

Procedure for Consultation on the Modernisation, Variation or Closure of Services and Establishments provided and managed by Kent Adult Social Services

Kent Adult Social Services (KASS) recognises that the services it provides directly must continue to meet people's needs. KASS will always seek to maximise the opportunities for engagement with stakeholders in line with the procedures outlined below.

KASS's strategy, *Actives Lives Now*, sets out the key aims of the directorate. These guide the establishment of working groups for different types of services, chaired by a member of the directorate's Strategic Management Team (SMT). These will identify options for the modernisation of services and prepare Strategic Reports for consideration by SMT.

If the Managing Director accepts the report then the Cabinet Member will be asked to give "**approval to consult**" on the proposals for establishments and services and an Officer will be identified to manage the consultation procedure.

The Procedure

The Procedure	Actions/Timeframe	Good Practice
1. The proposal will be entered on to KCC's forward plan as a key decision. This will need to indicate likely date of decision.	<ul style="list-style-type: none"> • It is likely to take at least four months to get a decision. • This is done via the KASS Governance Officer. 	

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<p>2. The Cabinet Member will chair a meeting of Officers and Elected Members to brief Elected Members, sharing with them relevant documentation and information on the proposals. The following Members should be invited:</p> <ul style="list-style-type: none"> • Chairperson – Adult Social Services Policy Overview and Scrutiny Committee (ASSPOSC) • Vice Chairperson – ASSPOSC • Spokespersons for the Opposition • The remaining members of ASSPOSC • Local County Councillor's¹ <p>In addition to the Elected Members the following Officers should be present:</p> <ul style="list-style-type: none"> • The Responsible member(s) of SMT • The relevant Head of Services • The relevant Personnel Manager² <p>Following the meeting a copy of the notes of the discussion will be circulated to all those invited to attend and a copy placed on record with Democratic Services.</p>	<ul style="list-style-type: none"> • Inform press office • Agree dates in diaries • Book venue • Write to: Members, ASSPOSC, MPs, Carers, Client's, Relatives, Staff, Unions • Prepare presentation, briefing note, proposed timeframe documents • Compile stakeholders list • Arrange for a note taker 	<ul style="list-style-type: none"> • For 2 & 3 to happen on one day • Responsible Officer to co-ordinate the sending of letters, whether signed by the Managing Director or Cabinet Member. • To facilitate the attendance by Members, 2 weeks notice to be given. Will need coordinating with the corporate diary to ensure this doesn't clash with other meetings for Members. • Democratic Services contact is currently Andy Ballard

¹ For this procedure a Local Member is any member whose constituents may be affected by the proposals

² Where there are personnel issues arising from the proposal

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<p>3. The Cabinet Member will chair a meeting (or series of meetings) with Officers and key stakeholders, including District Council Ward Members and other stakeholders such as representatives of the Kent Partnership Board (Learning Disability) to share relevant documentation and information on the proposals.</p> <p>In addition to the key stakeholders the following Officers should be present, as relevant:</p> <ul style="list-style-type: none"> • The Responsible member(s) of SMT • The relevant Head of Services • The relevant Personnel Manager³ <p>Following the meeting a copy of the notes of the discussion will be circulated to all those invited to attend and a copy placed on record with Democratic Services.</p>	<ul style="list-style-type: none"> • Arrange for a note taker 	
<p>4. The responsible Officer will compile an information pack on the proposal being consulted upon and send a copy to everyone listed in 2 & 3 above and the following:</p> <ul style="list-style-type: none"> • Users, relatives and carers • Head of Service / Establishment • All Staff • All ASSPOSC Members • Local KCC Members⁴ • The District Council and all the Local Members • The Parish / Town Council • The relevant NHS bodies • The Trades Unions 	<ul style="list-style-type: none"> • Ensure timings are planned • Letter to state that you are invoking the “Procedure for consultation on the Modernisation, Variation or Closure of Services and Establishments in Kent Adult Social Services” 	<ul style="list-style-type: none"> • Information pack sent within 48hrs of meetings held in 2 & 3 above. Make available accessible versions if required – Braille etc. • Responsible Officer to co-ordinate the sending of letters, whether signed by the Managing Director or Cabinet Member.

³ Where there are personnel issues arising from the proposal

⁴ For this procedure a Local Member is any member whose constituents may be affected by the proposals

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<ul style="list-style-type: none"> • Local MP⁵ • All those listed in 2 & 3 above • KASS Communications Team and / or The Press Office • Any other relevant person or organisation • LINKs <p>A covering letter will be enclosed with the Information Packs giving details of the length of the consultation period that should be no less than 12 weeks from the date of despatch. The Responsible Officer will arrange for the information to be available on the appropriate website.</p>		
<p>5. The Responsible Officer will arrange for consultative meetings to be held during the minimum 12 week consultation period. Everyone who is sent an information pack will be notified of the dates and times of the meetings and will be invited to attend.</p>	<ul style="list-style-type: none"> • Arrange for a note taker • Invite to the meeting where relevant: Parents, Carers, Relatives, Staff, Unions. The invite to explicitly state the purpose of the meeting. 	<ul style="list-style-type: none"> • Notes of meetings & key issues to be taken • Consider whether to hold separate meetings for groups of people, depending on particular needs such as communication. In some circumstances individual meetings may be more appropriate. • Consultation to last no more than 16 weeks except in exceptional circumstances.

⁵ For this procedure a Local MP is any member whose constituents may be affected by the proposals

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6. The Responsible Officer should discuss with the Managing Director, Cabinet Member and Chairperson of ASSPOSC whether, in addition to the stakeholder meetings, there should be a Public Meeting on the proposals. A record of this discussion should be placed on record with Democratic Services.	<ul style="list-style-type: none"> Collate emails, or if face to face discussion, arrange for a note taker 	
7. All meetings should be arranged and conducted in line with the "A Pathway to Public Involvement –Practical Toolkit" ⁶ . This incorporates the statutory duties to involve ⁷ .		
8. The Responsible Officer will ensure notes are taken of each meeting and are available to all attendees and to those listed in 2, 3 & 4 above.		<ul style="list-style-type: none"> Make notes available if required
9. Although this is not a formal step in the procedure, best practice suggests that consideration be given to sending out a reminder of the closing date for comments.		<ul style="list-style-type: none"> Depending on the level and nature of response, consideration should be given to reminding those listed in 2, 3 & 4, and those who have attended the meetings that have been held, of the closing date to ensure that everyone has an opportunity to participate in the consultation.

⁶ Published by KCC Public Involvement Team – providing guidance and information on best practice in public involvement

⁷ Local Government and Public Involvement in Health Act 2007

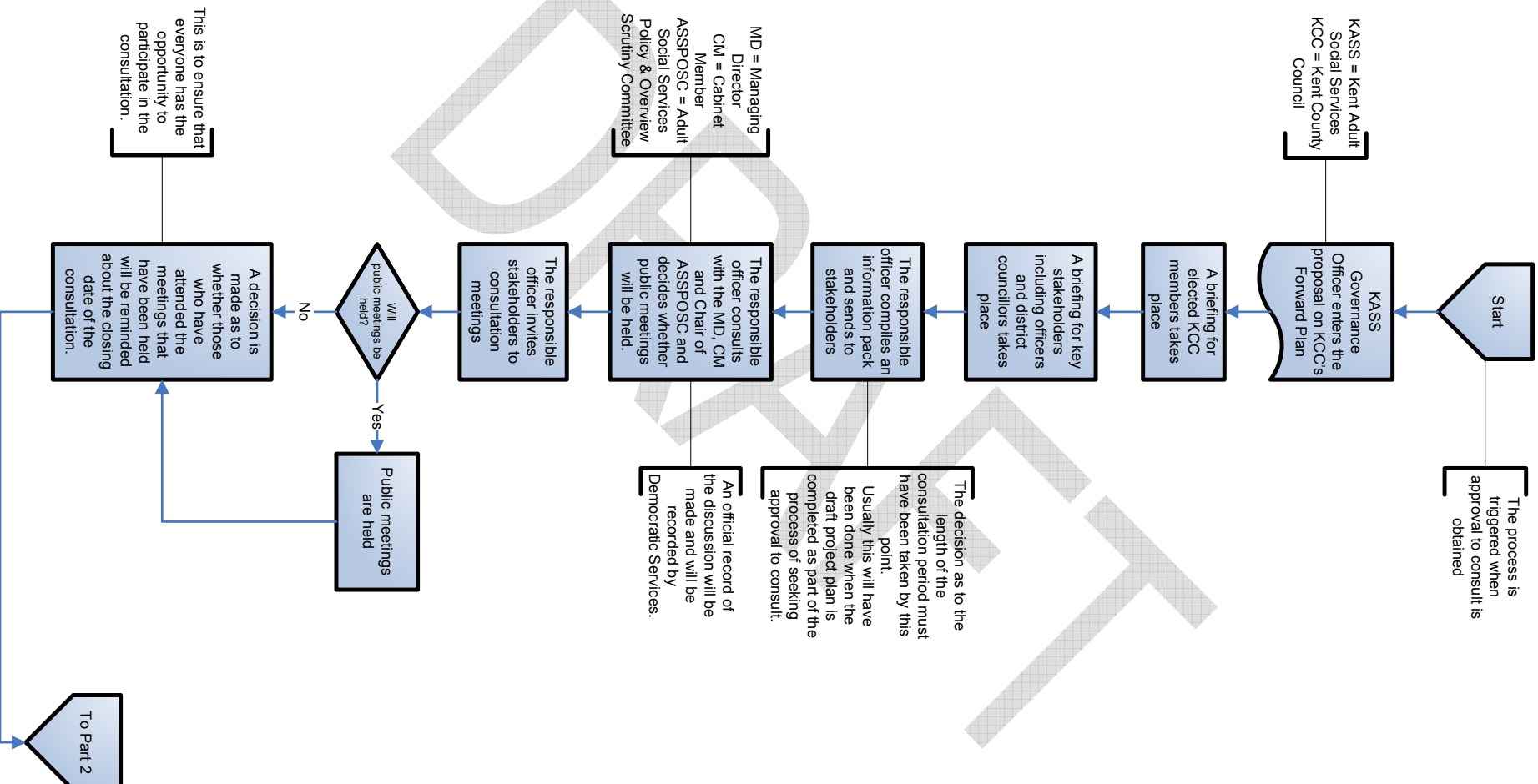
The Procedure	Actions/Timeframe	Good Practice
<p>10. At the end of the consultation period the Responsible Officer will compile a final report to the Managing Director which will detail the following:</p> <ul style="list-style-type: none"> • Background to the Proposal • A Table setting out the Consultation Process and the dates required actions were taken • Issues of concern raised during the consultation, by whom they were raised and the response given by officers • A customer impact assessment • Finance Issues • Personnel and Training Implications • Possible alternatives • Recommendation on how to proceed 		<ul style="list-style-type: none"> • SMT report template to be followed.
<p>11. The Managing Director will, having considered the report of the Responsible Officer, decide if the Cabinet Member is to be asked to take a Decision to instigate any change programme that may be necessary.</p>		<ul style="list-style-type: none"> • The Managing Director's decision would normally follow discussion at SMT. A SMT slot will need booking in advance. • All stakeholders to be informed of the findings of consultation (if required) in appropriate format.

The Procedure	Actions/Timeframe	Good Practice
<p>12. If decision is to be taken by Cabinet Member:</p> <ul style="list-style-type: none"> • Amended report to be approved by Managing Director • Copy of amended report to be circulated to all ASSPOSC Members, so they can make any final comments to Cabinet Member. • Responsible Officer to discuss report with Cabinet Member • Responsible Officer to complete Form B which is sent to Democratic Services together with the report. 	<ul style="list-style-type: none"> • Arrange meeting with Cabinet Member • KASS Governance Officer to send on to Democratic Services 	<ul style="list-style-type: none"> • Governance Officer co-ordinates the internal Democratic Services process for KASS
<p>13. Democratic Services send the report to the Cabinet Member.</p> <ul style="list-style-type: none"> • A copy is also sent to the Chairman and Spokesmen of the Cabinet Scrutiny Committee and a summary to all other Members of the Cabinet Scrutiny Committee. The report is also published on the website. • If the Cabinet Scrutiny Committee call-in the proposed decision within 5 working days of publication, the Cabinet Scrutiny process must be completed before the Cabinet Member's decision is implemented. • Otherwise, on the 6th working day after the date of publication the decision can be taken by the Cabinet Member. 	<ul style="list-style-type: none"> • During the 5 working day period the Responsible Officer to complete Form C 	<ul style="list-style-type: none"> • Information now formally in the public domain re the decision
<p>14. The Responsible Officer drafts a Record of Decision (Form C) and arranges for it to be signed off by the Cabinet Member.</p> <ul style="list-style-type: none"> • Form C to be sent to Democratic Services (both electronically and signed hard copy) • Democratic Services sends the Record of Decision to all Members of the Cabinet Scrutiny Committee and publish it on the website. 	<ul style="list-style-type: none"> • KASS Governance Officer to send Form C to Democratic Services 	

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<ul style="list-style-type: none"> • If the decision is called into scrutiny within 5 working days of publication, the scrutiny process must be completed before the decision can be implemented. • Otherwise, on the 6th working day the decision can be implemented. 		
15. Stakeholders are notified and decision implemented		

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Flowchart – Procedure for Consultation on the Modernisation, Variation or Closure of Services and Establishments – Part 1



Flowchart – Procedure for Consultation on the Modernisation, Variation or Closure of Services and Establishments – Part 2

