

## KENT COUNTY COUNCIL

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### SCRUTINY BOARD

MINUTES of a meeting of the Scrutiny Board held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 3 November 2010.

PRESENT: Mr E E C Hotson (Chairman), Mr P W A Lake (Vice-Chairman), Mrs A D Allen, Mr D L Brazier (Substitute for Mr C J Capon), Mr M C Dance, Mrs T Dean, Mr C Hibberd, Mr G A Horne MBE, Mrs E M Tweed and Mr K Smith

ALSO PRESENT: Mr R J Lees, Mr L Christie and Mr A J King, MBE

IN ATTENDANCE: Mrs A Beer (Director of Personnel & Development), Ms S Dunn (Head of 14-24 Innovation Unit), Ms D Fitch (Assistant Democratic Services Manager (Policy Overview)), Mr R Gabriel (Employment And Skills Board Manager, Kent And Medway), Mr W Gough (Interim County Manager ( Supporting Independence Programme)), Mr J Hawkins (Project Manager, Transformation), Ms K Kerswell (Group Managing Director) and Mr P D Wickenden (Overview, Scrutiny and Localism Manager)

### UNRESTRICTED ITEMS

#### **34. Minutes - 9 September and 11 October 2010**

*(Item 3)*

(1) In relation to minute no 30 (3) (4) concerning the policy for the management of obstructions and temporary items on the Highway, Mr Christie asked for an update on progress with seeking the views of District Councils via the Joint Transportation Boards. He was aware that the Gravesham Joint Transportation Board had yet to consider this matter. Mr Hibberd offered to assist Mr Christie with further information outside of the meeting.

(2) It was noted that Mr Kit Smith had not accepted the invitation set out in minute number 31 to submit a report to this meeting of the Board.

(3) RESOLVED that the minutes of the meetings held on 9 September and 11 October 2010 are correctly recorded, subject to minute number 33, paragraph (19) bullet point 4 being amended to read "Concern that the organisation would move from a functional to an administrative style of management.", and they be signed as a correct record.

#### **35. Change to Keep Succeeding**

*(Item 4)*

(1) Ms Kerswell updated the Board on the progress of Change to Keep Succeeding since the last meeting on 11 October 2010. She explained that an alternative structure had been suggested which had been presented to the Cabinet Scrutiny Committee on 15 October 2010. A copy of the alternative structure was included with the papers for the meeting. The alternative structure saved the most

money and had the least number of Directors. She confirmed that both of these structures were part of the consultation.

(2) Ms Kerswell stated that in discussions with those whose individuals whose posts were impacted, certain issues had been raised such as whether the Kent Drug and Alcohol Action Team should come under the Education Learning and Skills Directorate or the Customer and Communities Directorate and also where Public Rights of Way should sit. Lots of comments had been received about how the County Council engages and liaises with the people of Kent. In relation to the proposal to gather together Communication, Consultation and Community Engagement, there was a division between having an embedded service within Directorates or a centralised service. It was not necessarily the case that all of these services should be treated the same. She gave the example of the Highways Liaison officers who could stay embedded within the Highways team but have a relationship with Community Engagement colleagues. It was important to grasp the opportunities of localism and a Locality Board and build a strong engagement culture. Regarding Public Health the white paper was still awaited, this could be a huge operation working with the Health Service and having a relationship with General Practitioners. She explained that work was being carried out on the Business Support model. The Structure should drive changes in behaviour and a move to an increased use of self service and available technology. There was a strong message from Managers that they welcomed the opportunity for the devolvement of functions and accountability.

(5) Mr Hawkins explained that a facility had been set up to enable all those in impacted posts to see data on all the proposals for the new posts, this was also open to group managers to keep them informed. There was a lot of functional planning going on to ensure that the necessary models were in place on 1 April 2011. Teams had been set up to resolve specific issues for example there was a team on safeguarding.

(6) Officers answered a number of questions from Member and the responses included the following:-

- Ms Kerswell confirmed that intelligence within the organisation was good in relation to likely changes in legislation and policy, the new structure would be nimble and flexible in order to respond as changes were required.
- In relation to the proposal to place the new post of Director of Children's Services in the Families, Health and Social Services Directorate with a reporting line to the Director of Education, Learning and Skills, Ms Kerswell stated that she would ensure that there was proper accountability and that the reporting lines were robust. In both the Adult and Children's safeguarding teams there were specialists working alongside practitioners. There would be an opportunity to draw together the Children, Families & Education and Kent Adult Social Services Staff who supported Independent Boards and other staff with similar functions. There was an opportunity to create capacity which could be used to strengthen the service. September was the first month to see a drop in referrals and she suggested that this could be because people in the locality felt more confident. It was important to link together locally and to keep the education and social services focus.
- Ms Kerswell explained that KCC's innovation driver was based on the three clear ambitions contained within "Bold Steps for Kent" and that the structure attempted to support these.

- Ms Kerswell confirmed that the issue of the 14 – 19 agenda including incorporating the work of the Learning and Skills Council had been logged as a piece of work that needed to be carried out.
- Ms Kerswell explained that part of the role of the business and support Directorate would be to monitor intelligence and to bring it together into the centre and harness resources. Work was underway to look at which roles should be brought into the centre.
- Ms Kerswell stated that there would be capacity from January to April 2011 to see what the Locality Boards would look like. She also referred to the recently launched Local Economic Partnership with Essex and East Sussex.
- In response to a question on why the Regeneration Strategy had been placed in the proposed Business Strategy and Support Directorate, Ms Kerswell explained that the Regeneration Strategy was developed from information from across the authority, any work on regeneration within the Enterprise Directorate would be the practical delivery of the strategy.
- Ms Kerswell informed the Board that the proposed structure was a more cost effective model, there was a balance and reality about what we can afford and what we need to do. The next level of the restructuring would emerge from February 2011 onwards.
- In relation to the centralisation of services, Ms Kerswell explained that part of the assessment related to looking at the most economic way of carrying out the service in order to manage the scale, scope or flow of activity. She referred to work being carried out with Reigate and Banstead Council regarding joined up services, in order to do this it was necessary to join our own services up first in order to seek economies of scale. At the heart of the Locality Boards was having joint commissioning plans with partners.
- In relation to a question on the statement in the risk assessment (RA 4) that the risk to morale was limited to senior staff who were impacted by these proposals, Ms Kerswell stated that prior to the Leaders announcement in one to one meetings only one person impacted by the proposed restructuring was unhappy, everyone else acknowledged that this restructuring was needed.
- Ms Beer explained that in relation to the proposed centralisation of Human Resources (HR), current proposal is that there would be a centralised process strong business partner roles and HR professional at a senior on the new Management Team in the Directorates with reporting lines to Head of HR which would enable HR the understand the needs of the businesses and ensuring with limited resources can provide an excellent HR services across the piece. All the services in Business Strategy and Support that have business partners will be based on the HR model.
- Ms Kerswell agreed that it was not the intention to change any services which were currently fit for the future
- Ms Beer confirmed that the Hay evaluation only related to new posts in the structure. In recent years there had been detailed work on M grade posts and below therefore there was no proposal for them to be re-evaluated. She referred to the recent move from the incremental structure for the majority of staff but this had not been replaced by a spot salary. It was likely that Hay would recommend a move away from spot salaries for senior posts to a salary scale for the post.
- Ms Kerswell explained that the criteria which had been used to shape the way that services were grouped was whether the public came to us for them, whether we went to the public with them or whether the public were able to

access them direct. If they came to us this would mainly be via the Gateways which would give access to all front line service.

- In response to comments, Ms Kerswell confirmed that the Youth Service, KDAAT and the Youth Offending Service had been placed under the Director of Customer Services in the alternative structure.
- In relation to the Risk Assessment 8 – regarding the need to have resources to recast the 2011/12 budget to align it with the new structure - Ms Kerswell informed the Board that she had spoken to the Cabinet Member for Finance and the Head of Audit in order to establish what was needed to support this. Mr Hawkins confirmed that detailed work was being carried out in relation to Risk Assessment 8.
- Mr Hawkins explained that there were approximately 37 officers working on aspects of the re-structuring, he explained that his was an organisational role, and therefore the risk to the re-structuring if he was absent was minimal.
- Mr King emphasised the importance of retaining stability within the Cabinet and Cabinet Portfolio's during the top tier restructuring. Although it would be necessary for Policy Overview and Scrutiny Committees to reflect the new structure in due course, in the short term the current structure would be retained until the new officer structure was in place. All Members had a role in determining whether the new structure was the right way forward and in December the County Council would decide the final structure and take responsibility for it.
- Ms Beer confirmed that there were 29 impacted posts which affected 25 people as there were some vacancies.
- Ms Kerswell stated that she had met with Directors on a number of occasions before the new structure was published, the comments that they had made as consultees had been circulated to Members.
- In relation to Health watch, Ms Kerswell explained that the two forms of this appeared in different places in the structure, under the Director of Public Health was the case management of Healthwatch and within Customer Services was the operation of Healthwatch via the contact centre.
- Regarding Heritage Conservation, Ms Kerswell explained that she had been advised that in future this would be more about policy rather than being a front line service.
- Regarding the post of Director of Public Health, Mrs Kerswell confirmed that currently we did not fully fund the post. The public health agenda moving to local authorities could be large and would need to be taken into account in the new structure.
- Ms Kerswell clarified that the Cabinet Office, shown under Director of Business Strategy, included support to Cabinet Members and the Leaders officer, thus creating a connection to the Corporate Management Team.
- In relation to the timetable for recruitment to the new posts, Ms Beer explained that the Members Interview Panel and assessments would be held in January 2011. Once the new structure had been approved by County Council those who were being slotting in would be informed and the recruitment process would begin for the remaining vacant post.
- Ms Kerswell confirmed that she welcomed the role of Members as the voice of their communities. She explained that POSC's were a short term measure and Locality Boards were being developed as long term measures.

(7) The Chairman thanked officers for responding to Members detailed questions.

(8) RESOLVED that the issues raised by the questions be noted by the Group Managing Director.

### **36. Interim appointments - notification process**

*(Item 5)*

(1) Mr Wickenden introduced a report, which had been submitted at the request of Mrs Dean, relating to the process for notification to the Scrutiny Board of interim officer appointments at a cost of £20,000 or more and how this differed from the process for appointing Consultants. Mr Wickenden read out a suggested wording that could be recommended for inclusion in the Constitution to address this anomaly.

(2) The Chairman emphasised that the appointment which had drawn attention to the anomaly had been made in accordance with the current Constitution.

(3) RESOLVED that the Selection and Member Services Committee be requested to consider recommending to the County Council that the Constitution be amended to include the following wording at the end of paragraph 11 (c) on page 124 – “Similarly, the appointment of an interim officer for £20,000 or more (whether undertaken as a non-competitive procurement or not) must also be reported to the Head of Democratic Services within 14 days of the appointment being made so that s/he may notify Members of the Scrutiny Board.”

### **37. Select Committee work programme**

*(Item 6)*

(1) Mr Wickenden presented an update report on the Select Committee work programme. The Select Committees on Extended Services and Renewable Energy were due to submit their reports to Cabinet on 29 November 2010 and, if time allowed, would also be received at County Council on 16 December 2010. Select Committees on Dementia and Educational Attainment had been established and were due to commence their work shortly.

(2) Mr Wickenden reported the receipt of a suggestion for a Select Committee topic review on “The Student Journey” which had been submitted by Mr Dance and Mr Kit Smith.

(3) The Proposers of the review gave further information in support of their proposal. Officers from the Children, Families & Education (CFE) and Communities Directorates and the Regeneration and Economic Development Unit were invited to put forward their views on the proposed Select Committee topic review. Ms Dunn, on behalf of CFE, explained the importance of ensuring that the timescale of the review was appropriate, that there was no duplication of existing work being carried out in the Directorate and that pending legislation was available. She stated that the most appropriate time to start this review would be in February/ March 2011. Mr Gough, on behalf of the Communities Directorate and the Cabinet Member, supported the views of Ms Dunn. He also emphasised the importance of the review including a focus on employability. Mr Gabriel, on behalf of Regeneration and Economic Development spoke in support of the proposed review, and the importance

of its focus including support for business growth and the key element of Information, Advice and Guidance.

(4) There was general agreement that this important review should start as soon as was practical, and that as part of the normal process to establish the Select Committee work would be carried out to focus and scope the review to ensure that it was outcome focused and added value to the work of the County Council.

(5) RECOMMENDED that (a) the Scrutiny Board strongly believes that all Select Committee topic review reports should be considered at County Council and requests the Chairman of the County Council to include the Select Committee topic reviews on Extended Services and Renewable Energy on the agenda for the December meeting of the County Council.

(b) a Select Committee on “The Student Journey” be established which will start its work in the Spring of 2011.

### **38. Sharing of good practice**

*(Item 7)*

(1) Mr Wickenden informed the Board that there would be an update report to the December meeting on developing a relationship between the Overview and Scrutiny function and the Media, following an informal meeting next week with media representatives. The Health Overview and Scrutiny Committee were keen to pilot the Rapporteur framework. Also it was anticipated that Mr King would be able to report back to the December meeting on the results from the Overview and Scrutiny Survey. He also referred to the proposed Locality Boards and suggested that it would be helpful to have information on their formation.

(2) The Board discussed the various ways in which the POSC's had exercised their Scrutiny role, these included the Regeneration and Economic Development POSC's visits to Districts to assess what they thought of the Regeneration work of the County Council and Scrutiny sessions run by the Learning and Development POSC on specific subjects. It was also emphasised that there was overlap between policy development work and scrutiny.

(3) The importance of having a Forward Plan of Key Decisions which included officer as well as Cabinet/Cabinet Member Decisions was highlighted. The Communities POSC were requesting the Cabinet Member include in his update information on any key decisions that he was due to take .

(4) RESOLVED that the comments be noted.