

**POLICY AND RESOURCES CABINET COMMITTEE**

**Friday, 2nd December, 2016**

**10.00 am**

**Darent Room, Sessions House, County Hall, Maidstone**







## AGENDA

### POLICY AND RESOURCES CABINET COMMITTEE

**Friday, 2 December 2016, at 10.00 am**  
**Darent Room, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Ann Hunter**  
Telephone: **03000 416287**

*Tea/Coffee will be available 15 minutes before the start of the meeting*

#### **Membership (14)**

Conservative (8): Mr A J King, MBE (Chairman), Mr N J D Chard (Vice-Chairman),  
Mrs M E Crabtree, Mr J A Davies, Mr S C Manion,  
Mr L B Ridings, MBE, Mrs P A V Stockell and Mr J N Wedgbury

UKIP (3) Mr M Heale, Mr C P D Hoare and Mr R A Latchford, OBE

Labour (2) Mr D Smyth and Mr N S Thandi

Liberal Democrat (1): Mrs T Dean, MBE

#### **Webcasting Notice**

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#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

#### **A - Committee Business**

A1 Introduction/Webcast announcement

- A2 Apologies and Substitutes  
To receive apologies for absence and notification of any substitutes present
- A3 Declarations of Interest by Members in items on the Agenda  
To receive any declarations of interest made by Members in relation to any matter on the agenda. Members are reminded to specify the agenda item number to which it refers and the nature of the interest being declared.
- A4 Minutes of the meeting held on 8 September 2016 (Pages 7 - 16)  
To consider and approve the minutes as a correct record.
- A5 Minutes of the meeting of the Property Sub-Committee held on 29 September 2016 (Pages 17 - 20)  
To note the minutes
- A6 Dates of meetings in 2017/18  
To note that meetings of the Policy and Resources Cabinet Committee will take place as follows:
- Friday 16 June 2017  
Friday 15 September 2017  
Tuesday 5 December 2017  
Friday 2 February 2018  
Friday 16 March 2018
- (It has previously been agreed that meetings will take place on 13 January and 8 March 2017)

**B - Key or significant Cabinet Member Decision(s) for recommendation or endorsement**

- B1 16/00136 - Annual Equality Report and New Corporate Equality Objectives 2016-2020 (Pages 21 - 68)  
To receive the Annual Equality and Diversity Report 2015-16, which is a statutory requirement under the Equality Act 2010, and the Draft Equality & Human Rights Policy and Objectives for 2016-2020

**C - Monitoring of Performance**

- C1 Strategic and Corporate Services Performance Dashboard (Pages 69 - 82)  
To receive and note a report that shows progress made against targets for Key Performance Indicators
- C2 Financial Monitoring (Pages 83 - 86)  
To receive a report setting out the September 2016-17 budget monitoring position which was despatched to Cabinet on 9 November 2016

C3 Business Services Centre Performance Update and Future Delivery Plans  
(Pages 87 - 102)

To receive a report that provides: an update on the Business Services Centre (BSC) performance over the first quarter of the financial year 2016/17; highlights some of the key trends; and outlines key business developments and aspects of the future evolution of the service

C4 Work Programme (Pages 103 - 106)

To consider and agree a work programme for 2017

**D - Other items for comment/recommendation to the Leader/Cabinet Member/Cabinet or officers**

D1 Business Planning 2016/17 and 2017/18 (Pages 107 - 116)

To receive a report that reviews the 2016/17 business planning process and sets out the proposed business planning arrangements for 2017/18 for agreement

D2 Chancellor's Autumn Statement - Verbal Update

D3 Governance and Law - Commissioning Arrangements - Progress Report (Pages 117 - 124)

To receive a report that provides an update on recent developments and future plans regarding the establishment of the commissioning and governance arrangements

**Motion to Exclude the Press and Public**

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**E - Monitoring of Performance**

E1 Invicta Law Progress Report (Pages 125 - 150)

To receive a report that provides an in-depth update on progress towards the launch of Invicta Law

John Lynch,  
Head of Democratic Services  
03000 410466

**Thursday, 24 November 2016**

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## KENT COUNTY COUNCIL

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### POLICY AND RESOURCES CABINET COMMITTEE

MINUTES of a meeting of the Policy and Resources Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 8 September 2016

PRESENT: Mr A J King, MBE (Chairman), Mr N J D Chard (Vice-Chairman), Mr D L Brazier (Substitute for Mr L B Ridings, MBE), Mrs M E Crabtree, Mrs T Dean, MBE, Mr M J Harrison (Substitute for Mr J A Davies), Mr M Heale, Mr C P D Hoare, Mr R A Latchford, OBE, Mr R A Marsh (Substitute for Mr S C Manion), Mr D Smyth, Mrs P A V Stockell, Mr N S Thandi and Mr J N Wedgbury

ALSO PRESENT: Mr P B Carter, CBE, Mr J D Simmonds, MBE, Miss S J Carey, Mr G Cooke and Mr P M Hill, OBE

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services) and Mrs L Whitaker (Democratic Services Manager (Executive))

#### UNRESTRICTED ITEMS

##### **239. Apologies and Substitutes**

*(Item A2)*

The following apologies, substitutions and membership changes were reported by the Chairman:

- Mr Richard Long was permanently replaced by Mr Jim Wedgbury
- Ms Susan Carey, owing to her appointment as Cabinet Member for Commercial and Traded Services, was permanently replaced by Mrs Margaret Crabtree
- Apologies were received from Mr Manion, Mr Ridings and Mr Davies who were substituted by Mr Marsh, Mr Brazier and Mr Harrison respectively.

##### **240. Declarations of Interest by Members in items on the Agenda**

*(Item A3)*

No declarations of interest were received.

##### **241. Election of Vice-Chairman**

*(Item A4)*

The Chairman nominated Mr Chard for election to the vacant Vice-Chairman seat. The nomination was seconded by Mr Wedgbury.

It was RESOLVED that Mr Chard be appointed as Vice-Chairman.

##### **242. Minutes of the meeting held on 22 July 2016**

*(Item A5)*

Mr Latchford said that Mr Bird had responded to his request for information, as recorded in the minutes, and that he was pleased with the response.

The minutes were agreed as an accurate record and signed by the Chairman accordingly.

### **243. Strategic and Corporate Services Performance Dashboard**

*(Item B1)*

The Committee received a report showing progress made against targets for key performance indicators. Richard Fitzgerald, Business Intelligence Manager – Performance, presented the information and, in particular, referred to the following:

- i. That in general the performance recorded was good.
- ii. That there were two variances in performance to be reported on the following targets: 'Payment of retirement benefits within 20 days' and 'Data Protection Act subject access requests completed within 40 days' which now reported 'amber' for the month from 'red' at the year to date. The first of these related to a specific issue which had been rectified and it was hoped that performance would now improve. The second, although a longer term issue, looked to be responding to the training and advice for staff implemented recently.
- iii. Property indicator 'Percentage of rent due to KCC outstanding at 60 days or above' was currently recorded as 'red' and related to a specific issue for which mitigating actions were in place and improvements were expected in due course.

The matter was opened for discussion and the following responses were received to comments made and questions raised by Members:

- i. That the percentage of calls unanswered by the contact centre was 5% or 8,800 of 176,000 calls in the year to date. Although it was brought to the attention of the Committee that staffing to 100% capacity would be expensive and unusual and that the indicator was currently reporting at 'Green', the Chairman requested that, unless this indicator reported an improvement at the next meeting, a supplementary report on this indicator should be received by the Committee.
- ii. That action had been taken to improve performance relating to the percentage of tasks completed within the service level agreement standards in West Kent but the results were yet to be reflected in the performance outcomes. The Chairman asked that the matter be considered at the next meeting of the Property Sub-Committee.
- iii. That increases in debt to the County Council were largely related to health spending where invoices were submitted to the NHS for payment and negotiations that followed could be lengthy. It was not envisaged that any of those debts would be written off.

It was RESOLVED that the report be NOTED.

### **244. Financial Monitoring 2016/17**

*(Item B2)*



The Committee received a report setting out the position for the Strategic and Corporate Services Directorate. The report was introduced by the Deputy Leader and Cabinet Member for Finance and Procurement who explained that the format of the report had not yet been updated owing to the early scheduling of the Committee's meeting.

Jackie Hansen, Strategic and Corporate Services Finance Business Partner, spoke to the item and, in particular, referred to the following:

- i. That although the format was not fully amended this was the first monitoring report based on new outcomes as set out by Cabinet. Therefore the financial table in the report set out the net variance, the previous reported position, any movements since and the latest position. The figures were also more up to date than the Committee had previously received.
- ii. Overall the Strategic and Corporate Services Directorate was in a strong position and was reporting a good underspend. However an overspend of £513k was reported in the Property division where an aspirational savings target was in place for asset utilisation. It was explained that this was a complex saving to deliver as it involved both service delivery and logistical decisions some of which would be made outside of the Property team. Of the budgets that were within the direct control of the Strategic and Corporate Services Directorate an underspend of £865k was currently reported.
- iii. The Finance and Procurement Division had reported an underspend of £350k largely as a result of new income generating opportunities. The Policy Division had reported an underspend of £236k partly as a result of in-year staffing savings and partly from new income from the National Health Service. The Engagement, Organisation Design and Development Division had reported an underspend of £252k largely as a result of staff vacancies.
- iv. That £2.1 million of the Member Grant fund was currently committed, leaving £890k uncommitted. Members had reported that they intended to spend the remainder of the fund within the financial year.

The item was opened for discussion and the following responses were received to comments made and questions raised by Members:

- i. That the Local Democracy budget line consisted of three main areas: The Member Grant Fund of over £3million; the annual payment to the election reserve of £570k; and the partnership arrangements with District level authorities.
- ii. That the Democratic and Members' Services' budget line consisted of the cost of the Democratic and Members' Services' Support teams and Member allowances.
- iii. That the Engagement, Organisation Design and Development (HR, Communications and Engagement) budget line included the costs of KCC's Human Resources Division, Internal and External Communications teams and the Engagement and Consultation teams. It was also confirmed that this budget line, and not the Democratic and Member' Services' budget line, included the costs of the Council's Community Engagement Officers.
- iv. That procurement work with West Kent CCG had helped to create reported underspends. It was envisaged that such work would continue in future years and would be included within budget projections. Ms Hansen also reported that the unbudgeted projected income from the NHS related to costs recoverable for project work being undertaken by KCC's Policy team and commissioned by the NHS.

- v. An example of a partnership arrangement, referred to in (i) above, was the cost of providing financial incentives to district councils to improve the Council Tax collection rate.

It was RESOLVED that the report be noted.

#### **245. Work Programme 2016/17**

*(Item B3)*

The Committee received a report setting out a proposed work programme for 2016/17.

It was RESOLVED that the report be noted, subject to the inclusion of an item on 'Charges to Voluntary Sector Tenants in KCC Buildings'.

#### **246. Contract Management**

*(Item B4)*

The Committee received a report setting out the next steps in developing KCC's commercial approach through effective contract management practice.

Mr John Simmonds, Deputy Leader and Cabinet Member for Finance and Procurement introduced the report. He said that with the professionalisation of the Council's procurement and commissioning functions it naturally followed that work should be undertaken to improve the Council's contract management function to ensure successful delivery of services as commissioned.

Vincent Godfrey, newly appointed Interim Director of Strategic Business Development and Intelligence spoke to the item. He briefly set out his career to date and explained that his role at KCC would be to lead on a more effective approach to contract management. He was tasked to ensure that the systems and procedures in place were fit for purpose and in line with the approach agreed by the County Council in December 2015. He described the approach set out in the report, which was a tried and tested approach of contract management based on the National Audit Office (NAO) good practice contract management framework, that would ensure contract managers were held to account effectively and any gaps, intervention and training and support needs could be identified and appropriate action taken.

The matter was opened for discussion and the following questions were raised and comments made by Members and responses received from officers:

- i. That the report and emphasis on contract management were welcomed.
- ii. Mr Wedgbury suggested that recommendation 9.1 (1) be amended to include the words 'and actions' after 'reviews' and this was agreed.
- iii. That Mr Godfrey would take account of the suite of Highways contracts as part of his review work but that particular issues with individual sites or pieces of work should be reported directly to highways.
- iv. That a future stage of contract management should involve advice and guidance to organisations commissioned by KCC who subsequently sub-contracted some elements of service delivery to ensure that good contract management was fully embedded at the end of the process.

- v. That a further report be considered after 4-6 months and the matter added to the work programme accordingly.
- vi. That working closely with providers to ensure that obligations were clear was a core value of successful contract management and as such Mr Godfrey was happy to accept a proposal from the Committee that contract providers be reminded of their obligations at the start of the review.
- vii. That the Council was obliged to publish a list of all contracts awarded with a value of over £5,000 which, as a public document, was open to elected Members and members of the public.
- viii. That the Committee would be kept informed of the emerging programme of work in this area and would have the opportunity to comment on and influence that programme.

It was RESOLVED that:

1. The plans to strengthen the organisation's approach to contract management through a rolling programme of reviews and actions be noted;
2. That the proposal to bring a six-monthly update to the Committee to inform its oversight of contract management practice be welcomed and agreed.

#### **247. Implementing KCC's VCS Policy - Update Report** (Item C1)

The Committee received the first annual report on the progress of KCC's Voluntary and Community Sector (VCS) Policy which detailed the work undertaken over the last year to deliver the commitments within it.

Mr Mike Hill, Cabinet Member for Community Services, introduced the report. He said he was pleased with progress to date and particularly welcomed advancements in the following areas:

- The standardisation of the grant application process across the Council
- The creation of a grant prospectus to inform voluntary sector organisations of the funding available and how to apply
- The improved, cross-sector engagement activities now in place and the successful networking event organised for that purpose.

David Whittle, Director of Strategy, Policy, Relationships and Corporate Assurance spoke to the item. He said that:

- i. It was critical to the continued success of the policy that KCC remained disciplined in conforming to the principles within it, particularly in the commissioning of services.
- ii. The core rationale of the policy was to understand the sector as a whole and to that end KCC had now secured access to the Charity Commission's data for the whole of the VCS in Kent. Headline analysis of this data was included at appendix 1 to the report. Mr Whittle particularly noted that:
  - a. VCS income had increased overall by 6.1% since 2010;
  - b. That the VCS had a workforce of 7000 people in Kent.
- iii. Work would continue to build the database to enable well-informed commissioning decisions.

A discussion followed and the following comments were made and questions raised by Members and responses received from officers:

- i. That where KCC commissioned larger VCS organisations to deliver services they were often sub-contracted to smaller VCS organisations to deliver on a local basis. The benefits and social value of such delivery were clear but it was essential that KCC maintained a proper check on the quality of services being delivered. Various mechanisms had been put in place by government to manage these relationships, some more successful than others, but the key was good commissioning practice and contract management, based on solid relationships with providers. It was agreed that a further report on this area of work would be brought.
- ii. That figures relating to the number of volunteers active in Kent reflected a point in time snapshot and could change on a daily basis.
- iii. That grant funding was reflected in Directorate Budgets, and a grant register was maintained. It was agreed that the grant register would be circulated to Members.
- iv. That should the Council be minded to fund a particular VCS organisation checks were made to ensure that assets held by it were appropriate and reasonable.
- v. That Mr Whittle would ascertain whether the figures pertaining to employment within the VCS in the County took account only of those employed directly by VCS organisations or whether they also included those who were employed as a result of VCS funding.
- vi. That 'micro' organisations were those with a charitable income of less than £10k per annum and that understanding this area of the sector would be a critical part of the policy work going forward.
- vii. That the descriptions of the categories of grant funding available – 'innovation' and 'strategic' – set out in the policy would be reviewed as part of the annual update process and attempts would be made to clarify the categories.
- viii. That the report would be amended and republished with both number and percentage values included.
- ix. That £61 million had been spent by KCC on commissioning services from the VCS that would otherwise have had to be procured elsewhere.

It was RESOLVED that the report be noted.

## **248. Customer Service Policy** (Item C2)

The Committee received a report providing an update on the operation of the Council's Customer Service Policy.

Miss Susan Carey, Cabinet Member for Commercial and Traded Services, introduced the report. She said the policy encompassed the three principles of good customer service:

- Principle 1: Delivering Quality
- Principle 2: Customer Focused Services
- Principle 3: Intelligent Commissioning.

She said the report set out how these principles were being delivered.

Amanda Beer, Corporate Director Engagement, Organisation Design and Development, highlighted some of the main activities that had been undertaken such as: the establishment of a Customer Feedback Forum; improved access to services

and to information about services; the agreement of priorities for digital transformation; and the emphasis on continuous improvement through customer feedback.

The matter was discussed by the Committee and the following comments were made, questions raised and responses received:

- i. It was important that the emphasis on digital transformation did not exclude those without access to, or skills to utilise, the internet.
- ii. That training for staff to enable positive conversations with customers making complaints was welcomed.
- iii. That work was being undertaken to identify the simplest and quickest ways for members of the public to report issues, such as potholes.

It was RESOLVED that the report be noted.

#### **249. Consultation Protocol (Responses to Consultations Received)** *(Item C3)*

The Committee received a report seeking endorsement of a draft protocol for consultation responses prior to consideration by Cabinet.

Louise Whitaker, Democratic Services Manager (Executive), introduced the report. She said the purpose of the protocol was to standardise the approach to the production of consultation responses, to ensure proper information sharing processes and to strengthen the governance around response submissions by the proper adoption of the protocol and delegations inherent within it.

The report was opened for discussion and the following comments were made, questions raised and responses received from officers:

- i. That an explicit reference to appropriate engagement with local Members whose divisions were affected by a consultation issue would be included in the protocol as requested by the Committee.
- ii. Concerns were raised that officers, acting under delegated powers, had not conformed to the principles inherent in the draft protocol when responding to a particular matter recently and that, although the draft protocol was an improvement on the current situation, it should be further strengthened before being adopted.
- iii. Ms Whitaker explained where the delegations currently lay and why they would be strengthened by adopting the protocol in the way proposed. In addition she reminded the Committee that endorsement of proposed Executive decisions before they were agreed by the Executive was the normal and correct procedure.
- iv. Mr Chard suggested that the Committee endorsed the principles in the protocol but recommended that local Members should be kept informed and should have an opportunity to comment on relevant consultations as well as receiving copies of the final consultation response

It was RESOLVED that the principles inherent within the draft protocol be endorsed, but that further work be undertaken to strengthen the principles of Member engagement within it, and that it be considered by the Committee again at that point and prior to any adoption by the Executive.

## **250. Business Rate Devolution Consultation**

*(Item C4)*

The Committee received a report providing details of the government consultation paper “Self-sufficient local government:100% Business Rates Retention” which sought views on the legal aspects of the proposed devolution of all the proceeds from local business rates to local authorities, as announced in the Autumn Budget 2015 and in the Queen’s Speech 2016. In addition, the government had also launched a separate call for evidence on Needs and Redistribution to help re-set the existing distribution of funding through baselines and tariffs/top-ups. The report set out the main issues in both the consultation paper and the call for evidence together with KCC’s initial assessment.

Mr John Simmonds, Deputy Leader and Cabinet Member for Finance and Procurement, introduced the report and emphasised the importance of the issues on a strategic level and also in terms of the detail as it would have an impact on the inherent fairness of any system ultimately put in place.

Andy Wood, Corporate Director of Finance and Procurement, spoke to the item. He said that, if implemented well, the potential changes were an excellent opportunity for local government. However, if implemented badly, they could be damaging to the financial health of the Council. Therefore it was crucial that the responses to government were correct, well thought out and that they were taken on board by ministers.

Dave Shipton, Head of Financial Strategy, spoke to the item and further explained the difference between the in-principle consultation and the call for evidence and the legislative requirements related to the former. He reminded Members that retaining, or having returned in grant form, business rates was not new but being able to retain the growth was, it was here that the potential risk lay as business tax was a volatile tax, and any reduction might have to be absorbed by a local authority choosing to retain 100% rates.

Mr Shipton said there was an estimated £12.5bn nationally which would equate to approximately £300 million for Kent and would be accompanied by new responsibilities for the Council. Risks associated with new duties or alternative funding of existing responsibilities were set out in the report.

Mr Shipton made the following further comments:

- i. That the government was proposing that any discretion to amend business rates by local authorities would only be to reduce them. KCC’s response was likely to include a request that this be extended to include increases.
- ii. That more authority should be devolved to local authorities to make decisions about exemptions from business rates.
- iii. That governance issues would need to be resolved in two-tier areas so that it was clear who would make any decisions about the level of business rates.

The following comments were made, questions raised and responses received from officers:

- i. That, although as officers had reported, there were opportunities to be had by retaining business rates there was also a high level of potential risk for the authority, and in particular Members raised concerns about the ability of the

- Council to continue to perform as expected should the country fall into a recession.
- ii. That the matter of appeals and exemptions had the potential to have a drastic impact on the level of rates able to be collected by KCC.
  - iii. That once the Bill had been adopted by parliament, KCC would have no choice but to abide by the statutory duties within it, again reflecting the urgent need to influence the Bill at this early stage. To this end local authorities were working together, supported by the LGA, to produce a robust and coherent response to government.
  - iv. Mr Smyth urged officers to ensure that the government was made aware that retention of business rates would not solve the problems of local government finance as any additional funding secured would not meet the growth in demand for services.
  - v. The Leader said it was important that the response to the consultation helped to avoid the replacement of one complicated system of local government funding with another and that, alongside those considerations, it was crucial that the response to the Fair Funding Review was also effective in securing a fair system of funding distribution. Mr Carter would write to Kent's MPs to ensure that they understood the critical points relating to these matters and could support the representations KCC would make.
  - vi. The Chairman said there was an opportunity at this time to influence government on these matters, not least because the new Prime Minister had begun her career in local government.

It was RESOLVED that the approach to the consultation responses be endorsed.

## **251. Welfare Reform Update** *(Item C5)*

The Committee received a report that provided: an update on the current phase of working age welfare reform in the UK; considered the major reforms already underway; and outlined further planned changes to the benefit system.

Mr Paul Carter, Leader, Kent County Council, introduced the report explaining that the matters within the report were complex and had the potential to affect many residents of the county.

David Whittle, Director of Strategy, Policy, Relationships and Corporate Assurance, said there had been a significant amount of legislative and policy-driven change over many years. Mr Whittle set out the general principles behind those changes as:

- To increase conditionality on welfare payments
- To impose sanctions on those who did not comply with those conditions
- To provide greater incentives to work.

The report attempted to explain the complex relationship between different types of welfare payments and the sometimes unintended consequences that arose from the complicated relationships between incentives and penalties.

Chris Grosskopf, Policy Adviser, Strategy, Policy, Relationships and Corporate Assurance, said the welfare landscape was complex and that many authorities were currently assessing the impact of changes on residents. In particular she referred to the following key risks:

- i. The potential for the universal credit system to reduce incentives for people to work.
- ii. The need to support people to find employment and to help vulnerable people manage the universal credit system, for example to budget for monthly payments effectively.
- iii. The potential for some of the changes to payments for those with disabilities or chronic ill-health problems, particularly the £30 reduction in benefits for some, to make it more difficult for those people to find employment.
- iv. Potential changes to the provision of supported housing had caused concern to various agencies, particularly about the ability of relevant bodies to provide supported housing in the social housing sector.

The following points were raised during discussion of the report:

- i. Concern was expressed that the long-term lease of accommodation at Howe Barracks in Canterbury to the London Borough of Redbridge presented a serious challenge to Kent's public services. Officers provided assurances that work was being undertaken to understand the risk of similar sites being utilised in the same way.
- ii. That the need for more housing stock was well recognised by local and central government but some Members felt that it, and particularly social housing, should be prioritised.
- iii. That monitoring of the impact of individual reforms to benefits would continue and would be reported regularly to Members, however the ability to measure the cumulative impact of change on particular groups was extremely complicated and not always reliable or even possible.
- iv. That the Kent Support and Assistance Service (KSAS) had provided valuable support for vulnerable people and a view was expressed that funding for it should be maintained in the budget for 2017/18.

It was RESOLVED that the report be noted.

## **252. Corporate Assurance Analysis Bi-annual Report** *(Item C6)*

The Committee received a report outlining the key findings from Corporate Assurance on major change projects and programmes in the period April to September 2016.

Mr Whittle, Director Strategy, Policy, Relationships and Corporate Assurance, and Mark Scrivener, Corporate Risk and Assurance Manager, introduced the item.

Members heard that the Corporate Assurance function at KCC served to protect the Council whilst major change projects were ongoing. The team assessed business cases for projects to ensure they were sufficiently robust and maintained a watching brief on major projects and programmes to ensure that delivery was continuing as expected and to time.

It was RESOLVED that the report be noted.



## KENT COUNTY COUNCIL

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### PROPERTY SUB-COMMITTEE

MINUTES of a meeting of the Property Sub-Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 29 September 2016.

PRESENT: Mr D L Brazier (Substitute for Mr L B Ridings, MBE), Mr N J D Chard, Mrs T Dean, MBE, Mr C P D Hoare, Mr R A Marsh (Substitute for Mrs P A V Stockell) and Mr D Smyth

ALSO PRESENT: Miss S J Carey and Mr G Cooke

IN ATTENDANCE: Mrs R Spore (Director of Infrastructure) and Miss T A Grayell (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **81. Membership**

*(Item A1)*

The Democratic Services Officer announced that Mr N J D Chard had joined the Sub-Committee in place of Miss S J Carey, and this was duly noted.

#### **82. Apologies and Substitutes**

Apologies for absence had been received from Mr King, Mr Ridings and Mrs Stockell.

Mr Brazier was present as a substitute for Mr Ridings and Mr Marsh as a substitute for Mrs Stockell.

#### **83. Election of Vice-Chairman**

*(Item A2)*

Mr Marsh proposed and Mr Brazier seconded that Mr N J D Chard be elected Vice-Chairman of the Sub-Committee.

*Agreed without a vote*

**In the absence of the Chairman, Mr Chard thereupon took the Chair.**

#### **84. Declarations of Interest by Members in Items on the Agenda**

*(Item A4)*

There were no declarations of interest.

#### **85. Minutes of the meeting held on 8 July 2016**

*(Item A5)*

RESOLVED that the minutes of the meeting held on 8 July are correctly recorded and they be signed by the Vice-Chairman. There were no matters arising.

## **86. The process around identifying school sites as surplus to requirements** *(Item A6)*

*Mr K Pulsford, Asset Strategy and Disposals Manager, was in attendance for this item.*

1. The Cabinet Member, Mr Cooke, introduced the report and explained that it had been produced at the request of the Sub-Committee, arising from a discussion about school sites at previous meetings. Ms Spore and Mr Cooke responded to comments and questions from Members, as follows:-

- a) the request for clarification of process had arisen specifically in relation to the disposal of part of the site of the Chaucer School in Canterbury and a desire by Members that they and the public should be able to see that the correct process had been followed. Ms Spore set out the process followed when identifying the proportion of the Chaucer site which could be declared surplus and she and Mr Cooke undertook to advise questioners in more detail, before the next meeting of this Sub-Committee, about the process followed for the Chaucer School and when and how the disposal had been reported to County Council committees;
- b) Mr Cooke assured Members that all proposed disposals which were over the limits of officer delegations were reported to the Property Sub-Committee for comment before any decision was taken;
- c) the Vice-Chairman suggested that a simplified flow chart of the process, on one page of A4, be sent to Members of the Sub-Committee before the next scheduled meeting (on 21 March 2017) and that any questions arising from that be raised at the next meeting. Mr Cooke agreed that this would be done;
- d) in response to a question about the reinvestment of proceeds when an education site was disposed of, Ms Spore advised that she was required, as part of the formal processes set out by the Department for Education, to report how the proceeds of the disposal would be used. The DfE had the power to direct the County Council about how funds were used in any specific case but had never done so;
- e) the question was raised of school sites being declared surplus at a time when the school population was rising across the county, and clarification was sought about the role of Sport England as a consultee in disposing of school playing fields. Mr Cooke explained that the Commissioning Plan for Education Provision, which set out a strategy for future land use, had undergone extensive consultation and took full account of differing requirements in different parts of the county. It was, of course, important to accommodate parent choice of school as far as possible, but need for additional places, when identified, was being met by expanding existing good schools rather than building new ones. Surplus sites would arise naturally from this process. Ms Spore assured Members that Sport England was fully consulted by the County Council as a statutory consultee

to any planning application where the development would affect the playing field capacity of the school; and

- f) in response to a question about the extent to which the County Council could monitor playing field provision in schools which it did not control, Ms Spore explained that the Council had limited influence over such schools. Information about these was held by, and managed by, the Department for Education (DfE). Ms Spore undertook to provide a questioner with links to the DfE website dealing with this information.

2. RESOLVED that:-

- a) the details of the process around identifying school sites as surplus to requirements be noted; and
- b) a simplified flow-chart of the process, on one page of A4, be sent to Members of the Sub-Committee and any questions arising from that be raised at the next meeting. This information should include that requested in paragraphs 1 a), c) and f) above.

**87. Motion to exclude the press and public for exempt items of business**

RESOLVED that, under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**EXEMPT ITEMS (OPEN ACCESS TO MINUTES)**

**88. Strategic acquisition, Maidstone - joint freehold acquisition of the Royal Mail site, with Maidstone Borough Council**

*(Item A7)*

*Mr S Dodd, Disposal, Acquisition and Development Surveyor, was in attendance for this item.*

1. Mr Cooke introduced the report and set out the rationale for the proposed use of the site, which was of strategic importance to both the County and Borough Councils and would benefit both, as well as the economy of Maidstone. Mr Cooke, Ms Spore and Mr Dodd responded to questions of detail from the Sub-Committee on the information set out in the published and exempt reports, including the planned short- and long-term uses of the site, the way in which the planned stages and design would be communicated to Members and shared with the public, and the planned next stages, including the appointment of a development manager early in 2017.

2. The proposed development was generally welcomed and supported by the Sub-Committee, and the officer team was congratulated on the project, which was an excellent example of joint working between the County and Borough Councils to enhance Kent's county town, provide a mixed retail and residential development and new employment.

3. RESOLVED that the joint acquisition, the short-term holding strategy and long-term objectives for the site be noted.

### **89. Total Facilities Management - bi-annual review**

*(Item A8)*

*Ms E Luxton, Operational Property Portfolio Manager, was in attendance for this item.*

1. Ms Spore introduced the report and, with Mr Cooke and Ms Luxton, responded to questions of detail from the Sub-Committee on the information set out in the published and exempt reports about the performance of the contracts and the measures taken to ensure consistent good service across the county.

2. Members asked that future reporting include a frank appraisal of performance of contracts, with clear RAG ratings, so they could have a complete and clear overview of performance. Ms Spore also undertook to provide information about the value of the respective contracts. Mr Cooke and Ms Spore undertook to prepare a briefing for Members to update them on issues arising in managing the contracts.

3. RESOLVED that the performance of the Mid Kent, West Kent, and East Kent Total Facilities Management contractors since the second biannual review, the issues which have occurred and the actions taken to resolve these issues, and the existing County Council contract governance in place to manage and monitor the performance of the Total Facilities Management contracts, be noted.

**From: Gary Cooke- Cabinet Member for Corporate and Democratic Services.**  
**David Cockburn, Corporate Director of Strategic and Corporate Services.**

**To: Policy and Resources Cabinet Committee 2 December 2016.**

**Subject: Annual Equality & Diversity Report and draft Equality & Human Rights Policy and Objectives 2016-20**

**Decision Number: 16/00136**

**Classification: Unrestricted**

**Future Pathway: Cabinet Member Decision**

## **Summary**

### **This report sets out:**

The Annual Equality and Diversity Report 2015-16, which is a statutory requirement under the Equality Act 2010 and the Draft Equality & Human Rights Policy and Objectives 2016-2020.

### **Recommendation(s):**

Policy and Resources Cabinet Committee is asked to:

- 1) Note the Executive Summary of the Annual Equality and Diversity Report 2015-16, Appendix 1
- 2) Review and make recommendations on the draft Equality and Human Rights Policy and Objectives 2016-2020

## **1. Introduction**

1.1 Section 149 of the Equality Act 2010, and the Public Sector Equality Duty (PSED) requires public bodies to have 'due regard' to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

1.2 In October 2011 the Government Equality Office (GEO) issued guidance on what public bodies are expected to publish in order to show how they meet the Duty. The guidance states that public bodies:

- Must publish their first equality objectives by 6 April 2012, with subsequent objectives published at least every four years
- Must decide how many equality objectives it should set and what they should be
- Objectives should take into account evidence of equality issues across all of the authority's functions, consider issues affecting people sharing each protected characteristic, and take into account the three aims of the Duty.
- Must publish an annual report demonstrating the progress it has made by 31 January the following year.

## **2. Annual Equality and Diversity Report**

2.1 Kent County Council (KCC) published its Equality Policy and Objectives in 2011-12.

The policy focused on developing core practices and systems that would help KCC to better expedite its legal duties relating to equality and diversity. The objectives focused on establishing good core equality practices which would help services to develop an understanding of the equality requirements within its business and to respond to them in a proportionate and relevant manner. The objectives were to:

- A. Work with all our partners to define and jointly address areas of inequality.
- B. Promote fair employment practices and creating an organisation that is aware of and committed to equality and diversity and delivers its Public Sector Equality Duty.
- C. Improve the way KCC listens to and engages with its employees, communities and partners to develop, implement and review policy and to inform the commissioning of services.
- D. Improve the quality, collection, monitoring and use of equality data as part of the evidence base to inform service design delivery and policy decisions.
- E. Provide inclusive and responsive customer services.
- F. Understand and respond to the impacts on people when KCC is doing its work

2.2 Directorate annual reports against the objectives were considered at each of the Cabinet Committees meetings between September and October 2016. The Annual Equality and Diversity Report Executive summary can be viewed in Appendix 1.

2.3 Evidence provided through the directorate annual reports suggests that overall the council has made good progress against equality objectives and the processes and procedures that are needed to mainstream equality activity into core business. They also highlight further actions which directorates intend to take over the forthcoming year to further improve their systems, processes and outcomes relating to equality. Some of these actions were considered and taken forward as part of Equality Policy and Objectives review.

### **3. Draft Equality and Human Rights Policy and Objectives 2016-2020**

- 3.1 The draft Equality and Human Rights Policy and Objectives have been developed in consultation with directorates, equality leads, partners and the public. The draft Equality and Human Rights Policy and Objectives can be viewed in Appendix 2. This will be a Key Decision as it will affect a significant proportion of the community living or working within two or more electoral divisions.
- 3.2 The draft policy and objectives can be considered in three parts. The first section sets out the commitment and vision for Equality, Diversity and Human Rights. It articulates how KCC will make sure that the PSED is considered and met in its day to day work. Setting out expectations in relation to areas such as “due regard” commissioning, procurement and people management. The second part provides a clear framework for accountability in delivering the policy and the objectives. The third sets out the equality objectives that KCC will be working towards.

### **4. Consultation findings**

- 4.1 Early engagement sessions with internal services, staff groups- representing the protected characteristic group and interest groups – focused on disability and race were undertaken.
- 4.2 The draft Equality & Human Rights policy and Objectives was published on [www.kent.gov.uk/diversty](http://www.kent.gov.uk/diversty) and publicly consulted on from July 2016 to September 2016. In addition to this, qualitative methods such as focus groups and community meetings were used to engage protected groups.
- 4.3 Staff, Managers and Heads of Service were asked to discuss the draft Equality Policy and Objectives in Divisional and Team meetings the outcome of which should be fed back as part of the consultation. Staff were also invited to participate in the broader consultation through focus groups.
- 4.4 The consultation provided KCC with the opportunity to hear from the people who are most impacted by the equality objectives. From existing data annual equality and other performance reports, KCC knows that there are particular groups who are more likely to be adversely impacted by what it does and does not do. For example disabled people, older people and women have been mostly impacted by changes in the provision of public services since the last corporate objectives were set. As such through consultation we aimed to reach these groups in order to ensure that they are able to influence KCC’s new objectives.
- 4.5 The consultation also helped to raise the awareness KCC staff and the public has of the broader equality agenda in Kent.
- 4.6 Overall there were 43 responses to the online survey, 4 were received on behalf of organisations and KCC directorates and 39 responses were from individuals. A total of eight focus groups were arranged. Overall 33 people attended the focus groups. In addition to this the draft Equality and Human Rights policy and Objectives was shared at the Kent Race Equality Council which was attended by 25 people.

4.7 Changes have been made to the draft Equality and Human Rights Policy. They include clarity between the use of the words sex and gender to distinguish the Gender Identity characteristic.

<b>You said</b>	<b>We did</b>
The reporting mechanism for the objectives must be clear.	We have clarified how the objectives will be reported under the section 'Our Performance'.
We should use simple language.	<p>We have made the language and purpose of the policy as clear and simple as possible.</p> <p>We have developed an easy read version of the policy and it has been proposed that the widely published version of the policy and objectives should be in "Easy Read" supported by a more detailed policy.</p>
Objectives must be specific about which protected characteristic is being addressed.	Where possible we have stated which characteristics each objective seeks to address.
We must make sure that equality objectives are not lost when services are procured or commissioned.	<p>We have included contractors, procured and commissioned services in the section on accountability and have clarified our expectations in relation to the equality duty.</p> <p>We will share our equality objectives through our commissioning and procurement cycles and identify where those objectives will need to be delivered by those who are delivering services on our behalf.</p>
We must focus on areas of non-compliance.	We have made the policy clearer and have an entire section on accountability.
We should have a more positive position on Equality.	We have considered the language that we use and have worked to ensure that the objectives are positive serving to build on some of the excellent practice that is already in place.
Equality Objectives should make a real difference.	We have developed equality objectives that are based on our understanding of the equality priorities in services.
We must acknowledge the role that people outside KCC have in fostering good relations such as the voluntary sector and the wider	We have acknowledged the role the voluntary sector and the wider community plays in fostering good relations.



community.	
Mental health is an equality issue that concerns many people.	We have included an equality objective that addresses the mental health needs of specific groups.

4.8 To this end, the Equality and Human Rights Policy and Objectives have been changed in order to address the recommendations following consultation.

## 5. Financial Implications

5.1 Although there could be financial implications in the implementation of the Equality and Human Rights Policy and Objectives, no new funding is identified in the 2017-20 Medium Term Financial Plan. It is expected that any implementation costs will be relatively small and will need to be found from existing Directorate budgets.

## 6. Legal Implications and Risk Management.

6.1 KCC is required to publish Equality Objectives (Section 149 of the Equality Act 2010).

## 7. Equality Impact Assessment

7.1 Equality analysis has been undertaken and captured in the Equality Impact Assessment. At this stage no adverse impacts have been identified in relation to the implementation of the draft Equality & Human Rights Policy and Objectives and Protected Groups (Appendix 3).

## 8. Future Reporting

8.1 Progress against the new objectives will be reported annually to Directorate Cabinet Committees.

## 9. Recommendations:

9.1 P&R Cabinet Committee is asked to:

- Note the Executive Summary of the Annual Equality and Diversity Report 2015-16
- Review and make recommendations on the draft Equality and Human Rights Policy and Objectives 2016-2020

## 10. Appendices

- Appendix 1 – Draft Executive Summary Annual Equality & Diversity Report 2015-2016
- Appendix 2 – Draft Equality and Human Rights Policy and Objectives
- Appendix 3 – Draft Equality and Human Rights Policy and Objectives Equality Impact Assessment.
- Appendix 4 – Proposed Record of Decision

## 11. Background Documents

- a) Assessment of the performance of public authorities on the specific duty to publish equality information (England) <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/news-and-updates-on-the-equality-duty/>
- b) Annual Equality and Diversity Report for Education and Young People's Services 2015-16, Education and Young People's Services Cabinet Committee- 22 September 2016  
<https://democracy.kent.gov.uk/documents/s72192/Item%20D2%20-%20Equalities%20Cover%20Report%202015-16%20Appendix.pdf>
- c) Annual Equality and Diversity Report 2015-2016, Growth, Economic Development and Communities Cabinet Committee – 12 October 2016  
<https://democracy.kent.gov.uk/documents/s72475/Item%20D3%20Eqs%20and%20Divs.pdf>
- d) Annual Equality and Diversity Report 2015-2016, Environment and Transport Cabinet Committee - 7 September 2016  
<https://democracy.kent.gov.uk/documents/s71822/Item%20B2%20-%20GET%20-%20Equality%20and%20Diversity%20Review.pdf>
- e) Annual Equality and Diversity Report 2015-16, Adult Social Care and Health Cabinet Committee – 11 October 2016  
<https://democracy.kent.gov.uk/documents/s72516/D1%20-%20Annual%20Equality%20and%20Diversity%20Report.pdf>
- f) Annual Equality and Diversity Report 2014-15, Children's Social Care and Health Cabinet Committee – 6 September 2016  
<https://democracy.kent.gov.uk/documents/s71792/ITEM%20D4%20-%20Equality%20and%20Diversity%20Report.pdf>

## 12. Contact details:

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**Kent County Council**

**Draft Executive Summary**

**Annual Equality and Diversity Report April 2015 to March 2016**

Useful information

This document is available in a range of formats and can be explained in other languages. To ask for an alternative version, please email [alternativeformats@kent.gov.uk](mailto:alternativeformats@kent.gov.uk)

[Kent County Council Equality and Diversity Team](#),

Phone with Text relay: 18001 03000 414141

Or write to: Kent County Council, Diversity & Equality Team Room 2.70, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ

## Equality policy and local context

### Policy

At Kent County Council (KCC) we recognise the diverse needs of our community. We value and celebrate diversity, and believe it is essential to provide services which work well for all our customers and staff. We are committed to working with our statutory partners, businesses and the voluntary sector to ensure good outcomes for those who live in, work in and visit Kent. **We will achieve our vision through our roles as:** community leader; service provider; commissioner of goods and services; and employer. We are committed to promoting equality of opportunity and diversity through: our employment opportunities and standards; service delivery; and working practices. We will ensure that our services do not unfairly discriminate against any of our customers, so that everyone in Kent has the opportunity to reach their full potential. We manage equality and diversity through:

- Community Mapping (aiming to understand our community through social demographic data, customer data and feedback)
- Leadership, Partnership & Commitment – Working together
- Community Engagement – Listening to our Community
- Customer Service – Delivering Excellence
- Modern and Diverse Workforce (inclusive recruitment and retention, maintaining fair employment practices, and developing a ‘diversity aware’ workforce)

### Context and background

With a resident population of just over 1.46 million, Kent has the largest population of all the English counties. The following information is understood from the 2011 Census.

- 93.7% of all Kent residents are of White ethnic origin – this includes those who are White British, as well as other identities such as Irish, Eastern European origin etc. Kent also has Gypsy, Roma and Traveller populations greater than national average.
- 6.3% of Kent residents are classified as Black or Minority Ethnic (BME). This proportion is lower than the national average for England (14.6%).
- People living in urban areas make up 71% of the Kent population but only occupy 21% of the total land area in Kent.
- 51.1% of the total population of Kent identify as female and 48.9% are male.
- Significantly in terms of future challenges, Kent has an ageing population with the number of 65+ year olds forecast to increase by 43.4% between now and 2026.
- Kent has a greater proportion of young people aged 5-19 years and people aged 45+ years than the national average.

- There is no single quantifiable measure of the number of disabled people in Kent (or the UK), because identifying as disabled relies on an individuals' self-perception; but it is estimated that 17.6% of Kent (excluding Medway) residents are disabled people.

Further information on social, demographic and economic aspects of Kent can be found on our website, on the Kent Facts and Figures page.

[http://www.kent.gov.uk/your\\_council/kent\\_facts\\_and\\_figures.aspx](http://www.kent.gov.uk/your_council/kent_facts_and_figures.aspx)

## **KCC Equality Objectives**

KCC published its equality objectives in September 2012. The Equality Objectives for the council are:

- A** Working with all our partners to define and jointly address areas of inequality;
- B** Promoting fair employment practices and creating an organisation that is aware of and committed to equality and diversity and delivers its Public Sector Equality Duty;
- C** Improving the way KCC listens to and engages with its employees, communities and partners to develop, implement and review policy and to inform the commissioning of services;
- D** Improving the quality, collection, monitoring and use of equality data as part of the evidence base to inform service design delivery and policy decisions;
- E** Providing inclusive and responsive customer services through;
- F** Understanding and responding to the impacts on people when KCC is doing its work.

## **Progress on Equality Objectives 2015-16**

Performance against the equality objectives in 2015-16 has been reported to Directorate Management Teams (DMT) and Cabinet Committees in September and October 2016. Evidence submitted suggests that overall the council has made good progress on the processes and procedures that are needed to mainstream equality into core business. The progress made against the existing objectives has helped KCC to develop policy and practices that help to improve equality outcomes for protected groups in Kent.

Examples of activity undertaken in 2015-16 are summarised below.

### **Education and Young Person's Directorate (EYPS)**

Education and learning has the potential to improve the wellbeing and life chances of all children and young people, especially the most vulnerable groups in our communities including those with protected characteristics under the Equality legislation. Good quality education and support builds resilience, increases self-confidence and independence and gives young people the skills and qualifications to progress in their learning and going on to achieve sustained employment that will benefit individuals, families and the communities they live and work in.

## **Strategic leadership and ambitions**

The EYPS Vision and Priorities for Improvement 2016-19 is the key strategic plan for Education and Young People's Services in Kent. The Plan sets out shared goals and includes a range of ambitious priority improvements up to 2019. These ambitions and strategic priorities for Education and Young People's Services are based on a rigorous analysis of current performance and challenging expectations for future improvements.

### **Summary of areas where we have made the most difference in 2015**

The Vision strategic document identifies the need to accelerate the rate of progress in closing the gaps in attainment for groups of learners.

In the Early Years Foundation Stage, 73% of children achieved a Good Level of Development (GLD). This is a 4% increase compared to 2014 and is well ahead of the 66% national average. Girls continued to achieve more highly than boys, with 80.8% of girls and 65.8% of boys achieving a GLD, with the gender achievement gap at 15% representing a marginal narrowing of 0.3% since 2014.

At Key Stage 1 the attainment of both boys and girls continues to improve at Level 2B and Level 3 and above across all subjects in 2015. However, the gender gaps in attainment are narrowing marginally or in the case of Mathematics widening slightly. At Key Stage 2, 80% of pupils achieved Level 4 and above in Reading, Writing and Mathematics combined in 2015, compared to 79% in 2014. Although the attainment of girls at Level 4 and above in Reading, Writing and Mathematics combined continues to out-perform that of boys, with 83% of girls achieving the expected level in 2015 compared to 78% of boys, the gender attainment gap for this measure has narrowed by 2% since 2014. It is now 1% narrower than the national gender attainment gap and 1.3% narrower than the statistical neighbour average.

At Key Stage 4, Kent remains above the national average by 3.8%. The gender gap in attainment of 5 or more A\*- C grades including English and Mathematics remains around 9% as in the previous two years. 52.2% of boys and 61.0% of girls attained this level of achievement in 2015 compared to 47.9% of boys and 58.0% of girls nationally.

However the attainment gaps for SEN pupils have widened from 2014 to 2015 across all subjects at both Level 2B and Level 3 and above.

Pupils with SEN statements achieve less well in Kent, where gaps are wider compared to the GCSE achievements of other similar pupils nationally. For 5 or more A\*- C grades including English and Mathematics in 2015 the gap between

pupils with SEN and their peers was 39.4%. This has narrowed marginally from 40.7% in 2014.

## **Skills and Employment**

Since last year youth unemployment for 18 to 24 year olds has continued to fall. In August 2015 unemployment for this age group was 2.3%, compared to 3.35% in 2014.

The number of assisted employment opportunities for learners with learning difficulties and disabilities exceeded its target of 120 to 295.

The Not in Education Employment or Training (NEET) figure for January 2015 was 5.3% which was an improvement on the January 2014 figure (5.9%) but below our target for 2015 of 4%. A new NEET Strategy is now in place which will help bring the NEET figure down. The target we are working towards in 2016 is 3.5% and 1% by January 2017.

To inform discussion about developing 14 to 19 curriculum pathways and new provision, KCC's Skills and Employability Service produce a Post-16 Data Pack for each district and provide individual schools with detailed data sets about the profile of their learners. The district data summarises the key legislative changes which impact on post-16 learning; provides an updated analysis of district economies; reviews the curriculum changes over the past year; presents data on participation, attainment and progression; and sets the scene for curriculum planning for 2017.

## **Special Educational Needs**

As noted, children and young people with special educational needs are at greater risk of underachieving than their non-SEN peers. In Kent, over 7,000 children and young people, almost 3%, have greater difficulty learning and it is necessary for the authority to put in place a Statement of SEN, or an Education Health and Care Plan, to ensure they receive the necessary support. Within this group there are approximately 600 pupils who face a dual disadvantage because they are in public care.

Through the weekly Local Inclusion Forum Team (LIFT) process we are drawing together resources to support mainstream schools so that there is effective district based co-ordination of outreach activity.

KCC made good progress in improving performance in completing SEN statutory assessments in 26 weeks, reaching 92% in Kent compared to 82% nationally in 2013-14. However from September 2014, the new assessment process has required completion in 20 weeks and it is evident from data published by the Department for Education in May 2015 that the impact of dual systems and preparation for the statutory changes in the Children and Families Act has reduced performance nationally. Performance in Kent as at 31 August was 75.2%.

The completion of psychological statutory advice within the required time frames reduced to 98% in 2014-15 from 99% in 2013-14.

## **Pupil Place Planning**

Our Strategy to improve the outcomes for Kent's children and young people with SEN and those who are disabled (SEND) recognised that our current SEN capacity had not kept pace with changing needs. The County Council's capital programme continues to prioritise the commitment to ensure sufficient Special School places exist, and these are in high quality environments:

Progress has been made on delivering our commitment to rebuild or refurbish our special schools with three projects being completed, four in construction and the final school gaining planning consent. This programme, together with the re-designation of pupil numbers, has provided an additional 365 places in special schools for September 2016.

A full report on what has been achieved in 2015-16 can be found at:

Education and Young People's Services Cabinet Committee, **22 September** 2016.  
<https://democracy.kent.gov.uk/documents/s72192/Item%20D2%20-%20Equalities%20Cover%20Report%202015-16%20Appendix.pdf>

## **Growth, Environment and Transport Directorate**

The Growth, Environment and Transport Directorate (GET) has demonstrated equality and diversity practice across the range of services it provides. Committed to a cycle of learning and improvement with regard to equality practice, GET services have exemplified how the Public Sector Equality Duty can be used to not only improve outcomes for Protected Groups but to improve the quality and provision of services.

Libraries, Registration and Archives (LRA) have demonstrated 'best practice' in working with partners, with clear and detailed evidence across its 2015-16 Priority Programmes. For example, the LRA service worked closely with relevant District Councils, Town Councils, and Housing Associations through the Project Boards and the Planning Teams, to develop Equality Impact Assessments and action plans for the Swanley Gateway and the Dartford Library and Museum programmes.

As part of a Heritage Lottery Fund grant application, LRA led on a consortia bid where all partners had to satisfy the Fund that there was a genuine commitment to meeting the intentions of the Equality Duty 2010 through the bid. For these purposes, LRA led on signing up all partners' delivery programmes to fully consider Equalities, including Visit Kent, Faversham Town Council, Canterbury City Council, and Rochester Cathedral

The Sport and Physical Activity Service within Environment Planning and Enforcement (EPE) has a long history of tackling the under representation of women and girls, and of disabled people, in the programmes it commissions or funds. Within



2015-16 it worked with Kent sports clubs, District Councils and a number of the National Governing Bodies for individual sports to drive engagement with the highly impactful national programme #thisgirlcan, which within our county we created local engagement tools through #kentgirlscan.

Economic Development's delivery of Women Enterprise Kent listened to and responded to the needs of women, after data led analysis demonstrated an under representation of female-led businesses in Kent. For example, users provided feedback around childcare challenges that the programme was able to respond to the needs of its clients.

Applicants to the Cultural and Creative Industries' business support programme were monitored specifically by disability, race, gender and sexual orientation in response to evidence that these four protected characteristic groups are underrepresented in the creative industries. Similarly, data about these four characteristics was again the focus to understand how these groups could be proactively reached through Arts Investment Fund projects in 2015-16, both in terms of shaping individual projects and being a targeted audience for individual projects.

The Kent and Medway Workforce Skills Evidence Base, published in September 2015, contained demographic analysis of the workforce within the 12 major sectors of the Kent economy. Economic Development did not collect equality data systematically within this programme, but the individual skills providers (sector guilds, and further education colleges) did. Although the focus within 2015-16 was employer demand not learner provision, going forward, publicly funded skills providers will be bound by the Equality Duty.

Progress has been made in embedding a stronger equality and diversity approach across the entire Growth Environment and Transport Directorate, and a wealth of good practice is detailed in the Committee Report and Appendix including a directorate-wide review of customer service commissioned under the GET Customer Service Programme.

Lessons learned from equality and diversity activity is being used at Divisional as well as at Directorate level, and has been used to inform the Directorate's approach to equality and diversity for 2016-17. This includes an enhanced focus on the equality and diversity data that GET services gather, and how that data is then actioned; a consistent approach to equality and diversity being an underpinning critical factor to understanding and meeting the needs of Kent residents; understanding the role of equality and diversity at each stage of the commissioning cycle and practically applying that; and aligning equality and diversity data more closely with the Directorate's organisational development priorities.

A full report on what has been achieved in 2015-16 can be found at:

Environment & Transport Cabinet Committee, 7th September 2016  
<https://democracy.kent.gov.uk/documents/s72475/Item%20D3%20Eqs%20and%20Divs.pdf>

and

Growth Economic Development and Communities Cabinet Committee 12 October 2016.

<https://democracy.kent.gov.uk/documents/s71822/Item%20B2%20-%20GET%20-%20Equality%20and%20Diversity%20Review.pdf>

## **Social Care Health and Wellbeing**

The Health and Social Care sector continues to operate in a context of unprecedented change, including legislative and regulatory changes.

Every aspect of social care services is being transformed, with many services also subject to integration with health services. Transformation plans are designed to address any identified inequalities and inconsistencies in service delivery and make the best use of available resources. The Directorate business plan for 2015-16 provides the detail of the changes brought about by:

- The Care Act 2014
- The Children and Families Act 2014
- Internal transformation programmes
- Integration plans with health services
- The Better Care Fund

A new division was created in April 2015 by joining services for Disabled Children with Learning Disability and Mental Health. This change increased equality for young people through improving the transition pathway for disabled children moving into adulthood by ensuring they receive the right services at the right time. Work has continued throughout the year to implement the Lifespan integrated pathway and will conclude early 2017.

In partnership with private sector companies NRS and Centra, the new Integrated Community Equipment Service and Technology Enabled Care Services were launched on 30 November 2016. The services support all client groups and protected characteristics. They have a crucial role in helping to support the most vulnerable people in Kent to remain in their own home by providing individually tailored equipment and adaptations, factoring in protected characteristics at the initial assessment stage. Each service aims to reduce care home and hospital admissions, assist with timely discharge from hospital and promote independent living. They also support the changes brought about by the Care Act 2014.

Work has continued on new tools developed in 2014-15 for the public to manage their own mental wellbeing and reducing the likelihood of stigma and inequality associated with mental health issues. Responding to customer feedback during 2015-16 the Live It Well website <http://www.liveitwell.org.uk/> has been refreshed to include new and updated information. The service was developed further to link in with the new Primary Care Mental Health Service which was launched on 1 April 2016. The service supports people to manage their mental health in a primary care setting. This in turn will help people stay out of a secondary care setting and remain

active within their community. Implementation of the new Mental Health Code of Practice for MHA 1983 (amended 2007) has taken place during 2015-16. One of the three key aims of the new code which was launched at the end of 2014 is to “advance equality of opportunity and eliminate discrimination, harassment & victimisation.” All professionals must be aware of the code and ensure that their practice is compliant with the new requirements

### **Specialist Children’s Services**

Young people’s participation in the designing and delivery of services has improved, with more young people providing feedback on the quality of services that they receive. This has been achieved through the use of the Mind Of MY Own (MoMo) for young adults and the Mind Of Their Own (MoTo) App for very young children or those children with disabilities that need extra support to participate, MoTo App has now been rolled out across the County, while the MoMo is being piloted in North Kent, 42 young people have chosen to use this.

The Children in Care Council continues to thrive with three groups (the super council – primary age children, the Our Children and Young People’s Council – secondary school age children and the Young Adult Council – young adults). These groups are acting as a ‘test bed’ for procedure and process development – acting as a critical friend. Meetings are held on a monthly basis and supported by the participation officer.

Unaccompanied Asylum Seeking Children (UASC) without leave to remain continue to make good improvements in the employability and integration into their new communities. They are supported through the Virtual School Kent (VSK) by the Post16 UASC Support Officers who work closely with a number of different organisations including KCC Social Worker teams, Employability and Skills, local youth hubs and external providers such as Gillingham Football Trust, Kent Refugee Action Network, Walk Tall and Aspheleia. Partners continue to work very closely with the Reception Centres in Ashford and Cranbrook to ensure a smooth transition for the young people from the centres and out into the community.

A full report on what has been achieved can be found at:

Adult Social Care and Health Cabinet Committee, 11 October 2016

<https://democracy.kent.gov.uk/documents/s72516/D1%20-%20Annual%20Equality%20and%20Diversity%20Report.pdf>

and

Children’s Social Care and Health Cabinet Committee, 6 September 2016

<https://democracy.kent.gov.uk/documents/s71792/ITEM%20D4%20-%20Equality%20and%20Diversity%20Report.pdf>

### **Strategic and Corporate Services**

The Strategic and Corporate Services Directorate has a role in equality compliance that covers every service that KCC provides.

The directorate fulfils an important role regarding equality governance and in the main provide the internal controls to help achieve compliance of the Equality Act 2010. Respective roles include; Finance; Procurement; Governance and Law; Human Resources; Information Communication Technology (ICT); Property & Infrastructure; Communication & Consultation Team.

## **Research and Evaluation**

In addition to the equalities profile completed for services this past year, there are a few examples from the number of insight projects completed which show progress and challenges to be addressed – not just for the example areas given, but across KCC.

KCC Integrated Children's Dataset-. In working across KCC services, the team updated the integrated dataset in 2015-16 so that the organisation is able to take a person-centred approach to analysis (rather than solely service-centred). This is making a difference to decision-makers, like commissioners and heads of service, as they are able to receive analysis and insight which they did not have before.

A number of different projects have worked with the team for analysis drawn from further interrogation of this dataset, which includes some (but not all) equality characteristics. Early Help and Preventative Services for example, have often called upon the team for analysis.

Improvements could be made in the future by:

- the team ensures equalities information captured from the services are incorporated into the data model; and
- commissioners and project managers engage the team at the beginning of the Analyse Phase, so that analytical requirements (incl. equalities evidence) can be planned for and addressed.

## **Finance**

Ensuring that the County Council has due regard to the equalities impact of its budget proposals is a high priority for the council. This equalities priority is reflected at both a high strategic level for the overall budget, and a more detailed level of detailed proposals for individual directorates and services. The equalities assurance is achieved through a process of equalities screening and consultation/engagement.

The equalities screening for the overall budget process has confirmed that the Budget Book and Medium Term Financial Plan documents set out a comprehensive analysis of budget proposals:

- the Medium Term Financial Plan sets out the overall financial context and the council's strategies for revenue budget, capital programme, treasury management and risk management, as well as detailed financial appendices; and

- the Budget Book sets out the Council's revenue spending plans for individual services for the forthcoming year, delegations to managers, and capital investment programme.

These documents are available from the Council's website, in printed form, and in alternative formats on request. The Council's website also includes easy to access summaries and we are developing alternative presentations including a visual graphic of the Council's budget.

## **Procurement**

KCC is one of the largest shire councils and spends around £1 billion per annum on goods, services and works to provide infrastructure and services to support the people of Kent. Therefore, the services provided to the community should be geared towards their diverse needs and requirements.

The future holds significant change for the council; both in terms of significantly reduced budgets, as well as moving to new ways of providing direct services. These will put a pressure on the council's ability to lead and manage procurement to deliver continuing value for money consistent with its strategic aims.

To position the council to deliver against these aims, we have transformed the procurement function and processes by:

- Resourcing and procurement expertise: we have restructured and centralised procurement to deliver a consistent approach. The new team have been briefed by the KCC Equalities Team and are fully aware of the requirements to deliver the aims above.
- Governance and control of appropriate processes: all procurements over £50k have a procurement plan which is signed off by the relevant member of the procurement team. Included in the checklist for the plan is that the internal client has carried out equality analysis. The equality analysis will cover any additional needs required to complete the contract.
- Systems support for efficient operation: to support the introduction of the new standard processes, the procurement pages of the KCC intranet have been updated to give clear guidance for internal clients and training modules have been developed to inform internal clients of their responsibilities. Procurement and the Equality and Diversity Team have been working together to ensure that the Kent Business Portal is accessible and useable as the system is opened up for smaller contracts.
- 'Spending the Councils Money' information: 'Spending the Councils Money' is a guide to help suppliers understand how they can seek to do business with KCC and this has been revised to be in a flowchart format which makes our processes very clear.

Training is also being delivered to support internal clients in their contract management responsibilities which include monitoring the suppliers' adherence to the council's equality and diversity policy. We have worked with our Commissioning colleagues to produce a new internal web page with more detailed guidance on commissioning and contract management. As the council's overall procurement

becomes more robust, equality and diversity objectives will become increasingly easier to deliver.

## **Kent County Council Workforce**

Kent County Council is committed to promoting equality and diversity and combating unfair treatment by providing a safe and accessible working environment with fair access to learning and development opportunities. The Council encourages and supports all staff in fulfilling their potential.

This section contains details of how KCC's workforce is made up, focusing on headline statistics, together with the progress on our Equality Objectives as at 31 March 2016.

- Employees - 7,719.6 fte (non-schools)
- 77.2% of staff were female (51%)\*
- 6.8% of staff were Black & Minority Ethnic (6.6%) \*
- 3.8% declared a disability (17.6%)\*
- Sickness levels were 6.98 days lost per fte
- 42.3% of staff were on grades KR6 or below (earning salaries up to £21,085)
- 2.4% of staff were lesbian, gay or bisexual
- 59.2% of KCC's leadership group were women
- The proportion of staff aged under 25 or below increased to 8%
- 39.4% of employees were aged over 50
- 2.4% of employees were aged over 65 (6.1%)\*
- Average age of staff was 45.1 years

\*The figures in brackets are the percentage of Kent's population from those groups

The proportion of disabled employees in the workforce has stayed relatively constant at 3.8%. However, the proportion of the leadership group who are disabled is greater at 4.4%. The percentage of women within the leadership group continues to increase. The proportion of staff aged 30 or under has increased over the year.

For further information on staffing figures, please refer to KCC's Personnel Committee Report.

<https://democracy.kent.gov.uk/mgCommitteeDetails.aspx?ID=129>

## **Fair employment practices**

KCC supports four staff groups, all of which play a leading role in providing support and development opportunities for their members as well as advising on policy and practice to support our commitment to promoting equality, valuing diversity and combating unfair treatment. Our groups include Aspire (staff 30 and under), Level Playing Field (disabled staff and carers), Rainbow (Lesbian, Gay, Bisexual and Transgender staff) and Unite (Black and Minority Ethnic staff).

In October 2015 the Corporate Management Team (CMT) signed off KCC's Workforce Planning Strategy ensuring the organisation has the right workforce, with the right skills, knowledge and behaviours, doing the right things at the right time and at the right cost. This report contains a ten point action plan for managers to take forward the strategy which includes divisions being asked to identify and consider the equality profile of their staff, particularly focusing on under-represented groups through the analysis of equality data. Delivery of the Action Plan will be monitored by the Organisation Development Team and reported back to CMT.

Staff are able to enter and/or change their equalities data held on KCC's staffing database through an on-line self-service tool. The information is confidential and enables KCC to maintain an accurate and up to date profile of the workforce.

During 2015-16 a campaign targeted at all staff offering them an opportunity to review and update their equalities information was successfully delivered. This information will ensure that our policies and procedures help us recruit, retain and support people who are representative of the communities we serve.

### **Key challenges for 2016- 17 and beyond**

KCC's strategic statement, Increasing Opportunities and Improving Outcomes, aims to embed three key outcomes at the heart of all commissioning activity. To this end, it is important, particularly in the case of protected groups, that there is meaningful engagement with service users in order to provide an authentic voice and insight into the way that services are planned and delivered and how effective they are.

Effective engagement with services users will also help KCC to fulfil its Public Sector Equality Duty and achieve greater efficiency in the provision of services to the people of Kent.

The transformation of services in the context of budgetary pressures remains a key challenge for 2016-17. A crucial way in which to ensure that the focus on the obligations of the Equality Act are not lost is to ensure that there is a senior leadership focus along with clear expectations and accountability for the implementation of the duty in day to day work.

Critically it is important that the development of KCC Equality Policy and Objectives due to take place in 2016/17 provides a framework that continues to allow equality to be embedded in core business, is agile yet provides a clear framework for the development of equality outcomes in the day to day work of KCC.

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## **Draft- Equality & Human Rights Policy 2016**

### **Document summary**

This policy sets out Kent County Council's (KCC) commitment to Equality, Diversity and Human Rights as well as explaining the key principles, drivers and duties that inform this responsibility. It also explains what KCC will do to make sure that we fulfil these responsibilities.

### **What is KCC Policy?**

We recognise the diverse needs of our community and are committed to promoting equality of opportunity and diversity in employment commissioning and service delivery.

We value diversity and believe it is essential to provide services which work well for all residents and staff. The services KCC designs and delivers, on its own or with partners, should focus on allowing people, families and communities to be independent. We will treat people with dignity and respect and help people to be safe and socially included. We will support and enable people to make informed choices, so that they will have control over their lives. We are committed to working with all statutory partners, businesses and the voluntary sector to ensure the best possible outcomes for those who live in, work in and visit Kent.

We will challenge discrimination and encourage respect, understanding and dignity for everyone living, working and visiting Kent. This will be achieved through our influence in the community, strategic planning, and commissioning and policy development in employment and in service delivery.

As a public sector organisation we follow the Public Sector Equality Duty (PSED) under the Equality Act 2010, to protect individuals from discrimination against people on the basis of their protected characteristics. The characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnerships
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

Everybody has protected characteristics and [Human Rights](http://www.equalityhumanrights.com/en/human-rights/human-rights-act) are fundamental to individual autonomy and dignity. To find out more about Human Rights, click on this link: <http://www.equalityhumanrights.com/en/human-rights/human-rights-act>. From time to time people may have poorer experiences because of their protected characteristics. Having due regard is a legal term that means KCC must consider and take note of, the need to:

- Stop unlawful discrimination
- Advance (keep working to improve and promote) equal opportunities
- Foster (create and maintain) good relationships between people with and without protected characteristics.

We will foster an equality culture of continuous improvement and innovation in order to have outcomes that make a difference for all service users regardless of their protected characteristics.

### **How will we implement the policy?**

To ensure our Public Sector Equality duties are met:

#### **All Members and Officers will be responsible for ensuring that the Public Sector Equality Duty is met in their day to day work and when making decisions.**

As representatives of the people of Kent – Members of the Council have an active role in promoting Equality and Human Rights. A Cabinet Member will always be the Lead Member with responsibility for Equality and Human Rights issues. All Cabinet Members have responsibility for ensuring that services are delivered effectively to everyone in the community and that Equality and Human Rights considerations are taken into account when decisions are made.

Officers are accountable for equality analysis and the equality outcomes of their work. As a significant service provider in the County we aim to deliver those services effectively to all members of the community on the basis of equal access in recognition of the diverse needs of different members of the community. Officers will assess the equality impact of new and existing processes, strategies and policies on our residents, communities and visitors to Kent. One of the ways in which KCC will do this is through conducting Equality Impact Assessments (EqIAs) to ensure that its PSED is central to its work and that any adverse impacts on a particular group or groups are identified and addressed.

#### **Procurement and contracts**

We will use equality analysis when procuring and commissioning to ensure that services meet the needs of those who use the services. We will make sure that organisations delivering services on our behalf, or from whom we buy goods and services, do so in line with our Equality and Human Rights policy. We expect all organisations that we commission or have a contract to deliver services with, to have policies and practices that are compatible with the Public Sector Equality Duty.

#### **We will gather and analyse knowledge and information to get a clear understanding of the protected characteristics of our service users.**

It is the responsibility of Heads of Service and Directors to undertake equality analysis in relation to employment and the provision of services. Our staff will be trained to ask relevant questions on protected characteristics and this information will be used to inform equality analysis to plan and commission the right services. We

will use the information to assess the effectiveness of equality and diversity policies, commissioning activities and to improve services.

**We will continue to be an inclusive employer.**

As a major employer in Kent, we are committed to creating a dynamic workforce that is diverse and responsive to its customers and communities. The ambition, to keep KCC as a great place to work, expresses an understanding that diversity enhances organisational performance. Through progressive employment practices we will strive to meet the needs of all our staff, to listen to their views and to respond to what they say.

Our Dignity & Respect Policy & Guidance explains how KCC expects its staff and volunteers to be treated by everyone that they come into contact with. We will embed the principles of dignity and respect into all aspects of working life through raising awareness training and through the way we respond to feedback and complaints.

Through reviews and analysis equality and diversity will be integral to the way we develop, deliver and monitor our Organisational Development and Human Resources priorities which will help us to address the employment gaps that exist in relation to Protected Characteristics in Kent.

**We will listen to and engage with employees, communities and partners to inform the way we plan, design, commission and deliver services. Communities can have their say through consultations and engagement activity.**

Through consultation and engagement, we will seek to understand how effective our services are at meeting the needs of the community. We will use equality analysis in a relevant and proportionate way to make sure that we can identify, engage with and listen to the right people.

**We will put residents and service users at the heart of all our work by embedding the Public Sector Equality Duty into everything we do so that we can continue to build strong and inclusive communities.**

We recognise the role of the wider community and voluntary sectors in building and maintaining positive relations. We will work with residents, communities and partners to build strong and inclusive communities where people have access to services, feel safe and are able to participate and achieve their full potential.

## Who is responsible and accountable for Equality?

Every Council Member and officer of the council has a role to play in delivering equality. These roles are set out below. Individual members of the community also have a role in working with us to foster an environment of mutual respect, and in promoting good relations.

ROLE	ACCOUNTABILITIES	In practice this means...
<b>The Leader and Council Cabinet</b>	To consider equality considerations in its decision making and to advance equality outcomes in Cabinet Members portfolio areas	<ul style="list-style-type: none"> <li>• To makes sure relevant equality considerations have been taken into account when making decisions</li> <li>• To take a role for ensuring that relevant equality considerations have been taken into account in decision making</li> </ul>
<b>Cabinet Member with responsibility for equality</b>	To put in place and champion a framework for the council to meet its equality ambitions and duty	<ul style="list-style-type: none"> <li>• To receive annual reports and present it to P&amp;R</li> <li>• To champion Equality and Diversity amongst Members</li> </ul>
<b>Cabinet Committees</b>	In regard to Key Decisions, the policy and budgetary framework of the council, the performance management and customer experience, to ensure that due regard has been paid to the Public Sector Equality Duty	<ul style="list-style-type: none"> <li>• Members are sure that senior officers are aware of adverse equality impacts and have mitigated, as far as possible those impacts</li> <li>• Members are sure relevant equality considerations have been taken into account when making decisions</li> </ul>
<b>All Elected Members</b>	To consider equality considerations in our decision making. To play a	<ul style="list-style-type: none"> <li>• Members are aware of the Public Sector</li> </ul>

	community leadership role in promoting equality and challenging discrimination	<p>Equality Duty and stay up to date of any developments.</p> <ul style="list-style-type: none"> <li>• Members are confident that relevant equality considerations have been taken into account when making decisions</li> </ul>
<b>Corporate Management Team (CMT)</b>	To provide strategic leadership for the organisation in delivering on equality across the council and delivery within specific areas of responsibility.	<ul style="list-style-type: none"> <li>• CMT will ensure that their senior leadership teams and staff have the knowledge to ensure that the PSED is delivered</li> <li>• CMT will ensure that where relevant, they have paid due regard to the PSED in the decisions that they make CMT will ensure the Annual report goes to relevant Cabinet Committees</li> </ul>
<b>Corporate Equality Group(CEG)</b>	<p>Ensure equality and diversity is integrated into mainstream KCC activity. Receive representations from KCC diversity staff groups and other interested parties.</p>	<ul style="list-style-type: none"> <li>• CEG will act as champions to the equality agenda in KCC</li> <li>• CEG will scrutinise and challenge progress on equality objectives.</li> <li>• Making recommendations on service and employment ensuring that statutory and policy obligations are fulfilled</li> </ul>
<b>Directors and Heads of</b>	Ensuring that the Public Sector Equality Duty is met in day to day	<ul style="list-style-type: none"> <li>• Ensuring that all relevant decisions</li> </ul>

<p><b>Service and Departmental Management Teams</b></p>	<p>service delivery.</p> <p>To promote awareness of equality, and support learning and development opportunities.</p> <p>Through Business Planning all Managers are responsible for developing and delivering on relevant equality objectives and priorities.</p> <p>By undertaking equality analysis as part of Business Planning and considering this when developing new policies, strategies and plans, commissioning services or making decisions about changes in services</p>	<p>have robust equality impact assessments</p> <ul style="list-style-type: none"> <li>• Strategic plans and policies all have equality impact assessments</li> <li>• Services know the equality profiles of residents, service users and staff</li> <li>• Services use what they know to support and manage staff and to deliver services</li> <li>• Staff are adequately trained to identify and respond to equality matters</li> <li>• The non-delegable duty is observed in commissioned services</li> </ul> <p>Championing equality considerations in service delivery</p>
<p><b>Line/People Managers/ Staff and Volunteers</b></p>	<p>To ensure that discriminatory practices are addressed</p> <p>Fair recruitment and evaluation of posts</p> <p>To ensure that reasonable adjustments are made</p> <p>To ensure that staff are treated fairly</p> <p>Create an inclusive culture</p> <p>Encourage and support wider participation in KCC diversity networks</p> <p>To hold staff to account for delivering equality outcomes</p> <p>Safe and fair recruitment</p>	<ul style="list-style-type: none"> <li>• People are supported to do their jobs well</li> <li>• Staff feel respected and valued</li> <li>• Staff feel positive about working for KCC</li> <li>• KCC has a good reputation as a fair employer</li> </ul>

<p><b>Internal Governance</b></p>	<p>Consultation and Engagement</p> <p>Democratic and Legal Services</p> <p>Information Communication and Technology</p> <p>Finance</p> <p>Human Resources (HR)</p> <p>Procurement and Commissioning</p>	<ul style="list-style-type: none"> <li>• These services cannot be delivered without an EqIA and are part of the internal controls</li> </ul>
<p><b>Corporate Lead Equality &amp; Diversity</b></p>	<p>To provide advice and guidance on the Equality Act 2010.</p>	<ul style="list-style-type: none"> <li>• Being the point contact for equality queries</li> <li>• Leading on the development of the policy framework for Equality at Kent County Council</li> <li>• Maintaining knowledge of equality and diversity legislation and advising on the practical application of the legislation to Directorates</li> </ul>
<p><b>Individual Staff</b></p>	<p>To comply with the KCC approach and apply the good practice learned through training and development opportunities.</p> <p>Responsible for ensuring that they attend training sessions and keep up to date with the equality agenda.</p> <p>Have an obligation to raise equality issues in both employment and service delivery</p> <p>Act as equality champions in their day to day work</p> <p>Collect and use relevant equality data</p>	<ul style="list-style-type: none"> <li>• Championing equality issues</li> <li>• Ensuring that you understand how equality considerations play out in your day to day work</li> <li>• Challenging inappropriate and discriminatory behaviour</li> <li>• Identifying and responding to equality issues that arise</li> <li>• A learning culture for equality and diversity</li> <li>• Use the “whistle blowing policy”</li> </ul>

		where there are concerns.
<b>Contractors/ Commissioned services</b>	To comply with the General Duty as set out in the Equality Act 2010 and specific terms that may be included in commissioning frameworks and contracts	<ul style="list-style-type: none"> <li>• Collecting relevant equality information and using it to improve services</li> <li>• Demonstrating how commissioned services make a difference to equality outcomes to service users and residents in Kent</li> <li>• Identifying and responding to adverse impacts that arise in service delivery</li> <li>• Innovating and sharing wider expertise and knowledge on equality practice</li> </ul>
		•

## Equality Objectives

1. Children and young people in Kent get the best start in life; Kent Communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life. Older and vulnerable residents are safe and supported with choices to live independently. The equality objectives to support this are:
  - Narrowing the achievement gaps with regard to disability race or sex.
  - Increase learning and employment opportunities for those aged 16-25 with regard to Disability Race and Sex.
  - Ensure more young people are able to access progression pathways post 16 including an offer or an apprenticeship with regard to Disability Race or Sex
  - Increasing access to early years services for 2 year old offer of free provision regardless of disability race or sex
  - Driving down permanent exclusions to zero for primary age children with regard to Sex and Race



- Where appropriate fewer young people become young offenders with regard to Race Disability and Sex.
  - Protected characteristics will be considered within all highways and transport schemes identified within Local Transport Plan 4, as well as the schemes' potential to advance equality of opportunity
  - The protected characteristics of all members of a community will be considered when investing in roads, facilities and utilities that are identified through the Growth and Infrastructure Framework, and delivered to meet the needs of Kent's population changes
  - Irrespective of Age, Disability, Race or Religion and Belief, Kent residents should be able to access our county's high quality landscapes and environment
  - The Libraries, Registration and Archives Service in Kent will continue to understand its local communities' needs, and tailor its services accordingly
  - The Equality Duty will inform all services' efforts to maximise businesses' potential
  - Safeguarding children, young people and vulnerable adults from harm with regard to Sex Disability Race and Age
  - Improved life chances and outcomes of children, young people and vulnerable adults through service developments and transformation
  - The quality and range of services are improved through increasing engagement with service users and carers
  - The number of BME people and women in the mental health system is reduced
  - Ensure equity of access to Sexual Health services to improve health outcomes with regard to Age, Sexual Orientation, Gender Identity and Race
  - Ensuring that the Children's Public Health Service reduces health inequalities in early years and maternal health (Race/ gender)
  - The rate of male Suicide declines
  - Ensuring equality of access to NHS Health checks (Age/ gender/ disability / race)
2. We will embed Equality and make it part of our business as usual practice by implementing the Equality Policy in all we do. Kent will:
- Recruit, retain and develop a workforce that reflects the communities we serve, and we will ensure our people feel valued and respected
  - Publish Equality Analysis with all Key and significant decisions
  - Ensure that when we use Information Communication Technology it is fully accessible for learning, working and getting into services

## **Our performance**

We will monitor our performance against the policy and objectives by:

- Corporate Annual Report against Equality action plans to Cabinet Committees
- 6 monthly Directorate reports to DMT
- The Corporate Equality Group

An Executive Annual Equality and Diversity report will be published on Kent County Council's Website [www.kent.gov.uk/diversity](http://www.kent.gov.uk/diversity).

### **Future development of the Policy**

Our Equality and Diversity policy is not static. It will be updated and modified as new legislation and codes of practice are introduced and our understanding develops of the needs of everyone living, working and visiting Kent. We recognise the need to ensure that we work hard to deliver our services fairly to all, and that we always make the most of all staff. We are committed to tackling inequality and to making steady, assessable, improvements.

### **Related Information**

KCC Strategic Statement: Increasing Opportunities, Improving Outcomes

KCC Commissioning Framework

Voluntary and Community Sector Policy

Child Poverty

EqIA Guidance

Customer Service Policy

Dignity and Respect at Work Policy

Accessible Communications Guide

Guidance for Making Events Accessible

Kent & Medway Civilian Military Covenant Conference

Vulnerable Learners Strategy

The Human Rights Act 1998

The Equality Act 2010

Government Equalities Office

Equality and Human Rights Commission

**KENT COUNTY COUNCIL  
EQUALITY ANALYSIS / IMPACT ASSESSMENT (EqIA)**

**This document is available in other formats, Please contact  
alternativeformats@Kent.gov.uk or telephone on 0300 421 553.  
Text Relay 18001 421553**

**Directorate**

Strategic and Corporate Services

**Name of policy**

Kent County Council Equality Policy & Objectives

**What is being assessed?**

Policy

**Responsible Owner/ Senior Officer**

David Whittle

**Date of Initial Screening**

October 2015

**Date of Full EqIA : See below**

<b>Version</b>	<b>Author</b>	<b>Date</b>	<b>Comment</b>
1	J Hill	September 2015	Directorate Review
2	C Lever	September 2016	Directorate Review
3	A Agyepong	September 2015	Directorate Review
4	A Agyepong	October	DMT Summary
5	A Agyepong	February 2016	
6	J Hill	February 2016	
7	A Agyepong	April 2016	
8	A Agyepong	October 2016	Post Consultation- Full EqIA



## Screening Grid

Characteristic	Could this policy, procedure, project or service, or any proposed changes to it, affect this group less favourably than others in Kent? YES/NO If yes how?	Assessment of potential impact HIGH/MEDIUM LOW/NONE UNKNOWN		Provide details: a) Is internal action required? If yes what? b) Is further assessment required? If yes, why?	Could this policy, procedure, project or service promote equal opportunities for this group? YES/NO - Explain how good practice can promote equal opportunities
		Positive	Negative	Internal action must be included in Action Plan	If yes you must provide detail
Age  Page 53	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	<p>KCC's Equality Objectives:</p> <ul style="list-style-type: none"> <li>• Will influence effective service commissioning, business planning and the redesign of services that deliver better outcomes for the people of Kent</li> <li>• Ensure that managers are accountable for the equality outcomes in their business</li> <li>• Members and Officers are able to make decisions that do not adversely disadvantage people on the basis of protected characteristics</li> </ul>
Disability	No	High	None	As above	

<b>Gender/Sex</b>	No	High	None	<p>As above.</p> <p>The consultation highlighted the fact that the authority has up until this point used the term Gender and Sex interchangeably</p> <p>Over the last four years, there has been significant academic research and policy development in our understanding of Sex Gender and Gender identity. The Equality and Human Rights Policy will reflect the distinction and this should support better equality outcomes relating to Sex and Gender Identity.</p>	
<p><b>Gender identity</b></p> <p>Page 54</p>	No	High	None	<p>As above</p> <p>The consultation highlighted the fact that the authority has up until this point used the term Gender and Sex interchangeably</p> <p>Over the last four years, there has been significant academic research and policy development in our understanding of Sex Gender and Gender identity. The Equality and Human Rights Policy will reflect the distinction and this should support better equality outcomes relating to Sex and Gender Identity.</p> <p>A Key action is to review monitoring guidance for Transgender people/ Gender identity Protected Characteristic</p>	

<b>Race</b>	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	
<b>Religion or belief</b>  Page 55	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	
<b>Sexual orientation</b>	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	

<b>Pregnancy and maternity</b>	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	
<b>Marriage and Civil Partnerships</b>  Page 56	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	
<b>Carer's responsibilities</b>	No	High	None	<p>The equality objectives will impact on all in the County as all have protected characteristics.</p> <p>The implementation of the objectives will require further analysis in order to ensure that the assumptions made regarding impacts on this characteristic remain Positive. Any adverse/negative impacts that arise should be mitigated.</p>	



## Part 1: INITIAL SCREENING

**Proportionality** - Based on the answers in the above screening grid what RISK weighting would you ascribe to this function

Low	Medium	High
Low relevance or Insufficient information/evidence to make a judgement.	Medium relevance or Insufficient information/evidence to make a Judgement.	High relevance to equality, /likely to have adverse impact on protected groups

### Risk Rating

HIGH:

- High relevance to equality outcomes across all KCC functions and activities
- Likely to have adverse impact on protected groups should equality objectives not be set
- Further risk to the KCC if it fails to fulfil its statutory duty

### Context – What we do now and what we are planning to do

In April 2010 the Equality Act replaced previous anti-discrimination laws with a single act to make the law simpler. The act covers nine protected characteristics.

Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment.

The Public Sector Equality Duty (Section 149 of the Equality Act 2010) came into force in April 2011. It requires public bodies to have 'due regard' to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Public bodies are also required to set objectives every four years. KCC last published its objectives in September 2012 and having made progress now seeks to consider new objectives.

The Annual Equality Reports 2014/15 and 2013/15 agreed by Cabinet Committees and DMT's set out a future plan to incorporate Equality into KCCs Strategic Statement Objectives. This approach confirms the direction of the Corporate Equality Group and Corporate Management Team and highlights the fact that the core business of the authority is fundamental to equality outcomes and embeds the equality outcomes as part of day to day business.

The cross directorate review group identified that the KCC's Strategic Outcomes accurately reflected the equality objectives of the authority. It was proposed that

the existing Strategic Statement provide the basis for equality objectives.

Analysis of annual Equality and Diversity reports and Equality Impact Assessments provided evidence that helped directorate to identify equality priorities/ objectives which would make a difference to the outcomes of the people of Kent in the context of the strategic direction of KCC.

This has led to the following objectives being proposed:

1. Children and young people in Kent get the best start in life; Kent Communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life Older and vulnerable residents are safe and supported with choices to live independently.

The equality objectives to support this are:

- Narrowing the educational achievement gaps for all protected groups,
- Increasing post 16 – 25 participation and employment opportunities for the protected groups.
- Increasing access to early years for protected groups for the two-year old offer of free provision
- Driving down exclusions from schools to zero.
- Where appropriate, and fewer young people from protected groups become young offenders
- The Health and wellbeing of Kent residents is improved
- Ensure more children from protected groups are able to access progression pathways post 16, including the offer of an apprenticeship
- Safeguarding children, young people and vulnerable adults from harm
- Life chances and outcomes of children young people and vulnerable adults are improved through the delivery of day to day services, the development of and transformation of services.
- People with protected characteristics can access the services that they need
- The quality and range of services are improved through increasing engagement with service users and carers
- Protected groups' needs will be considered within all transport schemes, as well as the schemes' potential to advance equality of opportunity
- All communities will benefit from investment in roads, buildings and utilities that will meet the needs of Kent's growth

- Irrespective of age, disability, race or belief, Kent residents will be able to access our county's high quality landscapes and environment
2. We will embed Equality and make it part of our business as usual practice by implementing the Equality Policy in all we do. Kent will:
- Recruit, retain and develop a workforce that reflects the communities we serve, and we will ensure our people feel valued and respected
  - Publish Equality Analysis with all decisions
  - Ensure that when we use Information Communication Technology it is fully accessible for learning, working and getting into services
  - Use Procurement and finance decisions to demonstrate compliance

### **Aims and Objectives**

The aims and objectives of the Equality Policy statement and Objectives are:

- To ensure the people of Kent do not experience direct indirect discrimination on the basis of their Protected Characteristic's
- To clearly set out KCC's Policy Position and expectations in relation to its Public Sector equality Duty
- To set Equality Objectives in accordance with KCC Public Sector equality

### **Beneficiaries**

- Kent County Council- Members and Officers
- Residents, Service users and visitors
- Strategic Partners
- Voluntary and Community Sector
- Visitors to the County

### **Information and Data used to carry out the assessment**

The total population of Kent (excluding Medway) is estimated to be 1,510,400.

There are slightly more female residents than male residents in Kent. 51% (770,300 people) residents are female and 49% (740,100) male. This pattern is seen in all of Kent's local authority districts.

Kent has a smaller proportion of middle aged people compared to England, particularly in the age group 20-39 years.

Kent has an older age profile than the national average with greater proportions of people aged 45+ years than England.

Using the broadest definition (2011 Census) 257,038 residents in Kent (17.6%) have a health problem or disability which limits their day-to-day activities

7.6% of the population in Kent are claiming a disability benefit - Disability Living Allowance (DLA), Personal Independence Payment (PIP) or Attendance Allowance (AA) - equivalent to 115,306 claimants

A higher proportion of women (8.1%) claim disability benefits in Kent than men (7.2%)

The largest ethnic group in Kent is White. 93.7% of residents belong to this ethnic group whilst the remaining 6.3% of residents are from a Black Minority Ethnic (BME) group

2.5% of households in Kent do not have anyone who speaks English as their main language living there.

Almost three quarters of Kent residents follow a religion.

- 915,200 people are Christian which equates to 62.5% of the total population.
- 6802 people are Buddhist.
- 10,943 people are Hindu
- 1777 people are Jewish
- 13,932 are Muslim
- 10545 are Sikh
- 6145 declared other Religion
- 391,591 declared No Religion

For more information on the profile of Kent please follow this link.

<http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent/equality-and-diversity-data>

### **Profile of Kent service Users**

One of KCC's Equality Objectives for 2012/16 was improving the quality, collection, monitoring and use of equality data as part of the evidence base to inform service design delivery and policy decisions. Although good progress has been made the collection of data by protected characteristics of services users is still not being collected by services across the authority and we are unable to profile by protected characteristic who uses our services County wide.

### **Workforce Profile**

As at 31st March 2015:

- 9,296 Full Time Equivalent (fte) (non-schools)
- 77.1% of staff were female (51%\*)
- 6.1% of staff were Black & Minority Ethnic (6.6%\*)
- 3.9% have declared a disability (7.4%\*)
- 2.4% of staff were lesbian, gay or bisexual
- 57.6% of KCC's leadership group were women
- Sickness levels were 7.18 days lost per fte
- The proportion of staff aged under 25 or below increased to 7.7%
- Average age of staff was 45.11 years
- 3,814 staff on grades KR6 or below (earning salaries up to £21,085)

- 39.9% of employees were aged over 50
- 2.3% of employees were aged over 65 (6.1%\*)

The percentage of the workforce from minority groups continued to increase in 2014/15 better representing the Kent population

The percentage of women within KCC's leadership roles has increased

\*Figures in brackets with an asterisk are the percentage of the Kent population from those groups

<http://www.kent.gov.uk/about-the-council/information-and-data/data-about-the-council/workforce-profile>

More detail on the equality profile of Kent can be found on:

<http://www.kent.gov.uk/about-the-council/information-and-data/Facts-and-figures-about-Kent/equality-and-diversity-data>

The profile of the County in addition to its close proximity with London and international borders means that the Equality Objectives will cut across all protected characteristics. As such consultation will be focused at all 9 characteristics and key beneficiaries.

In addition to this, analysis of annual Equality and Diversity reports and Equality Impact Assessments also evidenced why the strategic outcomes effectively addressed the equality outcomes of Kent. Further the supporting outcomes of the strategic outcomes have been thought-out in relation to equality considerations and measurement:

KCC Annual Equality & Diversity Report

[http://www.kent.gov.uk/\\_data/assets/pdf\\_file/0014/23342/Executive-summary-of-KCC-annual-Equality-Report-2013-2014.pdf](http://www.kent.gov.uk/_data/assets/pdf_file/0014/23342/Executive-summary-of-KCC-annual-Equality-Report-2013-2014.pdf)

Education and Young People's Service Cabinet Committee

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=832&MId=5823&Ver=4>

Environment & Transport Cabinet Committee

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=831&MId=5892&Ver=4>

Growth Economic Development and Communities Cabinet Committee

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=833&MId=5829&Ver=4>

Adult Social Care and Health Cabinet Committee

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=829&MId=5790&Ver=4>

Children's Social Care and Health Cabinet Committee,

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=830&MId=580>

## **Who have you involved and engaged with?**

Early engagement sessions have taken place with internal services, Staff groups- representing the protected characteristic group and Third sector interest groups – focused on disability and race.

The key outcomes were:

### **There is a need to focus on areas of non- compliance**

- To do this we have made the policy clearer and focus on accountability

### **Objectives and statement need to be simpler and clearer**

- KCC has sought to make the language and purpose of the policy as clear and simple as possible.

### **Strategic and supporting outcomes in the outcomes framework may already define and contain the equality objectives**

- KCC has carefully considered with the strategic outcomes and worked closely with services in order to understand what KCC equality priorities are in order to draft objectives that reflect these.

### **KCC should have a more positive position on Equality**

- KCC has considered the language that it uses and worked to ensure that the objectives are positive serving to build on some of the excellent practice that is already in place.

### **Equality Objectives should make a real difference**

- KCC has looked at its existing equality work through its body of equality impact assessments and annual reports, data and what it knows about Kent. This has provided a strong evidence base for the proposed Policy Objectives and practice. KCC has also looked at feedback from other consultations.

## **Consultation July- September 2016.**

The aim of the consultation was to gain insight into the public's opinion on KCC's Draft Equality Policy and Objectives and provide feedback to influence the final objectives and KCC policy.

Consultation provided KCC with the opportunity to hear from the people who were most impacted by the equality objectives in order to ensure that they are able to influence KCC's equality Objectives

Mixed methods such as online surveys and existing user forums were to ensure that as many people as would like to participate are able to do so. Furthermore, the survey was published and printed in an Easy Read version.

## **Post Consultation**

The Equality & Human Rights Policy has been reviewed following consultation. Key recommendations include:

- The widely published version of the policy and objectives should be simple to read and accessible to all.
- Simplify the words used to describe the Objectives
- The objective should clearly set out who the intended beneficiaries of the objectives are. So for example is there a particular racial group or is this intended towards males or female
- There should be clearer and stronger leadership messages on Equality & Diversity across KCC
- Training should be compulsory for all Members, Employees and Volunteers as all will have Equality and Diversity obligations in their day to day work
- Services should engage beyond user groups to wider forums relating to different Protected Characteristics in order to share what they are doing with regard to equality and diversity.
- The consultation highlighted the fact that the authority has up until this point used the term Gender and Sex interchangeably. Changes will be made to existing tool kits and frameworks to reflect the distinction between the characteristics and learning and development modules will be developed.
- Review monitoring standards
- Review the Equality Impact Assessment template and training offer

A full consultation report is will be published on the consultation Directory.

### **Potential Impact**

It is anticipated that there will be no adverse equality impacts from the implementation of the policy.

### **Adverse Impact and how can these adverse impacts be mitigated, (capture this in the action plan)**

No adverse impacts have been identified.

### **Positive Impact.**

The new approach ensures that equality objectives are core business and happen at the point of delivery for every KCC service.

The new approach also ensures that Human Rights are considered as part of the implementation of the Equality Duty.

### **JUDGEMENT**

**Option 1 – Screening Sufficient**                      **NO**

**Option 2 – Internal Action Required**                      **YES**

**See Option 3**

**Option 3 – Full Impact Assessment**                      **YES**

The Equality Policy has had a full impact assessment which will have been updated following consultation. An action plan has been developed.

### **Monitoring and Review**

The Equality Impact Assessment will be reviewed annually as part of the annual reporting cycle for the Equality Objectives

### **Sign Off**

I have noted the content of the equality impact assessment and agree the actions to mitigate the adverse impact(s) that have been identified.

### **DMT Member**

Signed:

Name:

Job Title:

Date:



Please forward a final signed electronic copy to the Equality Team by emailing

[diversityinfo@kent.gov.uk](mailto:diversityinfo@kent.gov.uk)

The original signed hard copy and electronic copy should be kept with your team for audit purposes.

## Equality Impact Assessment Action Plan

Protected Characteristic	Issues identified	Action to be taken	Expected outcomes	Owner	Timescale	Cost implications
Gender Identity/ Sex	Lack of distinction between Sex Gender and Gender identity	Review Monitoring standards	Clarity on KCC's policy on monitoring Gender Identity	David Whittle	April 2016- June 2016	Business as usual
Gender Identity/ Sex	Clarify distinction Sex/Gender/ Gender identity	Change policy and objectives to clarify distinctions	Clarity on difference between Gender identity/ Gender and Sex	David Whittle	October 2016	Business as usual
Gender Identity	Lack of distinction between Sex Gender and Gender identity	Learning and Development module to be developed	Improve organisational understanding of the Gender Identity Protected characteristic	Paul Royal	April 2017 onwards	Business as usual
ALL	Leadership	Implementation of policy	Clear messages and expectations	CMT	April 2017	Business as usual

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Gary Cooke**

**Cabinet Member for Corporate and Democratic Services**

**DECISION NO:**

16/00136

**For publication****Key decision: YES**

The decision will be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions.

Equality and Human Rights Policy and Objectives 2016-2020

**Decision:**

As Cabinet Member for Corporate and Democratic Services, I propose to take a decision to approve The Equality and Human Rights Policy and Objectives 2016-2020.

**Reason for decision:**

Section 149 of the Equality Act 2010, and the Public Sector Equality Duty (PSED) requires public bodies to have 'due regard' to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

In October 2011 the Government Equality Office (GEO) issued guidance on what public bodies are expected to publish in order to show how they meet the Duty. The guidance states that public bodies:

- Must publish their first equality objectives by 6 April 2012, with subsequent objectives published at least every four years
- Must decide how many equality objectives it should set and what they should be
- Objectives should take into account evidence of equality issues across all of the authority's functions, consider issues affecting people sharing each protected characteristic, and take into account the three aims of the Duty.

The Equality & Human Rights Policy meets the requirement of the Public Sector Equality Duty and supporting guidance.

**Cabinet Committee recommendations and other consultation:**

The Equality & Human Rights Policy will be considered by the Policy and Resources Cabinet Committee on 2 December 2016.

The Equality & Human Rights Policy has been consulted on recommendations included:

- A simple and clear policy framework that is accessible to everybody-We have developed an easy read version of the policy and it has been proposed that the widely published version of the policy and objectives should be in “Easy Read” supported by a more detailed policy.
- Where possible we have stated which characteristics each objective seeks to address
- We have included contractors, procured and commissioned services in the section on accountability and have clarified our expectations in relation to the equality duty.
- We have made the policy clearer and have an entire section on accountability.
- We have developed equality objectives that are based on our understanding of the equality priorities in services
- We have acknowledged the role the voluntary sector and the wider community plays in fostering good relations.
- We have included an equality objective that addresses the mental health needs of specific groups.

**Any alternatives considered and rejected**

The Equality & Human Rights Policy and Objectives replaces Kent County Councils’ Equality Policy and Objectives.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

From: Gary Cooke, Cabinet Member for Corporate and Democratic Services  
John Simmonds, Cabinet Member for Finance and Procurement  
Susan Carey, Cabinet Member for Commercial and Traded Services  
David Cockburn, Corporate Director for Strategic and Corporate Services

To: Policy and Resources Cabinet Committee – 2 December 2016

Subject: Strategic and Corporate Services Performance Dashboard

Classification: Unrestricted

**Summary:**

The Strategic and Corporate Services Performance Dashboard shows progress made against targets set for Key Performance Indicators.

**Recommendation(s):**

The Policy and Resources Cabinet Committee is asked to NOTE the report.

**1. Introduction**

- 1.1. Part of the role of Cabinet Committees is to review the performance of the functions of the Council that fall within the remit of the Committee.
- 1.2. To support this role Performance Dashboards are regularly reported to each Cabinet Committee throughout the year.

**2. Performance Dashboard**

- 2.1. The Strategic and Corporate Services Performance Dashboard is attached in Appendix 1.
- 2.2. This is the third dashboard report for the current financial year and reflects Key Performance Indicators (KPIs) detailed in the Strategic and Corporate Services Directorate Business Plan 2016/17.
- 2.3. The Dashboard includes twenty-four (24) KPIs.
- 2.4. The Dashboard also includes a range of activity indicators which help give context to the Key Performance Indicators.
- 2.5. Key Performance Indicators are presented with RAG (Red/Amber/Green) alerts to show progress against targets. Details of how the alerts are generated are outlined in the Guidance Notes, included with the Dashboard in Appendix 1.
- 2.6. Within the report, of the 24 KPIs included, latest month performance is Green for 17 indicators, Amber for six indicators, and one indicator is Red.

2.7. Direction of Travel for the latest results shows four KPIs improving, eight stable (6 at 100%), and twelve indicators showing lower results.

**3. Recommendation(s):**

The Policy and Resources Cabinet Committee is asked to NOTE the performance position for Strategic and Corporate Services

**4. Background Documents**

The Strategic and Corporate Services Directorate Business Plan

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/business-plans>

**5. Contact details**

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Relevant Director: Vincent Godfrey  
Director of Strategic Business Development & Intelligence  
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# **Strategic and Corporate Services Performance Dashboard**

## **Financial Year 2016/17**

### **Results up to September 2016**

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**Produced by Strategic Business Development and Intelligence**

**Publication Date: November 2016**



## Guidance Notes

### Key Performance Indicators

All Key Performance Indicators are provided with RAG (Red/Amber/Green) ratings and Direction of Travel Alerts.

RAG ratings are based on Targets and Floor Standards set out at the start of the year in the Directorate Business Plans.

### RAG Ratings

<b>GREEN</b>	Performance has met or exceeded the current target
<b>AMBER</b>	Performance at acceptable levels, below the target but above the floor standard
<b>RED</b>	Performance is below the floor standard

### DoT (Direction of Travel) Alerts

↑	Performance has improved in the latest month
↓	Performance has fallen in the latest month
↔	Performance is unchanged this month

### Activity Indicators

Activity Indicators representing demand levels are also included in the report. They are not given a RAG rating or Direction of Travel alert. Instead, where appropriate, they are tracked within an expected range represented by Upper and Lower Thresholds. The Alert provided for Activity Indicators is whether results are within the expected range or not. Results can either be in expected range (**Yes**) or they could be **Above** or **Below**. Expected activity Thresholds are based on previous year trends.

When activity indicators do not have expected levels stated in the Directorate Business Plans, they are shown in the report to provide context for the Key Performance Indicators. In such cases the activity indicators are simply shown with comparison to activity for the previous year.



## Key Performance Indicators Summary

Engagement, Organisation Design and Development	Mnth/Qtr RAG	YTD RAG
Percentage of calls to Contact Point answered	GREEN	GREEN
Percentage of calls to Contact Point answered in 40 seconds	GREEN	GREEN
Percentage of callers who rate the advisors in Contact Point as good	GREEN	GREEN
Satisfaction with the response to H&S Advice Line enquiries rated Good or above	GREEN	GREEN
Support and advice given to managers in cases/change activity rated Good or above	GREEN	GREEN
Percentage of training that delivers commissioned learning outcomes	GREEN	GREEN
Satisfaction with KCC induction learning outcomes rated Good or above	GREEN	GREEN
Finance and Procurement	Month RAG	YTD RAG
Pension correspondence processed within 15 working days	GREEN	GREEN
Retirement benefits paid within 20 working days of all paperwork received	AMBER	RED
Invoices received by Accounts Payable within 30 days of KCC received date	AMBER	GREEN
Invoices received on time by Accounts Payable processed within 30 days	GREEN	GREEN
Percentage of sundry debt due to KCC outstanding under 60 days old	AMBER	N/a
Percentage of sundry debt due to KCC outstanding over 6 months old	GREEN	N/a

Governance and Law	Month RAG	YTD RAG
Council and Committee papers published at least five clear days before meetings	GREEN	GREEN
Freedom of Information Act requests completed within 20 working days	GREEN	GREEN
Data Protection Act Subject Access requests completed within 40 calendar days	RED	RED

ICT	Month RAG	YTD RAG
Calls to ICT Help Desk resolved at the First point of contact	GREEN	GREEN
Positive feedback rating with the ICT help desk	GREEN	GREEN
Working hours where Kent Public Sector Network is available to staff	GREEN	GREEN
Working hours where ICT Service available to staff	AMBER	GREEN
Working hours where Email are available to staff	GREEN	GREEN

Property	Month RAG	YTD RAG
Percentage of rent due to KCC outstanding at 60 days above	AMBER	N/a
Percentage of annual net capital receipts target achieved	GREEN	N/a
Percentage of reactive tasks completed in Service Level Agreement standards	AMBER	AMBER

Service Area	Director	Cabinet Member	Delivery by:
Customer Services (EODD)	Amanda Beer	Susan Carey	Agilisys

### Key Performance Indicators

Ref	Indicator description	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
CS04	Percentage of calls to Contact Point answered	96%	GREEN	↓	97%	GREEN	95%	80%	98%
CS05	Percentage of calls to Contact Point answered in 40 seconds	80%	GREEN	↓	81%	GREEN	80%	70%	82%

CS04 & CS05 include calls to Kent Support and Assistance Service.

Indicators reported quarterly

Ref	Indicator description	Latest Quarter	Quarter RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
CS01	Percentage of callers who rate the advisors in Contact Point as good	98%	GREEN	↔	98%	GREEN	95%	90%	98%

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### Activity Indicators

Ref	Indicator description	Year to date	In expected range	Expected Activity		Prev. yr YTD
				Upper	Lower	
CS08	Number of calls answered by Contact Point (000s)	357	Below	437	366	390
CS12	Number of visits to the KCC website, kent.gov (000s)	2,571	Yes	2,600	2,200	2,311

CS08 – Reduced call volumes are a cost saving to KCC and efforts have been successful in achieving this, including the introduction of a voice automated system on the main KCC telephone line and improvements to processes to encourage customers to complete transactions online such as Speed Awareness course bookings, obtaining Kent Test results, and Primary and Secondary school admissions.

Service Area	Director	Cabinet Member	Delivery by:
Human Resources (EODD)	Amanda Beer	Gary Cooke	EODD

### Key Performance Indicators

Ref	Indicator description	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
HR04	Satisfaction with the response to H&S Advice Line enquiries rated Good or above	100%	GREEN	↔	100%	GREEN	90%	80%	100%
HR08	Support and advice given to managers in cases/change activity rated Good or above	80%	GREEN	↓	93%	GREEN	80%	75%	n/a

HR08 – Previous year position not available as this is a new indicator

### Activity Indicators

Ref	Indicator description	Year to Date	Prev. yr YTD
HR04b	Number of responses received for rating H&S Advice Line	289	232
HR08b	Number of responses received for rating support and advice in cases/change activity	61	n/a

Ref	Indicator description	Snapshot	Prev. yr
HR21	Number of current people management cases being supported	87	n/a
HR12	Number of current change activities being supported	93	n/a
HR16	Number of registered users of Kent Rewards	17,552	n/a

Service Area	Director	Cabinet Member	Delivery by:
Human Resources (EODD)	Amanda Beer	Gary Cooke	Business Service Centre

### Key Performance Indicators

Ref	Indicator description	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
HR09	Percentage of training that delivers commissioned learning outcomes	100%	GREEN	↔	100%	GREEN	95%	90%	n/a
HR10	Satisfaction with KCC induction learning outcomes rated Good or above	94%	GREEN	↓	88%	GREEN	80%	60%	n/a

### Activity Indicators

Ref	Indicator description	Year to Date	Prev. yr YTD
HR09b	Number of training events	305	n/a
HR10b	Number of responses received for rating KCC induction	504	n/a
HR13	Total number of E-learning training programmes completed	29,512	n/a
HR14	Number of mandatory learning events completed	12,444	n/a

Service Area	Director	Cabinet Member	Delivery by:
Finance and Procurement	Andy Wood	John Simmonds	Finance and Procurement

### Key Performance Indicators

Ref	Indicator	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Prev. yr YTD
FP01	Pension correspondence processed within 15 working days	100%	GREEN	↔	100%	GREEN	98%	95%	98%
FP02	Retirement benefits paid within 20 working days of all paperwork received	97%	AMBER	↑	93%	RED	98%	95%	96%
FP03	Invoices received by Accounts Payable within 30 days of KCC received date	84%	AMBER	↓	85%	GREEN	85%	80%	n/a

FP02 – The year to date result is improving but still impacted on by the sudden change in how calculations are performed following notification by the DCLG and the Government Actuary Department. In addition, there were 44,597 Annual Benefit Illustrations dispatched at the end of August resulting in the Pension Section receiving an increased numbers of calls and correspondence.

FP03 – The change in achievement of this target is likely to be due to the holiday period and the subsequent delay within the business in invoices being sent to the Payments Team to process. The result is that by the time they arrive in the Payments Team the payment terms have either already or are about to breach the target before invoices can be processed.

### Activity Indicators

Ref	Indicator description	Year to date	Prev. yr YTD
FP01b	Pension correspondence processed	2,812	2,464
FP02b	Retirement benefits paid	1,008	955
FP03b	Number of invoices paid by KCC	68,268	72,319

Service Area	Director	Cabinet Member	Delivery by:
Finance and Procurement	Andy Wood	John Simmonds	Business Service Centre

### Key Performance Indicators

Ref	Indicator	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Prev. yr YTD
FP05	Percentage of sundry debt due to KCC outstanding under 60 days old	72%	AMBER	↓	Snapshot data		75%	57%	86%*
FP06	Percentage of sundry debt due to KCC outstanding over 6 months old	11%	GREEN	↑	Snapshot data		15%	20%	4%*
FP08	Invoices received on time by Accounts Payable processed within 30 days	99%	GREEN	↔	98%	GREEN	95%	90%	n/a

\*Same month previous year

Page 78 FP04 – One invoice with a value of £650,000 is in dispute. The matter has been referred back to the Directorate for resolution. The Director is taking forward with the Board of Education. Six invoices for one particular debtor remain outstanding with a total value of £1.19m. The matter has been referred to the invoice requestor in the Directorate, who has confirmed she will be meeting with the debtor next week before escalating the matter with Senior Managers.

### Activity Indicators

Ref	Indicator description	Year to date	Prev. yr YTD
FP05b	Value of debt due to KCC	£20.1	£34.3m

Service Area	Director	Cabinet Member	Delivery by:
Governance and Law	Ben Watts	Gary Cooke	Governance and Law

### Key Performance Indicators

Ref	Indicator	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
GL01	Council and Committee papers published at least five clear days before meetings	100%	GREEN	↔	100%	GREEN	100%	96%	100%
GL02	Freedom of Information Act requests completed within 20 working days	99%	GREEN	↑	95%	GREEN	90%	85%	93%
GL03	Data Protection Act Subject Access requests completed within 40 calendar days	71%	RED	↓	79%	RED	90%	85%	80%

Page 79 GL03 – Most delays are due to the operational units not providing information and/or quality of information provided is poor. Others are due to queries over consent, legal involvement, and requests not recognised by recipient. The Information, Resilience and Transparency Team are providing Subject Access Request workshops which include advice on the most efficient ways to prepare records to save time and resource. Guidance is also available on KNet and is issued with every referral.

### Activity Indicators

Ref	Indicator description	Year to date	Prev. yr YTD
GL01b	Committee meetings	77	77
GL02b	Freedom of Information requests	1,027	1,014
GL03b	Data Protection Act Subject Access requests	158	123

GL03 – There has been a slightly higher number of requests from staff. There also appears to be a link between increases in requests and the broadcast of certain media programmes, such as those where lost relatives are sought, and this is currently the case.

Service Area	Director	Cabinet Member	Delivery by:
ICT (Infrastructure)	Rebecca Spore	Gary Cooke	Business Service Centre

### Key Performance Indicators

Ref	Indicator description	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
ICT01	Calls to ICT Help Desk resolved at the First point of contact	71%	GREEN	↓	70%	GREEN	70%	65%	71%
ICT02	Positive feedback rating with the ICT help desk	98%	GREEN	↓	98%	GREEN	95%	90%	98%
ICT03	Working hours where Kent Public Sector Network is available to staff	99.9%	GREEN	↓	99.9%	GREEN	99.8%	99%	99.9%
ICT04	Working hours where ICT Service available to staff	98.4%	AMBER	↓	99.2%	GREEN	99.0%	98.0%	99.1%
ICT05	Working hours where Email are available to staff	100%	GREEN	↔	100%	GREEN	99%	98%	99.7%

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ICT04 - The September drop was the result of a number of issues relating mainly to Oracle and Swift. The Swift issue affected the financial assessment activities and affected the performance of the software. Users were impacted only for half a day, however, the incident was open for just over 17 hours whilst the database administrators conducted log file checks and investigations into any other possible cause. The Oracle incidents occurred on separate days and were rectified on the same day, all for different issues: App Find errors – requiring a restart of Oracle E-Business Suite, FRMS error caused by a network timeout, and memory fragmentation causing multiple users to be logged off the system.

### Activity Indicators

Ref	Indicator description	Year to date	Prev. yr YTD
ICT01b	Calls to ICT Help Desk	34,563	30,262
ICT02b	Feedback responses provided for ICT Help Desk	4,833	2,872



Service Area	Director	Cabinet Member	Delivery by:
Property (Infrastructure)	Rebecca Spore	Gary Cooke	Property (Infrastructure)

### Key Performance Indicators

Ref	Indicator	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
PI01	Percentage of rent due to KCC outstanding at 60 days	13%	AMBER	↑	Snapshot data		5%	15%	3%

PI01 – Performance has been improving with one large debt of over £100k recently paid off. The remaining debt is made up of smaller amounts with the largest now just under £20k. The reasons for delays are varied, including a holding fee on a property which should soon be cleared now planning permission has been granted. Further action has seen a repayment agreement reached on another debt, and the cancellation of a duplicate invoice. These combined with other actions on other debts should see the overall amount owed reduce further.

### Annual Performance Indicators

Ref	Indicator	Latest Forecast	RAG	DoT	Previous Forecast	Target	Floor Standard	Previous Year
PI03	Percentage of annual net capital receipts target achieved	100%	GREEN	↔	100%	100%	90%	78%

### Activity Indicator

Ref	Indicator description	Year to date	Prev. yr YTD
PI01b	Total rent outstanding (£'000s)	932	967

Service Area	Director	Cabinet Member	Delivery by:
Property (Infrastructure)	Rebecca Spore	Gary Cooke	Kier, Amey, and Skanska

Results up to August 16

### Key Performance Indicators

Ref	Indicator	Latest Month	Month RAG	DoT	Year to Date	YTD RAG	Target	Floor Standard	Previous Year
PI04	Percentage of reactive tasks completed within Service Level Agreement standards	83%	AMBER	↓	89%	AMBER	90%	80%	80%

PI04 – There is potential under-reporting of tasks that were met within timescale by one contractor due to system issues, and this is being looked into. A majority of other tasks not met within timescales were those classed as low priority, and others missed their deadline by only a few minutes. Availability of spare parts is negatively impacting one contractor's performance, and steps are being taken to rectify this.

### Activity Indicator

Ref	Indicator description	Year to date	Prev. yr YTD
PI04b	Number of reactive tasks responded to	7,393	n/a

Previous year to date figure will be shown from October when TFM2 figures can be included.

From: **John Simmonds, Deputy Leader and Cabinet Member for Finance & Procurement**  
**Gary Cooke, Cabinet Member for Corporate & Democratic Services**  
**Susan Carey, Cabinet Member for Commercial and Traded Services**  
**David Cockburn, Corporate Director for Strategic & Corporate Services**

To: **Policy & Resources Cabinet Committee – 2 December 2016**

Subject: **Financial Monitoring 2016-17**

Classification: **Unrestricted**

**Summary:**

The Policy & Resources Cabinet Committee is asked to note the September 2016-17 budget monitoring position which was despatched to Cabinet on 9 November 2016 .

**Recommendation(s):**

**The Policy & Resources Cabinet Committee** is asked to note the revenue and capital forecast variances from budget for 2016-17 that are in the remit of this Cabinet Committee, based on the September monitoring to Cabinet.

**1. Introduction:**

1.1 This is a regular report to this Committee on the forecast outturn.

**2. Background:**

2.1 Cabinet recently agreed a revised format for the regular budget monitoring reports. The Policy & Resources Cabinet Committee noted and commented on the revised format at its meeting on the 22 July 2016, endorsing that in future a short commentary report for the Strategic & Corporate Services Directorate along with a summary of the overall position for the Authority, would be written and presented in a more timely manner than had previously been possible.

This is the second report to be presented to this Committee in the revised format.

2.2 Table 1 below shows the position for the Strategic & Corporate Services Directorate for September 2016, together with the movement in forecast from the August 2016 monitoring position.

2.2 Table 1

Budget Book Heading	Net Budget	Net Forecast Variance	Corporate Director adjustment	Revised Net Variance	Last Reported position	Movement
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
<b>Strategic &amp; Corporate Services Directorate</b>						
- Contact Centre, Digital Web Services & Gateways	5,174.0	84.6	0.0	84.6	3.5	81.1
- Local Democracy	5,314.5	-2.9	0.0	-2.9	-2.9	0.0
- Strategic Business Development & Intelligence	1,332.1	-53.6	0.0	-53.6	-66.8	13.2
- Strategy, Policy, Relationships & Corporate Assurance	2,024.1	-236.4	0.0	-236.4	-240.6	4.2
- Democratic & Members	3,699.4	-44.9	0.0	-44.9	-52.2	7.3
- Finance & Procurement	10,830.8	-348.8	0.0	-348.8	-299.5	-49.3
- Engagement, Organisation Design & Development (HR, Comms & Engagement)	9,607.9	-235.8	0.0	-235.8	-234.0	-1.8
- Legal Services & Information Governance	-2,042.8	249.7	0.0	249.7	238.8	10.9
- S&CS Strategic Management & Directorate Support Budgets	-2,373.5	0.0	0.0	0.0	0.0	0.0
- Infrastructure (Property, ICT & Business Services Centre)	36,830.6	708.1	0.0	708.1	674.0	34.1
<b>Total S&amp;CS</b>	<b>70,397.1</b>	<b>120.0</b>	<b>0.0</b>	<b>120.0</b>	<b>20.3</b>	<b>99.7</b>

2.3 The Strategic & Corporate Services figures in Table 1 above contain both the forecast for the Directorate itself and the Corporate aspirational savings target of -£1,038k for the Asset Utilisation programme, held against the Corporate Landlord budgets within the Infrastructure Division. The Directorate forecast (excluding the Asset Utilisation target) has moved by +£0.100m to an underspend of -£0.393m, whilst the position on Asset Utilisation remains unchanged at +£0.513m, giving an overall small pressure of +£0.120m. Within the Directorate forecast, the Contact Centre, Digital Web Services & Gateways A-Z line has moved by +£0.081m due to the impact of the number and duration of calls, in part due to some Directorate Service delivery performance issues in EYPS. All other Divisions within the control of the S&CS Directorate have moved by less than £0.050m each.

2.4 Directorate Variance of -£0.393m. Finance & Procurement are reporting an underspend of -£0.350m most of which is coming from unbudgeted income opportunities which have arisen in Procurement from work with the West Kent CCG and Revenue Finance for hosting the Better Care Fund.

Strategy, Policy, Relationships & Corporate Assurance are reporting an underspend of -£0.236m resulting from staff maternity and secondments together with unbudgeted project income from the NHS.

Engagement, Organisation Design & Development are reporting an underspend of -£0.236m primarily due to staffing vacancies.

Legal Services are reporting a pressure of +£0.250m primarily due to staff vacancies, recruitment and training of new staff which is impacting income generation. Infrastructure has a pressure of +£0.195m which consists of many variances across all units within the Division.

All other Divisions within the control of the S&CS Directorate have variances of less than +/- £0.100m.

2.5 Asset Utilisation Variance of +£0.513m.

Property Group manages the Corporate Landlord estate which is occupied by front line services and has a savings target attached to it relating to the exiting of some buildings through the Asset Utilisation programme. It is not within Property's control to exit these operational buildings as these depend on operational service requirements and Member decisions reflecting the complex and challenging nature of this target. However, Property Group is working closely with service directorates and Members to identify potential buildings which could deliver the savings requirement. At present there is circa £0.513m of savings to be delivered from the closure of buildings, which are yet to be agreed.

2.6 The Strategic & Corporate Services capital budget is £20.497m. There are currently no forecast variances to cash limit.

2.7 As the Policy & Resources Cabinet Committee has overview of the whole Authority, Members of the Committee are asked to note the overall revenue position for the Authority.

The Authority is forecasting a revenue pressure of £8.335m (after Corporate Director adjustments), increasing to £9.146m including roll forward requirements. The underlying position has in fact slightly worsened again this month from +£10.196m, before roll forward requirements, to +£10.385m (after correcting for an over forecast of £0.815m within EYP). This increase is predominately due to SEN Home to College Transport and SCS Legal fees, offset by improvements within GET & Adult Social Care. However, Corporate Directors are reflecting adjustments this month for the anticipated impact of management action plans which have improved the overall position. The Adult Social Care position is expected to reduce further but even allowing for this, we remain a long way short of achieving a balanced position.

2.8 Assuming that GET are able to balance their position; that we receive funding from the Home Office to offset the Asylum pressure and that the Adult Social Care position can be balanced, and these are by no means certain, then the overall position would reduce as follows:

	£m
Current forecast position after CD adjs & roll forward	9.146
Growth, Environment & Transport	-0.100
Asylum	-2.284
Social Care, Health & Wellbeing - Adults	-1.912
	4.850

Senior management are working collectively to identify common areas where spend can be reduced and remain confident that we will achieve a balanced position by year end without imposing a more draconian authority wide moratorium. This situation will be kept under review over the coming weeks.

### 3. Recommendation(s):

**The Policy & Resources Cabinet Committee** is asked to note the revenue and capital forecast variances from budget for 2016-17 that are in the remit of this Cabinet Committee, based on the September monitoring to Cabinet.

### 4. Contact details

#### Report Author

- Jackie Hansen, Strategic & Corporate Services Directorate Finance Business Partner
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#### Relevant Director

- David Cockburn, Corporate Director Strategic & Corporate Services
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**From:** Gary Cooke, Cabinet Member for Corporate and Democratic Services.  
Rebecca Spore, Director of Infrastructure

**To:** Policy and Resources Cabinet Committee

**Date:** 2nd December 2016

**Subject:** Business Services Centre Performance Update and Future Delivery Plans

**Classification:** Unrestricted

**Future Pathway of Paper:** None

**Electoral Division:** N/A

**Summary:**

This paper seeks to update Policy and Resources Cabinet Committee on the Business Services Centre (BSC) performance over the first quarter of the financial year 16/17, to highlight some of the key trends, outline key business developments and aspects of the future evolution of the service.

**Recommendation(s):**

**The Policy and Resources Cabinet Committee** are asked to note the current performance of the BSC and future plans.

**1. Introduction/ Background**

- 1.1 The Business Services Centre (BSC) was established in April 2015 as an internally commissioned service with an aim of bringing together the transactional back office services across HR, Finance and ICT. Alongside the establishment of the BSC the services were market tested as part of the back office procurement exercise. Following the market testing exercise a decision was taken not to award a contract.
- 1.2 Since it was established the Business Service Centre has increased its income from HR traded services from £3.98m in 14/15 to £4.12m in 15/16 with the surplus returned to KCC and EIS increasing from £0.62m to £1.05m. Through making efficiencies it has been able to deliver the requirements of the Medium Term Financial Plan.

1.3 To manage the services, which are commissioned by KCC, Service Level Agreements (SLAs) are in place with the commissioning functions in KCC. Within these there are a number of Key Performance Indicators (KPIs) and Performance Indicators (PIs) which are monitored and reported each month to the client commissioning teams. These outline levels of activity and measure the quality of the services provided against the agreed targets and are monitored by the client commissioning teams to ensure that the BSC service is being delivered to the agreed standards, and by the BSC to identify areas for service improvements, efficiencies, resource planning through demand analysis and highlight areas outside of BSC that are impacting on the achievement of targets.

1.4 The BSC is organised into 5 functional units as follows:

Business Development	Customer Services	Operational Services	Professional Services	Technology Services
Sales & Marketing Design & Content Client Relationship & Business Support	ICT Support Services	Financial Assessments Debt Recovery Payments HR Connect HR non-Consultancy / Advisory plus KGP Payments Control HR Control	Programmes & Projects Benefits Cashiers Client Financial Affairs Data Quality & Control (Client Billing) L&D Advisory SPS Consultancy Kent Teach	Applications Infrastructure HR Systems Development EIS Services ICT Security & Performance

1.5 The BSC delivers a wide range of corporate and traded services to KCC and external customers including:

- Over 74,000 calls answered annually by the 4\* SDI accredited ICT Service Desk
- Over 13,500 Financial Assessments undertaken annually for social care clients
- 12,000 Kent Care invoices produced per four weekly billing run
- 470,000 payments processed by Accounts Payable annually
- Over 71,500 assignments processed monthly across staff, pensions, school/academy and external client payrolls
- 20,000 Disclosure and Barring checks processed each month for public, private and voluntary sector customers of KCC's employment check system
- Over 4,000 EIS contracts for IT services to schools and academies



## **2. Review of BSC Key Performance Indicators and Service Update**

- 2.1 The corporate KPI's are reported to the Policy & Resources Cabinet Committee as part of the Performance Dashboard within EODD, Infrastructure and Finance.
- 2.2 There are 12 additional KPI measures in addition to those reported at corporate level which form part of the SLA's. The full list of KPI's is provided in Appendix 2.

### **ICT**

- 2.3 Overall the service has performed well with customer satisfaction, KPSN, ICT and email service availability exceeding performance targets. In particular customer satisfaction with the ICT service desk remains a strength with 98.5% positive feedback for the quarter. There were however a number of pressures for ICT during the 1<sup>st</sup> quarter which impacted on the achievement of some of the targets.
- 2.4 The average telephone wait time target was not achieved due to the additional pressure on resources supporting the Blackberry replacement project, which combined with an earlier Easter holiday created a higher than usual demand on the Service Desk. 35% more calls were received in May compared to the previous year, despite additional support communications. This KPI has since moved back within target.
- 2.5 The average time to fix incidents target was not achieved predominantly due to a number of aged incidents being closed during June. If the aged incidents had been excluded this KPI would have been within target. Of the approximately 2,500 incidents logged every month over 60% were closed within a day.
- 2.6 During the period there were four major incidents which impacted on performance levels and created a higher demand for services:-
  - Email was unavailable in May
  - Network issues which affected all sites in June
  - A problem with UC in June – Multiple handsets displaying no telephony possible
  - Kent.gov.uk – page cannot be displayed in June
- 2.7 The last two incidents highlighted above were out of BSC's control and were as a result of a 3<sup>rd</sup> party contractor. Incident reviews have been undertaken in respect of those within BSC's remit to ensure that lessons are learnt and appropriate measures put in place to ensure that they are not repeated.

- 2.8 The BSC is committed to the development of a competent workforce and a really good example of this is within the Customer Services Team. To fill skills gaps within the current workforce two Apprentices have been employed, commencing employment in September 2016. This is building on previous successes where Apprentices have been appointed to permanent roles, not only ensuring a return on investment, but effective workforce planning.

### **Finance**

- 3.1 Key achievements in the first quarter include over 97% of invoices being entered onto AP systems by the KCC due date where received on time, exceeding the 95% target.
- 3.2 The Council's Social Care Debt position improved in the first quarter compared to the equivalent period in 2015 with overall debt (as at June 2016 compared to June 2015) reducing from £18.189m to £17.406m and overdue debt reducing by from £13.559m to £12.677m. It should be noted that since then the overdue balance has increased slightly to £12.814m in October. The BSC have reviewed the underlying position and the change in trend with the Commissioning Team and are putting in place an action plan to correct the position.
- 3.3 There were however significant pressures for both Case Management and the Finance Teams within BSC during this period which impacted on the delivery of other performance targets
- 3.4 During the first quarter the annual reassessment process is a key activity for BSC, and creates significant pressure on resources from a large volume of queries where individuals are identified as requiring a new financial assessment. A business process review has been undertaken, taking into account lessons learnt and streamlining processes which will improve the process for next year. Where there are delays with assessment timescales which originate from case management, or the financial agent, the BSC works together with the Client Commissioning teams with an aim of improving processes and removing delays to mitigate the impact on income to KCC.
- 3.5 Within Client Financial Affairs (CFA) and Benefits there is an upward trend in both referrals and number of clients supported compared to the same period last year. This is partially due to clearing a historic backlog, an increased demand for financial management from Social Care and also a larger number of clients with a debt to KCC which are referred to CFA.
- 3.6 Continual improvements to systems and processes have remained a focus:
- Improvements within the Financial Assessment Team have enabled more assessments to be progressed as a result of a change in circumstances without a dependency on the provision of additional information from case management. This has led to an increase from 246 to 387 compared to the same period last year.

- BSC are in discussions with Agilisys to progress an online assessment form using their Quickheart solution including scoping the feasibility of integration with Swift. This would potentially remove the need for the assessment referral form, facilitating greater efficiencies and improvements in the financial assessment process.
- Within BSC a Customer Relationship Management system (CRM), Oracle Service Cloud has been rolled out to a number of teams, facilitating improvements in workload management and more accurate reporting on volumes and performance against SLA targets. In particular this has driven significant improvements within the AP team where problems can be spotted and resolved before an invoice is due for payment.

3.7 All academies, with the exception of one, are now paying for the Free School Meals Service which has seen projected income increase to £80k.

## HR

3.8 The performance targets for commissioned HR services are consistently high with all targets being achieved. The accuracy of the payroll and customer satisfaction is consistently high and again exceeds targets.

3.9 There is an ongoing trend with salary overpayments (current staff) reducing each month. This quarter has seen salary overpayments at its lowest level at £54.6k, which is £25.7k lower than the same time last year.

## 4. Business Development Update

4.1 Another key focus continues to be income growth for BSC products and services. This quarter has seen the BSC continue with their successful track record of generating income. SPS products are on target to deliver an additional £200.6K income in 2016/17 compared to 2015/16, and Kent Teach products an additional £59.6K income in the same period.

4.2 There have been a number of new contracts secured in this quarter across the range of BSC services:

	EiS
Number of new contracts	41
Annual value of contracts	£52,681
Number of new customers	10
Number of opportunities	126
Annual value of opportunities	£180,377

	SPS	Kent Teach	DBS (SaaS and UB)
Total no. of new customers (live)	15	17	16
Annual total value of new customers (live)	£60,100	£20,000	£24,500
Number of new contracts won	18	17	19
Total value of new contracts won	£61,400	£20,000	£60,500
Number of opportunities	11	n/a	n/a
Annual value of opportunities	£49,700	£20,000	£75,500

- EiS rolled out virtual solutions that support the digital student and school community in Community College Whitstable, Herne Bay High and Northfleet Secondary School. This included cloud services, unified communications, and remote backup services and hosted SIMS.
- 3 new Employment check DBS contracts were won for the SaaS solution which will deliver an additional £36K income this year.
- 13 new customers went live on SPS' IntePay payroll service with an annual value of £47K and 15 new contracts were signed with an additional value of £40K.
- SPS are also in discussions to deliver HR services to the Solent Academy Trust in Portsmouth for services with an annual value of £35K.

4.3 There have been a variety of new products launched to support the BSC's growth in traded services.

- Teacher Dashboard – developed by EiS to launch in September. This allows the creation and sharing and assessment of homework assignments without leaving Office365, providing students with opportunity for collaboration and teachers increased flexibility for delivering and managing homework.
- “Virtual School in a Box” - another new EiS development. This single server product requires limited space, reduces schools' carbon footprint and is guaranteed to last for 5 years.
- New Website – launched by SPS to promote its HR services to schools in Oxfordshire as part of their collaboration with Oxford City Council.
- New Academies Offer – created by SPS which they hope will launch next year.
- International Recruitment Project - Kent Teach have launched this project to recruit qualified teachers from New Zealand and Australia. The aim is to support schools and academies in Kent with the recruitment of quality teachers during the current shortage. They will have travelled to New Zealand in October 2016 to interview teachers on behalf of Kent schools/academies. Seven schools have joined the project group and they are hoping to recruit 20 teachers in total.

## **5. BSC service development and Evolution**

- 5.1 Now that the BSC has been operational for a year Ernst and Young were commissioned to consider how the BSC can best support the Council meet its objectives in the future. The review considered an assessment of the current service offer and a high level options appraisal of different delivery models and how the options best allow the service to deliver high quality services to our customers within the resources available and to continue to support the Council to meet its financial challenges. A summary of which is set out in the Exempt Appendix 1.

## **6. Conclusion**

The BSC has performed well over the first quarter and continues to deliver against the financial targets set in the medium term financial plan. Following the E&Y review, plans are being progressed to further strengthen the BSC service offer to KCC and take forward opportunities to secure additional income.

## **7. Recommendation**

### **Recommendation:**

The Policy and Resources Cabinet Committee are asked to note the current position.

## **8. Contact Details**

Rebecca Spore, Director of Infrastructure  
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## Appendix 2 BSC Key Performance Indicators

### Corporate KPI's

Indicator	Floor Standard	Target
ICT01 - Calls to ICT Help Desk resolved at first point of contact	65%	70%
ICT02 - Positive feedback rating with ICT help desk	90%	95%
ICT03 - Working hours where Kent Public Sector Network available to staff	99%	99.8%
ICT04 - Working hours where ICT Service available to staff	98%	99%
ICT05 - Working hours where email available to staff	98%	99%
FP03 - % of invoices received by AP within 30 days of KCC received date	80%	85%
FP04 - % of invoices received on time and entered onto AP systems by the KCC due date	90%	95%
FP05 - % of outstanding debt under 60 days old	57%	75%
FP06 - % of outstanding sundry debt over 6 months old	20%	15%
% of training that delivers commissioned learning outcomes	90%	95%
Satisfaction with KCC induction learning outcomes rated good or above	60%	80%

### Additional BSC KPI measures

Function	Indicator	Target
ICT	Average Telephone Wait Time	<50 seconds
ICT	Average Telephone Contact Duration	<6 minutes
ICT	Average Time to Fix Incidents	<19 hours
Finance	% of outstanding debt which is unsecured and due for payment that relates to a client who no longer receives a service - % unsecured	<35%
Finance	(a) - Once referred from Case Management the financial assessment should be fully completed ensuring that income has been maximised (indexed linked to	(a) 85%

	<p>payments of Benefits) for the authority and the financial assessment has been accurately entered onto Swift within 0-15 days in total from start of service</p> <p>(b) - Referral received and able to be booked (provision on SWIFT) to assessment completed within 0-15 days</p>	(b) 90%
Finance	<p>(a) - Number (during the client billing period) of Assessments quality assured to ensure accuracy</p> <p>(b) - Value of errors found as an outcome of KP7 (a) being completed</p>	TBC
HR	99.5% Overall provider accuracy of payroll	99.5%
HR	All reported zero payments or severe financial hardship rectified within 24 hours	24 hours
HR	Payroll and HR Admin Customer Satisfaction	90%
HR	% of queries resolved at first point of contact	90%
HR	% of complex queries that required further investigation / escalation resolved within 5 working days	90%

From: Mr G Cooke, Cabinet Member for Corporate and Democratic Services

Ann Hunter, Principal Democratic Services Officer

To: Policy and Resources Cabinet Committee –2 December 2016

Subject: **Work Programme 2017**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** Standard item

**Summary:** This report gives details of the proposed work programme for the Policy and Resources Cabinet Committee

**Recommendation:** The Policy and Resources Cabinet Committee is asked to consider and agree its work programme for 2017.

## 1. Introduction

- 1.1 The proposed Work Programme has been compiled from items on the Forthcoming Executive Decision List; from actions arising from previous meetings, and from topics identified at agenda setting meetings, held 6 weeks before each Cabinet Committee meeting in accordance with the Constitution and attended by the Chairman, Vice-Chairman and group spokesmen.
- 1.2 Whilst the Chairman, in consultation with the Cabinet Members, is responsible for the final selection of items for the agenda, this item gives all Members of the Cabinet Committee the opportunity to suggest amendments and additional agenda items where appropriate.

## 2. Terms of Reference

- 2.1 At its meeting held on 27 March 2014, the County Council agreed the following terms of reference for the Policy and Resources Cabinet Committee “To be responsible for those functions that fall within the Strategic and Corporate Services Directorate”.
- 2.2 Further terms of reference can be found in the Constitution at Appendix 2 Part 4 paragraph 21 and these should also inform the suggestions made by Members for appropriate matters for consideration.

## 3. Work Programme 2017

- 3.1 An agenda setting meeting was held on 17 October 2016 at which items for this meeting’s agenda were agreed. The Cabinet Committee is requested to consider and note the items within the proposed Work Programme, set out in

appendix A to this report, and to suggest any additional topics that they wish to considered for inclusion on the agenda of future meetings.

- 3.2 The schedule of commissioning activity 2015-16 to 2017-18 that falls within the remit of this Cabinet Committee will be included in the Work Programme and is considered at agenda setting meetings to support more effective forward agenda planning and allow Members to have oversight of significant services delivery decisions in advance.
- 3.3 When selecting future items the Cabinet Committee should give consideration to the contents of performance monitoring reports. Any 'for information' or briefing items will be sent to Members of the Cabinet Committee separately to the agenda or separate member briefings will be arranged where appropriate.

#### **4. Conclusion**

- 4.1 It is important for the Cabinet Committee process that the Committee takes ownership of its work programme to help the Cabinet Members to deliver informed and considered decisions. A regular report will be submitted to each meeting of the Cabinet Committee to give updates on requested topics and to seek suggestions for future items to be considered. This does not preclude Members making requests to the Chairman or the Democratic Services Officer between meetings for consideration.

<p><b>5. Recommendation:</b> The Policy and Resources Cabinet Committee is asked to consider and agree its work programme for 2017.</p>
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#### **6. Background Documents**

None.

#### **7. Contact details**

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## WORK PROGRAMME – 2017

## Policy and Resources Cabinet Committee

Agenda Section	Items
<b>13 January 2017</b>	
<b>B – Key or Significant Decisions for Recommendation or Endorsement</b>	<ul style="list-style-type: none"> <li>• Budget 2017/18</li> <li>• Business Planning for 2017/18</li> </ul>
<b>C - Performance Monitoring</b>	<ul style="list-style-type: none"> <li>• Performance Dashboards</li> <li>• Financial Monitoring</li> <li>• Work Programme</li> </ul>
<b>D - Other Items for comment/ recommendation</b>	
<b>8 March 2017</b>	
<b>B – Key or Significant Decisions for Recommendation or Endorsement</b>	
<b>C - Performance Monitoring</b>	<ul style="list-style-type: none"> <li>• Performance Dashboards</li> <li>• Financial Monitoring</li> <li>• Work Programme</li> <li>•</li> </ul>
<b>D - Other Items for comment/ recommendation</b>	<ul style="list-style-type: none"> <li>• Corporate Assurance Report March 2017</li> <li>• Risk Management update</li> <li>• Welfare Reform Update</li> <li>• Strategic and Corporate Services Business Plan – 17/18</li> <li>• Contract Management Report</li> </ul>
<b>16 June 2017</b>	
<b>B – Key or Significant Decisions for Recommendation or Endorsement</b>	
<b>C - Performance Monitoring</b>	<ul style="list-style-type: none"> <li>• Performance Dashboards</li> <li>• Financial Monitoring</li> <li>• TFM – Biannual Review</li> <li>• Business Service Centre (bi-annual performance report)</li> <li>• Work Programme</li> <li>•</li> </ul>
<b>D - Other Items for comment/ recommendation</b>	<ul style="list-style-type: none"> <li>• ICT Security Annual Report</li> <li>• Armed Forces Covenant Annual Report (May 2017)</li> </ul>
<b>15 September 2017</b>	
<b>B – Key or Significant Decisions for Recommendation or Endorsement</b>	
<b>C - Performance Monitoring</b>	<ul style="list-style-type: none"> <li>• Performance Dashboards</li> <li>• Financial Monitoring</li> <li>• Work Programme</li> <li>•</li> </ul>

D - Other Items for comment/ recommendation	<ul style="list-style-type: none"> <li>• Corporate Assurance Report March 2017</li> </ul>
<b>5 December 2017</b> <ul style="list-style-type: none"> <li>•</li> </ul>	
<b>B – Key or Significant Decisions for Recommendation or Endorsement</b>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>C - Performance Monitoring</b>	<ul style="list-style-type: none"> <li>• Performance Dashboards</li> <li>• Financial Monitoring</li> <li>• Business Service Centre (bi-annual performance report July and December 2017)</li> <li>• Annual Equalities Report and new equalities objectives</li> <li>• Work Programme</li> </ul>
D - Other Items for comment/ recommendation	
<b>Other items</b>	
	<ul style="list-style-type: none"> <li>• LATC</li> <li>• Gravesham Gateway to be considered by P&amp;R in 2017 as decision as notice needs to be given by November 2017</li> <li>• Business Disaster Recovery/ Business Continuity</li> <li>• Voluntary Organisations and use of KCC buildings</li> <li>• Contracting and Sub-Contracting arrangements with VCC (minutes of meeting of 8 September 2016)</li> <li>• Consultation Protocol (minutes of meeting of 8 September 2016)</li> </ul>

**From:** Paul Carter, Leader of the Council  
David Cockburn, Corporate Director, Strategic and Corporate Services

**To:** Policy & Resources Cabinet Committee  
2<sup>nd</sup> December 2016

**Subject:** Business Planning 2016/17 and 2017/18

**Classification:** Unrestricted

**Summary:** This report reviews the 2016/17 business-planning process and sets out the proposed business planning arrangements for 2017/18 for agreement.

**Recommendations:**

The Committee is asked to:

- (1) **Note** on the review of the 2016/17 business planning process
- (2) **Agree** the business planning arrangements for 2017/18 (Section 3)

## 1. INTRODUCTION

- 1.1 The Strategy, Policy, Relationships and Corporate Assurance division is responsible for coordinating the authority's business planning process. Each year a review of the previous year's planning process is undertaken in order to make recommendations to Policy & Resources Cabinet Committee regarding any changes necessary for the next year's business planning arrangements.
- 1.2 This paper highlights key findings from the 2016/17 business planning review and seeks endorsement of the proposed changes for 2017/18.
- 1.3 The business planning process for 2016/17 was designed to better support us to become a strategic commissioning authority. The focus was on developing directorate plans that were leaner and more focused on outcomes. There were new requirements to focus on directorate priorities linked to the Strategic Statement outcomes, use the commissioning cycle to help plan commissioning activity and to identify internal and external service provision.
- 1.4 A light touch business planning review was undertaken in June 2016 which focused on gathering feedback from key business planning contacts across the authority to reflect on what went well and what could be done to improve the 2017/18 process.

## **2. POLICY FRAMEWORK**

2.1 Business Planning is a key management responsibility to ensure the authority has clear plans in place to deliver the strategic objectives set out in KCC's Policy Framework. Whilst business plans do not provide delegated authority, they do have a strong link with the formal decision making process, clearly setting out strategic priorities which may require a subsequent key decision. In the 2016/17 process, all directorate business plans were required to outline key decisions expected over a 3 year period, to inform medium term planning.

## **3. BUSINESS PLANNING 2016/17 REVIEW**

3.1 2016/17 is the third year that business plans have been produced at directorate level. The review of business planning in 2015/16 found that the directorate process had been successful, and so the process was largely kept the same for 2016/17, with some iterative improvements to support the move towards KCC becoming a strategic commissioning authority.

3.2 The 2016/17 business planning round was successful in a number of areas including:

- Elected members and informal governance groups found that the new commissioning information was much clearer and more useful to inform agenda planning.
- Directorate plans were lean yet comprehensive, more focused and more accessible.
- Many felt there was a stronger link with outcomes.
- Defining Cabinet Member priorities at an earlier stage worked well and helped to inform directorate and divisional priorities.
- There is a strong and well-established process for service and divisional planning across the authority.
- Whilst divisional/service planning is important, many felt that a high-level, strategic plan that reflects the authority's collective priorities is valuable and should be maintained.

3.3 The review also highlighted areas where improvements can be made, which have been addressed in the proposal for the 2017/18 business planning process:

- Whilst progress is being made in embedding the commissioning cycle across the authority, the detailed Analyse, Plan, Do, Review information became quite complex and could benefit from being simplified to ensure it remains timely and relevant.
- There is potential to improve consistency in commissioning information, and minimise duplication by focusing on the contracts register as the most appropriate place for detailed contractual information.
- Whilst it is important that the directorate business plans focus on the most significant commissioning activity, there should be sufficient flexibility to reflect issues of strategic importance, risk and political priority, in addition to financial value.



- There is an opportunity to ensure consistency between business plans and other key performance documents including the Quarterly Performance Report.
- There needs to be a continued emphasis on moving the focus of business planning from an annual to three year rolling cycle, to better reflect medium term planning priorities.

#### **4. RECOMMENDATIONS FOR THE 2017/18 PROCESS**

- 4.1 As in the previous three years, the intention is to iteratively improve the process again in 2017/18 to support KCC's move to become a strategic commissioning authority.
- 4.2 Broadly, we are proposing that the overall process for developing directorate business plans remains the same. The final directorate business plans will be approved by the relevant Cabinet Member/s and Corporate Director, and be shared for information with the relevant Cabinet Committee in March 2017. Directorate business plans will continue to be published on the KCC website.
- 4.3 As in previous years, divisional level plans do not require formal approvals but will be published on KNet for accessibility and transparency purposes.
- 4.4 To respond to the findings of the review we are proposing some changes to the content of the directorate business plans. **Appendix 1** provides a list of the content to be included. The main changes are as follows:
  - Each business plan will reflect on progress against last year's directorate priorities, given the emphasis on a three year rolling plan. Business plans will also set out the directorate's approach for ongoing monitoring and review of the plan.
  - A new section will be added on the operating environment context which may impact on the directorate over the next three years, anticipating cost and demand management pressures, legislative or regulatory change and demographic change. This will provide context for priority setting.
  - Each business plan will clearly articulate directorate rather than divisional priorities. These will be informed by the relevant business planning priorities agreed by Cabinet Members and County Council in the Strategic Statement Annual Report (**Appendix 2**) and focus on how each directorate will contribute to delivering the outcomes in the Strategic Statement.
  - The list of internal and external services will remain, but be simplified.
  - Each directorate will define the most appropriate 'significant' commissioning and service activity to include for the next 3 years (2017-2020), with flexibility to consider complexity, risk, strategic importance and profile. The commissioning information will be simplified with an emphasis on the expected costs and key decision date (if required). More detailed commissioning and procurement information will continue to be available on the contracts register.

4.5 Based on these proposals, outline timescales for the development, approval and publication of 2017/18 directorate business plans are provided in the table below:

Directorate Business Planning 2017-18 Timescales	
Month	Tasks
October – December 2016	<ul style="list-style-type: none"> <li>• Annual Report on KCC’s Strategic Statement sets out political business planning priorities for 2017/18</li> <li>• Directorate and divisional ‘bottom up’ business planning discussions to shape priorities and operating environment context</li> <li>• Policy &amp; Resources Cabinet Committee (2016/17 business planning review and agree approach for 2017/18)</li> </ul>
January – February 2017	<ul style="list-style-type: none"> <li>• Directorate business plan development</li> </ul>
March – April 2017	<ul style="list-style-type: none"> <li>• Final directorate business plan agreed by Corporate Director and by Cabinet Member/s</li> <li>• Final directorate business plan to relevant Cabinet Committee/s for information</li> <li>• Final directorate plans published on Kent.gov</li> </ul>

4.6 Divisional and service level plans will be developed alongside directorate level plans and should be approved in time to be published on KNet in May 2017.

## 5. RECOMMENDATIONS

The Committee is asked to:

- (1) **Note** the review of the 2016/17 business planning process
- (2) **Agree** the business planning arrangements for 2017/18 (Section 3)

### Appendices:

Appendix 1: Directorate Business Plan 2017/18 – contents

Appendix 2: Annual Report Business Plan Priorities 2017/18

**Background Documents:** None

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## Appendix 1: Directorate Business Plans 2017/18 – Contents

### Proposed Requirements for Directorate Business Plans 2017-18

- A. Directorate structure and purpose
- B. Progress on the 2016-17 directorate priorities
- C. Directorate priorities for 2017-18
- D. Directorate operating environment
- E. Services provided by the directorates
- F. Significant commissioning and service activity
- G. Resources
- H. Risks
- I. Organisational development
- J. Performance indicators and targets
- K. Monitoring and review

#### **A. Directorate structure and purpose**

Plans should include a brief description of the directorate purpose and structure, explaining the role of each division and the responsibilities for any client side functions.

#### **B. Progress on the 2016-17 directorate priorities**

Plans should reflect on progress against last year's directorate priorities (not divisional priorities) set out in the 2016-17 directorate business plan. This should be provided in a simple table, with a brief narrative against each priority.

2016-17 Priority	Directorate	Brief commentary on progress

#### **C. Directorate priorities for 2017-18**

Twelve political business planning priorities for 2017-18 were agreed by Cabinet Members in September 2016 as part of the Annual Report on KCC's Strategic Statement. These should be reflected in directorate priorities to inform divisional/service planning.

There is no requirement to also include divisional priorities. These are most appropriately detailed in divisional and service plans.

#### **D. Directorate operating environment**

Directorates should consider the wider context and operating environment over the next 3 years, particularly where this could impact on the demand for services. The plans should briefly list (high level bullet points) any horizon scanning issues which may impact on the directorate business.

#### **E. Services provided by the directorates**

A simple list of internal and external services within the directorate should be provided in the table format below:

Service Name	Internal or External	If external, please provide the contract end date.

There is no requirement to include a description of services or list contract values or provider names, as in previous years.

#### **F. Significant commissioning and service activity**

Directorates will define the most appropriate 'significant' commissioning and service activity to include for the next 3 years (2017-2020). It is recommended that the financial value threshold for contracts should be over £1m per year however directorates will also consider strategic importance, complexity, risk and profile.

#### **G. Resources**

This information will be in the same format as 2016/17, based on division by division spend from the Budget Book (once agreed in February 2017) and FTE count (single point in time).

#### **H. Risks**

Key risks from the Directorate and Corporate Risk Register should be summarised.

#### **I. Organisational development**

A brief description of organisational development priorities for the directorate to reflect the forthcoming Organisational Development Strategy and any priorities emerging from Organisational Development Groups or directorate succession planning work.

#### **J. Performance indicators and targets**

Last year's Key Performance and Activity Indicators should be reviewed. Indicators and targets must be consistent with the Quarterly Performance Report and Directorate Dashboard and agreed by the Corporate Director and Cabinet Member/s.

#### **K. Monitoring and review**

The directorate should briefly set out how they intend to monitor and review the delivery of the business plan. Corporate Directors are responsible for any monitoring and review arrangements, as owners of the plan.

## Appendix 2: Annual Report Business Plan Priorities 2017/18

Strategic Outcome 1:	Strategic Outcome 2:	Strategic Outcome 3:
<i>Children &amp; young people get the best start in life</i>	<i>Kent's communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life</i>	<i>Older and vulnerable residents are safe and supported with choices to live independently</i>
<p>Ensure the attainment gap for disadvantaged children continues to close</p> <p>Effectively manage the new contract for children and young people's emotional health and wellbeing services and reduce waiting times for CAMHS services</p> <p>Continue to increase the number of apprenticeships for young people</p>	<p>Tackle obesity, particularly in Kent's deprived areas, through engagement in sport and physical activity</p> <p>Agree our Local Transport Plan 4: Delivering Growth without Gridlock for 2016-2031 and develop an effective delivery plan</p> <p>Increase the percentage of Kent's working-age population with level 3 NVQ equivalent qualifications</p>	<p>Continue to work with our partners to reduce delayed hospital discharge by ensuring people have the right support at the right time</p> <p>Reduce the number of hospital and care home re-admissions following enablement support</p> <p>Make it easier for vulnerable and older individuals, their families and carers to access advice, information and support</p>
<b>Working better together – <i>changing how we work</i></b>		
Improve customer engagement activity, including consultations, surveys and focus groups, so that learning can enhance customer insight and service delivery across the authority		

Collectively work with all partners to improve openness and share information to support successful delivery of our outcomes

Improve the effectiveness of our contract performance monitoring and work with providers to develop a more open dialogue to tackle any issues early

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**From:** Mr Gary Cooke, Cabinet Member for Corporate and Democratic Services  
Benjamin Watts, General Counsel - Interim

**To:** Policy and Resources Cabinet Committee  
2 December 2016

**Subject:** Governance and Law – Commissioning Arrangements – Progress Report

**Classification:** Unrestricted

**Summary:** This report provides the Policy & Resources Cabinet Committee with an update on recent developments and future plans regarding the establishment of the commissioning and governance arrangements.

**Recommendation:** The Policy & Resources Cabinet Committee is asked to consider the contents of this report and note the progress regarding the establishment of the commissioning and governance arrangements.

## Introduction

1. On 21<sup>st</sup> March 2016, the Cabinet took a decision to proceed with the formation of an Alternative Business Structure (ABS) for the delivery of better and lower cost legal services to the council and a more profitable business for KCC to own.
2. On 27<sup>th</sup> April 2016, Geoff Wild in his then role as Director of Governance and Law attended the Trading Activities Sub-Committee to explain to Members the proposed governance arrangements that flowed from the Cabinet decision.
3. There have been a number of reports over the past year to the Policy and Resources Cabinet Committee which have jointly covered the commissioning and provider arrangements. Given the development of Invicta Law, it is now the right time to separate out the reporting around the two elements of the project.
4. This report provides an update for Members regarding the creation of the client-side function for the Council that has been established over recent months.

## Corporate Law and Assurance Team

5. In taking the decision to proceed with the creation of the ABS, Cabinet also agreed a new management structure for the Governance and Law function. This provided for a separation between the management team of what will become the company (Invicta Law) and the team that would advise the Council on corporate and strategic legal issues whilst also commissioning and managing the contract with the company.

6. The Cabinet decision provided for a managed transition to the new arrangements to ensure that potential conflicts of interest were avoided and managed whilst ensuring that both the commissioner and provider elements of the project continued to progress. The structure chart for the internal arrangements is included for ease of Member's reference at Appendix 1.
7. The structure and staffing of the Corporate Law and Assurance (CLA) team has been confirmed by the Personnel Committee. As a result, Ben Watts was appointed as General Counsel (Interim) effective from 1 July 2016 to provide leadership in relation to corporate legal issues. Any permanent recruitment to the post will be a member appointment and this will be considered further by the Personnel Committee.
8. The General Counsel (Interim) has taken over a number of the roles previously carried out by Geoff Wild to allow him to focus on his new role as Chief Executive of the new company. These include the statutory Monitoring Officer role, membership of Corporate Board/CMT, responsibility for Democratic Services and the Information Resilience and Transparency Team, the function of SIRO (Senior Information Risk Owner) and legal advisor to the full Council, committee meetings and Members. On 15 October 2016, he was also appointed as the County Returning Officer.
9. The General Counsel and the CLA team are also supporting Members and the Democratic Services team in legal issues arising from the council's business.
10. The creation of the role of General Counsel (Interim) reflects a change to the way that legal issues and legal risk will be identified and managed within the Council. In addition to managing the contract with Invicta Law, the main aim of the team is to proactively assist the Council to identify legal risks at an early stage, preventing the need for significant and costly legal advice at a later date. Importantly, the function will work across the council to help officers work more effectively with lawyers through improving the instruction process and way in which legal advice is procured and used.
11. The transition of these roles has carefully considered organisational needs and the development of the respective council and company teams. Members have previously asked for assurances around the new management arrangements. Geoff Wild and Ben Watts have worked through a transition plan regarding the handover of the Monitoring Officer, County Returning Officer and Senior Information Risk Owner roles.
12. These changes have meant that since 1 July 2016, Invicta Law have been able to move towards acting as a provider to the council and the Corporate Law and Assurance team as commissioner. Both the Council and Invicta Law have recognised the opportunity to jointly design future

service delivery and to help Invicta Law build a suite of products that will meet the needs of their target client base across the country.

13. The CLA team has been incrementally built over recent months and became fully operational on 5<sup>th</sup> September 2016 and was drawn entirely from existing Kent Legal Services staff. The transferring team comprises four lawyers and two support staff who will be further assisted by two apprentices who are currently being recruited. To ensure retention and avoid uncertainty, these permanent staff were flexibly deployed into their new roles.
14. In creating the CLA Team, the project team which presented to Cabinet recognised that training and development for the team was as important as the development and training of the staff who would be transferring to the company. The General Counsel and CLA roles are unique within local government and the Council is supporting these staff through professional development to define and deliver these exciting and challenging new roles successfully.
15. The CLA team's primary functions are to:
  - a. Provide advice on legal issues and legal risk to the Council's Members and senior officers
  - b. Work with officers across the council to transform the way that lawyers are instructed and involved by KCC.
  - c. Manage the arrangements and contract between the company and the Council acting as commissioner of all legal services and advice
  - d. Retain and manage the Council's significant contracts and deeds
16. The appointment of the General Counsel (Interim) and the creation of the Corporate Law and Assurance Team carefully reflected the views expressed by Members of this Committee (and Cabinet, Governance and Audit Committee and the Commissioning Advisory Board) in relation to staff retention, transition and knowledge transfer.

### **Interface with Invicta Law**

17. Whilst the ABS is being developed, the CLA team has a crucial role in working with both the Council and the ABS to ensure that the future provision by the ABS back to KCC is both **better and lower cost**. The development phase of the ABS provides an excellent opportunity for the CLA and Invicta Law teams to work together to redesign and improve the service delivery. This has included joint workshops on process and workflow and survey activity to understand client and staff perspectives.
18. The CLA team will work closely with the company and seek to foster a positive working relationship. There are times when the CLA team will be a client of the company, but its main role will be to hold the company to account and ensure it is meeting its contractual requirements.
19. This changing relationship brings a scrutiny on the outcomes and service provided by Invicta Law which will be new for many of its lawyers.

Pleasingly, it is something that the management team of Invicta Law have positively welcomed.

20. The transitional period has provided an opportunity to work together to provide a clearer way of working for when Invicta Law start trading fully. The General Counsel (Interim) and Principal Solicitor are working with the Directors of Invicta Law on the detailed transition plan to manage this.
21. The General Counsel (Interim) attended the Challenger Group in the summer to provide an outline of the expectations that senior officers and staff can have in relation to the new legal service. Sharing the same platform, James Pigott from the company side talked about the opportunities and transformation that were being planned for the new business. Importantly, both of them explained the change that would be required from the business and the Council in terms of ways of working. Further joint sessions are planned for Challenger Group and officers throughout the council to ensure service continuity for front-line services across KCC.
22. The CLA team and Invicta Law have agreed single points of contact to ensure continuity of discussion around key areas of activity and negotiation over the coming months. This reflects one of the council's key contract management principles around managing relationships with suppliers.

### **Activity Since July 2016**

23. As well as providing legal advice on a wide range of corporate and strategic matters, the team has been working on a range of issues related to the creation of Invicta Law and the establishment of the commissioning arrangements.
24. In an effort to support Invicta Law in their transition, the CLA team has been reviewing historic Kent Legal Services files and disposing of them in accordance with the council's retention policies. This has freed up considerable resources within Invicta Law to concentrate on fee earning and the development of the ABS.
25. The CLA team has undertaken surveys of Invicta Law staff, and of officers across the Council who instruct them. The survey outcomes are being used by the CLA team to start a dialogue about the necessary changes in behaviour both from legal services and those instructing them. The CLA team will be working with officers across the Council to ensure that the instruction of legal services is streamlined and cost effective.
26. The surveys were produced to provide a benchmark in respect of the current legal services provision. This will enable the CLA team to measure the positive progress made by the company as they implement improved systems and ways of working. Consistent with the Invicta Law

business plan, it is expected that the level of satisfaction will increase over the course of the company's trading, including the first year.

27. The survey results have provided the CLA team with an insight into how officers view the legal service they receive. It has also been helpful to understand how KCC officers are perceived by legal services. This has provided valuable information that will assist the company to work towards a better and cheaper provision in the future and understanding their clients better. The CLA team will be delivering a range of learning and training for KCC staff that will directly address a number of the issues and concerns raised by Invicta Law lawyers in the surveys.
28. The surveys have been followed up with officers across the council to gain a greater understanding of the legal needs of KCC both now and in the future. Throughout that work it has become apparent that there is a need for continued conversation with this cohort of officers and as a result the General Counsel (Interim) is creating a Cross-Directorate Legal Client Forum which will meet for the first time in December.
29. The Client Forum will provide the commissioning team with a focus group to work through proposed changes and to help with the transition of Invicta Law. Most importantly, it gives the people who use Invicta Law an opportunity to gather and share their thoughts on the service and an opportunity to inform improved future delivery built around their requirements.
30. The General Counsel (Interim) met with members of the Invicta Law project team to inform their specification for a case management solution from a client perspective.
31. Over recent months, members of the CLA team have been auditing the work and charging of Invicta Law. Opportunities for change and improvement are being identified and worked through with the company. It is also expected that the council's investment in the company will allow for some of these improvements to be delivered through the use of technology in due course.
32. In addition to looking at the charging and work of Invicta Law, the CLA team have also looked at the way in which KCC officers use and instruct lawyers. This is being reflected in the training that is being developed for delivery in the first three months of 2017.
33. Over the past few months, the team has been building relationships with officers across the council and gaining an understanding of the key legal issues facing KCC operationally.
34. The management of the council's significant contracts and deeds is an important element of the CLA team's responsibilities. The team has carried out a review of the existing legal case files and the historic deeds, contracts and documents held by the council. The team is now working on a project to turn these documents into a fully searchable database

that will reduce the future cost of managing these documents and the legal cost of reviewing them for transactions.

35. The Council has now formally established the governance arrangements in relation to the exercise of shareholder responsibilities. The first meeting of the Shareholder Board took place on 28 September, and future meetings have been arranged and confirmed.

### **Forthcoming Activity**

36. In the run up to the commencement of trading by Invicta Law, there are a number of strands of different activity that the client side are working on. These include:

- a. Further work analysing legal spend by directorate and identification of planned spending for the remainder of 2016/17 and for 2017/18 to manage and align Invicta Law and Collaborative Planning forecasts. This will improve understanding of the council's planned legal needs and improve the accuracy of forecasting for the Council and the financial management of the business.
- b. Continued development of the governance arrangements consistent with the other trading activities and budget requirements of the Council.
- c. Meetings of the Cross-Directorate Legal Client Forum to inform the service delivery, client expectations, improvement journey and specification of legal needs for future years.
- d. Detailed work on the specification to inform the commissioning arrangements and to allow the Council to provide Invicta Law with likely demand for 2017/18 based around planned activity.
- e. Negotiation of the contract for services and ancillary legal documents between the Council and Invicta Law.
- f. Project planning and delivery around the future management of the Council's significant contracts and deeds working with colleagues in Infrastructure and Invicta Law to design the new way of working.
- g. Communications strategy to KCC and Invicta Law around the role of the Corporate Law and Assurance Team and the Council's new approach to legal commissioning. Work will include refreshing the visibility of the entire division including Democratic Services and the Information Resilience and Transparency Team.
- h. Provide legal advice and support to KCC on the transition of the company to new premises including advice on the property arrangements and TUPE provisions where needed.

- i. The movement of the Corporate Law and Assurance Team to the Democratic Services corridor to provide Members and officers with their corporate democratic and legal functions in a single area.
  - j. Establishment of commissioning meetings with key clients of Invicta Law to monitor spend, activity and performance. Additionally, these meetings will look at how the Corporate Law and Assurance Team can support the improved management and instruction of legal matters and respond to the issues raised in both the client and Invicta Law Staff surveys.
  - k. Detailed working with Invicta Law around the transition plan to ensure that the arrangements are in place to manage service delivery during their move to new offices and commencement of trading.
  - l. Further work with Invicta Law around the implementation of their case management solution to ensure that the Council's needs are met.
37. The General Counsel (Interim) will provide further update reports to the Policy and Resources Cabinet Committee during this period and provide further detail on the commissioning activity ahead of the new financial year.

**Recommendation:** The Policy & Resources Cabinet Committee is asked to consider the contents of this report and note the progress regarding the establishment of the commissioning and governance arrangements.

**Report Author:**

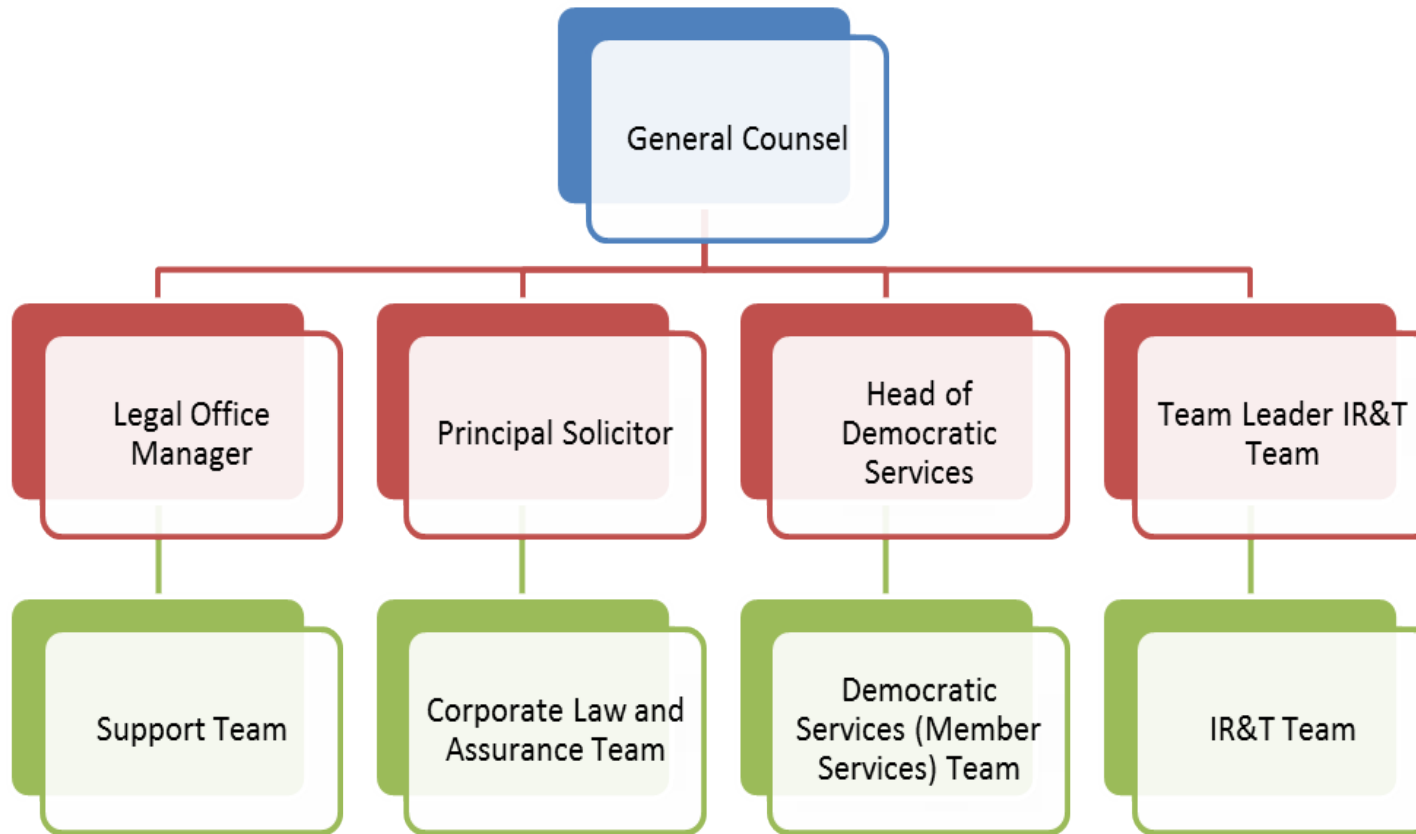
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## Appendix 1 – Revised Structure

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Agenda Item E1

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