



Summons to and
Agenda for the Annual
General Meeting on
**Thursday, 23rd May,
2024**
at **10.00 am**



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Wednesday, 15 May 2024

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, 23rd May, 2024 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30pm.**

A G E N D A

1. Apologies for Absence
2. Election of Chairman of the Council
3. Election of the Vice-Chairman of the Council
4. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
5. Minutes of the meetings held on 28 March 2024 **(Pages 1 - 14)**
6. Corporate Parenting Panel - Minutes for noting **(Pages 15 - 20)**
7. Chairman's Announcements
8. Questions
9. Report by Leader of the Council (Oral)
10. Pay Strategy **(Pages 21 - 32)**
11. Local Transport Plan update **(Pages 33 - 42)**
12. Standards - Kent Code Update **(Pages 43 - 60)**
13. Petitions Scheme Review **(Pages 61 - 70)**

14. Motion for Time Limited Debate

(Pages 71 - 72)

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, 28 March 2024.

PRESENT: Mr G Cooke (Chairman), Mr B J Sweetland (Vice-Chairman), Mr N Baker, Mr P V Barrington-King, Mr P Bartlett, Mr D Beaney, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr A Brady, Mr D L Brazier, Mr S R Campkin, 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, Ms K Constantine, Mr P C Cooper, Mr D Crow-Brown, Mr M C Dance, Mrs T Dean, MBE, Mr M Dendor, Mr R W Gough, Ms K Grehan, Ms S Hamilton, Peter Harman, Mr P M Hill, OBE, 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, Mr S C Manion, Mr R A Marsh, Mrs M McArthur, Mr J P McInroy, Ms J Meade, Mr D Murphy, Mr J M Ozog, Mrs L Parfitt-Reid, Mr C Passmore, Mr H Rayner, Mr O Richardson, Mr A M Ridgers, Mr D Robey, Mr D Ross, Mr C Simkins, Mr M J Sole, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr R J Thomas, Mr D Watkins, Mr S Webb, Mr M Whiting, Mr J Wright and Ms L Wright

IN VIRTUAL ATTENDANCE: Mr M Baldock

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

UNRESTRICTED ITEMS

203. Apologies for Absence
(Item 1)

The Democratic Services Manager reported apologies from Mr Booth, Mr Broadley, Mrs Bruneau, Mr Cannon, Mrs Game, Ms Hawkins, Mr Hills, Mr Meade, Mr Oakford, Mrs Prendergast, Mr Sandhu, and Mr Shonk.

The Democratic Services Manager said Mr Baldock had sent formal apologies but was in attendance virtually.

Mr Jeffrey reported apologies from Mr Collor.

204. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
(Item 2)

There were no declarations of interest.

205. Appointment of Honorary Aldermen
(Item 3)

- (1) The Chairman offered a very warm welcome to the meeting to Dr Eddy and Mr and Mrs Northey.
- (2) The Chairman said that Mrs Valerie Dagger, Dr Mike Eddy, Mr Graham Gibbens and Mr Michael Northey had been regarded by Group Leaders as having given eminent service both to Kent County Council and the people of Kent.
- (3) The Chairman proposed and the Vice-Chairman seconded the motion that the nomination of Mrs Valerie Dagger, Dr Mike Eddy, Mr Graham Gibbens and Mr Michael Northey for Honorary Aldermen be approved.
- (4) The Chairman invited Members to speak to pay tribute to the nominees.
- (5) RESOLVED unanimously that Mrs Valerie Dagger, Dr Mike Eddy, Mr Graham Gibbens and Mr Michael Northey, distinguished former Members of Kent County Council, be awarded the status of Honorary Aldermen.
- (6) The Chairman then presented Dr Eddy and Mr Northey with their Honorary Aldermen badges and scrolls.
- (7) Dr Eddy and Mr Northey responded in their capacity as newly appointed Honorary Aldermen and expressed their thanks for the honour bestowed upon them by the County Council.

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PRESENT: Mr G Cooke (Chairman), Mr B J Sweetland (Vice-Chairman), Mr N Baker, Mr P V Barrington-King, Mr P Bartlett, Mr D Beaney, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr A Brady, Mr D L Brazier, Mr S R Campkin, 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, Ms K Constantine, Mr P C Cooper, Mr D Crow-Brown, Mr M C Dance, Mrs T Dean, MBE, Mr M Dendor, Mr R W Gough, Ms K Grehan, Ms S Hamilton, Peter Harman, Mr P M Hill, OBE, 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, Mr S C Manion, Mr R A Marsh, Mrs M McArthur, Mr J P McInroy, Ms J Meade, Mr D Murphy, Mr J M Ozog, Mrs L Parfitt-Reid, Mr C Passmore, Mr H Rayner, Mr O Richardson, Mr A M Ridgers, Mr D Robey, Mr D Ross, Mr C Simkins, Mr M J Sole, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr R J Thomas, Mr D Watkins, Mr S Webb, Mr M Whiting, Mr J Wright and Ms L Wright

IN VIRTUAL ATTENDANCE: Mr M Baldock

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

UNRESTRICTED ITEMS

206. Apologies for Absence
(Item 1)

The Democratic Services Manager reported apologies from Mr Booth, Mr Broadley, Mrs Bruneau, Mr Cannon, Mr Collor, Mrs Game, Ms Hawkins, Mr Hills, Mr Meade, Mr Oakford, Mrs Prendergast, Mr Sandhu, and Mr Shonk.

The Democratic Services Manager said Mr Baldock had sent formal apologies but was in attendance virtually.

207. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
(Item 2)

Mr Bartlett, Mrs Chandler, Mr Gough, and Mr Watkins declared an interest in that they were members of the Integrated Care Partnership.

Dr Sullivan declared an interest that her husband was a member of the Integrated Care Partnership.

208. Minutes of the meeting held on 19 February 2024
(Item 3)

RESOLVED that the minutes of the meeting held on 19 February 2024 be approved as a correct record subject to the amendment of “Mr Hood”, at paragraph 13 on page 8, to “Mr Hook”.

209. Corporate Parenting Panel - Minutes for noting
(Item 4)

RESOLVED that the minutes of the meeting of the Corporate Parenting Panel held on 10 October 2023 be noted.

210. Chairman's Announcements
(Item 5)

Armed Forces employer – Gold Certificate

1. The Chairman was delighted to welcome to the meeting, for the presentation of KCC’s MoD Employer Recognition Scheme Gold Award certificate, Canon Peter Bruinvels (KCC’s Covenant Lead, Civilian-Military Liaison Adviser and Military Expert), Leigh Thomas (SE Regional Employer Engagement Director), Lieutenant Colonel Nathan Horsman and Brigadier Andrew Wood TD DL VR.
2. The Chairman highlighted that the Employer Recognition Scheme Gold Award was the highest badge of honour for organisations which had signed the Armed Forces Covenant and demonstrated outstanding support for those who serve and have served.
3. He reminded Members that the award was valid for five years and KCC was first awarded with the Gold award in 2018. After 5 years, companies must apply to have the status revalidated. This was not an automatic revalidation, and the assessment was rigorous.
4. The Chairman invited Lieutenant Colonel Nathan Horsman to present the certificate.

Petition presentation from Mr Sweetland

5. The Vice-Chairman presented a petition regarding Shorne Crossroads to the Chairman.

6. The Chairman asked the Cabinet Member for Highways and Transport to accept the petition and arrange relevant responses.

Technology Enabled Live Service

7. The Chairman advised Members that KCC staff and external colleagues working on the Technology Enabled Lives Service were attending to showcase their work and the new digital equipment KCC was providing to those with care requirements. The service was county-wide and would be available to all residents. He encouraged Members to take the opportunity to visit the stand and talk to the representatives to learn more.

Mr Tom Maddison

8. The Chairman, with the greatest of regret, informed Members of the death of Mr Tom Maddison, former Labour Member for Dartford North East from 2005 to 2009 and 2013 to 2017. During his time at KCC, Mr Maddison served on the Communities Cabinet Committee, Planning Applications Committee, Regulation Committee, Superannuation Fund Committee and Youth Advisory Council. In addition to his time at Kent County Council, Mr Maddison represented Temple Hill at Dartford Borough Council for nearly 30 years, where he also served as Deputy Mayor between 2000 and 2001 and Mayor between 2001 and 2002.
9. The Chairman invited Members to speak, and tributes were made by Ms Grehan, Mr Lehmann, Mr Chittenden, Mr Kite, Mr Sweetland and Mr Gough.
10. The Chairman held a one-minute silence in memory of Mr Tom Maddison.
11. Mr Cooke proposed, and Mr Sweetland seconded, that the Council formally record the sense of loss it feels on the sad passing of Mr Tom Maddison and extends to his family and friends its heartfelt sympathy to them in their sad bereavements.

Agreed unanimously.

211. Questions *(Item 6)*

In accordance with Sections 14.15 to 14.22 of the Constitution, 16 questions were submitted by the deadline and 15 questions were put to the Executive as one questioner had given apologies. 9 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.

The remaining questions were not put in the time allocated but written answers were provided.

212. Report by Leader of the Council (Oral)
(Item 7)

1. The Leader updated Members on events since the last meeting and said that finance remained a great pressure on the Council and was the central focus for the Administration. He explained that at the end of February 2023 several local authorities across the country were granted exceptional financial support which signified the seriousness for the sector as a whole. He emphasised the Council was not in this position but said the overspend pressures in year were nonetheless significant. Mr Gough said the Council's quarterly performance report reflected the areas, such as SEND, elements of adult social care and children's services, where the financial pressures were most intense and said he had had the opportunity as the County Council's Network spokesperson on children's services to set out some of the challenges to the House of Common's Education Select Committee.
2. In relation to children's services, Mr Gough explained that Ofsted had carried out a focused visit at the end of January 2023 covering the Canterbury and Folkestone and Hythe districts. The inspectors focused on child in need, child protection, children's entry into care and 16/17 year old young people who present as homeless. He said the findings, published on 27 February, were very encouraging and concluded that the Council continued to offer a high quality of service, with only a number of minor areas of improvement identified. He referred to KCC children's services consultations, in particular 'Best start for life strategies' and 'Early Years Education in Kent' which supported settings to embed inclusive practice for children with special educational needs and/or disabilities (SEND).
3. Regarding SEND, a letter was received in January from the Department for Education and NHS England following the progress monitoring visit which recognised the Council's determination to address the challenges. Mr Gough said this recognition reflected the historic backlog which had been capped and would be cleared completely within weeks, and the productivity of assessment teams which was up by two thirds. The new assessment panel process ensured that the Council acted in accordance with the SEND Code of Practice. Mr Gough recognised that SEND was still an area of very high risk and there were significant pressures nationally. He referred to the financial pressures represented within the safety valve process and said the 12 month review of the SEND improvement notice would soon be underway. Nonetheless, he acknowledged the continued effort to improve, and said over the next month there would be a focus on response times to customer enquiries.
4. Mr Gough wished the Corporate Director, Sarah Hammond, well following her being nominated as one of four finalists for the MJ achievements awards as corporate director of the year. He said the achievement was recognition of some of the extraordinary work the children's services teams carried out.

5. Turning to unaccompanied asylum-seeking children (UASC) Mr Gough said the first three months of the year had seen exceptionally high levels of referrals and as a result the Council was close to exhausting its reception capacity. He explained that reception centres were being established across the county. He added that some of the work had been undertaken at risk and confirmation of government funding had yet to be confirmed. Mr Gough said, as part of the ongoing court proceedings, final submissions relating to the emergency response plan and the proposed changes to the National Transfer System (NTS) were made yesterday. Mr Gough remained of the view that the current proposals for the NTS were inadequate in ensuring that the Council operated lawfully and avoided a disproportionate share of the responsibility.
6. The Leader turned to the Entry/Exit System (EES) and the concerns that had been raised over the potential impact of the EES on Kent residents, businesses, and visitor economy, and said the Council continued to work closely with government regarding preparation for, and mitigation of, that impact. Mr Gough had the opportunity to speak to a parliamentary committee alongside the Chief Executive of Visit Kent and one of the senior officers of Ashford Borough Council on 31 January.
7. Operation Brock had been installed since 19 March for the Easter period and Mr Gough recognised the long record of disruption there had been within the county. He said arguments had been renewed for the return of Eurostar services to Ebbsfleet and Ashford, and more than 500 businesses representing more than 30,000 employees responded to the survey run by Dartford Borough Council, Ashford Borough Council and KCC.
8. Mr Gough referred to the positive potential outcome regarding secondary education on the Isle of Sheppey and noted that whilst the Council had a limited formal role in the process it had successfully advocated and worked closely with the parties involved.
9. The Leader spoke about the severe defects on the county's roads following a long winter and recognised this was a national as well as a Kent phenomenon which was reflected in the additional funding the government had granted to local authorities. He explained that £8.6m additional funding would be used on a new pothole blitz being undertaken between March and December 2024 and recognised there was a great deal of work to be done.
10. Mr Gough explained that the Council continued to support residents, for example with the Household Support Fund which would continue for another six months. The Council also worked with partners including the Department for Work and Pensions (DWP) to help residents who were under financial pressure and to provide support for achieving higher levels of employment.
11. Finally, The Leader wished everyone a happy Easter. He said he was delighted that many facilities, such as children's centres, family hubs and

country parks, had arranged many activities to help residents enjoy the Easter break.

12. The Leader of the Labour Group, Dr Sullivan, paid tribute to Ms Maureen Cleator, who was retiring. Ms Cleator was the Chair of Unison, had been a Councillor at KCC for many years and Dr Sullivan asked that the Council record its thanks to a true public servant.
13. Dr Sullivan referred to an e-petition which over 50,000 residents and businesses had signed regarding the return of Eurostar to Ebbsfleet and Ashford International Stations. Dr Sullivan agreed with the Cabinet Member for Highways and Transport that the taxpayer should not have to subsidise international arrangements, whether at Dover or Folkestone, for Operation Brock.
14. Turning to UASC, Dr Sullivan agreed with the Leader that the government needed to do more, acknowledged the need for UASC to be looked after, and said it was an international issue that needed to be resolved. She thanked all those involved.
15. Dr Sullivan congratulated staff in relation to the Ofsted focus visit and said social work workload was a national issue across the public sector. She stressed the need for a culture that was supportive, preventative, and looked to enhance young people's lives.
16. In relation to SEND Dr Sullivan said the Council, along with health and education, was not out of the woods yet. She said, whilst there were many complex cases, there was a lot of focus on data and dashboards and scorecards. Dr Sullivan commented on the proposal made at SEND Sub-Committee and asked whether that was the view of the Administration. Dr Sullivan said the SEND Sub-Committee was watched by many people hoping to gain confidence that changes were happening, and their voice was being heard. She said for too long SEND had needed radical reform and investment.
17. Finally, Dr Sullivan asked the Leader about the Council's road safety strategy for Kent - Vision Zero – following the suspension of a Member from the Conservative Group. Dr Sullivan commented that too many lives had been devastated through drink driving and support should be in place to prevent fatalities from happening, and the Council should stand up and speak against drug and drink driving.
18. Mr Lehmann, Leader of the Green and Independent Group, spoke about the climate crisis and said temperatures in February were the warmest ever recorded. Mr Lehmann acknowledged there was little the Council alone could do to stop it but said that was not a reason to give up entirely and referred to the Council's decision to withdraw funding to district council partners to support an increase in the levels of recycling collected.

19. Mr Lehmann criticised the government's budget and the decision to extend the 5p per litre cut in fuel duty introduced in 2022. He said this unnecessary move to try and win the support of drivers would cost the Treasury an estimated £3.1bn, when this sum could have contributed to the £4bn shortfall in local government funding.
20. Regarding SEND Mr Lehmann was pleased to hear that positive steps had been made towards clearing the backlog of Education, Health and Care Plan (EHCP) requests. However, he had concerns around the safety valve agreement and the Council's ability to bring down spending needs in this area sufficiently whilst providing the right level of care for children across Kent. Mr Lehmann said he was interested in attaining data in relation to areas which did not operate a grammar school system to see if the spike in EHCP requests from parents of 9 and 10 year olds was as pronounced as it was in Kent.
21. Turning to the EES Mr Lehmann was pleased that progress was being made but feared that a worst-case scenario of 15 or 16 hours' worth of delays felt likely at this stage.
22. Regarding UASC, Mr Lehmann said the situation was very concerning and he hoped the courts would come to the Council's aid where the government had not before the extended capacity to house vulnerable children arriving in Kent was exceeded.
23. Finally, Mr Lehmann asked what kind of message was sent to the residents of Kent when members of the Administration had the whip removed for voting in favour of an opposition motion but not when one of its members seriously broke the law.
24. Mr Hook, Leader of the Liberal Democrats Group, congratulated those working on the proceedings in the High Court in relation to UASC. He said he understood that a further judgment was expected after Easter and the litigation had brought £100million into the county, which represented the illegality, irrationality, and unreasonableness of the conduct of the government towards Kent. The physical manifestation of that, in part, was the construction of children's homes in Kent, which initially included nine reception centres, one of which was the refurbishment of an empty and derelict building in Faversham. Mr Hook commented on the positive responses he had received from local residents and explained that some had questions and concerns. Mr Hook said he had assured them that Kent's children's services were a highly professional team and he hoped all Members would express positivity about the development of these centres.
25. Regarding SEND Mr Hook said there was still a long way to go, and families still felt they were not getting the service that they deserved. He commented on the target of 45% to deliver EHCPs within 20 weeks of which only a minority of 12.8% met that target. Mr Hook stressed that the Council had to do better in giving children the help they needed and commented that his

Group found the proposal that the SEND Sub-committee should be wound up puzzling when there was clearly still much for it to do.

26. Mr Hook noted the agreement between Members that Eurostar should return to Kent and referred to the £10m grant from the South East Local Enterprise Partnership (SELEP) in 2017 to the Ashford Spurs and said that money had effectively been wasted. He said it was important to understand that more difficult border controls were part of the reason why Eurostar no longer saw a business case in Kent. He said there was a cost to Eurostar to provide facilities at Ebbsfleet and Ashford International Stations and unfortunately the extra passport checks and the extra red tape had damaged that business case.
27. Mr Hook then turned to the EES and said he did not think the seriousness of the issue was widely understood. He explained that in 2022 there were delays of 15 hours on the motorways, following the introduction of passport stamping and said in October 2024 passport stamping would be replaced by a metric test which was widely expected to take longer, and this could potentially result in a humanitarian crisis of people stuck in vehicles.
28. The Leader thanked the Opposition Group Leaders for their contributions and responded to some of the points that were made. Mr Gough also wished Ms Maureen Cleater well on her retirement.
29. In relation to unaccompanied minors and whether overshooting capacity could be avoided Mr Gough said it was almost certain that the Council's capacity would be exceeded. He said the Council was close to exceeding its capacity following a very large number of arrivals for this time of year and whilst the NTS was working better than was originally proposed it was nonetheless not up to the speed that was needed. He explained that there was a distinction between current capacity and the longer term issue of building a resilient and adequate NTS which could cope with occasions of large numbers of arrivals.
30. In terms of Eurostar Mr Gough said, with the introduction of the EES, there was the potential for a more intensified experience at St Pancras, and there was a good case for saying that some of that pressure on St Pancras could be eased by the re-introduction of Eurostar stopping at Ashford and Ebbsfleet International Stations.
31. Regarding SEND, Mr Gough said a lot of processes and structures were in place and impacts were starting to be seen, but it was still a process that was going to take time. He recognised that the system was under severe pressure, not only in Kent but nationally too, and responded to Mr Hook's point regarding the target for the completion of EHCPs within 20 weeks. He acknowledged that although the figure was low it was starting to improve and explained that the Council was dealing with the backlog first and had been raising the number of cases being dealt with and therefore over time that proportion would rise. He recognised the Council's central position but said this was a system wide problem in Kent which included health and

schools. In relation to scrutiny and in terms of the improvement notice Mr Gough said there was a need to look at how progress was monitored, and he assured Members this would be done openly and with transparency.

32. Regarding the environment, The Leader noted Mr Lehmann's comments and said the Council continued to make important progress and referred to Making Space for Nature, the local nature recovery strategy, and the important work which had begun on biodiversity net gain.
33. Finally, Mr Gough responded to points made by the Group Leaders regarding the suspension of a Member from the Conservative Group. He stressed that his views, which he had made clear, were distinctly separate from any duty of care owed by the Council and explained that the Council continued to pursue Vision Zero with the utmost seriousness.
34. RESOLVED that the Leader's Report be noted.

213. Integrated Care Strategy - Update
(Item 8)

1. Mr Gough proposed, and Mr Watkins seconded the motion that
"County Council notes the update on the delivery of the Kent and Medway Integrated Care Strategy."
2. The Chairman put the motion set out in paragraph 1.
3. RESOLVED that the County Council notes the update on the delivery of the Kent and Medway Integrated Care Strategy.

214. Pay Policy Statement - 2024/25
(Item 9)

1. Mr Gough proposed, and Mr Rayner seconded the motion that
"County Council is asked to endorse the attached Pay Policy Statement."
2. Following the debate, the Chairman put to the vote the motion set out in paragraph 1 and the voting was as follows:

For (45)

Mr Baker, Mr Barrington-King, Mr Bartlett, Mrs Bell, Mrs Binks, Mr Bond, Mr Brazier, Miss Carey, Mrs Chandler, Mr Cole, Mrs Cole, Mr Cooke, Mr Crow-Brown, Mr Dance, Mr Dendor, Mr Gough, Ms Hamilton, Mr Harman, Mr Hill, Mrs Hohler, Mr Holden, Mr Hook, Mr Jeffrey, Mr Kennedy, Mr Kite, Mr Love, Mr Manion, Mr Marsh, Mrs McArthur, Mr McInroy, Mr Murphy, Mr Ozog, Mr Passmore, Mr Rayner, Mr Richardson, Mr Ridgers, Mr Robey, Mr D Ross, Mr

Simkins, Mr Sole, Mr Streatfeild, Mr Sweetland, Mr Thomas, Mr Webb, Mrs Wright

Against (7)

Mr Baldock, Mr Brady, Ms Constantine, Mr Campkin, Ms Grehan, Ms Meade, Dr Sullivan

Abstain (2)

Mr Hood, Mr Lehmann

Motion Carried.

3. RESOLVED that the County Council endorses the Pay Policy Statement 2024/2025.

215. Treasury Management - 6 Month Review - 2023/24
(Item 10)

1. Mr Rayner proposed, and Mr Gough seconded the motion that
“County Council is asked to endorse the report.”
2. The Chairman put the motion set out in paragraph 1.
3. RESOLVED that the County Council endorses the report.

216. Financial Regulations Update
(Item 11)

1. Mr Rayner proposed, and Mr Gough seconded the motion that
“County Council is asked to adopt the revised Financial Regulations (attached as Annex A) and Scheme of Delegation (attached as Annex B).”
2. The Chairman put the motion set out in paragraph 1.
3. RESOLVED that the County Council adopts the revised Financial Regulations (attached as Annex A) and Scheme of Delegation (attached as Annex B).

217. Health Overview and Scrutiny Committee (HOSC) Terms of Reference
(Item 12)

1. Mr Bartlett proposed, and Ms Hamilton seconded the motion that

“County Council is asked to agree the revised Terms of Reference as set out in the Appendix and ask the Monitoring Officer to update the Constitution accordingly.”

2. The General Counsel advised that it was a legal requirement to adopt the Terms of Reference and failure to do so would mean the Committee was operating outside of the legal framework for HOSC.
3. Following the debate, the Chairman put to the vote the motion set out in paragraph 1 and the voting was as follows:

For (44)

Mr Baker, Mr Barrington-King, Mr Bartlett, Mr Beaney, Mrs Bell, Mrs Binks, Mr Bond, Mr Brazier, Miss Carey, Mr Carter, Mrs Chandler, Mr Cole, Mrs Cole, Mr Cooke, Mr Crow-Brown, Mr Dance, Mr Dendor, Mr Gough, Ms Hamilton, Mr Hill, Mrs Hohler, Mr Holden, Mr Hook, Mr Jeffrey, Mr Kennedy, Mr Kite, Mr Love, Mr Manion, Mr Marsh, Mrs McArthur, Mr McInroy, Mr Murphy, Mr Passmore, Mr Rayner, Mr Richardson, Mr Ridgers, Mr Robey, Mr D Ross, Mr Sole, Mr Streatfeild, Mr Sweetland, Mr Thomas, Mr Webb, Mrs Wright

Against (3)

Mr Hood, Mr Baldock, Mr Campkin

Abstain (7)

Mr Brady, Ms Constantine, Ms Grehan, Mr Lehmann, Mr Lewis, Ms Meade, Dr Sullivan

Motion Carried.

4. RESOLVED that the County Council agrees the revised Terms of Reference as set out in the Appendix and asks the Monitoring Officer to update the Constitution accordingly.

218. Governance & Audit Committee Terms of Reference
(Item 13)

1. Mrs Binks proposed, and Mr Jeffrey seconded the motion that
“County Council is asked to agree the revised Terms of Reference as set out in the Appendix and ask the Monitoring Officer to update the Constitution accordingly.”
2. The Chairman put the motion set out in paragraph 1.

3. RESOLVED that the County Council agrees the revised Terms of Reference as set out in the Appendix and asks the Monitoring Officer to update the Constitution accordingly.

CORPORATE PARENTING PANEL – 12 December 2023

MINUTES of the meeting held in the Darent Room, Sessions House, County Hall, Maidstone.

PRESENT: Dirk Ross (Chair), Dan Bride, Becki Bruneau, Tom Byrne, Trudy Dean, Alison Farmer, Stephen Gray, Kelly Grehan, Sarah Hamilton, Sarah Hammond, Dylan Jeffrey, Nancy Sayer, Tracy Scott, and Caroline Smith.

ALSO PRESENT: Sue Chandler, Cabinet Member for Integrated Children's Services.

IN ATTENDANCE: Joanne Carpenter (Participation and Engagement Manager), James Clapson (Democratic Services Officer), Kevin Kasaven (Director of Children's Countywide Services), Leemya McKeown (Assistant Director, Safeguarding Professional Standards and Quality Assurance) and Maurine Robinson (Management Information Service Manager).

1. Apologies and Substitutes

- 1.1 Apologies for absence were received from Mr Doran, Mr Harman and Mr Love.
- 1.2 Mr Beaney, Mrs Dean, Ms Hamilton, Mr Jeffrey and Ms Bride were present virtually.

2. Chairman's announcements

- 2.1 There were no announcements.

3. Minutes of the meeting held on 26 July 2023

- 3.1 RESOLVED that the minutes of the meeting held on 26 July 2023 were correctly recorded subject to an amendment to item 8, paragraph 3; the Department for Education's grant for recruitment and retention of foster carers should be amended to £240,000.

4. Participation Team update

- 4.1 Ms Carpenter and Mr Byrne provided an update on the following:
 - There had been a lot of Christmas activities, including arts and crafts, making advent calendars and chocolate. There had also been two Christmas parties for adopted and fostered children, and their families. There would be a further update about the Christmas activities at the next meeting.

- Panel Members were invited to attend a Christmas show performed by children in care (CiC) and adopted children on 20 December.
- Four apprentices had nearly completed their studies, and four care leavers would soon be joining the Participation Team.
- It was agreed that young people would be invited to attend a future meeting of the Panel, probably during the 2024 summer holidays.
- The Young Adult Council (YAC) had the opportunity to speak to University of Kent representatives in September.
- The YAC met in October to consider how they could give back to the community. Work was underway to explore the possibility of volunteering for Porchlight where they could help cook and provide meals for homeless people.
- The Panel watched a video about the activities that took place during the October half term. It included comments from children about their experiences and why the sessions were important to them.
- The Chair noted the positive impact that the Team had on children's lives and thanked them for their work.

5. Verbal Update by the Cabinet Member

5.1 Foster Carer Awards 2023

Mrs Chandler opened this year's Kent Fostering Service's Award Ceremony at the Detling Showground on Friday 10th November. There were 294 nominations for foster carers and staff. Mr Cooke, Chairman of Kent County Council and Mr Ross, the Chair of the Corporate Parenting Panel presented 37 awards to foster carers, supported homes hosts and staff. Congratulations were offered to every winner and nominee.

5.2 Unaccompanied Asylum Seeking Children (UASC) Update

There had been 67 UASC arrivals in the first week of December. The total number of arrivals for 2023 was 2,178. Steps were being taken to ensure there was sufficient capacity to manage new arrivals and meet the statutory duties under the Children Act 1989. Subject to full funding from the Government, three reception centres had been identified in Ashford, Dartford and Faversham. They would be run by KCC employees and provide temporary accommodation until the children were transferred to another UK local authority (LA).

5.3 Change in Legislation

New legislation came into force in October that required all providers of accommodation for CiC or care leavers up to the age of 18, to be regulated by Ofsted. Providers would be required to submit a review of the support offered to young people every six months and have an Ofsted inspection every three

years. The change was designed to help improve standards and outcomes for children and young people.

5.4 Christmas Appeal

KCC partnered with the Young Lives Foundation this year for the annual Kent Corporate Parenting Christmas Appeal. The aim was to raise £20,000 to provide a £10 gift voucher to every care leaver in Kent. The target was exceeded, and thanks were offered to everyone who donated for their generosity.

5.5 The following points were noted during the discussion that arose from the verbal update:

- The time taken to transfer UASC children to other LAs took too long. It was anticipated that there could be up to 800 additional CiC during peak periods if the National Transfer Scheme was not improved.
- Specialist teams within Ofsted would start accommodation inspections in April 2024. KCC had interpreters who could assist Ofsted when interviewing young people at reception centres if required.
- It was often difficult to find accommodation for young people under 16 years old because they could only be placed in foster care or a registered children home. 1300 children from other LA's were placed in the county and there was a shortage of capacity.
- There was a large overspend on the placements budget. This was largely due to the cost of external placements and placements for children with complex needs. A review was underway to ensure children were in the right placements for their needs and, when appropriate, the cost of care was part funded by the health services.

6. Performance Scorecard for Children in Care

6.1 Ms Robinson provided a summary of the significant changes to the Scorecard since the last meeting and asked for feedback on the proposal to present a performance report every six months.

6.2 The following points were noted during consideration of the item:

- Adoption targets were heavily impacted by court delays. These delays were mainly due to a shortage of Judges in Kent, however there had been some improvement following a change in court guidance that meant some cases were no longer required to go to court.
- There were 238 children subject to an interim care order two years ago; at the end of November 2023 this had increased to 319 children, despite the number of CiC remaining relatively stable.

- Many of the missing episodes were recoded due to missed curfew times. However, it could be concerning if an individual went missing regularly for a short period of time as it could be the start of the grooming process. When these patterns were identified, early intervention could help support children.
- Ms Bride offered to bring a report about missing people in care to a future meeting of the Panel.

6.3 The Performance Scorecard for Children in Care was noted.

7. Corporate Parenting Annual Report

7.1 Ms Smith introduced the Annual Report, noting that it had initially been requested by the Chair and could be used to promote the work of the Panel. She added that next year the report would be more data driven and linked to the performance reports.

7.2 The following points were noted during consideration of the item:

- Thanks were offered to Mr Gray in particular for his efforts in relation to the Christmas Appeal.
- Any surplus money raised from the Christmas Appeal were ring fenced for care leavers. Surplus funds from previous Appeals had paid for welcome boxes for care leavers moving into their new homes.

7.3 The Corporate Parenting Annual Report was noted.

8. Looked after Children Annual Report for NHS Kent and Medway

8.1 Ms Sayer introduced the Report that and detailed the activities to support and improve the health of looked after children under the remit of the NHS Kent and Medway Integrate Care Board (ICB) for the period from April 2022 to March 2023.

8.2 The following points were noted during presentation of the item of the item:

- The number of children ending up in acute care had reduced.
- Trainee GPs would spend four months with the service to gain an understanding of the vulnerabilities of CiC and care leavers.
- Supporting UASC exerted pressure on the services provided by KCC and the health service. There was often a poor understanding of the health background of UASC which added a degree of complexity to their care.
- Work was underway to offer free prescriptions for care leavers.

8.3 The following points were noted during consideration of the item:

- Looked after children tended to move between areas, the creation of the ICB from multiple Clinical Commissioning Groups had led to an improvement in the service for looked after children.
- The ICB was currently going through a redesign and would need time to settle.
- Care leavers often talked about the cost of prescriptions. This would be facilitated via a pre-payment system.
- When UASC arrive, they complete a health questionnaire. If there was a concern that the child had a contagious illness, they are placed in isolation while tests are carried out. Discussions were underway with the Government to ensure that the new reception centres would have enough isolation areas.
- When the UK left the EU it lost access to European medical data. This has made the identification of illnesses more difficult as there is no data to indicate what strands of disease UASC are likely to have picked up on their journey to the UK.

8.4 The looked after Looked after Children Annual Report for NHS Kent and Medway was noted.

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By: Roger Gough – Leader Kent County Council
To: County Council **Date:** 23 May 2024
Subject: Pay Strategy
Classification: Unrestricted

Summary:

This report sets out the proposed changes to Kent County Council's grading structure to be implemented from 1 April 2025.

Recommendation(s):

County Council is asked to agree the recommendation from Personnel Committee to the proposed model and transition approach.

1. Introduction

1.1 On 12 March 2024, Personnel Committee received a paper presenting the final proposal for the grading structure, indicative costings based on assumed pay awards and how the Authority will transition from its existing structure to the new one. The Committee agreed the proposals and recommend them to County Council for agreement with a view to begin implementation on 1 April 2025.

2. Background

2.1 Since, Kent County Council came out of the National Joint Council (NJC) process for pay and employment terms and implemented the Kent Scheme in 1990 the Council's approach to its grading structure and progression through grades has evolved. In 2004, the Authority introduced performance progression through the grades and in 2011 removed increments and introduced a single pay award which reflected both performance progression and an annual pay uplift. In 2019, as part of broader pay principles agreed by Personnel Committee, it was decided to pay the equivalent of, if not exceed, the Foundation Living Wage for the lowest salary in the grading structure.

2.2 In March 2023 Personnel Committee considered a number of different grading models, it looked at the considerations and challenges and the proposed use of the narrow band grade structure as the basis for the changes identified in this paper. Committee endorsed the principle of a narrow band approach. Given the proliferation of different roles in Kent County Council and that they are grouped within grades, a narrow band approach enables the Authority to maintain a robust approach to equal pay.

3. Scope

- 3.1 The scope of this review has been to consider a new pay structure for all grades, KR3 to KR20. It is intended that the determined principles (see section 5) that underpin the changes are applied across the whole of the Kent Scheme.

4. Challenges and Issues

- 4.1 The Authority's grading structure has changed over time – sometimes for expedient reasons and other times due to external drivers (such as Single Status). There has been form to these changes but equally there has been a degree of organic change too. KCC is now at a point, however, where a fundamental change is required to address pressures on the structure.

Wage Inflation

- 4.2 In 2016, the Government introduced a new mandatory National Living Wage. The Government's objective for the National Living Wage was for it to reach two thirds of median earnings with the implication during the transition that pay for the lowest paid increased at a higher rate than general pay. In this context Personnel Committee, and County Council, wanted to ensure that the Authority remains competitive as well as being seen as an employer which values their employees by not paying just the minimum so decided to pay the equivalent, or exceed, the Foundation Living Wage. In the last 7 years the Foundation Living Wage has increased by 42% (NLW by 44%). KCC has seen an equivalent cumulative pay pot of 24%, much of which has been used to maintain the Authority's relative position above the National Living Wage.
- 4.3 These increases eventually saw KCC merging grades KR2 and KR3 and, if not addressed, future increases will have the impact of eroding pay ranges for other grades at the lower end of the grading structure.

Grade Length

- 4.4 At KCC the current lengths of grades, measured by the difference between the bottom salary and the top salary of the range, is variable in terms of percentage difference. There is currently no consistency to the length of grades at KCC. KR3 is a spot point, and the rest of the grade lengths vary considerably. This means under the current performance progression regime if you receive a pay rise of 3% each year it can take, depending on the grade a person is on, anywhere from 2 to 16 years to reach the top of the grade.

Performance Connection

- 4.5 When performance progression was introduced in 2004 the key reasons for this were to break from automatic pay rises, encourage greater discretionary effort, and to further embed a performance management approach, through the use of action and development plans.
- 4.6 The Authority now has a well-established approach to pay progression through Total Contribution Pay and the concept of performance management and setting objectives and targets is in a much stronger place than it was 20 years ago. However, despite this, it is not without its challenges in terms of staff understanding, ratings distributions and some inconsistency in distribution.

5. Proposed New Structure

- 5.1 As identified earlier in this report presentations to Personnel Committee, in March 2023 and March 2024, explored the approach that could underpin what a new grading structure would look like. It was decided that a narrow band approach best suited the Authority's needs. The proposed new structure is based on this model (Appendix 1).
- 5.2 In developing a new pay scheme several principles were devised to address the challenges that is faced in relation to maintaining the current structure. These include that progression in grade will be based on a combination of performance and length of service, employees will receive a separately negotiated annual pay settlement, grade lengths will reduce, there will be a prescribed time to reach the top of a grade and KR3 will continue to track the Foundation Living Wage.
- 5.3 Also, in order to inform how performance progression works in the new structure, a number of principles have been established. These include a performance assessment against set objectives taking place each year, the assessment will be a simple yes/no based-on set criteria, progression through a grade will take place on the anniversary of starting in a grade, those who do not meet the criteria will have progression held back or the pay award withheld.
- 5.4 It is expected that people will meet their performance targets and will therefore receive an affirmative performance rating which will be used to inform their progression through a grade. By exception, if a person's performance falls below the expected level and is in a performance or conduct process their ability to bank a year for progression is withheld. Therefore, where it ordinarily would take 2 years in a particular grade to move to the next point it would take 3 years, providing performance improves to the required standard based on the current assumed pay award.
- 5.5 It is proposed that KCC uses the anniversary of the person entering the grade for the date that they progress. The main reason for this is it is more equitable for people than the alternative of moving everyone on the first of April, as the Council does currently. Whilst having everyone who is due to move to a point in the grade on the 1 April is simple and easily understood what it would mean is that some

people would have to wait longer than others to move depending on when they started in the organisation or are promoted.

- 5.6 A note on the anniversary proposal is that this will only apply to people newly appointed or promoted once the new structure goes live. The current staffing cohort will all transition on the 1 April so that will be their anniversary. As such, we will see more variance over time.
- 5.7 The length of grades will differ from each other. It is intended that by 2027/28 we will have standardised them at KR3 and KR4 being a spot point (a single salary), the difference between the top and bottom of KR5 will be set at 4% with this increasing by 1% each grade from KR6 to KR10. Grades KR11 to KR15 will be 10%. Grade KR16 will be set at 15% and will increase in length by 1% per grade with KR20 being 19% in length. (Appendix 2).
- 5.8 The net annual cost of progression will need to be separately identified in future budgets as this will depend on the numbers and grades of staff due for progression assessment each year and impact of turnover on starting salaries. The amount for progression would no longer be subject to annual member decision on the size and distribution of a single pay pot. The cost of progression is likely to vary each year and from an average of 2% to 2.5% per annum for KR5 to KR15 although this would only apply to those staff not on the top of the pay range. This equates to average cost of progression of approx. £4.0m after saving from turnover.
- 5.9 The annual pay award will be negotiated with the trades unions and funded in the same way as it is now through an annual member decision as part of the budget process. The separation of performance and a yearly pay award will make the conversation with the unions cleaner than it is now where their views on TCP are invariably a significant factor.
- 5.10 The annual pay award will be consolidated into the salaries of all employees, including those people at the top of grades.
- 5.11 The shortening of the salary ranges will be achieved by bringing up the bottom of the current pay scales over time. The top of grades will be increased by the full amount of the annual pay award, rather than what currently happens where only half of the Successful rating is applied to the salary at the top of the grade. There is a transitional cost of moving staff to the new fixed points (including the uplifted bottom of each range), the shorter ranges will also reduce the offsetting reduction from turnover where new staff are usually appointed on lower points than their predecessors. The budget will no longer need to include costs of non-consolidated lump sum payments.
- 5.12 We do know people will continue to work exceptionally and KCC still wishes to recognise that effort and proposes a stronger promotion and use of cash and non-cash awards than currently. In order to facilitate the use of cash awards, the governance for particular amounts will change so that it better supports the proposals in this report.

- 5.13 The fundamental principle KCC has had in place for many years is that people are appointed to the bottom of the grade. Given the shortening of the time it takes to progress through grades in this proposal it is intended that this principle will be retained. However, it is appreciated that a degree of flexibility may be required, and it is therefore proposed that this is afforded in the same way that it is now. This will mean that an appointing manager, if they get permission, can appoint anywhere on the scale. However, what the managers will need to consider is that the jump to the next point in the grade would be smaller after the commensurate performance period required than if they have been appointed at the bottom of the grade.
- 5.14 It is proposed that the Authority retains the option to award a 2.5% pay increase to promoted staff if the increase from where they are placed on a grade to the bottom of the next is less than this amount.

6. Transition

- 6.1 The straightforward aspect of transitioning from the old structure to the new is that because we are keeping the same number of grades and the same job evaluation differentials, we can automatically place people across from the old grades into the new grades. The more technical issue is where to place them on the new grade in terms of salaries, as most salaries will not match those points on the new grades.
- 6.2 In order to assist the transition of a large number of employees into a grading structure that will continue developing, in terms of grade lengths, up to 2027 it is proposed to smooth the trajectory of placing people onto salary points in the grade. The following section is divided into transitional years to give a sense of how the proposed process will work.

Year 2025/26

- KR4 will become a spot point.
- the length of some grades will continue to shorten as part of the phased transition.
- move all staff to a set point in the new grade (either on a temporary intermediate point for this transition year or the point that they will be on at the end of the transition period)
- for those people who have transitioned to one of the points in the final grade structure (i.e. not an intermediate point) this is the first year of people's performance review that will inform their progression
- apply a negotiated pay increase to everyone's consolidated pay.

Year 2026/27

- length of some grades will continue to shorten as part of the phased transition.
- continue to apply the performance reviews.
- apply a negotiated pay increase.
- where intermediate points were used in 2025/6 move people to the next point in the grade,

Year 2027/28

- full application of the new grade structure

7. Financial Implications

- 7.1 The move to the new structure will not be cost neutral. Moving the bottom of the grades over time and transitioning people to points above their salary will require financing. However, in order to address the long-term issues of the Authority's current structure, not least the impact of wage inflation at the bottom end, it is imperative that we address this now.
- 7.2 It is proposed that the cost of transition is managed within the pay provision as defined in the current MTFP. If the pay provision is insufficient to cover the initial transition, the subsequent pay progression, and the planned annual pay award there are two options available: increase the size of the pay provision or reduce the amount available for the annual pay award. The annual pay award element of the pay pot is currently assumed to be 1.5% for 2025/26 onwards – this is the increase that someone on the top of their grade will receive for those years. However, this has been assumed for modelling purposes and the actual increase will be determined via pay bargaining with KCC's recognised trades unions and agreed as part of the annual budget process.
- 7.3 The value of the current pay provision for each financial year of the transition period will be included in the 2025-28 MTFP and comprises of pay growth provision and an assumption of an amount saved through regression (staff turnover where new staff are appointed lower in the pay range than staff they replace).

	2025/26	2026/27	2027/28	Total
£'m	£8.6m	£9.0m	£9.3m	£26.9m
%	3%	3%	3%	

Transition

- 7.4 The figures below represent an illustration of what the phased approach would cost. These figures are based on a series of assumptions which are stated below the table. The phased approach means that in 2025/26 everyone would move to either the next 'proper' step or a temporary intermediate point (which would represent a smaller increase in salary). Those who move to a temporary

intermediate point would move to the next 'proper' step point up within their grade in 2026/7. This would have the impact of spreading out the bigger pay increases to staff over two years instead of one year, and therefore spread the cost of implementation out too.

	2025/26	2026/27	2027/28	Total
Cost of increasing bottom of grades KR3-KR7 (impacted by FLW)	£2.6m	£1.3m	£1.3m	£5.2m
Cost of living (assumed at 1.5%)	£4.3m	£4.5m	£4.6m	£13.4m
Cost of transition (net of regression)	£4.3m	£4.1m		£8.4m
Cost of progression (net of regression)			£3.9m	£3.9m
Total	£11.2m	£9.9m	£9.8m	£30.9m

Assumptions

- 1) The figures only relate to staff funded from base budget. Any staff funded by external income or grant funding have been excluded.
- 2) Foundation Living Wage (FLW) increases have been assumed as follows: 2025-26 at 5%, 2026-27 at 3.5% and 2027-28 at 3.5%.
- 3) Annual pay award increase has been assumed at 1.5% in each financial year.
- 4) The overall cohort of staff remains constant.

8. Engagement

8.1 Throughout the development of this proposal there have been a number of managers' focus groups held in order to test some of the ideas and working principles. The Authority has also taken the opportunity to trail the top-level proposals with schools so that, depending on the changes being agreed, they can start to consider and plan how they will deliver the developments. Given we have started to speak to groups of people, we have also commenced broader staff engagement by highlighting the main principles to KCC staff through a message in December 2023. There have also been staff briefings in advance of County Council sitting so that this paper can be explained to people. This communication has made it clear that the changes are merely proposals and require County Council agreement.

8.2 KCC's recognised trades unions have been fully engaged from a very early stage and the Authority will continue this as we approach implementation.

9. Legal Implications

9.1 Given the proposal amounts to a beneficial change for employee this mitigates to a large extent any risks arising from a legal challenge by employees.

10 Equality Impact Assessment

10.1 The overall strategic direction of the pay strategy is beneficial to staff. However, there are certain categories of employees where the process for progression through the grades would need to be addressed – these are familiar in our current system and wholly manageable. The main examples are absence due to

pregnancy and family leave and the impact that absence may have on a performance assessment and equally absence due to a disability. These can be easily mitigated through the application of rules to ensure they are not disadvantaged.

11 Conclusion

11.1 It is essential that we have a way of managing the bottom-up wage inflation so that KR5 is not absorbed by it and that the implications for how the organisation determines its pay award is not compromised. Also, if this proposed change is not agreed an alternative approach is required. The alternatives, beyond total system change, will be piecemeal and non-sustainable. Not changing would just delay by a few years the requirement to make wholesale change whilst distorting the grading structure in the meantime. The proposals in this paper are professionally determined as the best way for KCC to address the issues and are recommended to County Council.

12. Recommendation

Recommendation

County Council is asked to agree the recommendation from Personnel Committee to the proposed model and transition approach for implementation to commence from 1 April 2025.

13. Contact details

- Paul Royel, Director of HR & OD
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Future Pay Grades

KR Grades	2024-25		2025-26			
	Entry	Top	Entry	Middle 1	Middle 2	Top
KR3	£23,337	£23,337	£24,504			£24,504
KR4	£23,338	£23,921	£25,117			£25,117
KR5	£24,040	£25,002	£25,242			£26,252
KR6	£25,127	£26,383	£26,383			£27,702
KR7	£26,515	£28,836	£27,841			£30,021
KR8	£28,980	£32,753	£30,171			£33,494
KR9	£32,917	£37,170	£33,903	£35,815		£37,728
KR10	£37,356	£43,570	£38,762	£41,493		£44,224
KR11	£43,788	£49,964	£44,984	£47,849		£50,714
KR12	£50,214	£58,463	£51,923	£56,373		£59,340
KR13	£58,755	£65,447	£59,885	£63,812		£66,429
KR14	£65,775	£74,021	£67,267	£71,986		£75,132
KR15	£74,391	£84,075	£76,185	£81,676		£85,336
KR16	£84,495	£106,073	£88,231	£94,709	£101,186	£107,664
KR17	£105,542	£125,451	£108,202	£114,661	£121,121	£127,580
KR18	£132,077	£157,050	£134,779	£142,988	£151,197	£159,406
KR19	£158,928	£204,000	£165,772	£179,535	£193,297	£207,060
KR20	£216,293	£239,741	£214,254	£223,948	£233,643	£243,337

- KR4 becomes a single point of grade in 2025-26
- KR5 to KR8 have Entry and Top points of grades (therefore no Middle)
- KR9 to KR15 have Entry, Middle and Top points of grades from 2025-26
- KR16 to KR20 have Entry, Middle 1, Middle 2 and Top points of grades from 2025-26

Salaries for 2025/26 are for illustrative purposes

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Length of grades (grade range/bottom to top)

	Current	Proposed			
	2023-24	2024-25	2025-26	2026-27	2027-28
KR3	0%	0%	0%	0%	0%
KR4	5.2%	2.5%	0%	0%	0%
KR5	4.9%	4.0%	4.0%	4.0%	4.0%
KR6	6.1%	5.0%	5.0%	5.0%	5.0%
KR7	12.2%	9.5%	8.9%	7.5%	6.0%
KR8	13.1%	13.0%	11.0%	9.0%	7.0%
KR9	13.0%	12.9%	11.3%	9.6%	8.0%
KR10	16.7%	16.6%	14.1%	11.5%	9.0%
KR11	14.1%	14.1%	12.7%	11.4%	10.0%
KR12	16.5%	16.4%	14.3%	12.1%	10.0%
KR13	11.5%	11.4%	10.9%	10.5%	10.0%
KR14	12.6%	12.5%	11.7%	10.8%	10.0%
KR15	13.1%	13.0%	12.0%	11.0%	10.0%
KR16	25.7%	25.5%	22.0%	18.5%	15.0%
KR17	18.9%	18.9%	17.9%	17.0%	16.0%
KR18	18.9%	18.9%	18.3%	17.6%	17.0%
KR19	36.3%	28.4%	24.9%	21.5%	18.0%
KR20	10.8%	10.9%	13.6%	16.3%	19.0%

- 2024-25 reflects current pay principles, including the impact of increases to the foundation living wage.
- 2025-26 transition begins to new pay scale ranges by 2027-28

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From: Neil Baker, Cabinet Member for Highways and Transportation

To: County Council – 23rd May 2024

Subject: Local Transport Plan 5 (LTP5)

Status: Unrestricted

Past pathway of paper: n/a

Future pathway of paper: n/a

Electoral division: All

Summary:

KCC's Local Transport Plan 5 (LTP5) is approaching completion, with an aim to publish a full draft for consultation in summer 2024. Following consideration of the consultation feedback, the aim is that later in 2024 the full draft plan will be ready for County Council to vote on its adoption.

The plan is being developed to set out a balanced approach to improving transport infrastructure, that will deliver on its ambition within the Council's overarching strategies for *Securing Kent's Future* and the longer term *Framing Kent's Future*. The proposals in the plan will form the long term capital transport programme, providing a focus for the future external funding the Council works to secure.

Recommendation:

That the County Council notes progress on development of LTP5 and its expected return to County Council for a vote on its adoption following a summer public consultation exercise.

1. Introduction

- 1.1 A Local Transport Plan (LTP) is a statutory document set out in the 2000 Transport Act (and as amended by the 2008 Local Transport Act). LTPs are the only KCC transport policy document which require the approval of the full County Council. As statutory plans they carry weight in the planning system and are therefore given regard by government in its decision making.
- 1.2 The plan is a critical instrument to attract government transport funding as it establishes a long term capital transport programme justified by the strategic outcomes it aims to deliver. LTPs have further become a mechanism built into government devolution agreements such as County deals, for supporting determination of transport settlements.
- 1.3 The Local Transport Plan 4: Delivering Growth Without Gridlock (LTP4) was adopted in 2017 with the intention of remaining as Kent Council's statutory Local Transport Plan (LTP) for the period of 2016-2031.

- 1.4 Substantial delivery of the proposals within LTP4 has been achieved, supported by the former devolved funding settlement through the South East Local Enterprise Partnership and a range of match funding and other bespoke funds administered, often on a competitive bidding basis, by government. The new LTP will re-stock the depleted pipeline of transport proposals, with a new long-term transport capital programme for the future.
- 1.5 The reasons for embarking on a new LTP were presented to the Environment and Transport Cabinet Committee in September 2021. A report on LTP to the County Council in July 2022 detailed the progress on developing the ambition, outcomes, and objectives for the plan.
- 1.6 Development of the plan continued, and the Cabinet Member resolved to consult on an *Emerging* draft LTP in summer 2023. Respondents could comment on the ambition, outcomes, and objectives (the current draft of these is included in Appendix 1) and raise any challenges overlooked by the draft plan or any policies or proposals the Council could consider.
- 1.7 The full results of the consultation were published in December 2023. The key findings from the consultation were that 80% of respondents either partly or fully supported the ambition of the plan. The policy outcomes and the policy objectives were all also supported by a majority of respondents. A total of 77% of respondents, including all twelve district authorities, stated that climate change and reducing transport's contribution towards carbon emissions was either very important or important to them, and proposed a range of options they felt the Council could consider further. When the full draft plan is published for consultation, it will be accompanied by a 'You Said, We Did' report describing the consideration we have made of the main issues raised from the consultation.
- 1.8 Development of the plan has been supported by a cross-party Member Task and Finish group. Since the consultation, the plan has been developed by taking into consideration the consultation feedback and to develop the proposals that will form the updated long term capital transport programme. The next public consultation exercise will provide an opportunity for respondents to comment on the draft proposals within a full draft LTP.

2. Developing the Local Transport Plan proposals

- 2.1 The aim is to develop the LTP to have a balanced set of proposals. Future development of proposals, including associated bidding to obtain funding, will be guided by their contribution to delivering the outcomes and objectives of the plan along with wider considerations. The plan will promote the following types of proposals, both at a network-wide level (proposals that have a widespread effect, typically across more than one district) and on a district-specific basis (i.e. more local, smaller scale, but nonetheless substantial proposals likely needing external funding support):

- 2.1.1 The strategic road network managed by National Highways, including junction upgrades, new junction access to the trunk road network, corridor capacity, and resilience and management. This will enable KCC to place clear demands on National Highways and support other stakeholders, such as the district Local Planning Authorities, in their requirements.
- 2.1.2 The local road network, managed by KCC, including junction upgrades, corridor capacity, and new routes for improving the flow of traffic on the network to unlock opportunities to create better places. This will be founded on a headline requirement for a long term sustained sufficient funding to address maintenance of the county's local roads, as set out in the current KCC budget book's long term capital plan.
- 2.1.3 The bus network, by referencing KCC's existing comprehensive plans for the network detailed in the Bus Service Improvement Plan and the Enhanced Bus Partnership schemes
- 2.1.4 The walking and cycling network, by promoting delivery of KCC's draft Kent Cycling and Walking Infrastructure Plan and district Local Cycling and Walking Plans either adopted or in draft.
- 2.1.5 The rail network managed by Network Rail, High Speed 1 Ltd, and the train operating companies, including both domestic and international passenger services and rail freight.

3. Policy Alignment

- 3.1 The plan will, importantly, make clear the Council's ambitions for how the transport network in Kent should change in the future, and what the timescales and funding requirement is expected to be. This will enable the Council to work at pace to secure future funding in whatever form it is available (competitive funding bidding, transport specific settlements, etc).
- 3.2 In alignment with the immediate Council strategy of *Securing Kent's Future*, the plan will be clear about the government funding needed for the fundamental foundations of maintaining the Council's managed highway assets and investing in local bus services, as well as the long term new infrastructure investment to support Kent's economy, the quality of life and the objectives of the Kent and Medway Economic Framework.
- 3.3 Furthermore, the plan aims to take a precautionary approach to the new opportunities in transport in recognition of the focus on the Council's budget recovery strategy. The plan will not commit the Council to new investment from its own budget. The plan will be clear that the proposals in the plan will require government funding, with new opportunities in transport infrastructure provision (such as shared mobility e.g. car clubs, cycle hire etc) dependent on learning and benchmarking of implementation elsewhere in the UK or where delivered by third parties such as developers within in Kent. The plan aims to set a clear

path ahead towards the ambitions the Council has whilst working within the framework of *Securing Kent's Future*.

- 3.4 Proposals will also be identified as impactful and ready to go for delivering further reduced transport emissions from travel in Kent and to reduce the effects of road-based air pollution. This will enable the plan to demonstrate alignment with government transport policy such as the Department for Transport's Decarbonising Transport Plan, and the 'environmental step-change' pillar of *Framing Kent's Future*.
- 3.5 The plan will also support deliver of the Council's adopted Integrated Care Strategy and shared outcome 3 within that concerning supporting happy and healthy living. A balanced Local Transport Plan will improve the choice available for how people travel and ease the access to the services they need, recognising that transport has an impact on the majority of the wider determinants of health.

4. District/Borough Council Engagement

- 4.1 Discussions have taken place with all Districts throughout the development of the plan. These occurred prior to the 2023 consultation, and more recently on the details of their local transport strategies and infrastructure requirements. All District Council's responded to the 2023 consultation and their feedback has been considered in those discussions with officers. Furthermore, the published draft full LTP will be accompanied by a 'You Said, We Did' report covering consideration of the main issues raised.

5. Financial Implications

- 5.1 Committed spend to date against DfT grant funding budget of £178,671, under section 31 of the Local Government Act 2003 to Kent County Council, has totalled £139,839. The grant was made for the sole purpose of preparing for a new LTP. Remaining budget will fund further public consultation, any further environmental assessment work needed following the consultation, and any further modelling and appraisal of the plan as part of its finalisation and onward implementation. Adoption of the LTP by County Council (post public consultation) will not commit the Council to funding the delivery of the plan which is dependent on securing external funding and the Council's Key Decision process.

6. Legal implications

- 6.1 As a statutory plan, the LTP must fulfil legislative requirements concerning Environmental Impact Assessment (EIA). The LTP has been prepared with a Strategic Environmental Assessment and Habitats Regulations Assessment, to consider the potential impact of the proposals on the environment. A Health Impact Assessment has also been undertaken as the LTP has developed and will also be published with the plan.

7. Equalities implications

- 7.1 The new LTP has been prepared with input from an Equalities Impact Assessment (EqIA) to ensure the consideration of the policies and proposals that the Council chooses to promote in the new LTP and further KCC's efforts in fulfilling its statutory public sector equalities duty. The EqIA will be published with the draft plan for the public consultation exercise.

8. Governance

- 8.1 Members will be provided further details of the draft full plan prior to the public consultation. Subject to consultation of the full draft Plan occurring and consideration of the outcome, the County Council will be asked to vote on its adoption. If any amendments are deemed necessary post adoption, the Plan will be amended in a process compliant with statutory requirements, any government guidance and the KCC constitution.

9. Conclusions

- 9.1 The full draft LTP will set out a long term capital transport programme that delivers on the ambition of the Council and its strategy *Framing Kent's Future*. The plan will be balanced to ensure that all parts of the transport mix are covered and so best position KCC to take the opportunities for further funding.

10. Recommendation

- 10.1 That the County Council notes progress on development of LTP5 and its expected return to County Council for a vote on its adoption following a summer public consultation exercise.

11. Background Documents

- 11.1 Local Transport Plan 4 published on KCC website at https://www.kent.gov.uk/_data/assets/pdf_file/0011/72668/Local-transport-plan-4.pdf .
- 11.2 Environment and Transport Cabinet Committee September 2021 paper on proposed early review of LTP4 published on KCC website at <https://democracy.kent.gov.uk/documents/s105548/LTP5%20Report.pdf>
- 11.3 County Council July 2022 paper on development of the LTP. <https://democracy.kent.gov.uk:9071/documents/s112786/LTP5%20July%2022%20CountyCouncil.pdf>
- 11.4 Results of the 2023 public consultation. <https://letstalk.kent.gov.uk/23735/widgets/70451/documents/52605>

12. Officer Contact details

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Appendix 1 – Ambition, Outcomes & Objectives of draft Local Transport Plan

Ambition

We want to improve the health, wellbeing, and economic prosperity of lives in Kent by delivering a safe, reliable, efficient, and affordable transport network across the county and as an international gateway. We will plan for growth in Kent in a way that enables us to combat climate change and preserve Kent's environment.

We will do this by delivering emission-free travel by getting effective dedicated infrastructure to electrify vehicles, increase public transport use and make walking and cycling attractive. This will be enabled by maintaining our highways network and delivering our Vision Zero road safety strategy. These priorities will ensure our networks are future-proof, resilient and meet user needs.

Outcomes and their associated Objectives

POLICY OUTCOME 1: The condition of our managed transport network is brought to a satisfactory level, helping to maintain safe and accessible travel and trade.

- **POLICY OBJECTIVE 1 A):** Achieve the funding necessary to deliver a sustained fall in the value of the backlog of maintenance work over the life of our Local Transport Plan.

POLICY OUTCOME 2: Deliver our Vision Zero road safety strategy through all the work we do.

- **POLICY OBJECTIVE 2 A):** Achieve a fall over time in the volume of people killed or very seriously (life-changing) injured occurring on KCC's managed road network, working towards the trajectory to reach zero by 2050.

POLICY OUTCOME 3: International travel becomes a positive part of Kent's economy, facilitated by the county's transport network, with the negative effects of international haulage traffic decreased.

- **POLICY OBJECTIVE 3 A):** Increase resilience of the road network serving the Port of Dover and Eurotunnel crossing, by adding holding capacity for HGVs across the southeast region to support establishment of a long term alternative to Operation Brock. This will remove reliance on these disruptive schemes and the burdens and impacts they create on the transport network and affected communities in Kent.
- **POLICY OBJECTIVE 3 B):** Increase resilience of the road network servicing the Port of Dover through delivery of the KCC bifurcation strategy including improvements to the M2 / A2 road corridor and its links to the M20 and a new Lower Thames Crossing for traffic towards the north.

POLICY OUTCOME 4: International rail travel returns to Kent and there are improved public transport connections to international hubs.

- POLICY OBJECTIVE 4 A): International rail travel returns to Ashford International and Ebbsfleet International stations, supported by the infrastructure investment needed at Kent's stations to ensure they provide secure and straightforward journeys across the border within the entry exit system.
- POLICY OBJECTIVE 4 B): A fall in the time it takes by public transport to reach international travel hubs compared to conditions in 2023.

POLICY OUTCOME 5: Deliver a resilient transport, future-proofed for growth and innovation, aiming for an infrastructure-first approach to reduce the risk of highways and public transport congestion due to development.

- POLICY OBJECTIVE 5 A): Strengthen delivery of our Network Management Duty to deliver the expeditious movement of traffic by using our new moving traffic enforcement powers and modernising the provision of on-street parking enforcement.
- POLICY OBJECTIVE 5 B): Reduce the amount of forecast future congestion and crowding on highways and public transport that is associated with demand from development by securing funding and delivery of our Local Transport Plan.
- POLICY OBJECTIVE 5 C): The prospects for the future of transport increase across the whole county, with new innovations in transport services having a clear pathway to trial or delivery in Kent.

POLICY OUTCOME 6: Journeys to access and experience Kent's historic and natural environments are improved.

- POLICY OBJECTIVE 6 A): Proposals in our Local Transport Plan are clearly evidenced in terms of their contribution in providing new, faster, or more inclusive access to historic and natural environment destinations in the county, with proposals targeting access to such locations where appropriate.

POLICY OUTCOME 7: Road-side air quality improves as decarbonisation of travel accelerates, contributing towards the pursuit of carbon budget targets and net zero in 2050.

- POLICY OBJECTIVE 7 A): Reduce the volume of carbon dioxide equivalent emissions entering the atmosphere associated with surface transport activity on the KCC managed highway network by an amount

greater than our forecast “business as usual” scenario. This means achieving a greater fall than those currently forecast of 9% by 2027, 19% by 2032 and 29% by 2037.

- POLICY OBJECTIVE 7 B): No area in Kent is left behind by the revolution in electric motoring, with charging infrastructure deployed close to residential areas, reducing barriers to adoption.
- POLICY OBJECTIVE 7 C): Proposals are clearly evidenced in terms of their contribution in providing lower emissions from transport in Air Quality Management Areas in the county.

POLICY OUTCOME 8: A growing public transport system supported by dedicated infrastructure to attract increased ridership, helping operators to invest in and provide better services.

- POLICY OBJECTIVE 8 A): We will aim to obtain further funding to deliver the outcomes our Bus Service Improvement Plan (or its replacement) beyond its current horizon of 2024/25. We will ensure that our Local Transport Plan proposals are clearly evidenced in terms of their contribution towards achieving our Bus Service Improvement Plan.
- POLICY OBJECTIVE 8 B): We will identify and support industry delivery of priority railway stations for accessibility improvements and route improvements to reduce journey times and improve reliability.

POLICY OUTCOME 9: Health, air quality, public transport use, congestion and the prosperity of Kent’s highstreets and communities will be improved by supporting increasing numbers of people to use a growing network of dedicated walking and cycling routes.

- POLICY OBJECTIVE 9 A): We will aim to deliver walking and cycling improvements at prioritised locations in Kent to deliver increased levels of activity towards the Active Travel England target and support Kent’s diverse economy, presented in a Kent Cycling and Walking Infrastructure Plan.

POLICY OUTCOME 10: The quality of life in Kent is protected from the risk of worsening noise disturbance from aviation.

- POLICY OBJECTIVE 10 A): We will make representations on behalf of the county’s population on airport expansion proposals which evidence impacts on our communities, to oppose their causes and secure mitigation of their effects.

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From: Ben Watts - General Counsel
To: County Council - 23 May 2024
Subject: Proposed Revisions to the Kent Code of Member Conduct
Previous pathway: The Standards Committee, 20 March 2024
Classification: **Unrestricted**

Summary:

The purpose of this report is to ask Members to approve amendments to the Kent Code of Conduct for Members. The proposed amendments build on changes recommended by the Kent Secretaries Group in response to the publication of the LGA Model Code of Conduct and follow detailed conversation, changes and input by the Standards Committee. At its meeting of 20 March 2024, the Standards Committee agreed to recommend these amendments to full Council.

Recommendation:

County Council is asked to agree the changes to the Kent Code of Member Conduct as recommended by the Standards Committee.

1. Introduction

- a) In January 2019 the Committee on Standards in Public Life's (CSPL) published its review into 'Local Government Ethical Standards'¹. Most of the recommendations in the CSPL report were for central government. The government response was discussed by this Committee on 9 May 2022².
- b) However, the first recommendation in the CSPL report was for the Local Government Association (LGA) to update its model code of conduct. In mid-2020, the LGA conducted a consultation which led to the publication of this revised version.
- c) This legislation has remained largely the same since 2011. The LGA Model Code is not mandatory, and the flexibilities of the Localism Act 2011 remain. It is for the Council, with advice from the Standards Committee, to determine what changes to make.

¹ <https://www.gov.uk/government/publications/local-government-ethical-standards-report>

² <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=141&MId=9038&Ver=4>

- d) It needs to be kept in mind that the current Code is intended to be a Kent Code and not just a Kent County Council Code. The majority of Borough/District Councils in Kent have adopted the same code. This helps with consistency when there are Members who are also Borough/District representatives and makes it clearer to the public to what standards their elected representatives are being held. However, each authority remains responsible for agreeing its own code and in practice, differences are possible.

2. Revising the Kent Code in Response to The Model Code

- a) The Standards Committee has considered the differences between the LGA Model Code and the current Kent Code and expressed views as to where changes could be made, and where they were not required. Members were very clear about some of the proposed changes which they felt were not as clear or robust as the existing drafting within the Kent Code.
- b) These views were then fed into the discussions of a Kent Secretaries (an officer group of Governance and Monitoring Officers in the County) working group that was set up to discuss and produce an amended version of the Kent Code for further consideration by the various Standards Committees across the County.
- c) The text of this draft as agreed by the Kent Secretaries was presented to the Standards Committee on 9 May 2022. Amendments were suggested and further work was undertaken based on the views discussed by Members culminating in an updated draft being presented for consideration by the Committee on 20 March 2024. With some additional amendments made at this meeting, the Committee agreed to recommend the draft set out in the Appendix for consideration by full Council.
- d) The changes agreed by the Standards Committee are set out as track changes to the current code in the Appendix. Each change is also marked by a letter in a box. The changes are summarised and explained below:
 - A. In the current Code, there is no explicit reference to Members receiving training related to standards. The preamble is not part of the formal code, but the principle is set out that not having received training on the Code could not be used as mitigation in the case of a complaint.
 - B. The preamble is not part of the formal Code but the expectation is set out here that a Member will cooperate with any investigation and the outcome. It is set out in the preamble to mitigate the risk of a perpetuating series of complaints based on not cooperation with an initial investigation.
 - C. Social media was not as ubiquitous when the current Code was agreed as it is now. This addition is to make it clear that, where relevant to the Code, interactions on social media are covered.

- D. The current Code states that a Member must not “bully any person.” Harassment is not explicitly mentioned, although would be covered by relevant legislation. The amendment proposed here covers both bullying and harassment. Because there is legislation which defines harassment, this is referenced. While there is no legal definition of bullying, the wording here builds on and adapts that used by the LGA Model Code, which itself draws on the ACAS definition of bullying. The Standards Committee has adapted the wording to make it more appropriate for the local government setting.
- E. This amendment makes it explicit that this section, concerning the disclosure of information, also applies to information in exempt (or ‘Part II’) agenda papers.
- F. The Kent Code includes the definitions of the Seven Principles of Public Life as they were when the Code was first adopted. The CSPL have amended the definitions and the Committee agreed that they should be updated. To ensure the most current definitions are used in the future, a standing delegation to the Monitoring Officer has been included to enable the definitions to be updated as and when the CSPL revises them. The Seven Principles are not part of the formal Code.
- G. The definitions of the Seven Principles of Public Life have been updated with the one given on the CSPL website at the time of drafting.
- H. The current Code includes an historical footnote on the background to the Seven Principles of Public Life. This is not relevant to the operation of the Code and has been deleted.

3. Next Steps

- a) The legislation has not changed substantially but the production of the new LGA model code has provided an opportunity to review and refresh the existing Code. If the legislation affecting the Code is changed, then further amendments will be developed in due course for consideration by the Standards Committee and full Council.
- b) The Member Development Sub-Committee is currently reviewing the development needs of Members. The Council’s ethical framework is part of these discussions.

4. Recommendation:

County Council is asked to agree the changes to the Kent Code of Member Conduct as recommended by the Standards Committee.

5. Appendices

Draft Kent Code of Member Conduct showing proposed amendments.

6. Background Documents

The LGA Model Code of Conduct for Members.

<https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020>

The Kent Code for Members. See Constitution sections 21.32 to 21.92

https://www.kent.gov.uk/_data/assets/pdf_file/0010/3142/Constitution.pdf

Standards Committee meeting agenda, 9 May 2022,

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=141&MId=9038&Ver=4>

Standards Committee meeting agenda, 20 March 2024,

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=141&MId=9431&Ver=4>

7. Report Author and Relevant Director

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Appendix – Draft Kent Code of Member Conduct¹ showing proposed amendments

Preamble

21.32 The Code of Conduct that follows is adopted under Section 27(2) of the Localism Act 2011.

21.33 The Code is based on the Seven Principles of Public Life under Section 28(1) of the Localism Act 2011, which are set out below.

21.34 This Preamble and the Seven Principles of Public Life do not form part of the Code, but you should have regard to them as they will help you to comply with the Code.

A

21.35 Where you have not undertaken training relating to conduct matters, you will not be able to use this as a defence where a complaint has been made.

B

~~21.34~~21.36 There is an expectation that you will cooperate with any investigation undertaken under this Code and support or adhere to the conditions of any determination made at the conclusion of one.

~~21.35~~21.37 If you need guidance on any matter under the Code, you should seek it from the Monitoring Officer or your own legal adviser – but it is entirely your responsibility to comply with the provisions of this Code.

~~21.36~~21.38 In accordance with Section 34 of the Localism Act 2011, where you have a Disclosable Pecuniary Interest it is a criminal offence if, without reasonable excuse, you:

- (a) Fail to notify the Authority's Monitoring Officer of the interest before the end of 28 days beginning with the day on which you became a member.
- (b) Fail to disclose the interest at Meetings where the interest is not entered in the Authority's register.
- (c) Fail to notify the Authority's Monitoring Officer of the interest before the end of 28 days beginning with the date of disclosure at a meeting, if the interest is not entered in the Authority's register and is not the subject of a pending notification.

¹ Section references are as per the Constitution as they would be if the amendments were all accepted.

- (d) Take part in discussion or votes, or further discussions or votes, at Meetings on matters in which you have the interest which are being considered at the meeting.
- (e) Fail to notify the Authority's Monitoring Officer of the interest before the end of 28 days beginning with the date when you become aware that you have such an interest in a matter to be dealt with, or being dealt with, by you acting alone in the course of discharging a function of the Authority.
- (f) Take any step in relation to a matter being dealt with by you acting alone in the course of discharging a function of the Authority, except a step for the purpose of enabling the matter to be dealt with otherwise than by you.
- (g) Knowingly or recklessly provide false or misleading information in any of the above disclosures or notifications.

21.3721.39 Any written allegation received by the Authority that you have failed to comply with the Code will be dealt with under the arrangements adopted by the Authority for such purposes. If it is found that you have failed to comply with the Code, the Authority may have regard to this failure in deciding whether to take action and, if so, what action to take in relation to you.

The Code

Interpretation

21.3821.40 In this Code the following definitions shall apply:

21.3921.41 "Associated Person" means (either in the singular or in the plural):

- (a) a family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners, or
- (b) any person or body who employs or has appointed you or such persons, any firm in which you or they are a partner, or any company of which you or they are directors, or
- (c) any person or body in whom you or such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or
- (d) any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority, or
- (e) any body in respect of which you are in a position of general control or management:
 - i. exercising functions of a public nature, or
 - ii. directed to charitable purposes, or

- iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

~~21.40~~21.42 “Authority” means the Kent County Council.

~~21.41~~21.43 “Authority Function” means any one or more of the following interests that relate to the functions of the Authority:

- (a) housing - where you are a tenant of the Authority provided that those functions do not relate particularly to your tenancy or lease, or
- (b) school meals or school transport and travelling expenses - where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which your child attends,
- (c) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - where you are in receipt of, or are entitled to the receipt of, such pay,
- (d) an allowance, payment or indemnity given to members of the Authority,
- (e) any ceremonial honour given to members of the Authority,
- (f) setting Council Tax or a precept under the Local Government Finance Act 1992.

~~21.42~~21.44 “Code” means this Code of Conduct.

~~21.43~~21.45 “Co-opted Member” means a person who is not an elected member of the Authority but who is a member of:

- (a) any Committee or Sub-Committee of the Authority, or
- (b) and represents the Authority on, any joint Committee or joint Sub-Committee of the Authority, and
- (c) who is entitled to vote on any question that falls to be decided at any Meeting.

~~21.44~~21.46 “Disclosable Pecuniary Interest” means those interests of a description specified in regulations made by the Secretary of State (as amended from time to time) as set out below and where either it is:

- (a) your interest, or
- (b) an interest of your spouse or civil partner, a person with whom you are living as husband and wife, or a person with whom you are living as if you

were civil partners and provided you are aware that the other person has the interest.

~~21.45~~21.47 "Interests" means Disclosable Pecuniary Interests and Other Significant Interests.

~~21.46~~21.48 "Meeting" means any meeting of:

- (a) the Authority,
- (b) the Executive of the Authority,
- (c) any of the Authority's or its Executive's Committees, Sub-Committees, joint Committees and/or joint Sub-Committees.

~~21.47~~21.49 "Member" means a person who is a member of the Authority and includes a Co-opted Member.

~~21.48~~21.50 "Other Significant Interest" means an interest (other than a Disclosable Pecuniary Interest or an interest in an Authority Function) in any business of the Authority which:

- (a) may reasonably be regarded as affecting the financial position of yourself and/or an Associated Person to a greater extent than the majority of:
 - i. other Council Tax payers, ratepayers or inhabitants of the electoral division affected by the decision, or
 - ii. (in other cases) other Council Tax payers, ratepayers or inhabitants of the Authority's area, or
- (b) relates to the determination of your application (whether made by you alone or jointly or on your behalf) for any approval, consent, licence, permission or registration or that of an Associated Person,
- (c) and where, in either case, a member of the public with knowledge of the relevant facts would reasonably regard the interest as being so significant that it is likely to prejudice your judgment of the public interest.

~~21.49~~21.51 "Register of Members' Interests" means the Authority's register of Disclosable Pecuniary Interests established and maintained by the Monitoring Officer under Section 29 of the Localism Act 2011.

~~21.50~~21.52 "Sensitive Interest" means information, the details of which, if disclosed, could lead to you or a person connected with you being subject to violence or intimidation.

Scope

21.53 You must comply with this Code whenever you act in your official capacity as a Member or Co-opted Member of the Authority.

C

~~21.54~~21.54 This Code applies to all forms of communication and interaction, including social media, which could result in a relevant breach of the Code.

General Obligations

~~21.52~~21.55 You must, when using or authorising the use by others of the resources of the Authority:

- (a) act in accordance with the Authority's reasonable requirements; and
- (b) ensure that such resources are not used improperly for political purposes (including party political purposes).

~~21.53~~21.56 You must not:

D

(a) bully any person; carry out any act of harassment or bully any person. For the purposes of this paragraph the following shall be taken into account:

- i. harassment will have the applicable meaning set out in The Protection from Harassment Act 1997, Equality Act 2010, and other relevant legislation; and
- ii. bullying is understood to be characterised by offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that humiliate, denigrate, or injure the recipient. It may be a regular pattern of behaviour or a one-off incident and is not restricted to face-to-face interactions.

~~(a)~~(b) intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed to comply with this Code;

~~(b)~~(c) do anything that compromises, or is likely to compromise, the impartiality or integrity of those who work for, or on behalf of, the Authority;

~~(e)~~(d) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, including that deemed as exempt information within the meaning of Part VA Local Government Act 1972 or The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, except where:

E

- i. you have the written consent of a person authorised to give it, or
- ii. you are required by law to do so, or

iii. the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or

iv. the disclosure is:

a. reasonable and in the public interest, and

b. made in good faith and in compliance with the reasonable requirements of the Authority,

~~(d)~~(e) prevent another person from gaining access to information to which that person is entitled by law,

~~(e)~~(f) conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute,

~~(f)~~(g) use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.

Registering Disclosable Pecuniary Interests

Disclosable
Pecuniary
Interests

21.5421.57 You must, before the end of 28 days beginning with the day you become a Member or Co-opted Member of the Authority, or before the end of 28 days beginning with the day on which this Code takes effect (whichever is the later), notify the Monitoring Officer of any Disclosable Pecuniary Interest.

21.5521.58 In addition, you must, before the end of 28 days beginning with the day you become aware of any new Disclosable Pecuniary Interest or change to any interest already registered, register details of that new interest or change, by providing written notification to the Monitoring Officer.

21.5621.59 Where you have a Disclosable Pecuniary Interest in any matter to be dealt with, or being dealt with, by you acting alone in the course of discharging a function of the Authority (including making a decision in relation to the matter), then if the interest is not registered in the Register of Members' Interests and is not the subject of a pending notification, you must notify the Monitoring Officer before the end of 28 days beginning with the day you become aware of the existence of the interest.

21.5721.60 Whether or not a Disclosable Pecuniary Interest has been entered onto the Register of Members' Interests or is the subject of a pending notification, you must comply with the disclosure procedures set out below.

~~21.58~~21.61 Where you are present at a Meeting and have a Disclosable Pecuniary Interest or Other Significant Interest in any matter to be considered, or being considered, at the Meeting, you must:

- (a) disclose the Interest, and
- (b) explain the nature of that Interest at the commencement of that consideration or when the Interest becomes apparent (subject to ~~21.62-64~~21.64-66, below); and unless you have been granted a dispensation or are acting under ~~21.61~~21.62:
 - i. not participate in any discussion of, or vote taken on, the matter at the Meeting, and
 - ii. withdraw from the Meeting room in accordance with the Authority's Procedure Rules whenever it becomes apparent that the business is being considered, and
 - iii. not seek improperly to influence a decision about that business.

~~21.59~~21.62 Where you have a Disclosable Pecuniary Interest or Other Significant Interest in any business of the Authority where you are acting alone in the course of discharging a function of the Authority (including making an Executive decision), you must:

Members'
Interests: Other

- (a) notify the Monitoring Officer of the interest and its nature as soon as it becomes apparent, and
- (b) not take any steps, or any further steps, in relation to the matter except for the purpose of enabling the matter to be dealt with otherwise than by you, and
- (c) not seek improperly to influence a decision about the matter.

~~21.60~~21.63 Where you have an Other Significant Interest in any business of the Authority, you may attend a Meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the Meeting for the same purpose. Having made your representations, given evidence or answered questions you must:

- (a) not participate in any discussion of, or vote taken on, the matter at the Meeting, and
- (b) withdraw from the Meeting room in accordance with the Authority's Procedure Rules.

Sensitive Interests

~~21.61~~21.64 Where you consider that the information relating to any of your Disclosable Pecuniary Interests is a Sensitive Interest, and the Monitoring Officer agrees, the Monitoring Officer will not include details of the Sensitive Interest on any copies of the Register of Members' Interests which are made available for inspection or any published version of the Register, but may include a statement that you have an interest, the details of which are withheld under this paragraph.

~~21.62~~21.65 You must, before the end of 28 days beginning with the day you become aware of any change of circumstances which means that information excluded under paragraph ~~21.64~~21.62 is no longer a Sensitive Interest, notify the Monitoring Officer asking that the information be included in the Register of Members' Interests.

~~21.63~~21.66 The rules relating to disclosure of Interests in paragraphs ~~21.59~~21.62 and ~~21.63~~21.60 will apply, save that you will not be required to disclose the nature of the Sensitive Interest, but merely the fact that you hold an interest in the matter under discussion.

Gifts and Hospitality

Members: Gifts
and Hospitality

~~21.64~~21.67 You must, before the end of 28 days beginning with the day of receipt/acceptance, notify the Monitoring Officer of any gift, benefit or hospitality with an estimated value of £100 or more, or a series of gifts, benefits and hospitality from the same or an associated source, with an estimated cumulative value of £100 or more, which are received and accepted by you (in any one calendar year) in the conduct of the business of the Authority, the business of the office to which you have been elected or appointed or when you are acting as representative of the Authority. You must also register the source of the gift, benefit or hospitality.

~~21.65~~21.68 Where any gift, benefit or hospitality you have received or accepted relates to any matter to be considered, or being considered at a Meeting, you must disclose at the commencement of the Meeting or when the interest becomes apparent, the existence and nature of the gift, benefit or hospitality, the person or body who gave it to you and how the business under consideration relates to that person or body. You may participate in the discussion of the matter and in any vote taken on the matter, unless you have an Other Significant Interest, in which case the procedure in ~~21.58-61~~21.60-63 above will apply.

~~21.66~~21.69 You must continue to disclose the existence and nature of the gift, benefit or hospitality at a relevant Meeting, for 3 years from the date you first registered the gift, benefit or hospitality.

~~21.67~~21.70 The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

~~21.68~~21.71 The Standards Committee, or any Sub-Committee of the Standards Committee, or the Monitoring Officer (where authorised) may, on a written request made to the Monitoring Officer (as appointed Proper Officer for the receipt of applications for dispensation) by a Member with an Interest, grant a dispensation relieving the Member from either or both of the restrictions on participating in discussions and in voting (referred to in ~~21.58-64~~21.60-63 above).

~~21.69~~21.72 A dispensation may be granted only if, after having had regard to all relevant circumstances, the Standards Committee, its Sub-Committee, or the Monitoring Officer (where authorised) considers that:

- (a) without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business, or
- (b) without the dispensation, the representation of different Political Groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business, or
- (c) granting the dispensation is in the interests of persons living in the Authority's area, or
- (d) without the dispensation each member of the Authority's Executive would be prohibited from participating in any particular business to be transacted by the Authority's Executive, or
- (e) it is otherwise appropriate to grant a dispensation.

~~21.70~~21.73 A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.

~~21.71~~21.74 ~~21.58-64~~21.60-63 does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under ~~21.69-74~~21.71-73.

The Seven Principles of Public Life

~~21.72~~21.75 In accordance with the Localism Act 2011, and in order to help maintain public confidence in this Authority, you are committed to behaving in a manner that is consistent with the following principles. However, it should be noted that these Principles do not create statutory obligations for Members and do not form part of the Code. It follows from this that the Authority cannot accept allegations that they have been breached. [The definitions of the Principles are set out below. These will be reviewed and updated by the Monitoring Officer on a regular basis to ensure the most current definitions are in use.](#)

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~~21.73~~21.76 Selflessness. ~~Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends. Holders of public office should act solely in terms of the public interest.~~

~~21.77~~ Integrity. ~~Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties. Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.~~

~~21.74~~21.78 Objectivity. ~~In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit. Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.~~

~~21.75~~21.79 Accountability. ~~Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office. Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.~~

~~21.76~~21.80 Openness. ~~Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands. Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.~~

~~21.77~~21.81 Honesty. ~~Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest. Holders of public office should be truthful.~~

Leadership. ~~Holders of public office should promote and support these principles by Leadership and example. Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.~~

~~21.78~~ ~~Note on the above: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations.~~

Disclosable
Pecuniary
interests:
Definitions

Disclosable Pecuniary Interests (as prescribed by regulations)

~~21.79~~21.82 The descriptions on Disclosable Pecuniary Interests are subject to the following definitions:

~~21.80~~21.83 “the Act” means the Localism Act 2011.

~~21.81~~21.84 “body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest.

~~21.82~~21.85 “director” includes a member of the Committee of management of an industrial and provident society.

~~21.83~~21.86 “land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income.

~~21.84~~21.87 “M” means a member of the relevant authority.

~~21.85~~21.88 “member” includes a co-opted member.

~~21.86~~21.89 “relevant authority” means the authority of which M is a member.

~~21.87~~21.90 “relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of Section 30(1), or Section 31(7), as the case may be, of the Act.

~~21.88~~21.91 “relevant person” means M or any other person referred to in Section 30(3)(b) of the Act (the Member’s spouse, civil partner, or somebody with whom they are living as a husband or wife, or as if they were civil partners).

~~21.89~~21.92 “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

~~21.90~~21.93 Table: Additional Definitions.

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed, and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporations	<p>Any tenancy where (to M's knowledge):</p> <p>(a) the landlord is the relevant authority, and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>

Securities	<p>Any beneficial interest in securities of a body where:</p> <ol style="list-style-type: none">1) that body (to M's knowledge) has a place of business or land in the area of the relevant authority, and2) either<ol style="list-style-type: none">a. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, orb. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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From: Joel Cook – Democratic Services Manager
To: County Council – 23 May 2024
Subject: **Petition Scheme Review**
Status: Unrestricted

1 Introduction

- 1.1 The Selection and Member Services Committee considered the petition scheme several times in 2023 and 2024. The Committee agreed to recommend changes to the number of signatures required on petitions to trigger debates at various types of meetings. As the Petition Scheme forms part of the Constitution, County Council must now consider the recommendations from Selection and Member Services Committee.
- 1.2 This report sets out the key points discussed by the Committee as it worked towards developing the final recommendations and outlines the main considerations that were used to determine the suggested changes. Extensive background on the history of the petition scheme and commentary on the role petitions play within the Council's governance have been set out in the previous committee papers and full details are referenced in the Background Documents section.
- 1.3 The last substantive petition scheme review, undertaken in 2014 resulted in no changes being recommended. The last change to the Petition Scheme approved by County Council was in 2012, when the number of signatures required for a petition debate at County Council was reduced to 10,000 and a requirement for a debate at a Cabinet Committee was introduced if over 2,500 signatures were received.
- 1.4 The data on petitions received and processed for the period 2014 to August 2023 was presented to Selection and Member Services during this current review and no further information on more recent petitions indicates any substantive change to patterns or signature levels so the appendices for the prior reports remain relevant.

2 Petition Scheme

- 2.1 The Petition Scheme sets out for the public the process for submitting a valid petition, either a paper petition or an e-petition. The Petition Scheme makes it clear that if a valid petition is submitted it will receive a response and, depending on the number of signatures, it may lead to a debate at County Council, a Cabinet Committee or be referred to another appropriate meeting. This information can be accessed via the [Petitions page](#) on the Kent.gov website.
- 2.2 A summary of the current petition thresholds is set out below with brief commentary on how these operate in practice:

- All accepted petitions will receive a response from the responsible Cabinet Member (where further action such as committee debate is required under the

process, the written response will commonly be confirmation that any detailed response will be deferred pending committee consideration).

- (a) Where the petition relates to a County Council matter that relates to a specific District Council area and contains at least 1,000 signatures it will be debated at the most appropriate local meeting (e.g. Joint Transportation Board).
- (b) Between 2500 and 9999 signatures, the petition will be debated at the appropriate Cabinet Committee.
- (c) 10,000 signatures or more, the petition will be debated at County Council.

2.3 At present, the majority of petitions receive signature numbers at double or low three figure levels. As a result, the most common response to petitions is a written response from the relevant Cabinet Member. This is an appropriate and reasonable position for the scheme to be in because a key purpose of the petition scheme is to formalise, within the Council's governance, the requirements to respond to issues raised by interested stakeholders.

3 Committee consideration of the review

- 3.1 At a meeting of the [Selection and Member Services Committee on Thursday, 29th June, 2023](#), Members were invited to consider the petition scheme generally, explore any areas requiring review and to provide Officers with a steer on the necessary review activity and related research. In particular, the Committee was asked to consider the merits and implications of changes to the petition thresholds, recognising that specific reductions in signature threshold numbers had been suggested by the Green & Independents Group earlier in the year.
- 3.2 The comments from the discussion were collated and a report was presented to a meeting of the [Selection and Member Services Committee on Thursday, 19th October, 2023](#), setting out the merits, challenges and implications of the potential changes to the Petition Scheme.
- 3.3 The Selection and Member Services Committee were broadly in agreement with the principle of reducing the signature thresholds to encourage resident engagement with the Council and the democratic process. However, prior to agreement, Members sought further assurance on the eligibility criteria of signatories and clarification on the operational considerations before resolving any firm recommendations to Full Council.
- 3.4 The Selection and Member Services Committee considered an update on the review and approved recommendations for changes to the Scheme at its meeting on 14 March 2024.

4 Recommended Changes

- 4.1 The Selection and Member Services Committee, at its meeting on 14 March 2024, resolved the following:

- a) Confirm that that 'live, work or study in Kent' be maintained as the eligibility criteria for signatories.
- b) Recommend that the relevant signature thresholds for requiring formal debates be amended as follows:

County Council:

Reduced from 10,000 to 5000 signatures

Cabinet Committee:

Reduced from 2500 to 1500 signatures.

Local meeting:

Reduced from 1000 to 750 signatures.

4.2 This decision confirmed that no change should be made to the eligibility criteria on the basis that the purpose of the Scheme was to encourage and facilitate interested stakeholders in engaging with the Council on key issues in a formalised way. It was noted that the previous review had considered the implications of not requiring all signatories be residents in Kent and that the view had been taken that in the modern setting where people travelled for work and education, the activities of the Council were important for residents and to those who travelled to the County.

4.3 The decision also set out new signature number levels for the various types of response. As set out above, the suggested number of signatures triggering the different debate settings was reduced across the board. The most significant reduction being halving the number needed to require a debate at Full Council. There have only been a limited number of issues debated at Full Council in the last decade and the Committee was of the view that the signature target should be made more achievable. The reductions in Cabinet Committee and local meeting signature levels are smaller in scale but have been proposed at levels designed to support a balanced approach that ensures significant strategic issues relevant to the Council may still be appropriately debated by Members while very local, smaller scale issues are duly considered and responded to by the relevant portfolio holder. An increase in the number of petition debates taking place at Full Council, Cabinet Committees and relevant Local Meetings should be expected if these changes are approved by Council.

4.4 All valid petitions would continue to receive a response from the relevant portfolio holder in all cases, though the nature of that response may vary depending on whether additional committee discussion is required. In cases where the proposed thresholds for further debate at meetings are not met, a written response will be the only outcome. This would apply to any petition receiving between 1 and 749 signatures under the proposed arrangements.

4.5 These proposed changes reflect a view from the Committee that it was a positive step to support an increased number of petition debates. It was noted that this may impact on the decision-making timeline and increase resource demand on certain departments as relevant issues arose but priority should be given to supporting stakeholder engagement in the Council's processes and deliberations.

4.6 A copy of the Petition Scheme with the proposed amendments showing as tracked changes is included as Appendix 1.

5 Summary of considerations

- 5.1 Petitions debated at the appropriate level are more likely to achieve the required outcome. Escalation to Full Council debate does not overrule the Executive's role as the final decision-maker and can result in duplication of the relevant Cabinet Committees' advisory role within the governance process. The Scheme must manage the expectations of the Lead petitioners and signatories.
- 5.2 Should reduced thresholds be implemented, additional resources would be required to manage an increase in petitions debated at Full Council and Cabinet Committee, therefore timetabling for all substantial or challenging decisions would have to be planned accordingly.
- 5.3 The 100,000 signature requirement for Parliamentary debate which framed previous suggestions of setting the County Council debate threshold at 2000 signatures, does not automatically trigger but rather prompts consideration of a debate. Also, the figure needs to be considered in context – an issue supported by 100,000 UK residents is more likely to have strategic implications for the Government and therefore merit Parliamentary debate. The equivalent proportion of the population figure in Kent (2000 signatures) does not necessarily indicate an issue of a similar strategic scale, with various petitions having a distinctly local or operational focus.
- 5.4 Limiting or restricting the eligibility criteria of the petition scheme and the introduction of substantive additional verification checks may have a detrimental impact on the operations and accessibility of the scheme, risking a perception of disenfranchising key stakeholders. The Petition Scheme is a mechanism used by the local authority to actively encourage participation and engagement in public matters and there are no significant operational concerns about inappropriate or ineligible signatories at present.
- 5.5 Any changes to which 'Local Meetings' were best placed to manage relevant petition debates required if the signature threshold is met (1000 at present and 750 in the new proposals) would be subject to wider Council governance activity, including review of Joint Transportation Boards. Any 'appropriate local meeting' should include a combination of formal Member involvement and the authority to make recommendations to the Council. At present, Joint Transportation Boards are the only official body to which this applies but if and when changes are made to District level arrangements, this may be reflected within the Scheme at that time.

6. Conclusion

- 6.1 The review and consideration by the Selection and Member Services committee concluded that the current eligibility arrangements remain effective in focusing the Scheme on issues affecting those with a specific connection to Kent. There is no evidence to suggest non-Kent residents routinely sign petitions in significant numbers to the point that it skews the process to a substantive degree or that this has any significant impact on the operations of the petition scheme and related debates or issue consideration by Members.

6.2 The Committee agreed that reducing the threshold that triggers debate at Cabinet Committee or Full Council sent a positive message that Elected Members wish to consider and discuss the views of Kent residents, students and workers on a more regular basis. The proposed signature thresholds seek to strike a balance between supporting an increased number of debates where there is clear and significant interest from stakeholders and recognising that the Council's formal meetings are dedicated, in the main, to considering strategic county-wide activity rather than locally focused matters.

7. Recommendation

County Council is asked to APPROVE the changes to the Petition Scheme, as recommended by the Selection and Member Services Committee.

Signature thresholds for requiring formal debates be amended as follows:

County Council:

Reduced from 10,000 to 5000 signatures

Cabinet Committee:

Reduced from 2500 to 1500 signatures.

Local meeting:

Reduced from 1000 to 750 signatures.

7. Appendices

Appendix 1 – Proposed Amendments to Petition Scheme

8. Background Documents

Agenda Item, Petition Scheme Review, Selection and Member Services Committee
[Agenda for Selection and Member Services Committee on Thursday, 30th November, 2023, 2.30 pm](#)

Agenda Item, Petition Scheme Review, Selection and Member Services Committee
[Agenda for Selection and Member Services Committee on Thursday, 30th November, 2023, 2.30 pm](#)

Agenda Item, Petition Scheme Review, Selection and Member Services Committee
[Agenda for Selection and Member Services Committee on Thursday, 19th October, 2023, 2.30 pm](#)

Agenda Item, Petitions Review, Selection and Member Services meeting, 29 June
[2023 Agenda for Selection and Member Services Committee on Thursday, 29th June, 2023, 2.30 pm](#)

Agenda Item, Petition Scheme Review, Selection and Member Services meeting 25 April 2014, [Agenda for Selection and Member Services Committee on Friday, 25th April, 2014, 2.30 pm \(kent.gov.uk\)](#)

Agenda Item, Petition Scheme Review, Selection and Member Services meeting 10 July 2012, [Agenda for Selection and Member Services Committee on Tuesday, 10th July, 2012, 11.00 am \(kent.gov.uk\)](#)

Agenda item, Proposed changes to the Constitution (a) Adoption of a Petition Scheme, County Council meeting 22 July 2010, [Agenda for County Council on Thursday, 22nd July, 2010, 10.00 am \(kent.gov.uk\)](#)

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Kent County Council - Petition Scheme

1. All petitions under this scheme should relate to the work, functions or responsibilities of the Council, including the Executive. It excludes the following as other procedures apply:
 - (a) petitions relating to a planning application,
 - (b) matters where there is already an existing right of appeal (such as Council tax banding or non-domestic rates),
 - (c) statutory petitions (such as requesting a referendum on having an elected mayor).
2. Petitions will not be considered if they do not comply with the requirements of this scheme or are vexatious, abusive or otherwise inappropriate.
3. If the petition is about something over which the County Council has no direct control (for example the local railway or hospital) the Council will consider making representations on behalf of the community to the relevant body.
4. Petitions may be submitted on paper or by using the e-petition facility available through the Council website.
5. All accepted petitions will receive a response from the relevant Cabinet Member, to be sent to the petition organiser and published on the website. At all further stages, the petition organiser will receive updates and this information will be published.
6. The following thresholds apply for further action on the petition:
 - (a) Where the petition relates to a County Council matter that relates to a specific District Council area and contains at least ~~1,000~~750 signatures it will be debated at the most appropriate local meeting (e.g. Joint Transportation Board).
 - (b) Between ~~2500~~1500 and ~~9999~~4999 signatures, the petition will be debated at the appropriate Cabinet Committee.
 - (c) ~~10,000~~5000 signatures or more, the petition will be debated at County Council.

Paper Petitions

7. Petitions submitted to the County Council must include:
 - (a) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the County Council to take,

- (b) the name, address and contact details of the petition organiser (this is the person the Council will contact to explain how it will respond to the petition), and
 - (c) the name and address and signature of any person supporting the petition.
8. Where a petition has passed the threshold for debate at either Cabinet Committee or Council, the petition must be submitted to Democratic Services at least 14 days before the next relevant meeting to enable consideration to be given to its eligibility for inclusion on the agenda.

E-petitions

9. The requirements under paragraph 8 above for paper petitions also apply for e-petitions and this information will be gathered through the e-petition creation and signing process. In addition, the petition organiser will be asked to decide how long the petition will be open for. The default is 3 months, but a different timescale can be agreed with the organiser.
10. Publication of an e-petition created online can take up to ten days. The organiser will be contacted if the petition cannot be published and ten days will be given to make any changes. Where a petition is not accepted, or appropriate changes not made, the reasons for rejection will be published on the website.

Receipt of the Petition

11. Receipt of a paper petition will be acknowledged within 5 days, or within 5 days of a e-petition closing.
12. The decision as to how the Council will proceed will be communicated to the petition organiser within 20 working days.

Petition Debates

13. Where a petition is accepted for debate at Council or Cabinet Committee, the procedure set out below will be followed.
14. Where a petition is eligible for discussion at a full Council or Committee meeting these rules apply, excepting that the County Council or Cabinet Committee will not debate a petition on the same decision/issue as one debated by it within the previous six months.
15. The total time for a single debate shall be 45 minutes.
16. The petition organiser, or their named representative, will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail to petitions@kent.gov.uk) to arrive by 5:00pm on the Monday of the week before the County Council or Cabinet Committee meeting. The relevant Directorate

should also submit a brief position statement/briefing note by the same deadline. The Clerk shall also prepare a short report containing the full text of the petition and the number of signatures.

17. At the meeting of the County Council or Cabinet Committee the petition organiser, or their named representative, will be given five minutes to present the petition at the meeting and the petition will then be discussed by Members. The relevant Cabinet Member will be invited to speak for up to five minutes on the Petition. If the petition organiser or their named representative are not present, then the petition will be debated in their absence.
18. The County Council or Cabinet Committee will decide how to respond to the petition at this meeting. Where it has the authority to do so, it may take the action the petition requests, or may choose not to for reasons put forward during the debate. It may commission further investigation into the matter, for example by the relevant Cabinet Member or Committee. Where the issue is one on which the Executive is required to make the final decision, the County Council or Cabinet Committee will decide whether to make recommendations to inform that decision.
19. The petition organiser will receive written confirmation of the Council or Cabinet Committee's decision, which will also be published.

Other Provisions

20. The petition organiser has the right to request that the steps that the County Council has taken in response to their petition are reviewed. All reviews will be considered by the Selection and Member Services Committee.
21. The petition organiser will be asked to provide a short explanation of the reasons why the County Council's response is not considered to be adequate.
22. The Selection and Member Services Committee will consider the request to review at the next appropriate meeting.
23. Once any appeal has been considered, the petition organiser will be informed of the results within 5 working days. The results of any review will also be published on our website.

Please email petitions@kent.gov.uk with any questions.

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Motion for Time Limited Debate on the Scrutiny of Kent County Council's (KCC) Special Educational Needs (SEND) Provision

Proposer: Richard Streatfeild, MBE

Seconder: Chris Passmore

Background provided by the Liberal Democrat Group

The provision of support and services for children and young people with special educational needs and disabilities (SEND) varies widely across the country, creating a postcode lottery that affects the life chances and wellbeing of thousands of families. According to the Education Policy Institute, there is a 27-percentage point gap between the best and worst performing local authorities in England in terms of meeting the statutory timescales for assessing and finalising Education, Health, and Care (EHCP) plans, which set out the support that children and young people with SEND are entitled to. Furthermore, the National Audit Office has found that the demand for EHC plans has increased by 33% since 2014, while the funding for high-needs education has only increased by 7%.

In Kent, the situation is particularly concerning, as the percentage of EHCPs issued within 20 weeks is below the England average, as in Kent only 40.9 percent were delivered within the statutory timescales, compared to a national average of 49.2 percent. This means that thousands of children and young people with SEND in Kent are waiting longer than they should for the support they need, and many are missing vital care and support. Kent County Council (KCC) has been found by Ofsted and the Care Quality Commission (CQC) to have nine areas of weakness that require improvement in its SEND provision, including poor joint working between education, health and social care services, lack of engagement with parents and carers, and insufficient oversight and quality assurance of EHC plans.

Since September 2022 much work has been done by the council to address this situation. The SEND Accelerated Progress Plan (APP) is the cornerstone of this work. The APP has been in place for 12 months and the Department for Education (DfE) will report on the level of impact it has had. Much of the work has been overseen by the Special Educational Needs and Disability Assurance and Improvement Board. The board is cross party, independently chaired and includes representatives from KCC's directorates, including Children, Young People and Education (CYPE), and Adult Social Care and Health (ASCH).

The public scrutiny of the process has been undertaken by the SEND Sub-Scrutiny Committee. In April 2024 the Scrutiny Committee decided to bring the scrutiny of SEND back to the main committee.

Motion

The Council notes:

- a. The decision taken by the Scrutiny Committee on 24th April 2024 to disband the SEND Sub-Committee and bring the issue back to main committee agenda.
- b. The work that has been undertaken by this council as part of the APP.

The Council resolves to:

- a. Agree that there is still work to be done to achieve the level of SEND provision required by children and parents in Kent, and the statutory guidance as set by national government.
- b. Agree that public scrutiny of the process has been weak which undermines assurance to children with SEND and their parents.
- c. Recommend to the Scrutiny Committee that it establish a public Short Focused Inquiry (SFI) on KCC's SEND Provision to:
 - i. to scrutinise the success of the APP for SEND considering DFE findings in May 2024.
 - ii. to assure Kent residents that the system of SEND in Kent will be successful and sustainable.
- d. Recommend that the inquiry should be chaired by a member of the opposition.
- e. Recommend that the inquiry will report in no more than six months and meet publicly at least once a month to give the correct level of assurance to Kent residents.
- f. Recommend that the inquiry, in pursuit of its objective, should seek to explore, among other important elements, the following key issues and make relevant recommendations to the Executive on these topics
 - i. Why does Kent have 5% of its children with an EHCP?
 - ii. Is the NHS supporting a successful sustainable system?
 - iii. How are Kent's schools supporting a sustainable system?
 - iv. What is KCC doing to support a successful sustainable system?
 - v. What does it cost to support a successful sustainable system?
 - vi. Are children and parents reassured the APP will work in an appropriate timeframe?
- g. Recommend that evidence should be taken from, but not limited to the following groups: children, parents', schools, NHS, DFE, SIAB and KCC Officers.