical service delivery during and after the COVID-19 outbreak.

The group recognised that the commissioners present have a detailed understanding of the financial position in relation to these contracts. There was a clear grasp of committed and forecast expenditure with no variances recorded or anticipated.

### Risk and Mitigation

The CMRG was pleased that the commissioners have a well-rounded understanding of the major risks and issues associated with these contracts, which have been clearly identified and are assessed and monitored on an ongoing basis.

The group is also of the view that effective contingency arrangements are in place as mitigations to the risks and issues that were highlighted, including those that have emerged as a result of the COVID-19 pandemic.

### Forward Look

The CMRG are of the view that the contract management practice demonstrated in this service area should be seen as an exemplar to be shared with the wider Council.

There is much that can be learned from the arrangements in place and the group is confident that there will be further continued improvements moving forward.

We would like to thank you again for your continued support of the work carried out by the CMRG and your feedback, as always, is welcomed.

Yours sincerely,

**Margaret Crabtree**  
Deputy Cabinet Member for Finance

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# CONFIDENTIAL ALL PARTY MEMBER BRIEFING

## Commissioned Open Access Provision

18 October 2021

Stuart Collins - Director of Integrated Children's Services (North and West Kent - EHPS Lead)

Christy Holden - Head of Strategic Commissioning (Children and Young People's Services)

Helen Cook – Senior Commissioner (Children and Young People's Services)

# Background

- This All Party Member Briefing is to provide the detail behind the recently published FED ([21/00086](#))

Supplier	Location	Current Contract Start Date	Current Contract end date	Extension Duration	Contract Cost (per annum)
Canterbury Academy	Ashford	Aug-18	Nov-21	16 Months (to Mar-23)	£ 96,000.00
	Canterbury	Dec-16			£ 109,331.00
Optivo	Swale	Dec-16			£ 133,950.00
Pie Factory	Dover	Dec-16			£ 99,980.00
	Thanet	Dec-16			£ 139,948.00
Play Place	Dartford	Dec-16			£ 87,990.00
Salus	Folkestone & Hythe	Dec-16			£ 86,700.00
	Tonbridge & Malling	Aug-18			£ 83,000.00
	Tunbridge wells	Aug-18			£ 76,000.00
	Maidstone	Dec-16			£ 91,700.00
The Grand	Gravesham	Dec-16	£ 100,000.00		
West Kent Extra	Sevenoaks	Dec-16	£ 75,000.00		
Millmead Children's Centre Partnership Ltd	Thanet	Apr-18 (Direct Award Apr-21)	Mar-21 (Mar-22)	12 Months (to Mar-23)	£220,667.00
Children and Families Children's Centres Ltd	Swale	Apr-18 (Direct Award Apr-21)	Mar-21 (Mar-22)		£204,302.18
Total OA Contract Spend					£ 6,322,964.18
Direct Award Cost					£ 1,997,767.85

- Outcomes – enabling Children and Young People:
  - To become more resilient
  - To have better emotional health and wellbeing: and
  - Support the attainment of educational achievements
- Contract values based on deprivation, demography and location
- Covid-19 impact – Virtual Offer developed including sessions for parents to access advice, support and online baby and toddler groups.

# 2021-22 Budget Consultation

## Key Message: Very high support for doing things differently and saving money

Level of agreement for doing things differently

10

	Agree %	Neither agree nor disagree %	Disagree %	Don't know %	No response given %
Reducing our number of buildings	77.6	11.2	6.4	3.9	0.9
Delivering more than one service from our buildings	91.7	5.0	1.0	1.8	0.5
Delivering more services using online technology	73.8	12.0	11.0	2.2	1.0

These are areas of focus for the Council's Strategic Reset Programme which will help to deliver efficiencies and savings in future years.

# 2022-23 Budget Consultation

## Consultation Period 28 July – 19 September 2021

### “6. Looking ahead - big decisions are needed

Every year, KCC must agree an annual budget which balances the money we spend with the money we have.”

“In last year’s consultation we asked for your views on doing things differently. There was significant support for these activities, as shown in the brackets below.

- Reducing our number of buildings (77.6% agreed)
- Delivering more than one service from our buildings (91.7% agreed)
- Delivering more services using online technology (73.8% agreed)

We were clear, however, any savings from these would not solve the budget challenge. We are continuing to look at how we might do things differently in the future to make some savings. Following the strong support for doing things differently, ***we are planning how we could use our buildings in different ways, including exploring how we could share spaces with our partners, and deliver services in joined up ways in communities and places across Kent.***

We are thinking about how we can best use technology and digital solutions to improve your experience and make it quicker and easier to access the services you need. We now want to explore some of these options further and understand what considerations are the most important to you.“



# Strategic Reset Programme

- The findings of the Programme will inform future commissioning arrangements alongside the in-house Open Access Offer.
- Work on the Future Assets Programme is still in progress to respond to changing Covid guidance and to shape our future approach for community, office and specialist buildings across Kent.
- Work started to develop procurement plans, however it was quickly halted whilst we considered the impact on the service in light of recovery and Reconnect.

## The challenges we face

This Interim Strategic Plan sets out the five main challenges that KCC is facing over the next 18 months, and what we will do to help address them. Within the challenges there are also important and unique opportunities to improve the way we do things.



### Financial Challenge

KCC is facing a significant budget gap and difficult decisions to make in the short-to medium-term, while maintaining a longer-term view of what is best for the county



### Economic Challenge

The economic downturn caused by COVID-19 is causing widespread economic impacts, while attracting investment and putting infrastructure in place to support growth remains a priority



### Demand Challenge

There is increasing demand for some of KCC's key services, which will be exacerbated by the impacts of COVID-19 on Kent's residents, particularly those that are vulnerable



### Partnership Challenge

The crisis presents important opportunities to build on strengthened relationships and rethink how KCC works with partners to better manage demand and improve efficiency



### Environmental Challenge

Tackling the climate emergency and protecting the natural environment continues to be an urgent priority, as well as investing in the built environment and creating communities to be proud of

# Reconnect and Containment Outbreak Management Fund (COMF)



## Themes:

- Learning missed
- Health and happiness
- Sport, activities and the outdoors
- Friends, family and community
- Economic wellbeing

## Example of additional provision delivered by the Youth Providers:







- Summer Programmes with Football Clubs
- Archery, Canoeing, Sports Coaching, Go Karting, Woodland Crafts
- Residential and camping trips across Kent Enhanced outreach offer in urban and rural areas countywide
- Community Fun Days

Youth providers have accessed funding from the Containment Outbreak Management Fund which has maintained levels of provision in a Covid-19 secure environment. This has included the addition of items to maximise provision of smaller groups in higher multiples. There has also been the ability to purchase items that will support detached provision in adverse weather conditions

## Contract performance

- Evidenced through contract monitoring, annual deep dives and reporting to the Contract Management Review Group, providers have delivered well against their contracts.
- Throughout the pandemic, providers have maintained levels of detached provision and developed a robust online offer to support children, young people and their families in lockdown.
- The online offer was the first of its kind in Kent bringing social groups, learning experiences and support into the homes of children and young people during lockdown at a time when they needed it most.
- Steady market conditions; since the last procurements there have been no new entrants.
- Each contract brings a high level of social value through varying initiatives such as food banks, mentoring schemes and book exchanges etc.

# Timeline

Activity	Dec 20	Jan 21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21
Interim Strategic Plan adopted										
Analysis commenced for re-procurement										
Analysis slowed pending VCS recovery										
Budget consultation published indicating change for buildings based service delivery										
Consideration of tendering for services committing the Council for years in contracts										
Recommendation to directly award contracts through Officers										

## Conclusion

Awarding the Direct Awards will:

- Continue the provision of support at a critical point for Children Families and Young People.
- Extend well performing contracts to enable the maintenance of open access services provision.
- Maintain levels of support for the local community, particularly in rural communities and/or areas with high levels of deprivation.
- Strengthen levels of engagement following the additional funding provided by both Reconnect and COMF.
- Give stability to providers ensuring the continuation of additional social value that extends beyond catchment areas.
- Continuation of the virtual offer which providers have worked together to produce and is offered across the county.
- Support the Voluntary Sector whilst they are also in a period of Recovery and Reset.

# Questions?

# KENT COUNTY COUNCIL – RECORD OF DECISION

## DECISION TAKEN BY:

**Cabinet Member for Integrated Children’s Services**

## DECISION NO:

21/00086

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

### Key decision: YES

*Key decision criteria. The decision will:*

- a) result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or
- b) be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:
  - the adoption or significant amendment of major strategies or frameworks;
  - significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.

### Subject Matter / Title of Decision

Commissioned Open Access Provision for Youth Services and Children’s Centres

### Decision:

As Cabinet Member for Integrated Children’s Services, I agree to:

A) directly award contracts to all existing commissioned Open Access provision (Youth Services, seven providers, for 16 months and Children’s Centres, two providers, for 12 months) on the same terms and conditions and values as the current contracts. The contracts will end on 31 March 2023

### Reason(s) for decision:

- Decision required because total value of contracts will exceed the threshold for a Key Decision and impact across multiple districts of the Local Authority.

### Background:

- This proposal is to seek authorisation for contracts to be awarded directly to the existing commissioned Open Access providers (Youth Services and Children’s Centres). Current contracts for the youth provision, expire on 30 November 2021 and for the two commissioned Children’s Centres on 31 March 2022.
- The Direct Award is required for reasons of extreme urgency (reg. 32(2)(c)).
- The Direct Award will be for a period of 16 months for the Youth provision and 12 months for the Children’s Centre contracts to bring them both in line to the end on 31 March 2023.
- The Budget consultation [documentation](#) published in July 2021 demonstrated three key areas of public support.
  - Reducing our number of buildings (77.6% agreed)
  - Delivering more than one service from our buildings (91.7% agreed)
  - Delivering more services using online technology (73.8% agreed)
- As a result of these findings, it was important that we took the time to rethink future plans, not least as any tender exercise commenced would commit the Council to new contracts for several years.

## Options

- 1. Do Nothing:** Allow the contracts to lapse. KCC funded Open Access Offer, particularly in rural localities, will be greatly reduced and in the case of the two commissioned Children's Centre's (Millmead, Thanet and Seashells, Swale) fully removed.
- 2. Allow contracts to lapse and if applicable TUPE across staff from incumbent providers:**  
This option may impact on the ability of the current providers to continue operating as well as significantly increase the headcount of KCC Open Access staff. The flexibility afforded to the organisations to respond rapidly to local need will also be removed.
- 3. Externally procure a new service:** Since the award of these contracts in 2016 there have been no new entrants to the market that could provide a district wide provision with no mobilisation time. This would result in a gap in provision at the very time when young people who have already experienced a reduction in opportunities due to Covid-19 need it most. As a result of the pandemic, the Council has established a Strategic Reset Programme which is reviewing, amongst other things, the use of the Council's estate. Work on the Future Assets Programme is still in progress to respond to changing Covid guidance and to shape our future approach for community, office and specialist buildings across Kent.. The outcome of this will be pivotal to the development of specifications and service design for any new procurement. If Commissioners were to commence a procurement in advance of this review, contracts would potentially need to be changed or ended to minimise any duplication and maximise value for money.
- 4. Directly award contracts (due to reasons of extreme urgency (reg. 32(2)(c)) for a period of 16 months to the seven providers of Youth Services and 12 months to the two providers of commissioned Children's Centres to bring both in line to the 31 March 2023.** In the Council's approach to the response and recovery of Covid-19, the Strategic Reset Programme has identified workstreams that will look at how the Council can reset its priorities resiliently. The impact of this has provided uncertainty in the development of a procurement process. It is proposed that a full commissioning plan will be developed before the end of the proposed Direct Award contracts that will consider the long-term effects of Covid-19 on the local communities they serve.

Work on the Future Assets Programme is still in progress to respond to changing Covid guidance and to shape our future approach for community, office and specialist buildings across Kent. Once the Council has a clear agreed direction of travel post Covid-19, a balanced and informed commissioning plan can be developed that does not risk adversely impacting the deprived communities served. This plan will need to consider the long term added value that providers will continue to deliver and how this can be quantified moving forward to evidence the continuing viability of the services being commissioned to the external market.

To meet this need, all services will need to be "extended" by way of directly awarding a 16-month contract with the seven incumbent youth providers and a 12-month contract with the two incumbent children's centre providers under Direct Award, with the terms and conditions, contract values etc being unchanged.

### Other Considerations:

The current providers of the youth contracts have been in place with KCC to deliver an aspect of open access provision for in excess of ten years. Commissioners have worked extensively with the wider market since 2012 to understand the landscape of providers and both capability and capacity to provide a district-wide offer. Since the last major procurement in 2016 of these contracts, the provider landscape in Kent has not changed dramatically and there are no new providers entering



the market that have the capability of delivering a district wide offer.

The Children's Centre procurement process in 2018 had only two providers that were able to deliver in the geographical areas. This has not changed in the last three years and as such, there would be no advantage in developing a new procurement process to assess the same providers against an unchanged market.

For any provider coming into the market there would be challenges relating to buildings, access, and reputation. It is therefore considered that with the time constraints in place, it would not be possible for a new provider to come in and offer a service without there being a sizable gap in provision whilst they mobilised. The Direct Award is proposed to set contracts on the same terms and conditions to the end of March 2023. Any new provision would not be mobilised in time for the contract to end. The potential TUPE requirements for a procurement will further limit the timeframe

Based on the options appraisal and further discussion at an Informal Member Briefing on 18 October 2021, the recommended option is **Option 4 - Directly award contracts due to reasons of extreme urgency (reg. 32(2)(c)) for a period of 16 months to the seven providers of Youth Services and 12 months to the two providers of commissioned Children's Centres to bring both in line to the 31 March 2023.**

### **Consultees**

The Decision time-frame does not allow for Cabinet Committee consideration. Non-Executive Members engaged prior to decision on 18 October 2021.

### **Financial implications**

- This action seeks to continue the funding of services at the same level for 16 months for Youth Services and 12 months for Children's Centre to the end of March 2023. There is an option in the contracts to terminate with a three-month notice period, should that be required.
- The existing contracts are fully funded within the current revenue budget for the Youth Services and Children Centres key service lines. The Children Centre budget is funded from a combination of the KCC base budget and public health grant. The Youth Services budget is funded from both the KCC base budget and Dedicated Schools Grant.
- The value of the contracts will remain unchanged for the period of the extension, there are no further financial implications from this proposal.

### **Legal implications**

- Whilst there is no statutory requirement to provide Open Access youth work, Kent County Council has maintained a strong commitment to an offer which has always included VCS organisations as part of delivery. The Open Access offer in Kent contributes to young peoples' learning and development, working to give a sense of place and purpose and to reach their full potential.
- The two Children's Centres form part of the totality of offer available to Children and Parents. By not having the two commissioned centres in place we would not be removing the children centre offer but would be detrimentally impacting two communities that are amongst the most deprived in the county.
- Action by way of Direct Award means awarding contracts without competition which is not compliant with Spending the Council's Money or the Public Contract Regulations 2015. The risk has been mitigated through knowledge of the market and whether there are other organisations that could deliver the services at scale and pace at a time where the Country is

recovering from Covid-19. Legal advice has also been received on this approach and satisfies the requirements as set out in Public Contracts Regulations 2015 (PCR 2015) clause 72(1)(e) and clause 72(8) which permits modifications to contracts so long as not materially different.

- In addition, Covid-19 has altered many aspects of everyday life. Clause 32(2)(c) of PCR 2015 states that an extension can be granted to a contract if there circumstances which could not have been foreseen, reasons of extreme urgency and modification does not alter overall nature of the contract.

**Equalities implications**

An Equality Impact Assessment (EqIA) screening has been completed and has concluded that the proposed option does not present any adverse equality impact.

**Cabinet Committee recommendations and other consultation:**

The Decision time-frame does not allow for Cabinet Committee consideration. An All-Member Briefing was delivered on 18 October 2021.

**Any alternatives considered and rejected:**

Option 1 – Do Nothing: Rejected on the grounds that this would leave many communities, children and young people disadvantaged at a time when they are in need of greater levels of support due to the pandemic and not be aligned with the Council’s Reconnect Programme.

Option 2 - Allow contracts to lapse and if applicable TUPE across staff from incumbent providers: Rejected on the grounds that this would reduce levels of flexibility in the response to both the Reconnect and Containment Outbreak Management Fund activity whilst also significantly increasing the internal headcount of Open Access provision with little added benefit. The local authority in the case of the two children’s centres would also not have a physical location to deliver from.

Option 3 - Externally procure a new service: Rejected on the grounds that any new procurement would not be able to align with the agreed outcome post Covid-19. This would potentially render them unfit for purpose in a relatively short time period which would require either a contract variation or a complete re-procurement.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None**



01/11/21

.....

.....  
signed

date

**From: Matt Dunkley CBE, Corporate Director of Children, Young People and Education**

**To: Sue Chandler, Cabinet Member for Integrated Children's Services**

**Subject: Decision: 21/00086 Commissioned Open Access Provision for Youth Services and Children's Centres**

**Key decision Overall service value exceeds £1m and affects more than two Electoral Divisions.**

**Classification:** Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** Cabinet member Decision

**Electoral Division:** All

**Summary:** This report provides the Cabinet Member for Integrated Children's Services with the background and rationale of the proposal to directly award contracts for Youth Services and Commissioned Children's Centres.

In addition to the Council's in-house offer, Kent County Council commissions seven providers to deliver Youth Services across the county and two providers of Children's Centres. A Forthcoming Executive Decision has been published to directly award the contracts under the same terms and conditions, effectively extending the duration of these contracts to 31 March 2023. This will allow the development of fit-for-purpose specifications as a result of the Reset and Recovery plans of the Council from Covid-19.

**Recommendation(s):**

The Cabinet Member for Children, Young People and Education is asked to APPROVE the proposed decision to:

A) Directly award contracts to the seven providers to deliver Youth Services across the county and two providers of Commissioned Children's Centres

and

B) Delegate authority to the Corporate Director Children, Young People and Education, or other appropriate Officer to implement the decision.

## **1. Introduction**

- 1.1. Contracts with Youth Providers were awarded in 2016 and expire at the end of November 2021. There is no allowance in the contract to extend the contract for a further duration.
- 1.2. The consultation on the 2022/2023 Budget was published in July 2021. This detailed feedback received on the budget consultation for 2021/2022. The consultation asked for views on doing things differently. There was significant support for the following activities:
  - Reducing the number of our buildings (77.6% agreed)
  - Delivering more than one service from our buildings (91.7% agreed)
  - Delivering more services using online technology (73.8% agreed)
- 1.3. Work commenced in early 2021 to develop procurement plans for these services, however the impact of the statements published in the budget consultation were of significance for us to revisit our intentions in light of the Council's Recovery Programme and the County-wide commitment to the Reconnect Programme.
- 1.4. The budget consultation outcome states that the use of our Estate will a focus of the Strategic Reset Programme with any financial benefits identified will be aligned to budget development. The findings of the Programme will inform future commissioning intentions alongside the in-house Open Access Offer.
- 1.5. Both contracts would be awarded by way of Direct Award. For Youth Services, this would be due to reasons of extreme urgency (reg. 32(2)(c)) and/ or by way of permitted modifications under Regulations 72(1)(e) and (8) and under Regulation 72(1)(c). For Children's Centres this would be by way of permitted modifications under Regulations 72(1)(e) and (8) and under Regulation 72(1)(c).
- 1.6. The Direct Award will be for a period of 16 months for the Youth Services and one year for commissioned Children's Centres. As Children's Centres are a critical part of the Open Access Offer, it is proposed that the contracts are further directly awarded for a further year to bring the end dates in line and provide the opportunity to develop meaningful specifications as required.

## **2. Current Provision**

- 2.1. The table below demonstrates the contracts currently in place:

Supplier	Location	Current Contract Start Date	Current Contract end date	Extension Duration	Contract Cost (per annum)
Canterbury Academy	Ashford	Aug-18	Nov-21	16 Months (to Mar-23)	£ 96,000.00
	Canterbury	Dec-16			£ 109,331.00
Optivo	Swale	Dec-16			£ 133,950.00
Pie Factory	Dover	Dec-16			£ 99,980.00
	Thanet	Dec-16			£ 139,948.00
Play Place	Dartford	Dec-16			£ 87,990.00
Salus	Folkestone & Hythe	Dec-16			£ 86,700.00
	Tonbridge & Malling	Aug-18			£ 83,000.00
	Tunbridge wells	Aug-18			£ 76,000.00
	Maidstone	Dec-16			£ 91,700.00
The Grand	Gravesham	Dec-16	£ 100,000.00		
West Kent Extra	Sevenoaks	Dec-16	£ 75,000.00		
Millmead Children's Centre Partnership Ltd	Thanet	Apr-18 (Direct Award Apr-21)	Mar-21 (Mar-22)	12 Months (to Mar-23)	£220,667.00
Children and Families Children's Centres Ltd	Swale	Apr-18 (Direct Award Apr-21)	Mar-21 (Mar-22)		£204,302.18
Total OA Contract Spend					£ 6,322,964.18
Direct Award Cost					£ 1,997,767.85

- 2.2. The geographical areas covered by the commissioned Youth Services are allocated by Integrated Children's Services (ICS) Youth Hub Delivery Managers and often focus on our most rural and/or our most deprived areas in Kent, which is one of the reasons the additional value they add is so intrinsically important to the communities they serve.
- 2.3. Providers have worked with commissioners through contract management approaches to demonstrate how they have developed projects and generated other funding streams to assist their core offer. These innovations have increased their added social value.

- 2.4. The Lower Super Output Areas (LSOA) served by the commissioned Children's Centres (Millmead and Seashells) are in two of the most deprived areas in Kent, and indeed the country. Deprivation data from 2019 shows that one of the LSOA's within Sheerness, served by Seashells, is 48th out of 32,844 LSOA's nationally – within the top 0.2 % of most deprived LSOA's in any part of the country. Similarly, one of the LSOA's within the Dane Valley Ward - served by Millmead – is the 8th most deprived within Kent and the 423rd nationally, within the top 1.3% of most deprived LSOA's nationally.

### **3. Reconnect and Containment Outbreak Management Fund (COMF):**

- 3.1 The Reconnect Programme is working to get Kent's children and young people back to enjoying activities and opportunities they took part in before Covid-19. This has included working with a variety of providers across the county to initiate programmes of work that commenced during the summer holidays and will continue throughout the next 11 months.
- 3.2 The commissioned Youth Providers and Children's Centres were ideally placed to access the first round of funding to bring a large amount of additionality to the wider Open Access offer. This has included but not limited to:
- Summer Programme with Dartford Football Club
  - Archery, Canoeing, Sports Coaching, Go Karting, Woodland Crafts
  - Residential and camping trips across Kent
  - Enhanced outreach offer in urban and rural areas countywide
  - Community Fun Days
- 3.3 If contracts were to end without a clear continuation of provision, the Local Authority would not be able to maximise the developed networks already in place to bring a rich offer of extended provision in the Summer of 2022.
- 3.4 The COMF funding that was made available in the early part of 2021 by Public Health has enabled providers to maintain levels of open access provision in a Covid-19 secure environment. This has included the addition of items to maximise provision of smaller groups in higher multiples. There has also been the ability to purchase items that will support detached provision in adverse weather conditions.
- 3.5 Whilst the requirement was for organisations to use the funding specifically to support the containment of Covid-19, providers have used the opportunity to ensure that any items purchased support sustainability of provision. It is vital that we maximise this spend to its full potential and enable providers to further test out 'pop-up' detached provision which could work to form part of future specifications.

### **4 Other Considerations**

- 4.1 The current providers of the youth services have been in contract with KCC to deliver an aspect of open access provision for in excess of ten years. Commissioners have worked extensively with the wider market since 2012 to understand the landscape of providers and both capability and capacity to provide a district-wide offer.

- 4.2 Since the last major procurement in 2016 of these contracts, the provider landscape in Kent has not changed dramatically and there are no new providers entering the market that have the capability of delivering a district wide offer.
- 4.3 The Children's Centre procurement process in 2018 had only two providers that were able to deliver in the geographical areas required. This has not changed in the last three years and as such, there would be no advantage in developing a new procurement process to assess the same providers against an unchanged market.
- 4.4 For any provider coming into the market there would be challenges relating to buildings, access, and reputation. It is therefore considered that with the time constraints in place, it would not be impossible for a new provider to come in and offer a service without there being a sizable gap in provision whilst they mobilised.
- 4.5 The Direct Award is proposed to set contracts on the same terms and conditions to the end of March 2023. Any new provision would not be mobilised in time for the contract to end. The potential TUPE requirements for a procurement will further limit the timeframe

## **5 Financial Implications**

- 5.1 This service will be funded from within the existing revenue KCC base budget reported against the Early Help and Preventative Services Key Service in the Budget Book.
- 5.2 The funding available is £1,364,340 per annum. This equates to £1,997,768 over the term of the Direct Award.
- 5.3 Future financial pressures are expected to be limited to pay inflation.
- 5.4 Due to the size and nature of the contract no direct financial savings have been identified in relation to this proposal.
- 5.5 Financial risks associated with this proposal are expected to be low: potential costs will be managed through the tender process and ongoing contract management for the commissioned service.

## **6 Legal implications**

- 6.1 Known as the Youth Services Duty, Local Authorities have a statutory duty to "secure, so far as is reasonably practicable, sufficient provision of educational and recreational leisure-time activities for young people."
- 6.2 An implication of this approach is that the council is operating outside of Spending the Council's Money in that the contracts should have been the subject of being competitively tendered.
- 6.3 The risk has been mitigated through knowledge of the market and whether there are other organisations that could deliver the services at scale and pace at a time where the Country is recovering from Covid-19. Legal advice has also

been received on this approach and satisfies the requirements as set out in Public Contracts Regulations 2015 (PCR 2015) clause 72(1)(e) and clause 72(8) which permits modifications to contracts so long as not materially different.

- 6.4 In addition, Covid-19 has altered many aspects of everyday life. Clause 32(2)(c) of PCR 2015 states that an extension can be granted to a contract if there are circumstances which could not have been foreseen, reasons of extreme urgency and modification does not alter overall nature of the contract.

## **7 Equalities implications**

- 7.1 If the recommendation to issue a Direct Award without a gap in provision is agreed, none of the protected characteristics would be adversely impacted. Equality Impact Assessment screening has been completed and found a full action plan was not required. This will continue to be developed and reviewed as commissioning activity progresses.

[EqIA Open Access](#)

## **8 Governance**

- 8.1 Accountability of the service sits with the Corporate Director for Children, Young People and Education. Responsibility sits with the Director for Integrated Children's Services (West).

## **9 Conclusions**

- 9.1 For reasons stated above, approving this action will:

- Continue the provision of support at a critical point for Children Families and Young People.
- Extend well performing contracts to enable the maintenance of open access services provision.
- Maintain levels of support for the local community, particularly in rural communities and/or areas with high levels of deprivation.
- Strengthen levels of engagement following the additional funding provided by both Reconnect and COMF.
- Give stability to providers ensuring the continuation of additional social value that extends beyond catchment areas.
- Continuation of the virtual offer which providers have worked together to produce and is offered across the county.
- Support the Voluntary Sector Recovery Cell and the Children and Young People's Recovery Cell in the recognition that the Voluntary Sector are in a period of Recovery and Reset

## **10 Recommendation(s):**

The Cabinet Member for Children, Young People and Education is asked to APPROVE the proposed decision to:

- A) Directly award contracts to the seven providers to deliver Youth Services across the county and two providers of Commissioned Children's Centres



and

B) Delegate authority to the Corporate Director Children, Young People and Education, or other appropriate Officer to implement the decision.

## 11 Background Documents

EQIA

[EqIA Open Access](#)

## 12 Contact details

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By: Roger Gough, Leader of the Council  
Zena Cooke, Corporate Director - Finance

To: Scrutiny Committee, 24 November 2021

Subject: Covid-19 Financial Monitoring

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Summary: In response to a request from the Chairman and Spokespeople of the Scrutiny Committee this report gives details of the Covid-19 grants KCC has received to date and monitoring of expenditure from the grants.

Recommendation:

The Scrutiny Committee is asked to note the report.

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### Contact Details

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# Covid-19 Finance Update

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Summary	1	2
Background	2	3
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Covid-19 Monitoring Return	4	6

Background Documents  
Details of Grant Allocations

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Relevant Director	Corporate Director Finance, Zena Cooke
Report author(s)	Head of Finance Policy Planning and Strategy, Dave Shipton
Circulated to	
Classification	Unrestricted

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## Contact details

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**Summary**

<p>£388m additional grants provided by central government to support responding to the pandemic</p>	<p>Additional grants have come from a number of departmental announcements during the year. The main emergency grant from DLUHC has come in five tranches between March 2020 to April 2021 and is un-ringfenced (can be used for purposes determined locally in response to or recovery from the pandemic). Other grants have been specific grants (can only be used for purposes defined by government). Most of the grants have been allocated on a formulaic basis and some based on claims for costs incurred (including income losses).</p>
<p>Covid-19 monitoring return shows an overall small net shortfall between grants and forecast additional spending, delayed savings and income losses</p>	<p>KCC submits regular monitoring returns to Department for Levelling up, Housing and Communities and Local Government (DLUHC). The latest returns only show spending and income losses in 2021-22<sup>1</sup> amounting to a forecast net shortfall of £1.9m compared to the available grants by the end of the year. The different timing of grant payments and expenditure/income losses means that at the end of 2020-21 there was a net rollforward of grant of £46.3m into 2021-22.</p>
<p>The un-ringfenced grant has been used to support a variety of council activity across all directorates</p>	<p>Spending on adult social care includes additional demand for care packages, financial support to providers and PPE. Spend on children’s services includes additional demand for care packages, special educational needs and school accommodation. Spend in Growth, Environment and Transport includes additional mortuary capacity and additional waste volumes, etc. Spend in Strategic and Corporate Services includes Helping Hands Scheme and IT/remote working</p>

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<sup>1</sup> Previous returns showed 2020-21 and 2021-22

2.1 Since the start of the Covid-19 pandemic the government has provided significant additional financial assistance to support individuals, businesses and public services. The March 2021 budget identified that in total the Government will have provided £352bn over the course of 2020-21 and 2021-22 in response to the pandemic. The Autumn Budget/Spending Review 2021 has updated the departmental totals for Covid-19 spending (this is not the total spend as it does not include support for individuals) which amounts to £2.2bn in 2019-20, £121.2bn in 2020-21 and £69.8bn in 2021-22.

2.2 The Autumn Budget/Spending Review 2021 identified that the government has provided £1.6bn in 2019-20, £15.9bn in 2020-21 and £9.8bn in 2021-22 directly to local government authorities in England respond to the impacts of Covid-19. This does not include specific grants and support from other departments such as Department for Health and Social Care (DHSC). It does include grants allocated for lower tier responsibilities which KCC does not receive. For consistency we have presented the grants available for upper tier responsibilities in the same format as previous reports to Policy and Resources Committee.

2.3 As soon as the pandemic was announced KCC finance put arrangements in place to capture information about the additional costs the Council would incur. Initially there was very little guidance on the expectations on local authorities.

2.4 The Department for Levelling up, Housing and Communities (DLUHC) has asked local councils to provide a monthly return setting out estimates of the impact of the Covid-19 pandemic. Initially this return was used by the department to inform the allocation of additional tranches of the un-ringfenced emergency grant. The returns have evolved over time and include spending from specific grants from other departments as well as local spending decisions.

2.5 KCC's returns have identified actual and forecast costs to date. The forecasts have assumed that ring-fenced grants which have not been spent in full in 2020-21 roll forward to 2021-22.

2.6 The 2021-22 budget was approved by County Council on 11<sup>th</sup> February. This included additional spending associated with the Covid19 pandemic, spending growth due to business as usual activities, additional savings and income, a small net reduction in reserves (including assumed underspend rolled forward from 2020-21 underspend and strengthening general reserves). The increase in the net budget was funded from additional government grants (assumed largely one-off), increase in council tax charge up to but not exceeding the referendum limit (including further adult social care levy), and impact of tax base losses and collection deficits.

3.1 Table 1 shows the latest amounts allocated from all the various grants provided by government departments in response to the pandemic. The amounts shown in red are estimates.

**Table 1 – Covid-19 Grants**

	National	KCC			TOTAL
		2019-20	2020-21	2021-22	
	£m	£m	£m	£m	£m
<b>Un-ringfenced Grants</b>					
Emergency Grant	6,157.0	39.0	55.9	32.4	127.3
Compensation for irrecoverable tax losses	854.0		7.0		7.0
Compensation for Covid related Business Rate reliefs	6,527.4		25.6		25.6
Council Tax Support ( <i>national allocation incl PCC</i> )	670.0			14.3	14.3
Loss of Sales, Fees & Charges - tranche 1	528.3		0.9	0.0	0.9
Loss of Sales, Fees & Charges - tranches 2-4 *	796.4		10.4	-0.8	9.6
	<b>15,533.2</b>	<b>39.0</b>	<b>99.8</b>	<b>45.9</b>	<b>184.7</b>
<i>* the 2020-21 accounts included an estimate of compensation for the period Nov - Mar. Now that final figures are available, we have found that the estimate was too high, hence a reduction is now showing in 2021-22. We are expecting compensation for Q1 of 2021-22 which will offset this, but do not have details yet of how this will be calculated, so no estimate is provided as yet.</i>					
<b>Social Care Grants</b>					
Infection Control	1,728.0		34.8	18.6	53.4
Rapid testing/workforce	830.4		7.8	16.2	24.0
NHS Hospital Discharge	N/A		<b>10.6</b>	<b>1.4</b>	<b>11.9</b>
	<b>2,558.4</b>	<b>0.0</b>	<b>53.2</b>	<b>36.2</b>	<b>89.3</b>
<b>Public Health Grants</b>					
Contain Outbreak Management	1,817.1		8.4	39.7	48.1
Test & Trace	300.0		1.3	5.0	6.3
Clinically Extremely Vulnerable **	175.3		5.0	0.0	5.0
Asymptomatic Testing #	N/A		<b>7.2</b>	<b>9.6</b>	<b>16.8</b>
	<b>2,292.4</b>	<b>0.0</b>	<b>21.9</b>	<b>54.3</b>	<b>76.2</b>
<i>** £3.2m of the £4.6m Clinically Extremely Vulnerable grant is being rolled forward to be spent in 2021-22</i>					
<i># 2021-22 is a provisional estimate based on our initial application but this is likely to reduce</i>					
<b>Other Grants</b>					
Winter Support	269.1		4.5	<b>2.7</b>	<b>7.1</b>
Emergency Food Assistance	63.0		1.7		<b>1.7</b>
Home to School Transport	135.2		4.2	2.0	6.2
Bus Services	337.9		4.9	<b>1.3</b>	<b>6.2</b>
Targeted Support for UASC	6.0		0.8		<b>0.8</b>
Household Support Fund	421.0			11.1	11.1
Other ***	126.3		1.8	2.6	4.4
Other - reclaim of costs	N/A		0.1	0.0	0.1
	<b>1,358.5</b>	<b>0.0</b>	<b>18.0</b>	<b>19.7</b>	<b>37.7</b>
<i>*** £0.2m of the £1.8m grant in 2020-21 relates to Wellbeing for Education Return. £0.1m of this is to be rolled forward and spent in 2021-22</i>					
<b>Total</b>	<b>21,742.4</b>	<b>39.0</b>	<b>192.9</b>	<b>156.0</b>	<b>388.0</b>



3.2 Some of the grants have been accounted for in 2020-21 even though the income has not been received until after April. In these circumstances a debtor was included in the 2020-21 accounts which in some instances has been based on an estimated amount where the grant allocation had not been confirmed in time for the preparation of the accounts. This could result in variance in 2021-22 when the actual grant is confirmed and received.

3.3 Some of the ring-fenced grants received in 2020-21 were not spent in full in the last financial year and have been carried forward and included in the 2021-22 amounts in table 1. The largest amounts carried forward are within the grants for Contain Outbreak Management and Test & Trace. Any underspend on the un-ringfenced emergency grant has also been rolled forward into 2021-22

3.4 The background document to this report provides more detail about how the main grants have been allocated. The vast majority have been shared out to all authorities based on formulae. Some are subject to bids and some based on actual claims. The first tranche of the un-ringfenced emergency grant was received at the end of March 2020 and included in the 2019-20 accounts. Only £1.7m of this was spent/applied to income losses in the last weeks of 2019-20 in the first weeks of the pandemic. The remaining £37.3m was held in a Covid-19 reserve to support further spending/income losses in 2020-21. Use of this reserve was included in the 2020-21 budget amendment approved by full Council in September.

3.5 The majority of the grants in table 1 are reported in the DLUHC monitoring returns including:

- Emergency Covid-19 Grant
- Public Health grants (Test & Trace and Contain Outbreak Management Fund)
- Adult Social Care grants (infection control, hospital discharge, rapid testing, workforce capacity fund)
- Other grants (clinically extremely vulnerable, emergency food assistance, winter grant scheme, home to school transport, emergency active travel fund)

3.6 Un-ringfenced grants can be used for any purpose to support the council's response to the pandemic. Specific grants can only be used for prescribed purposes determined by government under the conditions for grant.

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### **Covid-19 Monitoring – Key Numbers from September 2021 Submission**

£32.4m	Un-ringfenced emergency grant funding
£44.7m	Public Health ring-fenced grants (Outbreak Management, Test & Trace)
£18.8m	Social Care ring-fenced grants (Care Homes Infection Control, Rapid Testing)
£7.9m	Other ring-fenced grants (Clinically Extremely Vulnerable, Winter Support, Home to School Transport)
£1.4m	Hospital discharge
£46.3m	Surplus from 2020-21
<b>£151.4m</b>	<b>Net funding available</b>
£72.7m	Forecast additional spending from ring-fenced grants
£73.5m	Forecast additional spending from un-ringfenced emergency grant
£7.1m	Forecast loss of income
<b>£153.3m</b>	<b>Total change in KCC spend and income</b>
<b>£1.9m</b>	<b>Forecast net shortfall</b>

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4.1 The latest DLUHC returns now only include the impact of Covid-19 in the current financial year (2021-22) with previous years now closed. The most recent return for September includes actual spending and income losses and commitments recorded on the Covid-19 monitoring system together with forecasts for the remainder of the year.

4.2 The final return for 2020-21 showed a surplus of un-ringfenced grant (after carry forward of unspent ring-fenced grants) of £46.3m, this too has been carried forward for comparison purposes. Overall, across 2019-20 to 2021-22 shows that after the carry forward of the surplus from 2020-21 the additional Covid-19 grants are slightly less than the additional actual/forecast costs including delayed savings and income losses leaving a forecast net shortfall of £1.9m.

4.3 The main areas of additional spending in 2021-22 include the following:

- Adult social care – additional demand for care including placements and assessment costs for clients discharged from hospitals, market sustainability for care providers (including infection control) and PPE/rapid testing costs
- Children’s services – forecast demand for additional placements and assessment costs due to the impact on vulnerable families from sustained lockdown and school closures, and Reconnect programme
- Education – market sustainability payments to home to school transport providers
- Public transport – market sustainability for transport providers
- Public Health – spending on Contain Outbreak Management, Test & Trace, Clinically Extremely Vulnerable and Winter Support
- Environment – waste management
- Other – delays to savings plans and assumed spending through Helping Hands scheme

4.4 Main income losses come from sales, fees and charges (Kent Travel Saver, Registration and libraries, and adult social care day centres), and investment income.

4.5 Table 2 shows the amounts received from the un-ringfenced emergency grants spread over the years and the amount of spending/delayed savings and income losses excluding the spend from ring-fenced specific grants (public health, social care, etc), which are assumed to be spent in full. Essentially, the spend and income losses against non-ringfenced grants is the spend that the Council decides.

**Table 2 – Split of spend/income between un-ringfenced emergency grant and ringfenced grants**

	Total	2021-22	2019-20 & 2020-21
	£m	£m	£m
Emergency Grant	127.316	32.357	94.959
Spend funded from Emergency Grant	101.701	73.521	28.180
Loss of Income*	27.536	7.096	20.440
Suplus/(shortfall)	(1.921)	(48.261)	46.340
Ring-fenced grants and spend	141.980	72.708	69.273

\* Income losses include income from sales fees and charges which must be reported in the DLUHC return although losses can be partially compensated by the separate grant made by claim as shown in table 1

4.6 Table 3 provides a breakdown of the additional non-ringfenced spending between the main service areas. Additional spending in adult social care includes additional demand for care packages related to the pandemic, additional support to social care providers, workforce pressures, procurement of personal protective equipment (PPE), and investment in telecare. Children's services include additional residential care related to the pandemic, special educational needs, adaptations to school accommodation and mobile classrooms, Environment and Regulatory includes mortuary accommodation and additional demand for waste services.

**Table 3 – Non-ringfenced spending**

	Total	2021-22	2019-20 & 2020-21
	£m	£m	£m
Adult Social Care	43.827	28.746	15.081
Children's Services	18.574	18.132	0.443
Highways & Transport	2.030	2.500	-0.470
Environment & Regulatory	7.762	2.479	5.284
IT & Remote Working	4.038	1.004	3.034
Helping Hands	16.000	16.000	
Delayed Savings	5.803	1.673	4.129
Other	3.667	2.988	0.679
<b>Total</b>	<b>101.701</b>	<b>73.521</b>	<b>28.180</b>

## Details of Grant Allocations

### 1. Covid-19 Emergency Grant

The Government has used different formulae to allocate each tranche of the Covid-19 emergency. The methodologies from tranche 2 onwards were informed by the impact identified through the MHCLG monitoring returns.

#### ***Covid-19 Emergency Grant Tranche 1 £1.6bn – March 2020***

Just under 87% of the total grant (£1.39bn out of a total of £1.6bn) was allocated to local authorities with social care responsibilities (upper tier and single tier councils) using the adult social care relative needs formula (RNF). The RNF is the same as that used in the Formula Grant calculations prior to 2013-14.

The remaining 13% (£0.21bn) was allocated using the total settlement funding assessment for 2013-14 (a measure of spending needs on all council services). This was allocated to all councils (upper tier, single tier, lower tier and Fire & Rescue authorities).

KCC's allocation was £39.012m (2.44% of the total).

#### ***Covid-19 Emergency Grant Tranche 2 £1.6bn – May 2020***

This tranche was allocated according to 2020-21 total population projection for each authority area. In two tier areas 65% was allocated to upper tier (62% for those areas with separate Fire & Rescue authorities with 3% allocated to the fire authority) and 35% to lower tier. In single tier areas with separate Fire & Rescue authorities, 97% went to the local authority and 3% to the fire authority. In London 96% went to boroughs and 4% to the Greater London Authority. The allocations for fire authorities were reduced by pro rata share of £6m to create a fire contingency fund.

KCC's allocation was £27.934m (1.75% of the total)

#### ***Covid-19 Emergency Grant Tranche 3 £0.5bn – July 2020***

£6m from this tranche was top sliced to be allocated to those authorities with additional Covid-19 costs to support Unaccompanied Asylum Seeking Children (UASC).

The remainder of this tranche £494m was allocated via a new formula taking account of population forecasts weighted for area costs and deprivation. Area cost weightings are based on those proposed for the Foundation Formula through the Fair Funding Review (not yet implemented), these take account of accessibility to services (based on measures of population sparsity and density) and remoteness as well as differences in labour and premises costs. Deprivation weightings are based on average Index of Deprivation (IMD) for the local authority area. Tranche 3 included no allocations for Fire & Rescue authorities.

The split in two tier areas is 79:21 between upper and lower tiers.

KCC's allocation was £10.312m (2.09% of the total after top slice).

#### ***Covid-19 Emergency Grant Tranche 4 £1.0bn – October 2020***

£100m of this tranche was top sliced to compensate for income losses on local authority leisure centres.

The remaining £0.9bn was added to previous allocations from tranches 1-3 excluding the allocations to Isles of Scilly (including a share of tranche 4 based on the isles population as a proportion of total population), Fire & Rescue Authorities and Greater London Authority. The total local authority shares of tranches 1 to 4 of £4.553bn were re-allocated using the same population/area cost/deprivation formula as tranche 3 to calculate a notional revised total allocation. This resulted in some authorities receiving no additional funding from tranche 4 and some authorities receiving a fixed £100k minimum as their tranche 4 allocation. Effectively this means for most authorities the total share of tranches 1 to 4 is determined according to population estimate weighted according to area costs and relative deprivation.

KCC's allocation from tranche 4 was £17.701m (1.9% of the total after the top slice).

### ***Covid-19 Emergency Grant Tranche 5 £1.55bn – December 2020 (paid in April 2021)***

This tranche was allocated via the same formula introduced for tranche 3 (and used for the reallocations in tranche 4) based on population forecasts weighted for area costs and deprivation.

KCC's allocation from tranche 5 is £32.357m (2.09% of the total).

KCC's total allocation for tranches 1-5 is £127.316m (2% of the total after top slices) as per Table 1 in the main report.

## **2. Compensation Grants**

### ***A) Compensation for Business Rates Reliefs***

Local authorities have been compensated for the additional business reliefs granted during Covid-19 lockdowns. Initially this grant has been paid to collection authorities (districts councils in two tier areas). We have included a debtor in the 2020-21 accounts based on the county council's share of business rates from business rates estimates returns (NNDR1)

### ***B) Tax Income Guarantee***

Separate grants are available to support 75% of tax collection losses in 2020-21. For council tax the grant has initially been determined according to estimated losses on the collectable amount (i.e. does not include under collection of council tax due as this has not been deemed irrecoverable). Business rates losses include all losses including uncollected tax other than those due to additional Covid-19 reliefs or appeals or material changes in circumstances. As with council tax the business rates compensation has initially been determined according to estimated losses.

An initial instalment of 50% has been paid in May with a second instalment based on outturn data provided later in the year.

### ***C) Local Council Tax Support***

This is a new grant for 2021-22, as originally announced at the Spending Review on 25<sup>th</sup> November (chapter 6, paragraph 65). It is being provided to authorities as part of the £670m support package in recognition of the anticipated additional cost of providing Local Council Tax Support (LCTS) in 2021-22, at a time when more

households are likely to be facing financial difficulties as a result of the pandemic. The grant is for local authorities to keep, and the funding is unringfenced.

#### ***D) Loss of Sales Fees & Charges Income***

Local authorities are able to claim up to 75% for irrecoverable losses on sales, fees and charges income due to the impact of the pandemic. To date claims have been submitted based on actual/assumed losses in 2020-21. Claims can be submitted for losses in the first quarter of 2021-22 while Covid-19 restrictions remain in place.

### **3. Adult Social Care Infection Control Fund**

#### ***Tranche 1 £0.6bn – June 2020***

The allocation shares for each local authority are calculated according to the number of registered care home beds in each local authority area (upper tier and single tier only) weighted by an area cost adjustment. The area cost adjustment reflects differences in wages and prices in different local authorities.

The government expected that care homes should receive a payment for the number of registered beds, representing 75% of the total funding. The remaining 25% can be paid to care homes or domiciliary care providers and support wider workforce resilience as determined by each local authority.

KCC's allocation was £18.878m (3.15% of the total). £0.724m has been treated as a receipt in advance and rolled forward into 2021-22 leaving a net £18.154m accounted for in 2020-21.

#### ***Tranche 2 £0.546bn – September 2020***

71% of the grant (£387.5m) is allocated on the basis of the number of care home beds, and 29% (£158.5m) is allocated on the basis of users supported by community care providers. The allocations for each local authority for care homes proportion is calculated according to the number of registered care home beds in each local authority area weighted by an area cost adjustment.

The government expected that care homes should receive a payment for the number of registered beds, and community care providers for the number community care users, representing 80% of the total funding. The remaining 20% can be paid to care homes or domiciliary care providers and support wider workforce resilience as determined by each local authority.

KCC's allocation was £16.653m (3.05% of the total). This together with the net balance from tranche 1 leaves a total of £34.807m in 2020-21 as per Table 1 in the main report.

#### ***Tranche 3 £0.2025bn – March 2021 (paid in April 2021)***

52.5% is allocated on the basis of the number of care home beds for care homes plus the maximum number of service users for residential drug and alcohol settings.

17.5% is allocated on the basis of users supported by community care providers.

30% is allocated as a discretionary amount on the basis of the combined distributions used for community care and care homes plus residential drug and alcohol.

KCC's allocation is £6.176m (3.05% of the total).

#### ***Tranche 4 £0.1425bn – July 2021***

This tranche represents an extension of funding until September 2021 and is allocated via the same formula as tranche 3.

KCC's allocation for tranche 4 is £4.393m (3.08% of the total). This together with the receipt in advance from tranche 1 and tranche 3 results in a total of £11.293m in 2021-22 as per Table 1 in the main report.

### 4. Adult Social Care Rapid Testing Fund

#### ***Tranche 1 £0.149bn – January 2021***

The allocation shares for each local authority are calculated according to the number of care home beds and the potential number of users of residential alcohol and drug services in each local authority (upper and single tier) weighted by an area cost adjustment. The area cost adjustment reflects differences in wages and prices in different local authorities

The government expected that care homes should receive a payment for the number of registered beds and residential alcohol and drug services beds, representing 80% of the total funding. The remaining 20% is available for local authorities' discretionary use to support the care sector to operationally deliver lateral flow device (LFD) testing.

KCC's allocation was £4.686m (3.14% of the total)

#### ***Tranche 2 £0.139bn – March 2021 (paid in April 2021)***

The total grant (£138.695 million) is split at a national level between care homes combined with residential drug and alcohol settings and community care providers.

60% is allocated on the basis of the number of care home beds for care homes plus the maximum number of service users for residential drug and alcohol settings. 40% is allocated on the basis of users supported by community care providers

KCC's allocation is £4.143m (3.0% of the total)

#### ***Tranche 3 £0.1088bn – July 2021***

This tranche represents an extension of funding until September 2021 and is allocated via a revised formula with 70% allocated on the basis of the number of care home beds for care homes plus the maximum number of service users for residential drug and alcohol settings. 30% is allocated on the basis of users supported by community care providers.

KCC's allocation for tranche 3 is £3.330m (3.06% of the total). This together with tranche 2 results in a total of £7.474m in 2021-22 as per Table 1 in the main report.



## 5. Adult Social Care Workforce Capacity Fund

### **£0.120bn – January 2021**

Each authority's allocation is determined using the Adult Social Care relative needs formula (RNF).

This funding enables local authorities to deliver measures to supplement and strengthen adult social care staff capacity to ensure that safe and continuous care is achieved to deliver the following outcomes:

- maintain care provision and continuity of care for recipients where pressing workforce shortages may put this at risk
- support providers to restrict staff movement in all but exceptional circumstances, which is critical for managing the risk of outbreaks and infection in care homes
- support safe and timely hospital discharges to a range of care environments, including domiciliary care, to prevent or address delays as a result of workforce shortages
- enable care providers to care for new service users where the need arises

KCC is passporting 89% of the overall grant to all Care Quality Commission (CQC) registered providers and the remainder is going to support the Design Learning Centre and KICA (Trade Association) who support the whole market in recruitment, training and development.

KCC's allocation was £3.082m (2.57% of the total). This together with tranche 1 of the Rapid Testing Fund is the £7.768m for 2020-21 shown in Table 1 in the main report.

## 6. Test & Trace Service Support Grant

### **£0.3bn – June 2020**

Each authority's allocation is determined pro rata to the local authority Public Health Grant 2020-21.

KCC's allocation was £6.311m (2.1% of the total). £5.002m has been treated as a receipt in advance and rolled forward into 2021-22 leaving a net £1.309m accounted for in 2020-21 in Table 1 in the main report.

## 7. Covid-19 Winter Support Grant Scheme

### **Tranche 1 £0.170bn – November 2020**

Each authority's allocation is based on estimated costs. The grant is made available to support those most in need with the cost of food, energy (heating, cooking, lighting), water bills (including sewerage) and other essentials. The grant had to be spent by 31<sup>st</sup> March 2021, 80% on families with children and 80% on food and fuel costs.

KCC's allocation was £4.504m (2.65% of the total). £0.034m has been treated as a receipt in advance and rolled forward into 2021-22 leaving a net £4.470m accounted for in 2020-21 in Table 1 in the main report.

### **Tranche 2 £0.059bn – February 2021 (paid in April 2021)**

The scheme has been extended to reflect the rollout of the roadmap to recovery up to 20<sup>th</sup> June 2021.

KCC's allocation is £1.566m (2.65% of the total).

***Tranche 3 £0.040bn – February 2021 (paid in April 2021)***

The scheme has been extended to reflect the rollout of the roadmap to recovery up to 20<sup>th</sup> June 2021.

KCC's allocation is £1.060m (2.65% of the total). This together with tranche 2 and the receipt in advance from tranche 1 leaves a total of £2.660m in 2021-22 as per Table 1 in the main report.

**8. Local Authority Emergency Assistance Grant for Food and Essential Supplies**

***£0.063bn – July 2020***

Each authority's allocation is determined according to the population of each local authority, weighted by a function of the English Index of Multiple Deprivation (IMD).

KCC's allocation was £1.669m (2.65% of the total).

**9. Clinically Extremely Vulnerable (CEV) Funding**

***Tranche 1 £0.0327bn – November 2020***

Allocated to upper tier councils (county councils and single tier authorities) to support the clinically extremely vulnerable during the second national lockdown in November. It will be used to provide support, such as access to food deliveries and signposting to local support of befriending services, to the most at risk and enable them to stay at home as much as possible.

KCC's allocation was £0.890m (2.72% of the total).

***Tranche 2 £0.0088bn – December 2020***

Allocated to upper tier authorities' areas which entered Tier 4 where Shielding guidance had been introduced prior to 5 January on updated CEV patient count.

KCC's allocation was £0.508m (5.79% of the total).

***Tranche 3 £0.0317bn – January 2021***

Allocated to upper tier councils (county councils and single tier authorities) on updated CEV patient count.

KCC's allocation was £0.900m (2.84% of the total).

***Tranche 4 £0.0408bn – February 2021***

Allocated to upper tier councils (county councils and single tier authorities) on updated CEV patient count.

KCC's allocation was £1.104m (2.70% of the total).

***Tranche 5 £0.0613bn – March 2021***

Allocated to upper tier councils (county councils and single tier authorities) on updated CEV patient count

KCC's allocation was £1.601m (2.61% of the total)

Total for CEV for 2020-21 is £5.003m as shown in Table 1 in the main report. £3.2m was rolled forward into 2021-22.

#### 10. Contain Outbreak Management Fund

##### **Areas of Enhanced Support and Areas of Intervention £0.035bn – June 2020**

Targeted to particular areas. KCC received no allocation from this distribution.

##### **Local Covid-19 alert level payments £0.124bn – October 2020**

Following the move to local Covid-19 alert levels targeted local authorities were eligible for payments from the Contain Outbreak Management Fund to support proactive containment and intervention measures. KCC received no allocation from this distribution.

##### **National Restriction Payments £0.326bn - November 2020**

Following the introduction of second National Lockdown allocated to all single tier and upper tier authorities as £8 per head of estimated population.

KCC's allocation was £12.652m (3.87% of the total). £8.434m has been spent in 2020-21 (as shown in Table 1 in the main report) with the balance £4.219m rolled forward into 2021-22.

##### **Tier Restriction Payments – December 2020**

Following the introduction of tiering system allocated to all single tier and upper tier authorities as £4 per head of estimated population in tier 3 and £2 per head in tier 2.

KCC's allocation was £6.326m.

##### **National Restriction Payments – January 2021**

Following the introduction of third National Lockdown allocated to all single tier and upper tier authorities as £4 per head of estimated population.

KCC's allocation was £6.326m.

##### **National Restriction Payments – February 2021**

Following the introduction of third National Lockdown allocated to all single tier and upper tier authorities as £4 per head of estimated population.

KCC's allocation was £6.326m

##### **National Restriction Payments – March 2021**

Following the introduction of third National Lockdown allocated to all single tier and upper tier authorities as £4 per head of estimated population.

KCC's allocation was £8.134m.

KCC Total allocation for 2020-21 was £39.765m. £31.331m had been treated as receipt in advance and rolled into 2021-22 leaving a net balance for 2020-21 of £8.434m as per Table 1 in the main report.

#### **2021-22 £0400bn – March 2021 (paid in April 2021)**

A further £400 million is allocated for the 2021-22 financial year. The funding is available to support public health activities directly related to the Covid-19 response, such as testing, non-financial support for self-isolation, support to particular groups (CEV individuals, rough sleepers), communications and engagement, and compliance and enforcement. There will not be a separate ringfenced grant for compliance and enforcement in 2021-22.

The funding formula and scope of the Contain Outbreak Management Fund (COMF) has developed in response to the changing nature of the pandemic. For the 2021-22 financial year, the COMF is allocated using MHCLG's Covid-19 relative needs formula, which is weighted according to population and deprivation, and maps well against areas of enduring transmission. The 2021-22 COMF is distributed to local authorities as a single payment to support their continued public health response work, particularly as local authorities work to ensure a smooth de-escalation of national restrictions through summer 2021.

In two-tier areas, a proportion of the funding is directly allocated to the lower tier. This reflects the fact that district councils share the responsibility for delivery of a number of the COMF priorities, including having a lead role on compliance and enforcement activity. County councils are encouraged to allocate a greater share of the funding to district authorities if local plans indicate this is needed.

KCC's share of the £0.4bn under the formula is £8.350m (2.09% of the total). This is less than the share in 2020-21 due to the direct allocations to districts in two tier areas.

The £4.219m rollover from November plus rollover of £27.112m from December to March payments plus the £8.350m for 2021-22 makes up the total of £39.681m shown in 2021-22 in Table 1 in the main report.

## 11. Asymptomatic Community Testing

### ***Tranche 1 – December 2020***

The Community Testing Programme (CTP) was launched in December 2020 to enable local authorities with a high prevalence of Covid-19 to work in partnership with the UK government to accelerate a reduction in prevalence by identifying asymptomatic cases through local testing and supporting them to isolate. It works alongside other forms of symptomatic and asymptomatic testing led by national government and has a powerful role to play in protecting the public's safety and wellbeing, particularly by providing testing to critical local services and hard to reach communities based on local knowledge and prioritisation.

The approved funding initially covered Tier 3 and 4 local authorities which focused on asymptomatic hard to reach segments of the population. The funding made available to local areas was estimated based on the number of tests they aim to deliver. Total funding per test is set at a maximum of £14, for all local authorities participating in the Community Testing Programme, however up to £6 of materials per test can be sourced from centrally procured arrangements in place. This funding per test is expected to cover all reasonable costs associated with the programme including site costs, workforce costs, PPE requirements, communication and marketing, logistic and other delivery costs.

KCC's estimated share of tranche 1 was £2.1m based on the number of tests anticipated be delivered across 24 sites

### ***Tranche 2 January 2021***

Following the introduction of National Lockdown the programme was extended to all local authority areas to the end of March. Funding continued to be up to £14 per test.

KCC's estimated share of tranche 2 was £4.2m. In addition the first two tranches of estimated grant a debtor for £0.893m was also set up in the final accounts for 2020-21 based on further estimated grant funding. This takes the total estimated funding for 2020-21 to £7.193m as shown in Table 1 in the main report.

The scheme has now been extended until end of July 2021. The estimated grant funding for 2021-22 is £10.491m less £0.893m reversal of debtor leaving a net £9.598m as shown in Table 1 in the main report.

## **12. School and Colleges Transport Capacity Grant**

### ***Tranche 1 £0.044bn – August 2020***

Initially allocated for the first half of the autumn term to coincide with the return for all children and young people to return to full-time education in September.

The funding enables local authorities to create extra capacity to allow more students to use alternatives to public transport, while social distancing measures remain in place.

Funding was allocated to local authorities to reflect the number of children and young people in the local area and how far they have to travel. This includes students travelling to education or training, as well as anyone supervising or escorting students to education provision.

KCC's share was £1.543m.

### ***Tranche 2 £0.0274bn – November 2020***

Extension for second half term.

KCC's share was £1.057m.

### ***Tranche 3 £0.0271bn – February 2021***

Extension to March 2021.

KCC's Share was £1.928m.

A receipt in advance for £0.314m was set up at the end of 2020-21 and rolled forward into 2021-22. This takes the total grant for 2020-21 to £4.214m as shown in Table 1 in the main report.

### ***Tranche 4 – April 2021***

Extension for first half of summer term.

KCC's share is £0.869m.

Extension for second half of summer term.

KCC's share is £0.852m.

This takes the total for 2021-22 to £2.035m including the receipt in advance rolled forward from 2020-21.

### 13. Covid Bus Services Operators Grant

An element of the Bus Services Operators Grant (BSOG) has been provided to local authorities to support public bus services during Covid-19 restrictions. KCCs share in 2020-21 was £4.296m.

A separate restart grant of £0.620m has also been provided.

### 14. Emergency Active Travel Fund

#### **Part of £225m – June 2020**

Local authorities (including combined authorities) were invited to submit bids to improve cycling and walking facilities. Tranche 1 supports the installation of temporary projects for the Covid-19 pandemic. Authorities received either 100%, 75%, 50% or 25% of their bids based on the extent to which they aligned with the criteria. Tranche 1 allocations amounted to £39.840m including capital and revenue elements.

KCC's allocation was £1.6m (£1.13m capital, £0.47m revenue) amounting to 4% of the total. KCC's capital was 100% of the amount requested.

By: Anna Taylor, Scrutiny Research Officer

To: Scrutiny Committee, 24 November 2021

Subject: Work Programme

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Summary: This report gives details of the proposed work programme for the Scrutiny Committee.

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## 1. Introduction

- a) Any Member of the Council is entitled to give notice that they wish an item relevant to the functions of the Committee (which is not an excluded matter) to be included on the agenda for the next available meeting.
- b) The definition of an excluded matter referenced above is:
  - a. Any matter relating to a planning or licensing decision,
  - b. Any matter relating to a person in respect of which that person has a right of recourse to a review of right of appeal conferred by or under any enactment,
  - c. Any matter which is vexatious, discriminatory or not reasonable to be included in the agenda or discussion at a meeting of the Scrutiny Committee.
- c) The Scrutiny Committee has the ability to 'call-in' decisions made by the Cabinet or individual Cabinet Members. Any two Members from more than one Political Group may give notice within five clear working days from the publication of a decision taken of their wish to call-in the decision.

## 2. Recommendation

The Scrutiny Committee is asked to consider and note the report.

## Background Documents

None

## Contact Details

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## Work Programme - Scrutiny Committee 24 November 2021

### 1. Items identified for upcoming meetings

15 December 2021 – 2.30pm start	
Item	Item background
Reconnect Programme	Update post summer following call-in of Reconnect Decision by Scrutiny Committee in July 2021.
<i>Potential – Property Portfolio of KCC – management and maintenance</i>	<i>Maintenance of KCC’s property portfolio – item requested by the Scrutiny Chairman</i>

20 January 2022 – 2pm start	
Item	Item background
Draft 2022/2023 Budget and Medium Term Plan	

23 March 2022 – 2pm start	
Item	Item background
Asylum/Migration Update	Following request made at the All-Member Briefing in September 2021. 6-month update.
Draft SFI Final Report on Home to School Transport	SFI review in progress

### 2. Items raised for consideration

Mr Rayner request (The input of planning officers into local plans, including the scrutiny of their decisions by Members) – Scrutiny October 2021. Under discussion to determine the most appropriate route for consideration of this issue.

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