

## KENT COUNTY COUNCIL

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### CABINET

MINUTES of a meeting of the Cabinet held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 9 December 2021.

PRESENT: Mr R W Gough (Chairman), Mrs C Bell, Mr D L Brazier, Miss S J Carey, Mr P M Hill, OBE, Mr D Murphy, Mr P J Oakford and Mrs S Prendergast

### UNRESTRICTED ITEMS

#### **23. Apologies and Substitutes**

*(Item 1)*

There were no apologies for absence.

#### **24. Minutes of the meetings held on 30 September 2021 and 28 October 2021**

*(Item 3)*

Resolved that the minutes of the meetings held on 30 September and 28 October 2021 were a correct record and that they be signed by the Chair

#### **25. Cabinet Member Updates**

*(Item 4)*

1) Mrs Bell said there had been a rise in Covid infection rates above the average for England but below the average for the south east. The age-groups that were most affected were children of ages 5 to 14 years old and there had been an increase in those 40 to 50 years old, believed to be due to transmission to the household contacts of school children. From 9 December, there were to be two mobile testing units in schools in Kent which would test young people and staff.

The numbers of cases in Ashford were of particular concern and this was being analysed to understand the reasons. No outbreaks had been identified in the area and it was suggested that the rise was due to cases in schools and the subsequent spread to households.

The Delta variant had remained predominant and a few cases of the Omicron variant had been confirmed in Kent. It would be a few weeks before it could be determined if the Omicron variant was more transmissible but there were early indications that it was more transmissible.

The vaccination programme had delivered outstanding results for the people of Kent and in line with national guidance, the booster programme was being extended. KCC's Public Health team had continued to deliver asymptomatic testing, the local Test and Trace Partnership and management of outbreaks and incidents. The government had issued new measures on Covid, including face masks in public settings and working from home. Residents were urged to follow the guidance and take regular lateral flow tests to reduce the spread of the virus.

The Department of Health and Social Care White Paper, People at the Heart of Care, had been published setting out a 10-year vision for adult social care and provided information on funded proposals to be implemented in the next 3 years. There were 3 core objectives in the White Paper: people having control, choice and support to live independent lives, people being able to access outstanding quality and people finding care fair and accessible. KCC's Making A Difference Everyday approach in the emerging adult social care strategy strongly aligned with the proposals in the white paper, such as a focus on choice and independence and digital technology to assist care and support.

The Carers' Strategy was to be informed by the White Paper and good progress was being made on the engagement programme for carers. Workshops had been held which gave residents the opportunity to tell KCC about their experiences of being a carer.

2) Mrs Chandler said on 7 December, directors of Children's Services across the UK received a letter from Isabelle Trowler, Chief Social Worker for Children and Families, and Lyn Romeo, Chief Social Worker for Adults, which contained words of support to all Social Workers following the tragic death of Arthur Labinjo-Hughes. Mrs Chandler thanked all KCC's Social Workers for their continued dedication, strength, resilience, and compassion which they give to all our children and young people. The letter was to be circulated to Members.

As many Cabinet Members would be aware, the Home Office had announced its intention to mandate the national Transfer Scheme (NTS) across the UK.

As the council at the forefront of migrant arrivals in the UK, KCC had worked closely with ministers and officials at the Home Office and Department for Education for some time to find a reasonable solution to the UASC crisis in Kent which had sadly seen our Children's Services become overwhelmed twice in the last 15 months. Since resuming services on 10 September 2021, services had consistently remained under extreme pressure and as offers of transfers had continuously not kept pace with new arrivals, government had had to rely on accommodation in hotels which had further compelled the decision to mandate the NTS.

The challenges to all Local Authorities in caring for and supporting UASC were recognised but it was felt the mandation of the NTS was the right decision for an effective, stable and fair system and it would ensure that all children would get safe, appropriate care without delay.

The Reconnect Programme was focused on reconnecting with family for Christmas 2021. To help make it special for everyone, the County's bus companies were providing free travel for low-income families, holiday activities and food providers were to take children on funded trips to the panto or other local Christmas events, community groups were putting on events, such as SNAPP's Winter Wonderland, with Reconnect funding additional activity to enable more children and young people to have a great time. Open access teams were to put on further local events. Reconnect had funded 3 additional performances of the open-air Hansel and Gretel pantomime, which was being delivered in KCC's Country Parks, to enable families working with Integrated Children's Services to attend.

The financial support for families in need was further enhanced by the decision to use some of the Household Support Grant to provide supermarket vouchers to families of children on free school meals for Christmas 2021, and during the next February and Easter breaks. The certainty of this, together with the Chancellor's announcement that HAF was funded for the next three years would help eligible families.

The second round of Reconnect Locality Grants had been approved, with over £1.1 million awarded to local organisations to enable them to provide a wide range of additional opportunities for children and young people. A grant round enabling organisations to seek funding to deliver activities and support at either a County or area level was to launch. A third round of Locality grants, focused on activity for summer 2022, was to open for applications in early January.

It was recognised that Christmas was a challenging time for some children and young people, and their families. Aside from the financial support mentioned, Reconnect was promoting the mental health and wellbeing support it had in place via its joint work with Headstart Kent.

After a very generous donation from colleagues in Infrastructure, the Care Leaver Christmas campaign was halfway to its overall target, with donations received totalling just over £10,000. There were two weeks to reach the overall target of £20,000, which would give each care leaver a £10 gift on Christmas Day. Thanks were given to those who had already donated and others were encouraged to donate to support the Corporate Parenting campaign.

3) Mr Brazier said that since the last meeting of Cabinet, Highways had submitted KCC's Bus Service Improvement Plan to the Department for Transport. KCC's bid was for £220 million for improvements to the bus services in Kent, to include better buses and services, to a wider range of destinations, for later in the day and weekends. Also included was the Kent Travel Saver and KCC's Supported Buses Scheme. Although government only gave KCC a short time to complete the application, it was unclear when a response could be expected to the application. It was understood that the sum available from the DfT over 3 years of £3 billion had been considerably oversubscribed so it was considered unlikely that KCC would receive all that had been asked for.

The new Ashford Truckstop had been opened on 3 December 2021. At capacity, the facility was to provide 650 spaces or overnight parking of HGVs and would go some way to relieving the shortage of secure, formal, lorry parking in Kent. Baroness Vere of Norbiton opened the Truckstop.

KCC had issued a response to Gatwick Airport's consultation on its proposal to use its emergency runway for 'business as usual' smaller aircraft, thereby adding capacity to its main runway and increasing over-flying over West Kent. Concerns had been raised about the effect of the proposals on residents.

Mr Brazier attended the opening of the refurbished railway stations at Swanley and Maidstone East. KCC had helped to secure Local Growth Funding from SELEP.

Mr Brazier attended the Live Labs Expo in Derby – a DfT sponsored trial of local authorities and private sector innovations. KCC was experimenting with the use of

drones to detect defects in the surface of a highway and map its deterioration, signalling when intervention was required.

4) Miss Carey said that same-day bookings were being trialled at 2 Household Waste and Recycling Centres at Folkestone and Tovil in Maidstone, 2 of the busiest sites in the county. The trial was reported to be going well for both residents and staff.

The BEGIN Project, a sustainable urban drainage system in Margate, had won the People's Choice Award at the EU Regiostars Awards 2021. Another project was forthcoming in Sittingbourne.

5) Mr Murphy said he had met with Damien Collins, MP for Folkestone and Hythe concerning the future of the Dungeness Power Station. There was to be a meeting in 2022 with the MP, KCC and Rolls Royce to consider usage of the site.

Discussions as part of the Infrastructure First Programme had indicated there was a big demand in the county for new industries such as data storage. Data storage required a lot of electricity so it was important that the infrastructure programme had sufficient electricity to power these various new industries. Car charging points were also to increase residential electricity consumption in Kent. Meetings were being held with UK Power Networks to move this forward in early 2022.

Mr Murphy attended a meeting with businesses organised by Locate in Kent about co-working and new ways of working. Entrepreneurs were seeking more co-working spaces.

Mr Murphy met with Logistics UK and other partners with regard to border controls.

Mr Murphy visited Aylesham District Community Trust who were keen to build 10 small workshops for small and medium enterprises. They had since submitted a business loan application and it was hoped there would be a stimulating effect on businesses in the area.

6) Mr Hill said the Libraries' public engagement exercise had been launched to help inform the next Library Strategy. Residents had been asked for their feedback on how they would like to see the service develop. The current strategy was to run until the end of 2022. As many people as possible were encouraged to take part in the engagement process.

The Libraries' new fleet of mobile libraries had resulted in a national award for the way they were produced and equipped. KCC had 5 modern vehicles to tour the county to service residents who would find it difficult to visit a conventional library building. The new fleet offered greater reliability, reduced maintenance costs and better economy.

7) Mr Sweetland said that KCC as an employer was pleased to be part of Kickstart, the government initiative which created new job placements for 16 to 24 year olds in receipt of Universal Credit and were at risk of long-term unemployment. Work was being undertaken to offer a wide range of jobs across the organisation and in schools based all over Kent. The placements would support young people to develop skills and experience needed to find work after completing the scheme. KCC became an approved Kickstart employer in December 2020 and an agreement for 150 placement

opportunities was in place. 80 of these were in KCC directorates and a further 70 were part of the Reconnect Programme coordinated in our Education department. It was hoped that KCC would have confirmation of a further 100 placements from the DWP. Each of the 'Kickstarters' had access to a bespoke development programme. Managers across the organisation strongly supported the programme and there were a wide range of roles, not just within office-based roles.

The first cohort of 'Kickstarters' had gone back into education, moved into permanent employment and taken up apprenticeship roles. The Reconnect Programme placements had been very successful. It was hoped that the Kickstart scheme would be extended further. Further information was available on KCC's website.

Guidance was being issued to staff on how to keep themselves safe and to follow the government's Plan B guidance. KCC services continued to be delivered to residents in Kent thanks to the dedication of frontline staff working in the community and with the support of those able to work from home.

A new issue of KCC's Residents' newsletter had come out – this issue included an advent calendar and encouragement for people to become involved with Domestic Abuse Awareness.

8) Mr Oakford said work had continued to develop the 2022-23 budget and KCC was preparing to launch the draft budget consultation. Since the announcement of the government's Plan B guidance, work was ongoing to understand what the announcement meant to KCC and to ensure KCC worked within the guidelines to ensure the safety of all Members and officers.

Increased social distancing was being introduced within all KCC buildings and work was being done to ensure Covid-compliance. Emergency kits of equipment were being delivered to ensure that KCC continued to operate within the published guidelines.

9) Mrs Prendergast said there were increasing infection rates across the county. Fair Access had sent updated guidance to schools regarding school transport. Providers had continued to be required to wear facemasks and undertake relevant COVID safeguards. Families were contacted directly to advise that face masks were again mandatory for secondary aged pupils (unless exempt), and to encourage all others to wear one where they can.

With regard to Elective Home Education, the Local Authorities and the Department for Education had been keenly awaiting the outcome of a Judicial Review which was brought against Portsmouth City Council in relation to the implementation of their Elective Home Education policy. The complainant brought four charges against the Council, alleging that it was exceeding its legal duties in ensuring their child was receiving a suitable education. All four charges were turned down, providing vital case law to support statutory guidance in this area. Members can be reassured that KCC's EHE Policy, which was reviewed in January 2020, had a firm legal footing and this ruling supported Kent's approach in this area.

It was announced that the Kingsnorth CE Primary School in Ashford had been selected to form the Kent Associate Research School and joined the Education Endowment Foundation's (EEF) network of 28 [Research Schools](#) and 10 Associate

Research Schools across England. Their main objective, as an Associate of Durrington Research School in West Sussex, was to establish new partnerships with local schools and provide effective guidance by promoting and exemplifying evidence-based practice.

The appointment of a new Associate Research School would support the [EEFfective Kent Project](#) - an ambitious partnership between EEF and Kent County Council (KCC) aiming to support all Kent schools, so that they were able to access training and support based on the best available evidence. They were to become part of the Research School Network, working to encourage other schools in the region to adopt approaches which had a proven history of improving outcomes for learners, focusing on those that had been successful in boosting the progress of children from disadvantaged backgrounds and to improve pupils' outcomes.

It was confirmed that the Community Learning Service had been able to meet its contractual targets for 2020-2021 despite the unprecedented challenges that Covid brought with it, meaning that many of its teaching and learning centres had to be closed for a vast period of time. This was mainly due to a vibrant and high-quality online learning programme, as well as the efforts of CLS staff making physical exams possible during pandemic restrictions. All teaching and learning centres were now fully reopened, with much of the online programme also continuing. A date (25 April 2022) had been set for the resumption of Adult and Community Learning at the new Amelia Centre in Tunbridge Wells.

Ofsted's annual report had shown Kent's schools had continued to perform well and 93% of Kent's primary schools were rated as Good or Outstanding, with the national average being 88%. Secondary schools were also rated above the national average of 77% with 87% ranked as Good or Outstanding.

## **26. Civil Society Strategy**

*(Item 5)*

*Lydia Jackson, Policy and Relationships Adviser and David Whittle, Director of Strategy, Policy, Relationships & Corporate Assurance, were in attendance for this item.*

1) Mr Hill introduced the report and said that the Civil Society Strategy was an excellent piece of work which would greatly help engagement with important partners. It was hoped that the strategy would be launched early in 2022.

2) Ms Jackson outlined the report. The Civil Society Strategy acknowledged informal groups and individuals in the community as well as formal and larger charities and social enterprises. The importance of these had been demonstrated over the course of the pandemic. Alongside the Strategy, there was also a budget commitment to support the sector and this was to provide the framework for the infrastructure offer. Support was already being put in place and was to be evaluated. Member engagement would be sought with regard to the support offer.

Despite the challenges of the pandemic, there had been positive developments in KCC's partnership working. The Strategy was to provide a framework to develop KCC's partnerships and collaborations as well as ensuring a strong, independent social sector and civil society in Kent.

3) Mrs Bell said that within Adult Social Care (ASC), there had been a focus for some time on networks of support within communities and the part this played in creating innovative ways of supporting people. This was being developed and strengthened as part of a new approach to supporting people via ASC Making a Difference Everyday programme.

3) RESOLVED to agree the recommendations as set out in the report.

## **27. Corporate Risk Register**

*(Item 6)*

*Mark Scrivener, Corporate Risk & Assurance Manager ; David Whittle, Director of Strategy, Policy, Relationships and Corporate Assurance; and Ben Watts, General Counsel were in attendance for this item.*

1) Mr Scrivener introduced the report and Members were reminded that the Register represented a 'snapshot' of any one moment in time. There had been developments since the report was published. Work was being undertaken to look at estimated timescales for risks to achieve their designated target levels with input being sought from responsible officers and cabinet members.

There were 3 new risks proposed to be added relating to capital programme affordability, impacts around climate change and supply chain and market factors.

2) It was noted that it had been difficult for KCC to plan with the uncertainty of the previous few years and while there was to be more certainty moving forward with a 3-year financial settlement, core spending power would need to keep up with spending and growth demands. There was still some uncertainty with regard to government grants that would need to be worked through.

3) Mr Whittle said that risk relating to Information Governance was prominent. During the pandemic there had been a huge increase in the number of cyber-attacks on both public and private organisations. Mr Whittle as Senior Information Risk Officer (SIRO) and Mr Watts as Data Protection Officer (DPO) were conscious of the marked increase in risk.

4) Mr Watts said there were pressures on the organisation to manage statutory duties relating to Information Governance alongside other important statutory duties.

3) RESOLVED to note the report

## **28. Revenue and Capital Budget Monitoring Report - September 2021-22**

*(Item 7)*

*Matt Dunkley, Corporate Director for Children, Young People and Education was in attendance for this item.*

1) Mr Oakford introduced the report which set out the overall forecast position as at the end of September 2021, which excluding Covid-19 and schools was a £18.7 million overspend. £13.9 million was from Adult Social Care and £6.8 million was from Children's, Young People and Education. Urgent action was required to break

even by the end of the financial year. If any overspend was to be funded from reserves, this would add to the pressures for 2022-23 and weaken KCC's financial resilience.

The Covid-19 position showed a forecast spend of £37.9 million. There were corporately held budgets of £16.1 million and the remainder of this spend was to be met from the Emergency Covid-19 reserve. This meant breaking even. Work was ongoing to look at which of the Covid-19 costs would continue.

KCC had set a saving target of £39.4 million but £30 million was forecast to be delivered. Earmarked general reserves were forecast a net draw down of £77.6 million and this reflected the use of the Emergency Covid-19 reserve and the impact on the forecast overspend, if it was not reduced by the end of the financial year.

The Capital forecast showed an underspend of £103.4 million, £125.3 million of this related to re-phasing. There was £21.9 million of real overspend.

The schools' delegated budget was reporting £52.8 million overspend, which reflected the impact of high demand, additional SEN support and high cost per child of high needs placements. The projected deficit on the high needs budget had increased by £48 million. The high needs deficit was the single most significant financial risk for KCC.

Monitoring of district council tax collection would become even more important. The impact of increased council tax reduction discounts and reduced collection rates would mean a reduction in the council tax base for the current year. The scale and pace of recovery would be a key factor in 2022-23 budget and medium-term financial strategy.

2) Further to comments and questions from Members, it was noted:

- There were pressures in Adult Social Care (ASC) nationally and many of the pressures were demand led and therefore, not within KCC's control. There was a duty under the Care Act to meet people's unmet care needs and this had become increasingly challenging. Supporting the independent care sector was vitally important as this was where the majority of KCC's ASC services were commissioned. Despite pressures it was expected that ASC would deliver £8.9million of savings in the current year. Making A Difference Everyday would help with the pressures on ASC and where this model had been used elsewhere, significant savings had been identified.
- Work was ongoing to understand the increase in requests for EHCPs and it was hoped that measures to address needs at an earlier stage would have a positive impact on spending.
- Home to school transport had been affected by increases in transport costs as well as numbers of children requiring this service. Work was being undertaken to promote the inclusion of children in their local schools.

3) RESOLVED to note and agree the recommendations as outlined in the report.

## **29. Quarterly Performance Report**

*(Item 8)*

*Rachel Kennard, Chief Analyst was in attendance for this item.*

1) Rachel Kennard outlined the report for Quarter 2, reporting results until the end of September 2021. Overall, the position was positive. 26 of the KPIs were 'RAG' rated as green, 4 rated as amber and 3 performing below target rated as red.

2) The 3 areas that had been 'RAG' rated as red were:

- Under Customer Services, percentage of calls to Contact Point which were answered. The service had been impacted by continued issues with staffing and recruitment. This was a problem that had been felt nationwide with the job market. The situation had stabilised for the Out of Hours service but attrition of staff remained high for the day time service.
- In Quarter 2, 75% of complaints had been responded to within timescale which was below the floor standard of 80%. The volume and complexity of complaints being received by some services, alongside day-to-day management was proving challenging. Work was being undertaken to clear the backlog.
- There had been an improvement for the KPI under Children, Young People and Education, 'ECHPs issued within 20 weeks'. The KPI was based on a 12 month rolling average to September. The indicator showed that 40% were issued within 20 weeks, an increase of 3 percentage points on the figure in the previous quarter. The service expected to clear the backlog by June.

3) Further positive points from the report were noted:

- 12 indicators showed a statistically significant improving trend which indicated sustained improvement over a period of 6 to 7 quarters. Only 2 had shown deterioration.

4) It was also noted during Members' discussion of the Quarterly Performance Monitoring Report:

- The trend with regard to CYPE indicators was positive and the indicator that was RAG-rated as red was also improving. Good performance in Community Services was noted.
- New processes and procedures were being put in place to address issues with keeping up with demand with regard to Freedom of Information requests and Information Governance.

5) Resolved that the Quarterly Performance Report – Quarter 2 be noted.

### **30. Border Readiness**

*(Item 9)*

*Simon Jones, Corporate Director for Growth, Environment and Transport was in attendance for this item.*

1) The Leader and Mr Murphy introduced the report.

2) Mr Brazier said that the Highways network was functioning but was perpetually on the edge of failure. There was limited resilience in the face of challenges, despite the efforts of KCC and government funding was required.

3) Mr Jones outlined the report which summarised what had been done to adapt and offered some reassurance of Kent's border readiness in the short term. It was recognised that there was inherent fragility of the system, it would be important to reinforce and maximise the effectiveness and the potential that existed in Kent. Support from local and national partners was sought to unlock Kent's potential.

4) Further to comments and questions from Members, it was noted:

- It was felt there was a good resumption of discussions with government around pro-active approaches to infrastructure. It was important that KCC's partners were engaged and the partners now had a long history of working together. This had been demonstrated in their quick responses with regard to Dover Traffic Assessment Project (TAP) which had been used 3 times a week or more. There was a willingness to present to government where specific issues had been seen. The report addressed how issues would be dealt with in the short, medium and long-term.
- Concerns were raised about the effect on residents of HGVs and examples of poor behaviour from HGV drivers. Also raised were welfare issues where problems occurred with traffic. A balanced approach was needed when working with communities and HGV drivers.
- Thanks were given to the Kent Resilience Forum and KCC officers for their work on border readiness.

4) RESOLVED to note and agree the recommendations in the report.