

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Cabinet

DECISION NO:

24/00109

For publication

Key decision: YES .

Title of Decision: Decision to transfer the 18-25 section of the Strengthening Independence Service (SIS) from the Children Young People and Education directorate to the Adult Social Care and Health directorate from April 2025

Decision: Cabinet is asked to:

- A. Agree to **TRANSFER** the statutory functions delivered by the 18-25 section of the Strengthening Independence Service, including the transfer of workforce in services, from the Children Young People and Education Directorate to the Adult Social Care and Health Directorate from 1 April 2025; and
- B. **DELEGATE** authority to the Corporate Director of Adult Social Care and Health in consultation with the Corporate Director Children, Young People and Education to take the relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision.

Reason(s) for decision:

Transitions involve facilitating young people's move from children's services to adult services and typically occur between ages 18 and 25. The Strengthening Independence Service (SIS) sits within the Children, Young People and Education Directorate and oversees transitions between 0-25 for those with learning and physical disabilities.

The Director of Adult Social Services (DASS) at Kent County Council is accountable for assessing local needs and delivering a full range of adult social services. These services support individuals under the provisions of Local Authority Social Services Act 1970 and the law defines an adult as someone aged 18 or over.

The Director of Children's Services (DCS) at KCC has statutory duties outlined in Section 18 of the Children Act 2004. These duties involve ensuring the delivery of local authority social care functions for children and young people. This includes, but is not limited to, providing services that meet the needs of all children, youth, including the most vulnerable, and their families.

Under the current arrangements the Corporate Director Children, Young People, and Education (DCS) is overseeing a group falling outside their statutory role.

To address this, the proposal is to transfer the statutory functions delivered by the 18-25 section of the Strengthening Independence Service from the Children, Young People and Education (CYPE) Directorate, to the Adult Social Care and Health (ASCH) Directorate meaning young adults will receive support from adult social care to better support them for independence.

Financial Implications

The budget for the statutory functions delivered by the 18-25 section of the Strengthening

Independence Service will transfer from the CYPE Directorate to the ASCH Directorate. The budget to be transferred will include the 25-26 budget for 18-25 services, agreed as part of the Budget at County Council in February 2025, including budgets for both placement/support costs and related staffing budgets. The indicative total budget to be transferred, at the time of writing this report, will be approximately £59m, comprising £56m for package costs and £3m for staffing (based on indicative budgets for 25-26).

Legal Implications

The Director of Adult Social Services (DASS) at Kent County Council (KCC) is accountable for assessing local needs and delivering a full range of adult social services. These services support individuals under the provisions of Local Authority Social Services Act 1970 and the law defines an adult as someone aged 18 or over.

The Director of Children's Services (DCS) at KCC has statutory duties outlined in Section 18 of the Children Act 2004. These duties involve ensuring the delivery of local authority social care functions for children and young people. This includes, but is not limited to, providing services that meet the needs of all children, youth, including the most vulnerable, and their families.

Under the current arrangements the Corporate Director Children, Young People, and Education (DCS) is overseeing a group falling outside their statutory role.

If these changes are not implemented, the Corporate Director for Children, Young People, and Education (DCS) will continue to oversee a group falling outside their statutory role, and the DASS will continue to face a gap in oversight regarding the assessed needs and well-being of young adults aged 18-25 falling under their remit.

Equality Implications

An Equality Impact Assessment (EqIA) has been undertaken and given this is an internal change, the EqIA demonstrates that there should not be any impacts on the cohort of people who will draw on KCC's care and support. The EqIA will continue to be reviewed as the project continues.

Data Protection Implications

An initial DPIA screening has been carried out and submitted which determine, in line with KCC's DPIA policy and requirements of the UK GDPR, that a DPIA is required. A full DPIA will be taken forward as part of the ongoing programme of work as the transfer progresses

Cabinet Committee recommendations and other consultation: The proposed decision was discussed at the Adult Social Care Cabinet Committee on 15 January 2025 and the Children, Young People and Education Cabinet Committee on 16 January 2025.

An important clarification, as a result of Member comments is that the 18-25 part of Strengthening Independence Service is solely focused on young adults supported by Care Act assessments who experience severe or profound disability. They are not especially open in relation to children's legislation. Any individuals aged 18-25 who experience Care Leaver status and/or experience an Education, Health, and Care Plans (EHCP) will continue to receive services from CYPE in collaboration with ASCH. These services will not cease to be involved following the service's move to ASCH.

Any alternatives considered and rejected:

There is the option to maintain the 18-25 service within CYPE; however, this will continue to mean the DCS oversees a group falling outside their statutory role and the DASS will not have streamlined oversight of a cohort of people who will draw on KCC's care and support.

Alternatively, the possibility of a matrix management approach was considered which would enable CYPE to retain the 18-25 SIS service and introduce additional reporting lines into ASCH. This option

was not taken forward as it would require additional roles to be created to make a matrix-management approach feasible, which would not add financial value or create efficiencies to the same or greater extent than the proposal to transfer the 18-25 SIS service from CYPE to ASCH.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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signed

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date