



Summons to and
Agenda for a
Meeting on
**Thursday, 13th July,
2023**
at **10.00 am**



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE
Wednesday, 5 July 2023

To: All Members of the County Council

A meeting of the County Council will be held in the Council Chamber, County Hall, Maidstone, Kent, ME14 1XQ on Thursday, 13th July, 2023 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

A G E N D A

1. Apologies for Absence
2. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
3. Minutes of the meeting held on 25 May 2023 and, if in order, to be approved as a correct record **(Pages 1 - 12)**
4. Corporate Parenting Panel - Minutes for noting - 12 April 2023 **(Pages 13 - 18)**
5. Chairman's Announcements
6. Questions
7. Report by Leader of the Council (Oral)
8. End of Year Performance Report - 2022/23 **(Pages 19 - 82)**
9. Annual Report on Urgent Decisions **(Pages 83 - 92)**
10. External Audit - Annual Report 2021-22 **(Pages 93 - 134)**
11. Proportionality (to follow)
12. Motions for Time Limited Debate **(Pages 135 - 138)**

A handwritten signature in black ink, appearing to read 'B. Watts', with a large, sweeping flourish extending to the right.

Benjamin Watts
General Counsel
03000 416814

KENT COUNTY COUNCIL

COUNTY COUNCIL

MINUTES of a meeting of the County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 25 May 2023.

PRESENT: Mrs L Game (Chairman), Mr G Cooke (Vice-Chairman), Mr N Baker, Mr M Baldock, Mr P V Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr A Booth, Mr A Brady, Mr D L Brazier, Mr C Broadley, Mrs B Bruneau, Mr S R Campkin, Mr T Cannon, Miss S J Carey, Sir Paul Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mrs P T Cole, Mr P Cole, Mr N J Collor, Ms K Constantine, Mr P C Cooper, Mr D Crow-Brown, Mr M C Dance, Ms M Dawkins, Mr M Dendor, Mr R W Gough, Ms K Grehan, Ms S Hamilton, Peter Harman, Jenni Hawkins, Mr P M Hill, OBE, Mr A R Hills, Mrs S V Hohler, Mr S Holden, Mr M A J Hood, Mr A J Hook, Mrs S Hudson, Mr D Jeffrey, Mr A Kennedy, Mr J A Kite, MBE, Rich Lehmann, Mr B H Lewis, Mr R C Love, OBE, Mrs M McArthur, Mr J P McInroy, Ms J Meade, Mr J Meade, Mr D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mrs S Prendergast, Mr O Richardson, Mr A M Ridgers, Mr D Robey, Mr D Ross, Mr A Sandhu, MBE, Mr T L Shonk, Mr C Simkins, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr B J Sweetland, Mr R J Thomas, Mr S Webb, Mr M Whiting, Mr J Wright and Ms L Wright

IN ATTENDANCE: Mr J Cook (Democratic Services Manager) and Mr B Watts (General Counsel)

UNRESTRICTED ITEMS

137. Apologies for Absence
(Item 1)

The Democratic Services Manager reported apologies for absence from Mrs Dean, Mr Manion, Mr Marsh, Mr Rayner, Mr Sole and Mr Watkins.

The Democratic Services Manager said Mr Chittenden and Mrs Parfitt-Reid would be joining the meeting late.

138. Election of Chairman
(Item 2)

(Mrs Game, the present Chairman, presided for this item)

- (1) Sir Paul Carter proposed, and Mr Cooper seconded that Mr G Cooke be appointed Chairman of the County Council.

Agreed unanimously.

- (2) Mr Cooke took the chair, made his Declaration of Acceptance of Office, and returned thanks for his election.
- (3) Mr Cooke paid tribute to, and thanked, Mrs Game for the manner in which she had carried out her duties as Chairman of the Council. The Chairman invited Members to speak, and tributes were paid to Mrs Game by Mr Gough, Dr Sullivan, Mr Hook, Mr Stepto, Ms Meade, Mr Lewis, Mr Meade, Mr Kite, and Ms Wright. Mr Cooke presented Mrs Game with the Past Chairman's Badge.
- (4) Mrs Game thanked Members for their comments.

139. Election of Vice-Chairman

(Item 3)

- (1) Mr Meade proposed, and Miss Carey seconded that Mr B Sweetland be appointed Vice-Chairman of the County Council.

Agreed unanimously.

- (2) Mr Sweetland made his Declaration of Acceptance of Office and returned thanks for his election.

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

(Item 4)

There were no declarations of interest.

141. Minutes of the meeting held on 23 March 2023 and, if in order, to be approved as a correct record

(Item 5)

RESOLVED that the minutes of the meeting held on 23 March 2023 be approved as a correct record.

142. Corporate Parenting Panel - Minutes for noting

(Item 6)

Mr Ross, Chairman of the Corporate Parenting Panel, introduced the item and reminded Members of their role as a corporate parent to Kent's children in care.

RESOLVED that the minutes of the meeting of the Corporate Parenting Panel held on 15 February 2023 be noted.

143. Chairman's Announcements

(Item 7)

Dan Daley

- (1) With the greatest of regret the Chairman informed Members, formally, of the passing of Mr Dan Daley at the end of March 2023. He said Mr Daley was a well-known and well-respected Borough and County Councillor who worked tirelessly on behalf of the residents in Maidstone Central Division. Mr Daley was elected to Maidstone Borough Council in 1990 and to Kent County Council in 2001. The Chairman said Mr Daley had a love of nature and the environment and cared greatly about the health and wellbeing of Kent residents. He was a member of the Council's Health Overview and Scrutiny Committee since it was set up in its current form and his thoughtful and passionate input at all committees would be missed greatly.
- (2) Tributes were made by Mr Hook, Mr Gough, Dr Sullivan, Mr Lehmann, Mr Lewis, Sir Paul Carter, Miss Carey, Mr Simkins, Mr Streatfeild, Mr Kennedy, and Mr Cannon.

Paul O'Grady

- (3) At the end of March this year, Kent residents and people from around the world mourned the unexpected death of Mr Paul O'Grady MBE DL. The Chairman said Mr O'Grady had been appointed a Deputy Lieutenant of Kent in November 2022 and referred to Mr O'Grady's love for the county which he had made his home for over 21 years. He filmed a series about Kent back in 2020 which saw him travelling around the county highlighting many of the coastal areas around Kent and had written a book about living in Kent, with his latest children's book being set on the Romney Marshes. Mr Grady was also very committed to supporting many charities, including being a Patron of Save the Children and an Ambassador for Battersea Dogs and Cats Home, along with a number of other animal charities across the county. The Chairman said Mr O'Grady was a great loss to many people and the organisations he championed.
- (4) The Chairman held a one-minute silence in memory of Mr Daley and Mr O'Grady.

Motion of condolence

- (5) Mr Cooke proposed, and Mr Sweetland seconded, that the Council formally record the sense of loss it feels on the sad passing of Mr Daley and Mr O'Grady and extends to their families and friends its heartfelt sympathy to them in their sad bereavements.

Agreed unanimously.

Mike Whiting

- (6) The Chairman welcomed back to the Council, Mr Mike Whiting, as Member for the Sheppey Division.

David Cockburn retiring

- (7) The Chairman informed Members of Mr Cockburn's decision to retire from his role as Chief Executive Officer and expressed his support on behalf of the Council. Mr Cooke thanked Mr Cockburn for his outstanding contribution to the Council and said he had been the most Senior Officer of the Council for nearly 12 years and the commitment he had given to the Authority, particularly through some of the most difficult of times, was exceptional. Mr Cooke said he would be extremely missed and on behalf of all Members of the Council thanked and wished him well for the future.
- (8) The Chairman invited Mr Gough, Dr Sullivan, and Sir Paul Carter to comment.

Coronation Champion

- (9) The Chairman explained, as part of the Coronation celebrations and in honour of Their Majesties' service to the country, the Royal Voluntary Service launched the Coronation Champions Awards to celebrate extraordinary volunteers across the country who had been contributing to their communities. Out of the many volunteers who were nominated, 500 volunteers were selected to win this Award and the Chairman was pleased to say that 18 of these were from Kent.
- (10) One of the Kent Coronation Champions was a KCC member of staff, Mr Kevin Hunt, an Early Help Support Worker covering the Sevenoaks district. Mr Hunt spent countless hours each week volunteering for his cricket club, coaching children's football, and volunteering with the Youth Justice Service. Mr Cooke congratulated Mr Hunt and thanked him for all he did in support of the community.

Bill Cockcroft

- (11) The Chairman welcomed Deputy Lieutenant, Mr Bill Cockcroft to the meeting who was joined by fellow Deputy Lieutenant, Mr Trevor Sturgess.
- (12) Mr Cooke thanked Mr Cockcroft, on behalf of the Council, for his exceptional service to the County. Mr Cockcroft was currently the longest serving Deputy Lieutenant, having been appointed by the late Lord Kingsdown in 1996, and had since served under a further three Lord-Lieutenants (Mr Allan Willett, Viscount De L'Isle and Lady Colgrain). In 2004, Mr Cockcroft was made the first Link Deputy Lieutenant for Maidstone, a role created by the late Mr Allan Willett. Mr Cockcroft was a retired Senior Partner of a Quantity Surveying Practice and a former Chief Commissioner of England for the Scout Association and was Chair of the Organising Committee and Camp Chief for the 2007 Centenary World Scout Jamboree held in the UK. Mr Cooke said he was President of Kent Scouts and Maidstone Sea Cadets as well as a number of other voluntary roles.

- (13) Mr Cooke said Mr Cockcroft was retiring as a serving Deputy Lieutenant after an outstanding 27 years and on behalf of the Council, he thanked him for his remarkable service to Kent.

Chairman's Charities

- (14) The Chairman announced that he had chosen to support two charities during his year as Chairman and they were Imago and Crossroads. Both charities provided support to young carers in Kent.
- (15) The Chairman invited Ms Angela Holland, Ms Jo Rickword and Ms Wendy McGeachy from Imago, and Ms Irene Jeffrey and Ms Jan Hall from Crossroads to introduce the charities and their work.

144. Questions

(Item 8)

In accordance with Sections 14.15 to 14.22 of the Constitution, 14 questions were submitted by the deadline, 7 questions were asked, and replies given. A record of all questions put and answers given at the meeting is available [online](#) with the papers for this meeting.

As Mr Sole was not present during this item a written answer to their question was provided.

Questions 9 - 14 were not put in the time allocated but written answers were provided.

145. Report by Leader of the Council (Oral)

(Item 9)

- (1) The Leader commented on the recent district and borough elections that were held across Kent and Medway on 4 May 2023 and the scale of change that had occurred as a result. Mr Gough commiserated with Conservative colleagues who had lost their seats but looked forward to working with the new administrations across the county.
- (2) Mr Gough spoke about the situation at Galley Hill where, on the evening of 10 April 2023, a chalk cliff collapsed on the northern side of Galley Hill Road in Swanscombe resulting in a major water leak. He said Kent Highways had taken control of the site and the road remained closed. The Council was working closely with Dartford Borough Council to ensure local communities and businesses were kept informed and a dedicated KCC webpage included information on diversion routes, changes to bus routes and points of contact for enquiries. He said it was a complex engineering issue which the Council was working hard to resolve, and the road was expected to remain closed for the foreseeable future. Mr Gough

recognised the major difficulties this caused for residents and businesses and said the Council would seek to ensure effective communication with residents and with Mr Harman as the local Member.

- (3) The Leader noted that although there had been two consecutive bank holiday weekends without the need for Operation Brock, it had been utilised over the Easter weekend and strong demand was expected at the Port of Dover and Eurotunnel for the Whitsun bank holiday weekend. Mr Gough said this was a reminder of the scale of the pressures the Council faced and noted that demand had returned to pre-pandemic levels. He said the Council continued to work closely with the Department for Transport and other government departments to address these issues and the implementation of the EU's Entry/Exit System.
- (4) Mr Gough said almost 26,000 pothole enquiries had been received during the last year and the amount received during December to March was over five times that of equivalent periods in the previous year. Since the beginning of April 2023, almost 5,000 potholes had been repaired and nearly 6,000 square metres of longer-term patching had been replaced. Although the Council would deploy the £6million in extra government funding announced in the budget there were severe limits to the Council's resources. He said he was pressing government, along with other Southeast Leaders, for further funding to address the severe situation on the county's roads. Mr Gough confirmed that a summer programme of resurfacing and surface treatments had commenced, and this would see investment of around £40million into the network in 2023/24 with a further £3million spent on footways and £4.5million capital investment into highway drainage renewals and repairs.
- (5) The Leader reported that on 30 March 2023 the Council received an allocation of over £12million from the local Electric Vehicle Infrastructure Fund to deliver charging infrastructure to 40% of households without off-street parking. The scheme, which ran to 2030, would build on the existing work KCC had been carrying out and was a fundamental step change in terms of scale and deployment. Mr Gough stressed that this was a difficult and challenging area.
- (6) The Leader turned to economic development and the ceasing of Local Enterprise Partnerships (LEPs) by March 2024. He said the Council, along with other local authorities, were working with the Southeast LEP to manage the transition.
- (7) On 19 April 2023 Mr Gough joined Mr Damien Collins MP and the Leader of Folkestone & Hythe District Council, in a positive meeting with Mr Andrew Bowie MP, regarding new nuclear technology at Dungeness.
- (8) Mr Gough commented on the importance of the Levelling Up and Regeneration Bill which was currently in report stage in the House of Lords. He said this was an area of importance, and concern, for the

Council in relation to the proposals to fund and deliver infrastructure and confirmed that a detailed response to the consultation would be submitted.

- (9) The Leader was pleased that Miss Carey and Members of the Environment and Transport Cabinet Committee had formed a task group for the Household Waste Recycling Centres Review. He recognised the difficulty of the issue and said the savings, included in the budget, reflected the severity of the financial position that the Council, like other comparable authorities, faced.
- (10) Mr Gough explained that the draft Special Educational Needs and Disabilities (SEND) Accelerated Progress Plan had been submitted to the Department for Education and their initial response was awaited. Mr Gough said the Ofsted Chief Inspector, Ms Amanda Spielman, made a positive visit to the Council in May 2023. He acknowledged that progress on improvements had only just begun, and a continued focus was required.
- (11) During May 2023 the Kent Youth Justice team participated in a Ministry of Justice sponsored thematic inspection by HM Inspectorate of Probation and Ofsted, the feedback of which, Mr Gough said, had been very positive.
- (12) Finally, the Leader said a positive Integrated Care Partnership development session took place in April 2023. He emphasised the importance of the Partnership in serving Kent residents better and addressing some of the biggest structural problems facing the Council. Building on the successful Kent Care Summit last year a further event would be held on 21 June 2023 in Margate.
- (13) The Leader of the Labour Group, Dr Sullivan, responded to the Leader's remarks. She said the situation at Galley Hill was having a significant impact on Gravesham and Northfleet residents and called for a resolution as quickly as possible. She also highlighted that there was concern for the security of numerous cliffs in Northfleet and around the Ebbsfleet area.
- (14) Dr Sullivan wished good luck to all the students that were taking summer exams, which for some would be their first public examination, and referred to the pressure and effects on the mental health of young people.
- (15) Dr Sullivan highlighted the importance of providing support to children with SEND to enable them to have opportunities and choices. She commented that opportunities were reducing due to travel and financial barriers, especially for those from deprived communities and families with special educational needs. Dr Sullivan said Members had a role in ensuring the strategies and policies of the Council were meeting the needs of its most vulnerable young people and condemned comments made by some Members at the recent SEND Sub-Committee. Dr Sullivan commented that the Accelerated Progress Plan had been submitted to government without the opportunity for scrutiny by Members or families.

- (16) Dr Sullivan congratulated those who were elected at the recent borough and district elections and sympathised with those who were not successful. She said the people of Kent had sent a clear message for investment in public services and the end of austerity. Dr Sullivan said if the public of Kent wished to put their trust in Labour, they would see a step change with new ideas. She said her group would prioritise Kent residents over commissioned profits and the time of commissioning and outsourcing would end.
- (17) Finally, Dr Sullivan commented on the Household Waste Recycling Centre Review and referred to a Member of the Conservative group who was taking action against the closure of one of the sites. She hoped that the consultation would not cost as much as previous consultations and commented that decisions regarding savings were a matter of choice.
- (18) Mr Lehmann, Leader of the Green and Independent Group, congratulated the Chairman and Vice-Chairman on their appointments.
- (19) Mr Lehmann congratulated those who had been successful in the recent elections and commented that Labour and the Liberal Democrats had doubled the number of seats in Kent in the past eight years. He said the Green Party had tripled the number of seats they took in Kent four years ago and every single district in Kent that elected Green Party seats in 2019 elected more in 2023. Mr Lehman hoped the Green Party would continue to grow particularly in consideration of recent news that there may be temperatures 1.5 degrees above pre-industrial levels at some point in the next five years. He noted that not a single G20 country had met the commitments of the Paris Agreement and the lack of action in the past decade would only make the coming decades more challenging.
- (20) Mr Lehmann turned to the Household Waste Recycling Centre Review and stated he felt it was a false economy to close any of the sites. He welcomed the opportunity to join the task group to present alternative suggestions but noted this was reliant on access to data. He said a limited set of options were presented at the recent Environment & Transport Cabinet Committee which did not include how sites which remained open would cope with additional waste. Mr Lehmann commented on the proposed saving of £1.5million and provided Members with some figures in respect of the Faversham area, which included the number of affected households who would lose their nearest recycling site, the additional miles of car journeys per week and the cost of additional petrol. He said if the Faversham site was closed, most journeys to Sittingbourne, as a result, would go through an Air Quality Management Area (AQMA) and Mr Lehmann estimated there would be an extra 123 tonnes of carbon. Mr Lehmann suggested that focusing on saving £1.5million could result in a further step towards breaching the 1.5 degrees limit and asked that an alternative saving be found.
- (21) Mr Hook, Leader of the Liberal Democrat Group, congratulated Canterbury Resident, Mr Hari Budha Magar, who on Friday 19 May 2023, reached the

summit of Mount Everest, 13 years after he lost both legs in Afghanistan. He was the first ever double above the knee amputee to reach the top of Mount Everest.

- (22) Mr Hook congratulated all those elected on 4th May 2023, sent commiserations to those who were not and recognised that there were many factors involved in elections and the results of which were not always a reflection on an individual. He said it was clear from the results that there was an appetite for a change in political direction and in his group's view it was time for a new parliament and a fresh mandate. He was pleased that across Kent 70 Liberal Democrats were elected to borough or district councils, up from 32 in 2019, and felt there was still room for growth. Mr Hook welcomed that several councils in Kent were now in no overall control and said his group's view was that a multi-party administration was better than single party. Mr Hook felt, like in Scotland and Northern Ireland, that England should have proportional representation for local government where the seats were based on the percentage of votes.
- (23) Mr Hook strongly welcomed comments made about local electric vehicle infrastructure and noted that EV charging for people who did not have off street parking was difficult. He hoped that the new funding would help with that and provide, for example, lamppost-based charging which existed in other parts of the country.
- (24) Mr Hook said his group remained concerned that Members were taking an active role in the SEND groups that had been set up and were particularly concerned that the safety valve required a financial constraint that may be unrealistic against the growing population and growing number of children.
- (25) As summer approached, Mr Hook said Operation Brock was a concern, as was the threat of more extensive European border controls and the cost that went with them.
- (26) Mr Hook turned to the Household Waste Recycling Centres Review and said in his group's view, the plan to close four sites was a mistake for reasons which were highlighted at the Environment and Transport Cabinet Committee on 23 May 2023. He said he felt that insufficient information had been provided to make the financial case, including in relation to business rates, redundancy costs and Air Quality Management Areas. He said more information was required to enable the Council to scrutinise both the financial and environmental aspects.
- (27) Finally, Mr Hook highlighted that June was Pride month and he hoped the Pride flag would fly again over County Hall as it had in previous years, and that Members would support Pride events in their area.
- (28) The Leader responded to comments made regarding Galley Hill and stressed the importance of keeping Members informed, particularly local Member Mr Harman.

- (29) Mr Gough thanked Dr Sullivan for her good wishes to all those taking their GCSEs and A levels in the coming weeks.
- (30) Mr Gough responded to Dr Sullivan's point regarding available resources and said he was under the impression that Labour's message recognised the national constraints. He said he thought, whoever was in power nationally, a strong case to government would always be sought regarding the need for resources, and that would remain should there be any national change of administration.
- (31) Mr Gough responded to comments made regarding SEND and said in terms of scrutiny, and in particular the Accelerated Progress Plan, there were two bodies which received and reviewed the plan, namely the SEND Sub-Committee and the Strategic Improvement and Assurance Board. Mr Gough believed that the Council's response to the service shortcomings experienced by several families in Kent, and the safety valve, were closely related, and involved ensuring that the right support for children was provided in the right place. He said the Council remained deeply committed to improvement of the service and confirmed that the SEND Sub-Committee and the Strategic Improvement and Assurance Board would scrutinise the work that was done.
- (32) In relation to the Household Waste Recycling Centres Review, the Leader acknowledged the comments that had been made, and the significant process of work to be undertaken, and welcomed, again, the formation of a task group to shape the nature of the consultation.
- (33) Mr Gough agreed with the points that had been made in relation to the Local Electric Vehicle Infrastructure Fund and reiterated that this was a complicated and difficult issue, not only in terms of adjudicating between the different interests of different residents, but also in relation to a continual change in technology.
- (34) Mr Gough thanked the Group Leaders for their fair and generous comments on the election results which recognised that individual councillors of whatever party or group put in an enormous amount of work and very often their fate was decided by something outside their control.
- (35) RESOLVED that the Leader's update be noted.

146. Kent and Medway Integrated Care Partnership Joint Committee - Terms of Reference

(Item 10)

- (1) Mr Gough proposed, and Mrs Bell seconded the motion that

“County Council agrees the amendment to the Integrated Care Partnership Joint Committee’s terms of reference as set out in Appendix 1 to the report.”

- (2) The Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council agrees the amendment to the Integrated Care Partnership Joint Committee’s terms of reference as set out in Appendix 1 to the report.

147. Updates to Terms of Reference
(Item 11)

- (1) Mrs Binks proposed, and Mr Collor seconded the motion that
“The County Council:
 - a) Notes the report.
 - b) Endorses the recommendation of the Governance and Audit Committee and agrees the revised Terms of Reference for this Committee as set out in Appendix 1.
 - c) Endorses the recommendations of the Selection and Member Services Committee in relation to the Member Remuneration Panel and agrees the revised Terms of Reference for the Panel, as set out in Appendix 2.”
- (2) The Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council:
 - a) Notes the report.
 - b) Endorses the recommendation of the Governance and Audit Committee and agrees the revised Terms of Reference for this Committee as set out in Appendix 1.
 - c) Endorses the recommendations of the Selection and Member Services Committee in relation to the Member Remuneration Panel and agrees the revised Terms of Reference for the Panel, as set out in Appendix 2.

148. Proportionality Report
(Item 12)

- (1) Mr Gough proposed, and Mr Oakford seconded the motion that
“The County Council is asked to:
 - a) Determine the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;

- b) Note that Selection and Member Services will make or confirm necessary appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - c) Confirm the continued delegated authority to the Democratic Services Manager, in consultation with the four Group leaders to adjust the allocation of committee places in order to conform to overall proportionality requirements and manage membership arrangements in line with the details set out in this report.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council is asked to:
- a) Determine the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;
 - b) Note that Selection and Member Services will make or confirm necessary appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - c) Confirm the continued delegated authority to the Democratic Services Manager, in consultation with the four Group leaders to adjust the allocation of committee places in order to conform to overall proportionality requirements and manage membership arrangements in line with the details set out in this report.

149. Spending the Council's Money
(Item 13)

- (1) Mr Oakford proposed, and Mrs Binks seconded the motion that
- “County Council is asked to:
- i. Approve the revised Contract Standing Orders (“Spending the Council’s Money”) – as attached as Annex 2 and recommended by Governance & Audit Committee
 - ii. Approve revisions to the Constitution wording on contract standing orders – as attached as Annex 1.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that County Council is asked to:
- i. Approve the revised Contract Standing Orders (“Spending the Council’s Money”) – as attached as Annex 2 and recommended by Governance & Audit Committee
 - ii. Approve revisions to the Constitution wording on contract standing orders – as attached as Annex 1.

CORPORATE PARENTING PANEL – 12 April 2023

MINUTES of a meeting held in the Lecture Theatre, Sessions House

PRESENT: Dirk Ross (Chairman), David Beaney, Dan Bride, Tom Byrne, Gary Cooke, Tony Doran, Alison Farmer, Kelly Grehan, Sarah Hamilton, Shellina Prendergast, and Nancy Sayer.

ALSO PRESENT: Dylan Jeffrey, Deputy Cabinet Member for Integrated Children's Services

IN ATTENDANCE: Joanne Carpenter (Participation and Engagement Manager), Christy Holden (Senior Commissioning Manager), Kayleigh Leonard (Participation Team Apprentice), Leemya McKeown (Assistant Director (Safeguarding Professional Standards and Quality Assurance)), Maureen Robinson (Management Information Unit Service Manager), and Hayley Savage (Democratic Services Officer)

1. Apologies and substitutes

Apologies for absence had been received from Trudy Dean, Lesley Game, Stephen, Gray, Sarah Hammond, Margo McArthur, Tracy Scott, Caroline Smith.

Shellina Prendergast, David Beaney, Alison Farmer, and Dan Bride were present virtually.

2. Chairman's Announcements

The Chairman provided an update on the fostering awareness campaign and hoped that next year all 12 Kent districts would be involved.

3. Minutes of the meeting held on 15 February 2023

RESOLVED that the minutes of the meeting held on 15 February 2023 are correctly recorded.

4. Participation Team update

1. Jo Carpenter introduced the update and advised that Sophia Dunston, who had been a valued member of the Participation Team since the beginning, would be leaving the team to join Strategic Commissioning. Kayleigh Leonard, who had completed a Level 3 apprenticeship in public service operational delivery was now in the role of Participation Support Assistant. Nathan Moody had successfully passed his level 2 apprenticeship and was staying in the team to work towards Level 3.
2. Tom Byrne provided an update on the Young Peoples Council which included the Young Life Foundation and the formation of a Young Adults Council (YAC) extra group for unaccompanied asylum-seeking (UAS) young people. A YAC extra meeting took place on 11 April in Canterbury and the main YAC Council meeting was taking place on Friday 14 April at the Malling School.

3. Kayleigh Leonard updated the panel on recent events which included an African drumming workshop, Valentine's Day workshop, a dinosaur workshop, and a visit from the travelling Natural History Museum. February half term events included science days, a day for under 5's and pizza making days.
4. Jo Carpenter provided the panel with dates of upcoming events which all panel members were welcome to attend:
 - 31 May 2023 – all Children in Care Councils together for a meeting and activities in Ashford
 - 25 July 2023 – VSK Post 16 Awards Celebration in Canterbury
 - 27 July 2023 – Corporate Parenting event with young people
 - 17 September 2023 – awards for year 11's
5. Nancy Sayer asked about the recruitment of the NHS funded post for an UAS apprentice and Jo Carpenter said the second round of advertising for the role would close on 21 April 2023. Members agreed the importance of raising awareness of this opportunity. Jo confirmed that the Young Peoples Councils were inclusive of UAS young people and other groups but noted that some UAS young people were wanting to discuss areas relevant and specific to them and therefore the Young Adults Council extra was formed.
6. The update was noted.

5. Verbal Update by the Cabinet Member

1. Dylan Jeffrey provided an update on the following:

UASC data from 31st March 2023 – There had been 87 UASC arrivals since 1 March 2023 bringing the total number of UASC arrivals for 2023 to 276.

In March the Council was pleased to welcome Dame Rachel de Souza, the Children's Commissioner, to its Reception and Safe Care service for UAS young people waiting for transfer to other local authority care. The young people had the opportunity to speak about the health, support and care they were receiving, and Dylan thanked the service for their work with UAS young people.

Kent's Fostering Services – Dylan thanked the district councils who had circulated information to encourage the take up of foster carers. The next online information event would take place on 22 April 2023 and people interested in becoming a foster carer were encouraged to attend. Dylan asked panel members to make use of all possible opportunities to raise awareness of the need for foster carers.

2. The Chairman highlighted the need for all 12 districts to work in partnership with the Council in promoting fostering. The panel discussed the advantages of regularly enforcing the fostering message and reminding elected members of their responsibility as a corporate parent. It was suggested that Local

Children's Partnership Groups be contacted to widen awareness within districts.

3. Kelly Grehan asked about the potential for displaying posters in village and church halls to promote fostering and Leemya McKeown said she would follow this up with Caroline Smith.
4. The verbal update was noted.

6. Performance Scorecard for Children in Care

1. Maureen Robinson introduced the Performance Scorecard for Children in Care for January 2023 and provided a summary of significant areas:
 - (a) A measure related to initial health assessment referrals within 5 working days of becoming looked after included UAS young people where a decision had not yet been made. The measure regarding the timing of EHCPs included a small cohort of 25 children and the performance was below average.
 - (b) An optimistic target for children in care being adopted had been kept at 15% and this target had been achieved previously. The England average was 10%. The second adoption measure on timeliness of the granting of a placement order was down to court timescales.
 - (c) The special guardianship order measure did not include orders being granted outside of the process either before a child comes into care or after the care episode had ended.
 - (d) The performance for the measure for the percentage of social workers currently employed by KCC in children in care teams had dropped and there had been a reduction of six social workers.
2. Members discussed the timeline of court cases for adoption and care orders and the benefit of a deep dive into the reasons behind any delays in the system. Leemya McKeown said she would investigate this further and report back to a future meeting of the panel. Leemya said the covid-19 pandemic had caused significant delays in the care system, but this had since been reduced. Gary Cooke asked if the report could also look at whether there was a shortage of adoptive parents.
3. Nany Sayer referred to the last meeting of the panel where it was questioned whether there were health delays in the issuing of EHCPs and said a health diagnosis was not a requirement for an assessment of need for an EHCP. She said there was a potential hold up with the gathering of health information in the six-week timeframe when the EHCP assessment process had started due to the huge volume of requests. The compliance was 68% within six weeks and 94% within 20 weeks and therefore the 20-week timeframe was being met significantly.

4. RESOLVED that the performance data in the Corporate Parenting Scorecard be noted.

7. Virtual School Kent (VSK) Annual Report Summary

1. Tony Doran introduced the report which was a summary of the impact of the virtual school in deploying its statutory duty towards children in care, care leavers and previously looked after children and included Key Stage 2, 4 and 5 Outcomes for 2022, wellbeing, participation and engagement and priorities for 2022-24.
2. Dylan Jeffrey asked whether, for those in the Key Stage 4 cohort who had three or more placements, there was any evidence that this had had a detrimental impact on their education. Tony Doran said prediction levels showed that instability had a negative effect, and placement and school stability were the key indicators of successful outcomes. Leemya McKeown added that the biggest predictor of placement breakdown was previous placement instability.
3. Gary Cooke asked about the data for NEET (Not in Education, Employment or Training) young people and whether performance could be maintained. Tony Doran said the figures in the report were for the 2021/2022 academic year and the figure may not be as positive in the next year's report. He said there was not enough entry level courses for post 16 (in particular UASC) and the loss of the European Social Fund meant there was not enough roll on, roll off provision. From September 2023 the government would bring in a Pupil Premium Plus for post 16 which, depending on rate, may make a difference.
4. Sarah Hamilton asked about the causes of placement breakdowns and Tony Doran said it was important to link what creates a negative impact on placement stability with other services to support young people in the best way possible. Reasons for placement breakdowns included waiting for school placements, patterns of multiple exclusions, and anxiety-based school avoidance.
5. Asked whether the Council was working with Further Education (FE) colleges, Alison Farmer said engagement had taken place with the principals of the FE colleges to help establish capacity and a broader range of qualifications. It would take time for a consistent offer to be in place in terms of broader education for children in care and those with an EHCP, but active engagement had started. Members of the panel agreed a report on post 16 pathways for young people would be brought back to the panel at the end of the year after some planning had taken place with the FE colleges.
6. RESOLVED that the impact of the Virtual School in relation to its performance be noted and its priorities for 2022-24 be endorsed.

8. Housing Options for Young Adults who are Care Leavers

1. Christy Holden and Robin Cahill introduced the report and summarised the progress made on the issues faced by young adults who were Care Leavers and Children in Care in relation to their ongoing accommodation needs.
2. Robin said supported accommodation was available up to the age of 21 and there was in the region of 80 to 120 people who were ready to move on. There were some young adults over the age of 25 using the service as suitable accommodation could not be found.
3. Members acknowledged that the Council did not have a statutory obligation or responsibility to provide housing but there was an opportunity for the Council to build on relationships with boroughs and districts and work collaboratively with them. Maidstone Borough Council and Ashford District Council were noted as examples of districts who were working to provide affordable homes for young people.
4. Christy Holden said conversations had taken place between policy colleagues within KCC and the leads within district and borough councils regarding a range of issues that needed to be addressed with a potential solution similar to the Ex-Service Personnel Covenant. There was an intention to consult with elected Members before taking the matter to Kent Chiefs and Kent Leaders. Christy said she would investigate the potential for a working group to include Members and care leavers.
5. RESOLVED that the report be noted, and assistance be provided to ensure a Care Leavers Housing Offer is available and visible throughout each of the partner organisations.

9. Placement Stability

1. Leemya McKeown introduced the report which demonstrated the robust response to improving placement stability for children in care and the steps taken to research previous placement breakdowns and consider what would support placement stability. The report shared the practice improvement work on placement stability including a Placement Stability Checklist and guidance to support identifying placement fragility at an early stage, prior to breakdown. Leemya gave a presentation, by way of a series of slides, which included the current KPI for placement stability and an overview of the placement stability deep dive analysis and next steps.
2. Asked about stages of child development and support, Leemya explained there was mandatory child development training for social workers at KCC which was also being developed with fostering teams to incorporate the outcomes of the placement stability work.
3. Members discussed the importance of working in partnership with other agencies to deal with issues and reduce timescales, and to ensure that information was recorded within the context of an individual's circumstances. Nancy Sayer highlighted the importance of increased partnership working and the involvement of health including the potential for a child's allocated nurse to

be invited to meetings. Leemya said the Independent Reviewing Officers service had involved other agencies regarding accountability and she noted the increase in external escalations made over the last month. Leemya said there was an evidence-based practice change which could be shared with health, and it was acknowledged that there were multi-agency-based challenges that needed to be addressed.

4. RESOLVED that the report be noted.

10. Future Meeting Dates

The future meeting dates were noted.

From: Roger Gough – Leader of the Council
David Cockburn – Chief Executive Officer

To: County Council – 13 July 2023

Decision No: n/a

Subject: **End of Year Performance Report, 2022/23**

Classification: Unrestricted

Summary: This is the Performance Report for Kent County Council covering the financial year ending 31 March 2023. The report presents information for Key Performance Indicators (KPIs) and activity measures across the Council Directorates, and a summary of the Corporate Risk Register.

Of the 37 Key Performance Indicators (KPIs) contained within the QPR, 15 achieved target (Green), 10 achieved and exceeded the floor standard but did not meet target (Amber). 12 KPIs did not meet the floor standard (Red).

Recommendation(s): The County Council is asked to NOTE the Performance Report.

1. Introduction

- 1.1. The Quarterly Performance Report (QPR) is a key mechanism within the Performance Management Framework for the Council. The report summary for Quarter 4, 2022/23 is attached at Appendix 1, and includes data up to the end of March 2023.
- 1.2. The QPR includes 37 Key Performance Indicators (KPIs) where results are assessed against Targets set at the start of the financial year.

2. Quarter 4 Performance Report

- 2.1. Results for KPIs compared to Target are assessed using a Red/Amber/Green (RAG) status.
- 2.2. Of the 37 KPIs included in the report, the latest RAG status are as follows:
 - 15 are rated Green (same as the previous Quarter) - the target was achieved or exceeded.
 - 10 are rated Amber (six fewer than the previous Quarter) – performance achieved or exceeded the expected floor standard but did not meet target.
 - 12 are rated Red (six more than the previous Quarter) – performance did not meet the expected floor standard.

2.3. The 12 indicators where the RAG rating is Red, are in:

- Customer Services
 - Percentage of phone calls to Contact Point which were answered
 - Percentage of complaints responded to within timescale
- Governance and Law
 - Percentage of Freedom of Information Act (Fol) requests completed within 20 working days
 - Percentage of Data Protection Act (DPA) Subject Access requests completed within statutory timescales
- Growth, Economic Development & Communities
 - Developer contributions secured as a percentage of amount sought
- Environment and Transport
 - Percentage of routine pothole repairs completed within 28 days
 - Percentage of Emergency highway incidents attended within 2 hours of notification.
- Children, Young People and Education
 - Percentage of Education, Health Care Plans (EHCPs) issued within 20 weeks
 - Percentage of pupils (with EHCP's) being placed in independent or out of county special schools
 - Percentage of foster care placements which are in-house or with relatives and friends (excluding UASC)
- Adult Social Care
 - Percentage of new Care Needs Assessments delivered within 28 days
 - Long Term support needs of older people (65 and over) met by admission to residential and nursing care homes, per 100,000.

2.4. With regards to Direction of Travel, which identifies any significant trend over past 6 quarters, two indicators show a positive trend (one fewer than the previous Quarter), 24 are stable or with no clear trend, and 11 are showing a negative trend (three more than the previous Quarter).

3. Commentary:

3.1 Since Quarter 2 the Council has had less than half of the KPIs in the QPR rated as Green, and Quarter 4 has seen six KPIs previously rated as Amber turn Red. Moreover, the Direction of Travel analysis continues to be less positive than in previous years, with the number of KPIs now showing a negative trend at 11 out of the 37, with just two showing positive movement in terms of trend over the last 6 Quarters.

- 3.2 The report reflects the current performance and pressures across the Council, with all Directorates having some Red rated indicators. The fact that over half the KPIs are missing target and nearly a third are below their floor standard reflects the demand-led challenges faced by the Council. Initial requests for assessments for an Education and Health Care Plan, remain well above the latest national average. Referrals into Children's Social Care are at their highest level in over 5 years. The rate of children in care is at its highest level since 2016 (both including and excluding UASC). Quarter 4 saw Adult Social Care experience the highest number of people making contact in over 2 years, and its highest number of new care needs assessments and carer assessments being undertaken. Of those accessing Adult Social Care services, there are increasing numbers of people who have a mental health need. At the same time, poor weather at the end of Quarter 3, which continued into Quarter 4, saw above expected levels of highway faults and emergency incidents reported which impacted performance.
- 3.3 It is important to note that this demand-led pressure on services in Kent is being reported by many upper tier local authorities across the country. The long-term effects of the Covid-19 pandemic on service demand continues, there is a knock-on effect on adult social care services as NHS providers struggle to meet demand and catch up with significant waiting lists, whilst the social care provider market continues to be fragile given workforce and inflationary pressures. The need for the Government to implement a sustainable funding model for adult social care is imperative if all local authority services are not to face ongoing financial and capacity pressures. Weather related demand and market pressures are impacting on the quality of the road network at national level.
- 3.4 It is however also important to take a balanced picture and reflect on the many positives. Callers' satisfaction with Contact Point advisors has met target in 5 out of the last 6 Quarters. The No Use Empty programme continues to bring over 400 homes back to the market every year. Physical visits to libraries continue on an upward trend, and total book issues are higher than pre-Covid. Only 0.2% of our waste went to landfill last year and our Greenhouse Gas emissions continue on a downward trend towards net zero. Over 90% of our schools are good or outstanding. We ensure children who come into our care move in with an adoptive family in a timely manner. We have reduced the number of people who have to make a repeat contact with Adult Social Care; and finally, all of the public health indicators are meeting target.
- 3.5 Moreover, it is necessary to consider the detail of the 12 indicators rated as Red. These 12 Red indicators are spread across all directorates and the severity of their situations is quite varied in terms of how far below floor standard they are and whether their longer-term direction of travel is flat or worsening. So, for example, there are some indicators that are rated as Red, but which have fallen just below the floor standard to be rated as Amber, and where there is no clear direction of travel to suggest a trend of worsening of performance. These include:
- '% of pupils (with EHCP's) being placed in independent or out of county special schools' and '

- Long Term support needs of older people (65 and over) met by admission to residential and nursing care homes'
- 3.6 One indicator – 'Developer contributions secured as a percentage of amount sought' – has been rated as Red due to 2 out of the 16 contribution agreements, where the Council sought part funding from the Community Infrastructure Levy (CIL) and has not yet had confirmation that the Council will receive the funds. However, the service is confident that those agreements will be confirmed, and the funding received in due course. It is important to note that this indicator can be quite volatile given the low numbers of agreements and the dependency of the indicator on decisions made through the local planning process.
- 3.7 However, there are other red rated KPIs that are more concerning, either because they have been performing well below the floor standard for some time, or because they are just below the floor standard but have a worsening direction of travel. Those well below the floor standard for some time include:
- Complaints, Freedom of Information requests (FOIs) and Subject Access Requests (SARs) responded to within timescale
 - EHCP assessment timescales
 - Care Needs Assessment delivered within 28 days
- 3.8 The performance of the above indicators has been an issue for some time in the Council and the reasons for this are varied. Undoubtedly there has been an increase in complaints and demand for information, either through SARs or FOI requests. Invariably the complexity of some of these requests, and the other concurrent pressures on services has in-part led to the ongoing issues in meeting response times for complaints, FOI and SARs. Management is progressing a range of actions, including implementation of new systems to allow for easier and speedier production of information required to respond within required timeframes.
- 3.9 Members will be aware of the ongoing challenges faced within the SEND service and the broader system challenges which impact on the ability of CYPE to meet the EHCP assessment timescale target. The specific practice and wider system issues are being actively addressed by the Council and system partners through the SEND transformation programme, with the aim to bring the total number of EHCPs required towards the national average, ensuring EHCPs are undertaken within the requirements of the SEND Code of Practice to ensure ECHP numbers allow for high quality EHCPs be produced within timescale.
- 3.10 Of the incoming new Care Needs Assessments (CNA) for Quarter 3 (this KPI is reported one Quarter in arrears), 70% were completed within 28 days, which is the same as the previous Quarter, and continues to be below the floor standard of 80%. However, there were over 3,900 new CNAs in Quarter 3 and over 2,700 were completed within 28 days. The time taken to complete a CNA is dependent on the person and their needs, so additional complexity of those needing assessment is a significant factor on the performance against the indicator. ASCH leadership continues to prioritise completing CNAs as part of its new

Performance Assurance Framework and has seen an increase in the number of completed CNAs each Quarter in 2022/2023.

- 3.11 Those KPIs that are just below to floor standard, and worsening include:
- Pothole repairs
 - Attending emergency highway incidents
 - Foster care placements which are in-house or with relatives or friends
- 3.12 The number of potholes requiring repairs rose steeply in Quarter 4, resulting in over 5,000 repairs being made, an increase of over 3,000 repairs compared to Quarter 3, and more than twice the number of repairs made in Quarter 4 last year. Performance has been RAG rated Amber for the previous three Quarters but has moved to a Red RAG rating for Quarter 4. The high demand has likely been caused by very wet weather in January and March, and a backlog of jobs from the snow and ice in December. The service continues to work with the Council contractor, Amey, to arrange additional resources to attend to the increase in repairs to get this service back to the target of 90%. Regarding the KPI relating to foster care placements which are in-house or with relatives or friends, current performance of 73.7% is below the target of 85% and floor standard of 75%. Performance against this measure is impacted by the numbers of children coming into care and the availability of in-house foster placements.
- 3.13 There are also a couple of the Amber rated KPIs that have a worsening Direction of Travel and are now close to their floor standard. As a result, responsible Directors are considering the appropriate interventions necessary to ensure performance against these indicators does not deteriorate further so they do not become rated as Red. These include:
- In ICS, the percentage of case holding posts filled by permanent qualified social workers (now just 0.2 percentage points above floor standard)
 - Proportion of older people (65+) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services (now just 1 percentage point above floor standard).

4. Recommendation(s):

The County Council is asked to NOTE the Performance Report.

5. Contact details:

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Kent County Council

Quarterly Performance Report

Quarter 4

2022/23

Produced by: Kent Analytics
E-mail: performance@kent.gov.uk
Phone: 03000 416205



Key to KPI Ratings used

This report includes 37 Key Performance Indicators (KPIs), where progress is assessed against Targets which are set at the start of the financial year. Progress against Target is assessed by RAG (Red/Amber/Green) ratings. Progress is also assessed in terms of Direction of Travel (DoT) using arrows. Direction of Travel is based on regression analysis across the whole timeframe shown in the graphs.

GREEN	Target has been achieved or exceeded
AMBER	Floor Standard* achieved but Target has not been met
RED	Floor Standard* has not been achieved
↑	Performance is improving (positive trend)
↓	Performance is worsening (negative trend)
⇒	Performance has remained stable or shows no clear trend

*Floor Standards are the minimum performance expected and if not achieved must result in management action.

Key to Activity Indicator Graphs

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

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

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

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

Executive Summary

15 of the 37 indicators are rated as Green, on or ahead of target (the same as last Quarter). 10 indicators reached or exceeded the floor standard (Amber) with 12 indicators not achieving the floor standard and so RAG rated Red (six more than last Quarter). Two indicators were showing an improving trend (one fewer than last Quarter), with 11 showing a worsening trend (three more than last Quarter).

	G	A	R	↑	⇒	↓
Customer Services	1		2		3	
Governance and Law			2		2	
Growth, Economic Development & Communities	1		1		2	
Environment and Transport	2	2	2		4	2
Children, Young People and Education	5	5	3	1	7	5
Adult Social Care	1	3	2		4	2
Public Health	5			1	2	2
TOTAL	15	10	12	2	24	11

Customer Services – Satisfaction with Contact Point advisors reduced slightly but met target in Quarter 4. The percentage of phone calls answered decreased, moving below floor standard and so is RAG rated Red. The percentage of complaints responded to within timescale decreased further and remains RAG rated Red.

Customer Services KPIs	RAG rating	DoT
% of callers to Contact Point who rated the advisor who dealt with their call as good	GREEN	⇒
% of phone calls to Contact Point which were answered	RED	⇒
% of complaints responded to within timescale	RED	⇒

Governance and Law - Freedom of Information (FOI) / Environmental Information Regulation (EIR) requests responded to in timescale, and Data Protection Act Subject Access requests completed within timescale, remain below floor standards.

Governance and Law KPIs	RAG rating	DoT
% of Freedom of Information Act (FoI) requests completed within 20 working days	RED	⇒
% of Data Protection Act (DPA) Subject Access requests completed within statutory timescales	RED	⇒

Growth, Economic Development & Communities – The No Use Empty programme, which returns long term empty domestic properties into active use, maintained above target performance. The amount of Developer Contributions secured as a percentage of amount sought was 81% for the Quarter, this is below floor standard and therefore RAG rated Red. The total number of issues from libraries continues to increase compared to the same Quarter the previous year.

<u>Growth, Economic Development & Communities KPIs</u>	RAG rating	DoT
Number of homes brought back to market through No Use Empty (NUE)	GREEN	⇒
Developer contributions secured as a percentage of amount sought	RED	⇒

Environment & Transport – For Quarter 4, two of the Highways KPIs are RAG rated Red and two Amber, with high demand impacting on achievement of targets. The percentage of potholes repaired within 28 days dropped below floor standard, and Emergency Incidents attended within 2 hours, remained below floor standard. Routine highway repairs completed within 28 days and the Callback satisfaction survey, remain Amber rated. Municipal Waste recycled or converted to energy, continues to be above target, and reduction in Greenhouse Gas emissions also remains ahead of target.

<u>Environment & Transport KPIs</u>	RAG rating	DoT
% of routine pothole repairs completed within 28 days	RED	⇒
% of routine highway repairs reported by residents completed within 28 days	AMBER	⇒
% of emergency highway incidents attended within 2 hours of notification	RED	⇩
% of satisfied callers for Kent Highways & Transportation, 100 call back survey	AMBER	⇩
% of municipal waste recycled or converted to energy and not taken to landfill – rolling 12 months	GREEN	⇒
Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes – rolling 12 months	GREEN	⇒

Education & Wider Early Help – Schools continue to exceed the inspection target, but Early Years settings remain below, although 96% are still rated good or outstanding. Completion of Education, Health and Care Plans (EHCPs) in timescale decreased and remains below the floor standard. Pupils with EHCPs placed in independent or out of county special schools, increased, did not meet its floor standard and is now RAG rated Red. Permanent pupil exclusions remains on target. The number of first-time entrants to the youth justice system saw little change and remains Amber rated.

<u>Education & Wider Early Help KPIs</u>	RAG rating	DoT
% of all schools with Good or Outstanding Ofsted inspection judgements	GREEN	⇒
% of Early Years settings with Good or Outstanding Ofsted inspection judgements (childcare on non-domestic premises)	AMBER	⇩
% of Education, Health Care Plans (EHCPs) issued within 20 weeks – rolling 12 months	RED	⇒
Percentage of pupils (with EHCP's) being placed in independent or out of county special schools	RED	⇒
% of pupils permanently excluded from school – rolling 12 months	GREEN	⇒
Number of first-time entrants to youth justice system – rolling 12 months	AMBER	⇩

Children's Social Care & Early Help – Three of the seven indicators met target, the same as last Quarter. Percentage of case holding posts filled by permanent qualified social workers decreased, remaining below target and moving close to floor standard. The percentage of Child Protection Plans that were repeat plans, increased and remains Amber rated. The Percentage of foster care placements which are in-house or with relatives, decreased, moving below floor standard. Percentage of Care Leavers in education, employment or training, improved for the fourth consecutive Quarter but remains below target.

<u>Children's Social Care & Early Help KPIs</u>	RAG rating	DoT
Percentage of Early Help cases closed with outcomes achieved that come back to Early Help / Social Work teams within 3 months	GREEN	⇒
% of case holding posts filled by permanent qualified social workers	AMBER	⇩
% of children social care referrals that were repeat referrals within 12 months	GREEN	⇒
% of child protection plans that were repeat plans	AMBER	⇩
Average no. of days between becoming a child in care and moving in with an adoptive family – rolling 12 months	GREEN	⇒
% of foster care placements which are in-house or with relatives and friends (excluding UASC)	RED	⇩
% of care leavers in education, employment or training (of those KCC is in touch with)	AMBER	⇩

Adult Social Care – One KPI met target and was RAG rated Green. The proportion of new Care Needs Assessments delivered within 28 days, is unchanged and remains below floor standard. The proportion of clients receiving Direct Payments is also unchanged and remains rated Amber. Despite a long-term downward trend, the proportion of older people still at home 91 days after discharge is unchanged compared to the previous Quarter and remains rated Amber. Long Term support needs of older people met by admission to residential and nursing care homes, increased and did not meet floor standard so is now RAG rated Red. Percentage of KCC supported people in residential or nursing care where the CQC rating is Good or Outstanding, remains on a declining trend and is below target, rated Amber. The number of people accessing ASCH services who have a mental health need, continues to increase.

Adult Social Care KPIs	RAG rating	DoT
% of people who have their contact resolved by ASCH but then make contact again within 3 months	GREEN	⇒
% of new Care Needs Assessments delivered within 28 days	RED	⇒
% of people receiving a long-term community service who receive Direct Payments	AMBER	⇒
Proportion of older people (65+) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services	AMBER	⇩
Long Term support needs of older people (65 and over) met by admission to residential and nursing care homes, per 100,000	RED	⇒
% of KCC supported people in residential or nursing care where the CQC rating is Good or Outstanding	AMBER	⇩

Public Health – All five KPIs are meeting or exceeding target. The one change from last Quarter, is that the number of eligible people receiving an NHS Health Check increased and achieved target for the first time this year. The number of mandated checks delivered by the health visiting service remains above target but is on a declining trend.

Public Health KPIs	RAG rating	DoT
Number of eligible people receiving an NHS Health Check – rolling 12 months	GREEN	⇧
Number of mandated universal checks delivered by the health visiting service – rolling 12 months	GREEN	⇩
% of first-time patients (at any sexual health clinics or telephone triage) who are offered a full sexual health screen	GREEN	⇒
Successful completion of drug and alcohol treatment	GREEN	⇩
% of Live Well clients who would recommend the service to family, friends or someone in a similar situation	GREEN	⇒

Customer Services	
Cabinet Member	Shellina Prendergast
Corporate Director	Amanda Beer

KPI Summary	GREEN	AMBER	RED	↑	⇒	↓
	1		2		3	

Customer contact through Contact Point (KCC's call centre) is provided via a strategic partnership, whilst Digital services are provided by KCC. The percentage of callers who rated their advisor as good, met the target of 97%.

Increased call volumes compared to the previous Quarter, coupled with staff sickness, led to a fall in the call answer rate to 88% which is below the floor standard. Services receiving increased call volumes included Highways, particularly regarding potholes and insurance claims, including people chasing claims; clearer timescales have since been communicated to customers. A large number of Concessionary Bus Passes were due for renewal by the end of March 2023, which also generated many calls; to help mitigate this demand, messages were sent to customers regarding who needed to take action and who would receive their pass automatically. Adult Social Care calls increased due to the imminent changes within the Service. Blue Badge calls also remain high due to the backlogs in the service, however, better communication and the setting of realistic expectations for customers awaiting a response, have lowered these.

Contact Point received 15% more calls compared to the previous Quarter but 4% fewer calls than Quarter 4 last year. The 12 months to March 2023 saw a 3% increase in calls compared to the 12 months to March 2022.

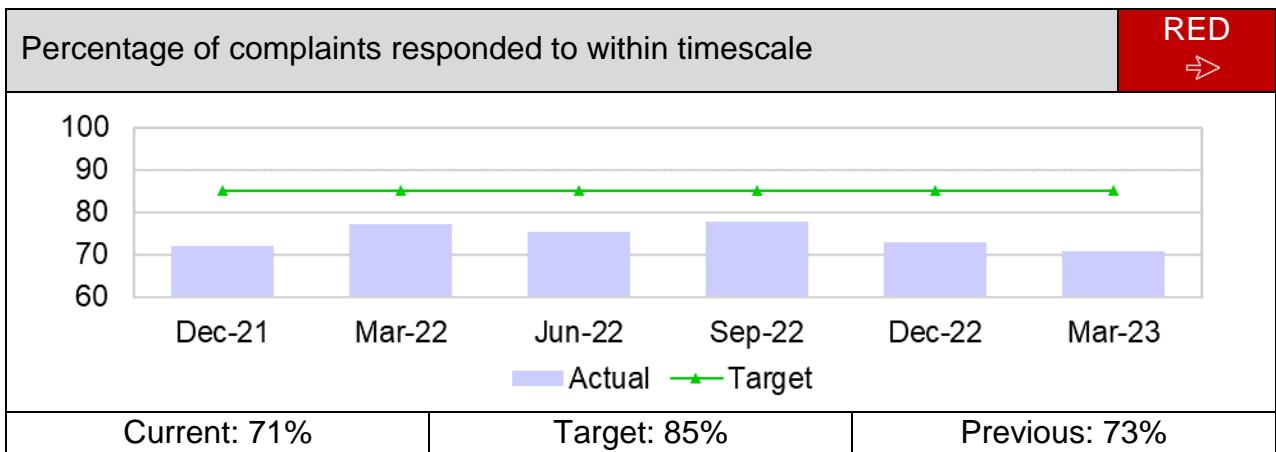
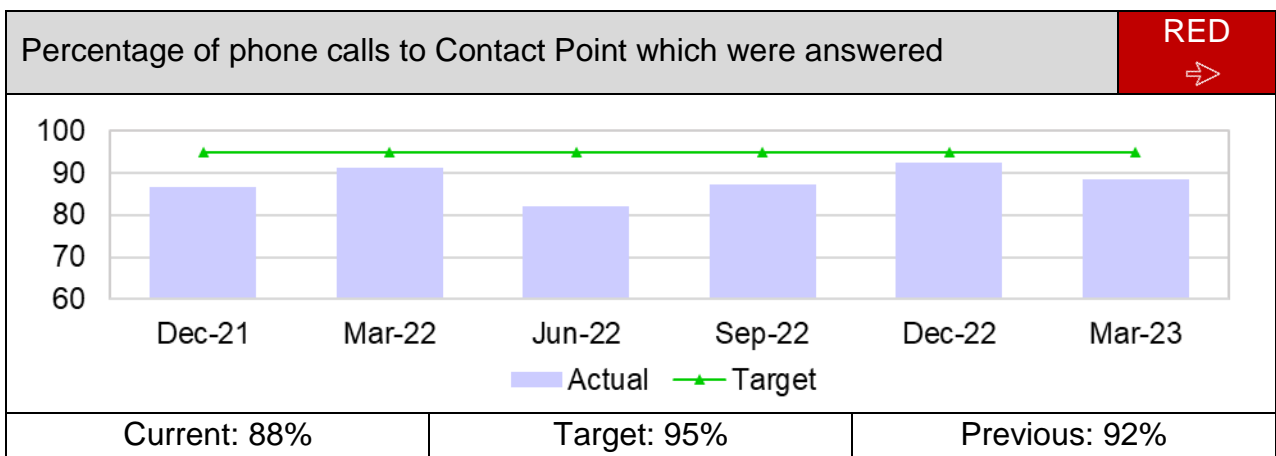
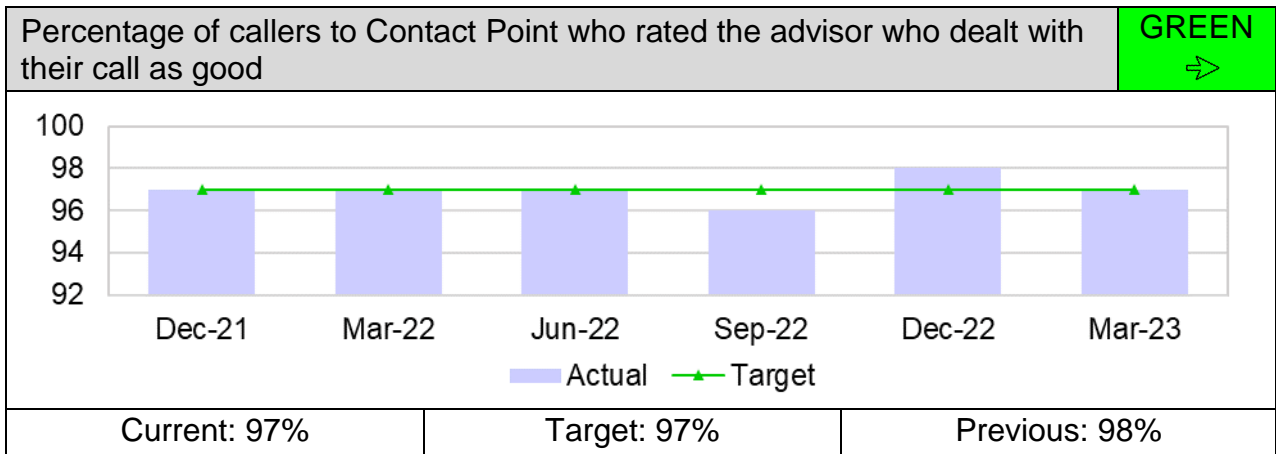
Average call time reduced from the previous Quarter to 6 minutes 17 seconds, but remains above the target of 5 minutes 45 seconds. This is likely due to simple and quicker transactions being processed online, with those calling often having more complex queries.

There were close to 2 million visits to the kent.gov website in Quarter 4 which was within expectations. Pages relating to Household Waste Recycling Centres continue to be the most visited, with pages regarding school places, term dates, and bus travel also popular.

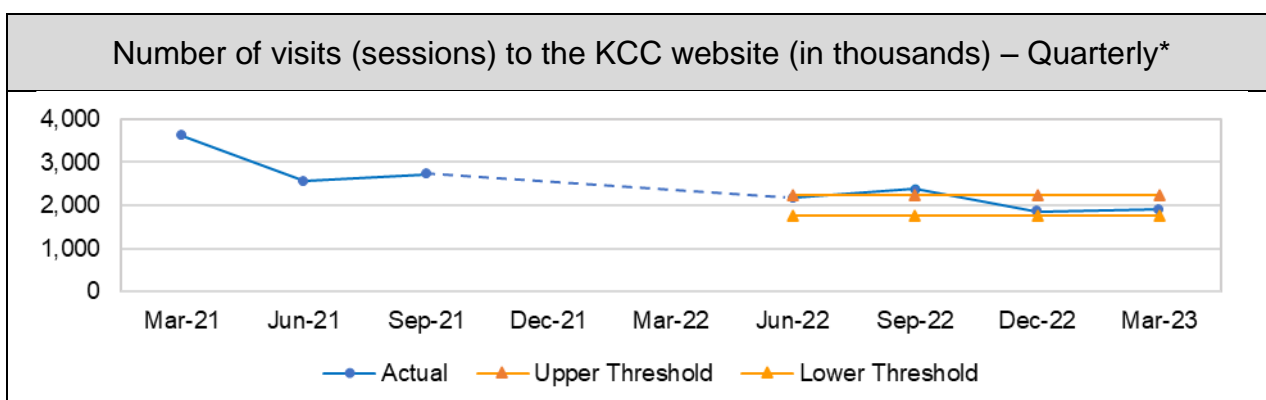
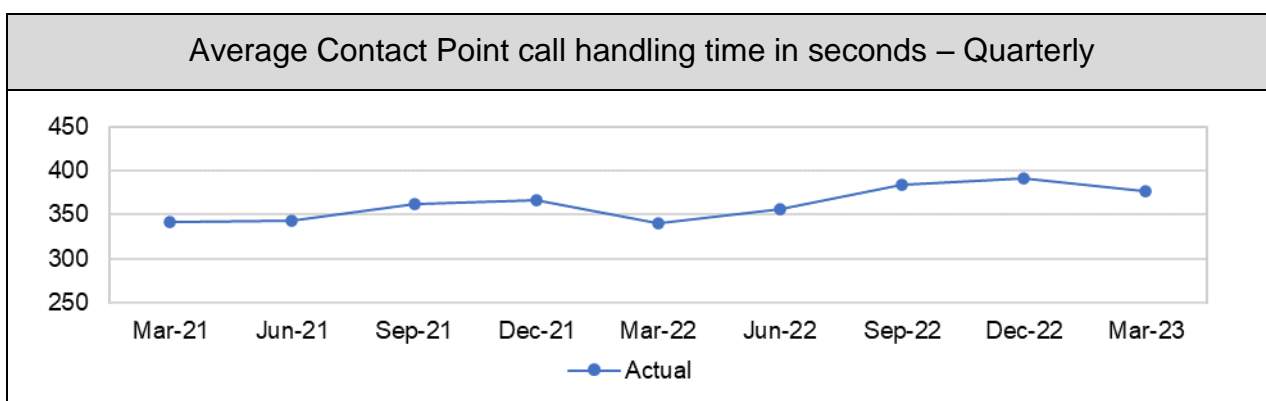
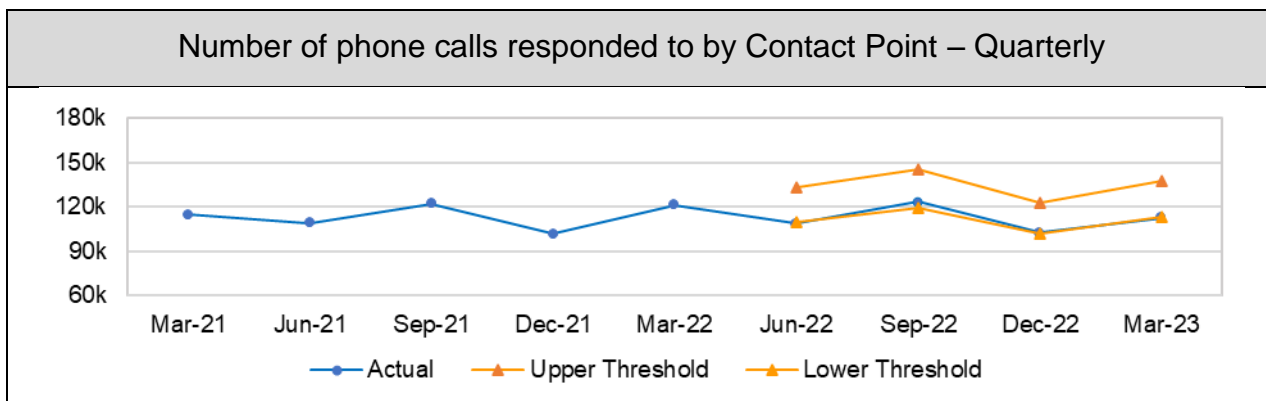
Quarter 4 saw an increase in the number of complaints received compared with the previous Quarter and an increase on the same Quarter last year. Between January and March, 71% of complaints were responded to within timescales which moves the KPI further below the floor standard. Performance for the year overall was 75%.

There was an increase in complaints received for Libraries Registrations and Archives, this is due to the closure of Folkestone Library due to safety concerns, we are currently investigating the extent of works required to bring the building back into use and exploring ways to fund the necessary repairs. The Children, Young People and Education Directorate, are still below target, particularly within the Special Educational Needs service, where there is a concerted effort to work towards responding to a significant backlog of complaints. Whilst this work continues it is expected that performance will remain low, as current open cases are likely to exceed the 20 working days target.

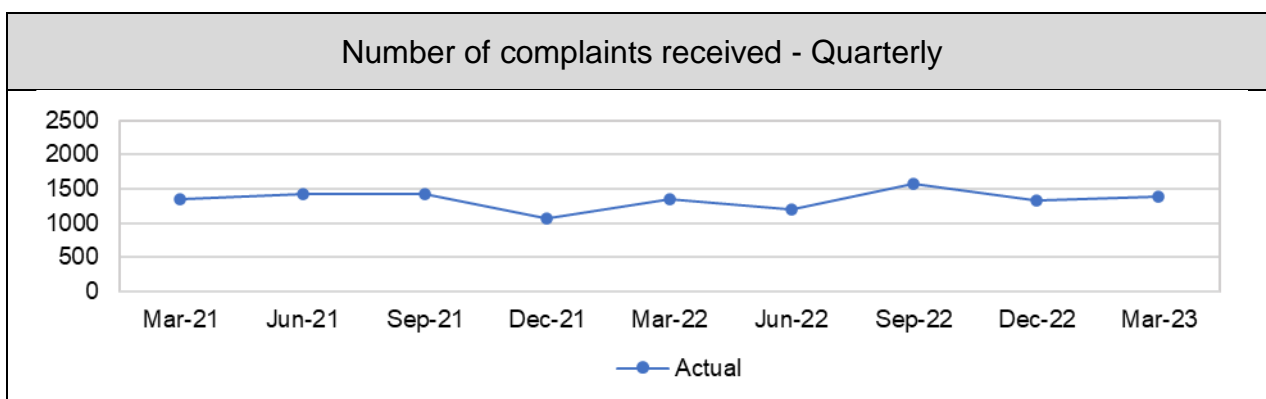
Key Performance Indicators



Activity indicators



* Due to a review of KCC’s use of cookies on kent.gov.uk no visitor data was available from October 2021 until February 2022. Reporting of this data recommenced from the June 2022 Quarter.



Customer Services – Call and Website Activity

Number of phone calls to Contact Point (thousands)

Contact Point received 15% more calls compared to the previous Quarter but 4% fewer calls than Quarter 4 last year. The 12 months to March 2023 saw a 1% decrease in calls compared to the 12 months to March 2022.

Service area	Apr – Jun 22	Jul – Sep 22	Oct – Dec 22	Jan – Mar 23	Yr to Mar 23	Yr to Mar 22
Adult Social Care	28	28	24	27	106	109
Integrated Children's Services	19	20	16	18	72	73
Highways	13	13	15	17	57	60
Transport Services	9	18	8	15	51	42
Blue Badges	15	14	10	10	48	42
Registrations	8	9	7	7	31	21
Waste and Recycling	11	8	6	6	32	47
Libraries and Archives	7	7	6	6	26	33
Schools and Early Years	6	5	5	6	21	20
Adult Education	5	6	4	5	21	16
Main line	3	4	3	4	15	12
Other Services	3	2	1	4	10	10
Driver improvement	3	4	3	3	14	15
KSAS*	3	3	3	2	11	23
Total Calls (thousands)	133	142	112	128	516	521

Figures may not add up to totals due to rounding.

* Kent Support and Assistance Service

Customer Services – Complaints Monitoring

Quarter 4 saw the number of complaints received increase from the previous Quarter by 5% and by 3% on the same Quarter last year. Over the 12 months to March 2023 there has been a 1% decrease in complaints received compared to the 12 months to March 2022.

In Quarter 4, frequently raised issues included SEN provision, potholes, and the closure of Folkestone Library.

Service	12 mths to Mar 22	12 mths to Mar 23	Quarter to Dec 22	Quarter to Mar 23
Highways, Transportation and Waste Management	2,793	2,409	712	714
Adult Social Services	746	959	224	237
Integrated Children's Services	828	927	241	227
Education & Young People's Services	176	241	44	38
Libraries, Registrations and Archives	269	258	37	85
Chief Executive's Department and Deputy Chief Executive's Department	179	150	32	40
Environment, Planning and Enforcement & Economic Development	176	150	26	29
Adult Education	46	78	7	13
Total Complaints	5,213	5,172	1,323	1,383

Customer Services – Digital Take-up

The table below shows the digital/online or automated transaction completions for key service areas where there are ways to complete other than online.

Transaction type	Online Apr 22 - Jun 22	Online Jul 22 - Sep 22	Online Oct 22 - Dec 22	Online Jan 23 - Mar 23	Total Transactions Last 12 Months
Renew a library book*	82%	81%	83%	83%	1,046,126
Report a Highways Fault	57%	57%	65%	73%	112,373
Book a Driver Improvement Course	87%	85%	84%	89%	33,744
Apply for or renew a Blue Badge	74%	79%	85%	79%	19,275
Book a Birth Registration appointment	87%	87%	90%	89%	19,237
Report a Public Right of Way Fault	93%	93%	94%	89%	16,388
Apply for a Concessionary Bus Pass	72%	74%	76%	77%	16,143
Apply for a HWRC recycling voucher	99%	99%	100%	99%	5,311

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

Some transactions formerly reported, such as the Kent Travel Saver and Highways Licence applications, have been removed from the table as these transactions have moved to be solely online.

Governance, Law & Democracy	
Cabinet Member	Shellina Prendergast
Corporate Director	David Cockburn

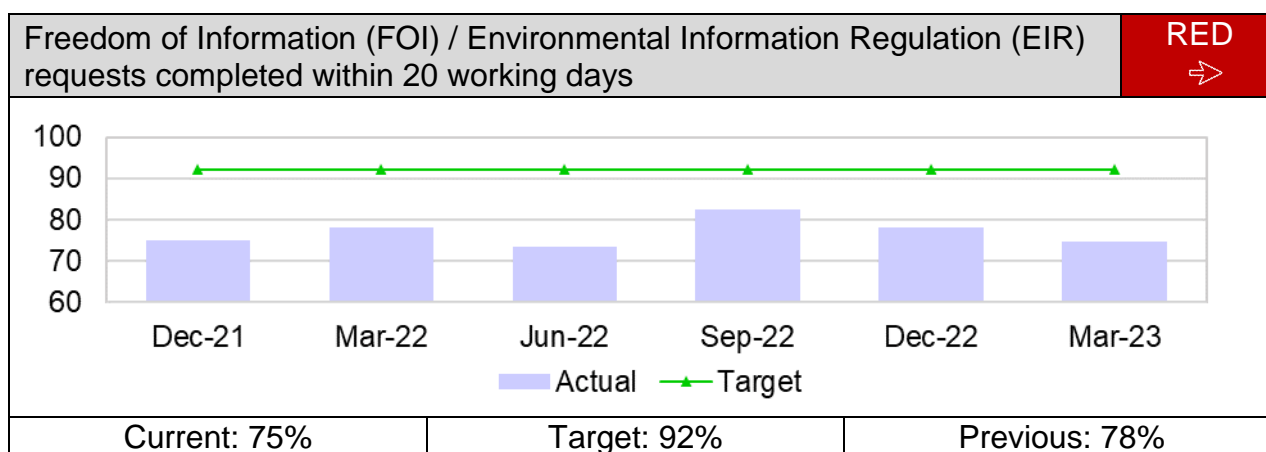
KPI Summary	GREEN	AMBER	RED	↑	⇒	↓
			2		2	

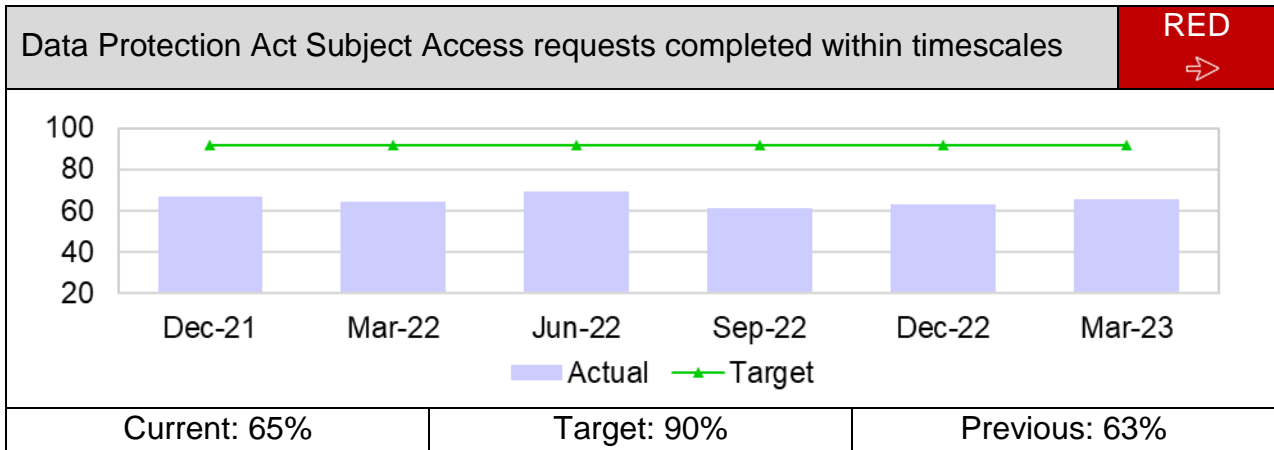
Both Freedom of Information (FOI) / Environmental Information Regulation (EIR) requests, and Data Protection Act Subject Access requests completed within timescales are still failing to achieve their floor standard.

The percentage of FOI / EIR requests completed has averaged 77% in 2022/23 against a target of 92%. With regard to Directorate performance over the year, the largest number of requests were received by Growth, Environment and Transportation (75% completed in timescale), followed by Children, Young People and Education (75% completed in timescale), Chief Executive's Department (79% completed in timescale), Deputy Chief Executive's Department (83% completed in timescale), and finally Adult Social Care and Health, who had the fewest requests, (75% completed in timescale). Reasons for delays in dealing with requests include prioritisation of other work, and time taken to produce a thorough response.

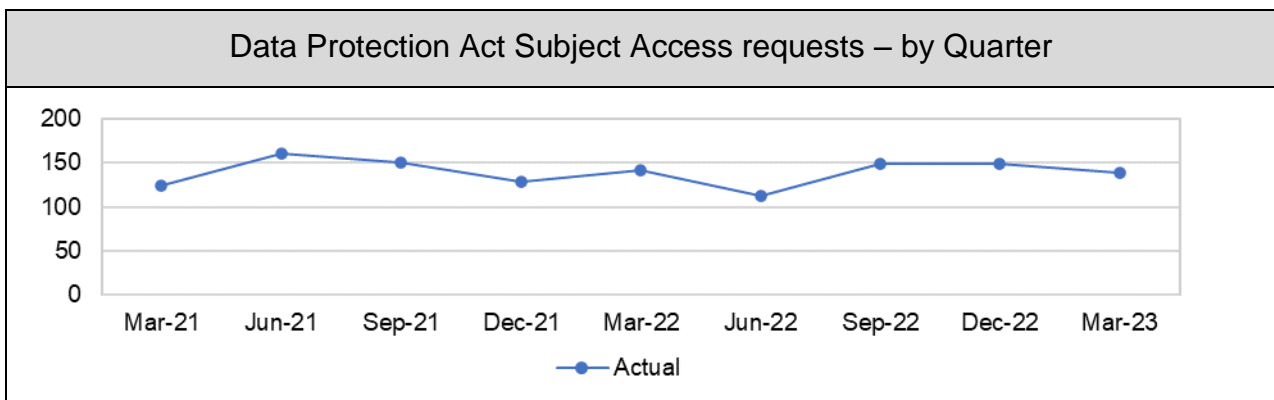
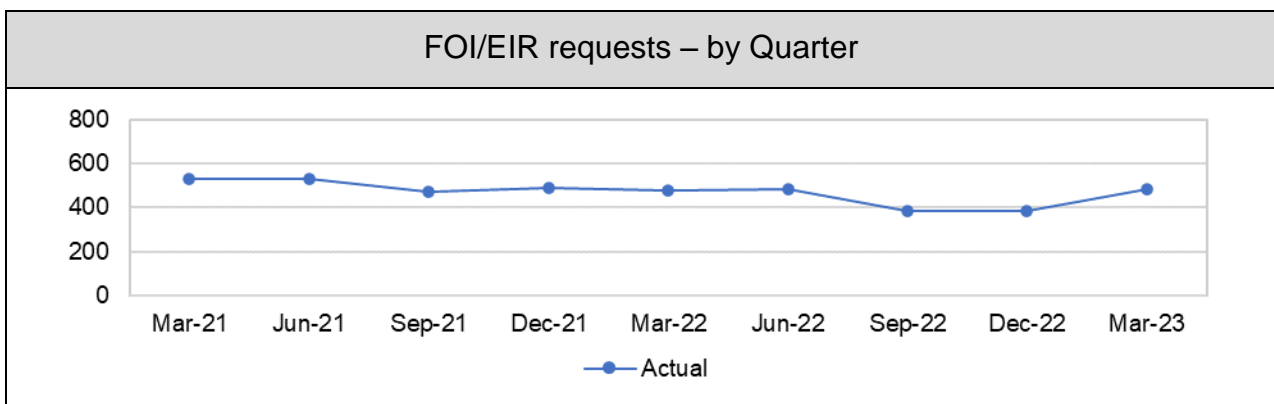
For Subject Access Requests (SARs), over two-thirds of these come under the Children, Young People and Education Directorate. Reasons for delays in responding to requests include complexity of some requests, prioritising of other work, and the need for the acquisition and use of redacting tools for electronic records which can add significant time when responding.

Key Performance Indicators





Activity indicators



Growth, Economic Development & Communities	
Cabinet Members	Derek Murphy, Mike Hill
Corporate Director	Simon Jones

KPI Summary	GREEN	AMBER	RED	↑	⇒	↓
	1		1		2	

Support for business

KCC has continued to use funds from the Government's Regional Growth Fund (RGF) to create and sustain employment opportunities in Kent during Quarter 4.

Since 2017 the latest figures (to the end of Quarter 4, 2022/23), show the Kent and Medway Business Fund (KMBF) has provided finance of £18.5m to 131 Kent and Medway businesses, creating 491 new jobs and safeguarding a further 136 jobs in the Kent and Medway area.

The current economic climate has had an adverse impact on those Kent's businesses which had previously received loans, with a continued increase in the number of requests to revise loan repayment terms. From the feedback provided by the companies, we believe that this is due to increases in costs, particularly energy bills, and the ending of Government business support schemes set-up during the pandemic.

This is seen in the fluctuations in net FTE job outputs created by the KMBF funded companies as in Q3, there was a decrease of 11.0 FTE which follows an increase of 26.0 FTE in Q2 and a small contraction of 4.0 FTE in Q1, which amounts to a modest increase of 11.0 FTE so far across 2022/23. Q4 has reported a more solid increase since Q3 with a net increase of 57.0 FTE, which has been boosted by new investments completed in late 2022/23 entering the quarterly monitoring cycle.

Early in Quarter 3 2021/22 the KMBF launched a new secured loan scheme for Kent & Medway Businesses seeking loans between £100,000 and £500,000 with 50% match funding from private sources. To date, 124 pre-applications to the value of £26.7m have been received; of these, 36 businesses have submitted full applications to the value of £8.24m, of which eleven have received approval for loans to the value of £2.31m.

A new scheme called "KMBF Small Business Boost" (KMBF SBB) opened to pre-applications on 29th July 2022, with a launch event taking place on 8th September 2022. The scheme offers unsecured loans with a zero-interest rate for borrowing between £26,000-£99,000; loans are expected to have 20-30% match funding from private sources. To date, 144 pre-applications to the value of £9.24m have been received; of these, 34 companies have submitted full applications for loans totalling £2.51m, fifteen have been approved up to January 2023 to the value of £1.23m

Following advice from KCC's RGF Contract Managers, the Department for Levelling Up, Housing & Communities (DLUHC), KCC had to close both the KMBF & KMBF Small Business Boost schemes to new applications in February 2023. This was due to the expiry of KCC's existing RGF contract on 31 March 2023 and confirmation by DLUHC that a new contract could not be agreed by this date.

KCC's business case to continue the use of the RGF funds has now been approved by both HM Treasury and DLUHC's FISC Committee and the Council received written confirmation on 12th June 2023 that the Council can continue to utilise the RGF funds for at least another 10 years, such "funds are to be used to provide loans for local businesses".

The Kent & Medway Investment Advisory Board, supported by the Business Investment Team are now reviewing the terms of the new agreement with BEIS, to support the re-launch of the Kent & Medway Business Fund in Q3 2023-24.

The South-East Local Enterprise Partnership (SELEP) has, in addition, provided funding for the Innovation Investment Loan scheme which the KMBF team manages for applications from companies in Kent and Medway. Since 2017, £6 million of loans have been made to 18 businesses creating 200 Full-time Equivalent (FTE) jobs and safeguarding 63.43 FTE jobs.

KCC has agreed with the South East Local Enterprise Partnership (SELEP) in March 2023 to use the Innovation Investment Loan (i3) recycled loan repayments to progress and award new loans to the existing pipeline of KMBF & KMBF SBB applications, and this is now progressing with pace with new guidance and rules agreed. To date, 9 loans have been approved from this pipeline to a value of £1.09 million and are now progressing through legal completion before payment to the successful applicants.

Converting derelict buildings for new housing and commercial space

In Quarter 4, a further 94 long-term empty properties were made fit for occupation through the No Use Empty Programme (NUE), bringing the total to 7,770 since the programme began in 2005. NUE processed 42 loan applications during the financial year 2022/23, exceeding the previous year total (40). The total NUE investment in converting derelict properties has increased to £98.5m (£55.7m from KCC recycled loans and £42.8m from private sector leverage). On average there are 60 live projects at any given time and there is a healthy pipeline of new projects for 2023/24.

NUE were awarded £2.5m under the SELEP Growing Places Fund (GPF) to convert additional derelict properties from 2022/23. As at the end of Quarter 4, loans to the value of £1.042m have been approved which will fund 42 new homes.

GPF awarded a separate £2m for NUE Commercial Phase II. The target is to return 18 empty commercial units back into use and create 36 new homes. Full repayment of the GPF funds is due no later than March 2027. Under this programme, a total of sixteen projects have been approved as at the end of Quarter 4, covering Canterbury (3), Dover (3), Faversham (1), Folkestone (2), Herne Bay (1), Hythe (1), Margate (2), Ramsgate (2), Sheerness (1) and Sittingbourne (1). These will return 20 empty commercial units back into use and create 51 homes. NUE are discussing further commercial projects (Dover, Lyminge and Sheerness) which if approved would utilise all remaining GPF funds available (£200k) and help to further exceed both commercial and residential targets.

KCC Treasury have made available £24m for NUE to bring forward empty/derelict sites with planning permission for new builds. At the end of Quarter 4, loans to the value of £27m have been approved. This has been achieved by recycling £8.6m of loan repayments following the completion of 18 projects, which has resulted in 81 new homes. The total number of new homes funded at the end of Quarter 4 is 199 across 8 Kent districts. There remains a strong pipeline of new build projects, with six applications having been received by the end of Quarter 4, ready for appraisal in the new financial year.

NUE are supporting a further project which will create 22 new business units at Whitfield, Dover. The first phase completed early in Quarter 4 (7 business units) and a final completion is due in late 2023.

Infrastructure projects

The SELEP Accountability board held an exceptional meeting on 27 January to consider the reallocation of £2.5m of Getting Building Fund (GBF) funding in the South East.

A number of existing projects came forward to request additional GBF funding to support their ongoing delivery and to ensure the delivery of agreed outputs, as well as some additional activity in certain cases. Among these were two Kent projects which were awarded additional funding to contribute towards unforeseen cost increases (due to Brexit, Covid-19 and an increase in materials' costs):

- Dover Techfort (Dover Citadel Ltd) was allocated an additional £850k GBF for the refurbishment of two further Casemates to bring them back into economic use, hosting a workspace and a retail/hospitality venue. Work on the project is now largely complete.
- Discovery Park (Sandwich) was awarded a further £250k to tackle increasing external costs which had arisen since the project started. The additional funding will ensure that the following activity is completed: the refurbishment of two floors within the East Block of Building 500 to provide 30,000sqft of net lettable incubator space. The new facility includes self-contained laboratory units, informal breakout and café space, and shared lab support facilities. Several companies are already in advanced discussions about taking space.

Some £2m GBF remains unallocated and SELEP is currently working on plans to allocate this funding in a future application round. An additional £9.6m of GPF (Growing Places Fund) Loan Funding has been repaid to SELEP and these two amounts will be combined into a single call for new projects. The SELEP Strategic Board will consider initial proposals in July for how the funding might be targeted.

Broadband

In Quarter 4, the broadband team are continuing to support Building Digital UK (BDUK) on the Kent phase of the Government's Project Gigabit Programme. The aim of this programme is to deliver gigabit-capable connections to areas that are not expected to benefit from connectivity upgrades by telecoms operators.

BDUK launched the procurement at the end of December 2022 and they are currently forecasting that they will complete this procurement work by the end of November 2023.

Funding Kent's Infrastructure

KCC has a statutory right to seek financial contributions for capital investment from developers of new housing sites. In Quarter 4, sixteen Section 106 (S106) agreements were completed and a total of £4.24m was secured, which was 100% of the S106 contributions. However, two of the agreements were part Community Infrastructure Levy (CIL) funded and it is not yet confirmed that we will receive these funds, meaning the total secured for Quarter 4 was only 81% of the amount sought.

s.106 contributions secured £000s	Apr to Jun 2022	Jul to Sep 2022	Oct to Dec 2022	Jan to Mar 2023
Primary Education	575	3,714	518	931
Secondary Education	3,385	3,486	738	2,737
Adult Social Care	116	107	42	64
Libraries	70	160	16	166
Community Learning	13	35	5	7
Youth & Community	55	40	18	30
Waste	61	146	12	88
Highways	2,067	1,650	0	223
Total	6,342	9,339	1,349	4,246
Secured as % of Amount Sought	99%	100%	99.9%	81%

Kent Film Office

In the 4th Quarter of 2022/23, the film office handled 117 filming requests and 105 related enquiries. We logged 222 filming days bringing an estimated £900k direct spend into Kent & Medway.

Highlights for the Quarter include Mary & George, and The Gentlemen, for TV, and feature films, Blitz, and My Sister's Bones.

Libraries, Registration and Archives (LRA)

A constant theme throughout 2022/23 has been the excellent recovery made by all three services following the Covid-19 pandemic.

Library visitor figures, as a proportion of pre-Covid figures, have continually exceeded national comparators and in February 2023 have recovered to 73% of pre-Covid levels. This is 3% above the average for the national comparator group supplied by Libraries Connected. Visits to Kent Libraries in Quarter 4 have increased by 45% on the previous year. Total issues in this Quarter have increased by 12% on last year, with physical issues increasing by 10% and e-issues by 15%.

Folkestone Library closed from 21 December 2022 due to structural health and safety concerns, and remains temporarily closed while funding options are sought for the repairs or a longer term home is found for the library. Recognising the impact this temporary closure is having, the service has extended library opening at Wood Avenue, Cheriton and Hythe.

The Archive service has seen significant growth during Quarter 4 with over 600 visitors to the Search Room, surpassing the high numbers in the summer period and representing an increase of 52% on the same period in 2021/22. The increased activity within the physical service has not adversely affected the numbers of remote enquiries, which are close to what they were in Quarter 4 last year. The service's lunchtime talks have been a real highlight during the year, with a total of 233 attendances and a further 411 viewers enjoying the recorded talks online.

There has been high demand on the Registrar teams during Quarter 4, with an increase of 24% in death registration appointments in comparison with Quarter 4 last year. Conversely, births have fallen slightly by 5% with 4,226 registrations carried out. Ceremony numbers are now more on a par with pre-pandemic levels, with 685 ceremonies delivered during Quarter 4, including the welcoming of 646 citizens to the UK.

The move of the Maidstone Register Office from Archbishop's Palace to Oakwood House has been completed, with the new venue now fully operational and delivering ceremonies from three beautiful, newly decorated, contemporary ceremony rooms. The building is shared with partners from KCC's Community Learning and Skills and the Coroner's Office.

Customer satisfaction with registration for Quarter 4 was 95%, and the annual target of 95% across the year was also met.

Active Kent and Medway

We have been awarded close to £1m of funding via the Department for Education to support schools across Kent opening their sports facilities for community focused activities. The Opening Schools Facilities (OSF) programme will run until 2025 and aims to create more opportunities for people to be physically active outside the normal school day. 30 schools (a mixture of Primary and Secondary) have already been identified from across the county, and they will benefit from funding to purchase equipment, set up clubs and develop the necessary workforce to support activity delivery.

Community Safety

The Kent Community Warden Service (KCWS) undertook approximately 3,900 tasks in support of its activities during this Quarter. Many referrals into KCWS are complex, including a number which are mental health related. Focus areas during Quarter 4 remain connected to the rise in cost of living, with wardens assisting the setting up of Warm Banks / Hubs across the districts and demand on food banks. With the rise in energy costs, advice continues to be given on energy usage and supporting residents to access grants and funds.

The Kent Community Safety Team (KCST) on behalf of the Kent Community Safety Partnership, delivered a Community Safety Conference entitled 'Violence Against Women and Girls (VAWG) – Strengthening the System' on the 28th March 2023. The conference was a hybrid event and was attended by over 250 people (with just over 100 attending online and just under 150 in person) from a variety of statutory agencies as well as 3rd sector organisations. The feedback from the conference has been positive with 90% of respondents rating it as excellent or very good, rising to 98% when good is also included.

Explore Kent

In Quarter 4, [Explore Kent](#) worked to promote the use of the public rights of way network, including newly opened sections of the King Charles III England Coast Path and creation of six new films to promote the Countryside Code.

We also continued to work with Natural England to engage people in areas with health inequality (Thanet, Swale, Folkestone and Hythe, Gravesham, and Dartford), with use of the King Charles III England Coast path as a health resource on their doorstep.

Explore Kent is working with the Active Travel Team and partners to promote walking and wheeling for short journeys, particularly in the areas of Sevenoaks, Canterbury, Herne Bay, Gravesham, Folkestone and Hythe, and Birchington (Thanet) using a range of promotional films.

In January, Explore Kent coordinated the Green Social Prescribing Group, to draw together partners from health, social prescribing and providers of green space, interested in green social prescribing initiatives across the county.

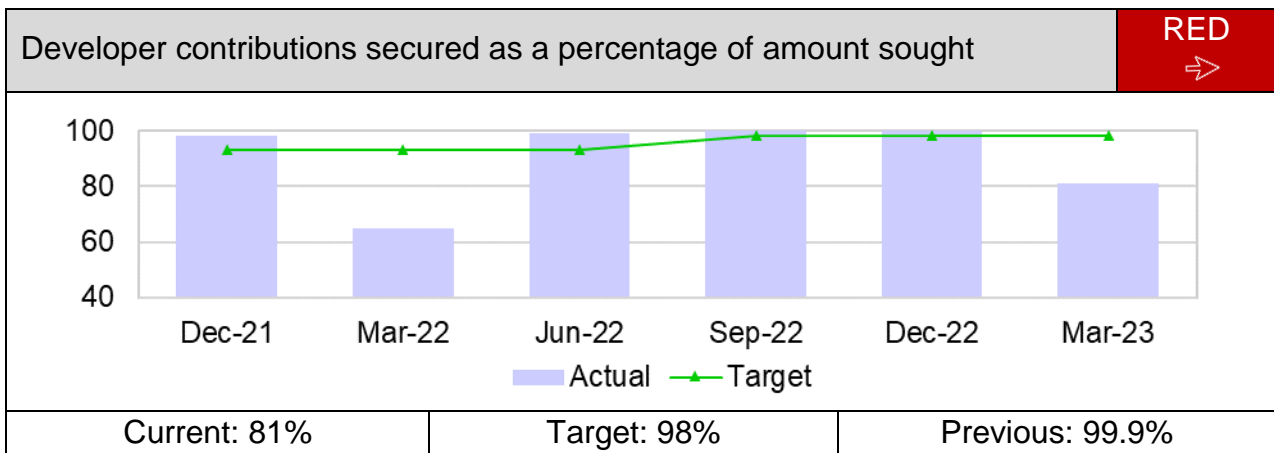
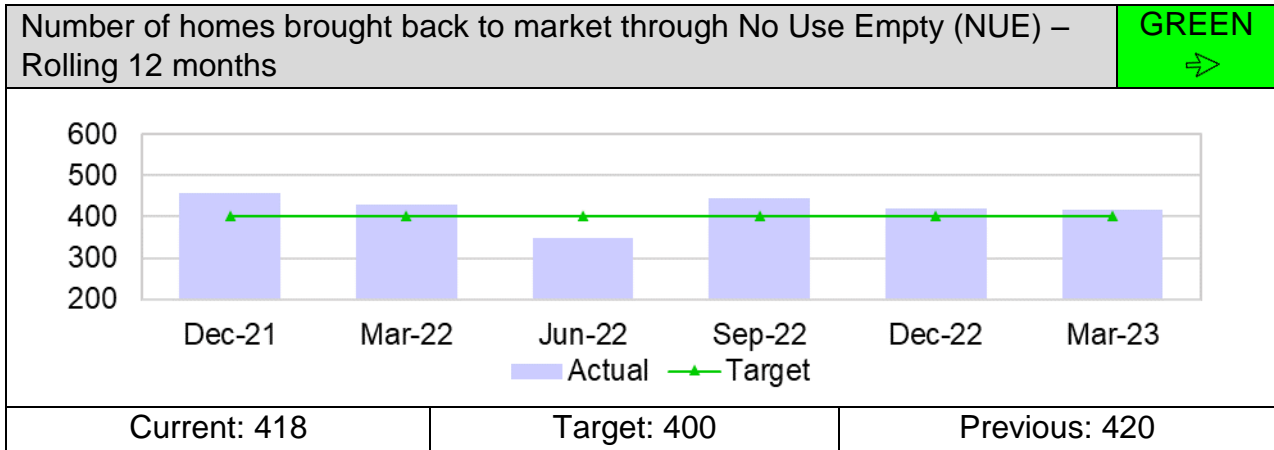
We worked to promote the mental and physical health benefits of being active outdoors, working with partners, including coordinating a Countryside Communications group (Country Parks, Kent Downs Area of Outstanding Natural Beauty, Active Kent and Medway), to collaborate on campaigns.

Explore Kent's digital channels continued to see engagement with over 22,000 followers on Twitter, including 125 new followers. Over 6,000 followers on Instagram (173 new followers), and over 10,000 followers on Facebook (162 new followers). Our website [ExploreKent.org](#) had a total of 319,331 page views and 26,782 of our route guides were downloaded.

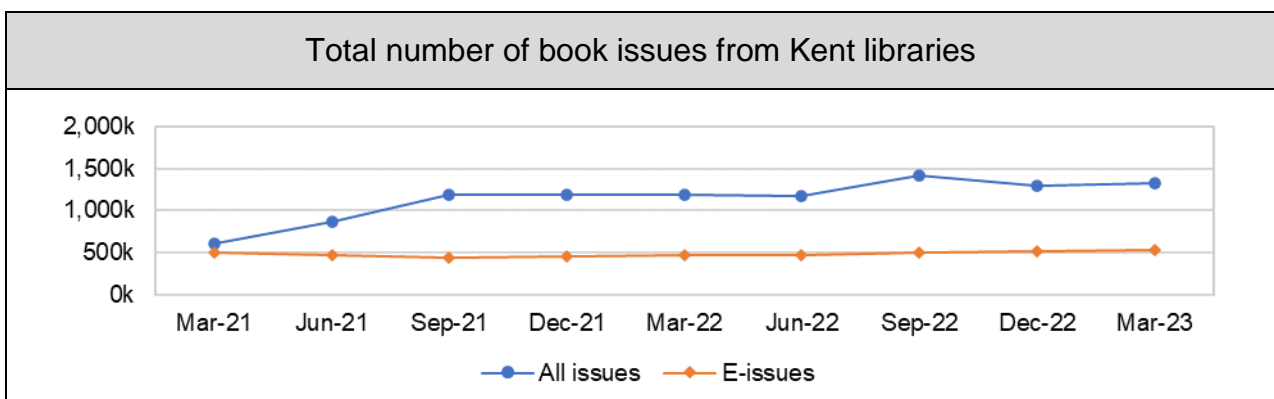
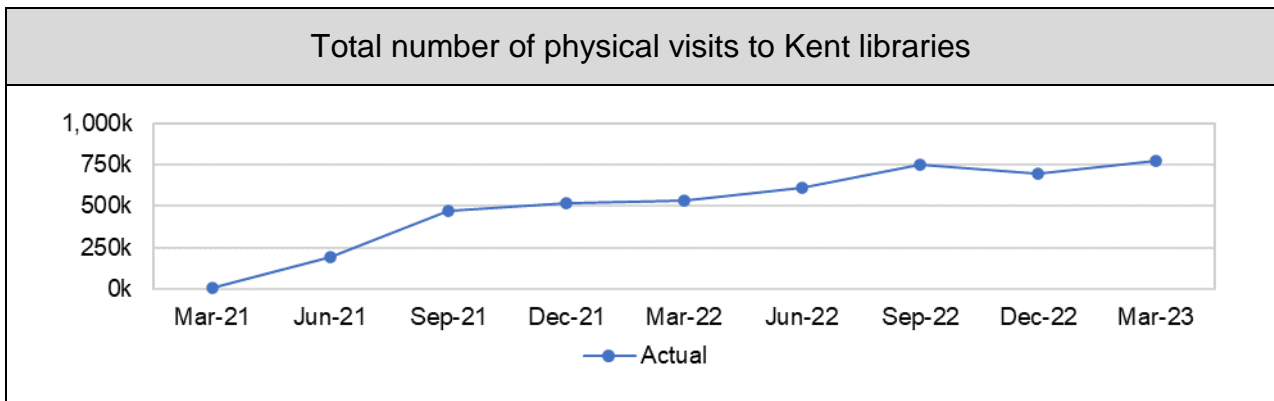
Kent Country Parks

Shorne Woods Country Park roof works have been completed and the shop and visitor area has been revamped with new interactive interpretation material being added. Shorne also has a new café offer with the introduction of the 'waffle n shake' shack from Easter. Work was completed on the lake path at Brockhill Country Park, improving the surface for visitors.

Key Performance Indicators



Activity indicators



Environment and Transport	
Cabinet Members	David Brazier, Susan Carey
Corporate Director	Simon Jones

KPI Summary	GREEN	AMBER	RED	↑	→	↓
	2	2	2		5	1

Highways

For Quarter 4, two of the Highways KPIs are RAG rated Green, two are Amber and two are Red.

Highways teams are experiencing unprecedented demand and the front-line operational teams have been working at capacity for many months. This is having a detrimental effect on normal service activities such as attending to correspondence and other less urgent matters.

The number of potholes requiring repairs rose steeply in Quarter 4, resulting in over 5,000 repairs being made, an increase of over 3,000 repairs compared to Quarter 3, and more than twice the number of repairs made in Quarter 4 last year. Performance has been RAG rated Amber for the previous three Quarters but has moved to a Red RAG rating for Quarter 4. The high demand has likely been caused by very wet weather in January and March, and a backlog of jobs from the snow and ice in December. Our contractor, Amey, continues to arrange additional resources to attend to the increase in repairs to get this service back to the target of 90%.

In Quarter 4, the very wet weather saw the number of faults reported increase to over 26,500, compared to 12,400 in Quarter 3; this resulted in exceptionally high demand on the service and caused a drop in performance, with 85% of routine faults responded to in 28 days, below the 90% target.

Attendance at Emergency Incidents within two hours of notification has fallen below floor standard this Quarter to 92% (Red RAG rating). The service attended 982 callouts with 80 failing the target attendance time. The service received a combined total of 1,931 callouts in Quarters 3 and 4, due to prolonged rain, snow and ice, compared to a total of 1,005 callouts in Quarters 1 and 2.

The monthly call back survey, where we call 100 highways customers whose enquiries have been closed in the last month, remains under the 95% target at 91%. The slight dip in performance seems to relate to the increase in volumes and subsequent delays to repairs after winter.

The total number of customer contacts regarding highway issues in Quarter 4, increased close to 68,000, with over 35,000 of these identified as faults requiring action by front line teams; this is an increase on usual demand, likely due to the cold and wet weather.

Use of the online reporting tool remains high with 72.4% of all enquiries in Quarter 4 coming directly from the public via the tool.

At the end of Quarter 4, there were 10,277 open enquiries (work in progress), which compares to 5,330 at the same time last year, reflecting the much busier period in some parts of the business.

Permit requests to undertake works on Kent roads remain high and co-ordination of all works on highways continues to be pressured. The teams are now fully resourced following a recent recruitment drive and this should start to ease some of the pressures once initial training has been completed. The Compliance & Streetworks' managers have been working closely with South East Water following concerns on the company's management of their work sites, and some improvements are starting to be achieved.

Asset Management

In July 2021, KCC published its new Highways Asset Management Plan (HAMP) covering 2021/22 to 2025/26. It explains how effective and efficient highways asset management, as a key enabling service, facilitates the delivery of Kent's strategic objectives. It also includes asset condition forecasts based on assumed levels of investment, what maintenance services KCC provides and what it does not, an assessment of associated risk and a five-year forward works programme. We have published a revised two-year programme covering 2022/23 to 2023/24 and will publish the revised programme for 2024/25 to 2026/27 shortly.

We are currently trialling a new strategic asset management tool that will enable members and officers to model the effect of different budgets and investment strategies more easily. It is also our intention to publish a mid-term HAMP update during 2023. Officers have developed a project plan and are currently implementing the various actions in the HAMP, focussing on increasing asset lifespans, reducing lifecycle costs and improving future maintainability. We are improving our knowledge of our highway assets and their condition and introducing new maintenance hierarchies.

Road Safety

The casualty figures for Quarter 4, show a decrease of 27 casualties compared to the same Quarter last year, and a decrease of 24 compared with the same Quarter in 2019/20 (pre-pandemic). For people Killed or Seriously Injured (KSI), these are down by 4 when compared to last year, and by 7 compared to the same Quarter pre-pandemic.

Quarter 4											
2022/23				2021/22				2019/20			
Fatal	Serious	Slight	Total	Fatal	Serious	Slight	Total	Fatal	Serious	Slight	Total
8	151	885	1044	11	152	908	1071	2	164	902	1068

Kent & National Highways Roads

In support of the Safe Behaviour theme, the Kent Driver Education Team has continued to arrange and deliver courses to drivers that have offended and opted to take a rectification course as part of their penalty.

There was a marked increase in demand for course spaces in Quarter 4, with over 1,000 courses delivered to 9,700 clients compared to 790 courses in the same Quarter last year. Although the majority of courses are still delivered online, there has been an increase in venue-delivered courses, thereby offering greater choice to clients.

Arrangements for a new course for two-wheeled motor vehicles called National Rider Risk Awareness Course (NRRAC) were finalised during Quarter 4. This new course will be delivered in Kent from Quarter 2, 2023/24. It replaces the RIDE course which is no longer available. There will be 30 eligible referable offences relating to the new NRRAC course, a significant increase to the previous number of eligible offences for RIDE, and although we are not forecasting a significant increase in courses delivered, we will monitor demand and deploy additional resources if required.

The Safer Road User Team have engaged with and delivered education, training and publicity interventions to 7,980 Primary School Pupils across 61 different schools. 41 Primary schools attended Safety in Action with 1,475 pupils accessing the Road Safety lesson.

Fifteen schools have received Young Driver interventions reaching 1,682 potential young drivers and Passengers, with 6 schools working on Youth Travel Ambassador projects, benefiting 2,386 pupils.

Fourteen Mature driver conferences have been delivered across the county, reaching 535 older road users, and 4 Hazard Awareness, Space, Time, and Eco-driving (HASTE) courses have been delivered, reaching 80 drivers.

Two publicity campaigns have been launched in this period, 'Speak Out', aimed at young drivers and passengers, reached over 1 million people across relevant social media platforms. A mobile phone awareness campaign, targeting drivers aged 17-35, is estimated to have reached a minimum of 502,000 people.

In support of the Safer Vehicles Theme, officers undertook a pilot scheme with partners from Kent Fire and Rescue Service, focussing on fleet engagement. They visited an industrial estate in Ramsgate with approximately 25 businesses on site, of which 15 were targeted. They received a positive reaction in the main, with interest in the advice given on safer fleet operations. Information packs on best practice in Fleet Management and details of the Driving for Better Business National Highways scheme were left with each business visited.

Follow-up contact will be made with Fleet Managers to gauge their response and actions and if they have looked into or signed up for Driving for Better Business. Several businesses were unavailable to enter on the day, so had an information pack dropped through the letterbox, which will also be followed up.

Officers are planning a series of similar visits to sites across Kent.

Nearly 3,500 children were instructed in Bikeability in 2022/23. Money raised from the KCC bike ride in the autumn is being used to provide increased accessibility to training in Thanet, and we are in the process of buying 12 balance bikes to begin a learn-to-ride scheme in the area. We continue to struggle with recruitment to School Crossing Patrol roles but are looking at ways to improve applicant numbers. Our pedestrian training team are delivering our two practical pedestrian road safety packages in schools, Small Steps and School Steps.

Crash Remedial Measures & Local Transport Plan (LTP)

The review of the Countywide crash cluster sites has been undertaken and development of the 2023/24 programme has now been completed. Schemes have been drafted for specific locations around the county where engineering solutions have been assessed to be able to reduce the risk of collisions occurring. The Highway Improvements Team have around 35 individual casualty reduction schemes alongside a series of roads for whole route treatments to reduce the risk to road users. There are also a series of Local Transport Plan (LTP) funded schemes programmed for delivery in 2023/24 including new pedestrian crossings, speedwatch equipment and school travel grants. The Community Engagement teams have a small works budget to support Parishes in their efforts to deliver some small-scale highway improvements.

The Active Travel team are continuing to work with the Member walking & cycling group to assist districts and boroughs with their walking and cycling plans, and in developing a Kent-wide Cycling and Walking Implementation Plan (KCWIP). Active Travel England have awarded KCC £1.569m on our Tranche 4 bid for Capital Funding. The funding is for delivery of one named scheme and to develop 5 other schemes in more detail, ready for future funding rounds.

Traffic Management

Work continues with preparations for undertaking enforcement of moving traffic offences. A supplier is required to supply and deploy certified equipment and systems, as without this, we cannot carry out any enforcement. We have been working with our finance and procurement teams and have now commenced the procurement process, with a supplier expected to be in place by September and the commencement of enforcement at our first sites shortly thereafter.

We continue to work with National Highways for diversion routes for emergency use on the A20 between M20 Junction 13 and the entry to the Port of Dover. We have agreed actions and are now undertaking design work to refresh, upgrade or replace around 125 signs on Kent's network. Works are expected to commence in Autumn 2023, all of which will be fully funded by National Highways.

The Network Innovation team secured £128k Capability funding from the Local Electric Vehicle Infrastructure (LEVI) fund to resource the development of our future on-street charging strategy. The Department for Transport has just announced a further allocation of £12m Capital funding and £600k revenue funding, aimed at providing Electric Vehicle chargers for those residents without access to off-street parking and driveways. This allocation to KCC is the most of any Local Authority outside of London.

In support of the Safe Speeds theme, the Kent Safety Camera Partnership undertook speed enforcement using a combination of fixed and mobile cameras. The table below shows an increase in the number of detected offences compared to the same Quarter last year. It is thought this is largely due to an increase in the use of TruCam, a handheld device operated by Kent Police.

Detected Offences			
Quarter 4, 2022/23		Quarter 4, 2021/22	
Kent	9,188	Kent	6,659
Medway	3,529	Medway	2,736
Total	12,717	Total	9,395

Local Growth Fund (LGF) Transport Capital Projects

Through SELEP, KCC is managing £128m of Government funding from rounds 1 to 3 of the LGF. There are currently two schemes causing concern, Sturry Link Road and the Maidstone Integrated Transport Package.

For Sturry Link Road project, approval was given at the SELEP Accountability Board meeting on 13 April 2023 to extend the deadline for completing the land acquisition from 31 August 2023 to 7 April 2024, and project completion from December 2025 to December 2026. This means the remaining £4.656m LGF allocated to the project is secure if the project continues to demonstrate progress. The next update to SELEP Accountability Board will be in June 2023. Approval to award the design and build contract has been given, and notification letters were issued in April 2023.

For the Maidstone Integrated Transport Package, the scheme has been downgraded to medium/high risk by SELEP. There is a risk that inflationary pressures will affect the remainder of the programme, which has been delayed to avoid conflict with the Bearsted Road (non-LGF) improvement scheme works. The scheme no longer needs to be reported separately to each Accountability Board meeting, however, progress on the programme delivery will continue to be closely monitored by SELEP.

Transport Strategy

The National Highways' Development Consent Order (DCO) application for the new Lower Thames Crossing has continued to progress through the pre-examination stage. In February, KCC as a host authority, submitted a Relevant Representation to the Planning Inspectorate, which is a summary of the main issues it wants to be examined. In March, KCC submitted a Principal Areas of Disagreement Summary Statement Tracker, in response to a request from the Planning Inspectorate to summarise the main areas of disagreement that KCC has with the applicant (National Highways). These issues are also detailed in the Statement of Common Ground between National Highways and KCC. Work funded by National Highways on the desktop study to develop local road mitigations continued, and this will help inform KCC's Local Impact Report, which will be the first requirement of local authorities to submit once the examination commences. The examination is expected to start in the summer, despite the Ministerial statement in March that the construction of the Lower Thames Crossing (if the DCO is granted) will be re-phased by two years, and that further consultation will take place during the pre-examination and examination stages over the coming months.

Work with National Highways also continued with the business case development for Road Investment Strategy 3 (RIS 3 covering 2025 to 2030) pipeline schemes for Brenley Corner and A2 Lydden to Dover. A decision by the Department for Transport (DfT) is now awaited to see if these schemes move into the next stage of project development. Following the Ministerial statement in March, as with the Lower Thames Crossing, all RIS schemes delivery will be delayed, so these pipeline schemes, if given the go-ahead, would be delivered in RIS 4, post 2030.

Partnership working with Transport for the South East (TfSE) continued with the adoption of the final Strategic Investment Plan in March, following the Key Decision in January by the Leader of KCC to endorse the plan.

Work to develop a new Local Transport Plan 5 (LTP5) for Kent has continued, with work on the Strategic Environmental Assessment (SEA). However, delays to the government publishing new guidance for local transport plans has resulted in an elongation of the overall LTP5 development programme.

Delivery of Thanet Parkway railway station and car park are now practically complete. Network Rail are now progressing the Entry into Service process that will allow the station to open. The level crossing and signalling works (essential before the station can open) started on site in January and the station is expected to open for passengers at the end of July.

Public Transport

At the end of March, KCC received £19.9m of DfT Bus Service Improvement Plan (BSIP) funding, to be spent in 2023/24. The funding is made up of £12.4m in capital and £6.5m in revenue. This will be used to deliver three bus priority schemes, a bus information portal, Real Time Passenger Information (RTPI) at stops, Mobility as a Service (MaaS) pilot in Ebbsfleet, fares/promotion initiatives, and enhancements and network sustainability.

In March, Fastrack carried its highest ever volume of Passengers since the service started in 2006, with 258,497 passengers. We are in the final stages of our tender for the new Fastrack Electric operator and an announcement is due to be made in June. The electric service will commence in Kent Thameside in Autumn 2024.

Public Transport continued to provide support to bus services across the county, delivering links to schools, and is now reviewing how a number of these services can be supported beyond July 2024.

Alongside its work in supporting local bus services, the department has managed a five-year renewal of over 140,000 English National Concessionary Travel Scheme (ENCTS) passes. This was a continuation of the smart renewal process as used in previous years.

Waste Management

The KPI target on diversion from landfill continues to be met, with 99.8% of waste over the last 12 months being recycled, composted, or used for energy generation. The 0.8% going to landfill includes asbestos, with landfill being the only approved way to dispose of this material.

The total volume of waste collected over the previous 12 months increased slightly, following reductions since September 2021. Kerbside waste volumes are 4% above pre-pandemic levels and HWRC volumes down 37%, with total waste collected 5% below pre-pandemic levels.

Sustainable Business and Communities

Phase Two of Solar Together delivered 1,576 solar installations, over six times the number for Phase One. This will save an estimated 39,000tonnes of carbon over the 25-year lifetime of the panels.

The third phase launched at the end of March 2023, achieving over 6,400 registrations to the scheme from the first of two auctions this year. Those who registered have until the end of June to accept their installation offers from pre-verified installers. Given the expected conversion rate to installations, phase 3 is on track to achieve a similar number of installations as phase 2.

We continue to see significant electricity generation from KCC's Bowerhouse II solar farm which has produced the equivalent of 2,064 tCO₂e of clean energy for the grid. KCC greenhouse gas emission reductions remain ahead of target, primarily as a result of the offset from Bowerhouse, placing us in a strong position to deliver this year's savings target as set out in KCC 2030 modelling projections.

Natural Environment and Communities

Recruitment for the Woodland Creation Accelerator Fund is now complete, with all posts filled and in position. Work in this quarter has focussed on coordinating and delivering tree planting funded by the 2022 Local Authority Treescape Fund, establishing KCC Member tree schemes, and securing sites for the 2023 Local Authority Treescape Fund bid.

In March, the long-awaited regulations and guidance for Local Nature Recovery Strategies were published, and KCC, as the provisional responsible authority, received grant funding from Defra of £32.5k which will be used to fund preparatory work in the interim. Work is expected to commence in May/June, but the full funding still needs to be confirmed and KCC still needs to be formally appointed to undertake the work.

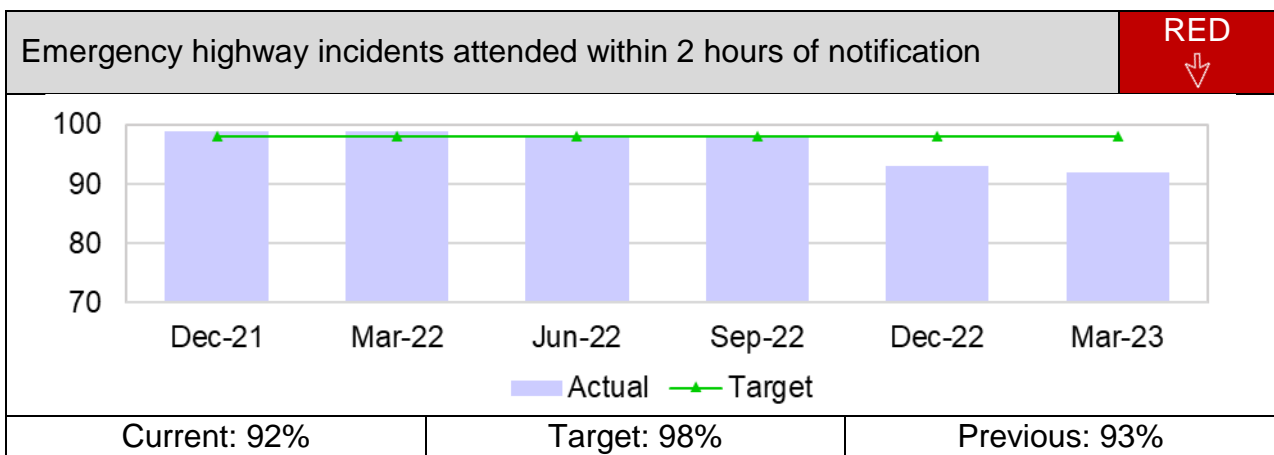
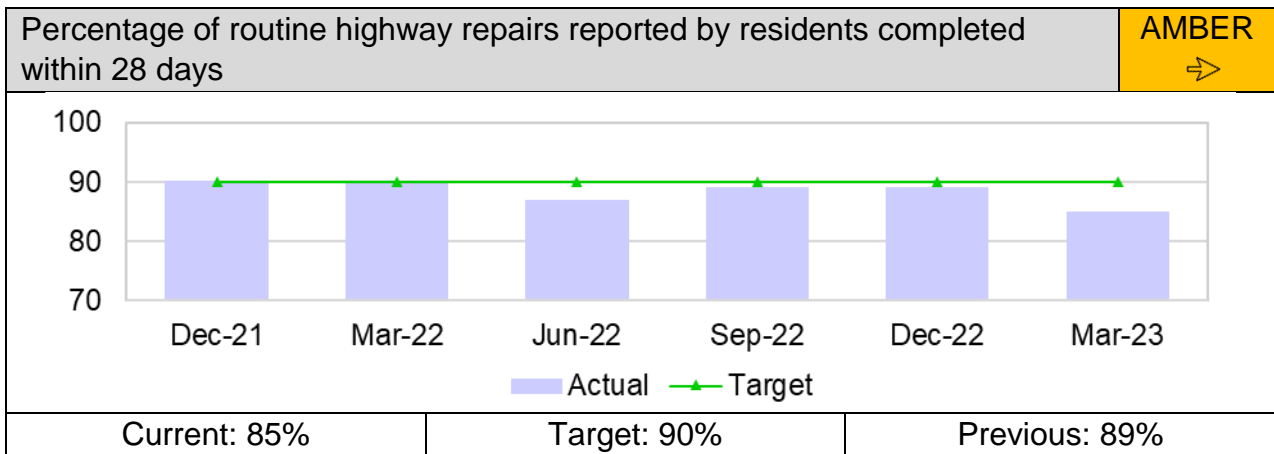
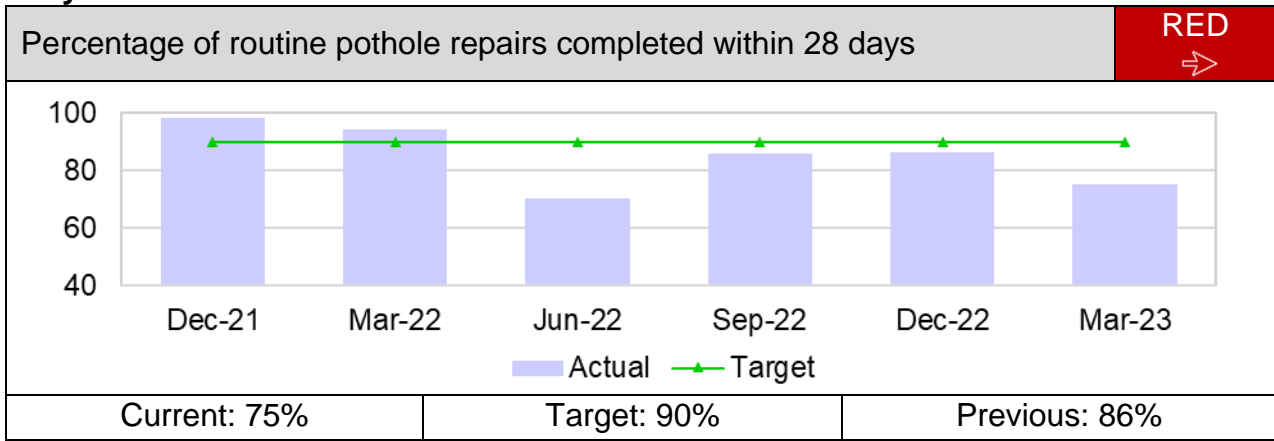
In March, the government also published their response to the biodiversity net gain (BNG) consultation, which gave some indication of what the awaited regulations and guidance may entail but there is still much detail to be provided – it did confirm that BNG would become a mandatory requirement for new development from November 2023. The county's BNG Officer, hosted by KCC, started in March, and will work with the county's Local Planning Authorities (LPAs) to prepare in advance of the November deadline. KCC, along with the county's LPAs, received a BNG grant of £26,807 in March, and we are in discussions with the planning authorities on how this funding could be collectively used to build ecological expertise and capacity to support planning work on BNG.

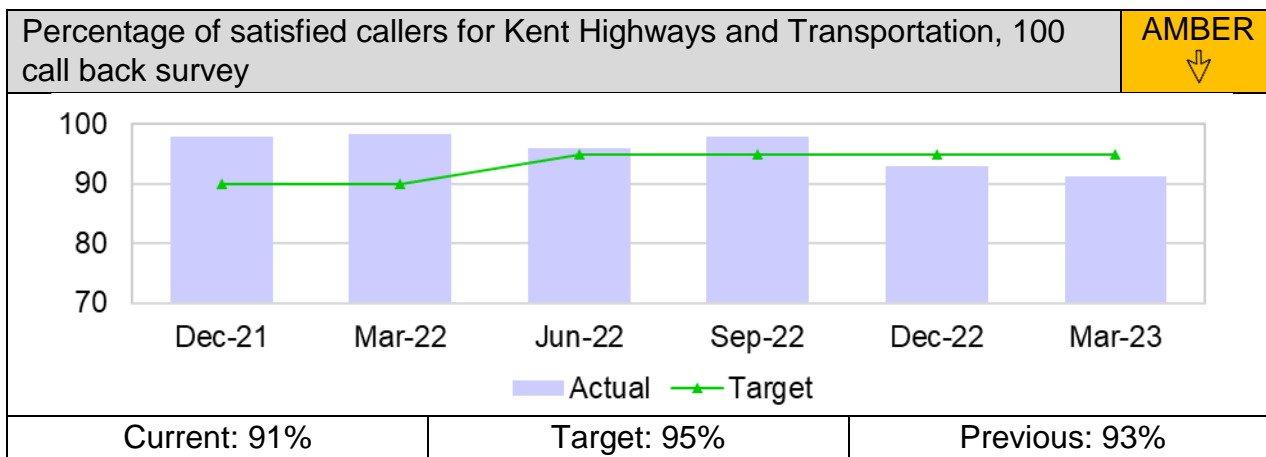
Performance against the annual target for the ecological advice service was reviewed at the end March. The average number of responses delivered to deadline was 92%, 2% above the target level.

Flood & Water Management

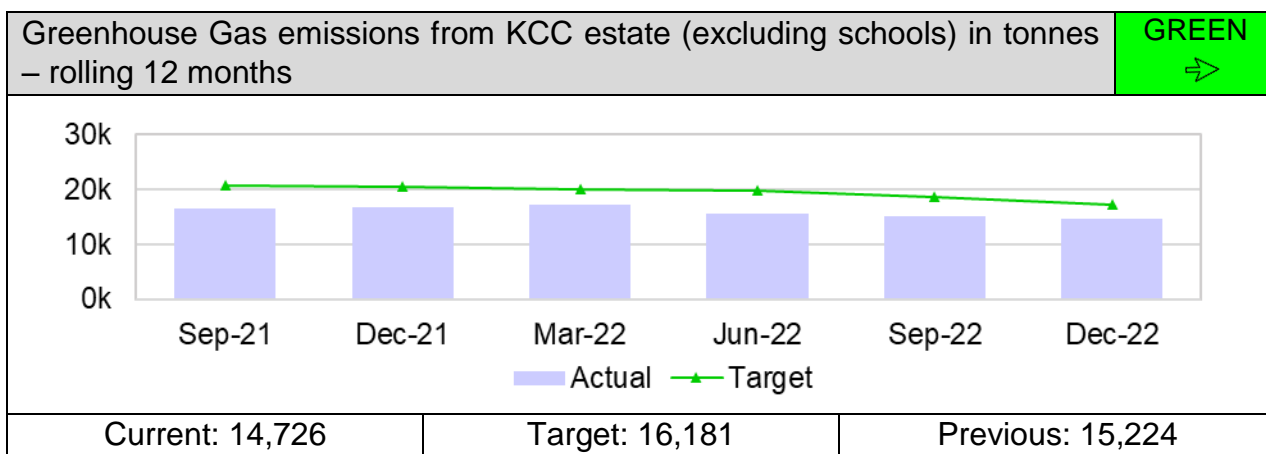
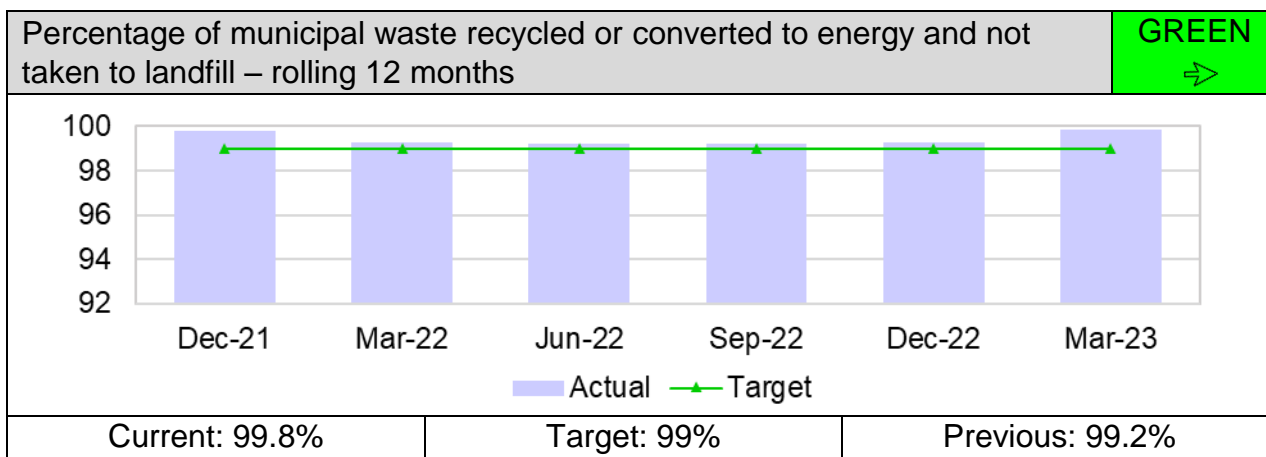
The Flood and Water Management Team recently secured an important £115,000 of funding from the Environment Agency Flood Defence Grant-in-Aid and Local Levy. This funding has been used to deliver a culvert replacement scheme at Catts Place, near Paddock Wood, to replace a damaged culvert and install three manhole chambers to make the system more resilient and easier to maintain. The area has seen 20 incidents of surface water flooding between 2014 and 2021, which affected both residential properties and the highway. The culvert replacement assists with climate change adaptation in the area by reducing the flood risk to the properties and highway.

Key Performance Indicators

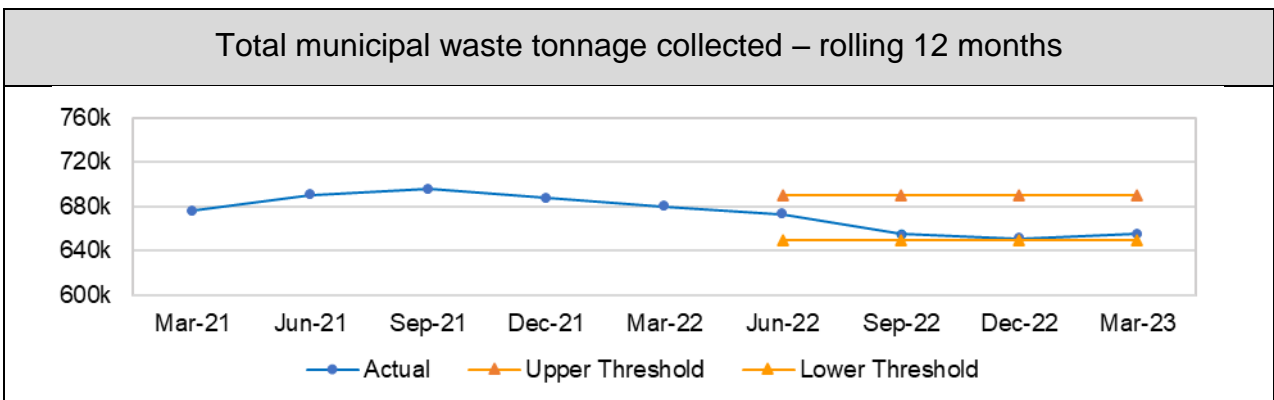
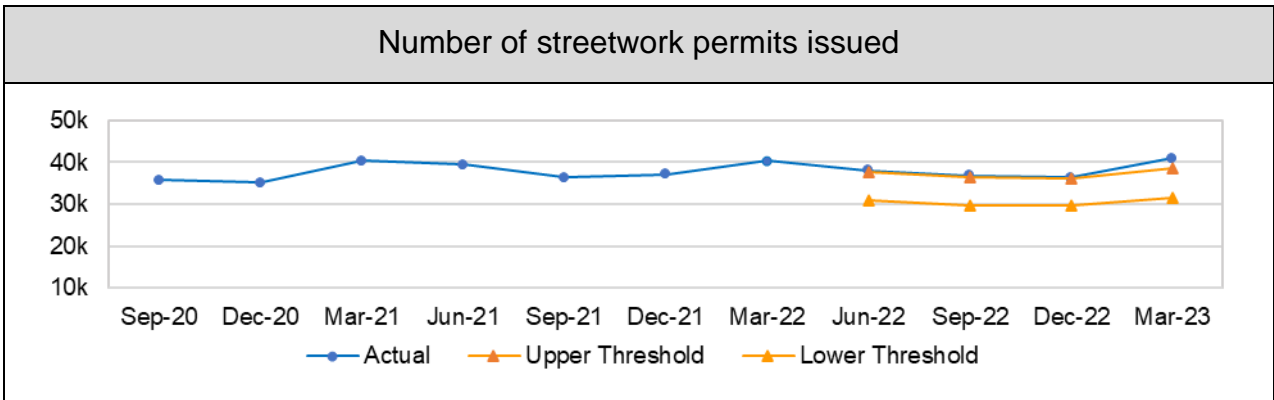
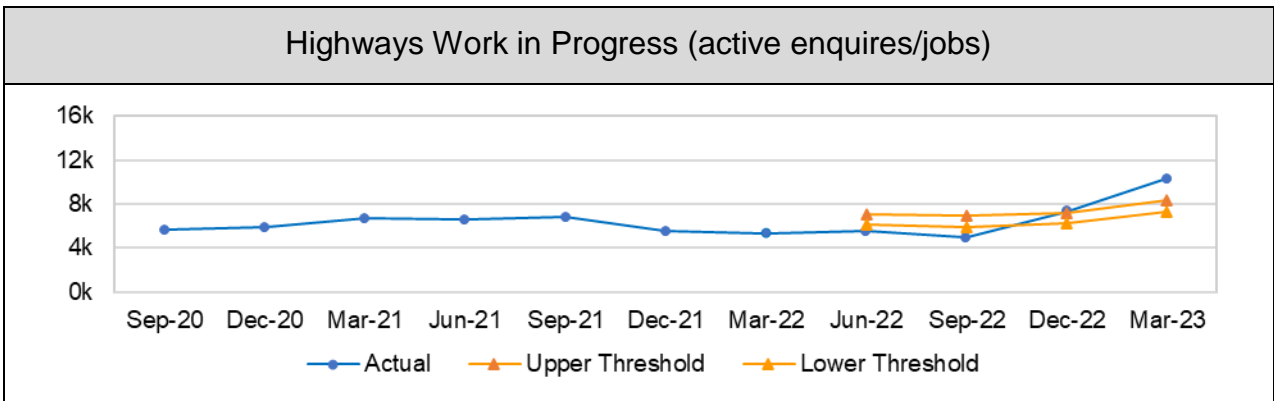
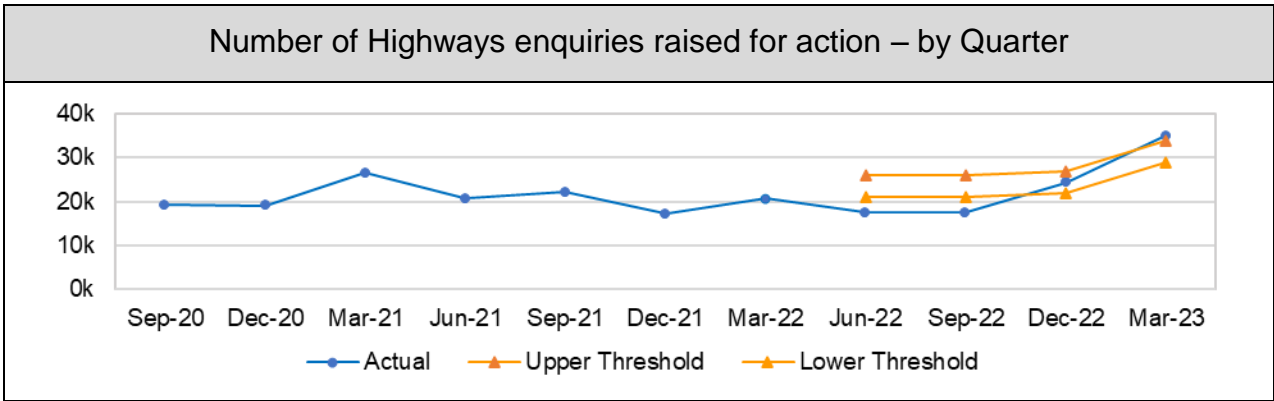




NB: The September 2022 Quarter only includes results for July 2022, with the survey having been paused in August and September so the Contact Centre can prioritise incoming calls. The survey resumed in October.



Activity indicators



Children, Young People and Education	
Cabinet Member	Rory Love, Sue Chandler
Corporate Director	Sarah Hammond

KPI Summary	GREEN	AMBER	RED	↑	→	↓
	5	5	3	1	7	5

The Covid-19 pandemic had a notable effect on pupil attendance with increased levels of illness and difficulties in getting certain groups of the pupil population to re-engage with school life. The increases in total and persistent absence are widespread and are reflected in both the whole year analysis for 2020/21 vs 2021/22 as well as in Autumn 2021 vs Autumn 2022. The Attendance Working Group has been set up with a number of focused subgroups which are taking forward work to improve attendance in Kent.

Based on the latest inspection data as at the end of March 2023, 91% of schools in Kent (532 of the 586) were Good or Outstanding, compared to the national figure of 89%. The percentage of Primary schools judged as Good or Outstanding at 92% compares favourably to the national figure of 90%. 88% of Secondary schools were judged to be Good or Outstanding compared to 81% nationally. The percentage for Special schools, at 88%, was one percentage point lower than the national position. 83% of Alternative Provision schools (five out of six) were good or outstanding compared to the national figure of 86%.

Following the news of a headteacher's suicide in another Local Authority, there is increased media focus on any changes in Ofsted outcomes. Headteachers are feeling under increasing pressure and for some, even in securely good schools, the thought of inspection is causing considerable concern. School Improvement Advisers are spending more and more time supporting headteacher wellbeing during inspections.

Once again there have been significant changes to the implementation of the Education Inspection Framework (EIF) this Quarter which, as with any shift in EIF implementation, poses an immediate and escalated risk to all schools. Changes include a greater focus on record keeping (particularly persistent absence concerns), attendance for disadvantaged pupils, Children Missing in Education (CME), Elective Home Educated (EHE) and excluded pupils. Previous areas of concern, including phonics linked texts and curriculum cohesion and progression, are reducing in risk as more schools act on the advice given by the school improvement team. These shifts in the framework have been communicated to school leaders through all our usual communication channels and adviser visits. The Education People (TEP) briefings continue to provide regular updates and advice to school leaders, whilst signposting support and guidance. This term briefings covered issues such as safeguarding, record keeping, and Early Years progression.

School Improvement Advisers continue to provide wrap around ad hoc support to all schools within an area. They work closely with Area Education Officers responding to issues which cannot be easily categorised within the core contract. Examples include, but are not limited to, headteacher capability, interim leadership, disciplinary issues, investigations, liaison with the diocese, crisis management and additional Ofsted support.

School Places and Admissions

Of the 16,978 Kent parents/carers who applied for a reception place in a Kent school for September 2023, 16,709 (98.4%) received one of their three named schools and 15,295 (90.1%) were offered their first preference.

A total of 22,620 parents/carers (19,007 from Kent) applied for a secondary school place for their child in a Kent school for September 2023. This is 731 more than last year, with the number of Kent pupils applying increasing by 695, a new record. The number of Kent pupils offered a place at their first-preference school has gone up by 291 to 14,865, although the percentage has fallen slightly from 79.6% to 78.2%.

Early Years

The latest inspection data for the percentage of Early Years settings rated Good or Outstanding is 96%, two percentage points below the target but in line with national performance. 99% of childminders are deemed by Ofsted to be good or outstanding, with 100% of standalone out of school childcare providers judged as 'Met', meaning they met the overall quality and standards expected. For early years group settings, TEP continues to support, through Annual Conversations, all good and outstanding settings, but prioritising those due an Ofsted inspection to assist them in retaining a good or better Ofsted judgement, making clear recommendations where appropriate and also offering the 'Securing Good' programme to those in their inspection and not meeting at least Good Ofsted Grade Descriptors. Settings with a Requires Improvement or Inadequate judgement receive targeted and bespoke support, with support for plans of action and follow up visits as required.

3,083 two-year olds have been funded through the Free for Two (FF2) scheme in the 2023 Spring term, equating to a 69.6% take up. This is an increase of 4.2 percentage points compared to the same period last year. Established and regular communications with the Early Years and Childcare Sector as a whole continue, including the scheduled termly (six times annually) generic Early Years and Childcare Bulletin; communications in between these continue when appropriate and necessary with ongoing contact with individual providers as required. The Early Years and Childcare Service's Threads of Success training offer continues to be delivered principally on virtual platforms as recruitment and retention challenges are still making it very difficult for providers to attend face-to-face training.

Skills and Employability

Provisional data for the percentage of children (aged 16-17) who are not in employment, education or training (NEET) or whose activity is not known, over the three-month period of December 2022 to February 2023, is 5.8%. This comprises of 3.3% NEETs and 2.5% Not Knowns. Compared to the same period last year this is an overall increase of 0.7 percentage points from 5.1%. The latest national NEET and participation scorecard published by the Department of Education for 2021/22 shows Kent to be 5.1% compared to the South East at 5.4% and England at 4.7%

There is some evidence that part of the reason behind the increase is a drop in the number of employment opportunities available, lack of progression opportunities below level 2 and a need to build greater resilience in this cohort. It also appears there has been an increase in the number of NEETS who were academic level 2 at the end of compulsory education. Improving level 2 provision and below is one of the recommendations made by the 16-19 Review. It is hoped that this will begin to have an impact on provision, but this will be a medium-term solution.

In response to the increase in the number of NEETs and referrals, the number of young people being supported by the NEET Support Service has increased to 1,546 young people in the last twelve months compared to 1,458 last year.

In March, the European Social Fund (ESF) which had funded much of the NEET provision in recent years, came to an end with no replacement. This could significantly impact on Kent NEET numbers. The most recent meeting in February with the Education and Skills Funding Agency (ESFA) acknowledged the problem again and agreed action was needed but no timeframe was given. It also mentioned that lack of provision was becoming a national issue.

SEND (Special Educational Needs and Disability)

Based on the rolling 12-month average to March 2023, 36.9% of Education, Health and Care Plans (EHCPs) were issued within 20 weeks excluding exceptions (771 out of 2,091). In the single month of March, performance was 32.9% with 51 plans out of 155 being issued within timescale. Performance has deteriorated in the second half of 2022 as a result of staff turnover and vacancies in the casework team. This is being addressed through the current recruitment processes, and through a range of improvement activities that are taking place following the SEND revisit in September 2022. This will ensure the service is as efficient as possible in supporting the development of high-quality, timely EHCPs for those children that need them. Revised criteria have been agreed to help manage EHC needs assessment requests and reduce the issuing of EHC plans which do not meet the criteria set out in the SEND code of practice. This has already successfully reduced the number of EHC need assessments carried out for under-fives. These criteria are being rolled out across all age groups during Quarter 1, 2023/24.

At the end of March, 10.8% of pupils with EHCPs were placed in independent or out of county special schools.

Changes made to the phase transfer process this year (nursery to primary, primary to secondary, Year 11 to Sixth Form) are planned to reduce the number of children transitioning into specialist settings, support more children with EHCPs in mainstream settings, and ensure maintained special school places are targeted at those children with the most complex needs. This strategy will contribute to reducing pupils placed in the independent sector over time.

Additional resource has been put in place to address the backlog of annual reviews that have been waiting for more than 24 months. Ensuring EHCPs are reviewed every year will inform timely decision making about placements. This work is underpinned by several factors: the Countywide Approach to Inclusive Education, training for schools to develop capacity, the development of further Specialist Resourced Provision (SRPs) within mainstream schools, exploration of locality budgets, and a more rigorous process for decision making and agreement for independent placements. Longer term workstreams, such as Pathways to Independence and Pathways For All, seek to increase the number of local pathways for Post-16 young people so they have increased choice within their locality and do not need to attend establishments further away.

Wider Early Help

Sixty pupils were permanently excluded during the rolling 12-month period to March 2023 (which equates to 0.02% of the school population); 17 were 'primary' phase and 43 'secondary' phase pupils. This compares to 38 for the same period the previous year (Apr 2021 to Mar 2022); 14 'primary' phase and 24 'secondary' phase pupils. Maidstone district accounted for 13 of the 60 pupils excluded across the county for the 12-month period to March 2023.

PRU, Inclusion and Attendance Service (PIAS) Inclusion Advisers, work regularly with SEND Inclusion Advisers and Specialist Teachers using reports produced by the Management Information team with the latest data which identifies pupils who have been persistently suspended to ensure support is in place from KCC to try to reduce suspensions and risks of permanent exclusion. PIAS will be moving into the education section of the CYPE directorate in September which will enhance opportunities to work with colleagues from the SEN service to examine the correlation between pupils with SEN and suspensions, and to set up robust action plans in the new academic year.

The number of first-time entrants to the Youth Justice System in Kent in March at 299 (rolling 12-month figure) is above the target of 270. Due to a restructure in Kent Police, we have yet to make progress in implementing Outcome 22 (Diversionary, educational or intervention activity), and so are not yet able to achieve expected reductions in FTE that Outcome 22 (O22) will enable. We continue to seek agreement with Kent Police to use O22 as a deferred prosecution and have raised the issue at county Youth Justice Board and escalated this within the Police.

Early Help

At the end of March 2023, there were 2,843 open family cases with Early Help units providing support for 5,874 children and young people under the age of 18. This is a 11.6% increase in the number of families supported compared to the end of the previous Quarter (2,549), but fewer than the same period last year (2,983).

The performance measure for 'Percentage of Early Help cases closed with outcomes achieved that come back to Early Help / Social Work teams within 3 months' was 13.3% for the rolling 12 months to March 2023, a similar result to the previous Quarter, and continuing to achieve the target of below 15.0%.

Children's Social Care - Staffing and Caseloads

The number of open cases (including those for care leavers above the age of 18) was 11,969 at 31st March, a decrease of 125 children and young people when compared to the end of the previous Quarter (12,094).

There were 5,973 referrals to children's social care services in the Quarter, an increase of 10% when compared to the previous Quarter (5,428) and an increase of 13.4% compared to Quarter 4, 2022 (5,268). The rate of re-referrals within 12 months for the 12 months to March 2023 was 22.0%, compared to 21.0% the previous Quarter, and so continues to achieve the target of below 25.0%. This compares to the England average of 21.4% for 2021/22.

The percentage of case-holding social worker posts held by permanent, qualified social workers employed by Kent County Council (75.2%) decreased from the previous Quarter (78.1%). This equates to a decrease of 15.3 full-time equivalent posts during the Quarter. The average caseload for Social Workers in Children's Social Work Teams was 25 cases in March 2023, increasing from the average of 23.6 cases at the end of the previous Quarter, and remaining outside of the target of no more than 18 cases.

Child Protection

On 31st March 2023 there were 1,336 children subject to a child protection plan, a decrease of 70 from the end of the previous Quarter (1,406). The rate per 10,000 children (aged 0-17) was 39.7, which remains below the last published rate for England of 42.1 (31st March 2022). The percentage of children who were subject to a Child Protection Plan for a second or subsequent time increased by 0.6% in the Quarter, from 22.6% in December 2022 to 23.2% in March 2023. This is outside the target range of between 17.5% and 22.5%. This compares to an average for England of 23.3% (March 2022).

Children in Care

The number of citizen children in care, increased by 35 (2.4%) in the Quarter to 1,505. The number of unaccompanied asylum seeker children (UASC) in care, decreased by 41 to 448. Some of these young people will be awaiting transfer under the National Transfer Scheme. The number of children in care placed in Kent by other local authorities (OLA) decreased by 54 in the Quarter to 1,190.

Status	Jun 22	Sep 22	Dec 22	Mar 23
Citizen	1,445	1,497	1,470	1,505
UASC	403	399	489	448
Total	1,848	1,896	1,959	1,953
Gender				
Male	1,199	1,218	1,276	1,254
Female	647	675	679	696
Non-binary	2	3	4	3
Age Group				
0 to 4	243	267	266	272
5 to 9	215	210	206	220
10 to 15	723	703	687	689
16 to 17	667	716	800	772
Ethnicity				
White	1,264	1,362	1,368	1,392
Mixed	104	109	114	109
Asian	45	39	35	26
Black	56	75	102	93
Other	379	311	340	333

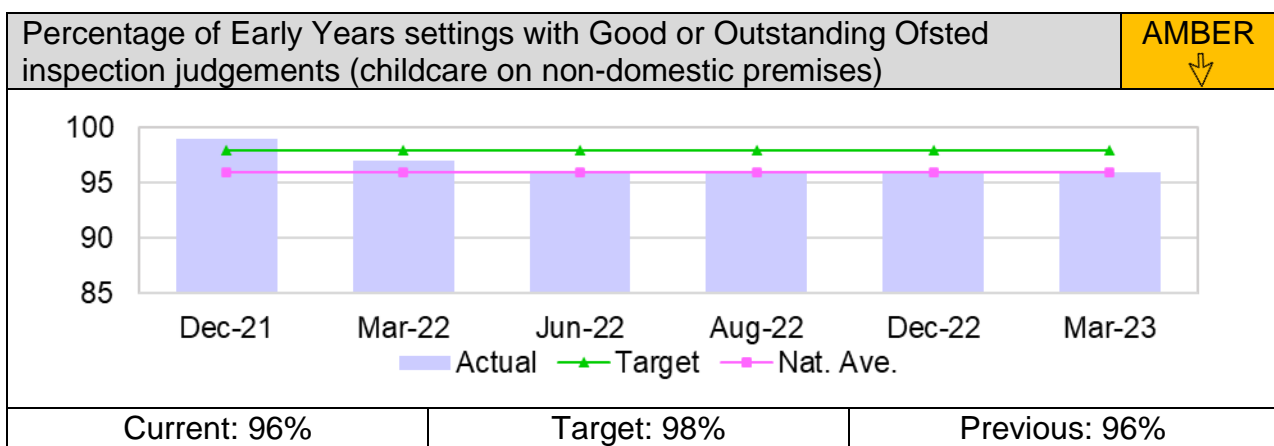
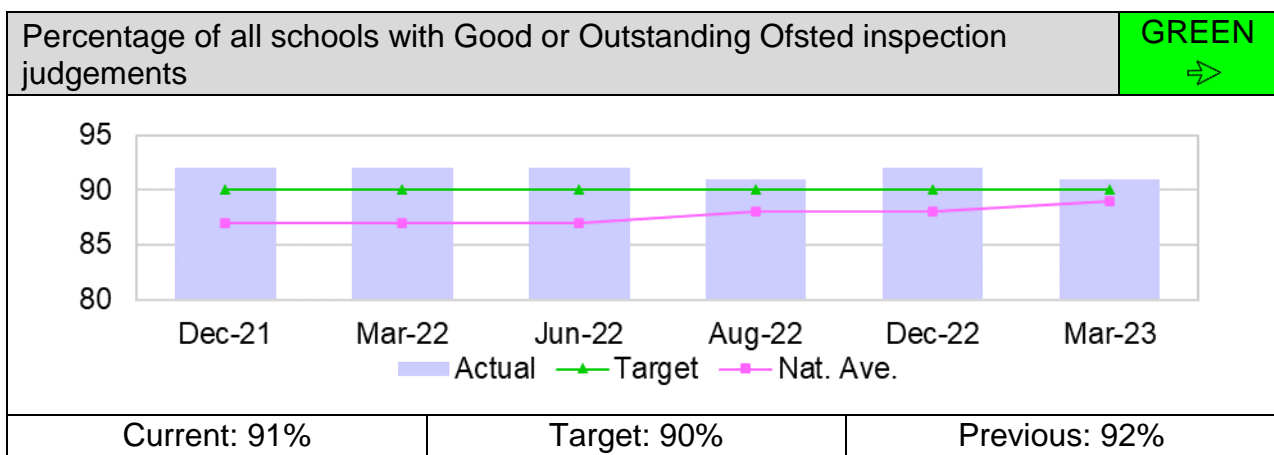
The percentage of Children in Care (excluding UASC) placed in KCC in-house foster care or with family/friends decreased during the Quarter from 75.5% in December 2022 to 73.7% March 2023, remaining below the target of 85.0%. Performance against this measure is impacted by the numbers of children coming into care and the availability of in-house foster placements.

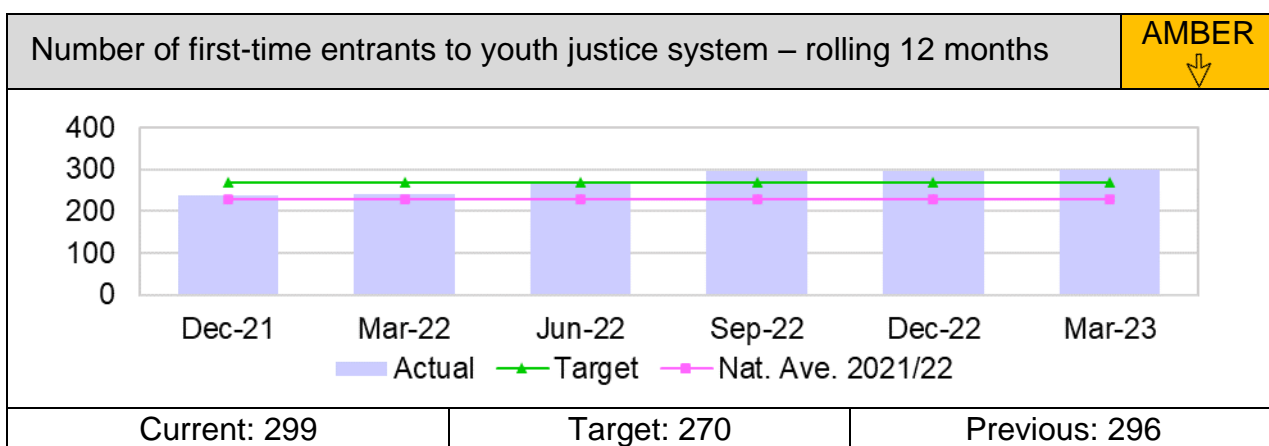
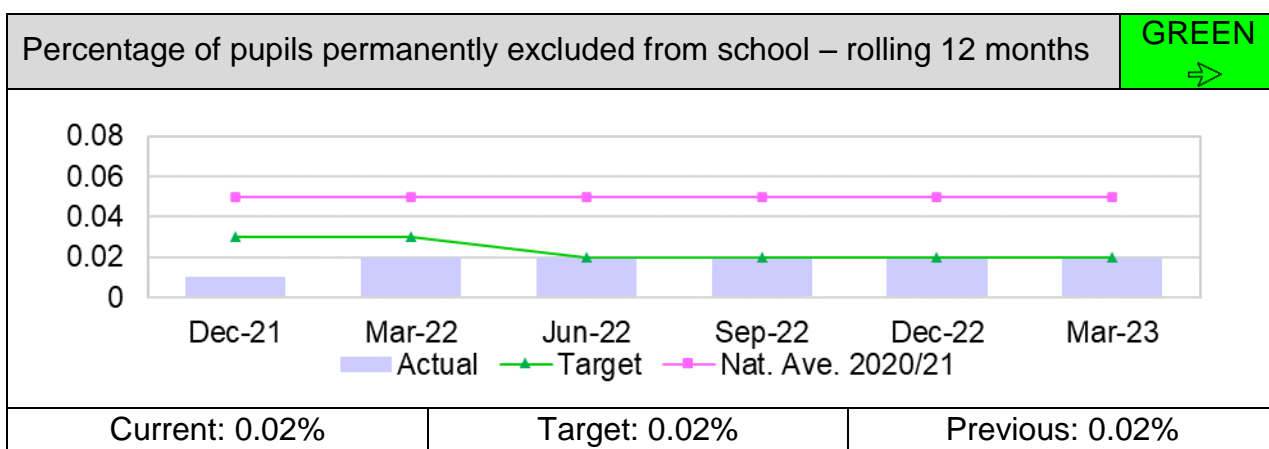
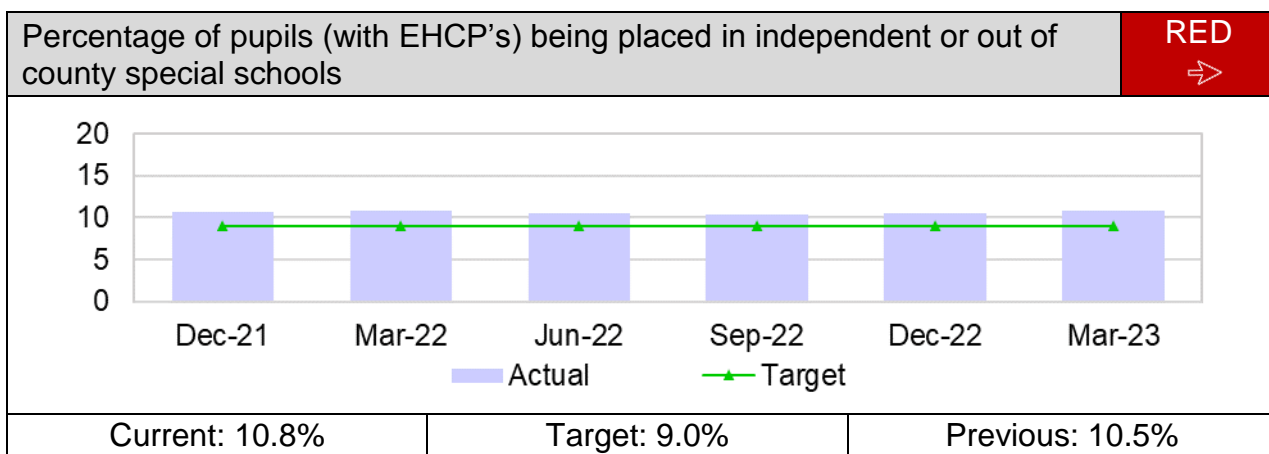
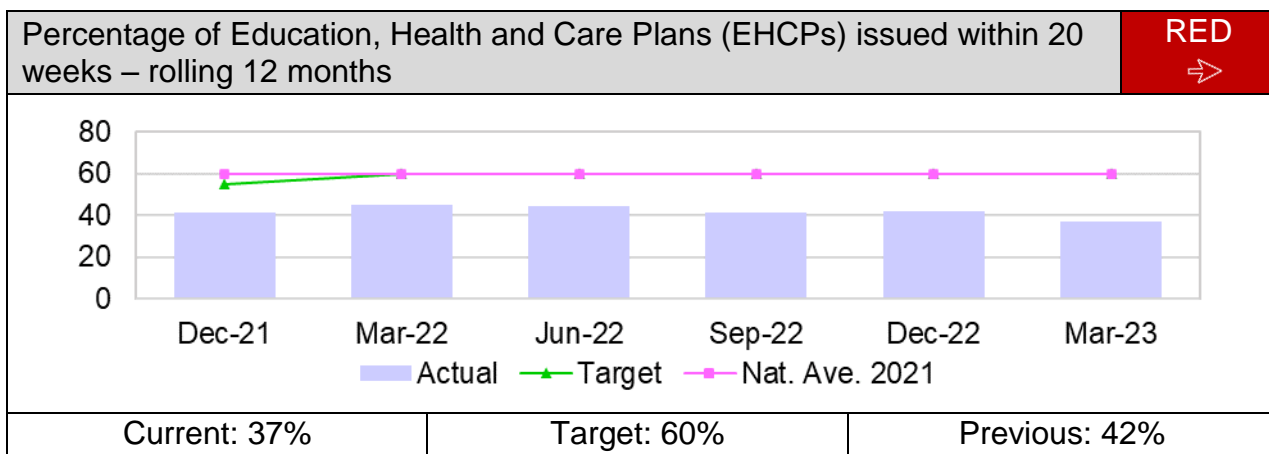
For children who were adopted in the last 12 months, the average number of days between coming into care and moving in with their adoptive family continues to outperform the nationally set target of 426 days. The average number of days for Kent’s children at the end of March 2023 was 345 days, an improvement when compared to 363 days at the end of the previous Quarter.

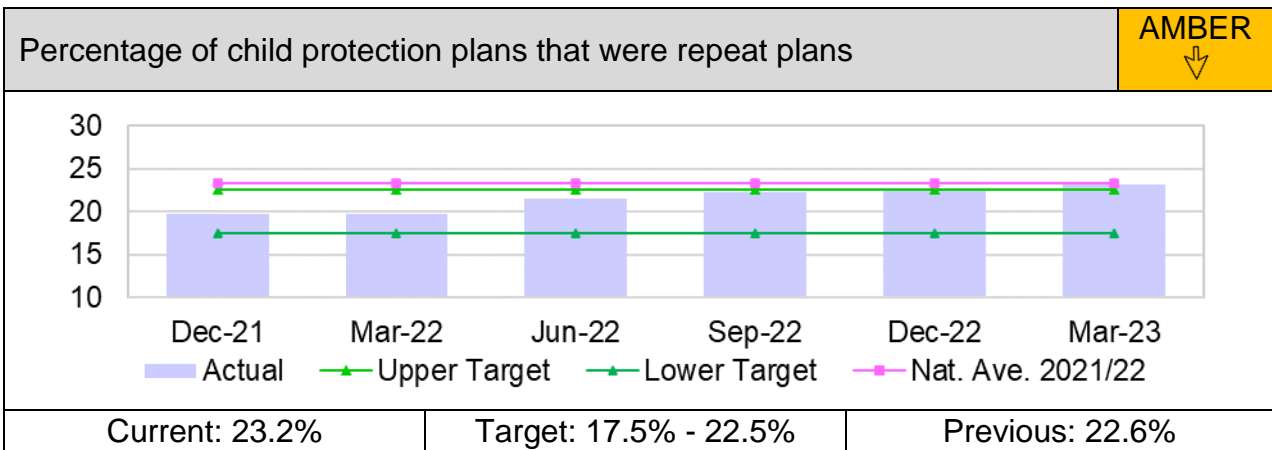
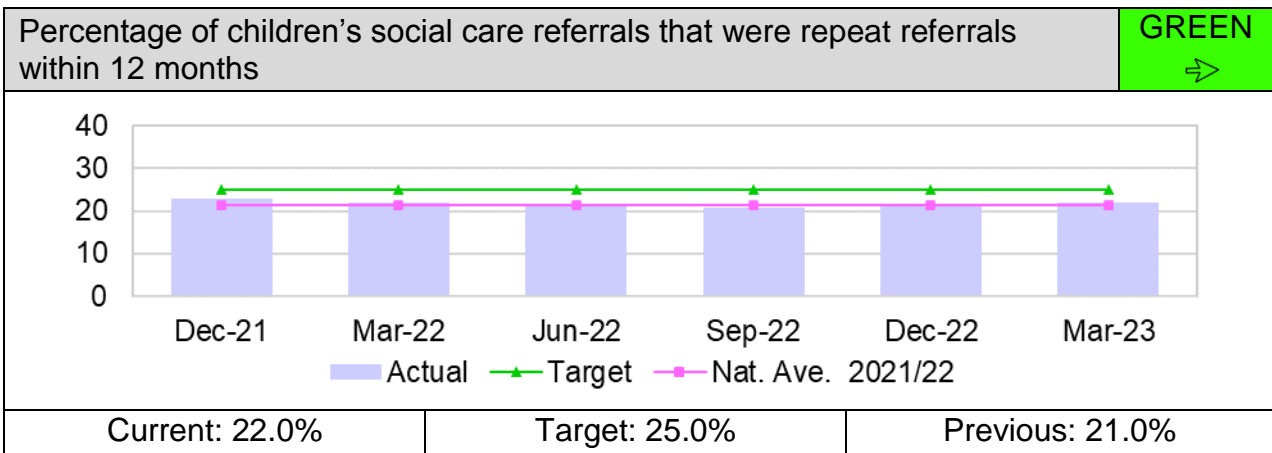
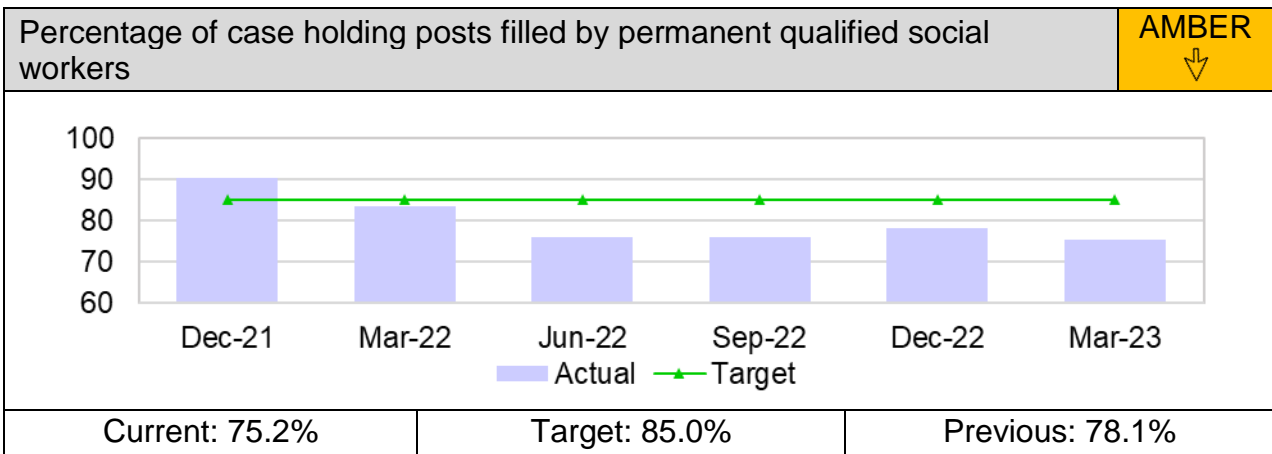
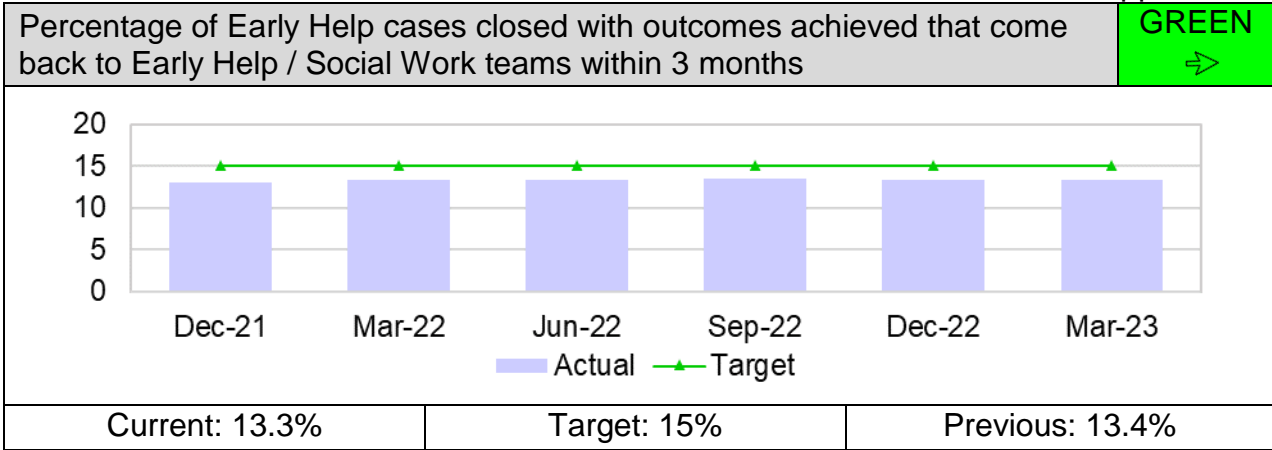
Care Leavers

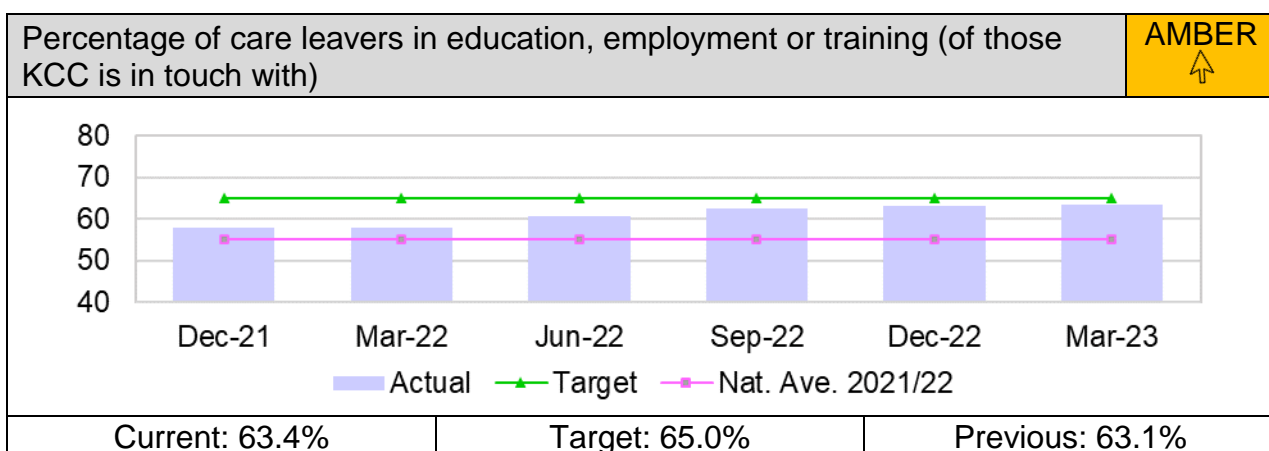
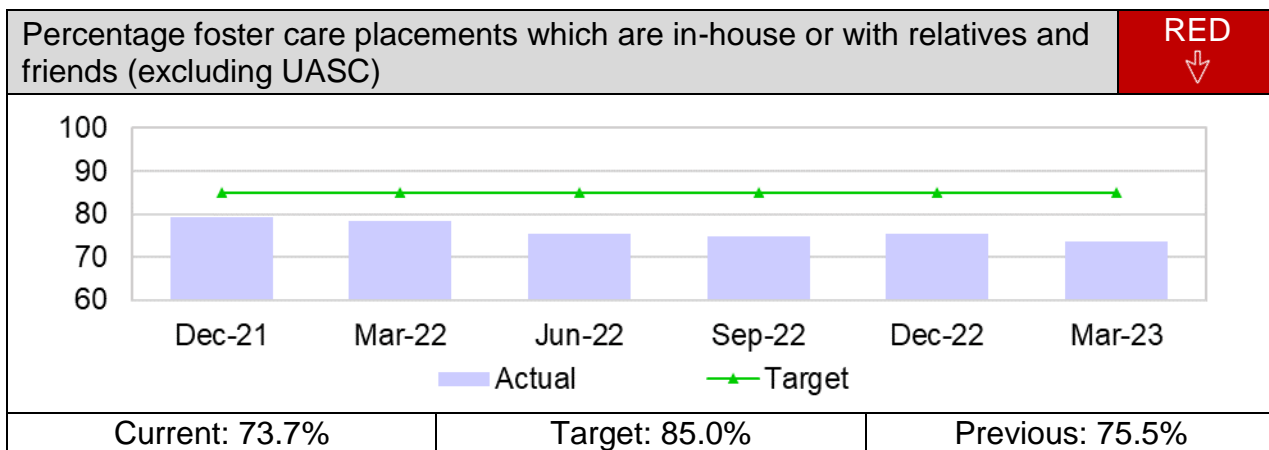
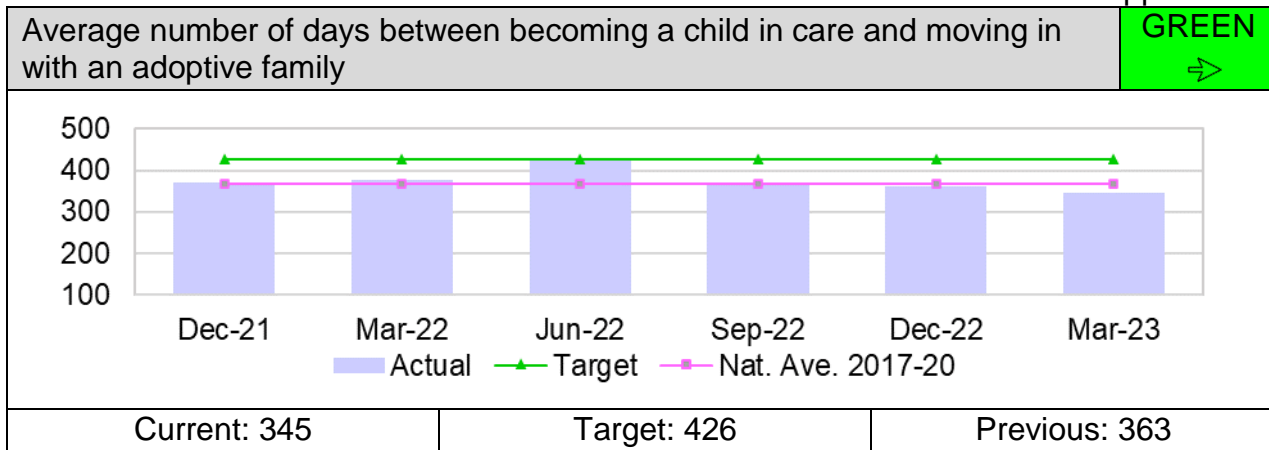
The number of care leavers at the end of March 2023 was 2,040, a reduction of 31 from the previous Quarter (2,071 in December 2022). Of the 2,040 care leavers, 996 (48.8%) were citizen care leavers and 1,044 (51.2%) were unaccompanied asylum-seeking young people. The percentage of care leavers in education, employment or training has improved slightly during the Quarter, from 63.1% in the 12 months to December 2022 to 63.4% in the 12 months to March 2023, but remains below the target of 65.0%.

Key Performance Indicators

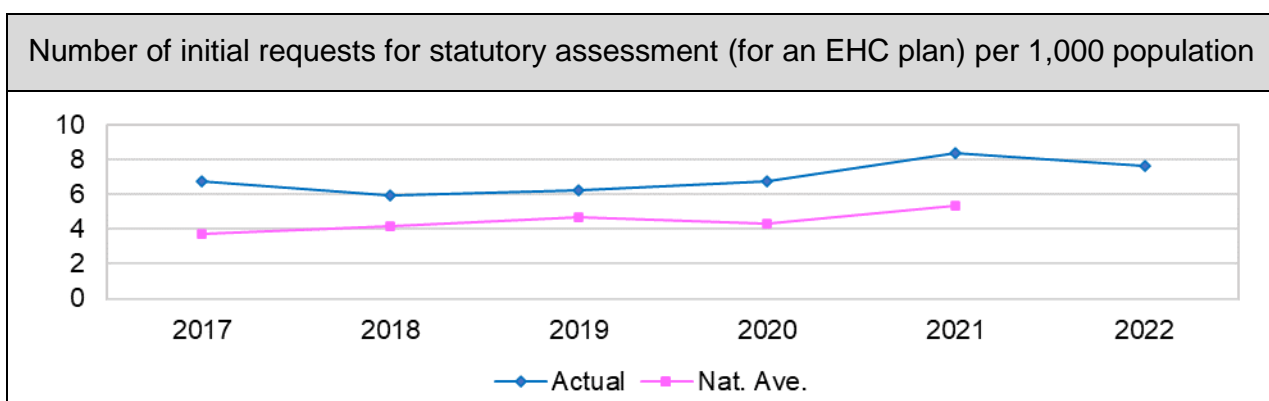


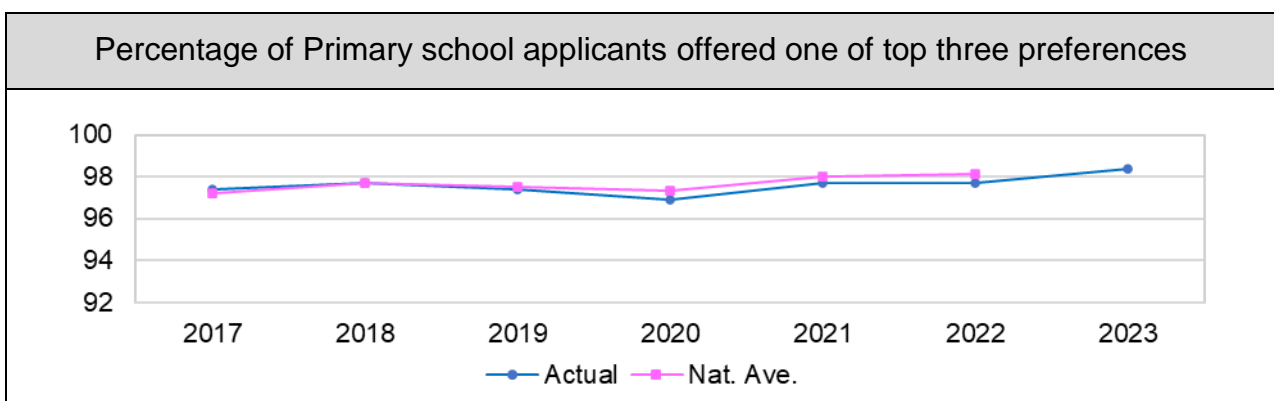
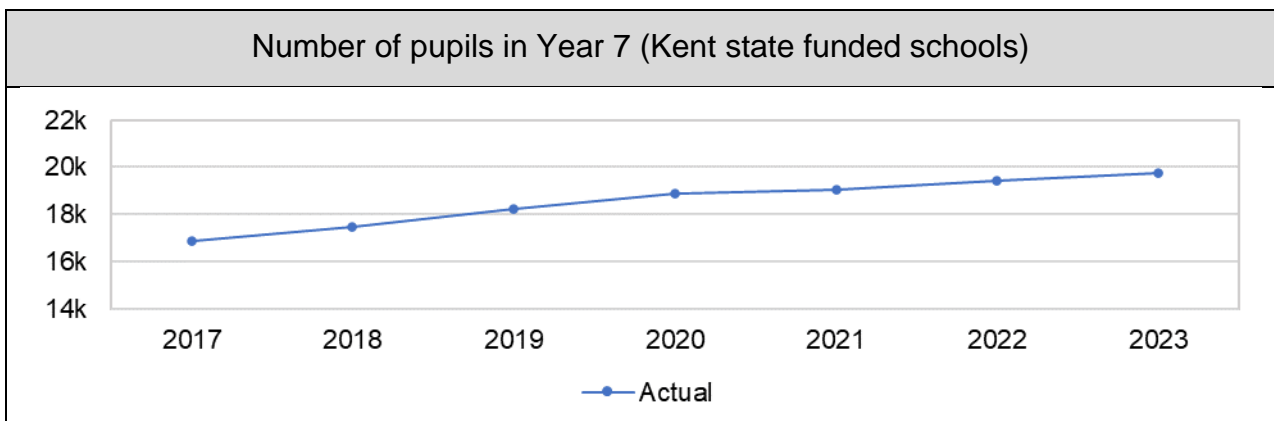
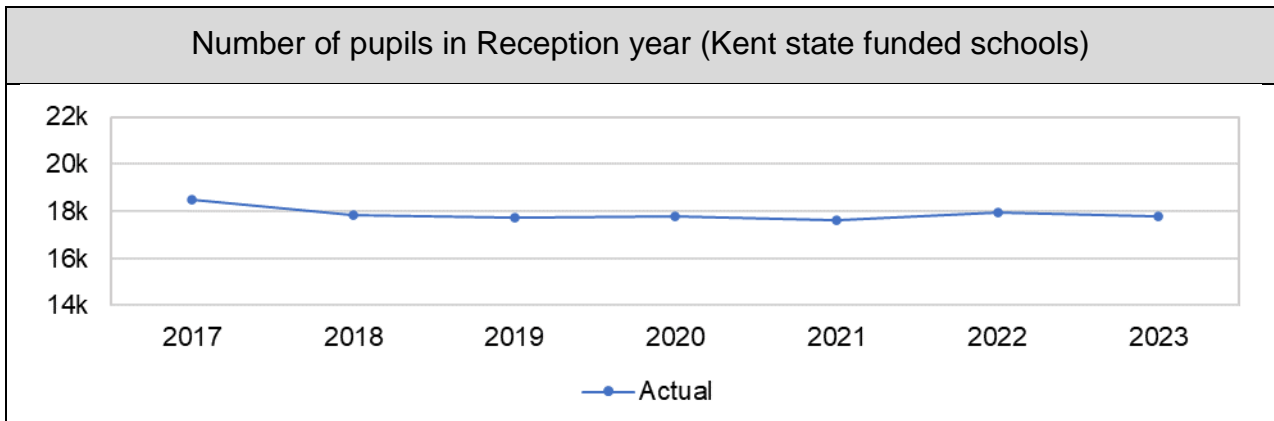
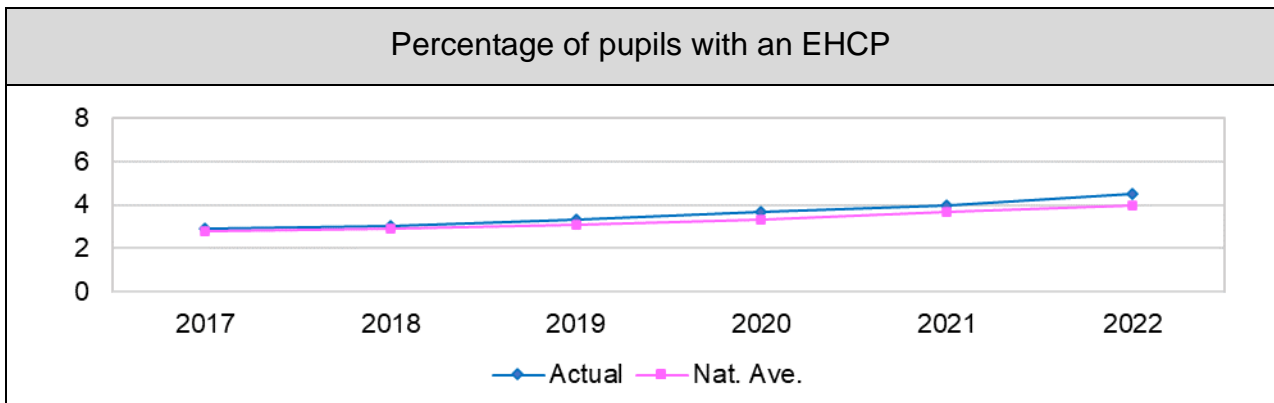




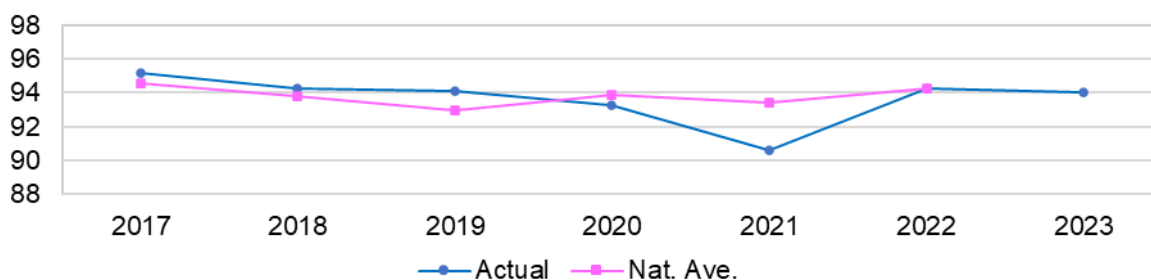


Activity indicators

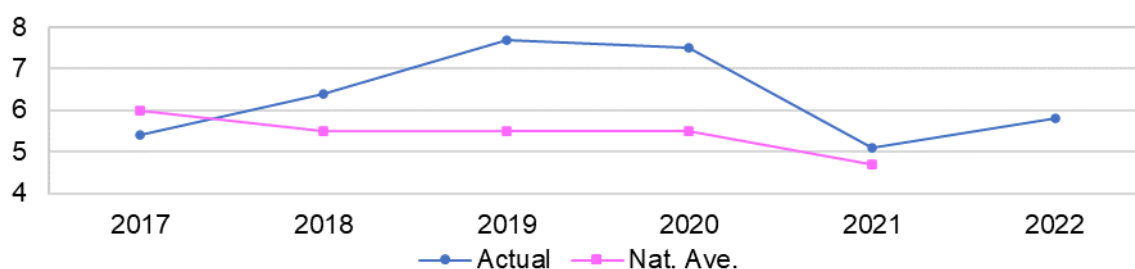




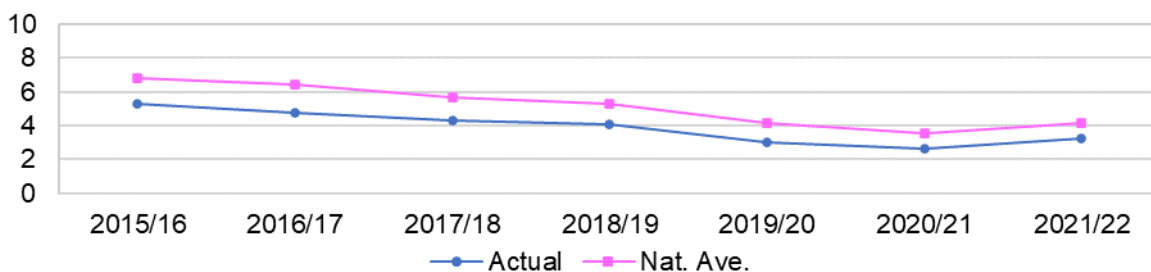
Percentage of Secondary school applicants offered one of top three preferences



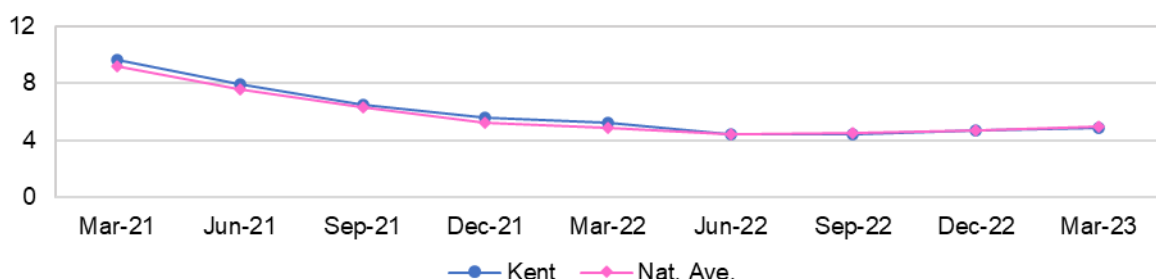
Percentage of 16-17 years olds Not in Education, Employment or Training (NEETs) or whose activity is Not Known



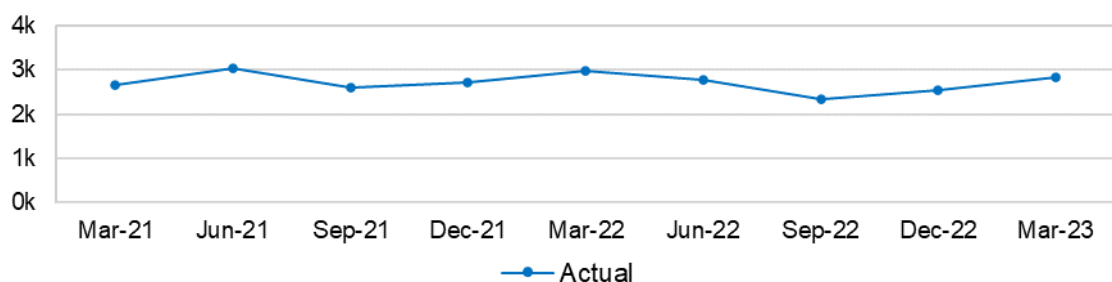
Percentage of 16-18 year olds who start an apprenticeship



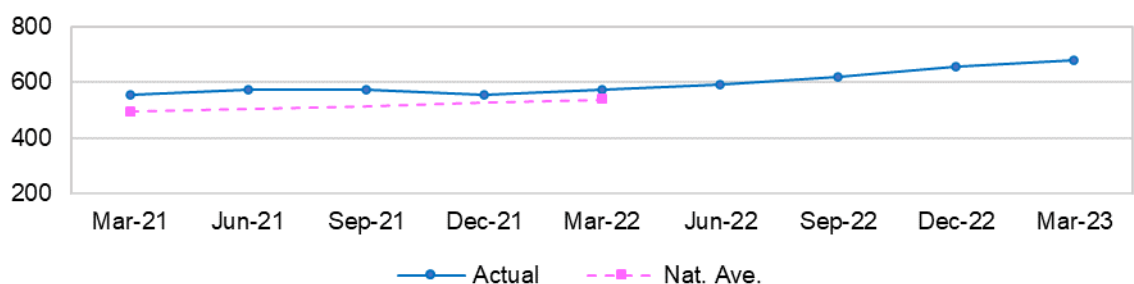
Percentage of 18-24 year olds claiming Universal Credit



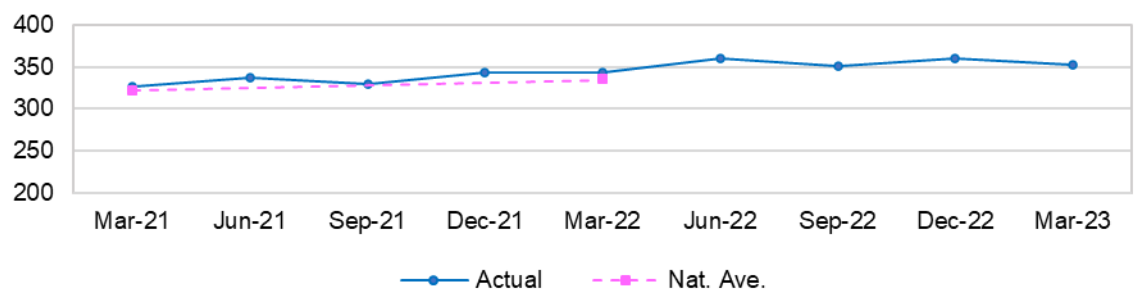
Number of open Early Help cases managed by Units



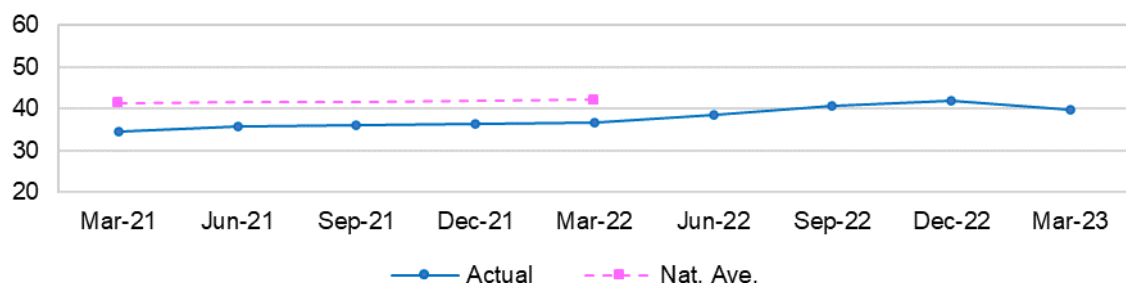
Rate of CSW referrals per 10,000 population aged under 18 – rolling 12 months



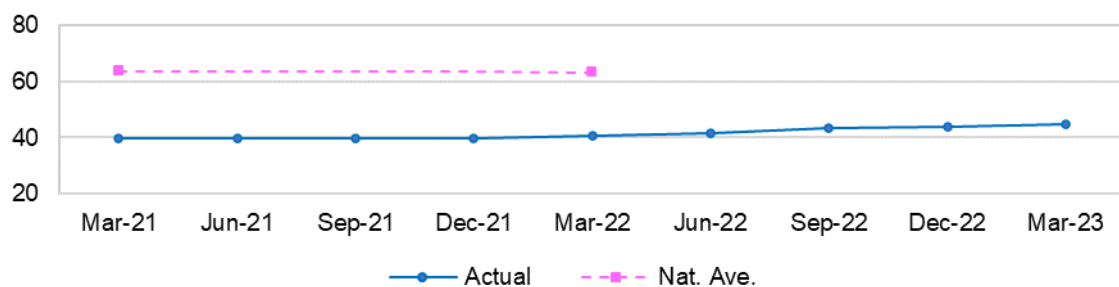
CSW caseload per 10,000 child population – snapshot at Quarter end



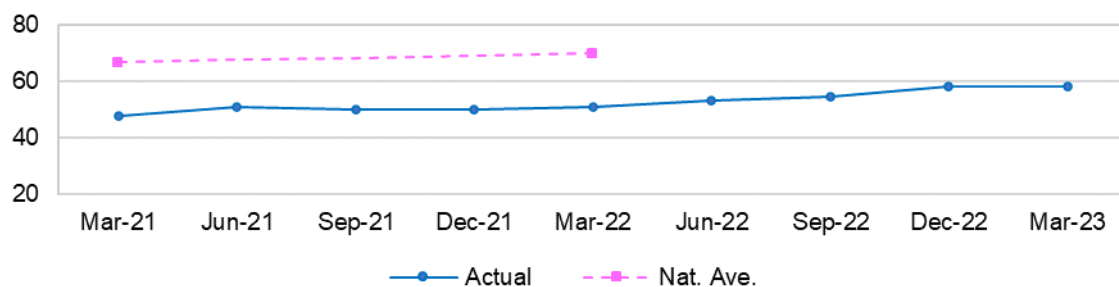
Rate of children with Child Protection Plans per 10,000 child population – snapshot at Quarter end



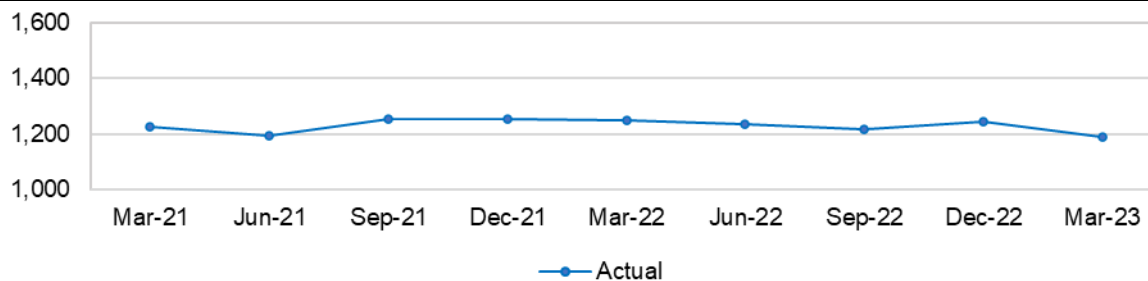
Rate of Children in Care (excluding UASC) per 10,000 child population – snapshot at Quarter end



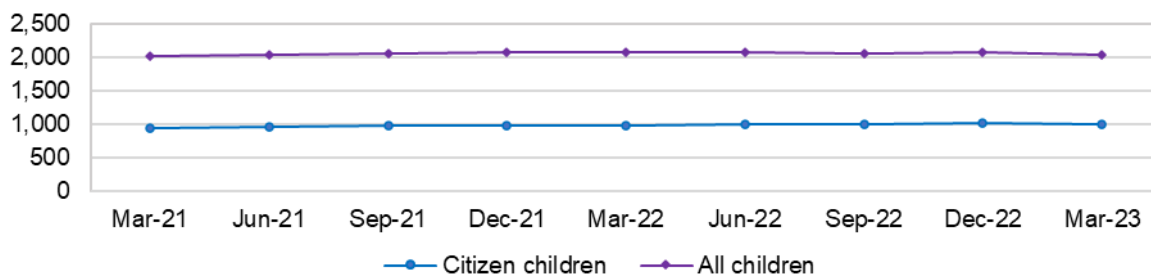
Rate of Children in Care (including UASC) per 10,000 child population – snapshot at Quarter end



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



Number of care leavers as at Quarter end



Adult Social Care & Health	
Cabinet Member	Clair Bell
Corporate Director	Richard Smith

KPI Summary	GREEN	AMBER	RED	↑	⇒	↓
	1	3	2		4	2

Adult Social Care and Health (ASCH) experienced the highest volume of quarterly contacts in over 2 years within Quarter 4, with over 23,000 people making contact. ASCH always see increases in contacts in Quarter 4 with March being the busiest month each year, however this Quarter exceeded volumes seen in previous years. To help people who make contact with the service, new tools are being made available, such as the ASC Financial Assessment Tool, now live on kent.gov, which helps people to estimate how much they may need to pay towards their care and support. The KPI on the percentage of people who re-contacted ASCH having had a previous contact resolved with advice and information, continues to achieve target being at 7% for Quarter 4 (RAG rated Green).

In Quarter 4, ASCH saw both the number of Care Needs Assessments (CNAs) to be undertaken, increase by 15% to over 5,300, and the number of CNAs completed, increase by 3% to over 5,170 (this is the second Quarter in a row of increased completions). These were the highest volumes seen in over six Quarters. With the increased volume of incoming CNAs, there were more people requiring a CNA on the last day of the Quarter, even with the increased number of completions.

Of the incoming new CNAs for Quarter 3 (this KPI is reported one Quarter in arrears), 70% were completed within 28 days, which is the same as the previous Quarter, and continues to be below the floor standard of 80% (RAG Rated Red). There were over 3,900 new CNAs and over 2,700 were completed within 28 days. The time taken to complete a CNA is dependent on the person and their needs. ASCH continues to prioritise completing CNAs as part of its Performance Assurance Framework and has seen an increase in the number of completed CNAs each Quarter in 2022/2023.

There were 1,486 Carers' Assessments completed in Quarter 4, which is the highest seen for over two years. ASCH and Commissioners have been working with Carers Organisations to open up tools, such as PowerBI reports, that give more transparency to the work and increase the quality of the information recorded.

Following a CNA, where eligible for support, people receive a Care and Support Plan (C&SP) which details how they will be supported and the services they may receive. ASCH had 15,913 people with an active C&SP at the end of Quarter 4. Not everyone will go on to need a support package and ASCH has seen varying numbers of new support packages being arranged each Quarter. In Quarter 4 it was 2,501, with an average weekly cost of a new support package being £550. However, due to the time taken for service information to be updated and placed onto the adult social care client recording system (Mosaic), it is expected both of these figures will have increased and will need to be updated in the next report.

When people have a C&SP in place and are receiving support from ASCH, they receive an initial 8-week review and then an annual review 12 months later. ASCH completed 3,210 annual C&SP reviews in Quarter 4, with over 12,880 reviews completed in the whole of 2022/2023. ASCH saw the number of people requiring an annual review on the last day of the Quarter increase to 5,005.

Where people need short-term enablement services, ASCH has the Kent Enablement at Home service (KEaH) which aims to keep people independent and in their home. In Quarter 4 there was an increase in the number of people actively receiving this support to 1,684, an increase of 8% on the previous Quarter. This was due to increased capacity in KEaH following a successful recruitment campaign, and with more people leaving the service when ready to do so or having a further support package where needed.

Some people will require residential or nursing care on a temporary basis (either while their longer-term needs or circumstances are assessed, or to provide respite); ASCH saw its first decrease in the numbers of people in short-term beds since before the pandemic in Quarter 3 followed by a bigger decrease of 12% in Quarter 4 at 1,312 people.

In Quarter 3, the proportion of older people who were still at home 91 days after discharge from hospital having had reablement services remained at 81%, below the 85% target. Increases in those accessing KEaH and the work to reduce the longer-term use of short-term beds has likely stopped this KPI decreasing, and further work conducted in Quarter 4 aims to increase those staying at home following enablement with ASCH.

A key priority for ASCH is to enable people to remain independent and in their own homes with clear personal choice of their support. Direct Payments are nationally recognised as an effective way of delivering these aims and for Quarter 4 this measure is RAG Rated Amber at 24%, where it has been for some time.

The number of people aged over 65 years old going into long term residential and nursing care, has varied each Quarter, and in Quarter 3 the rate per 100,000 was 146 increasing from 128 the previous Quarter and is RAG Rated Red.

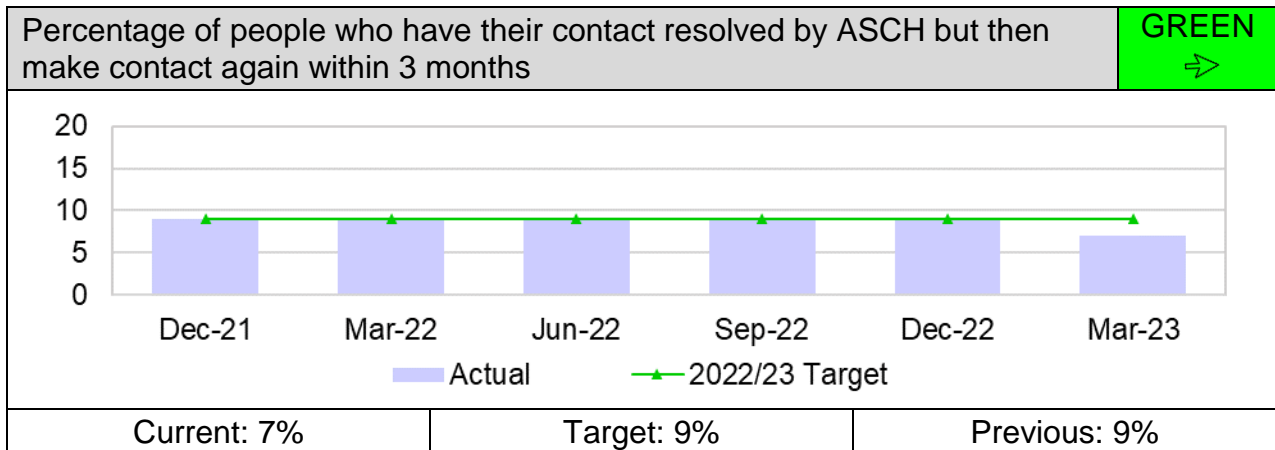
The percentage of KCC supported people in residential or nursing care with a CQC rating of Good or Outstanding, decreased again this Quarter to 76% and is RAG Rated Amber, remaining below target. This is due to a number of previously rated Good care homes receiving a new rating of Requires Improvement. KCC works with CQC and providers to improve the levels of quality in the care home market. At present, eleven care homes (four older person and seven learning disability, physical disability, and mental health) have contract suspensions in place to prevent further placements whilst improvements are being made. This is a decrease of five homes on Quarter 3.

The number of people accessing support who have a Mental Health need continues to increase each Quarter. There were 1,335 people being supported by ASCH with a Mental Health need in Quarter 4. Supporting Independence Services/ Supported Living continuing to be the most prevalent service provision.

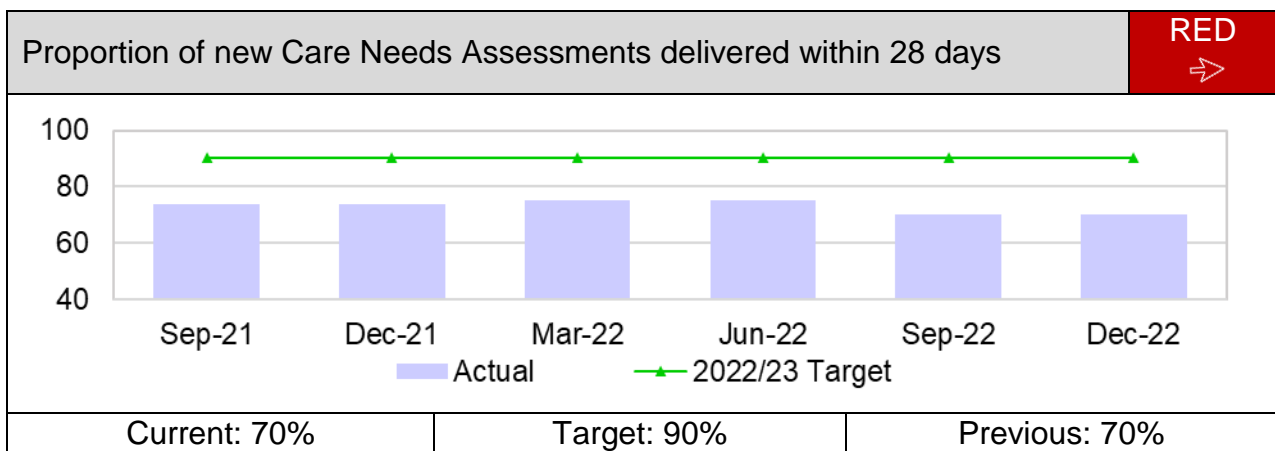
The number of Deprivation of Liberty Safeguards (DoLS) applications received in Quarter 4 was 2,374 and is at a similar level to Quarter 3. Over the 2022/23 reporting period ASCH received 9,412 DoLS applications (which is an increase of 10% on the previous year) and continues to show the ongoing annual increase in the number of applications received in Kent. Quarter 4 saw the highest volume of assessments completed by the DoLS Team in over 2 years, at 2,769 giving a total of 8,789 completed in 2022/23 (7% increase on the previous year).

In Quarter 4, ASCH reduced the number of Safeguarding Enquiries open on the last day of the Quarter to 988. Over 4,150 concerns were received, the highest in two years, and 2,408 enquiries were worked on by the Safeguarding Teams.

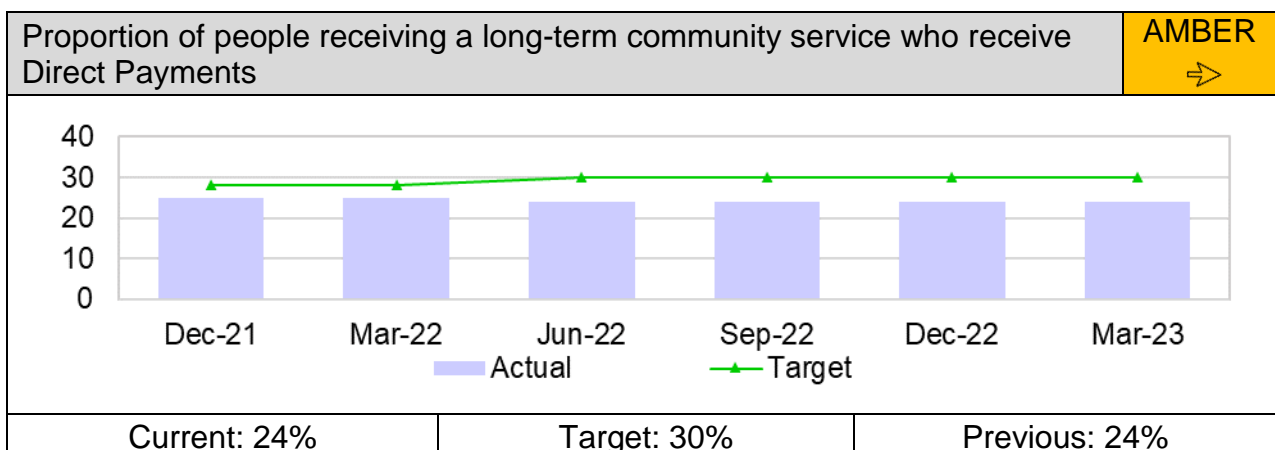
Key Performance Indicators

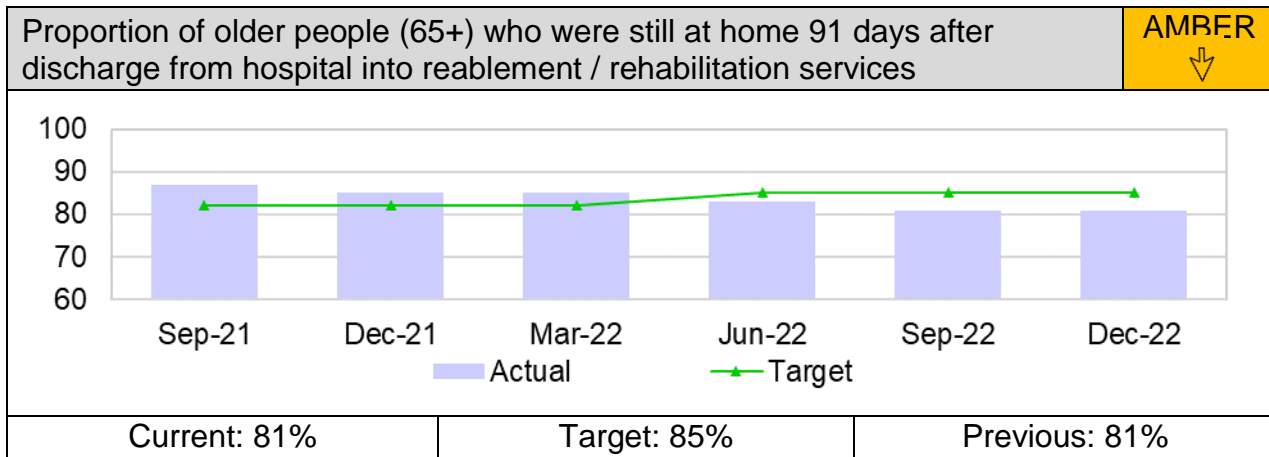


New Indicator in 2022/23 – target line for previous periods shown for comparison only.

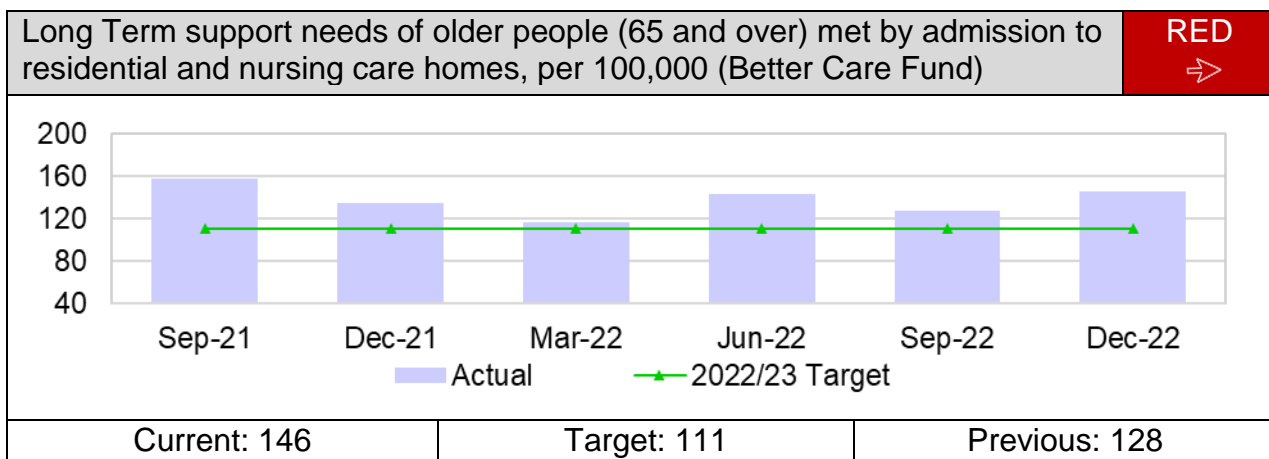


New indicator in 2022/23 – target line for previous periods shown for comparison only. KPI Reported one Quarter in arrears.

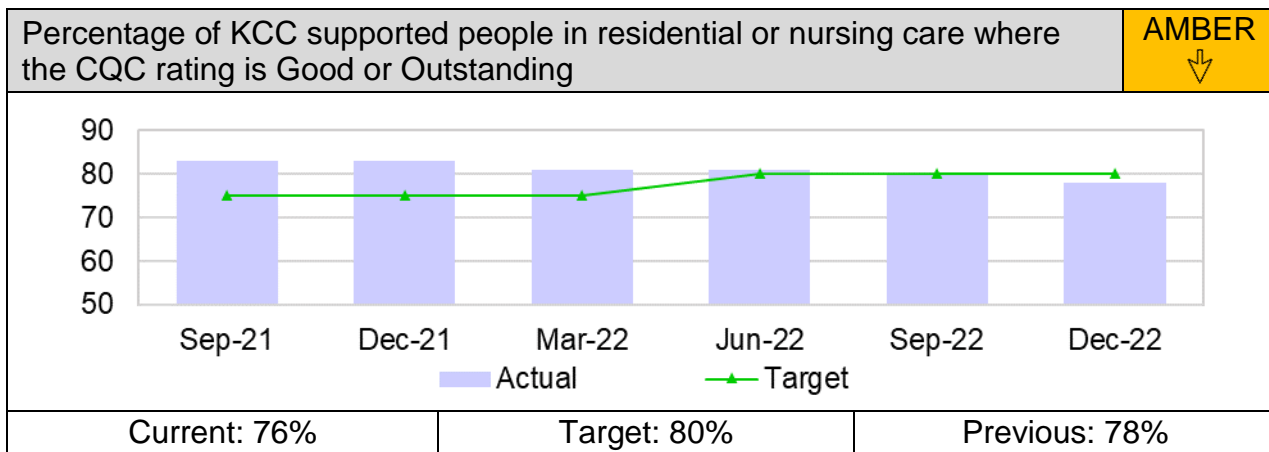




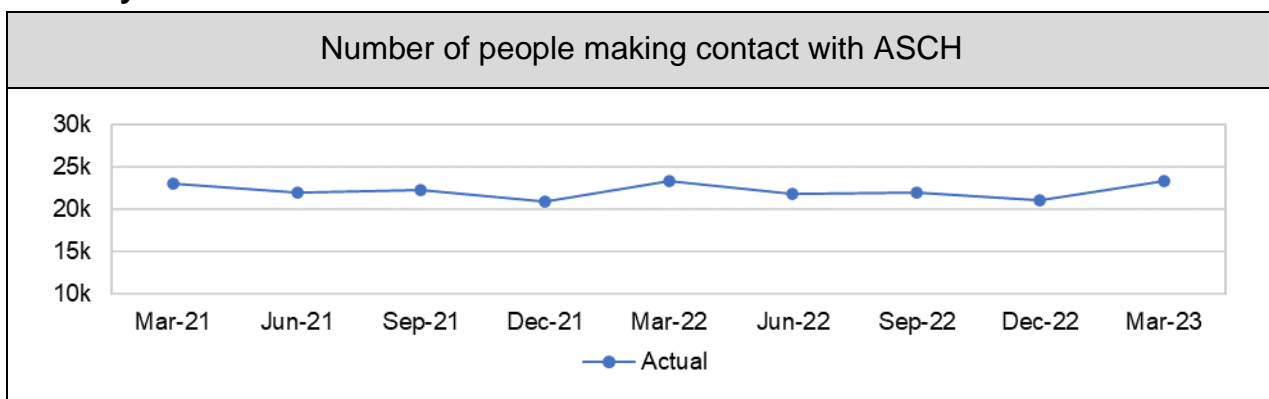
Reported one Quarter in arrears.



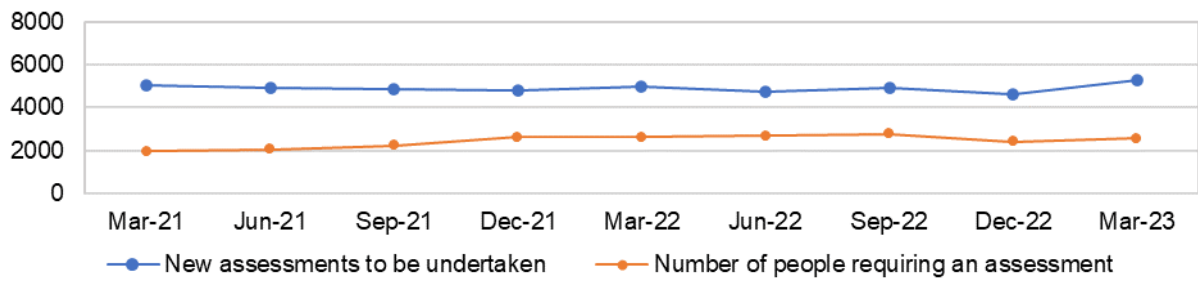
New indicator in 2022/23– target line for previous periods shown for comparison only. KPI Reported one Quarter in arrears.



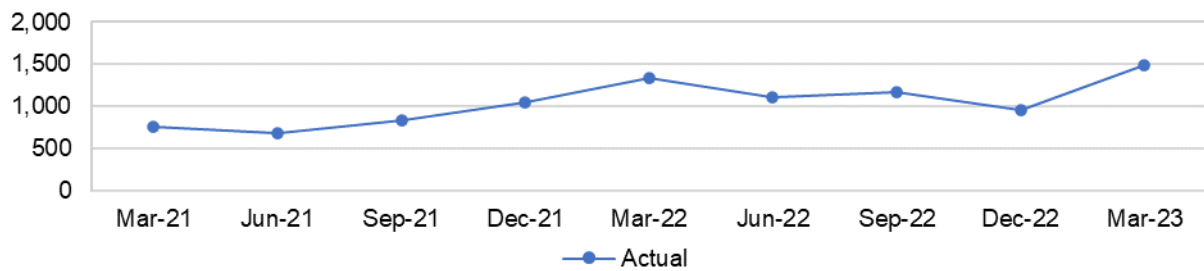
Activity indicators



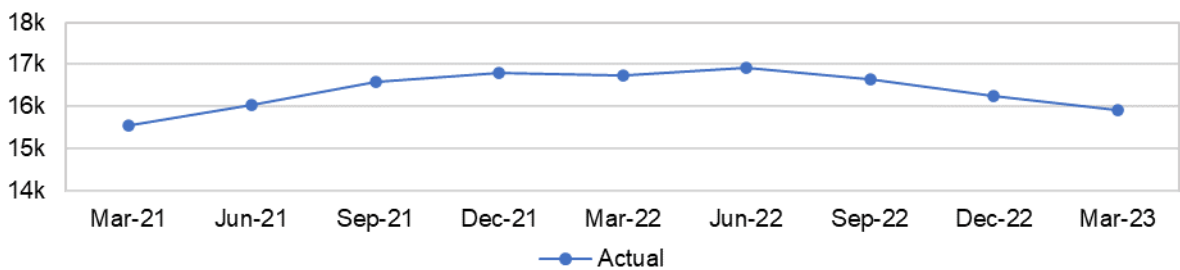
Number of new Care Needs Assessments to be undertaken and the number of people requiring a Care needs Assessment on the last day of the quarter



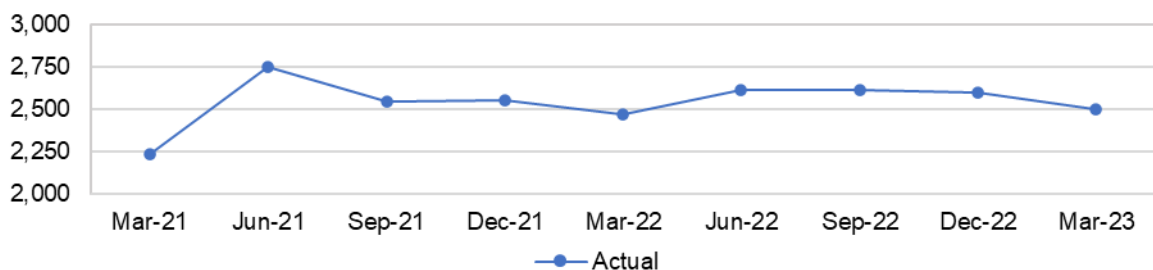
Number of new Carers assessments delivered



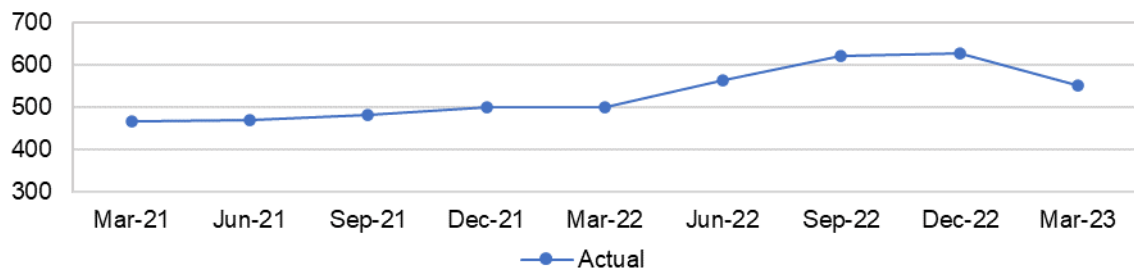
Number of people with an active Care & Support Plan at the end of the Quarter



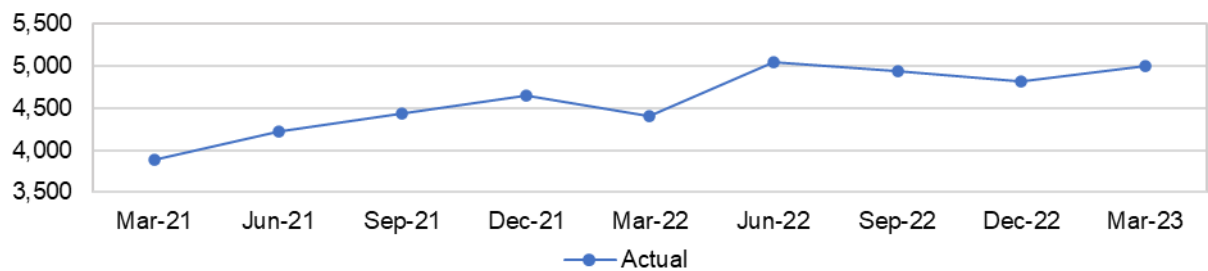
Number of new support packages being arranged for people in the Quarter



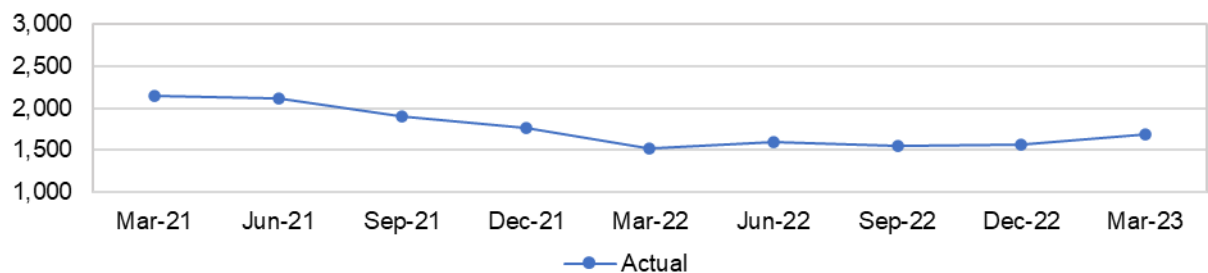
Average cost (£s per week) of new support packages arranged for people in the Quarter



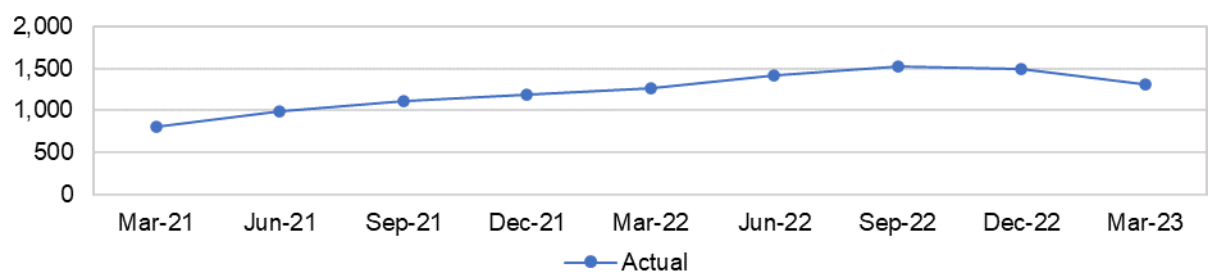
Number of people requiring an annual review to be completed on the last day of the Quarter

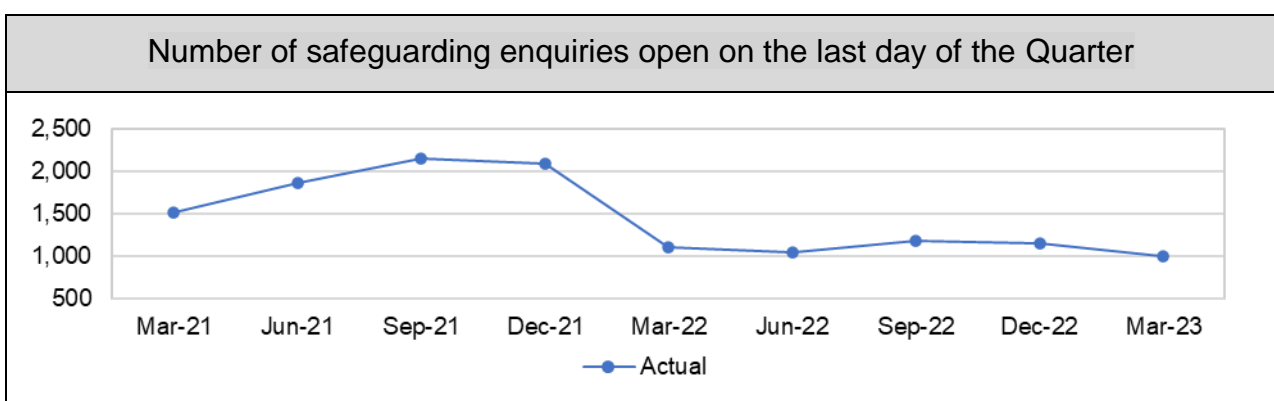
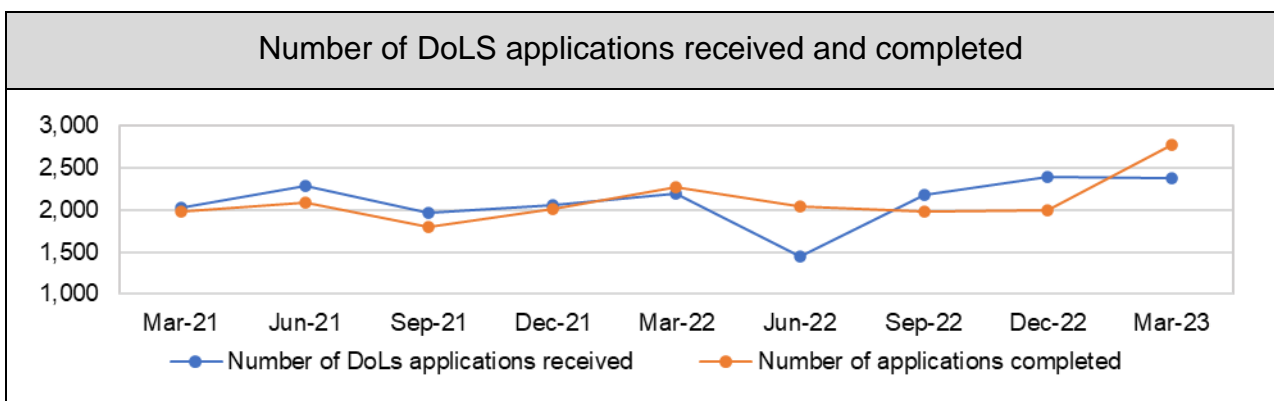
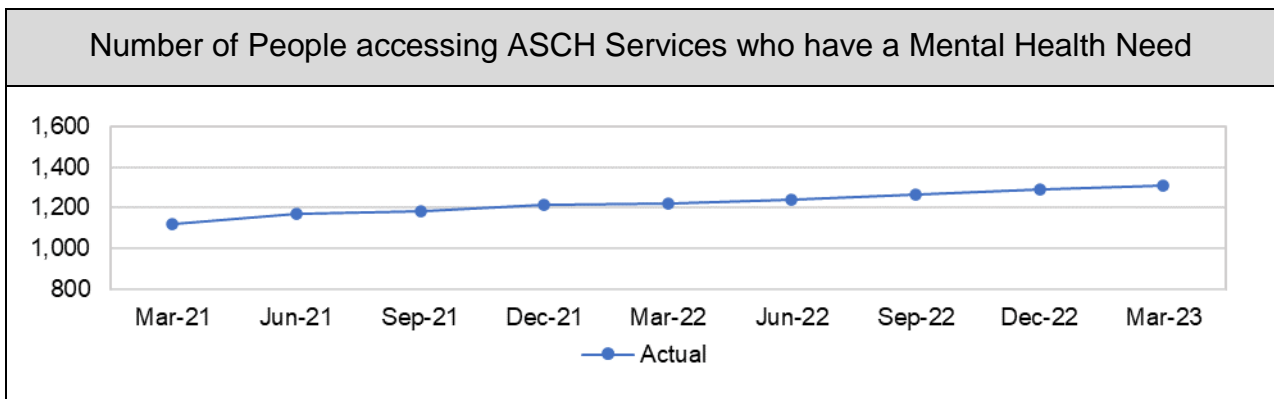
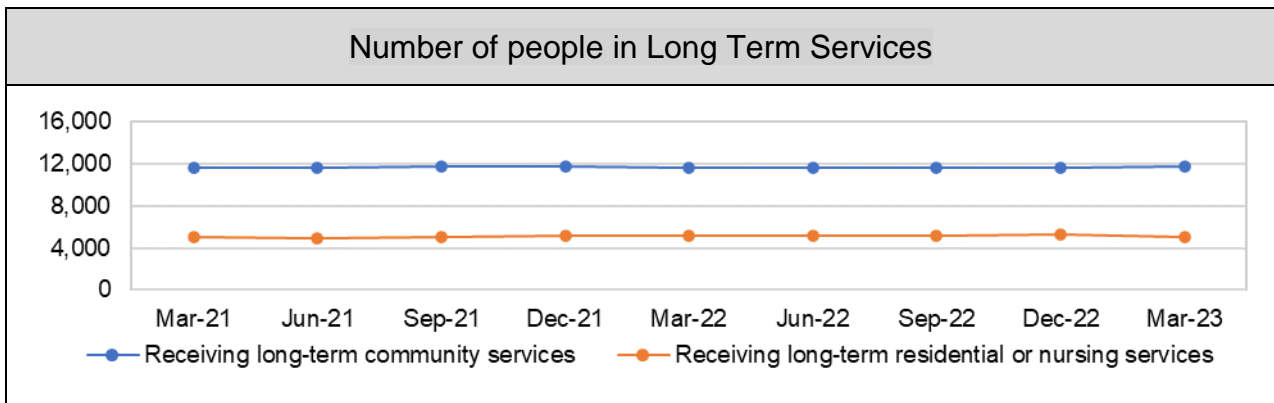


Number of people in Kent Enablement at Home (KeaH)



Number of people in Short Term Beds during the Quarter





Public Health						
Cabinet Member	Clair Bell					
Director	Anjan Ghosh					
KPI Summary	GREEN	AMBER	RED	↑	⇒	↓
	5	0	0	1	2	2

The NHS Health Check programme has made notable progress in the current Quarter. The number of eligible people receiving an NHS Health Check (12-month rolling total) was above the target at 25,144, of which 7,703 were delivered in Quarter 4. This represents an increase of 59% compared to the same quarter in 2021/22 (4,844). More of the eligible population are being invited to an NHS Health Check, with 24,411 being invited this quarter which is an increase of 23% compared to the same Quarter in 2021/22 (19,796). Encouragingly, the uptake of NHS Health Checks continues to recover towards pre-pandemic levels (38% in 2019/20), with 29% uptake in 2022/23, compared to 17% in 2020/21 and 24% in 2021/22.

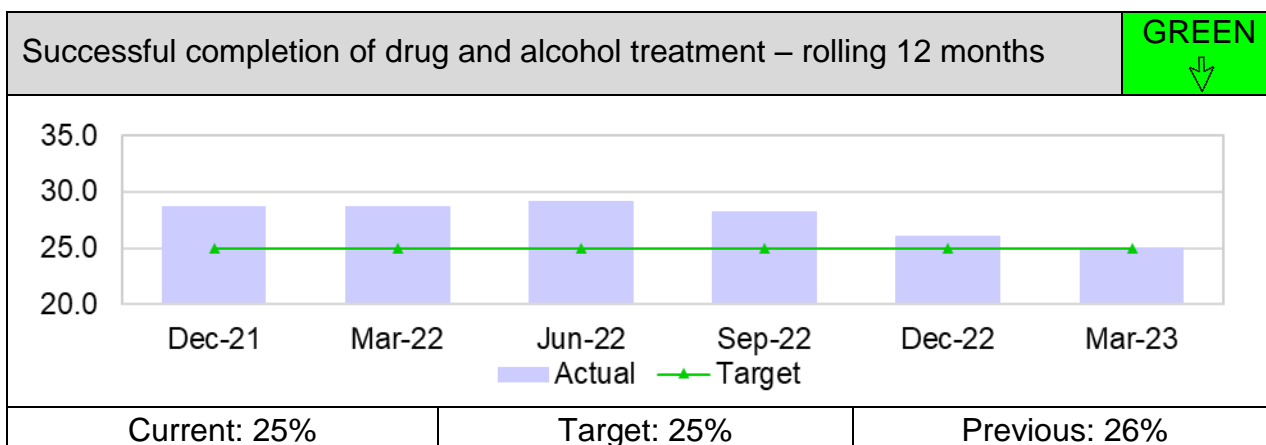
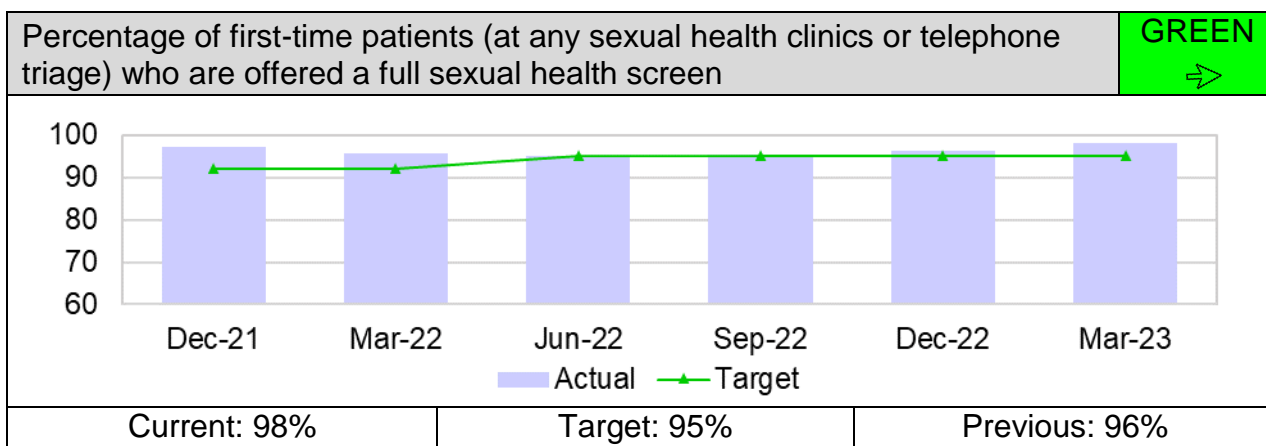
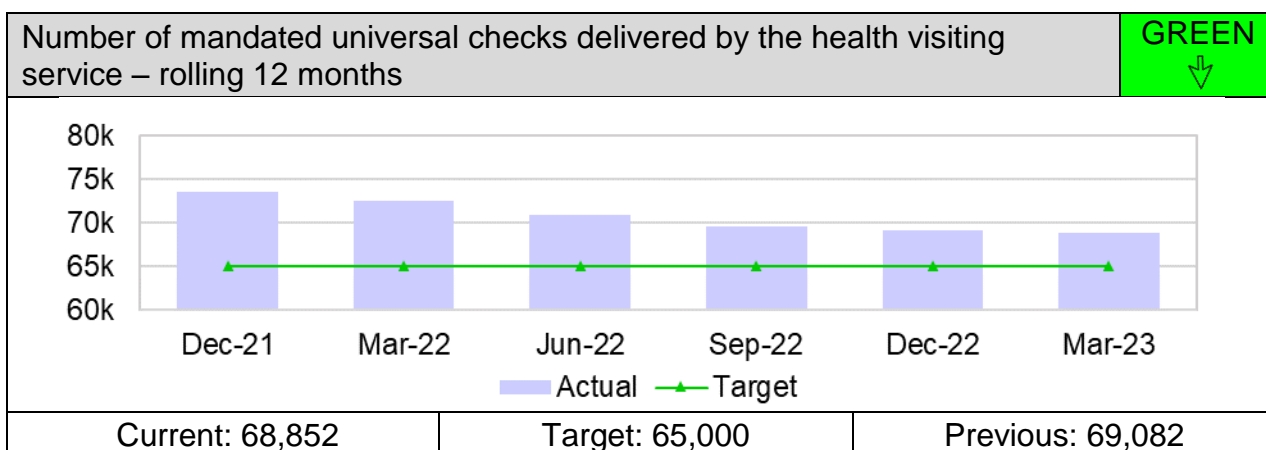
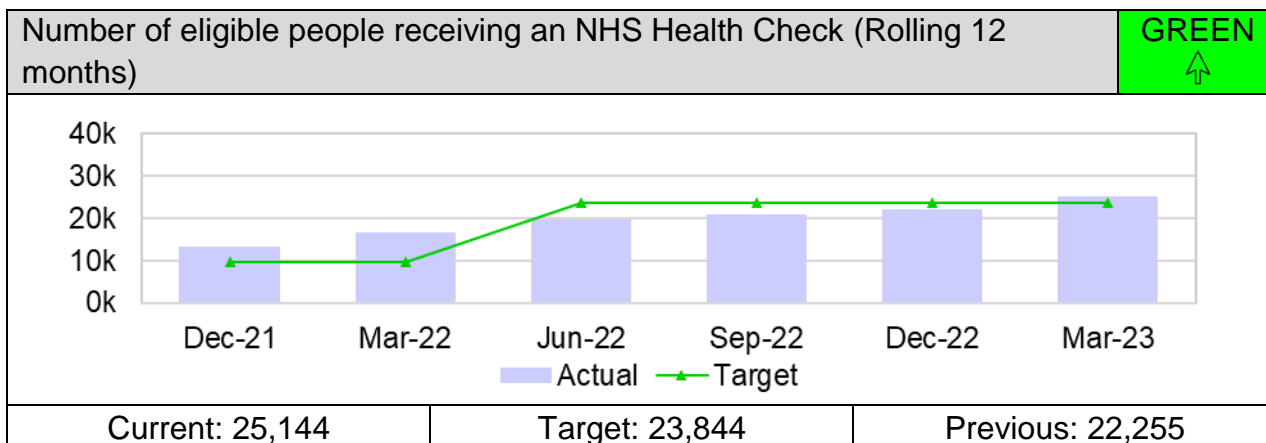
In Quarter 4, the Health Visiting Service delivered 16,752 mandated universal health and wellbeing reviews. Over the whole year (2022/23), there were 68,852 health and wellbeing reviews delivered, exceeding the annual target. Four of the five mandated contacts met or exceeded target with the proportion of new birth visits delivered within 10–14 days at 93%, slightly below the 95% target. Overall, 99% of new birth visits were delivered within 30 days and families with additional needs are always prioritised. At the end of March 2023 (Quarter 4), there were 3,012 children on the health visiting specialist caseload and 5,667 children on the targeted caseload. From 1st April 2023, the target for the total number of health and wellbeing reviews will increase from 65,000 to 68,000.

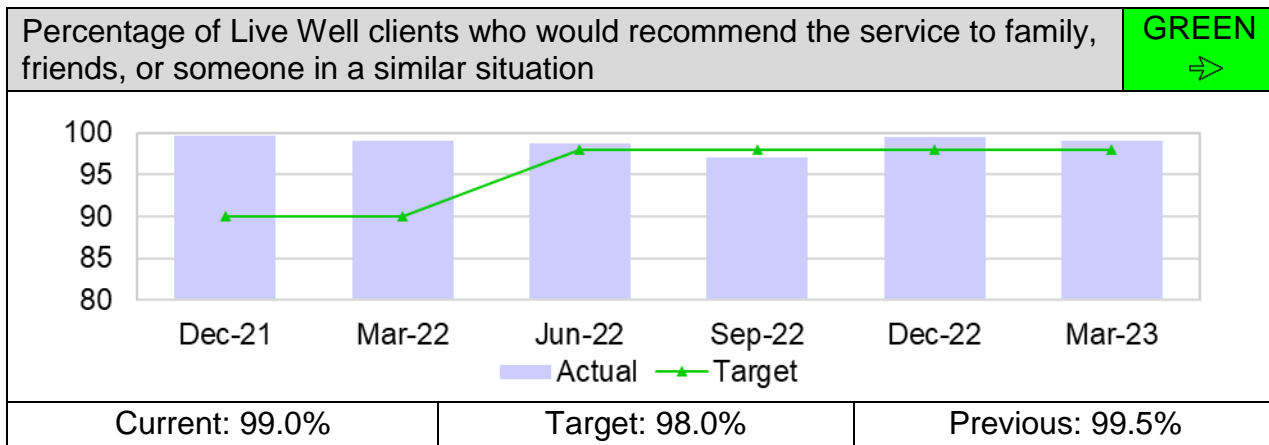
The Sexual Health Service continued to perform above the target for the percentage of first-time patients being offered a full sexual health screen, achieving 98% in Quarter 4. Work is ongoing at the new sexual health site in Flete (Thanet), which is projected to open in Quarter 2, 2023/24. The service has also continued successful proactive outreach work, with collaboration taking place between providers.

Community Drug and Alcohol Services continue to perform above target for the proportion of successful completions from drug and alcohol treatment. However, performance for this measure is on a downward trend. It should be noted that the services have been asked to focus heavily on increasing the numbers in treatment (especially from underserved groups), as per the Office for Health Improvements and Disparities (OHID) instruction. An increase in numbers in treatment is necessary for additional OHID funding to be agreed post-2025. The providers have been reminded of the importance of also continuing to maintain performance across other areas, such as successful completion.

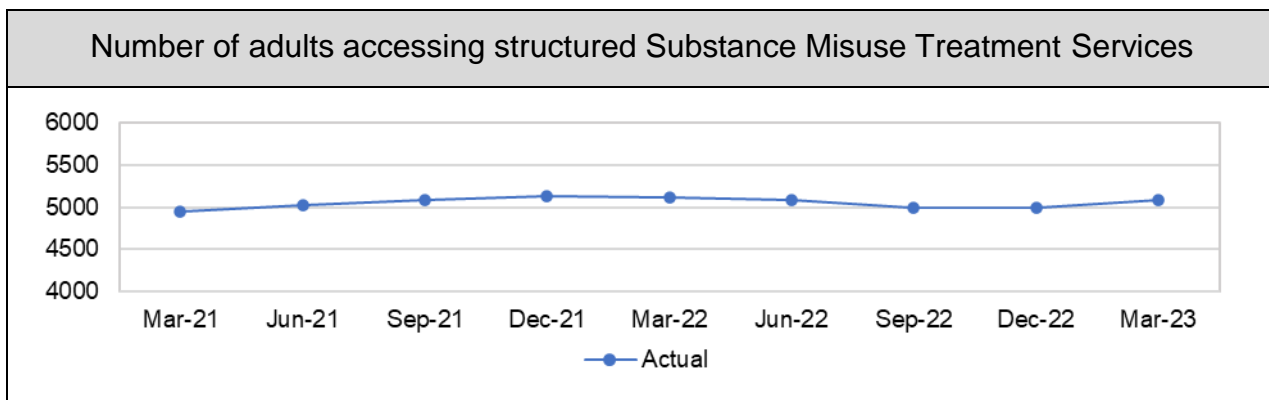
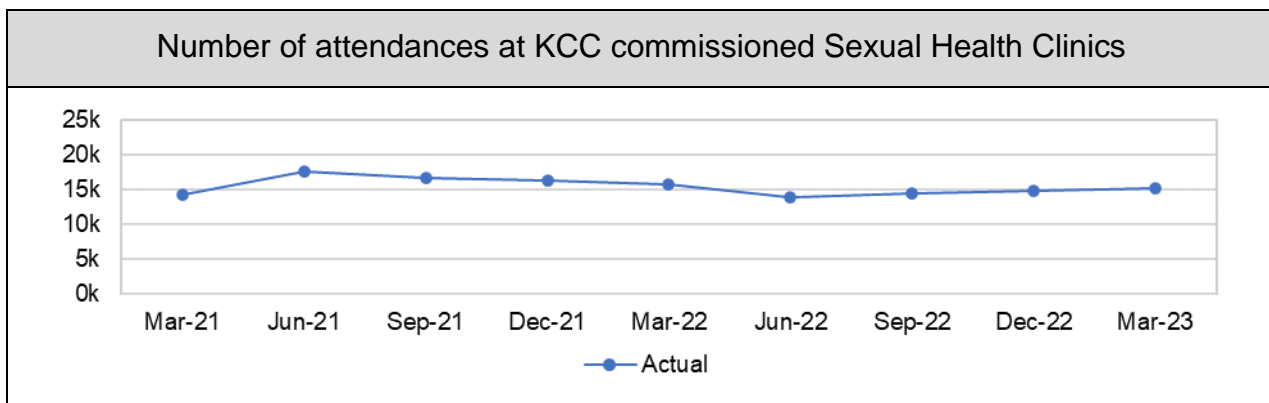
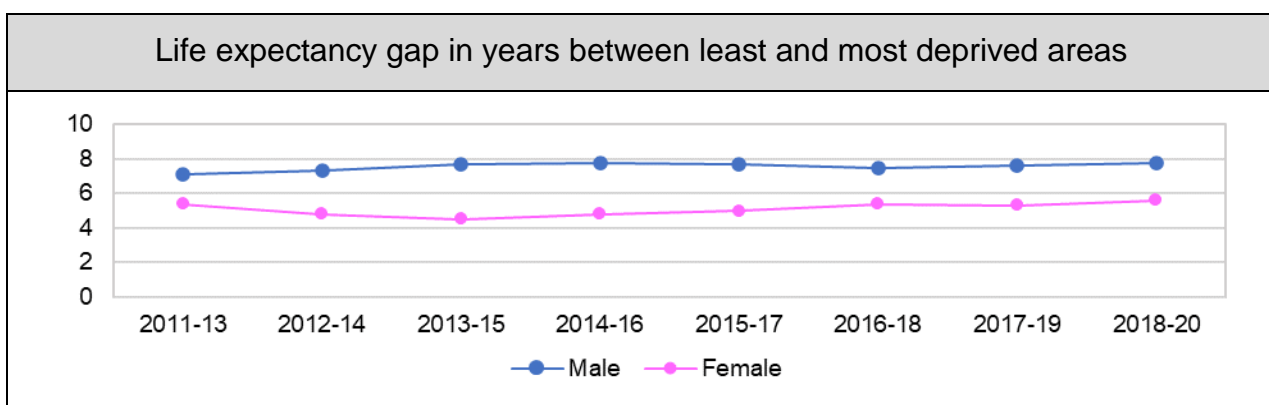
In Quarter 4, Live Well Kent & Medway client satisfaction rates were 99%, exceeding the 98% target. The service continues to report that the cost-of-living crisis is impacting on the mental health and wellbeing of clients. The service continues to mobilise the new contract whilst achieving positive outcomes for clients across Kent. For example, most people supported through the service to enter employment during 2022/23 have secured jobs for more than 16 hours per week. This has resulted in an increased number of people transitioning off employment-related benefits.

Performance Indicators





Activity indicators



Corporate Risk Register – Overview

A combination of the cost-of-living crisis, rising energy bills, inflation pressures and interest rates, all exacerbated by the war in Ukraine and global supply chain issues, mean that the council, its residents, service users and staff are facing significant challenges, which carry risk implications for the achievement of the Authority's objectives.

The table below shows the number of corporate risks in each risk level (based on the risk score) in February 2023, compared with May 2023.

	Low Risk	Medium Risk	High Risk
Current risk level February 2023	0	4	14
Current risk level May 2023	0	6	12

RISK LEVEL REDUCED

CRR0050 – CBRNE incidents, communicable diseases and incidents with a public health implication – KCC response to and recovery from the impacts of the Covid-19 public health emergency

The risk has been in the context of Coronavirus response and recovery and was escalated to corporate level in early 2020. As a result of a reduction in the prevalence of COVID-19 cases in Kent and nationally, the relatively low severity of infections, and the effectiveness of the national vaccine programme the risk rating been reduced further to 15 and is now a medium rated risk. This risk continues to be monitored and will reflect any impact or changes in the coming weeks and months.

CRR0004 – Simultaneous emergency response and resilience

Ensuring that the Council works effectively with partners to plan for, respond to, and recover from, emergencies and service disruptions is becoming increasingly important in light of climate change impacts, national and international security threats, severe weather incidents, threats of 'cyber attacks', border fluidity and more recently, geo-political issues that may impact energy supplies and concerns regarding avian flu.

The risk rating has been reduced from high to medium as the challenges presented over the past two years has seen the County Council demonstrate its ability to respond effectively to simultaneous events. The risk rating is now medium and is at its target level.

MITIGATING ACTIONS

The Corporate Risk Register mitigations are regularly reviewed for their continued relevance and urgency, and new mitigations introduced as required.

Updates have been provided for 13 actions to mitigate elements of Corporate Risks that were due for completion or review up to May 2023. These are summarised below.

Due Date for Review or Completion	Actions Completed/ Closed	Actions Partially complete	Actions subject to Regular Review
Up to and including May 2023	3	7	3

CRR0001: Safeguarding – protecting children at risk

Partially Complete

Progress on actions from the recent Independent Local Authority Children’s inspection to improve SMART planning and reduce drift in progressing children’s plans continued with the launch of the child in need panel process across children’s social work in February 2023, findings from which will be reviewed in coming months and presented to management teams.

Placement stability deep dive work, which aims to manage frequent placement moves, has been completed and the proposals presented to management teams and the Corporate Parenting Panel. This is due to be launched across the service alongside training and updated guidance.

CRR0002: Safeguarding – protecting adults at risk

Regular Review

The review of the KCC Safeguarding Competency Framework and Mental Capacity Act requirements with a view to creating one framework has been impacted by the embedding of the new locality operating model. A revised review date of October 2023 has been set.

CRR0003: Securing resources to aid economic recovery and enabling infrastructure

Partially Complete

The Kent and Medway Economic Framework is drafted and due to be presented to Growth Economic Development and Communities Cabinet Committee for a key decision in June / July 2023.

Partially Complete

Development of a funding framework for accessing the right investment at the right time is ongoing due to several uncertainties in the national landscape, e.g. the future of Local Enterprise Partnerships.

CRR0004: Simultaneous Emergency Response, Recovery and ResiliencePartially Complete

The Kent Resilience Forum (KRF) independent review has now presented its findings to the KRF steering group committee, including a series of recommendations and options for partners to consider in respect of the future function of the KRF, the resource needed to support it, and the funding model. This is being considered by each member of the KRF (18 organisations) before a decision is taken on the way forward.

CRR0009: Future financial and operating environment for Local GovernmentComplete

A robust plan was enacted to reduce the 2022/23 overspend as far as possible and consequently reduce the pressures on the 2023/24 budget, with regular budget monitoring processes in place to assess progress.

CRR0014: Technological resilience and information securityRegular Review

Migration of the remaining non-business-critical services to a data centre has been delayed due to prioritisation of resource to support the Digital Workspace. It is anticipated that the migrations will take place by the end of June 2023.

CRR0015: Managing and working with the social care marketRegular Review

Recommissioning of the care and support in the home framework has been placed on hold. The current contract does have an option to extend if required.

CRR0039: Information Governance

See CRR0014 above for action progress.

Partially Complete

Implementation of the new data breach process has commenced and is being delivered in stages starting with services within the Growth, Environment and Waste Directorate. Aiming for whole Council implementation by the end of June 2023.

CRR0056: SEND and High Needs FundingComplete

KCC has entered into the “Safety Valve” agreement with the Department for Education (DfE), to receive funding over a 5-year period to substantially fund the accumulated deficit on the Dedicated Schools Grant (DSG) High Needs Block (HNB). The agreement requires commitment to areas of review and improvement identified by Department for Education (DfE) to bring in-year spend in line with the in-year budget by 2027/28. A financial contribution from the Council is also expected.

Complete

KCC has established the SEND Improvement Programme which includes the delivery of the Accelerated Progress Plan covering the areas identified in Ofsted and CQC revisit report of 9 November 2022 and the DfE recommendations. Implementation of the plan is subject to stringent monitoring.

CRR0057: Home to School TransportPartially Complete

Work to improve inclusion and for more children to be educated in their local school, including Accelerated Progress Plan and Safety Valve work is in progress and will span several years to be able to demonstrate significant improvement.

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

To: County Council – 13 July 2023

Subject: **Annual Report on Urgent Decisions taken by the Executive – 2022-23**

Classification: Unrestricted

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

Recommendation: The Council is asked to note the report.

INTRODUCTION

1. The Constitution makes provision, under sections 12.32 and 12.33, for the use of urgency procedures as part of Executive decision-making, complying with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
2. In accordance with section 12.37 of the Constitution, this paper serves as the required annual report to Council providing details of when urgency procedures have been used. The purpose of this report is to supply a collated list of urgent decisions and draw Members' attention to those instances when urgency has been necessary. The period covered by the report is 14 July 2022 to 6 July 2023.
3. Detailed consideration of these decisions and the related areas of Council business is the responsibility of the Cabinet Committees and the Scrutiny Committee. The relevant Cabinet Committee will have considered these urgent decisions following their implementation, including receiving reports on the urgency and reasons why pre-decision consideration was not possible when applicable. Should further consideration of any of these issues be desired, Members are asked to liaise with Democratic Services and the relevant Committee Chairs to explore adding them to their work programmes.
4. Since 14 July 2022, **10 decisions were taken via the urgency procedures** detailed in the Constitution and the Executive Arrangements Legislation during the timeframe covered by this Annual Report to Council. **7 of these decisions were semi-urgent**, with the remainder progressed via the full statutory urgency process allowing for immediate implementation. These figures represent a 50% reduction

in the number of decisions progressed via full statutory urgency compared to the previous year.

5. This report sets out the key information of each of these decisions; the decision-maker; the date of decision; a brief summary of the decision; the type of urgency process used and the reason for urgency.
6. The responsibility for determining whether urgency procedures are appropriate sits with the Decision-maker (Cabinet or Cabinet Member), providing that that relevant Senior Officer (commonly the Corporate Director for the relevant Directorate) confirms that the decision cannot be reasonably deferred, taking account of any relevant professional advice. The urgency legislation and constitutional arrangements also require urgency procedure use to be agreed by the Chair of the Scrutiny Committee – such agreement relates only to the urgency requirement, not the merits or otherwise of any decision. Taking account of the Officer and Non-Executive views noted above, the Decision-maker must be satisfied themselves that the use of urgency is correct at the point they make the decision.
7. In line with previous years, a common reason for the urgency relates to limited timeframes between either direction or grant award from central government and the deadline set for KCC to respond. These externally determined deadlines do not take account of the lengthy public notice periods required for normal Executive Decision-making. As noted in the reasons for urgency and the detailed reports associated with the various decisions, some cases presented a choice for the Executive between using urgency procedures to facilitate a decision or rejecting significant funding opportunities on the basis that insufficient notice had been given.
8. Some decisions were progressed via urgency in view of significant financial or legal risks associated with delays to implementation, for example where costs may increase greatly between normal public notice release and eventual decision on the standard six to seven week decision timetable.
9. On occasion, the requirement for the full Executive Member decision process (as per s12 of the Constitution) is identified late in the course of a project or programme. Deferral of implementation should be the starting point but where this is not viable or has significant negative consequences, the Executive may opt to use urgency to ensure progression.
10. The Executive, when required, uses two types of urgent decision permitted under the relevant legislation and detailed in the Constitution. These are;
 - the General Exception route, which is referred to in KCC documentation as 'semi-urgent' because they involve compliance with all normal decision-making processes, but the notice of the proposed decision will have been published on the list of Forthcoming Executive Decisions (FED) for more than 5 but fewer than 28 days; and
 - Cases of Special Urgency, referred to as Statutory Urgency Process or 'full urgency' in KCC. These decisions are subject to a process of requiring agreement by the decision-maker, the relevant senior officer and the Chair of

the Scrutiny Committee that urgency is necessary, followed by consultation with relevant non-Executive Members where possible. Such decisions may be implemented immediately, without advance notice on the FED and they are not subject to call-in.

11. To clarify the terminology further, 'urgency' relates to the adherence to the lengthy timeframes set out in the relevant Executive Arrangements regulations. From a practical perspective, implementation of a decision with fewer than six weeks' notice requires some form of urgency process and a decision requiring implementation with fewer than two weeks' notice requires a fully urgent decision. While efforts are always made to provide long-term notice of all substantive Executive activity through effective planning and governance arrangements, it is vital that the Council has the capacity and agility to respond to changing circumstances and fast-paced situations when necessary.
12. The list provided below for Members' information has been organised into urgent decisions (Full Statutory Urgency) followed by semi-urgent decisions.

Urgent Executive Decisions – 14 July 2022 to 6 July 2023

22/00094 - Family Hubs Transformation

Decision by the Cabinet Member for Integrated Children's Services on 14 October 2022.

Urgency process:

Statutory urgency – immediate implementation.

1. Summary:
KCC applied for Family Hubs Transformation Funding to support the exploration, development and the design of the Family Hubs Model in Kent. Activities included: support project team resource costs, engagement and coproduction activity costs, partnerships and coproduction, and building development and refurbishment costs. The Authority was successful in obtaining the funding. Access to national grants of up to £10m over 3 years would be dependent on the specific proposals being developed.
2. Reason for Urgency:
A Strategic Policy decision to adopt the principle of developing a Family Hub Model for Kent was required to adhere to relevant deadlines from the Department for Education (DfE).

23/00029 - Fee Uplifts for Adult Social Care Providers for 2023/2024

Decision by the Cabinet Member for Adult Social Care and Public Health on 6 March 2023.

Urgency process:

Statutory urgency – immediate implementation.

3. Summary:

In previous years, practice had been to increase provider fees across services at a standard, blanket, percentage rate, in accordance with stipulations in the contracts - either relating to average changes in the CPI (Consumer Price Index) or other review clauses. Constraints in available funding, coupled with both the cost-of-living crisis and recent increasing inflationary pressures, had a material impact on the profitability and, in some cases, the viability of care providers in the light of the fees paid by local authorities. The proposed allocations were those which were affordable in the Council's recently agreed budget. Due to various market pressures facing the sector, it was proposed that the percentage fee increase paid to framework providers varied according to the service provision, in line with the budget availability and the Adult Social Care's Making a Difference Every Day approach.

4. Reason for Urgency:

The fee uplifts needed to be finalised by 3 March 2023 in order to be applied to the Council's Adult Social Care system in time for providers to be able to submit invoices for the revised rates from April 2023. The decision could not reasonably be deferred to the Adult Social Care Cabinet Committee, as this meeting was on 15 March 2023.

23/00057 - Chilmington School Works

Decision by the Cabinet Member for Education and Skills on 17 May 2023.

Urgency process:

Statutory urgency – immediate implementation.

5. Summary:

A new secondary school is due to be opened at Chilmington Green on land provided to KCC via a developer contribution. The DfE is taking responsibility for building the school. Two issues needed to be resolved in order to ensure that the new school building could be built and open as soon as possible. The legal responsibility for funding the resolution to these issues was a matter of contention and potential legal dispute. The Cabinet Member for Education and Skills agreed to allocate £2m of the Children's, Young People and Education capital budget to address the issues covered in the privileged legal advice considered.

6. Reason for Urgency:

To make provision to respond to contractual dispute and continue to support the opening of essential secondary school provision.

Semi-Urgent Executive Decisions - 14 July 2022 to 6 July 2023

22/00077 - Whitfield Aspen Primary School (Dover) sports field

Decision by the Cabinet Member for Education and Skills on 18 August 2022.

Urgency:

Semi-urgent decision.

7. Summary:

The expansion of Whitfield Aspen Primary School from 2Form Entry (2FE) to 3FE on a satellite site was agreed by the Cabinet Member in 2016. The expansion of the school was necessary to support primary school places required within the Whitfield Urban Expansion (WUE).

The sports field was not included in the handover, as a revised design was mandatory, which required the contractor to complete a Section 73 planning application amendment.

Whitfield Aspen is a Primary School across two sites; it is unique in the way that mainstream and SEN pupils are fully integrated. It was essential for service delivery that adequate hard, soft and grassed play areas were provided.

Due to the level of work required to ensure that the sports field was fit for purpose, specialist sports field contractors were engaged to tender for the works. It was expected that the work needed to complete the sports field would cost about £450,000.

8. Reason for the urgency:

The landscaping work had to commence from the beginning of September 2022 to take advantage of optimal seasonal conditions. Delaying the contract until the end of September 2022 would have meant that the works would be deferred until April 2023, and the school would have been without a sports field until Summer 2024 due to the required growing period.

23/00001 - Proposal to establish a new 2FE Primary School in Thanington, Canterbury for September 2025.

Decision by the Cabinet Member for Education and Skills on 22 February 2023.

Urgency:

Semi-urgent decision.

9. Summary:

Canterbury City Council's current Local Plan, adopted on 13 July 2017, proposed a total of just over 16,000 new homes during the Plan period up to 2031. The Canterbury Infrastructure Delivery Plan (2019) included the provision of a 2FE Primary School within the strategic site allocation at Cockering Farm, Thanington. This new school was included in the Kent Commissioning Plan.

In order to establish the new 2FE Primary School in Thanington, KCC was required to run a Free School Presumptive competition to secure an Academy Sponsor.

The predicted cost for building the school at Thanington was £9.9m. Developer contributions of £6.4m were requested and agreed towards the new 2FE Thanington Primary School. KCC was asked to provide the residual funding from the CYPE capital budget.

10. Reason for urgency:
Administrative issues resulted in delayed publication of the Forthcoming Executive Decision (FED).

23/00008 - Gypsy and Traveller Service Improvement Project

Decision by the Cabinet Member for Community and Regulatory Services on 30 January 2023.

Urgency:

Semi-urgent decision.

11. Summary:
KCC secured funding to carry out essential refurbishment on the 7 KCC-owned Gypsy and Traveller Sites. The works would be funded by the Department for Levelling Up, Housing and Communities' (DLUHC) Traveller Site Fund, with the KCC match contribution coming from the Modernisation of Assets capital budget.
12. Reason for urgency:
Due to the numerous changes in central government the previous year, the decision around the award of the DLUHC's Traveller Site Fund was delayed. KCC was advised only on 23 December 2022 that its application had been successful, and that it had been awarded £3.8million in capital grant. Consequently, the timeframe for accepting the funding was very short (13th January 2023).

23/00009 - Holiday Activity and Food Programme

Decision by the Cabinet Member for Education and Skills on 1 February 2023.

Urgency:

Semi-urgent decision.

13. Summary:
The Holiday Activities and Food Programme (HAF) was successfully delivered in Kent for the previous two years, under the wider Reconnect: Kent Children and Young People Programme. It grew in popularity with eligible families, and provided an invaluable form of support during school holidays to children and young people who ordinarily received benefits-related free school meals.

14. Reason for urgency:

The grant determination letter was received from the DfE on 20 December 2022, setting out the Authority's funding allocation and the grant terms and conditions. The grant for 2023-24 (£5.56m) needed to be accepted swiftly, and authority had to be delegated to enable the necessary arrangements to be made to deliver HAF provision during the Easter holidays, which commenced on 3 April 2023.

23/00017 - Revisions of Rates Payable by Kent County Council for Children's Social Care Services in 2023-24

Decision by the Cabinet Member for Integrated Children's Services on 23 March 2023.

Urgency:

Semi-urgent decision.

15. Summary:

The rates payable by Children's Services are reviewed annually, with any revisions normally introduced from the start of the new financial year. Some of the increases are directly linked to the published DfE fostering rates, which are reviewed by the Department annually.

16. Reason for urgency:

The increase in payments and income was reflected in the Council's budget plans presented to County Council on 10 February 2023, under the heading "Inflation - Children's Social Care" at just over £7.0m. This calculation included an assumed uplift for all in-house fostering and associated payments. It was estimated the cost of these proposals would be £0.6m more than provided in the budget, as the DfE annual uplift to the National Minimal Allowance was greater than estimated.

23/00027 - Bus Service Improvement Plan (BSIP) - Grant Funding

Decision by the Cabinet Member for Highways and Transport on 23 March 2023.

Urgency:

Semi-urgent decision.

17. Summary:

Following negotiations with the Department for Transport (DfT) in respect to the Bus Service Improvement Plan (BSIP) indicative funding, the DfT confirmed that they could provide years 1 and 2 of this indicative funding, on the proviso that it was delivered in 2023/24. Following submission of revised initiatives that could be delivered in a 12-month period, the DfT confirmed a funding offer of £18,985,735, which was split as £12,454,840 capital and £6,530,895 revenue. The decision was

to enable the acceptance of this offer, and for the funds to be released by the DfT to KCC.

18. Reason for urgency:

The notification of the award confirmation was issued on 3 March 2023. KCC had to accept the funding by 31 March 2023.

23/00033 - Acceptance of Additional Government Pothole Funding

Decision by Cabinet Member for Highways and Transport on 18 April 2023.

Urgency:

Semi-urgent decision.

19. Summary:

To seek approval to accept and deploy an additional Government Pothole Funding award (£6,054,800), according to the KCC's agreed Asset Management Approach for pothole and patching activity.

20. Reason for urgency:

By accepting and deploying the funding urgently, officers were able to use the Highways Term Maintenance contract to operate swiftly and help address the high-demand levels for repairs and patching, following severe weather.

RECOMMENDATION

The Council is asked to note the report.

Background Documents (listed in date order)

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

22/00094 - Family Hubs Transformation

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2651>

23/00029 - Fee Uplifts for Adult Social Care Providers for 2023/2024

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2687>

23/00057 - Chilmington School Works

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2711>

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

22/00077 - Whitfield Aspen Primary School (Dover) sports field
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2634>

23/00008 - Gypsy and Traveller Service Improvement Project
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2675>

23/00009 - Holiday Activity and Food Programme
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2676>

23/00001 - Proposal to establish a new 2FE Primary School in Thanington Canterbury for September 2025.
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2682>

23/00017 - Revisions of Rates Payable by Kent County Council for Children's Social Care Services in 2023-24
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2694>

23/00027 - Bus Service Improvement Plan (BSIP) - Grant Funding
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2692>

23/00033 - Acceptance of Additional Government Pothole Funding
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2703>

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By: Rosalind Binks – Chair of Governance and Audit Committee
Ben Watts - General Counsel

To: County Council

Date: 13 June 2023

Subject: External Auditor's Annual Report and Value for Money Conclusions
2021/22

Summary: The appended report provides the External Auditor's opinion on the Council's annual financial statements and provides a value for money conclusion. Review for assurance of this is the responsibility of the Governance & Audit Committee, however in line with relevant CIPFA recommendations, the Audit Opinion is now presented to Council for consideration and noting.

1) Introduction

- a) The Appointed Auditor, Grant Thornton UK LLP have issued their Annual Report which is appended. The report enables Grant Thornton to discharge their responsibilities as External Auditor in accordance with the Local Audit and Accountability Act 2014 (the Act) and the National Audit Office Code of Practice, this includes reporting on:
- Financial sustainability
 - Governance; and
 - Improving economy, efficiency, and effectiveness.
- b) The Act also requires the External Auditor to issue an opinion each year as to whether the Council's Financial Statements give a fair view of the financial position of the Council and have been prepared in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code.

2) Governance and Audit Committee's Responsibility

- a) In accordance with CIPFA's Position Statement 2022, the Committee is responsible for considering the opinion and recommendations of External Audit and their implications for governance, risk management or control, and for monitoring management action in response to the issues raised by external audit.
- b) The Governance and Audit (G&A) Committee received the report at their meeting on Thursday, 16th March 2023 and noted the report for assurance. Details of their consideration are available in the relevant meeting minutes. For reference and the reassurance of the Council, the G&A Committee monitors and considers the relevant activity arising from the opinion as part of its work programme and thus considers how the organisation responds to any audit opinion.

3) RECOMMENDATION

County Council is asked to note External Audit Annual Report 2021-22 (appended).

4) Appendices

Appendix: Grant Thornton's Audit Report 2021/22

5) Background Documents

CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022
– <https://www.cipfa.org/services/support-for-audit-committees>

Agenda Item, External Audit Annual Report for 2021-22 –
<https://democracy.kent.gov.uk/ieListDocuments.aspx?Cid=144&Mid=9126>

6) Report Author and relevant Director

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Kent County Council Auditor's Annual Report

Financial Year 2021-22
Page 95
March 2023



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We are required under Section 20(1)(c) of the Local Audit and Accountability Act 2014 to satisfy ourselves that the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the National Audit Office (NAO) requires us to report to you our commentary relating to proper arrangements.

We report if significant matters have come to our attention. We are not required to consider, nor have we considered, whether all aspects of the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.



The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed for the purpose of completing our work under the NAO Code and related guidance. Our audit is not designed to test all arrangements in respect of value for money. However, where, as part of our testing, we identify significant weaknesses, we will report these to you. In consequence, our work cannot be relied upon to disclose all irregularities, or to include all possible improvements in arrangements that a more extensive special examination might identify. We do not accept any responsibility for any loss occasioned to any third party acting or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

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Executive summary












Value for money arrangements and key recommendation(s)




Under the National Audit Office (NAO) Code of Audit Practice ('the Code'), we are required to consider whether the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. Auditors are required to report their commentary on the Council's arrangements under specified criteria and 2021-22 is the second year that we have reported our findings in this way. As part of our work, we considered whether there were any risks of significant weakness in the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources.

Our findings for 2020-21 concluded that there was one significant weakness within arrangements for financial sustainability. This was specifically linked to the High Needs deficit. Our findings for 2021-22 conclude that there are two significant weaknesses within arrangements for financial sustainability – High Needs, which remains weak, and the wider revenue budget. Therefore, overall, the situation for financial sustainability has deteriorated. For 2021-22, we also conclude that there were three other new significant weaknesses within arrangements for governance and improving economy, efficiency and effectiveness as well.

Our conclusions and the direction of travel between 2020-21 and 2021-22 are shown below. Our recommendations for 2021-22 are summarised in Appendix C to this report. Progress in 2021-22 against the key recommendations and improvement recommendations made for 2020-21 is summarised in Appendix D to this report.

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Criteria	Risk assessment	2020/21 Auditor Judgment	2021/22 Auditor Judgment	Direction of travel
Financial sustainability	Risk identified during planning because of the Council's low level of reserves	 Significant weakness in arrangements identified. One key recommendation made and four improvement recommendations made	 Significant weakness in arrangements identified during testing. Two key recommendations and two improvement recommendations made	
Governance	No risk of significant weakness identified during planning	 No significant weaknesses in arrangements identified, but three improvement recommendations made	 Significant weakness in arrangements identified during testing. One key recommendation and one improvement recommendation made	
Improving economy, efficiency and effectiveness	Risk identified during planning because of the inadequate rating issued by Ofsted in respect of Special Educational Needs service provision	 No significant weaknesses in arrangements identified, but two improvement recommendations made	 Significant weakness in arrangements identified during testing and two key recommendations made	

-  No significant weaknesses in arrangements identified or improvement recommendation made.
-  No significant weaknesses in arrangements identified, but improvement recommendations made.
-  Significant weaknesses in arrangements identified and key recommendations made.

Executive summary



Financial sustainability

The Council faces a savings requirement of £86 million in 2023-24 as well as a significant and growing deficit on the High Needs block of the Dedicated Schools Grant and school transport. The Council has reported a significant forecast overspend in 2022-23 that is likely to impact on its financial resilience. Strong decision-making and control over spend will be needed in the coming years, as well as a holistic approach towards managing demand for services. We make two Key Recommendations on Pages 13 and 14 and two Improvement Recommendations on Pages 15 and 16 of this report. These issues are very unlikely to be resolved by additional Government funding. The Council's administration will need to make some hard decisions about priorities and service provision.

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Governance

There was a failure to comply with the Council's constitutional requirements in relation to the re-procurement of the SEND transport provision. The Annual Governance Statement includes comments on issues and complaints about feelings of safety in meetings and on committees. In addition, a review of the Governance and Audit Committee undertaken by CIPFA commented in July 2022 that the Committee should be more apolitical. We make one Key Recommendation on Page 21 and one Improvement Recommendation on Page 22 of this report. In response to the issues we have highlighted, we are undertaking a more in depth review of governance in the Council.



Improving economy, efficiency and effectiveness

Ofsted and CQC reported in November 2022 that there has been inadequate progress with required improvements to the Council's SEND services. The required improvements were reported in 2019. Also, a failed re-procurement of SEND transport in February 2022 resulted in significant service disruption. We make two Key Recommendations on Pages 26 and 27 of this report. Given the size of the budget deficit which is continuing to grow, the arrangements for achieving value for money are clearly inadequate in this service.



We are nearing completion of our audit of your financial statements and plan to issue an unqualified audit opinion following the Governance and Audit Committee meeting on 28 February 2023. Our findings are set out in further detail on page 28.



Opinion on the financial statements and use of auditor's powers

We bring the following matters to your attention:

Opinion on the financial statements

Auditors are required to express an opinion on the financial statements that states whether they : (i) present a true and fair view of the Council's financial position, and (ii) have been prepared in accordance with the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22.

We are nearing completion of our audit of your financial statements and plan to issue an unqualified audit opinion following the Governance and Audit Committee meeting on 28 February 2023. Our findings are set out in further detail on page 28. This opinion will be issued by 31 March 2023.

Statutory recommendations

Under Schedule 7 of the Local Audit and Accountability Act 2014, auditors can make written recommendations to the audited body which need to be considered by the body and responded to publicly.

We did not issue statutory recommendations.

Public Interest Report

Under Schedule 7 of the Local Audit and Accountability Act 2014, auditors have the power to make a report if they consider a matter is sufficiently important to be brought to the attention of the audited body or the public as a matter of urgency, including matters which may already be known to the public, but where it is in the public interest for the auditor to publish their independent view.

We did not issue a Public Interest Report.

Application to the Court

Under Section 28 of the Local Audit and Accountability Act 2014, if auditors think that an item of account is contrary to law, they may apply to the court for a declaration to that effect.

We did not apply to the Court.

Advisory notice

Under Section 29 of the Local Audit and Accountability Act 2014, auditors may issue an advisory notice if the auditor thinks that the authority or an officer of the authority:

- is about to make or has made a decision which involves or would involve the authority incurring unlawful expenditure,
- is about to take or has begun to take a course of action which, if followed to its conclusion, would be unlawful and likely to cause a loss or deficiency, or
- is about to enter an item of account, the entry of which is unlawful.

We did not issue an advisory notice.

Judicial review

Under Section 31 of the Local Audit and Accountability Act 2014, auditors may make an application for judicial review of a decision of an authority, or of a failure by an authority to act, which it is reasonable to believe would have an effect on the accounts of that body.

We did not apply for a judicial review.

Securing economy, efficiency and effectiveness in the Council’s use of resources

All Councils are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness from their resources. This includes taking properly informed decisions and managing key operational and financial risks so that they can deliver their objectives and safeguard public money. The Council’s responsibilities are set out in Appendix A.

Councils report on their arrangements, and the effectiveness of these arrangements as part of their annual governance statement.

Under the Local Audit and Accountability Act 2014, we are required to be satisfied whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

The National Audit Office’s Auditor Guidance Note (AGN) 03, requires us to assess arrangements under three areas:

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Financial Sustainability

Arrangements for ensuring the Council can continue to deliver services. This includes planning resources to ensure adequate finances and maintain sustainable levels of spending over the medium term (3-5 years).



Governance

Arrangements for ensuring that the Council makes appropriate decisions in the right way. This includes arrangements for budget setting and management, risk management, and ensuring the Council makes decisions based on appropriate information.



Improving economy, efficiency and effectiveness

Arrangements for improving the way the Council delivers its services. This includes arrangements for understanding costs and delivering efficiencies and improving outcomes for service users.



Our commentary on the Council’s arrangements in each of these three areas, is set out on pages 7 to 27. Further detail on how we approached our work is included in Appendix B.

Financial sustainability



We considered how the Council:

- Identifies all the significant financial pressures that are relevant to its short and medium-term plans and builds them into its plans
- Plans to bridge its funding gaps and identify achievable savings
- plans its finances to support the sustainable delivery of services in accordance with strategic and statutory priorities
- Ensures its financial plan is consistent with other plans such as workforce, capital, investment and other operational planning which may include working with other local public bodies as part of a wider system
- Identifies and manages risk to financial resilience, such as unplanned changes in demand and assumptions underlying its plans

FS1: Identifies significant financial pressures and builds them into plans

FS2: Plans to bridge funding gaps and identify achievable savings plans

FS3: Plans finances to support the sustainable delivery of services in accordance with priorities

The Revenue Budget

The Revenue Budget for 2021-22 was approved in February 2022, with a Net Budget Requirement of £1,129 million. The Net Budget Requirement assumed that the Council would draw down £22.2 million from reserves during 2021-22 and that it would generate savings and income of £39.6 million. The year end outturn report for 2021-22 shows that the Council went on to achieve a small underspend during the year of £7.6 million, after the revenue accounts received contributions from the General Fund and Earmarked Reserves of £15.3 million.

The reported underspend for 2021-22 indicates that financial pressure was managed well during the year. However, the underspend was stated net not only of roll-forwards of £7.1 million but also of some £7.7 million of central funds and one-off grants released to support Adult Social Care and Health costs. The reported underspend also excluded a deficit of £41.2 million on Schools Delegated Budgets. Demand for Children's Social Care, Adult Social Care, and the High Needs block of the Dedicated Schools Grant was rising in 2021-22 but the effects of increased demand were somewhat masked by

savings in other parts of the budget; one-off income; and the statutory override for the High Needs deficit.

The financial challenges have increased since the end of 2021-22. During 2022-23, demand for services continued to rise; inflation increased significantly; and some planned savings were delayed or not delivered. The Net Revenue Budget for 2022-23 allowed for price inflation of £28.6 million and increased demand and cost drivers of £20.7 million. Savings and additional income of £37.9 million were planned for the year to balance the budget but the Council recognised within the budget report that *'Delivering a savings programme of this magnitude will be challenging and will require some tough decisions'*. The budget included a risk reserve of £25 million to reflect the financial challenge the Council faced.

However, the year 2022-23 has proved even more challenging than the budget planned for. The invasion of Ukraine by Russia happened a few weeks after the budget was set and the related financial consequences have impacted councils across the country. Quarter 2 data presented to Cabinet in December 2022 forecast that the non-school's revenue account would overspend by £60.9 million by the end of the year. Factors driving the expected overspend include significant increases in the weekly costs of Adult Social Care because of inflation in the labour and provider market; adult hospital discharges having more complicated needs; rising energy costs affecting adult social care residential overheads and the cost of home to school transport; and increased demand coupled with more complicated needs for children in care.

The overspend that the Council expects to incur in 2022-23 is likely to affect the Council's ability to continue to deliver the services currently provided or to the same level in future years. Whereas in February 2022 the Council had identified the need to make savings of £36 million for 2023-24, by January 2023, the Council was anticipating a much higher savings need of £86 million for 2023-24.

In November 2022, shortly before the Quarter 2 data was reported to Cabinet, the leader of Kent County Council wrote jointly with the leader of Hampshire County Council to the Prime Minister, the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government. In their joint letter, the leaders stated that they were *'facing budget deficits over the next few years of a scale that has never been seen before'* and that *'without some immediate help and a clear plan for long term financial sustainability we are likely to be considering Section 114 notices within the next year or so'*. The leaders stated that the amount they could raise from council tax and business rates would barely cover normal inflationary pressures, leaving no funding to cover expected significant ongoing growth in adult and children's social care services.

Whilst the year 2021-22 itself reported a net revenue underspend, the underlying budget deficits particularly arising from adult and children's social care demand and price pressures and funding shortfalls were clearly present. The pace of cost increases in the social care sector poses a significant risk. The joint letter to the Prime Minister shows that the Council understands the severe financial situation it is in but nevertheless the Monitoring Officer highlighted in the Annual Governance Statement for 2021-22 that there have been instances of the administration directing resources to non-core activities. To avoid the s114 notice that the Council predicted to the Prime Minister, steps need to be taken by the Council itself to control expenditure, which may mean the administration having to make difficult decisions in the future around non-core activities. We state this in a Key Recommendation on Page 13. The Council's Strategy for 2022-26 ('Framing Kent's Future') outlines what the Council's strategic objectives are for the next four years. The ruling administration will need to prioritise, and the Council will need to be able to communicate how and what it prioritised.

For Kent in particular, we also note that risks in the budget are exacerbated by the demand management difficulties it has not only in the Special Educational Needs and Disability sector but with inwards migration as well.

Special Educational Needs and Disability (SEND)

During 2021-22, Kent County Councils' Schools' Delegated Budgets overspent by £41.2 million. Within the Schools line of accounts, the High Needs deficit increased from £51M at the start of 2021-22 to £97M by the end of 2021-22. Demand for High Needs support has been rising in Kent since 2014 and we reported in the Annual Auditors Report for 2020-21 that there were significant weaknesses in the financial sustainability of the High Needs service. At the time of writing this 2021-22 Auditors Annual Report, the Council estimates that a child in Kent is 20% more likely to receive an Education, Health and Care Plan (EHCP) in Kent than any other County.

Since May 2022, the Council has been working proactively with the Department for Education (DfE) to agree a safety valve recovery package. The Council has also been working hard, including with external consultants, to build a strategy for managing down demand. Although profiling is not yet complete, papers reviewed during our testing indicated that the Council will be able to contain the growth of the deficit to £220 million by 31 March 2028. DfE has proposed to write off a proportion of the forecast cumulative deficit (by the end of 2027-28). In return, the Council will be required to identify funding to cover the residual deficit and agree to make significant changes to local High Needs systems so that they are on a more sustainable financial footing and better placed to respond to pupils' needs.

Demand management initiatives that the Council is already working on focus on transition points (11+ and 16+); challenging schools to build-in more mainstream SEND support capacity; working with parent groups; and liaising with the adult social care service line (as the children of today will be the Council's adult service users of the future). The direction of travel is positive, but it will take several years for the deficit to be eradicated. For 2021-22 there remains a significant weakness within arrangements for a financially sustainable SEND service.

We note that the high number of children with High Needs using special and private schools in Kent has also led to a significant increase in the Council's school transport costs. During 2021-22, the Council spent some £50 million per annum on school transport. With energy costs rising, there is a risk that this cost will continue to rise. The Council re-procured school transport in February 2022 but with a final cost saving of only £1 million per annum.

We also note that despite the high costs incurred, Ofsted and the Care Quality Commission (CQC) reported in November 2022 that there remain significant quality and operational weaknesses within the Council's SEND services. We make a Key Recommendation on Page 14 of this report that a more holistic approach needs to be taken to managing SEND demand and SEND financial management issues in Kent.

Migration

Kent County Council spends around £27 million per annum on asylum. The asylum costs relate to duties discharged in connection with Unaccompanied Asylum-Seeking Children. In addition, from separate grant funds, Kent plays the same role as other Councils in co-ordinating Afghan and Ukrainian resettlement schemes. What makes Kent unique is, because of geographical location, the county also hosts key Home Office funded sites for asylum seekers: Manston processing centre; Napier Barracks; and at least ten hotels used by the Home Office as holding centres for newly arrived asylum seekers. The Council bears no direct costs for Home Office sites but does retain statutory duties for public health; safeguarding; schooling; and counter terrorism (Prevent) for all the people staying in and around them. For this, the Council receives no additional funding.

As a gateway authority and as one of the UK's key borders with the Continent, Kent sees high migration traffic. The Council has to manage the day-to-day impacts on its domestic population as well. In July 2022, the Council was forced to take a conscious decision not to comply with statutory duties under the Children Act as the high number of unaccompanied asylum-seeking children arriving in the county made effective compliance impossible. The Home Office introduced a new national scheme shortly afterwards to alleviate some of the pressure on Kent. In November 2022 the leaders of all 14 local authorities in Kent and Medway wrote jointly to the Home Secretary outlining the 'overheating' in the system and the fact that people were not receiving the statutory services they are entitled to because the system is overwhelmed by the volume of demand. The letter stressed that the geographic area would not be able to cope with hosting any additional Home Office sites.

The letter to the Secretary of State contained little financial data outlining the additional cost to the Council of public health; safeguarding; schooling; and counter terrorism for Home Office sites. Internal reporting within the Council on Home Office site impacts also tends to focus on actions and outputs rather than quantifying what it costs the Council to deal with the statutory duties around the sites. Many of the Council's additional costs are sunk in staff time which is not easily quantified. Whilst there is no guarantee of additional funding, capturing and reporting the additional costs could add weight to representations to government and we note this in an Improvement Recommendation on Page 15.



FS4: Ensures financial plan is consistent with other plans

The Council has in place a Capital Strategy, Treasury Management Strategy, Investment Strategy and People Strategy which align with corporate aims. The Capital Strategy is supported by a Capital Programme which, since 2022-23, has been phased over ten years and supported by a reserve to fund feasibility costs. The ten year Capital Programme was introduced in response to a growing trend of year on year slippage in capital spending. Our Auditor’s Annual Report for 2020-21 identified that £175.4 million of planned capital spending for 2020-21 had been re-phased to later years and we recommended that steps be taken to reduce slippage in future years. Revenue and Capital Outturn reporting for 2021-22 recorded further slippage in 2021-22 of £171.7 million. Despite the move to a ten year Capital Programme, slippage remains relatively high. Quarter 2 data for 2022-23 presented to Cabinet in December 2022 forecast slippage of £103.7 million for 2022-23. This can make planning for the cost of capital difficult, although it is noted that part of the slippage is planned rephasing to reduce pressures on the budget.

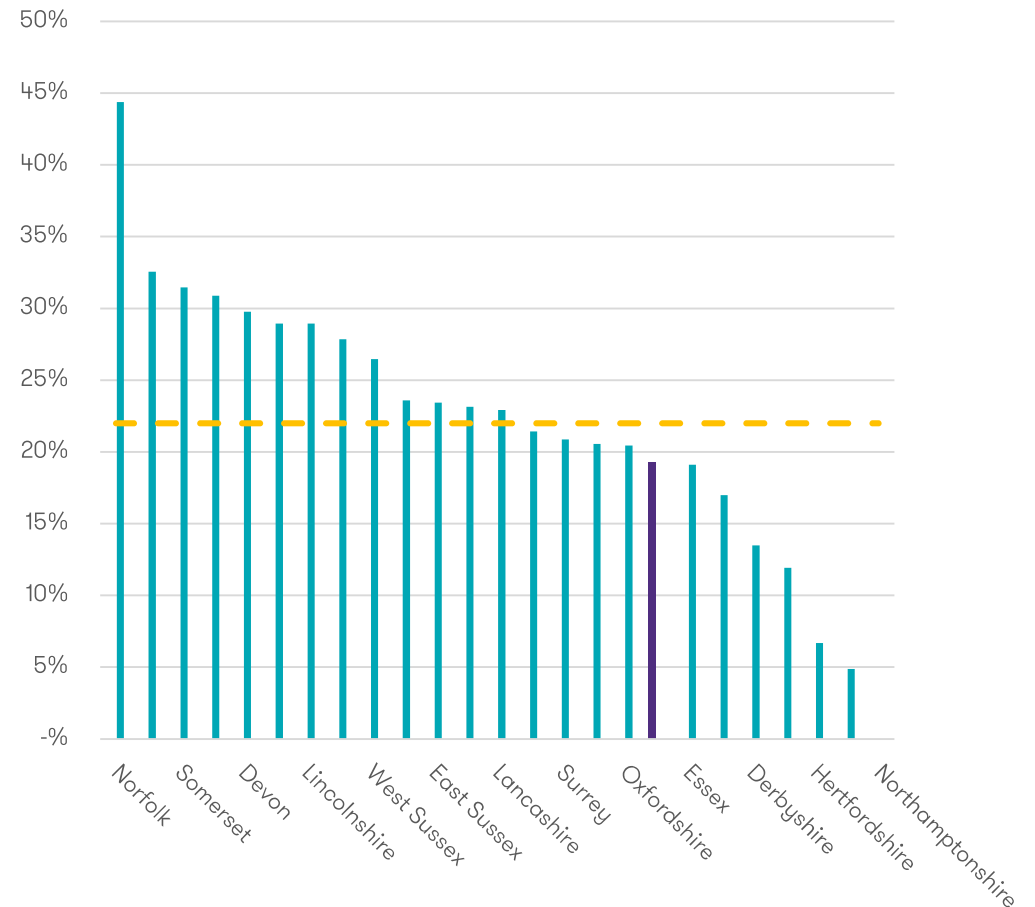
The Council’s long term borrowings as a proportion of long term assets are not excessive when compared with other Councils (see Figure 1), however the overall size of the Capital Programme is high (expected to be £1,624 million over ten years from 1 April 2023), and the total cost of financing and servicing the programme therefore remains an issue for the Council. In recent years the Council has, to a degree, benefitted from internal borrowing to fund the capital programme but calls on reserves and changes in the wider economic climate may make this harder going forward. It will be important to maintain discipline around the financial and operational cost of the capital programme if the Council is to reduce pressure on the revenue account and reserves in future years. The likely future increases in the cost of borrowing is a key fact that members need to consider in the medium term financial strategy.

Asset rationalisation rather than capital addition is expected to be a high strategic priority for the Council in the coming years. The Council’s need for an efficient, adequate and appropriate estate which maximises growth potential and minimises carbon footprint was first identified in the Asset Management Strategy for 2018 – 2023. In 2020-21, the Council’s Strategic Reset Programme included a review of Future Assets which covered three workstreams: Office (including the Strategic Headquarters in Maidstone); Communities (including sports, youth and library facilities); and specialist assets (including waste, highways depots, and gypsy and traveller sites). During 2021-22, the Council spent some £4 million on the Future Assets review. At the time of writing this report, the administration had still to make a decision on Strategic Headquarters but a consultation on community assets was scheduled to commence in January 2023. The Council has taken steps to engage legal and professional advice and has estimated that backlog capital expenditure of some £165 million (compared to a budget of £30 million) could be saved by asset rationalisation.

Figure 1:

Long-term borrowing as a proportion of long term assets (%), comparing 24 English County Councils on 31 March 2022.

Source: Unaudited financial statements 2021-22 (Kent shown in purple)



FS5: Manages risk to financial resilience

Kent County Council identified in the February 2022 Section 25 Assurance Statement for 2022-23 that its reserves were 'adequate but not generous' and require 'continuous monitoring given the risks the Council is facing'. Our own benchmarking analysis supports this assessment. Comparing year end 31 March 2022 reserves data for 24 county councils, we identified that whilst Kent's reserves were not the lowest, they were lower than average for that date, as Figures 2 and 3 show.

The overspends in 2022-23 represent a significant risk to the reserves. The Council's February 2023 Section 25 Assurance Statement for 2023-24 identifies that latest forecasts for 31 March 2023 estimate reserves will be some £99 million lower than they were on 31 March 2022. The section 25 report concluded in February 2023 that "if the forecast outturn for 2022-23 is not brought down to a level that can be covered by reserves set aside for budget risks and stabilisation this poses a significant risk to the adequacy of reserves and thus the Council's financial resilience". Closing the High Needs deficit will also represent a significant demand for reserves. The Council needs to make provision to repay a proportion of the accumulated deficit from General Fund reserves as part of the Safety Valve agreement with the Department for Education. Currently there is no specific provision within General Fund reserves for this repayment. At the time of writing this report, High Needs Safety Valve contributions were expected to require significant input from the reserves over a period of several years.

Standards around reporting a medium term financial plan have improved at the Council. For 2020-23 and 2021-24, no formal Medium Term Financial Strategy was prepared as there was considered to be too much uncertainty. Instead, a two year 'Financial Outlook' document was prepared in February 2021. However, by February 2022, a full three year 'Revenue and Financing Plan' was prepared for 2022 - 2025. At the time it was prepared, the three year plan identified savings and income requirements of £38 million in 2022-23; £36 million in 2023-24; and £26 million in 2024-25. There was very little headroom (or margin for error) in the budget – just £11.8 million in 2024-25 and no supporting sensitivity or scenario analysis. As we have seen, the savings and income requirement for 2023-24 increased afterwards to £86 million; inflation has been high; and demand for services continues to grow. Sensitivity and scenario analysis may help the Council plan effectively for worst case (and best case) scenarios. A draft medium term financial plan for the three years 2023 - 2026 was prepared in January 2023 but this also does not include sensitivity or scenario analysis. We note an Improvement Recommendation for future years on Page 16 of this report.

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Figure 2:

Reserves as a proportion of net cost of services (%), comparing 24 English County Councils on 31 March 2022.

Source: Unaudited financial statements 2021-22 (Kent shown in blue).

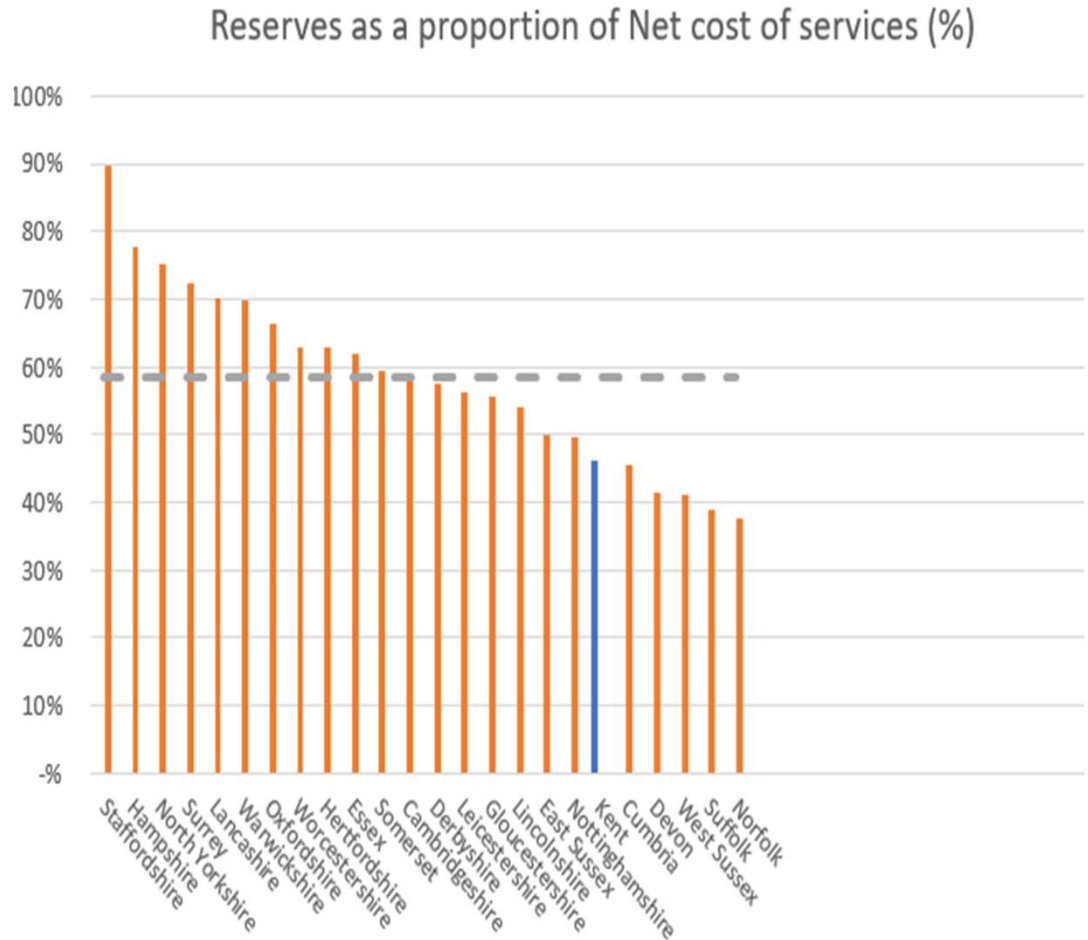
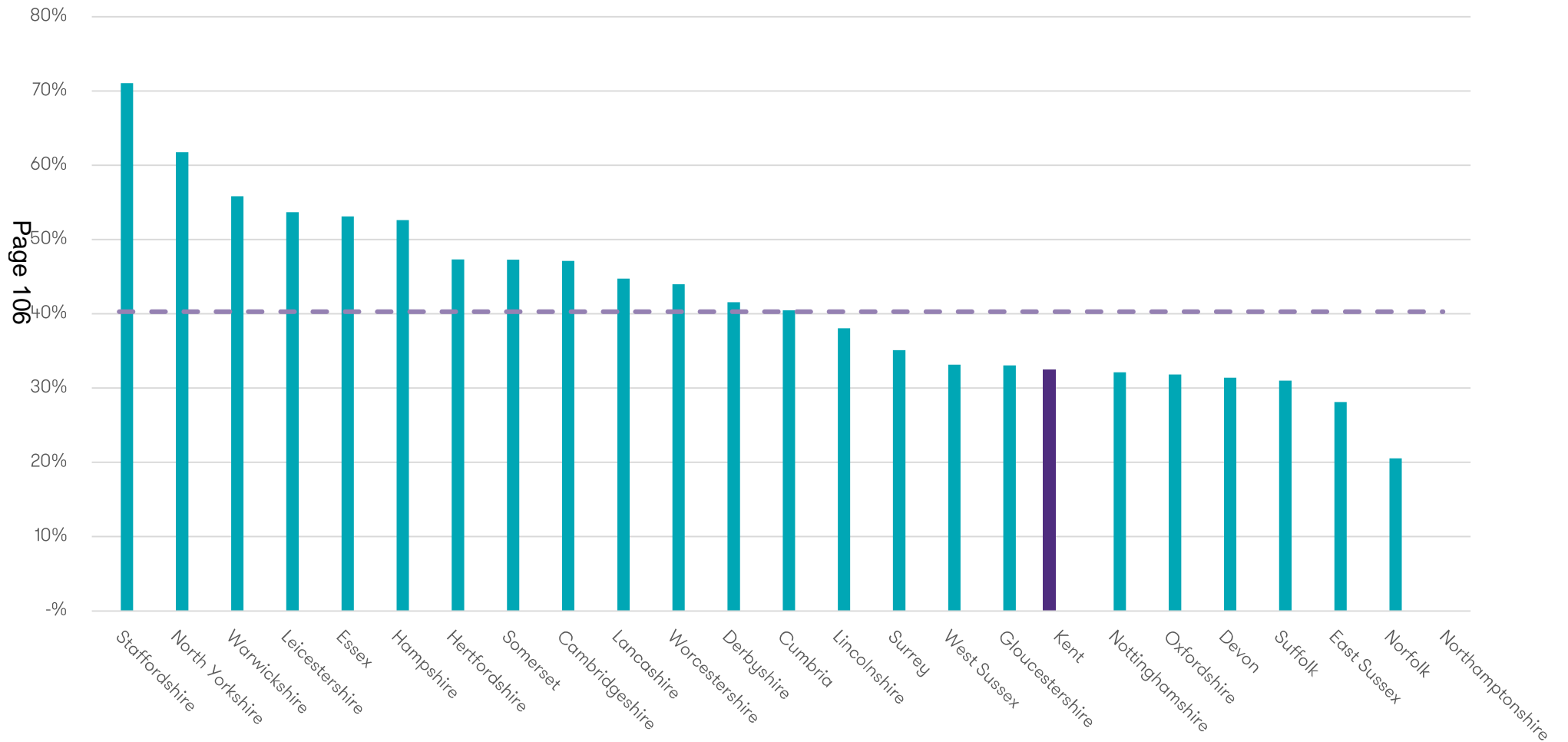


Figure 3:

General fund and non-schools earmarked general fund reserves as a percentage of net service revenue expenditure (%), comparing 24 English County Councils on 31 March 2022.

Source: Unaudited financial statements 2021-22 (Kent shown in purple).



Key recommendation



Financial sustainability – spending control

Key Recommendation 1

Steps need to be taken by the Council to control expenditure. This is necessary now to avoid the future s114 notice that the Council predicted to the Prime Minister. The Council will need to be realistic about the capacity available to support delivery of the savings. The administration will need to prioritise and consult and will need to be able to communicate how and what it prioritised. Some very difficult decisions will need to be made by the ruling administration to reduce expenditure and in some cases withdraw or pare back existing services.

Why/impact

The Council faces a substantial savings requirement for 2023-24 of £86 million in order to deliver a balanced budget against the backdrop of a significant forecast overspend in 2022-23. The Leader of the Council joined the Leader of Hampshire Council in a November 2022 letter to the Prime Minister, Chancellor of Exchequer and Secretary of State outlining that the amount they could raise from council tax and business rates would barely cover normal inflationary pressures, leaving no funding to cover expected significant ongoing growth in adult and children's social care services, which if left unaddressed would lead to a s114 notice.

Auditor judgement

In the absence of additional government funding, which is unlikely in the current economic climate, difficult decisions about reduced spending will be necessary in the near term. Effective consultation and communication with residents about how and what the ruling administration prioritises will be necessary.

Summary findings

The Council faces an £86 million savings requirement in 2023-24. Strong steps and focus to control costs will be needed to maintain the council's financial sustainability.

Management Comments

The council has introduced a range of measures to control expenditure and to minimise non-essential expenditure as much as possible. The management action being taken to control and reduce expenditure is formally reported in the quarterly finance monitoring report that is presented to Cabinet. The progress on delivery of the savings agreed by County Council are also formally reported to Cabinet in the quarterly report. In recognition of the challenging financial situation and the need to contain growth and identify savings to ensure financial sustainability over the medium term, the 2024-25 and MTFP budget process will commence in April 2023.



The range of recommendations that external auditors can make is explained in Appendix B.

Key recommendation



Financial sustainability – Special Educational Needs and Disability (SEND)

Key Recommendation 2

The Council should take a holistic approach towards managing SEND demand and SEND financial management issues in Kent. This will involve the ruling administration making some difficult decisions.

Why/impact

During 2021-22, Kent County Councils' Schools Delegated Budgets overspent by £41.2 million. Within the Schools' line of accounts, the High Needs deficit increased from £51M at the start of 2021-22 to £97M by the end of 2021-22. The Council also spends around £50 million per annum on transporting children including those with SEND to school. As the Council has already recognised, the children with needs of today may become the Council's adult service users of the future.

Auditor judgement

The Council is working with DFE to agree a recovery package for the High Needs deficit. In return for a proportion of the deficit being written off by DFE, the Council will need to provide funding to write down the rest of the deficit by the end of 2027-28 and will need to make the service more financially sustainable. Wider impacts also need to be considered by the Council. For example, re-procuring the transport service for a net saving of £1 million may in the long term be less impactful than working with school and parent stakeholders to influence expectations, behaviour and demand.

Summary findings

There is still a growing deficit in High Needs spending per annum, leading to high transport costs and, in the future, potentially even more strain on adult social care costs.

Management Comments

The oversight and management of the SEND agenda, both service transformation and fiscal prudence are now a whole Council priority. This is being delivered through the internal SEND Transformation Board, which reports to the Council's Strategic Reset Programme Board. Cross Council expertise and resource has been committed to provide advice, support and oversight, ensuring a holistic approach to the demand and financial SEND management issues.



The range of recommendations that external auditors can make is explained in Appendix B.

Improvement recommendation



Financial sustainability – incremental cost data

Improvement Recommendation 1

The Council should consider capturing and reporting the additional costs of public health; safeguarding; schooling; and counter terrorism related to Home Office asylum seeker sites.

Page 109

Why/Impact

The cost data could add weight to representations to government.

Auditor judgement

Scope for using financial data as a tool for promoting Kent's interests.

Summary findings

Internal reporting within the Council on Home Office site impacts tends to focus on actions and outputs rather than quantifying what it costs the Council to deal with the statutory duties around the sites. Many of the Council's additional costs are sunk in staff time. The Council has little financial data summarising exactly what the additional costs are.

Management Comments

The additional cost information relating to the Home Office Asylum Seeker sites that can be separately identified will be captured and reported.



The range of recommendations that external auditors can make is explained in Appendix B.

Improvement recommendation



Financial sustainability – sensitivity analysis

Improvement Recommendation 2

Sensitivity analysis or scenario testing should be presented to Cabinet and published alongside the medium term financial strategy for 2022-2026 or with future medium term financial plans.

Page 110

Why/impact

The headroom in the Council's budget is very low and there is little margin for error. Inflationary, demand and High Needs pressures on the budget are very high. Sensitivity analysis may help to sharpen the focus on risk in the medium-term financial plan.

Auditor judgement

Sensitivity and scenario analysis in the medium term financial plan may help the Council plan effectively for worst case (and best case) scenarios.

Summary findings

Industry best practice (to include scenario testing within MTFs) not followed.

Management Comments

The approach to financial planning is reviewed and improved on a regular basis. AS part of the planned development for 2024-25, Sensitivity analysis/scenario testing will form part of the medium term financial planning process.



The range of recommendations that external auditors can make is explained in Appendix B.

Governance



We considered how the Council:

- Ensures it makes properly informed decisions, supported by appropriate evidence and allowing for challenge and transparency. This includes arrangements for effective challenge from those charged with governance/audit committee
- Monitors and ensures appropriate standards, such as meeting legislative/regulatory requirements and standards in terms of staff and board member behaviour (such as gifts and hospitality or declaration/conflicts of interests) and where it procures and commissions services.
- Monitors and assesses risk and gains assurance over the effective operation of internal controls, including arrangements to prevent and detect fraud
- Approaches and carries out its annual budget setting process
- Ensures effective processes and systems are in place to ensure budgetary control; communicate relevant, accurate and timely management information (including non-financial information); supports its statutory financial reporting; and ensures corrective action is taken where needed, including in relation to significant partnerships

GOV1: Makes properly informed decisions

The Council

Kent County Council has both formal and informal governance arrangements. The informal arrangements principally comprise a Cabinet Members meeting on a weekly basis and a Corporate Board (Cabinet Members and the Corporate Management Team) meeting on a monthly basis, with a range of other service or topic specific Boards. Neither the Cabinet Members meeting, nor the Corporate Board have decision-making powers under the Council's Constitution and their meetings are not recorded publicly. However, our 2020-21 Annual Auditors Report noted that the two groups were in a position to influence decision-making as they played leading roles in discussion leading up to decisions.

The Council's Monitoring Officer recommended a review of informal practices and the introduction of new practices in the Annual Governance Statements both for 2019-20 and 2020-21. Our Annual Auditors Report for 2020-21 (April 2022) also recommended that the Council should take action around informal governance and decision-making, as the recommendations made by the Monitoring Officer had not, by April 2022, been actioned. In response, in May 2022 the Council's constitution was amended to recognise that informal governance groups do meet. Codification of the role of these groups is expected to be added to the constitution during 2023.

Our audit for 2020-21 did not specifically identify any instances of unconstitutional or non-statutory decision-making during 2020-21 despite the informal governance arrangements. However, unconstitutional decision-making during 2021-22 has come to our attention. As highlighted earlier in this report, the Council decided during 2021-22 to re-procure SEND school transport services. The services cost the Council some £50 million per annum and a savings opportunity (for a final net saving of £1 million per annum) had been identified. Under the terms of the Council's constitution, this should have been a key decision – requiring consultation and risk and equalities impacts assessments. The key decision process in place in the Council was bypassed and a shorter process for due diligence was used. A short timeframe was also used for the re-procurement. The re-procurement proved complex and the timeframe allowed was inadequate (two months). On 14 February 2022, several hundred children were left without school transport, but the Council was unable to confirm the definitive number of children affected.

Had the Council's key decision process been followed, the re-procurement decision would have been subject to greater scrutiny. The Council's Internal Auditors reported in a Lessons Learnt report in September 2022 that *'if governance and processes relating to Key Decisions and associated Equality Impact Assessment,*

Project Management and the management of risk had been followed and raised with all appropriate parties and sections within the Council, then the impact upon children, parents and carers may not have occurred’.

Internal Audit concluded that *‘there now needs to be an increased emphasis upon a culture which ensures the consistent delivery of good governance at Kent County Council’.*

After the Internal Audit SEND transport review concluded and further assurance activity was completed, a revised version of the Annual Governance Statement was provided within Governance and Audit Committee papers. The revised version included a Monitoring Officer statement. The revised Annual Governance Statement makes clear that members and officers should carefully ensure that all relevant information and the full range of advice is in place and considered before taking decisions for which they are accountable. The statement also clearly sets out that the Council needs to improve the way in which scrutiny of these decisions and activity is undertaken.

The Annual Governance Statement is a comprehensive and honest account of the key issues that need to be addressed. As an example, the Monitoring Officer reported that a range of issues and complaints had been raised during 2021-22 regarding the experience and feeling of safety for all members and officers at meetings of the Council and its Committees. The Monitoring Officer also reported that the administration had diverted resources to non-core activities, despite the challenging financial situation and that *“Member behaviour and prioritisation in this regard must also be reviewed to avoid the challenges faced in Liverpool, Northamptonshire and elsewhere”.*

Going forward, the ruling administration now faces exceptionally difficult decisions around spending and cost savings. Strong governance will be more important than ever. We make a Key Recommendation on page 21 of this report that supports what the Monitoring Officer has set out in the Annual Governance Statement that decision-making arrangements need to be strengthened; that members and officers ensure they understand their roles; and that issues and complaints raised with the Monitoring Officer during 2021-22 feed into good practice training for the future. We would commend members to read the recent Public Interest Report on Cheshire East which explores some of the tensions between officers and member roles in some detail.

The Pension Fund

In response to 16 Action Plan recommendations made by Internal Audit in December 2019 and an additional 108 recommendations made in an independent review by Barnet Waddingham commissioned by the Council in 2021, the Council took steps during 2021-22 to strengthen arrangements for decision-making for the Pension Fund. The renamed Pension Fund Committee was introduced to replace the Pension Superannuation Committee. Membership of the Pension Fund Committee is wider than it had been for the predecessor Committee. Membership is made up of 11 members from the County Council; three members from districts; one member from Medway Council; and four non-voting members (to include a trade union representative; a member representative; a pensioner representative; and one other representative nominated by an outside body such as police or fire services). Joint membership of the Pension Fund Committee and the supporting Pension Board is prohibited.



Decision-making arrangements for the Pension Fund Committee are now set out in the Constitution. We note that the Internal Audit and Barnet Waddingham reviews had been carried out after the Council lost some £237 million when dealing in the Woodford Fund was suspended in June 2019. The Council's net loss from the Woodford Fund after disbursements is currently expected to be £63.7 million. The recommendations from both reviews have been implemented and strengthened arrangements for pension fund governance are in place.

GOV2: Monitors and ensures appropriate standards

Steps have been taken by the Council since the end of 2021-22 to strengthen arrangements around managerial leadership, accountability and standards. In July 2022, the Chief Executive Officer (CEO) and Deputy Chief Executive Officer posts were established. The Corporate Directors now report and are directly accountable to the CEO, who with the support of the Monitoring Officer and Section 151 officer is putting in place refreshed operational arrangements to improve oversight and accountability.

The Section 151 Officer and Monitoring Officer also jointly commissioned an independent review by CIPFA of its Governance and Audit Committee. CIPFA's review focused on the operating effectiveness of the Governance and Audit Committee and concluded in July 2022 that the Committee had demonstrated and continued to demonstrate some good practices to build on. However, the review also highlighted that Committee questions sometimes *'became political or seemed to be asked to make a point about a person or activity'*. CIPFA noted that *'inappropriately political behaviour in meetings'* had been observed. CIPFA made a series of recommendations including around strengthened Terms of Reference for the Committee, which have been accepted by the Committee. We welcome this recommendation and will review progress as part of our work for 2022-23.

As already noted in this report, changes to the constitution are also ongoing to strengthen codification around governance arrangements. With the changes being made to managerial leadership structures; the limited resources available; and the need to focus on tackling the high value deficits, members will need to be focused on the strategic challenges facing the Council.

GOV3: Monitors and assesses risk; gaining assurance over internal control; and arrangements to prevent and detect fraud

The Council

Kent County Council had effective arrangements in 2021-22 for monitoring and assessing risk. The Council also had an effective Internal Audit service in place. Furthermore, a new Anti-Fraud and Corruption Strategy was introduced in January 2022 (having last been updated in 2016).

Our Annual Auditors Report for 2020-21 noted that we would review the adequacy of Internal Audit resourcing during 2021-22. Internal Audit was re-structured during 2021-22 and a new IT internal auditor was recruited. However, additional demand on the Internal Audit service was significant during 2021-22 and it was therefore still difficult to complete the full programme of planned work. At least three weeks of Internal Audit team time was re-directed to investigating circumstances in February 2022 around the re-procurement of the SEND transport service. This disrupted scheduled work on other areas.

Although overall Internal Audit provided Adequate Assurance over the Council's controls in 2021-22, the strength of this Assurance is weaker than it was for 2020-21. 22% of 2021-22 internal audit reports had limited assurance compared to 18% of the reports for 2020-21. 4% of 2021-22 internal audit reports had No Assurance whereas none of the 2020-21 reports provided No Assurance. We also note that by 31 March 2022, only 41% of all Internal Audit Actions (Issues) had been implemented. Some 57% were still showing as In Progress. With a slight decline in control standards in 2021-22 compared to 2020-21, it will be important that Actions from internal audit reports are taken seriously and addressed on a timely basis. The Governance and Audit Committee should review Internal Audit Issues 'In Progress' at each meeting and officers should be accountable for the pace of response to recommendations and for the implementation of recommendations. We note an Improvement Recommendation on page 22 of this report.

Subsidiary companies

The Council has a Shareholder Board which oversees subsidiary companies and which maintains regular liaison with the companies on risk management through the year. Council members and officers do not sit on the subsidiary company boards but the Council does provide the subsidiaries with their internal audit service and the Council has access to all company meeting minutes. The subsidiaries also each provide the Council with a form of year end Annual Governance Statement outlining the risks for their individual company. From these processes, the Council is able to maintain effective oversight and understanding of risks being managed by its subsidiary companies without compromising the arms length relationship it has with those companies. From our review of company Annual Governance Statements for 2021-22 we did not identify risks that were material to the Council.

GOV4: Approaches and carries out an annual budget setting process

GOV5: Ensures budgetary control

Notwithstanding the difficulty in anticipating rising costs and demand for services, Kent County Council does have an effective process for ensuring that a new Revenue and Capital budget is set annually. When the Council prepared the Revenue Budget for 2022-23 (prepared during 2021-22), a 'prior year cost plus estimated change' approach was used. The Council plans to more closely align financial budgeting with performance target setting from 2024-25. The Council plans to move to Outcomes Based Budgeting by 2025-26.

The Council also has effective processes for budgetary control. A range of comprehensive information is included in Finance Reports to Cabinet, over and above Revenue and Capital variances. Enhancements made to data since April 2021 include more regular savings and reserves monitoring data since September 2021; an update to Cabinet on the cost of living crisis for Q1 in 2022-23; and a summary of planned Actions to Reduce the Deficit for Cabinet for Q2 of 2022-23.

Although the Council faces the unprecedented overspends and £86 million savings requirement outlined earlier in this report, the budget processes in place have at least enabled the Council to clearly understand its problems. Harnessing the data to strengthen communication with stakeholders around the difficult decisions that now need to be made may help the Council with the effective communication needed to manage expectations and demand from residents going forward.



Key recommendation



Governance – decision-making and member/officer relations

Key Recommendation 3

Compliance with the Council's decision-making arrangements needs to be strengthened. Members and officers should ensure they understand their roles and comply with the council's governance arrangements. Issues and complaints raised with the Monitoring Officer during 2021-22 should be addressed and feed into good practice training for the future.

Why/impact

Under the terms of the Council's constitution, this should have been a key decision – requiring consultation and risk and equalities impacts assessments. The key decision process was bypassed. The final Annual Governance Statement for 2021-22 is expected to highlight the importance of officer and member training and of appropriate professional advice being obtained to support decisions. The final Annual Governance Statement is also expected to highlight that a range of issues and complaints were raised with the Monitoring Officer during 2021-22 regarding the experience and feeling of safety for all members and officers at meetings of the Council and its Committees.

Auditor judgement

Non-compliance with statutory and constitutional decision-making standards during 2021-22 has been noted. There have also been issues and complaints around behaviour in meetings. Members should take note of the issues raised in the recent Cheshire East Public Interest Report.

Summary findings

Poor standards of governance applied during the year in the decision regarding the re-procurement of SEND transport provision.

Management Comments

The recommendation notes the raising of this issue by the Monitoring Officer and this is welcomed. The AGS sets out an aggressive programme of activity for delivery over the first half of 2023/24 and work has already started in relation to the roles and compliance with the governance. Ultimately the success of this will be linked to the behaviours of the individual Members and Officers and this will be expressly tested through further updates to the AGS process reviewing 2022/23 that will be delivered in Q1 of 2023/24 and in future years.



The range of recommendations that external auditors can make is explained in Appendix B.

Improvement recommendation



Governance

Improvement Recommendation 3

The Governance and Audit Committee should review Internal Audit Issues 'In Progress' at each meeting and officers should be accountable for the pace of response to recommendations and for the implementation of recommendations. The number of issues in progress should be managed down or, where this is not possible, the reasons why should be understood.

Why/impact

By 31 March 2022, only 41% of all Internal Audit Actions had been implemented. Some 57% were still showing as In Progress.

Auditor judgement

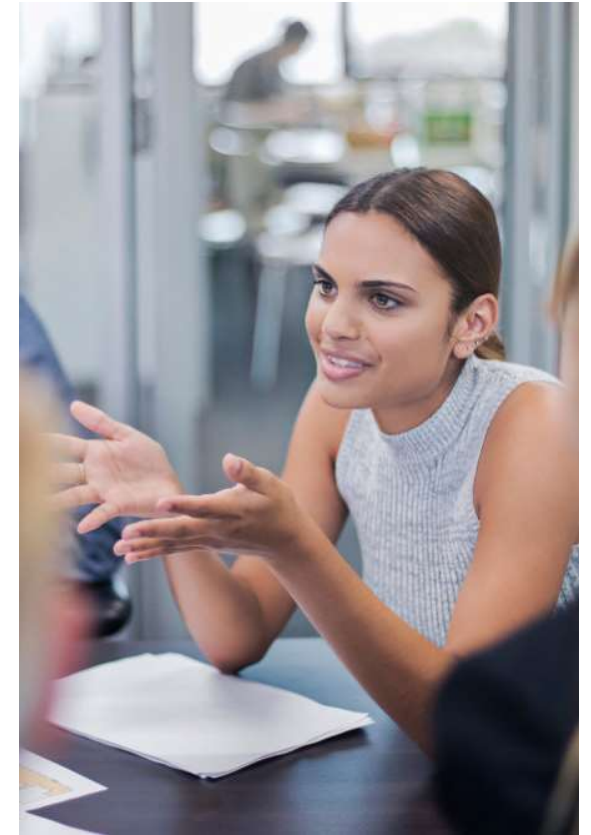
With a slight decline in control standards in 2021-22 compared to 2020-21, it will be important that Issues from internal audit reports are taken seriously and addressed on a timely basis.

Summary findings

Delays to implementing Internal Audit recommendations.

Management Comments

CIPFA have recently reviewed the effectiveness of the Governance and Audit Committee and made a number of recommendations that have been accepted by the Committee. One of the recommendations relates to the consideration of Internal Audit reports by the Committee and this will be taken into account as part of the implementation of the recommendations



The range of recommendations that external auditors can make is explained in Appendix B.

Improving economy, efficiency and effectiveness



We considered how the Council:

- Uses financial and performance information to assess performance to identify areas for improvement
- Evaluates the services it provides to assess performance and identify areas for improvement
- Ensures it delivers its role within significant partnerships and engages with stakeholders it has identified, in order to assess whether it is meeting its objectives
- Where it commissions or procures services assesses whether it is realising the expected benefits

EEE1: Uses financial and performance information to assess performance and identify areas for improvement

EEE2: Evaluates services to assess performance and identify areas for improvement

Kent County Council has effective performance dashboard and corporate key performance indicator processes in place for internal monitoring and assessing of performance. There are also plans to link performance indicator targets and financial budgeting more closely and to adopt Outcomes Based Budgeting from 2024-25 and 2025-26 onwards.

Responding to external assessment of performance is weaker, at least for the Children, Young People and Education service's SEND arrangements. On 9 November 2022, Ofsted and the Care Quality Commission published their joint findings from an inspection of SEND services in September 2022. The inspection reviewed the Council's progress against nine areas of significant weakness in the service which Ofsted and CQC had identified in March 2019.

Ofsted and CQC reported that the Council had not made sufficient progress in addressing any of the significant weaknesses identified in 2019 (see Figure 4, Page 24) and that it would be for DfE and NHS England to determine the next steps, which may include the Secretary of State using powers of intervention.

Ofsted and CQC reported that '*Parental confidence in the local area's ability to meet their children's needs is at an all-time low*'. We note that almost 2,000 parents had shared their views with the 2022 inspectors.

By contrast, other areas of the Childrens, Young People and Education service have been very successful, broadly over the same period, in using external information to assess performance and identify areas for improvement.

An Ofsted inspection in 2017 concluded that the Council's Children Service was Good but by May 2022, Ofsted concluded that the service was 'Outstanding'. The inspection report noted that '*Senior leaders have taken effective action in the areas identified at the last inspection in 2017.....Progress is evident*'.

We noted earlier in this report that there are significant weaknesses in the financial sustainability of the Council's High Needs services. During 2021-22, Kent County Councils' Schools Delegated Budgets overspent by £41.2 million and the High Needs deficit increased from £51M at the start of 2021-22 to £97M by the end of 2021-22. We also noted that to some extent, it is the high volume of demand which drives the financial pressure. The Council estimates that the number of children in Kent in receipt of an EHCP is on average 20% higher than anywhere else in England.

At the time of writing this report, forward-looking work was underway within the Childrens, Young People and Education service to explore ways of reducing demand for High Needs support, in particular at 11+ and 16+ transition points. This involves working with parent forums and other partners. Work is also underway to explore more cost-effective strategies with schools for meeting demand. Financially, the Council's ambition is that funding will match costs by 2027-28.

For 2021-22 we conclude that there were significant weaknesses within the SEND arrangements for learning from performance data; evaluating services; and for providing an adequate service. However, we note that if the overall volume of demand reduces in the coming years and engagement with schools parent forums improves, the actual and perceived quality of service provision and the Council's ability to respond to performance concerns may also improve. We note a Key Recommendation at Page 26 of this report.

Figure 4: Significant weaknesses in Kent County Council SEND practice, 2019
Source: Ofsted and CQC Report, November 2022

Significant weaknesses in Kent County Council SEND practice identified by Ofsted and CQC in March 2019 and September 2022

1. A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs.
2. A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND.
3. That parents and carers have a limited role in reviewing and designing services for children and young people with SEND.
4. An inability of current joint commissioning arrangements to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND.
5. Poor standards achieved, and progress made, by too many children and young people with SEND.
6. The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans.
7. Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses.
8. Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service, and ASD and ADHD assessment and review.
9. A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision.

EEE3: Delivers within significant partnerships

Kent County Council identifies its key partners as District Councils, Medway Unitary Council, the Police, Fire and Rescue and Health services, and Job Centre + as well as a range of voluntary and community organisations. The Council has a dedicated partnerships team which maintains regular and proactive dialogue with partners. The joint letter on asylum from all local authorities to the Secretary of State in November 2022 was an example of partners co-operating to try to address common geographical problems.

EEE4: Commissioning and procurement

In addition to the partnerships overseen by the Council's partnerships team, the Council also commissions and procures around £1 billion of commercial services every year; spends around £43 million on professional fees every year; and spends around £50 million every year on externally delivered SEND school transport. With such a high value of expenditure through external commercial providers, the Council could be vulnerable to any inflation within the supplier market – as a Budget Financial Risks paper to Cabinet recognised in March 2022.

We have referred to the arrangements for the procurement of the border facility at Sevington in our Audit Findings Report. Our initial view the Council's arrangements for procuring and managing this work did not meet the requirements of the Council's own standing orders and financial regulations. We understand this matter is being further considered by Internal Audit.

Safeguarding the efficiency and effectiveness of so high a value of spend with commercial partners requires strategic planning. We note that Kent County Council does not at present have a written Commissioning or Procurement Strategy, although Framing Kent's Future (the Council's new corporate strategy for 2022-26) makes clear references to using commissioning and procurement as a vehicle for achieving net zero; environmental objectives; and efficiency in adult and children's services.

Procurement training and a good understanding of the procurement rules and processes is important. When the SEND transport service was re-procured in February 2022 and, for a period, the service failed, this was as much a failure of the service's understanding and application of the procurement process as it was of decision-making. The lessons learnt report published by the Council's Internal Auditors noted that: *'The re-tendering timeframe of the entire SEND transport network was over ambitious and treated as business-as-usual activity rather than the complex commissioning exercise that it was. Consequently,*

there was no support from GET's Project Management Office or Strategic Commissioning'.

Internal Audit also reported that there had been, within the re-procurement, *'a failure of Risk Management and a general lack of awareness of risk'.*

A Government Commercial Function Improvement Assessment for the Council in July 2022 (based on a self assessment by the Council in May 2022), recommended that the Council adopt an overall commercial strategy that takes account of applicable commercial and organisational policy priorities and defines how policy objectives will be delivered. The assessment also recommended that the performance of the commercial function be measured and reported. We endorse this recommendation and add a Key Recommendation of our own (page 27) – that training around procurement strategy, policies and practice be strengthened across the Council (for staff working in service lines as much as for staff working in the commissioning and procurement team) and specialist support is signposted across the organisation so that staff commissioning and procuring complex services can recognise early when they need that support (ie, recognise risk) and know where to go to get the support once they have recognised they need it.



Key recommendation



Improving economy, efficiency and effectiveness

Key Recommendation 4

The Council should liaise with its partners to determine and agree the improvements that will be made in SEND services. An Action Plan with clear accountability and regular monitoring and reporting will be required to ensure the findings and recommendations from the Ofsted and CQC inspection report are addressed and implemented. At the same time, looking to the longer term, strategies for managing demand and expectations will be critical if a financially sustainable service is to be secured. This will be a balancing act for the Council and careful, proactive consultation and engagement with schools, parents and other stakeholders will be necessary.

Why/impact

In November 2022 Ofsted and CQC reported that the Council had not made sufficient progress in addressing any of the significant weaknesses they identified in SEND services in 2019. This is despite year on year overspends in SEND services and a growing deficit.

Auditor judgement

Overspends have not secured actual and perceived quality of service. Findings from independent inspectors should be addressed at the earliest opportunity.

Summary findings

Despite significant overspends, actual and perceived quality of SEND service standards falls short of regulator expectations.

Management Comments

The Local Area SEND offer and provision is now the subject of external scrutiny and oversight through the Send Improvement and Assurance Board. This is a multi agency, independently chaired board with responsibility for progressing an accelerated improvement plan in collaboration with the DFE and NHSE improvement advisors. The board has new ToR's, membership and an operational delivery board reporting into it.



The range of recommendations that external auditors can make is explained in Appendix B.

Key recommendation



Improving economy, efficiency and effectiveness

Key Recommendation 5

Training around procurement strategy, policies and practice should be strengthened across the Council (for staff working in service lines as much as for staff working in the commissioning and procurement team) to ensure an understanding of and compliance with the procurement rules. Specialist support should be clearly signposted across the organisation. Staff commissioning and procuring complex services should recognise and plan early when they need that support (ie, recognise risk) and know where to go to get the support once they have recognised they need it.

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Why/impact

The Internal Audit SEND transport lessons learnt report highlighted that a complex re-procurement was rushed; treated as a business as usual activity; lacked expert input; and showed poor understanding of project management and risk.

Auditor judgement

Procurement training and support should be strengthened, for staff working in service lines as well as staff in the commissioning and procurement unit.

Summary findings

When the SEND transport service was re-procured in February 2022 and, for a period, the service failed, this was as much a failure of the service's understanding and application of the procurement process as it was of decision-making.

Management Comments

The Council has recently reviewed and revised "Spending the Council's Money" which is the council's contract standing orders. Once formally approved there will be a comprehensive council wide communication and engagement plan, with training and guidance provided to ensure staff undertaking procurement clearly understand their responsibilities and engage with the procurement team at the earliest opportunity.



The range of recommendations that external auditors can make is explained in Appendix B.

Opinion on the financial statements



Audit opinion on the financial statements

As of the date of writing we have not issued our opinion on the Council's financial statements because our audit work is still in progress. This work is nearing completion and we expect to issue an unqualified opinion following the Governance and Audit Committee on 28 February 2022. We expect to sign the audit opinion by 31 March 2023.

Audit Findings Report

More detailed findings can be found in our AFR, which was published and reported to the Council's Audit Committee on 28 February 2022 which had been updated and resubmitted to the 16 March 2023 meeting.

Whole of Government Accounts

To support the audit of the Whole of Government Accounts (WGA), we are required to review and report on the WGA return prepared by the Council. This work includes performing specified procedures under group audit instructions issued by the National Audit Office.

Our work on WGA is not yet complete as we are still awaiting guidance from the NAO.

Preparation of the accounts

The Council provided draft accounts in line with the national deadline and provided a good set of working papers to support it.

Issues arising from the accounts:

The key issues were:

- On 25 December 2022, an amendment to the Capital and Finance regulations in respect of Infrastructure assets meant that the Authority had to revise its presentation of PPE to adhere to the new requirements.
- Our audit also identified several control issues which we communicated in our Audit Findings Report. It is important that management puts in place appropriate actions to address these.

Grant Thornton provides an independent opinion on whether the accounts are:

- True and fair
- Prepared in accordance with relevant accounting standards
- Prepared in accordance with relevant UK legislation



Appendices

Appendix A – Responsibilities of the Council

Public bodies spending taxpayers' money are accountable for their stewardship of the resources entrusted to them. They should account properly for their use of resources and manage themselves well so that the public can be confident.

Financial statements are the main way in which local public bodies account for how they use their resources. Local public bodies are required to prepare and publish financial statements setting out their financial performance for the year. To do this, bodies need to maintain proper accounting records and ensure they have effective systems of internal control.

All local public bodies are responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness from their resources. This includes taking properly informed decisions and managing key operational and financial risks so that they can deliver their objectives and safeguard public money. Local public bodies report on their arrangements, and the effectiveness with which the arrangements are operating, as part of their annual governance statement

The Chief Financial Officer (or equivalent) is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Chief Financial Officer (or equivalent) determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The Chief Financial Officer (or equivalent) or equivalent is required to prepare the financial statements in accordance with proper practices as set out in the CIPFA/LASAAC code of practice on local authority accounting in the United Kingdom. In preparing the financial statements, the Chief Financial Officer (or equivalent) is responsible for assessing the Council's ability to continue as a going concern and use the going concern basis of accounting unless there is an intention by government that the services provided by the Council will no longer be provided.

The Council is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.



Appendix B – An explanatory note on recommendations

A range of different recommendations can be raised by the Council’s auditors as follows:

Type of recommendation	Background	Raised within this report	Page reference
Statutory	Written recommendations to the Council under Section 24 (Schedule 7) of the Local Audit and Accountability Act 2014.	No	N/A
Key	The NAO Code of Audit Practice requires that where auditors identify significant weaknesses as part of their arrangements to secure value for money they should make recommendations setting out the actions that should be taken by the Council. We have defined these recommendations as ‘key recommendations’.	Yes	FS – pages 13, 14 GOV – page 21 EEE – pages 26, 27
Improvement	These recommendations, if implemented should improve the arrangements in place at the Council, but are not a result of identifying significant weaknesses in the Council’s arrangements.	Yes	FS – pages 15, 16 GOV – page 22 EEE – N/A

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Appendix C – Summary of recommendations for 2021-22

Page	Key Recommendation	Management Response	Status
13	Steps need to be taken by the Council to control expenditure. This is necessary now to avoid the future s114 notice that the Council predicted to the Prime Minister. The Council will need to be realistic about the capacity available to support delivery of the savings. The administration will need to prioritise and consult and will need to be able to communicate how and what it prioritised. Some very difficult decisions will need to be made by the administration to reduce expenditure and in some cases withdraw or pare back existing services.	The council has introduced a range of measures to control expenditure and to minimise non-essential expenditure as much as possible. The management action being taken to control and reduce expenditure is formally reported in the quarterly finance monitoring report that is presented to Cabinet. The progress on delivery of the savings agreed by County Council are also formally reported to Cabinet in the quarterly report. In recognition of the challenging financial situation and the need to contain growth and identify savings to ensure financial sustainability over the medium term, the 2024-25 and MTFP budget process will commence in April 2023.	
14	The Council should take a holistic approach towards managing SEND demand and SEND financial management issues in Kent. This will involve the ruling administration making some difficult decisions.	The oversight and management of the SEND agenda, both service transformation and fiscal prudence are now a whole Council priority. This is being delivered through the internal SEND Transformation Board, which reports to the Council's Strategic Reset Programme Board. Cross Council expertise and resource has been committed to provide advice, support and oversight, ensuring a holistic approach to the demand and financial SEND management issues.	

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Appendix C – Summary of key recommendations for 2021-22



Page	Key Recommendation	Management Response	Status
21	Compliance with the Council’s decision-making arrangements needs to be strengthened. Members and officers should ensure they understand their roles and comply with the council’s governance arrangements. Issues and complaints raised with the Monitoring Officer during 2021-22 should be addressed and feed into good practice training for the future.	The recommendation notes the raising of this issue by the Monitoring Officer and this is welcomed. The AGS sets out an aggressive programme of activity for delivery over the first half of 2023/24 and work has already started in relation to the roles and compliance with the governance. Ultimately the success of this will be linked to the behaviours of the individual Members and Officers and this will be expressly tested through further updates to the AGS process reviewing 2022/23 that will be delivered in Q1 of 2023/24 and in future years.	
26	The Council should liaise with its partners to determine and agree the improvements that will be made in SEND services. An Action Plan with clear accountability and regular monitoring and reporting will be required to ensure the findings and recommendations from the Ofsted and CQC inspection report are addressed and implemented. At the same time, looking to the longer term, strategies for managing demand and expectations will be critical if a financially sustainable service is to be secured. This will be a balancing act for the Council and careful, proactive consultation and engagement with schools, parents and other stakeholders will be necessary.	The Local Area SEND offer and provision is now the subject of external scrutiny and oversight through the Send Improvement and Assurance Board. This is a multi agency, independently chaired board with responsibility for progressing an accelerated improvement plan in collaboration with the DFE and NHSE improvement advisors. The board has new ToR’s, membership and an operational delivery board reporting into it.	

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Appendix C – Summary of improvement recommendations for 2021-22

Page	Improvement Recommendation	Management Response	Status
15	The Council should consider capturing and reporting the additional costs of public health; safeguarding; schooling; and counter terrorism related to Home Office asylum seeker sites.	The additional cost information relating to the Home Office Asylum Seeker sites that can be separately identified will be captured and reported.	
Page 129 16	Sensitivity analysis or scenario testing should be presented to Cabinet and published alongside the medium term financial strategy for 2022-2026 or with future medium term financial plans.	The approach to financial planning is reviewed and improved on a regular basis. AS part of the planned development for 2024-25, Sensitivity analysis/scenario testing will form part of the medium term financial planning process.	
22	The Governance and Audit Committee should review Internal Audit Issues In Progress at each meeting and officers should be accountable for the pace of response to recommendations and for the implementation of recommendations. The number of issues in progress should be managed down or, where this is not possible, the reasons why should be understood.	CIPFA have recently reviewed the effectiveness of the Governance and Audit Committee and made a number of recommendations that have been accepted by the Committee. One of the recommendations relates to the consideration of Internal Audit reports by the Committee and this will be taken into account as part of the implementation of the recommendations	

Appendix D – Follow-up on prior year improvement and key recommendations

Recommendation	Management Response	Findings in 2021-22	Direction of Travel/ Recommendation Closed
The January 2022 draft High Needs financial recovery plan should be finalized and implemented.	<p>Closer working between the Finance and CYPE colleagues has already ... been introduced. The role and responsibility of schools in contributing towards closing the deficit is also key ... [this] will not in itself reduce the number of requests for independent and special schools or changes in EHCP assessment/review practices.</p> <p>... the Government has announced that Kent is included in the Safety Valve grant programme.</p>	<p>The High Needs deficit continued to grow during 2021-22. The deficit increased from £51M on 1 April 2021 to £97M on 31 March 2022.</p> <p>The Council is in liaison with DFE to agree a recovery package. The Council's current target is to match annual costs of SEND services with funding available by 2027-28.</p> <p>Despite the high value costs incurred, Ofsted and CQC reported in November 2022 that there remain significant weaknesses within the Council's SEND services.</p>	
Actions should be taken around informal governance and decision-making.	<p>... The risk around informal governance as identified is something that has been identified by our own processes and we are already tracking this with actions that are flowing through in the current financial year and next ...</p>	<p>Informal governance arrangements were recognized in the Council's constitution and further codification is planned. However, within the formal governance framework, key decision-making arrangements were by-passed for a SEND transport re-procurement decision. Furthermore, the final Annual Governance Statement is also expected to note that a range of issues and complaints were raised with the Monitoring Officer during 2021-22 regarding the experience and feeling of safety for all Members and Officers at meetings of the Council and its Committees.</p>	
BW pension fund governance recommendations should be tiered or ranked to help with prioritisation and cross-checked against internal audit recommendations	<p>A number of recommendations considered the highest priority have already been implemented. The new Head of Pensions and Treasury is overseeing the implementation of the remaining recommendations and a dedicated fixed term post has been appointed</p>	<p>A new Pension Fund Committee has replaced the Superannuation Fund Committee. Membership is wider and dual membership with the Pension Board is no longer allowed. Decision-making arrangements for the Pension Fund Committee are set out in the Constitution. A report to the Pension Fund Committee in December 2022 showed that 127 of the 139 Barnet Waddingham recommendations have been implemented and that all 16 Internal Audit recommendations have been implemented.</p>	Recommendation Closed

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Appendix D – Follow-up on prior year improvement and key recommendations

Recommendation	Management Response	Findings in 2021-22	Direction of Travel/ Recommendation Closed
Consideration should be given to introducing a central PMO function to help with strengthening savings oversight	Progress on the delivery of savings is now reported as part of the quarterly finance monitoring report to Cabinet.....it is not considered necessary to have a specific PMO now to co-ordinate the savings monitoring as the business-as-usual arrangements now in place are considered sufficient.	Savings reports were added to regular Cabinet Finance Reports from September 2021.	Recommendation Closed
The Council should consider whether there is scope for strengthening oversight and challenge as Summary Business Cases are developed by Directorates for Transformation Savings plans which will be included within the Medium-Term Financial Plan	The arrangements for reviewing and challenging the business cases for transformation type savings have been strengthened..... There is a dedicated finance resource supporting the SRP undertaking the financial analysis and assessment working with the main finance team including the finance business partners to ensure the robustness of the business cases before they are considered and approved by the SRP Board.	During 2022-23, regular informal Star Chamber meetings between the Chief Executive, the s151 officer and corporate directors. These complement the formal quarterly Star Chamber meetings already in place and including the Leader and Deputy Leader of the Council. The new informal meetings are expected to be constitutionalized during 2023-24 and strengthen the Council's oversight of savings and transformation plans.	Recommendation Closed
Steps should continue to manage and reduce the trends towards year-on-year slippage in the Capital Programme	A ten-year capital programme has been approved by county council and implemented to enable more longer-term planning and profiling of the capital programme which will help reduce slippage.	A ten-year capital programme was introduced in 2022-23. Quarter 2 reporting for 2022-23 indicates some reduction in slippage.	Recommendation Closed

Appendix D – Follow-up on prior year improvement and key recommendations

Recommendation	Management Response	Findings in 2021-22	Direction of Travel/ Recommendation Closed
Budget documents should show a clear distinction between the cost of proposed statutory and discretionary services	There is an established process to identify spending on statutory and discretionary services ... There is a robust system for identifying spending demands which distinguishes between unavoidable spending and spending choices which is considered more appropriate.	N/A	Recommendation Closed
The Corporate Risk Register shows Summary Profiles which for most but not all risks are supported by more detailed analysis. Gaps in detailed analysis should be filled or explained.	Any risks not supported by detailed analysis in the register are accompanied by explanations in covering reports. The dynamic nature of the risks being faced by the Council mean that different levels of detail are available at any one time.	N/A	Recommendation Closed
The Council should promote an update to the Kent Resilience Forum Community Risk Register to capture risks of disease and risks of disease and pandemic.	The KRF risk registers are regularly reviewed and updated to ensure they remain fit for purpose. The Community Risk Register is part of that review and consideration will be given to the recommendation made.	N/A	Recommendation Closed
The Council should consider inventorising partnerships so that legal status and commitments can be checked.	Consideration will be given to inventorising partnership arrangements.	The Council's Head of Strategic Partnerships oversees 14 areas of partnership with other public sector organisations in the geographic region. The Council's website lists who the Council considers its key partners to be.	Recommendation Closed



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Motion 1

Motion for Time Limited Debate – Disposable E-cigarettes

Proposer – Jenni Hawkins

Seconder - Mark Hood

Background information

Disposable e-cigarettes are non-rechargeable devices that usually come ready-filled with liquid that may contain nicotine. Disposable e-cigarettes are typically designed as a single unit and therefore they cannot be taken apart very easily, if at all¹. The batteries in disposable e-cigarettes are generally made of lithium and these can be widely recycled, but over 50% of disposable e-cigarettes are thrown away, resulting in approximately 1.3 million vapes being discarded every week².

The disposal of lithium batteries presents environmental and safety issues. Lithium batteries can quickly increase in temperature and can become flammable if crushed. A recent study found that over 700 fires in bin lorries and recycling centres were caused by batteries that had been discarded in domestic waste. This poses a serious health and safety risk to people working on site and there is also a financial cost to taxpayers due to fire damage³. Recycling firms have expressed that they are struggling to insure their facilities due to the number of e-cigarettes they are handling⁴. Disposing of vapes is also wasteful; Lithium is a material that is critical to the Net Zero transition, and the 10 tonnes of lithium discarded from disposable vapes each year is the same as that needed for 1,200 electric cars².

As well as being an environmental disaster, e-cigarettes pose a serious public health risk, particularly to children and young people. The proportion of children experimenting with vaping has grown by nearly 50% since 2022, and the use of disposable vapes is particularly prevalent amongst children, with 69% of children and young people who vape reporting that this was the e-cigarette device they used most frequently⁵. The Royal College of Paediatrics and Child Health have called for disposable vapes to be banned, expressing concern as the long-term health effects of vaping are unknown, as well as highlighting the serious environmental impact of disposable e-cigarettes⁶. As a local authority with responsibility for waste management, environment and public health, Kent County Council should take these concerns seriously.

Motion

This council resolves to;

1. Request that the Executive write to the Secretary of State for Health and Social Care and the Secretary of State for Environment, Food and Rural Affairs to request that disposable vapes are banned.

¹[Environmental impact of disposable vapes - House of Commons Library \(parliament.uk\)](#)

²[One million single use vapes thrown away every week contributing to the growing e-waste challenge in the UK - Material Focus](#)

³[Over 700 fires in bin lorries and recycling centres are caused by batteries many of which are hidden inside electricals - Material Focus](#)

⁴[Disposable vapes cause fires and cost taxpayer, English and Welsh councils say | Vaping | The Guardian](#)

⁵Action on Smoking and Health (ASH). Use of e-cigarettes (vapes) among young people in Great Britain. 2023

⁶[Youth vaping 'fast becoming epidemic', children's doctors warn as they call for ban on disposable vapes | UK News | Sky News](#)

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Motion 2

ULEZ Expansion

Proposer: Mr Perry Cole

Seconder: Mr Jeremy Kite

Background information – provided by the Conservative Group

This Council recognises the importance of air quality to Kent Residents and our Kent and Medway Energy and Low Emissions Strategy, a sub strategy of the Kent Environment Strategy, that sets out the current understanding of the air quality issues and clear actions to improve air quality in Kent going forwards.

The Kent and Medway Energy and Low Emissions Strategy sets out how we, in partnership with Medway Council and the Kent district councils, will respond to the UK climate emergency and drive clean, resilient economic recovery across the county. The purpose of this strategy is to identify an evidence-based approach to deliver clean growth. This includes strategies and actions to eliminate poor air quality, reduce fuel poverty and deliver an affordable, clean and secure energy supply.

However, this Council condemns the implementation of the London ULEZ expansion that will impact business and separate families and friends who live in Kent from those who live in the historic parts of Kent that are now within the Greater London Boundary, disproportionately hitting essential key workers and those on low incomes who cannot afford to buy new, compliant cars and therefore call upon the Mayor of London to reverse this decision.

This Council should also confirm that it will not permit any new ULEZ signs on Kent County Council land, nor any existing LEZ signs to be changed.

Motion:

That County Council:

- Notes the existing KCC commitment to air quality in Kent via the Kent and Medway Low Emissions Strategy;
- Notes the disproportionate impact the ULEZ expansion will have on essential key workers and those on low incomes;
- Requests that the Leader of the Council write to the Mayor of London, expressing this Council's considerable concern about the impact of the expansion and calling on the Mayor, explicitly, to reverse the decision.
- Requests that the Executive confirm that it will not permit any new ULEZ signs being erected on Kent County Council property nor any existing LEZ signs being changed.

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