

## **Scrutiny Call-in Request: 23/00101 - Kent Communities Programme**

Proposer: Dr Lauren Sullivan

Seconder: Jenni Hawkins

### **Reasons for call-in:**

*(a) Action proportionate to the desired outcome.*

This decision is principally related to the Council's financial position and the requirement due to this position and 13 years of austerity and government cuts to local government, to make savings. However, looking at the financial rationale for this decision, we are not convinced that this will actually deliver sufficient revenue savings to justify this huge change. If we look at option 3 in the table below (as this was the option progressed by Cabinet) we can see that the immediate revenue savings total £1.27m. We can discount the £3.8m capital receipts at this moment in time, as this will take time to realise and will go back into the capital budget; we can also discount the £2.2m saving in day services for Adults as this already been achieved; and arguably, we can also discount the £5.85m revenue saving in terms of maintenance reduction as this will take time to achieve and will be spread over a number of years. We have also discounted the Family Hub savings as these form part of a different, albeit related, programme.

<b>Impact</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
CLL Saving	Highest	£1.37m	£1.27m	£1.11m	£0
Maintenance Reduction	Highest	£6.34m	£5.85m	£4.84m	£0
Capital Receipts (based on professional desktop valuations)	Highest	£3.8m	£3.8m	£3.2m	£0
Day Services for Adults with Learning Disabilities Savings*	Highest	£2.2m	£2.2m	£2.2m	£2.2m
Family Hub Service Savings*	Highest	£1.5m	£1.45m	£1.32m	£0
Estimated CO2 saving (tonnes)	Highest	977	938	798	0

\*Day Services for Adults with Learning Disabilities have already achieved this saving and the KCP changes formalise the estate reduction around the service changes already made therefore preventing base budget growth back post savings realisation.

So, effectively, the only immediate revenue saving is the £1.27m across the Corporate Landlord. It is worth noting at this point that there a number of unknown costs which have not been accounted for, which will potentially reduce this £1.27m revenue saving (in terms of the net position). For example, the outreach activities which will supposedly take place across the county have not been costed; the cost of this is likely to be fairly significant, and so why has this not been factored into the equation? It has also been explained that the team 'have not been able to fully quantify some of the costs, such as costs associated with redundancy liability to third party contractors and costs required to provide over and above ordinary support for site clearance' (Decision Report, 11.1). These 'unknown' costs, if they do indeed materialise, will also outweigh some of the £1.27m revenue savings. Therefore, considering all of the above, can the Administration guarantee that over the short-term this decision will deliver an overall net saving? Without further detailed information the costs and spends, particularly in relation to outreach activities, we cannot be certain. We acknowledge, of course, that savings may be delivered over the medium-long term in terms of the estate but if this leads to a reduction of services or capability to reduce services, can the Administration or Senior Officers guarantee that this will not lead to more and more expensive financial pressures later on such as in

social care or social services due to these cuts. but I do not think this decision will help us all that much in addressing our immediate financial pressures.

Many of the arguments in favour of closing the buildings state that services can be delivered from other buildings such as libraries or cafes, however spaces for children will have been purpose built for flexibility of use with accessibility considerations for children with special educational needs and disabilities. Again, funding will need to be produced to make the buildings fit for purpose, if the funding is not sufficient then the services will not be delivered sufficiently resulting in the original action not being proportionate to the desired outcome.

*(b) Due consultation and the taking of professional advice from Officers.*

Looking at the consultation, both the methodology used and the responses received. There is an inherent flaw within the updated transport methodology. As outlined, the model is predicated on the assumption that there is an hourly service between the hours of 8am – 5pm and that journey times, on average, take 35 minutes. But what happens if, say for example, a resident has a class / meeting at one of our buildings at 9am but the first bus is not until 8:45 am? In that scenario, they would be 20 minutes late for their appointment. Unfortunately, then, there will be a number of people who will slip through the cracks in our system and who will not be able to easily access our face-to-face services, and where the replacement services (outreach and digital) will not be suitable for them. We need to keep as many buildings open as possible to mitigate this risk. It is also worth noting that in September this year, Stagecoach cancelled several services across Kent, citing financial losses as the reason, who is to say that bus companies won't cut more in the future? Since the cuts, driver shortages have also been common and often lead to services being cancelled randomly throughout the day. A bus service is not something that can be relied on long term, particularly in rural areas. Who will be held accountable and responsible for issues arising from these decisions due to the disjointed and disconnected nature of the impact of these decisions.

Moving on to the buildings themselves, and the services which are delivered out of them, it is clear from the consultation that the majority of respondents (61% to be specific) 'disagreed with the proposal to have fewer buildings from which to deliver services' (Decision Report, 4.11). In addition, '48% of respondents disagreed with the proposal to co-locate services together within a single location, citing concerns around the appropriateness of sites for co-locating services' (Decision Report 4.12). It is also worth stressing that at this point, although the Family Hub consultation was a separate endeavour, 90% of the people who responded to that consultation stated that face-to-face was their preferred method of service delivery (Family Hub Decision Report, 3.1.5). So, effectively, what our residents are saying is: "We prefer face-to-face services, so please do not close any of the current buildings which are operational, as otherwise you will have to co-locate more services, and this is not always appropriate".

It is tokenism if we go out to consultation and do not listen to a word residents say. If we were genuinely committed to listening to what our residents have to say and were to act accordingly we would therefore urge the Cabinet to reconsider their decision.

Also, the statutory guidance under Section 507B of the 1996 Education Act states that local authorities must consult, and take into account the views of young people in their area on:

- the suitability of the existing provision
- the need for additional activities and facilities
- access to those activities and facilities
- the redesign of a proposed service

We argue that this statutory duty has not been met, and young people were not involved in the decision making to move to a family hub model which involves closing children's and youth centres. This decision will see in youth provision reduce as is taken in the absence of conforming with the

statutory obligations. Young people must be involved in the design process and, to date, this has not happened.

Given the Council does not have a local youth offer plan it cannot demonstrate 'need' – it is also clear that young people have not been sufficiently consulted regarding the proposal changes and future model redesign. Both of these are clear breaches of the statutory guidance. It is the right of all young people to be heard and it must be evidenced that they have been listened to - this has not happened.

*(c) The decision is not in line with the Council's Policy Framework*

As the Administration and Senior Officers have not listened to residents on this including in the design of this programme which had no member let alone resident involvement, this is in clear breach of the Policy Framework of the Council as quoted in Framing Kent's Future – here are just some of those breaches with the relevant page number. This is the main and overriding policy framework document of the council by full council decision. The Executive and Senior Officers cannot bypass this.

*We need to shift more of our focus to understanding people's needs and the design of services, with greater resident, user, staff and provider engagement so that the full range of options available to meeting need can be properly considered. Page 11.*

*Commit to funding a diverse infrastructure support offer for the social sector in Kent, which enables organisations to have access to the support they need to thrive, whilst ensuring the sector has a voice to influence and advocate for the people and communities they support. Page 39*

*Ensure that as we redesign the way we deliver our services and adapt our physical presence in communities, we make these places accessible and inclusive for local community groups and the voluntary, community and social enterprise sector, offering a space for people to meet or use these assets to deliver activities. Page 39*

*Create the right conditions to ensure there is a community-based offer of activities for young people that is led by the community and meets the needs of a diverse population. Page 39*

*Ensure that the voice of social care users and their carers is heard and influences all service design and commissioning decisions. Page 59*

*Resident engagement: We will ask Kent's residents about their experiences and perceptions of KCC's services to help us understand how we are doing and how we can improve the planning and delivery of services in the future – Page 61*

The council's policy framework must also align with Government guidance and the councils' statutory obligations – For example it is argued that that this decision conflicts with Government guidance and statute. For example, Section 507B of the Education Act 1996 ('Section 507B') <https://www.nya.org.uk/stat-duty/>, [https://assets.publishing.service.gov.uk/media/6512d57eb23dad000de70697/Statutory\\_duty\\_guidance\\_for\\_local\\_authorities\\_youth\\_provision.pdf](https://assets.publishing.service.gov.uk/media/6512d57eb23dad000de70697/Statutory_duty_guidance_for_local_authorities_youth_provision.pdf) states that Local Authorities are statutorily responsible 'to secure, so far as reasonably practicable, leisure-time activities and facilities for young people aged 13 to 19 and those with learning difficulties or disabilities aged 20 to 24'. This statutory duty was recently updated and published in September 2023 which was during the consultation period, therefore this decision does not take these changes into account. The scope of the duty is clear:

*Section 507B requires local authorities to, so far as reasonably practicable, secure access for all qualifying young people to a sufficient quantity of 'youth services' namely:*

*a sufficient quantity of educational leisure-time activities which are for the improvement of their well-being and sufficient facilities for such activities and a sufficient quantity of*

*recreational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities.*

*The two forms of activity are not mutually exclusive but local authorities must, so far as reasonably practicable, secure access for young people to sufficient forms of, and facilities for, both types of activities. They include but are not limited to: sports and informal physical activities, cultural activities, outdoor residential, weekend or holiday-time activities special interest clubs and volunteering activities.*

Without clear plans which detail where and how young people can access a sufficient quantity of leisure time activities the council is in clear breach of the Education Act. These plans have not been published yet and young people have not been able to codesign these 'before' this decision has been made.

*(d) A presumption in favour of openness.*

To close, we would now like to look at the 'Needs Framework' which underpins this whole programme and which has been used to develop the various different options. Appendix A provides a brief explanation of the general premise and the metrics which have been used to determine the level of service provision required, but as Members we think we also need to see how the Framework has been used in practice. As Members, we are local experts who know our communities inside out more than any analytical team or dashboard or data point, and so we think we could have provided invaluable insight and helped to plug the gaps in the collection of information which was not adequately picked up by the data metrics. As we know, data does not always tell the full story, and so a more balanced view, including Members' comments, needs to be considered. Indeed, in the spirit of 'openness' and transparency, We think the entire Needs Framework document should be shared with Members before this decision is progressed any further. The Framework needs to be scrutinised and Members need to have oversight of this important document, especially when you consider how crucial it is the decision of the Kent Communities Programme.