

KENT COUNTY COUNCIL

POLICY AND RESOURCES CABINET COMMITTEE

MINUTES of a meeting of the Policy and Resources Cabinet Committee held in the online on Wednesday, 3 March 2021

PRESENT: Mr B J Sweetland (Chairman), Mr R A Marsh (Vice-Chairman), Mr P V Barrington-King, Mr P Bartlett, Mr R H Bird, Mr T Bond, Mr D L Brazier (Substitute for Mr M A C Balfour), Mr N J D Chard, Mr G Cooke, Mrs M E Crabtree, Mrs T Dean, MBE, Mr D Farrell, Mr P W A Lake, Mr D Murphy and Mr H Rayner

ALSO PRESENT: Mr M A C Balfour, Mr E E C Hotson, Mr P J Oakford and Mrs S Prendergast

IN ATTENDANCE: Mrs A Beer (Corporate Director of People and Communications), Mr A Cole (Head of Technology Commissioning & Strategy), Ms Z Cooke (Corporate Director of Finance), Ms J Johnson (Partnership and Programmes Manager), Ms R Kennard (Chief Analyst, Strategic Commissioning Analytics), Mr P Murphy (Infrastructure Business Partner), Mr M Scrivener (Corporate Risk Manager), Mr D Shipton (Head of Finance Policy, Planning and Strategy), Mrs R Spore (Director of Infrastructure), Mr B Watts (General Counsel), Miss T A Grayell (Democratic Services Officer) and Mr G Romagnuolo (Research Officer - Overview and Scrutiny)

UNRESTRICTED ITEMS

261. Apologies and Substitutes

(Item 2)

1. Apologies for absence had been received from Mr M J Balfour. Mr D L Brazier was present as a substitute for him.
2. Mr Balfour was later able to join the meeting as an observer and was duly recorded as being also present.

262. Declarations of Interest by Members in items on the Agenda

(Item 3)

There were no declarations of interest.

263. Minutes of the meeting held on 14 January 2021

(Item 4)

It was RESOLVED that the minutes of the meeting held on 14 January 2021 are correctly recorded and a paper copy be signed by the Chairman when this can be done safely. There were no matters arising.

264. Covid-19 Financial Monitoring

(Item 5)

1. Mr P J Oakford paid tribute to the immense amount of work undertaken by County Council staff, at very short notice, in setting up test centres and temporary mortuary facilities. This work was a vital part of Kent's successful response to the covid-19 crisis and he wished this to be acknowledged.
2. Mr Shipton introduced the report and highlighted key points of the national and local context, Kent's share of national funding totals and the decisions which had been taken about how to spend Kent's allocated funding. Some ring-fenced grants had conditions attached to them, two further tranches of grant funding were expected later in the 2021/22 financial year and it was assumed that all of these would need to be spent in full within that year, leaving no reserve to carry forward. Since the start of the current lockdown in November 2020, funding had been received from the Contain Outbreak Management Fund (COMF), and authority had been delegated to the Director of Public Health to decide how to spend public health grants, for example, to manage asymptomatic testing. Additional funding would be forthcoming in the 2021/22 financial year to help support Council Tax income.
3. Mr Shipton, Ms Cooke, Mr Oakford and Mr Watts responded to comments and questions from the committee, including the following:-
 - a) the clarity and depth of the information in the report was commended as very helpful for Members, and officers were thanked for their diligence in presenting relevant information to keep Members up to date. Conveying timely information clearly to the public was also important;
 - b) asked how the funding allocation to support the extremely vulnerable was calculated, as a range of figures had been quoted in reports to different committees, Ms Cooke undertook to check and advise Members outside the meeting. Mr Shipton advised that authorities who had been in Tier 4 before the current lockdown had been allocated extra funding;
 - c) asked about the policy on one-off spends, Mr Oakford advised that any Member could put forward suggestions for use of funds;
 - d) asked about the Helping Hands project, Mr Oakford advised that a report setting out details of the scheme would be presented to full Council on 11 March 2021;
 - e) the report did not seem to mention the role of the NHS in managing the pandemic, but the impact of County Council decisions on the NHS and its resources, and its relationship with the NHS, would need to be monitored carefully. Ms Cooke advised that the County Council and the NHS received separate funding streams from Central Government, and, although each followed its own procurement regulations, they would work closely together with joint procurement;

- f) asked about the governance of and process for disbursement of funding, Ms Cooke advised that the process would depend on the delegation set out in a key decision, for example, for the Helping Hands scheme. Longer-term projects would need a sequence of key decisions to manage a phased implementation. COMF had been extended to the 2021/22 financial year so would need a second key decision. She undertook to share details of the officer delegation framework and related governance with Members outside the meeting; and
 - g) asked about the governance supporting the recruitment of community wardens, Mr Watts advised that this had been covered by a key decision and, if a small change needed to be made to the scheme, this could be covered by an officer decision. Officer delegations allowed officers to determine how to spend ring-fenced grants. Ms Cooke added that, if the ring-fencing of the funding were to be discontinued, a new key decision would be required to establish new delegations.
4. It was RESOLVED that the information set out in the report be noted, with thanks.

265. Strategic and Corporate Services Performance Dashboard

(Item 6)

1. Ms Kennard introduced the report, which presented monthly performance up to January 2021 as well as a one-year overview, and responded to comments and questions from the committee, including the following:-
- a) when responding to complaints received, a 'holding' reply would be sent which advised the complainant that there may be some delay in replying fully, due to the ongoing impact of the pandemic, but that a reply would be sent as soon as possible;
 - b) the fact that 91% of invoices had been paid on time was welcomed, and the staff concerned commended, as it was vital for small businesses in the county to have their invoices paid promptly;
 - c) concern was expressed that, as the number of Freedom Of Information (FOI) requests received had fallen during the pandemic, it would be reasonable to expect those received to be dealt with more promptly, but this seemed not to be the case. As the County Council had a duty to respond to FOI requests within a set time, and could be penalised for late response, a further report was requested to set out more detail of current performance and how this could be addressed. Mr Watts acknowledged that this area of work had been impacted by the pandemic, in the County Council as well as other local authorities, but, although fewer FOI requests had been received, perhaps because people could now find the information they wanted online, those which did come in were more complex and would take longer to research. He explained that the issue was one of resources and prioritising of workload. He advised that the

committee would have at its next meeting a report detailing areas of lower performance, the reasons for this and what could be done to address it;

- d) a further request was made that the report detailing FOI requests received include a breakdown of the origin of requests - for example, individual residents, journalists, large companies – and it was suggested that, if large companies were seeking information for commercial purposes, they could perhaps be charged for it. Mr Watts advised that there was no requirement in FOI legislation for requesters to state the purpose of their request;
 - e) the processing and payment of retirement benefits had gone from a red rating to green due to a tremendous amount of work by the pensions team, and this work was commended; and
 - f) asked how and when the committee could review and influence the range of indicators it looked at, Ms Kennard advised that indicators and targets would be reviewed annually; the committee would be consulted and be able to have some input into this process.
2. It was RESOLVED that the performance position for Strategic and Corporate Services be noted, with thanks.

266. Review of Kent County Council Company Ownership Governance (Item 7)

1. Mr Watts introduced the report and advised that a report on the issue would be made to the Governance and Audit Committee in April 2021. He assured the committee that Members would be fully briefed on the relative roles of the two committees; the Cabinet Committee would consider and comment on commissioning decisions and the Governance and Audit Committee would monitor activity.
2. It was RESOLVED that the update regarding the review of Kent County Council Company Ownership Governance be noted, with thanks.

267. Risk Management: Strategic and Corporate Services (Item 8)

1. Mr Scrivener introduced the report and highlighted the impact of covid-19 on this year's risk management assessments. It was hoped that, as the pandemic subsided, levels of risk could be reduced. He responded to comments and questions from the committee, including the following:-
- a) a view was expressed that Members as well as officers should undertake refresher training in data protection and cyber security. Mr Scrivener confirmed that this training would be made available to Members as well as officers. Mr Watts added that Members should receive refresher training regularly, particularly in areas where their role carried personal liability for decisions made. He added that the Selection and Member Services Committee would shortly be surveying Members to seek their

views on training so the responses could be taken account of in the inductions and training programmes for new Members after the May elections;

- b) a view was expressed that Member training in such subject areas should be mandatory and that all Members should be fully aware of the need to understand and keep up with the modern world in which they worked so they were best equipped to avoid mistakes which could bring reputational damage to themselves or the Council. To undertake the Member role effectively, such training was surely crucial;
- c) another speaker emphasised that all Members had undertaken training in data protection and cyber security, which had been well received. Members serving on committees such as the Superannuation Fund Committee, Planning and Regulatory Committees had an additional requirement to undertake mandatory specialist training in relation to those roles; and
- d) in relation to data protection, concern was expressed that buildings currently left unoccupied while staff worked at home could contain stored papers and material of a confidential nature, which, although stored securely, could be at greater risk than it would normally be. Similarly, while offices were closed, Members were unable to access shredding facilities to dispose of exempt and confidential material securely. Mr Watts acknowledged these concerns and undertook to look into making suitable arrangements and advise Members.

2. It was RESOLVED that the risks presented be noted, with thanks.

268. Kent Estates Partnership and the One Public Estate Programme (Item 9)

1. Ms Spore, Mr Murphy and Ms Johnson presented a series of slides (included in the agenda pack) and responded to comments and questions from the committee, including the following:-

- a) asked about the number of affordable houses which people might expect to see built, and if this target had changed since the report and recommendations of the Affordable Housing Select Committee, Mr Murphy explained that the County Council role was both to facilitate the partnership with other partners and to deliver projects which the Council had put forward. Other than the County Council-led projects, the Council did not control building projects put forward by others, and, therefore, the impact of the Affordable Housing Select Committee was limited to those projects put forward by the County Council. Mr Murphy and Ms Johnson undertook to source and supply figures to the committee outside the meeting, where available. Ms Johnson added that land release relied on projects being ready to start ('shovel-ready'). The provision of affordable housing was a challenge in Kent as in other parts of the country;

- b) asked how the recommendations of the Affordable Housing Select Committee would be taken forward, and how they linked to the planning process, Ms Johnson advised that the provision of affordable housing in the county tended to be via the planning process, in which the percentage of affordable housing would be built into the approved scheme and supported by the planning conditions attached to it. Ms Spore added that the provision of affordable housing, in the context of the Kent Estates Partnership (KEP) and the One Public Estate programme, had two aspects – the partnership role and the County Council role; the County Council, in partnership with other councils, had contributed to Central Government consultations to shape criteria for funding assessments as part of the bidding opportunities and had made representations that affordable housing should be one of the criteria to be used when considering applications; and
- c) it was pointed out that there was a difference between the affordable housing often spoken about as part of policy and genuinely affordable housing, ie social housing, for local people. Asked if there was a minimum level of affordable housing to be included in any new scheme, Ms Spore advised that there was not in relation to Central Government funds available for KEP partners to bid against but that local levels were determined as part of the local planning process.

- 2. It was RESOLVED that the progress to date and the development of the partnership be noted, with thanks.

269. Work Programme

(Item 10)

It was RESOLVED that the committee's planned work programme for 2021/22 be agreed.

270. Meeting Dates for 2021/22 - for information

(Item 11)

The Cabinet Committee NOTED that the following dates had been reserved for its meetings in 2021/22:

10 June 2021
1 September 2021
9 November 2021
21 January 2022 – 2.00 pm
23 March 2022
10 June 2022

All meetings would start at 10.00 am, except in January 2022.

NOTE: The June 2021 date was subsequently changed to 6 July 2021 when the County Council was required to return to face-to-face meetings for some committees. Further updates on meeting dates will be made as and when known.

271. Cyber Security Annual Report

(Item 12)

1. Mr Cole introduced the regular update report and advised that cyber activity such as phishing had increased noticeably in the last year, accounting for 14-15% of all emails coming into the Council. Good progress had been made on implementing the security audit recommendations and it was hoped their scope could be extended, continuing to use the Cloud to protect data internally as well as when it left the Council. This gave the County Council the ability to reduce the impact of any cyber attack and increase the resilience of staff during the pandemic.
2. Mr Cole's introduction had covered only the information presented in the unrestricted report and, as Members indicated that they had no questions to ask and did not wish to debate the information in the exempt report, there was no need for the committee to go into closed session.
3. It was RESOLVED that the information set out in the report be noted, with thanks.