

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 18 March 2025.

PRESENT: Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mr A Brady, Mrs S Prendergast, Mr O Richardson and Mr M Reidy

ALSO PRESENT: Mrs S Chandler, Mr R W Gough, Mr D Jeffrey, Mr R C Love, OBE, Mr P J Oakford and Mr D Watkins

IN ATTENDANCE: Mrs A Beer (Chief Executive), Mr J Betts (Interim Corporate Director Finance), Mrs S Hammond (Corporate Director Children, Young People and Education), Ms C Holden (Head of Children's Commissioning), Ms C McInnes (Director of Education), Mr R Smith (Corporate Director Adult Social Care and Health), Mrs R Spore (Director of Infrastructure) and Mrs A Taylor (Assistant Democratic Services Manager (Scrutiny))

UNRESTRICTED ITEMS

105. Apologies and Substitutes

(Item A2)

Apologies were received from Mrs Binks, Mr Bond, Mr Brazier, Mrs Game, Ms Hawkins, Mr Webb and Mr Whiting.

Mrs Game and Ms Hawkins joined the meeting virtually.

106. Minutes of the meetings held on 29 January and 26 February 2025

(Item A4)

Mr Oakford addressed comments made by the Chairman at the last meeting which he considered inaccurate and personally insulting. The Chairman explained that Mr Oakford's presence and participation at Scrutiny meetings was valued by all members of the Committee, he offered his apologies for any of the commentary made that offended Mr Oakford, Mr Oakford thanked the Chairman for his apology.

RESOLVED that the minutes of the meetings held on 29 January and 26 February 2025 were correct records and that they be signed by the Chair.

107. Devolution and Local Government Reorganisation

(Item C1)

1. Following the detailed update to County Council on 13 March Mr Gough gave the Committee a reminder of the headlines in relation to Local Government Reorganisation (LGR).
2. The interim submission, which would be a high level document, would be submitted on 21 March with a full submission due on 28 November. A Cabinet

Committee would be established, alongside regular member briefings to ensure Members remained engaged in the process of LGR.

3. In relation to devolution, the outcome on 5 February was worse than expected, it was vital for Kent that a clear and committed timeline for devolution was set out and that devolution should proceed in parallel with LGR. It was also essential that any successor organisations should be financially viable.
4. Mr Gough responded to questions and comments from Members which included the following:
 - a. This was a challenge for the Government with big and complex geographical areas to consider. Further decisions would be made after the November submissions but constructive discussions had been had with the Minister and the hope was that KCC would be on a similar timeline to those areas within the devolution priority programme.
 - b. A Member raised a concern about the rapid pace of LGR and the need for a balanced approach to ensure successful implementation.
 - c. It was considered that there was confusion over the concurrent timelines for devolution and LGR and the importance of aligning both processes for effective outcomes was reiterated by Members of the Committee.
 - d. Mr Gough confirmed that there was no preferred option set out within the March submission for the number of unitary authorities.
 - e. It was considered that there was a need for unity amongst stakeholders to avoid potential stumbling blocks in the process. Mr Gough confirmed that there would be continued engagement with stakeholders to shape the submission by November 2025.
5. There would be continued discussions with the Minister to align devolution and local government reorganisation processes.

RESOLVED that the Scrutiny Committee note the update provided by the Leader on devolution and local government reorganisation.

108. Revenue and Capital Budget Monitoring Report – November 2024-25 (Item C2)

1. Mr Oakford introduced the Revenue and Capital Budget Monitoring Report which set out a £23.3million revenue overspend and capital underspend of £111million – much of the capital underspend related to rephasing.
2. The primary challenge remained in Adult Social Care with a reported overspend of £35.4million. Further deep dives were being undertaken into the actions being taken to reduce this overspend as much as possible.
3. There was an improved position in the overall overspend which had decreased slightly, mainly due to work within the Children, Young People and Education Directorate and work to reduce the cost of the school transport budget.
4. The Chairman offered his support and praise to Mr Love following the intense pressure on his portfolio to reduce the previous overspend.
5. The Cabinet Members and guests responded to questions and comments from Members which included the following:
 - a. In response to the capital projects which were not being delivered, £12.9m was an underspend and £124million in rephasing. There were many

reasons for rephrasing and for many of the council's contracts, if the rephrasing was due to the contractor the project would still have to be delivered at the original cost. However, there were also occasionally additional costs due to the Council and these were addressed on a case-by-case basis.

- b. In relation to prevention, this was a key aspect of ensuring residents were able to continue living happy and healthy lives from home. There continued to be challenges with a lack of qualified carers and the financial viability and sustainability of any proposal for in-house care. The preventative framework would prioritise and bring new ideas for prevention which would contribute to balancing the budget as well as providing the best outcomes for residents.
- c. The Corporate Director for Adult Social Care and Health set out the current in-house care services, positive outcomes were noted from the reorganisation of the adult social care connect service.
- d. In relation to the recommissioning of contracts the focus was on older people, residential and nursing care, the recommissioning process would consider all options, including in-house provision.
- e. It was vital to continue to consider outcomes and value for money.

RESOLVED that the Scrutiny Committee note the Revenue and Capital Budget Monitoring Report November 2024-25.

109. Late Changes to the 25-26 Budget and 25-28 Medium Term Financial Plan (Item C3)

1. Mr Oakford introduced this technical report which provided details of the late changes to the approved 2025-26 revenue budget which were not available in time for the County Council budget meeting – this was an annual occurrence.
2. The core budget had increased by £356,000 which was a minor adjustment.
3. Additional funds were received through ring-fenced grants for public health and the active travel fund, which were not included in the core budget.
4. Mr Oakford and Mr Betts responded to questions and comments from Members which included the following:
 - a. In relation to a question about the substantial increase in public health grants. Mr. Watkins clarified that the increase in the public health grant is approximately 5%, but the actual impact may be neutral due to costs associated with NHS staff pay awards and national insurance contributions.
 - b. The additional funds would be used to cover NHS staff pay awards and national insurance costs, which affected the cost base of providers of public health services.
 - c. The Public Health Transformation Strategy aimed to ensure best value for the Council and improved outcomes at the frontline.

RESOLVED that the Scrutiny Committee note the report.

110. Safety Valve Programme (Item C4)

1. Through Mr Oakford and Mr Love, Mr Betts introduced this report which outlined the challenges in delivering improved outcomes at reduced costs, in order to

repay the cumulative deficit on the Dedicated Schools Grant High Needs Block. There was an emphasis on the complexity of the Special Educational Needs and Disability (SEND) system and the need for a holistic view of the actions outlined in the report.

2. The key areas for focus within the actions to improve financial performance and indicative timescales were:
 - Revised model of support for early years.
 - Localities model of school inclusion.
 - Review of Specialist Resource Provisions (SRPs).
 - Review of state-funded special schools.
3. Mrs Hammond, Corporate Director of Children, Young People and Education (CYPE) highlighted the importance of an effective model of early years with early interventions and the impact that this had on school readiness and inclusion. This resulted in better outcomes and reduced costs in independent provision.
4. There were also challenges and risks, including the delay in the delivery of two new special schools managed by the Department of Education (DfE) and national challenges around the flow of funding and the need for continued focus on the safety valve agreement.
5. The Cabinet Members and Officers responded to questions from members which included the following:
 - a. A Member commented on the statutory override and the associated financial implications of the 26 March deadline, Mr Betts explained the accounting complexities of the safety valve and welcomed the offer of the Member to lobby for an extension to this deadline.
 - b. Following a question from a Member about the costs of EHCP tribunals and the impact on policy and early intervention, Mr Love emphasised the importance of defending professional decisions to avoid false expectations and delays. This had been reported to the Scrutiny Committee in December 2024 but if questions remained this could come back to the Committee at a future date.
 - c. In response to a question from the Chairman, Mrs Hammond referred to the council's bid to be part of the University College London research on toilet training delays and its potential impact on early years development. A further update around early years could be brought back to the Committee at a later date as this was a critical area.
 - d. Concerns were raised by members about the significant increase in requests for mainstream top-up funding and exceptional pupil needs.
 - e. Mrs McInnes, Director Education and SEN, discussed the measured approach to system transformation and the capping of the communities of schools budget.
6. Members of the Committee agreed on the importance of a continued focus on the Safety Valve Programme and early years interventions.

RESOLVED that the Committee noted the report.

111. Decision - 23/00100 - Commissioned Youth Service Contracts (Item C5)

1. Mrs Chandler, Cabinet Member for Integrated Children's Services gave a brief introduction to the report and, along with the Officers, responded to questions from members which included:

- a. A member raised concerns about the decrease in referrals for young people in Kent – and in addition expressed concern about this decrease being framed as positive. The Member questioned the reasons behind this trend and Mr Chandler explained the national trend of reduced referrals, attributing it to improved early help and support from various agencies post-pandemic.
 - b. Ms Crisan highlighted the impact of reduced universal provision and commissioned contracts on referral numbers. Following up on this Mrs Hammond clarified the nature of open access services and their limited role in generating referrals, offering to provide a detailed analysis of adolescent referrals to the Committee at a future meeting.
 - c. A Member asked for further information on how providers and young people were being supported post cessation of contract.
 - d. Following a question, Mrs Spore explained that there were ongoing negotiations regarding building conditions and dilapidation claims, with some buildings in accordance with the lease terms that were in place between KCC and the providers that were commissioned to provide youth services. Ms Spore also confirmed that the auction process for one of the sites in Ramsgate had also commence and any party who might be interested was able to participate in the auction process.
 - e. A Member emphasised the need for more outreach and support for young people arguing that reduced opportunities led to fewer referrals. Ms Crisan reiterated the focus on vulnerable children and the importance of targeted intervention within the constraints of limited resources.
 - f. A Member asked about the availability of open access youth support and services for CV and interview preparation. The Cabinet Member explained that there had been a shift to targeted intervention and highlighted the role of The Education People in supporting young people with their CVs and job searches.
2. The Committee welcomed the offer of a further detailed analysis of both early years intervention and adolescent referrals.

RESOLVED that the Committee note the report.

112. SEND Scrutiny - Quarterly Reporting (3rd report) (Item C6)

1. Mr Love introduced the report and provided an overview of the significant improvements in the performance of completing Education, Health, and Care Plans (EHCPs) within the 20-week target.
2. Mr Love noted that 90% of EHCPs were completed within the target timeframe last month and highlighted the progress from being in the bottom 10% to the top fifth of local authorities in England for this key performance indicator.
3. The oldest cases now ranged between 28-30 weeks, down from over two years during difficult times. Mr Love commented that these EHCP cases were complex and required additional work due to the complexity of needs and placement difficulties.
4. There had also been an improvement in the completion of annual reviews of EHCPs, from about one-third to two-thirds being completed on time. Mr Love emphasised the importance of collaboration with educational settings.

5. Mr Love credited the improvements to changes in management structure and operating practices over the past 18 months to two years and highlighted the role of the SEN team and the integration of SEN back into education. He acknowledged the hard work and commitment of the staff, noting the contrast in staff engagement and understanding of their roles. Mr Love also mentioned the support from the corporate centre and organisational development efforts. There was now a culture of continuous improvement with ongoing efforts to meet aspirations and expectations.
6. The Cabinet Member and Officers responded to questions from members which included:
 - a. A Member inquired about the reduction in EHCP applications and the process for annual reviews for homeschooled children. Mrs McInnes noted a 7% reduction in requests for assessment and improvements in the statutory framework application. She then went on to address the process for annual reviews for homeschooled children and the importance of the child's voice in the process.
7. The Committee congratulated the team for their efforts and achievements. The need for further improvements and continuous progress was acknowledged.

RESOLVED that the Committee note the report.

113. Work Programme

(Item D1)

1. The clerk advised that a potential item on early years and adolescent referrals would be brought to the agenda planning meeting for discussion.

RESOLVED that the Scrutiny Committee note the work programme.

- (a) **FIELD**
- (b) **FIELD_TITLE**