

COUNTY COUNCIL

Thursday 19 July 2012

Question by Mike Harrison to

Mike Hill Cabinet Member for Customer and Communities

Would Mr Hill, Cabinet Member for Customer and Communities, be kind to enough to give me and fellow members an explanation of the letter sent jointly from him and Mike Overbeke (Head of Regulatory Services Group - Countryside Access Service) to all Parish Councils in Kent. I refer to the letter dated 18th of April this year with a ref of CAS/GDR/11/VCC.

Personally I only found out about the contents of this letter at my one and only Parish Council when I contradicted the Chairman's comments about KCC are no longer funding Public Rights of Way (PROW) clearance! I have since contacted my local PROW officer and now have a copy of said letter but I would still ask Mr Hill for a more detailed explanation and also as to how local members might be able to assist with some funding now that we have been told we can no longer use our MHF on PROW?

Answer

The letter you refer to actually went out in April last year shortly after I inherited the PROW and Access Service after 30% cuts had been identified.

As a great supporter of this busy and popular service you will be aware how difficult identifying such a cut in an already lean service has been, indeed you were part of the debate. As you know the difficult conclusions officers made was to cut back areas that were most 'recoverable' from; vegetation clearance.

Although this has significant impact on the many users, the asset itself is not permanently damaged. However damage will occur if left too long and with the climate for more localism and a greater use of volunteers it was thought that a letter to all the parish councils seeking assistance would be a sensible and pragmatic way forward. Information about existing vegetation clearance programmes was sought, and a request for any assistance in carrying out the work was also made, as the letter makes clear.

You were quite correct to 'contradict' the Chairman of the parish council with his comment that "...KCC is no longer funding (PROW) clearance..." as this is not what the letter said. It was simply explaining that there will be a reduction in clearance and seeking support and assistance in carrying out and indeed improving this vital role.

I understand that the Environment, Highways and Waste Cabinet Committee on 4 July 2012 have endorsed that the Member Highway Fund can be extended to include Public Rights of Way schemes.

COUNTY COUNCIL MEETING

Thursday, 19 July 2012

Question by Mr Les Christie

To Mr Mike Whiting, Cabinet Member for Education, Learning and Skills

Can the Cabinet Member for Education, Learning & Skills please inform me of:-

a) The number of Kent Schools which has successfully obtained funding under the Priority School Building Programme. If possible can he list these schools?

Kent has received funding for 14 schools of which 13 were included in the application made by Kent. Castle Community College made their own application.

- *Aylesham Primary School*
- *Castle Community College*
- *Chantry Primary School*
- *Culverstone Green Primary School*
- *Halfway Houses Primary School*
- *Laleham Gap School* * - **to receive a Capital Grant and we understand they will be in the earlier phases**
- *Meopham School*
- *Priory Fields School*
- *Sevenoaks Primary School*
- *Smarden Primary School*
- *St Philip Howard Catholic Primary School*
- *The Canterbury Primary School* * - **to receive a Capital Grant and we understand they will be in the earlier phases**
- *Westlands Primary School*
- *York Road Junior Academy*

b) The number of Kent School for which an application was made?

58

c) Whether the successful schools match the priority given by Kent County Council?

A standard application form had to be completed within the application process and there was no prioritisation allowed by Kent as schools were prioritised by the DfE.

d) What role will Kent County Council play in the procurement of those schools?

It is understood that these schools will be centrally procured and the role of Kent, if any, in this process is not yet known.

e) What the total cost of funding those schools will be?

The EFA have not provided any information to date on funding levels. The EFA will undertake a feasibility study for each school which will then be used to determine the work to be undertaken.

COUNTY COUNCIL MEETING

19 July 2012

Question by Martin Vye to Jenny Whittle, Cabinet Member for

Specialist Children's Services

Will the Cabinet Member for Specialist Children's Services inform the Council:

- a) what is being done to ensure that the County Council has a robust up-to-date and clear record of the numbers of vulnerable children running away or going missing from care or home;
- b) explain how KCC analyses the data to look for trends, identifies possible hotspots and the risks incurred in each case so that effective measures can be put in place to protect these children from harm and sexual exploitation;
- c) give details of the number of 'safe places' in Kent where runaways can seek support; and
- d) describe how KCC provides information to children/young people, professionals, parents and carers on the 'safe places' and on the risks of running away?

Answer

The Families and Social Care Management Information Unit produces a weekly report of vulnerable children who go missing and this is discussed by the Director of Specialist Children's Services and Assistant Directors. A joint protocol has been developed with Kent Police and incorporated into the Kent Safeguarding Children Board procedures for Missing and Runaway Children. These protocols define the roles and responsibilities of Kent Police and Specialist Children's Services, including referral and intervention strategies. Further work is also underway to review the multi-agency approach on missing children following the publication of the All Party Parliamentary Group report on missing and runaway children.

The weekly report on missing children is discussed by senior Directors and the Safeguarding Unit to ensure accurate reporting, identify trends and put in place actions to safeguard them, for example where there are concerns about trafficking or grooming. Multi-agency missing children's meetings, chaired by Kent Police, are established when high risks and vulnerability are identified and/or there have been repeated missing incidents, or possible hotspots identified through police intelligence gathering. The Kent Safeguarding Children Board has established a Trafficking and Sexual Exploitation sub-group to focus on vulnerable children and runaways and to address Kent's position as a gateway authority with the highest number of unaccompanied minors in the country. There has been strong partnership working with Kent Police and the United Kingdom Border Agency (UKBA) in managing the cases of missing children from or through the port.

If there is a concern that a child or young person may be at risk if returned home, they are referred to Specialist Children's Services in order to assess their needs and ensure appropriate arrangements for their accommodation are made. Urgent and Out of Hours referrals from the police trigger an agreed multi-agency protocol to provide a coherent response to their accommodation and support needs. A Kent-wide joint homelessness protocol and support packages for 16 and 17 year olds has been developed. This helps to facilitate joint assessments and ensure that vulnerable young people are not left homeless and without support. In addition, the £2.7m investment in preventative services agreed by the County Council at the February County Council meeting will be used to roll out a Crisis Intervention Service including adolescent 'crash pads' to provide accommodation for runaways and young people who are considering running away from home.

Awareness raising for children and young people at risk of running away takes place in schools as part of the Personal, Social, Health and Economic (PSHE) education. The KSCB is further developing information for vulnerable children and young people to enable them to access specific helplines and information on how to keep safe or who to contact if they have a problem. Missing children guidance is available to professionals, parents and foster carers online via the KSCB website. The KSCB also provides training courses to professionals including schools and carers on safeguarding children.

Kent is one of only three councils in the country as of last week that has signed up to implementing the Runaways Charter written by young people who have previously absconded and is being promoted by the Children's Society. I want to review the support we offer to runaways and how we can prevent children running away in the first place by focussing on the commitments made in the Charter e.g. prevention of repeated instances of running away.

COUNTY COUNCIL MEETING

19 July 2012

Question by Malcolm Robertson to Paul Carter, Leader of the Council

Will the Leader explain how the '*Compensation for loss of office*' payment of £420,000* to the Managing Director accords with the numerous steps taken as a result of the urgent review of the procedures by the (same) Group Managing Director in response to the Leader's motion at the County Council meeting 22nd July 2010; in which he stated that procedures would be strengthened so as to minimise the risk of such large payments being made in the future?

* £420,000 '*Compensation for loss of office*' listed in [Draft Statement of Accounts 2011-12](#) (p.72) (part of a total remuneration package of £589,165 for a 9-month period of employment April – December 2011).

2011-12 Senior Employees *compensation for loss of office* packages (x2) totalled £592,000

2010-11 Senior Officers *compensation for loss of office* packages (x3) totalled £395,209

2011-12 Total Cost of Exit Packages £10,008,473

2010-11 Total Cost of Exit Packages £6,907,540

Footnote: [The Motion](#) – Mr Carter moved, Mr Gough seconded the following:

(1) Given the information in the public domain regarding a significant payment to a senior officer, this Council notes that the Group Managing Director has been asked to carry out an urgent review of the interview, appointment, contract and severance payment procedures, and report back to Members with proposals to strengthen those procedures so as to minimise the risk of such large payments being made in the future.

(2) This Council also agrees to lobby the Coalition Government to amend the Employment Rights Act 1996; in effect to make employment fixed term contracts "fixed term".

Resolved at County Council Thursday 22 July 2010

Answer

A review was carried out as a result of the motion, and interview and appointment procedures for senior staff were thoroughly reviewed to make sure the processes were rigorous and in line with best practice (both public and private sector). Contracts and severance pay procedures were reviewed and there is now a strengthened approval process for these which involves the Director of Governance and Law, Corporate Director of HR, Corporate Director of Finance and, where appropriate, elected Members.

The recruitment process is now far more robust as a result of the review, and includes stakeholder panels and full assessment centres facilitated by an external organisation. Appointments, probation periods and contracts have all been amended to provide KCC with an increased ability to manage the employment relationship. As an example, all contracts for senior officers have had their notice periods reduced by 50%.

Kent County Council did lobby the Coalition Government in an endeavour to get the Employment Rights Act 1996 amended and letters were written to the Secretary of State Eric Pickles in June 2010, as well as an article being written and published by the LGC and Kent Messenger in July 2010 and I quote some lines from both.

From the letter:

'If the public sector is to get through these financially constrained times, it needs maximum flexibility and the ability to adapt to changing circumstances – not be weighed down by inappropriate and unfair employment law

It is clear that the forthcoming Comprehensive Spending Review (CSR) is not just an opportunity to identify spending priorities and savings – but is a once in a lifetime opportunity to examine the underpinning structural issues of how we deliver public services. To my mind this should include the framework of employment law and its application for those earning the very highest salaries in the public sector.'

From the article:

'We need to rebalance employment law in the UK so that it continues to protect individual employees, but is fair to employers and to the taxpayers who fund public services. Three fundamental changes need to occur. The first is that the employment rules governing dismissal of highly paid people on competency and performance grounds need to be changed to make it significantly quicker and easier to do so whilst limiting the liability on the public sector employer and ultimately the taxpayer. Secondly, we need to reverse the legal changes – made in 1999 and 2002 – which removed the ability of employers to allow inclusion of what had previously been a common clause in fixed term contracts – a waiver of a senior employee's right to claim unfair dismissal simply on a contract's expiry. Thirdly, we need to have the power to insert fixed or annual break clauses which allows an employer to end a fixed term contract early without it being classed as dismissal.'

I hope this explains why the severance payment to Group Managing Director was of a substantive quantum.

COUNTY COUNCIL

Thursday 19 July 2012

Question from Mr Tim Prater

To Mike Whiting, Cabinet Member for Education, Learning & Skills

A Primary School in Folkestone has started the process of consultation on the possible conversion to Academy status, and states in a letter to parents that "We are mindful that the Government aims to see all schools convert to academy status by no later than 2015".

Could the Cabinet Member for Education, Learning & Skills confirm if and when the Government has stated that it wants to see all schools (both Primary and Secondary) convert to Academies by 2015, and also clarify if it is Kent County Council's view that all Kent schools should seek to convert in that time?"

Answer

There are no official targets for the number of academies the government would like to see established.

All schools - primary, secondary and special - have been invited to convert to Academy status, but priority is being given to:

(a) those deemed by Ofsted to be "outstanding" or "performing well".

Other schools can also they apply but have to do so in a formal partnership with another good school.

(b) all schools that have been put in special measures, or been given a notice to improve by Ofsted, will become a sponsored academy, according to the SoS.

As at 1 May 2012, there were 1,807 academies open in England out of 21,528 state maintained schools (excluding nursery)

KCC recognises that the decision to move to academy status rests with individual Governing Bodies. We work to ensure that they take the decision from an informed basis and understanding the way forward for the school whether progressing through an academy route or remaining with KCC. Whatever their decision, we want to ensure to ensure that KCC works with all maintained schools and academies in partnership to ensure that the children and young people of Kent have the highest quality provision and are supported to achieve their potential.