

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 29 January 2025.

PRESENT: Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mrs R Binks, Mr T Bond, Mr A Brady, Mr D L Brazier, Mrs L Game, Ms J Hawkins, Mr A J Hook, Mr S Webb and Mr M Whiting

ALSO PRESENT: Mr N Baker, Mrs C Bell, Mrs S Chandler, Mrs T Dean, MBE, Mr R W Gough, Mr D Jeffrey, Mr A Kennedy, Rich Lehmann, Mr B H Lewis, Mr R C Love, OBE, Ms J Meade, Mr P J Oakford, Mr H Rayner, Mr R G Streatfeild, MBE and Mr R J Thomas

IN ATTENDANCE: Mr D Adams (Assistant Director Education (South Kent)), Mr J Betts (Interim Corporate Director Finance), Mr C Chapman (Head of Fair Access), Mr J Cook (Democratic Services Manager), Ms S Dann (Interim Assistant Director of Quality Assurance), Mrs S Hammond (Corporate Director Children, Young People and Education), Mr S Jones (Corporate Director of Growth, Environment and Transport), Mr R McDonnell (Head of STLS Sensory and Physical Disabilities), Mr B Sherreard (Programme Manager), Mr D Shipton (Head of Finance Policy, Planning and Strategy), Mrs A Taylor (Scrutiny Research Officer) and Mr B Watts (General Counsel)

UNRESTRICTED ITEMS

87. Apologies and Substitutes *(Item A2)*

Apologies had been received from Mrs Prendergast for whom Sir Paul Carter, CBE was in attendance as substitute.

88. Declarations of Interests by Members in items on the Agenda for this Meeting *(Item A3)*

1. The Chairman declared that he spoke at the County Council meeting on the 7th November 2024 in relation to Item E4.
2. Mrs Game declared that she was a Governor of Laleham Gap School.
3. Ms Binks declared that she spoke at the Children, Young People and Education Cabinet Committee on 21st November 2024 in relation to Item E4.
4. Mr Webb declared that he was a Senior Officer within KCC when the Family Hubs were designed and he was a KCC employee at Danley Middle School which was where Seashell's Family Hub was located.

5. Mr Whiting declared that he spoke at the County Council meeting on the 7th November 2024 and the Children, Young People and Education Cabinet Committee on 21st November 2024 in relation to Item E4.
6. Sir Paul Carter, CBE declared that he was a Director at the Leigh Academy Trust.
7. Jenni Hawkins declared that she spoke at the Children, Young People and Education Cabinet Committee on 21st November 2024 in relation to Item E4.
8. Mr Brady declared that he spoke at the Children, Young People and Education Cabinet Committee on 21st November 2024 in relation to Item E4.

89. Minutes of the meetings held on 5 November and 4 December 2024
(Item A4)

RESOLVED that the minutes of the meetings held on 5 November 2024 and 4 December 2024 were correct records and that they be signed by the Chair.

90. Draft Revenue Budget 2025-26, Medium Term Financial Plan (MTFP) 2025-28, Draft Capital Programme 2025-35, and draft Treasury Management Strategy
(Item A5)

Mr Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services introduced the report and stated that the budget was updated and balanced, including minor changes since it was last presented to Members. Additionally, he extended his thanks to the finance team for their work on the budget.

1. In response to comments and questions:
 - a. The Chairman shared his thanks to Mr Oakford and finance team for their attendance at the Committee.
 - b. A Member raised ideas such as moving more services in house to take control of the provision, delivering services in a more targeted manner, believing there was a clear argument for this in the Adult Social Care Directorate. Also, raising the idea of cutting contributions to local authorities and emphasising prevention as a policy. Mr Oakford explained that a large capital investment would be needed to bring services in house. There was a £6 million grant for the Children, Young People and Education Directorate which was to be spent on prevention.

A Member noted that the cost of the Adult Social Care Directorate was the greatest financial risk for council. The Member believed that resident Mr Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services introduced the report and stated that the budget was updated and balanced, including minor changes since it was last presented to Members. Additionally, he extended his thanks to the finance team for their work on the budget.

In response to comments and questions:

- c. The Chairman shared his thanks to Mr Oakford and finance team for their attendance at the Committee.
- d. A Member raised ideas such as moving more services in house to take control of the provision, delivering services in a more targeted manner, believing there was a clear argument for this in the Adult Social Care Directorate. Also, they

emphasised prevention as a policy for delivering longer term savings. Mr Oakford explained that a large capital investment would be needed to bring services in house. There was a £6 million grant for the Children, Young People and Education Directorate (CYPE) which was to be spent on prevention.

- e. A Member noted that the cost of the Adult Social Care Directorate and the delivery of its savings target was the greatest financial risk for the council. The Member believed that residents would not be better served by greater private sector provision, more thought more ruthless decision making was needed. Mr Oakford agreed with the Member that the care system was poorly managed, commending the Corporate Director of CYPE and the team for their work, noting that this had taken some financial pressure off the Adult Social Care directorate. Mr Oakford recognised that tough decisions had to be made. Mr Gough added that there had been a significant amount of progress within the CYPE Directorate and SEN transport in managing services within budget. There had been a significant level of pressure on the Adult Social Care Directorate recognising that whilst across most services demands in terms of numbers had not increased significantly, the demand associated with mental health services had. Additionally, noting that there were system wide issues, if the high needs funding and the statutory override were not renewed there would be a major problem.
- f. A Member questioned whether there were any further changes to the budget paper between now and the County Council budget meeting. Mr Oakford shared that any further changes were not anticipated but the Council did not yet have the final tax base or business rates figures from all the district councils.
- g. A Member raised that the Liberal Democrat Group proposed savings in the Civil Society Fund previously and reallocation of that money which Mr Oakford spoke against. The Member asked for clarification on what had changed that now within the budget there was a £200,000 saving forecast for the Civil Society Fund. Mr Oakford explained that his opinion on the brilliant work and need for funding of the Civil Society Fund had not changed, there was significant thought put into this matter and a cut in funding was decided instead of an abolishment. Mrs Bell added that the Civil Society funding had decreased to £200,000. There was to be a review of the civil society strategy being conducted on how the money was spent and how it could be spent in the future.
- h. A Member asked for confirmation that whilst there was spending on new Household Waste Recycling Centre (HWRC) contracts and additional spending within that area, that no HWRCs would be proposed for closure. Mr Thomas explained that in the current year a saving was required on HWRCs, there must be mindfulness around devolution and the potential changes that could arise. There was no intention to remove HWRCs but the network and infrastructure would continue to evolve.
- i. A Member questioned what cuts were going to be considered within the Adult Social Care Directorate in the future and when would they be scheduled to take effect. Additionally, questioning at what point those cuts became counterproductive. Finally, questioning whether a restructure of the Senior Officers within the Adult Social Care Directorate had been considered. Mr Oakford explained that the service was working on detailed proposals for any savings, this was not done in enough detail last year which caused some projected savings to not be delivered. The financial savings were already counterproductive in some areas of the Council, but there had been a legal requirement to balance the budget. Adult Social Care funding needed to be addressed nationally, otherwise the consequences would remain. In response to the deficit of funding in this area, almost all other areas other than statutory services were receiving reductions in

funding. Mr Oakford explained that there were only three Directors reporting to the Corporate Director of Adult Social Care. There were a huge number of staff vacancies in ASC, if there was potential for more assessments to be completed in less time there could be a possibility of more savings. There were no current plans to remove any staff from the directorate.

- j. A Member noted that within the budget, funding for schools was to be decreased, there were only three KCC schools with a deficit. Did the Cabinet Member know what the schools roll forward was up until 31st March? Additionally, questioning as there was a high level of good and outstanding schools in Kent, did funding for school advisors need reviewing? Mr Love explained that the Government had prevented parents from having access to an overall single word rating for a school and the information accessible from Ofsted was to be of a diminishing use going forward. Mr Love noted that there should be a level playing field of funding and services available for academies and maintained schools. There was an aim to have a level playing field through the national schools funding formula. Mr Love confirmed that there would be no duplication of funding for schools that were already receiving funding through the national school funding formula. Mr Gough added that the contract with The Education People (TEP) involved current and future reductions.
- k. A Member questioned what the £200,000 cut in library material meant in real terms. Mrs Bell shared that there had been great investment in electronic offerings and offered to come back to Members with the details. Mrs Bell confirmed that there was no intention to cut the number of books.
- l. When asked whether the subsidy of £500,000 for the Turner account was the best use of funding. Mrs Bell shared that the funding to the Turner account had dramatically decreased.
- m. A Member noted that KCC had been the last port for many vulnerable people, extending thanks to carers across Kent. Additionally, sharing that unless the flow into the system was controlled nothing could be supported, noting a better use of technology to reduce staffing costs as a possible help.
- n. A Member noted that KCC funded 7 Windmills, costing £1.7 million per annum, questioning whether this was best use of KCC funding. Additionally, questioning what the 16+ travel saver £385,000 saving within the budget this year meant in terms of price. Mr Oakford agreed that the windmills were not a good use of funding, there was work being conducted to look at trusts to divest windmills to other organisations. Mr Oakford explained that three years of funding needed to be put into the MFTP but there was a desire to reduce the cost before then. Mr Chapman shared that the price of the 16+ travel saver was set and was subject to annual uplift every year.
- o. When asked how savings would be made within Adult Social Care contracts. Mr Smith shared that when requesting extensions to contracts, significant thought went into best value for money. The recommissioning of large contracts would take time and those savings would come.
- p. A Member asked for clarification on the proposed cut to the council tax reduction scheme support payments for districts. Mr Shipton shared that provisional tax-based notifications had been received from all 12 districts, which was a 1.22% increase, the difference of £4.6 million below what had been originally expected was to come from the council tax equalisation smoothing reserve. Mr Shipton confirmed that the underlying factors of the lower than expected collection rates were provisional tax-based notifications, changes in eligibility for council tax reduction discount for low-income households and estimated single person discount changes.

- q. A Member questioned the estimated reduction in KCC's share of the DfE DHSC Family Hubs and Start for Life Fund of £3.3 million, was this considering the new funding in the Governments Budget? Mr Shipton explained that the KCC budget had not been updated to include this as the information had not been available but it would be within the final budget. Mr Shipton confirmed that it would become an additional one-off resource for use.

The Chair invited the Cabinet Members to provide an overview of their portfolios:

- r. Mr Baker, Cabinet Member for Highways and Transport, explained that the BSIP funding had been extended to a three-year grant, noting that multi-year funding was incredibly helpful for oversight into the future. There was a focus on the maintenance of highway assets, highways term maintenance contracts were to adapt and evolve to ensure money would go as far as possible.
- s. Mr Kennedy, Deputy Cabinet Member for Adult Social Care and Public Health, shared that more collaborative work with NHS had taken place. In conversation about levels of commissioning savings, Mr Kennedy explained that most were undeliverable this financial year so were to be carried over. Additionally, highlighting the use of technology to reduce need of hospitalisation and nursing homes.
- t. Mr Jeffrey, Cabinet Member for Communications and Democratic Services, emphasised a more for less approach to delivering services. Additionally, highlighting the potential for AI to assist in delivering better, more cost-effective services. Mr Jeffrey identified the potential impact devolution could have on Kent and the prospective new structure of KCC.
- u. Mrs Chandler, Cabinet Member for Integrated Children's Services, acknowledged the financial challenges for children's services. There was success in maintaining the current year's budget through a cohesive directorate ethos, next year could lead to increased costs due to complex child placements particularly in severe mental health cases. Most early intervention funding had been maintained, additional funding for prevention work would be welcomed. There had been no uplift in consolidated children and families grants this year which would have an impact on the budget. A proposed capital item for in-house care development could be used in response to the challenges present in children's placements.
- v. Mr Thomas, Cabinet Member for Environment, highlighted a £50 million expenditure on energy from waste, noting that Kent fell behind in terms of recycling, however Kent had a low landfill rate. A new textiles contract had been procured. Mr Thomas emphasised the importance of increasing recycling rates, as this had the potential to save £17 million per annum. There was confirmation of government funding to aid with the processing of waste for 2025/26 of £13 million for KCC and £10 million for the district councils. Additionally, a Kent Resource Partnership Manager had been appointed to improve recycling and address industry challenges.
- w. Mr Rayner, Deputy Cabinet Member for Finance, explained that there had been a failure by the government to address the funding issues in adult social care. Mr Rayner believed that the issue required a national solution such as reducing public expectations regarding support in old age and encouraging greater private arrangements to maintain the desired standard of living. There was a need for proactive measures to alleviate the ongoing financial pressure caused by adult social care.
- x. Mrs Bell, Cabinet Member for Community and Regulatory Services, explained that her portfolio was working at a £1.5 million underspend on a £26.4 million budget, which was primarily as a result of management action in terms of next year's

budget. There was a need to increase spending in some statutory services, this was partially offset by increased income from libraries and registration, price inflation for public rights of way contracts and trading standards fees. Mrs Bell confirmed that efforts to manage spending and generate income were to continue.

- y. Mr Love, Cabinet Member for Education and Skills, shared that difficult decisions had been taken in education, there was a need to be able to say no to those that did not meet threshold for additional funding. There had been a £3 million reduction in the education portfolio. The statutory override on high needs block was coming to an end which would likely affect future budgets, the funding needed to be brought back under control, which was to be done through a number of thought-out reforms.
- z. Mr Gough, Leader of Kent County Council, shared that the executive was delivering a sound budget. There was a need to continue delivering saving in discretionary areas. Mr Gough identified three big areas of pressure: Adult Social Care, Children and Young People and SEND (SEN Transport), there was need for government decision or action to help with this.

Mr Oakford thanked colleagues for heathy debate on the budget and thanked colleagues in finance and directorates for their work.

RESOLVED that the Scrutiny Committee noted updated draft revenue budget and MTFP, draft capital programme and draft Treasury Management Strategy.

91. Executive Response to Scrutiny Evidence Gathering Report *(Item A6)*

1. Mr Love gave an overview of the report sharing that the work was to continue and be constantly refined to get the best outcomes.
2. The Cabinet Member and Officers responded to questions and comments which included the following:
 - a. A Member questioned how feedback was taken on board. Mr Love shared that feedback could not be collected on issues such as funding until a direction of travel of the special school review was set. Feedback was carefully considered and learnt from. Ms Dann explained that there were various methods of receiving feedback that were used, all feedback was sent to the Quality Assurance Team, which assessed and acted on it.
 - b. A Member asked if there were appropriate reviews in place of whether young people need to be placed in specials schools or if they could cope in a mainstream school. Additionally, questioning whether social services had moved residents on a temporary basis and how that would affect children's schooling. Mr Love explained annual reviews of EHCPs were being implemented, two thirds of the annual reviews were completed on time in the last year which was an improvement on previous years. In terms of transport reviews were taking place, through these reviews savings had been found in the budget, such as renegotiating contracts with the information collected. Mrs Hammond added that every effort was made to place a child properly. Mr Chapman explained that the paper was in response to feedback received not to the work overall, there had been significant improvements to the phased transfer process which allowed for reviews to take place.

- c. A Member questioned the numbers of mainstream school headteachers who resisted taking SEND children into their schools and whether more stringent rules were needed. Mr Love shared that there was an effort to bring headteachers together to share best practice and encourage inclusive practices. Mr Adams added that it was important to ensure people had confidence that the service could meet requirements, identifying there was still work to be done.
- d. A Member emphasised the importance of support from school staff and the difficulties of recruiting and retaining staff. Mr Adams explained that there was a pressure on the high needs funding block, from the demand for 1:1 support, and questioned whether this approach promoted independence as children age through the system. There was work being done to give schools greater flexibility for how funding was used to support students.
- e. A Member highlighted the importance of parents being informed before EHCPs were amended. Additionally, questioning what conversations were happening in terms of funding following a child, to prevent reapplication. The Member emphasised the importance of transition processes being child centred, so they would be placed in the best school for their needs. The Member noted the importance of SEND children having a fair amount of choice for school settings. Finally, requesting transparency with Members on the outcomes of this report. Mr Love explained that there was a culture of continuous improvement within the directorate and that there was no simple explanation as to why EHCP numbers in Kent had increased. The Member was to request further answers to his questions from Officers outside of the meeting.
- f. A Member noted that the problem within the SEND directorate was self-created and that headteachers of special schools were not being consulted on council actions so far as they were considering taking the Council to a judicial review. Mr Love agreed that problems within SEND was internally created, but significant progress had been made. Detailed conversations with schools could not be had until KCC's policy decision was confirmed. Mr Adams added that there were a lot of things to correct, there were more children in Kent with EHCPs than the national average, which caused budget pressures and capacity issues. Additionally, the directorate was aware that in Kent there were fewer, percentage wise, children with EHCPs in mainstream schools than the national average. The directorate understood these challenges and that issues need to be addressed, additionally understanding the importance of communication and collaboration with school leaders.
- g. A Member noted that the last special school review was 20 years ago, admission criteria had not changed since then. More SEND children had to be admitted into schools, head teachers needed to be challenged. Mr Love affirmed that inclusion was very important, there should be no barriers to education to children with physical disabilities. Mr Chapman added that the local area had failed in its SEND duties not KCC, the responsibility of this fell on everyone. There was no current framework of expectation for schools due to ambiguity until the outcomes of the consultations were confirmed, overall there was consistent work to aim for best outcomes for SEND students. Ms Dann explained that a chart had been created that could be shared with Members which would provide further detail, the SEN Partnership Board ensured the directorate was held to account. The board would report to the Health Senior Leader, the Assurance Board, the CEO

of the ICB, the Kent and Medway Integrated Care Board Improving Outcomes and Experience Committee for Health. For KCC it would report to the Improvement and Safety Valve Assurance, the Strategic Reset Programme Board, the CEO of KCC and either the Cabinet or the Scrutiny Committee. Mr McDonnell, Head of SDLS, added that there was significant support for children in mainstream schools with physical disabilities, needs were being met.

- h. Mr Jeffrey clarified that the Council had not received an official judicial review over this decision.
- i. A Member questioned how the dedicated schools grant would be brought into balance and further information on the operation delivery of it. Additionally, highlighting that mainstream schools were struggling to support SEND young people in mainstream schools without adequate funding or appropriate support. Mr Love shared that 41% of Kent's pupils with EHCPs were placed in special schools, the national average being 32%.

RESOLVED that the Scrutiny Committee noted the report.

92. Call-in of Decision 24/00097 - Special School Review - Phase 1 *(Item B1)*

1. One of the call-in Members, Ms Dean, explained the reasoning behind the call in, stating that the decision was published before it could receive scrutiny from the Children, Young People and Education Cabinet Committee and the Scrutiny Committee. Additionally, it was believed there was a lack of information about timing and finance available.
2. The other call in Member, Sir Paul Carter, emphasised that Kent's special schools were an area of pride, believing that the special school review was unnecessary and had the potential to force children into home education. Sir Paul, explained the risk of categorisation and the detrimental effects of mixing children with different needs.
3. Mr Love explained that this decision was 'in principle' and was in line with usual time scales. Mr Love expressed pride in all of Kent's special schools and acknowledged the need for improvements within some. The decision to revise designations for seven out of the twenty-four special schools within this review was justified by evolving needs and circumstances since the last review 20 years ago. The changes would be gradual with proper consultation with special schools, any delays these decisions could impact the implementation and the 2026/27 budget. Additionally, this decision enabled Officers to sit down with special schools and work out the way forward collaboratively.
4. In response to comments and questions it was said:
 - a. When asked if any progress had been made with the special schools, Mr Love explained that there had been differences of opinion but he believed there had been positive work done with special schools. Mr Adams added that the special schools had been heavily engaged in the process, albeit school leaders may not have always agreed with that process, and that there had been transparency with schools. There were positive conversations and work being done with the SEMH head teachers to

understand and work on the consequences of the decision. Mr Chapman shared that discussions of the amount of work to be done had taken place, there must be a balance of decision benefits and consequences.

- b. A Member questioned whether the financial issues within the special school review were critical in order to stay within budget. Additionally, questioning whether the Council's relationship with special school head teachers were recoverable from any animosity. Finally, asking whether the Cabinet Member agreed that it was important to first understand why there was such a demand in Kent for special school education. Mr Love explained that financial considerations played a part in this process as a part of the high needs block. This enables the service to have the right number of special schools available locally. There has been positive conversations and work conducted with special schools, sharing that 41% of Kent students with EHCPs were placed in special schools which was higher than the national average of 32%.
 - c. A Member questioned the meaning of an 'in principal' decision. Mr Love shared that it gave the go ahead for the resources to be spent so conversations could be had with special schools to work out how to get to what was needed.
 - d. A Member questioned how the review could be accurate if there were 30% of special schools that had not been reviewed. Mr Love accepted that more needed to be done, there was an unfilled demand for places, in response to this new special schools were being built and more places were being created at existing special schools.
5. Mrs Dean explained that judicial review may not have been served on KCC but special school heads were still prepping a case. Additionally, sharing that schools were not allowed to be in deficit without a special order.
 6. Sir Paul believed it to be more appropriate that Mr Love meet with special school leaders and discuss this with them, rather than to bring this item to a meeting of the County Council.
 7. Mr Love was open to meeting with special school head teachers and was willing to take feedback on board. Additionally, explaining that special school head teachers should evaluate the use of high needs block funding on court cases.
 8. Mr Streatfield clarified that the special school head teachers were not using high needs block funding on any court cases.
 9. The Vice-Chair proposed and Mr Webb seconded the recommendation that 'The Scrutiny Committee express comments but not require reconsideration of the decision'.
 10. Members voted on the motion. The motion was carried.

RESOLVED that the Scrutiny Committee expressed comments but not require reconsideration of the decision.

93. Safety Valve Programme *(Item C1)*

1. John Betts, Corporate Director of Finance, introduced the report and gave an overview of its content.
2. In response to comments and questions it was said:
 - a. A Member questioned the delivery of savings and the lack of financial support for SEN children.
 - b. A Member questioned the nature of conversation with government about the statutory override. Mr Betts shared that the statutory override was due to end on 31st March 2026. If this was to happen in Kent it was believed it could put the Council on the brink of a Section 114 notice. Many authorities were to put in Section 25 statements text which would state that their budget had been put together expecting a resolution to the statutory override, the Department for Education had acknowledged the issue. There was an expectation that in late spring/early summer 2025 there would be guidance available on the next steps to be taken to resolve this issue.
 - c. When asked whether the safety valve was having an effect on the number of Education, Health and Care Plans (EHCP) available. Mr Love explained that the safety valve had no bearing on number of EHCPs issued, however the 2014 SEND Code of Practice did have an effect. EHCPs were for those with the most complex needs, the authority was now making these determinations more accurately. The safety valve provided £140 million which otherwise would have had to have been found elsewhere, the Council was not avoiding the prospect of the government removing the statutory override. The Council had previously overspent on the high needs block, this was becoming under control, it was extremely important to lobby for changes to the SEND system nationally, KCC was getting the spending under control and assessing the causes of this.
 - d. A Member explained that there was a Kent analytics paper that stated that new thresholds and a financial overlay were being applied to the number of EHCPs issued, expressing a desire to present this paper to Mr Love.
 - e. A Member questioned to repay the current year's safety valve there was an intention to limit the number of EHCPs issued. Additionally, questioning the effect of the transformation scheme. Mr Love explained that the implementation of the SEN funding model would be devolved and support collaboration between nearby schools to manage SEN more effectively. The model aimed to streamline funding and ensure compliance with the 2014 SEND Code of Practice. The goal was to restore financial balance by 2027/28.
 - f. A Member asked how with 50 groupings of schools, most containing one special school, money would be allocated without impacting services for SEN pupils. Mr Love explained that the High Needs Block was set by the Government, funding would only change if the Government reduced it. New special schools were being opened and some special schools were being expanded to allow for more spaces, to reduce the requirement to spend significant amounts of funding on private schooling.
 - g. When asked about the timeframe of delivery. Mr Chapman shared that there was a five-year rolling process for the safety valve, it was identified that there was work to be done towards the target. Mr Love added a timescale would become clearer once an agreement was reached on the direction of travel of the special school review.
 - h. A Member questioned the reduction of EHCPs in the young adult, 20 to 25 years of age, co-hort. Mr Chapman shared that Kent was working at 65%

of its responsibilities in annual reviews which was an improvement from 50%, adding that families had the right to challenge a decision on an EHCP.

RESOLVED that the Scrutiny Committee noted the report.

94. 25/0002 - English Devolution White Paper - KCC response to Government
(Item C2)

1. Mr Gough explained that Kent County Council had applied to join the devolution priority programme, a decision was expected soon. The council was expecting two announcements: whether KCC and Medway had been accepted onto the Devolution Priority Programme (DPP) and setting out parameters on local government reorganisation. If accepted it would lead to the establishment of a Mayoral Strategic Authority (MSA) and local government reorganisation. A web page had been set up to give details about devolution.
2. Amanda Beer, Chief Executive Officer of KCC, acknowledged the impact of the uncertainty for staff across KCC so noting that once a decision was received from the government there would be more information about timelines and the work of setting up the MSA and Local Government Reorganisation.
3. In response to comments and question from Members it was said:
4. Mr Jeffrey assured Members that training would be provided for devolution and local government reorganisation, there was a desire to extend this to district councils and Medway Council.
5. A Member raised the importance of Members being kept up to date and given the opportunity to scrutinise the process. Mr Jeffreys explained that the General Counsel was to write to parish councils to ensure they were fully informed of the process. Mr Gough added that if Kent was to be successful in the bid for devolution, structures would be established to ensure there was engagement. On the topic of parish councils Mr Gough had met with KALC, within those conversations there was a genuine desire for transparency.
6. A Member questioned whether under LGR KCC's powers would go to unitary authority not to combined authorities. Mr Gough explained that most of the powers would go to the unitary authority. There would be areas at the strategic level that would go to the MSA, emphasising that the MSA would not just be one individual, but would bring together the Mayor and the unitary councils. In any case, it would have to remain a strategic body..
7. A Member believed that the Council must remain business as usual, emphasising the importance of governance and finance. Mr Gough noted that this was hugely complex, there was a large responsibility on KCC to deliver a sound budget and deliver services. There would be a handover and election of shadow authorities, this would be a process of disaggregation.
8. Mr Rayner noted that the KCC Cabinet was taking a proactive approach, KALC had been quick to notify parish councils of the information available. Mr Rayner attended a KALC meeting in the capacity of KCC representative, providing Members with an update on devolution.
9. A Member noted that the reforms were long overdue, emphasising the importance of engagement with district councils, discussing the potential of KCC outreach by visiting towns and informing residents of the devolution process. The Member mentioned the importance of areas without parishes being recommended to set up their own parishes. Additionally, the importance of future proofing the council.

considering growth when boundaries were drawn. Finally, emphasising the importance of delivering the best for Kent residents in a bi-partisan manner.

10. When asked who would manage flood risks. Mr Gough shared that the MSA was linked to resilience, but the answer could not be confirmed, Mr Gough offered to come back to Members with an answer at a later date. Another Member added that the MSA was to be responsible for the environment and climate change.
11. A Member noted that the spread of misinformation about devolution could be due to lack of complete understanding of Members who voted for the priority programme, additionally questioning the rushed timescale of Kent's application to the DPP. Mr Jeffreys explained that the County Council vote on the DPP was a free vote. Mr Gough added that devolution process was to be delivered in 16 months not the reorganisation of local government, which would take longer. Devolution would allow for the creation of an effective strategic organisation which would be able to deliver in the key areas separate from the pressures of people services, with powers, funding and a national voice to do so.
12. RESOLVED that the Scrutiny Committee noted the urgent decision taken by Cabinet on 9 January 2025.

95. Update on the approach to improving the accessibility of schools in Kent *(Item C3)*

The Chairman proposed that this item be deferred to a future meeting, this was agreed.

96. Work Programme *(Item D1)*

1. In response to a request from a Member the Clerk added an item on the Household Support Grant to the agenda.
2. A Member requested that an item on the decision to stop the commissioned youth services be added to the work programme.
3. The Chair added an item on the sale of assets of Kent County Council.

RESOLVED that the work programme was noted.

97. Call-in of Decision 24/00093 - Future of Commissioned Services at Seashells and Millmead Family Hubs *(Item E1)*

1. The Chairman invited one of the call-in members, Ms Meade, to provide an overview of the reasons for the call-in. Ms Meade set out her reasons for the call-in and explained that it was believed that the decision was not in line with the Council's decision framework or policy framework. Ms Meade shared that these centres had a higher footfall and lower cost per client compared to other hubs, from April to November 2024 the Seashells Hub had a 25% larger reach than the six hubs that surrounded it. Whilst the report stated that KCC would receive a £426,000 annual saving by not renewing the contracts, it was considered that

there was a lack of detail regarding additional costs alternative hubs would have to cover due to this.

2. Ms Meade requested: complete funding plans and analysis in relation to this decision, full disclosure of the existing contracts and the contract extension requirements and full detail of what the £4.1 million additional family hub funding from central Government was to be used on.
3. The other call-in member, Mr Lewis, explained that there was a significantly higher footfall of users for the Millmead Family Hub than those hubs surrounding it. The closure of this hub would cause inconvenience and higher travel costs for its 120 monthly users. Mr Lewis believed that closing Millmead Family Hub and keeping open Cliftonville Family Hub would increase costs significantly, adding that the Millmead Family Hub had agreed to work on a reduced budget of £165,000 for the next year.
4. Ms Chandler, Cabinet Member for Integrated Children's Services, shared that within the 2025/26 KCC Budget there was funding for the equivalent provisions within those districts from alternative venues. The additional family hub funding had been already encompassed into the budget. The Millmead Family Hub was to become a Healthy Living Centre, which would provide additional services funded by the public health budget. The proposal for equivalent provisions within those districts at alternate venues, had been incorporated into the overall budget for 2025/26. There was a desire to offer more services in-house, allowing for the management of costs, some of which were to be shared across the county and would allow for a parity of quality across the county.
5. Ingrid Crisan, Director of Operational Integrated Children's Services, added that family hubs were a national programme that had specific requirements in areas such as perinatal mental health, parent infant relationships and parenting support. A comprehensive manual issued by the government detailed how areas of work were to be delivered including KPI's and overall expectations. An assessment of services provided at the hubs revealed that Seashells Family Hub provided 14 hours of family hub services a week, and Millmead Family Hub provided nine hours.
6. Mr Lewis asked how many hours of family hub services the Cliftonville centre provided weekly. Ms Crisan explained that the work conducted at Cliftonville was in line with the national programmes of delivery for these services.
7. A Member asked for clarification, that the allocation of family hub funding was not only for early years, expressing concern that young people were overlooked if funding was not being utilised for older children. Ms Crisan assured Members that parenting support, home learning environment services and parent child relationship care panels were open to children of all ages and was extended to 25 years of age for those with special educational needs.
8. A Member asked for clarification on the duration of the funding for the Millmead Family Hub to become a Healthy Living Centre and for clarification on the data provided to the Committee.

9. A Member questioned what was to happen to the delivery of services after March 2025 if the decision was to go to County Council. Additionally, the Member raised an issue with the accuracy of the EQIA and asked for clarification as to why these commissioned services were not included in the Kent Communities Programme. Lastly, expressing that there was not enough support for vulnerable children within these proposals. Mrs Chandler shared that the Kent Communities Programme initially included all services and buildings but the current matter involved commission projects from buildings not owned by KCC.
10. A Member expressed the importance of community value when assessing best value. Further, highlighting the lack of data available on the costs, funding allocations and outreach plans.
11. A Member shared that the Sheppey Gateway was run under a partnership between KCC and Swale Borough Council, the Member suggested that the Chief Executive Officer at Swale Borough Council had not received any correspondence from KCC about the potential move of the family hub services into the gateway. Secondly, the Member added that the minister recognised the vital support provided by Seashells and Millmead and had shared the government's intention to keep family hubs open, asking whether the Cabinet Member could request the funding from the ministry. Finally, the Member questioned the legality behind this decision. Mrs Chandler assured Members that limited conversations had taken place with the Sheppey Gateway. Additionally, Mrs Chandler assured Members that the minister was aware that KCC had plans to deliver the family hub services nearby.
12. A Member expressed concern at the impact of the loss of the family services in a deprived area, noting that travel to alternative locations may not be viable for some residents.
13. A Member expressed the desire for KCC's Cabinet to be completely informed before they were to hear this decision and asked for clarity on the timeline of this decision following a recommendation from this Committee.
14. A Member shared that Members had received no clear answers to questions previously raised about the finances of this decision or the legality of a contract extension. Mrs Chandler shared that legal advisors provided guidance which stated that an extension was not possible, largely due to the terms and conditions of previous children's centre contracts.
15. Ms Meade said that the questions surrounding the validity of the figures provided, undermined the decision-making process. Additionally, asking for further clarity on Infant Feeding Support and the viability of the timeline for implementation. Furthermore, Ms Meade criticised the accessibility of the service if the two hubs were to be closed, emphasising the importance of providing services in the frequently used locations.
16. Mr Lewis noted the lack of support for closing the Millmead and Seashells Family Hubs. Furthermore, adding that there were no management costs at the Millmead Hub.

17. Members discussed the possibility of delaying the debate to allow for all Member to properly review data that was shared. Members believed that option D “implementation of the decision to be postponed pending review or scrutiny of the matter by full Council” would be the most appropriate course of action. The clerk advised that in line with the constitution, if the Committee referred the decision back to either the decision maker or to full council the Cabinet would first be asked to reconsider the decision with the ability to confirm, amend or rescind.

18. The Chair moved and Mr Whiting seconded the motion that “implementation of the decision to be postponed pending review or scrutiny of the matter by full Council”.

19. Members voted on the motion. The motion was carried unanimously.

RESOLVED that the Scrutiny Committee require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

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