

KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Friday, 7 July 2017.

PRESENT: Mr P W A Lake (Chairman), Mrs C Bell, Mr R H Bird, Mr I S Chittenden (Substitute for Mrs T Dean, MBE), Mr D Farrell, Mr R C Love, Mr J P McInroy, Dr L Sullivan, Mr J Wright and Mr M J Horwood

ALSO PRESENT: Mr E E C Hotson

IN ATTENDANCE: Ms K Ripley (Facilities Management and Capital Lead), Ms C Holden (Head of Strategic Commissioning - Accommodation Solutions), Mr F Walker (Head of Health and Safety (KCC)) and Mr J Cook (Scrutiny Research Officer)

UNRESTRICTED ITEMS

131. Membership

(Item A2)

RESOLVED that the Committee note its membership arrangements.

132. Election of Vice-Chairman

(Item A4)

1. Mr Cooke proposed that Alan Ridgers be elected Vice-chairman, seconded by Mr McInroy. No other nominations were received.

RESOLVED that Mr Ridgers be duly elected Vice-chairman.

133. Minutes of the meeting held on 31 March 2017

(Item A6)

RESOLVED that the minutes of the meeting held on 31 March 2017 were an accurate record and that they be signed by the Chairman.

134. Minutes of the meeting held on 25 May 2017

(Item A7)

RESOLVED that the minutes of the meeting held on 25 May 2017 were an accurate record and that they be signed by the Chairman.

135. Scrutiny Committee Work Programme

(Item A8)

1. Members discussed the need for the work programme to be flexible and responsive to shifting circumstances and that the Committee Members would

require equal access to briefings from Officers on key issues as part of considering the suitability of potential agenda items.

2. Members considered the need for bespoke training for Members on their role within Scrutiny and the activities of the Scrutiny Committee.
3. Members discussed the need to properly consider a range of information sources, noting that there was potential benefit in reviewing which Key Performance Indicators would be most helpful in identifying issues of concern for the council.
4. Members discussed the challenges involved in Cabinet Committee consideration of contract management and wider commissioning. It was confirmed that Scrutiny had a role to play in supporting and scrutinising the authority in areas of business already considered by Cabinet Committees, providing that any duplication was minimised.

RESOLVED that work programme be noted and that Scrutiny training be organised for Members.

136. Select Committee Work Programme

(Item A9)

RESOLVED that the Select Committee work programme be noted.

137. Status of KCC buildings with regard to fire risk and steps being taken to mitigate risk (Verbal update)

(Item C1)

1. Mr Hotson, Cabinet Member for Strategic and Corporate Services, provided a brief introduction to the item, advising that officers from the Facilities Management and Health & Safety teams from KCC would be outlining the key points to the committee. Mr Hotson explained that the KCC's response to the fire safety concerns following the Grenfell Tower tragedy had been significant, not just in respect of resources sent to directly assist in the management of the aftermath but also in terms of assessing risk issues within Kent. He advised that a team of twenty-five staff had been working on this issue as the KCC sought to gather information to make safety assessments across its property portfolio and where clients or other people for whom KCC held responsibility were using buildings or facilities provided by other relevant bodies, such as commissioned providers of social care or non-council administered schools.
2. Mr Hotson advised the committee that KCC estate was very large; in excess of 1000 buildings across a number of sites around the county. The scale of the estate meant that reviewing risk factors and collating safety certificates in a short space of time was a challenging task and Mr Hotson noted that despite this challenge, it was positive that the work had moved at pace. In addition to the officer activities, Mr Hotson explained that all political leaders across the county had been involved in briefings and partnership discussions around co-ordinated responses to the issue.
3. Karen Ripley, Facilities Management and Capital Lead, provided an overview of the work being undertaken. She highlighted KCC's Fire Strategy which details

expectations around safety measures and risk assessments necessary to confirm compliance and provide reassurance around appropriate safety protections. She explained that this helped with the ongoing work around checking all the Fire Risk Assessments across KCC's estate (both council managed and commissioned). Ms Ripley advised that KCC maintained an effective programme of audit programmes around the corporate estate which meant the recent work on fire risk was built on several years of good work and ongoing risk management.

4. A key part of the current assessment involved requiring all properties and facilities to submit their Fire Risk Assessments for review by the team, which included to accredited members of the Institute of Fire Safety Managers. Ms Ripley reassured the committee that almost all assessments had been submitted in response to the request.
5. In terms of the cladding concern, in reference to the combustibility factors associated with the Grenfell tragedy, Ms Ripley advised the committee that a 155 sites (some including multiple buildings) had been identified as having cladding. Auditing of the types of cladding was nearly complete, with only a few still unknown. She also highlighted that the inspection and assessment activity had not been limited to these 155 cladding sites and that 295 sites had been visited to ensure fire risk audit could provide further reassurance.
6. Ms Ripley explained that the national priority around this was in relation to residential high rise properties. KCC owns two high rise properties (both in Maidstone) which are for residential use. She noted that KCC was the corporate landlord for these properties, which were managed by two Housing Associations, both of which had been contacted regarding the necessary safety inspections and assessments.
7. Ms Ripley explained that schools had responded well to the request that they submit their Fire Risk Assessments; almost all had been received and this element of the fire review was expected to be completed soon, with no significant risk concerns identified so far.
8. Flavio Walker, Head of Health & Safety at KCC, provided an overview of the Health & Safety activity taking place. He explained that there was a good record of effective fire safety management in Kent and his team was now working closely with KCC's property teams as well as Kent Fire and Rescue Service (KFRS). He highlighted Ms Ripley's earlier point that the team included specialist officers, highly qualified in fire safety. Mr Walker explained that the previous fire safety audit work has put KCC in a good place to deliver ongoing, person safety focused work. He advised that almost all actions arising from the 2016 audit had been implemented and that any outstanding issues had now been prioritised and funded for completion immediately. Mr Walker also highlighted that there was good partnership working, information sharing and training, noting that KCC maintained an ongoing training offer to all stakeholders, particularly to head teachers. He advised that this training has had good attendance and would continue to be offered as a means of ensuring appropriate levels of awareness and competence.
9. Mr Hotson advised the committee that he had been reassured by the quick work of the council in prioritising local risks collating the necessary information to

manage the ongoing fire risk assessment process. He also commented that it was positive that District and Borough Councils had been working closely with KCC to ensure the county's response to the concerns around potential risks could be managed appropriately at all levels.

10. Christy Holden, Head of Strategic Commissioning for KCC Adult Social Care, provided an update on how the council was considering its responsibilities for vulnerable people using facilities that were commissioned via external providers. Ms Holden advised that the contracts in social care included day services and home care as well as residential care homes. She reassured the committee that all contracts for such services include requirements for appropriate fire protection and that KCC was in contact with the providers to ensure ongoing compliance with these requirements.
11. Ms Holden explained that in addition to the recent work to support the safety assessments, there is annual check on all contracted care home providers which looks at elements such as personal evacuation processes, fire risk assessments and safety plans. She explained that KFRS support this work with joint monitoring, along with their standard fire prevention activities.
12. Ms Holden advised the committee that KCC has two PFI housing contracts, which includes Emily Court in Dartford which unfortunately experienced a fire in June where a man died. She explained that an investigation was ongoing. Despite the tragic death, information available so far suggests the operational response was appropriate and effective, including some actions above the contractual expectations of the staff. Ms Holden also noted that care home in Canterbury had also been closed following a fire in May.
13. Mr Lake thanked that guests for providing an overview and invited questions from Members.
14. Responding to Member questions, Ms Ripley explained that the 3 year rolling condition survey on all KCC property did include consideration of fire safety but only for individual components and that the survey was due to continue across school build estate later in 2017. Members were advised that the safety inspections and preventative work undertaken delivered an even service across the range of KCC's estate, ensuring a high standard of protection for all people using these facilities.
15. Responding to Member questions, Mr Walker explained that building regulations were different from fire safety regulations and therefore all the fire risk assessment activity undertaken in recent years was compliant and effective, in line with guidance for ensuring reasonable protections. This meant the reviews were focused on all elements of fire safety, not just building materials and combustibility.
16. Mr Walker advised the committee that where issues were identified during safety checks, recommendations were made with a specified timeframe for compliance with processes in place for intervention and escalation where necessary actions remain outstanding.

17. Responding to Member questions, Mr Hotson explained that it had been challenging organising the response initially due to limited information available from the Department for Communities and Local Government (DCLG) but that ongoing work with KFRS and central government was allowing work to progress faster. However, it was expected that the public enquiry would cause a delay to all information being available for public release due to enquiry processes.
18. Ms Ripley advised the committee that the Education and Skills Funding Agency (ESFA) had been asked by KCC to give reassurances that they are mirroring KCC's work on fire safety and assurance. She explained that it was expected that the reassurances would be provided. She noted that less than 15 schools in Kent had yet to return the audit on fire risk assessments and cladding that this had been escalated, with full return on compliance information expected very soon.
19. Ms Holden reassured the committee that all safety testing and audit was based on assessing practice, rather than just policy. She also noted that checks were undertaken by the Care Quality Commission (CQC) and the DCLG, for housing provision. Ms Holden explained that where clients live in homes that are not covered by the wider care home contract, they remained covered by 'spot contracts' which contained the same safety requirements which ensured providers remained under the same duty of care to deliver effective safety provision. She reassured the committee that safeguarding was a key principle throughout all processes in place for vulnerable people.
20. Responding to Member questions, Ms Ripley explained that processes were in place for emergency services to respond to dormant or disused sites. It was expected that any service would be able to force entry to deliver appropriate intervention in the event of a fire. Mr Walker also explained that detailed business continuity plans were in place, alongside partnership working arrangements and emergency response plans for joint activity between KCC, Districts, emergency services and central government which should reassure Members and the public.
21. Responding to Member questions, Mr Walker explained that sprinkler systems were rare across most properties, not just KCC, but noted that they were always considered as part of risk assessments and appropriate mitigations.
22. Responding to comments from Members, Mr Hotson noted concerns raised regarding the potential risk involved in public sector procurement practices which required a focus on agreeing the lowest cost option.
23. Mr Hotson commented that the while more information was coming in all the time, all details received so far had provided reassurance that all appropriate action as being taken and that no significant risks had been identified in Kent. He was hopeful that the committee and the public would be reassured by the update.

RESOLVED that the committee thank the guests for attending and that the update be noted.