

By: Ben Watts, General Counsel (Monitoring Officer)

To: County Council – 10 December 2020

Subject: Report Under Section 5 of the Local Government and Housing Act 1989

Classification: Unrestricted

Summary: This report is made under section 5 of the Local Government and Housing Act relating to a breach of statutory duties by Kent County Council.

1. On 2nd September 2020, I formally advised Members relating to a breach of statutory duties by Kent County Council in that the Council was no longer able to safely discharge the duty under section 20 of the Children Act to receive children into our care at the port of Dover.
2. The issue was discussed by the County Council at meetings on 10th September 2020 and 22nd October 2020.
3. I have been advised by the Director of Children's Services that he has informed the Leader and the Cabinet Member for Integrated Children's Services that Kent County Council is, for the time being, able to meet the duty under section 20 of the Children Act. Services were resumed from 09:00 this morning.
4. In light of this development, I am able to confirm to Members that Kent County Council is no longer in breach of our statutory duty.

7 Decemnrber 2020