



AGENDA

POLICY AND RESOURCES CABINET COMMITTEE

Wednesday, 26 July 2023, at 10.00 am Ask for: **Katy Reynolds**
Council Chamber, Sessions House, County Telephone: **03000 422252**
Hall, Maidstone, ME14 1XQ

Membership (16)

- Conservative (12): Mr R J Thomas (Chair), Mr N Baker, Mr P V Barrington-King,
Mr P Bartlett, Mr T Bond, Mr T Cannon, Mr N J D Chard,
Mr P C Cooper, Mr M Dendor, Mr J P McInroy, Mr H Rayner and
Mr M Whiting
- Labour (2): Ms M Dawkins and Dr L Sullivan
- Liberal Democrat (1): Mr A J Hook
- Green and
Independent (2): Rich Lehmann and Mr P Stepto

UNRESTRICTED ITEMS

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

- 1 Introduction/Webcast announcement
- 2 Apologies and Substitutes
- 3 Declarations of Interest by Members in items on the Agenda
- 4 Minutes of the meeting held on 24 May 2023 (Pages 1 - 4)
- 5 Election of Vice-Chair
- 6 Property Accommodation Strategy - Strategic Headquarters (Pages 5 - 68)
- 7 Regular Medium Term Financial Plan (MTFP) update (Pages 69 - 78)

- 8 Update on the Afghan Resettlement and United Kingdom Resettlement Schemes (Pages 79 - 86)
- 9 Homes for Ukraine Programme Update (Pages 87 - 110)
- 10 23/00063 - Enterprise Business Capabilities Modernisation (To Follow)
- 11 Commissioning of Legal Services
To follow.
- 12 Annual Information Governance Update (Pages 111 - 118)
- 13 Decision taken between Cabinet Committee Meetings - 23/00067 (Pages 119 - 142)
- 14 Work Programme (Pages 143 - 150)

Motion to exclude the press and public for exempt business

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.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

EXEMPT ITEMS

(Some items on this agenda contain exempt appendices – during consideration of these items, the Committee may resolve to exclude the press and public.)

Ben Watts,
General Counsel
03000 416814

Tuesday, 18 July 2023

KENT COUNTY COUNCIL

POLICY AND RESOURCES CABINET COMMITTEE

MINUTES of a meeting of the Policy and Resources Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 24 May 2023

PRESENT: Mr R J Thomas (Chair), Mr N Baker, Mr P V Barrington-King, Mr T Bond, Mr A Brady, Mr T Cannon, Mr N J D Chard, Mr G Cooke, Mr P C Cooper, Mr M Dendor, Mr A J Hook, Rich Lehmann, Mr J P McInroy, Ms M Dawkins and Ms S Hamilton

ALSO PRESENT: Mr P Oakford

IN ATTENDANCE: Mr D Shipton (Head of Finance Policy, Planning and Strategy), Mrs A Beer (Deputy Chief Executive), Mrs R Spore (Director of Infrastructure), Mr B Watts (General Counsel), Mr D Whittle (Director of Strategy, Policy, Relationships and Corporate Assurance), Ms L Gannon (Director of Technology), Miss K Reynolds (Democratic Services Officer), Mr A Carty (Head of Facilities Management), Ms J Johnson (Partnership and Programmes Manager), Mr P Murphy (Infrastructure Business Partner) and Mr J Sanderson (Head of Property Operations)

UNRESTRICTED ITEMS**140. Apologies and Substitutes**

(Item 2)

Apologies for absence had been received from Dr Sullivan, Mr Bartlett and Mr Rayner. Ms Dawkins was present as substitute for Dr Sullivan and Ms Hamilton was present as substitute for Mr Bartlett.

141. Declarations of Interest by Members in items on the Agenda

(Item 3)

There were no declarations of interest.

142. Minutes of the meeting held on 9 March 2023

(Item 4)

It was RESOLVED that the minutes of the meeting held on 9 March 2023 are correctly recorded and they be signed by the Chair. There were no matters arising.

143. Performance Dashboard for the Chief Executive's Department and Deputy Chief Executive's Department

(Item 5)

Shellina Prendergast, Cabinet Member for Communications, Engagement, People and Partnerships was in attendance for this item.

1. Mr David Whittle introduced the report which updated the Committee on the progress made against targets set for Key Performance Indicators (KPIs).
2. In response to questions and comments from Members it was said that:
 - a) Work was being undertaken to centralise complaint handling to ensure that best practice was shared easily across the Council. However, due to the backlog in some areas this was not expected to return to Green by the time of the next report.
 - b) b) Regarding the Red RAG rating for the 'Percentage of daytime calls to Contact Point answered', it was confirmed that there were financial penalties in place for not meeting contractual requirements and these were reinvested in the service. However, Mrs Amanda Beer and Mrs Prendergast said that it was necessary to review the targets in light of the current operating context for call centres, which had changed significantly since the targets were first set. The current contract for the call centre expires in December 2025 and an update and further information on the future requirements for the service would be provided to the Committee in due course
 - c) Mr Ben Watts confirmed that an annual report on Information Governance would be provided at the July meeting of the Policy and Resources Cabinet Committee. This would include further information regarding the ongoing work to address the underperformance in KPIs related to completing Freedom of Information (FOI) requests and Subject Access Requests (SARs) within statutory timescales. A briefing providing more detail, including examples of requests received, could be provided to Members ahead of the meeting.
3. RESOLVED to note the performance position for the Chief Executive's Department and Deputy Chief Executive's Department and comment on the KPIs and targets proposed for 2023/24.

144. Facilities Management Bi-Annual Update *(Item 6)*

1. Mr James Sanderson introduced the report which provided the Committee with a biannual update on KCC's Facilities Management arrangements to provide services across both the corporate and schools estate, for which KCC has responsibility. It includes an update on the performance of the current contract and changes over the last six months. This was the first report since the disaggregated facilities management (FM) model came into effect from November 2022.
2. In response to questions and comments from Members it was said that, given the vastness and complexity of the estate, there were various tasks being undertaken as part of the transition period to the new model, including the update of asset registers. It was reiterated that while there had been a drop in performance during this transition period, the FM team had been working closely with Skanska colleagues to mobilise and transition to the new contract and working arrangements. There were performance incentives in place.
3. RESOLVED to note the report and progress.

145. Kent Partnerships Update - Kent Estates Partnership (KEP) / Kent Connects
(Item 7)

1. Mr Phil Murphy introduced the report which provided an annual update on the two multi-agency partnerships: Kent Estates Partnership and Kent Connects. Mr Murphy confirmed that the partnerships continued to thrive and provide benefits to KCC.
2. Mr Murphy and Ms Julie Johnson responded to the following questions and comments from Members:
 - a) Asked about the processes related to the Land Release Fund (LRF) and Brownfield Land Release Fund (BLRF), it was said that these funds were only available to councils. The External Partnerships Team in the Infrastructure division worked with these local authorities to identify projects that fulfil the eligibility criteria.
 - b) Asked about the third round of the BLRF, it was said that an update could be provided to Members as part of the next annual update. A full list of the projects that had been undertaken would be provided to Members outside of the meeting.
3. RESOLVED to note progress to date and the development of the partnerships.

146. 23/00037 - Microsoft Licencing Agreement Contract Award
(Item 8)

1. Ms Lisa Gannon introduced the report which outlined the proposal to enter into a new 3-year licencing agreement between July 2023 and June 2026. It was said that the 3-year agreement allowed for a degree of stability and secured beneficial pricing.
2. In response to questions and comments from Members it was said that, due to the current market conditions, the Council had limited alternative options. This was consistent with the experience of other councils.
3. RESOLVED to consider and endorse or make recommendations to the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on the proposed decision to:
 - a. agree to enter into a new Microsoft licencing agreement for 3 years to meet Kent County Council business and Infrastructure licencing requirements; and
 - b. delegate authority to the Director of Technology in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, for the necessary contractual negotiations to enter into any legal agreements required to implement the above.

147. Enterprise Business Capabilities (EBC) Modernisation
(Item 9)

1. Ms Gannon introduced the report which provided Members with an update on the current progress of the EBC Program and outlined the forthcoming steps in relation to decisions around progressing to award and implementation.
2. It was moved that, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the remainder of this item to allow for the discussion of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.
3. In response to questions and concerns raised by the Members, it was agreed that a briefing could be provided ahead of the key decision. The briefing would include further details regarding the projected implementation costs, estimated savings, and risks associated with the options considered.
4. RESOLVED to note progress and the next steps in the programme to modernise the EBC.

148. Work Programme

(Item 10)

1. The clerk advised that the agenda setting for the July Policy and Resources Cabinet Committee meeting had taken place since the publication of the agenda and there had been the minor revisions which had been shared with group representatives.
2. RESOLVED to consider and note the planned work programme for 2023.

From: Peter Oakford – Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

To: Policy & Resources Cabinet Committee – 26 July 2023

Subject: Property Accommodation Strategy – Strategic Headquarters (SHQ)

Key decision Yes - The delivery of the strategy is likely to involve expenditure / savings in excess of £1m.

Classification: Unrestricted Report with Exempt Appendix A and B – *not for publication. Paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended, refers.*

Past Pathway of report:

Policy and Resources Cabinet Committee, 11th September 2020

Policy and Resources Cabinet Committee, 6th November 2020

Policy and Resources Cabinet Committee, 13th July 2021

Policy and Resources Cabinet Committee, 24th March 2022

Policy and Resources Cabinet Committee, 23rd November 2022

Future Pathway of report: Cabinet Member decision.

Electoral Division: All

Summary:

This report seeks to update the Policy and Resources Cabinet Committee following the decision 21-00064 on 13 August 2021 which confirmed a preferred option for the development of the Kent County Council (KCC) Property Accommodation Strategy for its Strategic Headquarters. The report sets out changes in the operating environment, the options that are now being considered and the preferred option.

Recommendations:

The Policy and Resources Cabinet Committee is asked to consider and endorse or make recommendations to the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Service on the proposed decision to:

- 1) AGREE to discontinue with the Preferred Option as set out decision 21-00064;
- 2) NOTE AND AGREE the current business case and Value for Money assessment recommendations and that a further market test of Sessions House will be progressed to enable the next steps and approach to be agreed;
- 3) ALLOCATE £3.4m from the 2023-33 approved capital budget to enable the essential and urgent backlog maintenance works at Invicta House to be completed; and
- 4) AGREE to delegate authority to the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services,

Corporate Director, Finance and General Counsel to authorise the execution of necessary contractual and land agreements required to implement the above.

1. Introduction

1.1 A report was provided to the Policy and Resources Cabinet Committee on 11 September 2020, on the preparation of a Strategic Outline Case (SOC) that reviewed the options for the future of the Headquarters Estate centred around Sessions House. This was reviewed by the Committee on the 6 November 2020, where it was agreed that the options appraisal should be revisited, taking into account accommodation changes following the COVID-19 pandemic.

1.2 The key policy drivers to change the office estate are as follows:

- Kent County Council's commitment to an inclusive workplace
- Carbon Neutral by 2030
- Condition and suitability issues
- Reduced Requirement for office space that is more effective and affordable
- Supporting regeneration and Place making

1.3 Following consideration of the revised options, on 13 July 2021, the Policy and Resources Cabinet Committee received an update on the Office Accommodation Strategy that specifically addressed KCC's Maidstone office assets, Invicta House and Sessions House (referred to collectively as SHQ).

1.4 Following this meeting, the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services took decision 21-00064 on 13 August 2021 to progress with the marketing of Blocks A, B and E of Sessions House for disposal and to develop an option for the refurbishment and modernisation of Blocks C and D predominately for civic uses and Invicta House as a staff hub.

1.5 On March 24 2022, the Policy and Resources Committee received an update on the progress of the project following the decision 21-00064. RIBA Stage 1 had been completed for the Masterplan, including development of design options for Blocks C and D of Sessions House and Invicta House, with RIBA Stage 2 designs due for completion in summer 2022. The marketing exercise for the disposal of Blocks A, B and E of Sessions House was noted to commence summer 2022.

1.6 RIBA Stage 2 design progression and subsequent Final Design Report for the '2021 Option' was completed in June 2022. The cost plan associated with RIBA stage 2 indicated a capital cost of £56.8m.

1.7 In October 2022, given the Council's significant financial challenges, the Deputy Leader and Cabinet Member instructed officers to pause design work for the 2021 option and revisit the scope and present lower capital cost options. The £35m capital budget allocated to the project was reduced to £20m and endorsed by full Council in February 2023.

1.8 On 23rd November 2022, the Policy and Resource Cabinet Committee were presented with a longlist of 6 options for consideration. It was noted that Option 1 (The July 2021 Option) and Option 2 (Retain and expand Invicta House and utilise other KCC

accommodation) were not being progressed further due to the high capital cost requirement of each, exceeding the revised maximum budget of £20m and were therefore discounted from further consideration as shortlisted options.

1.9 The four remaining lower capital cost options, as outlined in section 2, were shortlisted for further consideration and developed in further detail with both qualitative and financial assessments to be undertaken.

1.10 In December 2020, the Council established its Strategic Reset Programme (SRP). Future Assets including the future of SHQ is one of the 13 strands of the SRP. The future of SHQ will influence the accommodation provision across the remainder of the office estate and the delivery of £2.231m revenue savings, which was agreed by full Council and is in the medium-term financial plan (MTFP) as a result of a smaller and more efficient office portfolio.

2. Refresh of the SHQ Options

2.1 The Business Case setting out the consideration of the shortlisted options is included within the Exempt Appendix A.

2.2 Historic under-investment in the estate over many years has created a significant maintenance backlog. As a result of this backlog and the limited suitability of buildings, many services are delivered from buildings that offer a poor user experience. In some cases, staff and service users have had to work in restricted and challenging environments due to condition problems which have resulted in the need to temporarily close areas of buildings or a whole building due to health and safety concerns.

2.3 Due to the limited resources available, urgent health and safety spend is often prioritised meaning that suitability and accessibility issues are rarely addressed with management actions often put in place to enable services to function. i.e. location of functions is driven by the need for accessibility not strategic location and need. The parts of the SHQ campus in Sessions House that were in particularly poor condition (namely Blocks A, B & E) have not been reoccupied since the COVID-19 pandemic.

2.4 While KCC has committed to being carbon neutral by 2030, given the revised financial constraints and a maximum capped budget of £20m, the reduction of the KCC carbon footprint can only be achieved through this programme via a reduction in the estate footprint. Due to the size of the estate and the large building footprint along with the inefficiencies of operating out of some of the current buildings, the current estate, including its office estate, accounts for 46% of the current total emissions that KCC produces.

2.5 Annual revenue running costs are approximately £6.5m across KCC's office estate including SHQ with 3,300 tons of carbon produced. The reduction in the size of the estate (variable subject to selected option) will therefore partly address these figures but KCC's target will not be fully realised by this. To meet the target set other measures across the estate will need to be implemented.

2.6 The key drivers for the project within the £20 million cap are therefore:

- **Address Critical backlog Maintenance** - Address Critical Red and Amber backlog condition works to ensure estate is Warm, Safe and Dry (WSD).

- **Reduce ongoing future maintenance** - Through addressing backlog maintenance the future ongoing planned preventative maintenance (PPM) works are reduced and can be planned in an efficient manner.
- **Provide accommodation requirements** - Provide accommodation in line with the minimum accommodation requirements schedule for the new SHQ provision.
- **Rationalise under-utilised estate** - Reduction in the size of the SHQ estate by disposing of unused accommodation which in turn reduces future ongoing liabilities from upkeep and holding costs.

2.7 Four shortlisted options have been identified with the capital cost implications as follows:

- Option 3 - £20m Capital Cost
- Option 4 - £15m Capital Cost
- Option 5 - £6.4m Capital Cost
- Option 6 - £7.7m Capital Cost

2.8 The capital cost estimates have been calculated based on a number of assumptions and high-level indicative cost estimates as highlighted in the risk sections. Please refer to Exempt Appendix B for full summary of options.

3. Qualitative Assessment Criteria for Business Case

3.1 The Business Case identifies a number of critical success factors upon which the qualitative evaluation has been completed.

3.2 The rationale for selection of the critical success factors is detailed below. The qualitative evaluation contains critical pass/fail criteria with the scored element carrying an overall weighting of 30% and finance 70%. This recognises the importance of the financial drivers.

Project Objective	Weighting	Rationale for Critical Success Factor being selected
Accommodation Requirement Minimum Accommodation Delivered for SHQ	Pass / Fail	Minimum Accommodation requirement can be met to deliver: <ul style="list-style-type: none"> • Members spaces • Corporate Management Team (CMT) Provision • Governance and Legal • Facilities Management (FM) (Partial) • Core Officers Accommodation • Reception / waiting area • Circulation • Plant and Storage
Location Location is accessible, for staff, visitors and partner organisations	Pass / Fail	Location of SHQ must have good transport links for access by staff, visitors, partner organisations and members of the

		public as the democratic centre for the Council's operations.
Accommodation Quality Addressing Backlog Maintenance	Pass/Fail 10%	Objective set to assess the extent that the option addresses urgent backlog maintenance (Red and Amber 1 – 5 years) for buildings that are retained.
Accommodation Requirement Reduce staff space requirement for SHQ from previous pre-covid space levels, whilst ensuring a critical mass of staff are still located together in a single location with adequate space provision. Release surplus capacity in order to reduce the total KCC estate.	10%	A significant cluster of strategic staff can be accommodated together to enable strategic services across key services to come together
Accommodation Requirement Desirable Accommodation Delivered for SHQ	5%	Includes a Council Chamber
Accommodation Quality Provides accommodation which enables inclusive access for all.	5%	As an inclusive employer, a suitable level of accessibility can be achieved.
Impact of Change Minimises organisational change	20%	Objective set to establish the impact that each option would have on organisational change to staff contracts and impact on staff retention and morale.
Deliverability (MOJ Covenant) Risk associated with ability to deliver the option	10%	Objective set to establish the deliverability of the option in the context of the ability to lift or vary the Ministry of Justice (MOJ) covenant
Deliverability (Market Appetite) Risk associated with ability to deliver the option	30%	Objective set to identify the market appetite for disposal and commercial viability to deliver a s.123 compliant disposal (assuming sold with vacant possession)
Deliverability (Construction Delivery) Risk associated with Construction phase delivery of the project	10%	Objective set to identify the level of certainty to complete the construction works within the project tolerances (scope, budget, and programme)

3.3 The full Qualitative Scoring Matrix is set out in more detail in the Exempt Business Case Appendix.

3.4 Based on the qualitative assessment both Option 4 and 6 fail key evaluation criteria for different reasons as set out in the Exempt Appendix.

3.5 Only the remaining Options 3 and 5 therefore progressed following the qualitative assessment. Option 3 and 5 are both centred around KCC existing accommodation in Maidstone (Sessions and/or Invicta House). Option 6, which considered locations outside of Maidstone, was discounted.

4 Financial and Value for Money Assessment of Options

4.1 The detailed financial analysis and assessment of the options is set out in the Final Business Case and has been undertaken by the Council's Finance Team. The calculations are set out in an Exempt Appendix and are based on a range of assumptions and high-level indicative cost estimates as highlighted in the risk section below.

4.2 The capital programme includes an allocation of £20m funded by prudential borrowing for the Strategic Office Estate, which will be used to take the preferred option forward.

4.3 The financial assessments cover the medium-term (five years), and also a 40-year lifespan for a building project. Consideration has been given to:

- a. how much each option costs relative to the current approved capped budget of £20m;
- b. how each option delivers against the existing annual revenue savings target of £1m attributed to SHQ; and
- c. how the capital investment for each option addresses the current identified backlog maintenance and reduces future investment needs.

4.4 Each financial consideration has been weighted using the following weighting and rationale:

- a. Weighting of 35% reflects the scale of the approved £20m capital budget in the current economic climate, the associated cost of borrowing (£1.4m pa) and its resultant impact on the revenue budget.
- b. Weighting of 20% reflects relativity to the capital costs and the importance of delivering the MTFP savings target of £1m pa. (Revenue savings do not take into account the costs of borrowing).
- c. Weighting of 45% due to the importance of needing to reduce backlog and ongoing planned maintenance considering value for money of capital investment now and/or removal of ongoing liability.

4.5 Highlights from the assessments are summarised within the Exempt Appendix.

4.6 It is worth noting that all options have been assessed as being deliverable within the £20m capital cap, as well as delivering an annual revenue saving and addressing backlog maintenance issues.

4.7 It should be noted that if any option had scored a zero against either a or b in 4.4 above, the option would have failed.

5 Combined Scoring

5.1 Combined scoring has been based on a 70:30 weighting in favour of the financial evaluation. Based on the combined Financial and Qualitative scoring the following ranking can be established.

5.2 The below table identifies the weighted score for both the qualitative and financial evaluation, along with a combined weighted score.

	Base Case*	Option 3	Option 4	Option 5	Option 6
Qualitative Weighted Score (%)	18.3%	18.9%	17.7%	14.7%	7.2%
Financial Weighted Score (%)	18.9%	32.2%	37.1%	50.4%	58.8%
Combined Weighted Score (%) (Finance 70:30 Quality)	37.2%	51.1%	54.8%	65.1%	58.8%
RANKING - applying evaluation methodology	3	2	Fail	1	Fail

*Base Case – the Base Case sets out the do minimum option and is for comparison purposes only.

5.3 Based on the combined scoring, Option 5 is ranked highest. With a high financial assessment score and the higher finance weighting, its overall higher ranking is supported by a Net Present Value (NPV) cost of £33.8m less than Option 3 over a 40-year period.

5.4 There are however a number of risks associated with both option 3 and 5 which are set out in the Exempt Appendices, the Business Case and the Value for Money (VFM) assessment. Given the significant financial difference between the two options, it is proposed to further test the market in relation to any disposal of Sessions House in part or as a whole in order to establish the deliverability of Option 5.

5.5 The outcome of the further market testing will help shape the next steps and the deliverability of Option 5 compared to Option 3.

5.6 In addition to the financial analysis and assessment external specialist financial advisers were commissioned to assess whether the processes for assuring that VFM considerations have been appropriately applied when recommending the Preferred Option to deliver the objectives of the SHQ Programme (report attached as an Exempt Appendix to the Business Case). Their report confirms that the preferred option provides the best VFM and makes a number of recommendations to ensure that VFM is maintained in the next phase of the project, these recommendations have been agreed and will be implemented as part of the next phase.

6 Equalities Implications

6.1 An Equalities Impact assessment (EQIA) has been completed and submitted in support of the paper.

6.2 A Data Protection impact assessment (DPIA) has also been completed and submitted in support of the paper.

7 Other corporate implications

7.1 SHQ and its future direction is a key strand of the office strategy as part of the SRP and the delivery of the MTFP savings.

8 Governance and Corporate Assurance

8.1 Any decision will be progressed in line with the governance processes of the Council.

8.2 The Business Case has been reviewed by corporate assurance and comments addressed where appropriate.

9 Conclusion

9.1 As a result of the Council's financial position, it has been necessary to reconsider the previous decision and the scope of the SHQ project as per decision 21-00064.

9.2 The capital budget for the project was reduced to £20m in October 2022 and agreed by full Council in February 2023. The report sets out a range of options that have been considered within the revised capital budget.

9.3 Options 4 and 6 failed to pass the qualitative criteria and are therefore discounted. The remaining Options 3 and 5 both retain the SHQ within Maidstone and utilise existing accommodation within the SHQ estate.

9.4 Given the significantly lower overall NPV associated with Option 5 in comparison to Option 3, further market testing is required to establish the market viability of a disposal of the whole or part of Sessions House that would satisfy the MOJ covenants requirements. This remains a key project risk and is a determining factor which informs the next steps and the deliverability of Options 3 and 5.

9.5 Given that both options include the continued occupation by KCC of Invicta House, it is proposed to progress with the urgent maintenance works at Invicta House, including the required roof works. £3.4m will be allocated from the £20m approved capital budget in order to progress the design and completion of these works.

9.6 The proposed timelines for the next steps are as follows:

Key Activity	Option 5
Key Decision taken	August 2023
Invicta House Design/ Planning/ Contractor Procurement Completed	September 2023 – March 2024
Works start Invicta	March 2024
Marketing exercise Sessions	September 2023 - March 2024
Confirmation as to the next steps	April 2024

10 Recommendation(s):

The Policy and Resources Cabinet Committee is asked to consider and endorse or make recommendations to the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Service on the proposed decision to:

- 1) AGREE to discontinue with the Preferred Option as set out decision 21-00064;
- 2) NOTE and AGREE the current Business Case and Value For Money assessment recommendations and that a further market test of Sessions House will be progressed to enable the next steps and approach to be agreed;
- 3) ALLOCATE £3.4m from the 2023-33 approved capital budget to enable the essential and urgent backlog maintenance works at Invicta House to be completed; and
- 4) AGREE to delegate authority to the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, Corporate Director, Finance and General Counsel to authorise the execution of necessary contractual and land agreements required to implement the above.

11 Background Documents

11.1 Exempt Appendix A – Business Case – available on request.

11.2 Exempt Appendix B – Supporting Information.

12 Contact details

Report Author: James Sanderson Head of Property Operations 03000 41 76 06 James.sanderson2@kent.gov.uk	Relevant Director: Rebecca Spore Director of Infrastructure Telephone: 03000 41 67 16 Rebecca.spore@kent.gov.uk
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From: **Peter Oakford, Deputy Leader & Cabinet Member for Finance,
Corporate and Traded Services**

Zena Cooke, Corporate Director for Finance

To: **Policy and Resources Cabinet Committee – 26 July 2023**

Subject: **Financial Update**

Classification: **Unrestricted**

Electoral Division: **All**

Summary:

The attached report provides an update on the development of 2024-25 budget and 2024-27 medium term financial plan. The report sets out the timetable which includes planned earlier publication of the administration's draft budget proposals for scrutiny in November, freeing up the January round of meetings for key decisions in principle pending approval of the budget in February. This will allow a comprehensive package of decisions and earlier implementation. The paper provides information on budget consultation launched on 13th July and progress on developing Outcomes Based Budget both of which support the earlier timetable.

Recommendation(s): The Cabinet Committee is asked to note this report.

Contact details

Report Author

- Dave Shipton (Head of Finance Policy, Planning and Strategy)
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Financial Update

	Sctn	Page
Summary	1	2
2024-25 Budget Consultation	2	3
Revenue Budget Strategy	3	4
2024-25 Draft Budget Process and Timetable	4	6
Appendices		

Relevant Director	Corporate Director Finance, Zena Cooke
Report author(s)	Head of Finance Policy Planning and Strategy, Dave Shipton
Circulated to	
Classification	Unrestricted

Contact details

Head of Finance Policy, Planning and Strategy Dave Shipton 03000 419 418 dave.shipton@kent.gov.uk
Corporate Director of Finance Zena Cooke 03000 419 205 zena.cooke@kent.gov.uk

<p>Budget consultation launched 13th July 2023</p>	<p>Consultation is open for 8 weeks until 6th September 2023 and can be found at www.kent.gov.uk/budget. The consultation seeks views on what services should be prioritised, and extent to which council tax should be increased to protect them. The consultation focuses on the big six spending areas related to people and place and the areas for savings to balance the budget.</p>
<p>Budget strategy moving away from incremental approach</p>	<p>Incremental budgeting adds/subtracts on the current year's budget for known and forecast changes, including changes in prices, demands and local policy objectives. Incremental budgeting works if changes can be robustly forecast but has inherent flaws in challenging the basis of current budgets, and is highly susceptible to volatility from external factors.</p>
<p>Outcomes based approach better aligns resources to council priorities</p>	<p>The outcomes approach for 2024-25 (with indicative illustrative allocations for 2025-26 and 2026-27 for planning purposes) allocates the forecast available resources via a combination of unavoidable increases (largely contractual prices), existing savings and income plans with the balance allocated on outcome priorities.</p> <p>For 2024-25 the outcomes approach is based on the big six spending areas related to people and place and effectively means that adults and children's services receive the increases from targeted government grants and social care council tax levy, highways is to be prioritised from any available resources after allowing for unavoidable increases and savings for other services based on the existing updated medium-term financial plan (MTFP).</p>
<p>Early scrutiny of the Administration's draft budget in November</p>	<p>Earlier launch of budget consultation, development of Outcomes based budgeting, and the announcement of settlement principles for 2024-25 allows the budget timetable to be planned to be brought forward to enable budget scrutiny in November. This frees up time in January for key decisions to be agreed in principle pending County Council agreement of the budget in February, allowing earlier implementation.</p>

2.1 Consultation on the 2024-25 budget was launched on 13th July 2023. The consultation is open for 8 weeks until 6th September 2023 and can be found at www.kent.gov.uk/budget. The launch included a media release, social media advertising, as well as poster/postcards in KCC facilities.

2.2 A supporting document sets out the background to the consultation including key facts about Kent, KCC's strategic priorities, the financial challenges the council has had to address in recent years, the 2022-23 budget outturn, and the 2023-24 budget. The document includes information on the council tax referendum principles together with the expected levels for 2024-25 and impact on council tax bills. The document sets out the financial outlook for the forthcoming year and the difficult decisions that will be needed to balance significant forecast spending increases with the forecast resources from council tax and central government settlement.

2.3 The supporting document focuses on the six main spending areas which account for over 80% of revenue spending (excluding non-attributable costs):

- Care and support for vulnerable adults (32%)
- Care and preventative services for vulnerable and disabled children (17%)
- Older persons social care (15%)
- Public transport including home to school transport (8%)
- Waste recycling and disposal (7%)
- Highways management and maintenance (4%)

2.4 The consultation questionnaire seeks views on both the general council tax and the adult social care levy, and whether increases up to the referendum level are supported, increases should be less than referendum level, or any increase is opposed. The consultation seeks views on spending priorities within the big six areas, and whether current spending is too little, too much or about right. The questionnaire seeks views if spending has to be reduced in one of the big six areas which should it be. The questions on council tax and spending priorities include free text boxes including scope to comment on the other spending areas not within the big six. The questionnaire seeks views on other areas where the Council should be looking to save money.

2.5 The web page includes a short quiz about the Council's budget, this is aimed at helping to improve understanding about how the council is funded, spending on selected services (including social care, support services, waste recycling & disposal, home to school transport, street lighting), and the spending pressures from inflation and demand. The web page includes an introductory video from Peter Oakford - Cabinet Member for Finance, a timeline culminating in the County Council budget meeting in February 2024, and equality impact assessment.

3.1 KCC's revenue budget strategy has been based incremental budgeting for a long time. Incremental budgeting starts with the current year's budget and then adds/subtracts for known and forecast changes. These changes include the full year effect of current year forecast variances as well as future forecasts for pay/prices, service demands (largely driven by demography), service improvements and government legislation. These spending forecasts are then balanced against available funding by spending reductions through savings and income.

3.2 Incremental budgeting is relatively simple to understand and is appropriate if the primary cost drivers do not change from year to year, or changes can be robustly forecast. However, there are also some problems with incremental budgeting as it tends to reinforce current practices and can lead to budget slack due to the inbuilt incentive to over-estimate incremental changes or failure to challenge the basis of current budgets. It is also highly susceptible to volatility from external factors.

3.3 For 2023-24 the first step towards an alternative Outcomes Based Budget strategy was taken. This sought to better align spending decisions with strategic priorities. This started with setting "resource envelopes" from forecast resources in the local government finance settlement (un-ringfenced grants and local taxation) pro rata to historical increases and the most significant/most urgent financial priorities within Framing Kent's Future. The resource envelopes were issued in July and Directorates were then asked to come up with proposals/options to contain spending within these envelopes by the end of September.

3.4 This was only ever intended as a first step towards an Outcomes Based approach. In the end such was the scale of the economic consequences of global and national circumstances that the envelopes would never have been sufficient. This was recognised both by central government (with additional funding for local government prioritised in the November Autumn Budget statement) and within the council where the 2023-24 budget was largely balanced through the traditional incremental approach. However, this should not mean that the Outcomes Based route should not be further developed.

3.5 Outcomes based budgeting challenges the orthodoxy of incremental budgeting as it seeks to measure the difference that council spending is expected to make to the quality of life for local residents and communities. For 2024-25 budget and MTFP we have set resource envelopes for each of the next three years covering 2024-25 and indicative allocations for 2025-26 and 2026-27. The envelopes for 2024-25 are more predictable with the announcement of guiding principles within the 2023-24 settlement which confirmed increases in social care grants and council tax referendum principles for 2024-25.

3.6 The resource envelopes allocate the forecast available resources after taking account of corporate issues such as maintaining adequate and prudent reserves, and provisions for Kent scheme pay award and debt charges to fund capital programme. The resource envelopes for social care (adults and children's) need to ensure that additional resources from targeted government grants and specific council tax levy are passported in full.

3.7 Initially for 2024-25 the outcomes approach focusses on the allocation of the net growth in resources with fuller roll-out in later years challenging base budget as well as growth. Envelopes have been set on an Outcomes Based approach for the “big six” spending areas:

- social care for older persons
- social care for vulnerable adults
- integrated children’s services (including disability services)
- public transport (including home to school transport)
- waste recycling and disposal
- highways

3.8 The Outcomes Based approach for the big six is based on a combination of unavoidable spending increases (largely contractual price increases) and savings from existing incremental MTFP, and the balance of resources allocated according to outcomes. Effectively this replaces the previous incremental demographic demand growth and service improvements with an Outcomes basis. The envelopes for remaining spending outside the big six are set from the remaining resources based on historical spend and existing incremental MTFP growth and savings/income.

3.9 This approach is part of a transition towards Outcomes based budgeting ensuring a greater outcomes focus on the most significant spending areas. This is not to say that other services are not necessarily a priority and cannot be added to the outcomes based approach in later years. As the approach is developed increasingly future years envelopes will be based on finance and performance outcomes metrics. These metrics will need to be developed and agreed.

3.10 The core objectives of the revenue strategy are largely unchanged by an Outcome Based approach. The core budget objectives are as follows:

- Maintain a balanced budget and medium-term financial plan with net expenditure (after income and specific grants) not exceeding available funding from un-ringfenced grants and local taxation
- Set a council tax that does not exceed the government referendum limits
- Ensure the council is financially sustainable minimising the risk that the council could cease to be responsible for its financial and other affairs through government intervention or appointment of commissioners
- Maintain an adequate and prudent level of reserves commensurate with risks
- Maintain and improve the council’s overall financial resilience through sustainability of reserves, levels of external borrowing and debt costs, balance of income compared to spend, proportion of council budget spent on social care
- Prudent management of cashflow and liquidity through Treasury Strategy which balances risks and returns on financial investments and low interest costs and certainty on borrowing
- Full cost recovery on charges for discretionary services other than where Cabinet agrees to provide services at a subsidy and/or concession
- Prudent capital investment programme
- Aligns resources to the council’s strategic vision and priorities whilst allowing the council to fulfil statutory obligations

4.1 Table 1 shows a summary of the updated resource assumptions for 2024-25 to 2026-27.

Table 1 – Resource Assumptions

	Indicative for planning purposes		
	2024-25	2025-26	2026-27
Forecast funding from local taxation and government settlement	+£92.7m	+£62.9m	+£65.4m
Net contributions to reserves and one-off adjustments	-£29.1m	+£8.3m	+£13.5m
Corporate provisions	-£17.1m	-£26.4m	-£26.4m
Balance for Envelopes	£46.5m	+£44.8m	+£52.5m
Allocated for incremental growth	+£42.5m	+£15.5m	+£18.0m
Allocated for existing savings/income	-£26.4m	-£33.5m	-£3.7m
Allocated for outcomes	+£30.4m	+£62.8m	+£38.2m
Total envelopes allocated	£46.5m	£44.8m	£52.5m

4.2 Table 2 shows the current 2023-24 budget, adjusted 2024-25 MTFP and 2024-25 resource envelope allocations. Overall, there is a small reduction in the overall available resources compared to the adjusted MTFP due to revised funding assumptions and changes in the assumptions for contributions to reserves and corporate provisions.

Table 2 – 2024-25 Resource Envelopes

	2023-24 Budget	2024-25 Adj. MTFP change	2024-25 Resource Envelope
Older People	£179.6m	+£9.7m	+£9.0m
Vulnerable Adults	£379.4m	+£32.6m	+£26.0m
Integrated Children's Services	£208.7m	+£2.9m	+£3.7m
Public Transport	£93.9m	+£3.9m	+£3.9m
Waste Recycling & Disposal	£88.2m	+£0.9m	+£0.7m
Highways	£42.4m	-£0.3m	+£4.8m
Other	£207.4m	-£2.3m	-£2.3m
Non Attributable	£116.0m	+£0.7m	+£0.7m
Total	£1,315.6m	+£48.1m	+£46.5m

4.3 The Outcomes Based approach which ensures passporting to adults and children's results in less resources for older persons and vulnerable adults than under the previous incremental approach, and slightly more for children's. The other main change allocates an additional £5m to highways to reflect Cabinet's outcome priority to improve the condition of the roads within the resources available.

4.4 The combination of an earlier launch of budget consultation, the transition to an Outcomes based approach, and the prior announcement of the guiding principles for the 2024-25 local government finance settlement allows the budget timetable for 2024-25 revenue budget and 2024-27 MTFP to be planned to be brought forward.

4.5 The planned timetable includes the development of templates and dashboards to enable greater scrutiny of budget proposals including detailed assessment of impacts, risks, dependencies and sensitivities.

The draft timetable for 2024-25 is shown in table 3.

Table 3 – Draft Budget Timetable

End of May	Resource Envelopes allocated to directorates for big 6 and other spending areas
12 th June	Budget Templates issued to capture additional information to include in budget dashboards
End of July	Directorates to provide initial submission of all templates outlining options to deliver budgets with resource envelopes
August/September	Review, refine and update submissions
October	Finalise the Administration's draft budget for publication at the end of the month
November	Cabinet committee scrutiny
December	Final refinement, update and review reflecting feedback from scrutiny, provisional settlement and tax base estimates
January	Scrutiny of key decisions subject to final budget approval Cabinet to endorse final draft budget for County Council
19 th February	County Council budget meeting to approve budget and council tax

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From: Roger Gough, Leader
Amanda Beer, Interim Chief Executive

To: **Policy and Resources Cabinet Committee – 26 July 2023**

Subject: **Update on the Afghan Resettlement and the United Kingdom Resettlement Schemes**

Classification: **Unrestricted**

Electoral Division: All

Summary: The report provides an overview of the following refugee resettlement schemes being managed by Kent County Council (in partnership with the district housing authorities) and an update on the work being undertaken to inform the future support service arrangements. The schemes in scope are:

- Families still supported under the now closed Vulnerable Persons Relocation Scheme (VPRS – nearly all Syrian refugees)
- Afghan Relocation and Assistance Policy (ARAP)
- Afghan Citizens Resettlement Scheme (ACRS)
- United Kingdom Resettlement Scheme (UKRS – global reach)

Recommendation(s): The Cabinet Committee is asked to:

- (a) NOTE the contents of this report and
 (b) NOTE that a paper on future service options will be presented to this Cabinet Committee before the end of the year.

1. Introduction

- 1.1 The report contains an update on the operation in Kent of the United Kingdom Resettlement Scheme (UKRS), its forerunner the Vulnerable Persons Relocation Scheme (VPRS – largely for Syrian refugees) and the resettlement schemes operating for Afghans evacuated from Afghanistan under Operation Pitting in the summer of 2021 and afterwards. All the different refugee schemes operate on a self-financing basis using ring-fenced funding received from Government which means that they do not rely on direct KCC financial support.
- 1.2 The purpose of this report is to keep Members informed of the work KCC is doing in this area (in partnership with the district housing authorities) and also to inform the Cabinet Committee of the review work in hand which will shape the future service arrangements.

2. Background and current position

- 2.1 Kent County Council first became involved in providing support to refugees brought here under the VPRS (almost all Syrian) in 2015. Since then, KCC and the Kent housing authorities have been working in partnership to resettle Syrian and other refugees under the VPRS and, more recently, the UKRS. The housing authorities are responsible for deciding on the number of families to be resettled in their areas and on the suitability of specific properties. In ten of the twelve districts, KCC then provides coordination and liaison with the Government resettlement team and also commissions and oversees the resettlement and integration support from three commissioned providers, that is Migrant Help, Clarion and Rethink. The two exceptions are Ashford and Canterbury who provide the support from within their own housing and community teams.
- 2.2 In early 2021 the number of individuals resettled under the VPRS nationally exceeded 20,000, the original target for 2020. Although the VPRS officially ended in 2021, it merged seamlessly into the UKRS, an almost identical scheme to the VPRS but which resettles refugees from anywhere in the world.
- 2.3 The schemes for supporting Afghans allowed to resettle in the UK as a result of the change of government in Afghanistan in August 2021 include:
 - 2.3.1 Afghan Relocation and Assistance Policy (ARAP): for those who have worked closely with the British military or Government.
 - 2.3.2 Afghan Citizens Resettlement Scheme (ACRS): for a wider group of individuals such as those who have assisted the UK efforts in Afghanistan, stood up for values such as democracy, women's rights, freedom of speech and the rule of law, and vulnerable people, including women and girls at risk and members of minority groups.
- 2.4 All the aforementioned schemes allow those eligible to bring their immediate family with them and also confer full rights to work, study, rent, claim benefits and other public funds. Funding is made available to local authorities for resettlement and integration support (over 5 years for the UKRS and over 3 years for the ARAP and ACRS schemes). In respect of the ten districts KCC coordinates the scheme in, this funding is received by KCC.
- 2.5 To date, 115 families (approximately 600 individuals) have been resettled in Kent under the VPRS and UKRS schemes, across all districts. Of these 71 families are supported by the KCC team and their commissioned providers (the others being supported by Ashford Borough Council and Canterbury City Council). The overwhelming majority are from Syria, but other nationalities are now starting to be resettled in Kent, including from Sudan and Iraq.
- 2.6 The UKRS is still in operation and there are very many families approved and waiting to be resettled in the UK. However, due to the crisis surrounding the need to find homes for the Afghans evacuated in the summer of 2021, most properties that become available are being offered to Afghan families currently in bridging hotels across the UK.

- 2.7 The number of Afghan families settled under ARAP or ACRS is increasing month by month as homes are found for the families currently in the bridging hotels across the UK. By the time this report is considered, there are likely to be approximately 50 households (if not more) settled across Kent. An up-to-date figure will be provided at the Committee meeting.
- 2.8 In addition to supporting Afghan families into settled accommodation, the KCC Resettlement Team is also providing the wraparound support in one of the three Afghan bridging hotels in Kent, using our own internal support staff (not commissioned providers). The bridging hotels were procured by the Home Office in August/September 2021 to temporarily house Afghans who had been evacuated from Afghanistan under Operation Pitting.
- 2.9 The team dealing with Syrian refugees brought here under the VPRS, the UKRS and the Afghan schemes (ARAP and ACRS) is separate from the team dealing with Ukrainians brought here under the Homes for Ukraine scheme. Both teams however sit in the same division (SPRCA) within the Chief Executive's Department and discussions are ongoing about future arrangements between the two teams.

3. Closure of the Afghan bridging hotels

- 3.1 Members will be aware that in Summer 2021 Operation Pitting evacuated about 15,000 Afghans from Afghanistan. Since then, additional arrivals of households who qualify under the official ARAP and ACRS schemes have brought the current total to about 21,000 (as at end March 2023).¹ Several thousand more are still waiting to travel to the UK.
- 3.2 In March this year the Minister for Veterans' Affairs announced that those Afghan households still being accommodated in temporary bridging accommodation (mostly hotels) would be given three months' notice to leave starting from the end of April (on a phased basis). All families have now been given notice with the end of August as the final date they can remain in the hotels (some are closing earlier). Many of the families have been in the hotels for well over 18 months, coming up to two years. There are about 60 of these hotels across the UK, 14 in the South East and 3 in Kent. It is important to note that these bridging hotels are separate to the hotels being used by the Home Office for asylum seekers.
- 3.3 Whilst many families had already moved on to settled accommodation before the announcement, there were still approximately 8,000 individuals still in what was supposed to be temporary accommodation.² The vast majority of those had not received a suitable offer of accommodation.
- 3.4 Families in the three Kent hotels have until the end of August to find alternative accommodation via either of the following routes:
- Formal offers via the Home Office (HO) after properties are submitted by local authorities across the UK;

¹ <https://www.gov.uk/government/publications/afghan-resettlement-programme-operational-data>

² Ibid

- “Find Your Own Property” (FYOP) route – the families, with the help of the local authority teams are encouraged to find their own properties; some will then move to areas of the UK where there is support for long-term resettlement (e.g. Kent) but others will choose to move to areas where the local authority does not participate in the resettlement scheme – they will then just access mainstream support.
- 3.5 Supporting families with the FYOP route and with understanding the HO formal offers is now the major focus of the local authority wraparound support in the hotels, including the three hotels in Kent. A lot of very hard work has gone on and significant progress made. At the beginning of the year there were around 70 families in the three Kent hotels. At the time of writing this report, there are 42 families left, 21 families have definite property offers and will be moving soon, 10 families have indicative offers which are still in the process of being confirmed, leaving 10 families with currently no offer.
- 3.6 The Local authority teams working in the hotels (working with partners in Education, Adult Education, Children’s Services, Health, Public Health, Social Care etc) ensure that the families’ basic needs are being met, that they are accessing the usual public services and are being prepared for life in the UK. They also ensure that the transition to new areas (especially regarding schools and healthcare) is as smooth as possible. Regarding education, the hotel teams (with schools and KCC Education) have always worked hard to facilitate children moving to new schools as long-term accommodation is found. However, the hotel closure programme has exacerbated the situation (with the scale involved and deadline of end of August) and caused significant distress to some children and their families, many of whom have been in their current schools for up to two years and therefore made significant relationships. To help with this, sessions have been organised with the children to help prepare them for this change and give them an opportunity to talk about how they feel about the situation. Close liaison is maintained with the schools involved (who will lose a significant number of pupils before the new term in September) and with the receiving school, whether that is in Kent or elsewhere. KCC Education will ensure that the children are registered with a school in their new area.
- 3.7 The Government’s position is that families without anywhere to move to at the end of the notice period should make a claim for homelessness at a local authority of their choosing. The families’ preferences in this regard are being discussed so that, if it becomes necessary, applications can be made in advance of the closure date. The Government has not yet informed councils of any other contingency plans following the end date for moving from the hotels.

4. Wider resettlement and asylum context

- 4.1 There are a number of current trends which strongly suggest that, for the foreseeable future, there will be a need for a team within KCC that deals with refugee resettlement and asylum issues in Kent. This will depend, of course, on the ability to fund such a team from Government or other funding and not draw on the KCC core budget. The trends are summarised below.
- 4.2 The UNHCR has estimated that in 2023 global resettlement needs will significantly increase to 2,003,982 persons, as compared to 1,473,156 in 2022.

This increase is reflected in all regions, with the largest increase noted in Asia, the Middle East and North Africa. The UNHCR has anticipated a further rise in global refugee resettlement needs for next year. According to their 'Projected Global Resettlement Needs Assessment for 2024'³ over 2.4 million refugees will be in need of resettlement, marking a 20 per cent increase compared to 2023.

- 4.3 **Afghanistan:** There are several thousand Afghans that qualify for either the ARAP or ACRS schemes who are currently outside the UK waiting for suitable properties to be sourced by local authorities. The ARAP scheme is open-ended and there is no limit or quota on the number of people eligible. The ACRS scheme aims to resettle in the UK up to 20,000 people over the coming years. It is understood that Afghan refugees accepted under the ARAP and ACRS pathways will now only come to the UK when they are matched to a property (in a similar way UKRS refugees are resettled).
- 4.4 **Ukraine:** The conflict in Ukraine is ongoing, there are already 1,397 Ukrainians (690 households) in Kent under the Homes for Ukraine scheme (i.e. living with host families) and it is anticipated that over 900 individuals may still travel to Kent under the scheme. Under the scheme individuals have Leave to Remain for 3 years so support may still be needed up to 2026 and possibly beyond depending on the trajectory of the conflict. Whilst initially those here under the scheme live with host families, significant numbers have left the scheme to move into the private rented sector as host arrangements come to an end (2,317 have left the scheme in total with 1,254 of those moving into the private rented sector). The KCC team dealing with the scheme work with district housing authorities to facilitate this and provide support to hosts in an effort to sustain the arrangements over longer periods. Further details of the Homes for Ukraine scheme can be found in the separate paper submitted to this Cabinet Committee.
- 4.5 **Hong Kong:** The government's [impact assessment](#),⁴ central range analysis estimated between 123,000 and 153,700 BN(O) status holders and their dependants coming in the first year and between 258,000 and 322,400 over five years. It is understood that as at December 2023 about 160,700 individuals had arrived under this route and estimated that there are approximately 2,700 living in Kent.⁵ Local authorities are not notified of arrivals and therefore figures can only be estimates. Whilst the role of KCC and the housing authorities does not involve the same level of intensive resettlement support as with the UKRS and Afghan schemes, KCC does administer some funding from Government to support local charities and community groups that are assisting people in Kent under the scheme.
- 4.6 **Adult Asylum Seekers:** There are developments within the system for dealing with asylum seekers who have come to the UK via irregular/unofficial routes that do have an impact on Kent, and which need to be factored into the review outlined in section 5 below. These include the current Government's programme to increase (and spread more equitably across the UK) the use of dispersed accommodation (flats, houses, room in a House of Multiple Occupation)

³ <https://www.unhcr.org/global-trends-report-2022>

⁴ [impact assessment](#)

⁵ Information received from the South East Strategic Partnership for Migration

in order to reduce the use of hotels. The target for the South East is to increase the number of bed spaces to about 7,000 by the end of 2023, with an allocation of about 1,300 for Kent. Whilst the numbers of adult asylum seekers (or family groups) in dispersal accommodation in Kent and the South East are nowhere near the target figures, the calculations fail to take into account the significant numbers in hotels and other contingency accommodation, the disproportionately high numbers of unaccompanied asylum-seeking children being looked after by KCC, the high numbers of Ukrainians being supported and the significant participation in the Syrian and Afghan resettlement schemes. Robust representations on this point have already been made to the Home Office by Kent Leaders.

5. Review of the KCC team, work areas and support provision

- 5.1 The current contract under which KCC commissions the bulk of the day-to-day resettlement and integration support (apart from the hotel support) from three area-based providers will come to an end in February 2024. A decision needs to be made on whether this should be extended for a further year, whether the service should be recommissioned on a different basis or whether all the support provision should be brought in-house. Linked to this, decisions are required on linkages (or mergers) with the Homes for Ukraine team and also, potentially, other teams/individuals within KCC that deal with other schemes/issues in this area of work.
- 5.2 To inform the above decisions a full review of the team, work areas and support provision is currently being undertaken (for the ten districts that the KCC team provide the coordination, management and support for). A core feature of the review will be to ensure that any work can be managed within the funding available from Government for the various schemes, so as not to call on KCC core funding. Additionally, the ability to deal with any residual liabilities as specific schemes come to an end will be carefully considered. The review has only been made possible this year since additional staff have been employed in the team.

6. Conclusions

- 6.1 The Committee is asked to note the significant achievements thus far in settling refugees in Kent, the current difficult situation with the bridging hotel closures and the work underway to make the resettlement team fit for purpose and sustainable for the future.
- 6.2 Resettlement continues to be a critical tool for refugees who face specific or urgent risks. Given the national expectation that all regions will contribute, it is anticipated that activity to support refugees (and asylum seekers) will be a significant long-term area of work and focus for the Council going forward. This will require ongoing resources, expertise and knowledge in these areas and a clear and joined up strategic approach across Kent County Council and the District Housing Authorities in Kent.

Recommendation(s): The Cabinet Committee is asked to:

- (a) NOTE the contents of this report and
(b) NOTE that a paper on future service ~~Page 84~~ will be presented to this Cabinet Committee before the end of the year.

10. Contact details

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From: Roger Gough, Leader of Kent County Council
Rebecca Spore, Director of Infrastructure

To: Policy and Resources Cabinet Committee – 26 July 2023

Subject: Homes for Ukraine Programme Update

Classification: Unrestricted

Past Pathway of report: Policy and Resources Cabinet Committee 4 May 2022

Future Pathway of report: None

Electoral Division: All

Summary:

The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War, with approximately 12 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK government has positively responded with the development of two key pathways to enable Ukrainian refugees to enter the UK.

The two key schemes which are operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' which is where Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest from Ukraine who meet the eligibility criteria for this scheme. As part of the Homes for Ukraine Scheme, the government requires local government to undertake several checks and provide support to both the sponsor and Ukrainian guests. In two tier areas responsibilities fall to both County and District councils and Kent County Council (KCC) is working closely with its partners to ensure a coordinated response is provided.

In addition, several KCC services, in particular Children's and Adult Social Care have a statutory obligation to provide the necessary support. The government was funding £10,500 per guest, though this has now reduced to £5,900, plus an ongoing monthly "thank you" payment of £350 to sponsors to support the Homes for Ukraine Scheme. Additional funding was being made available in respect of education, but this ceased 31 March 2023. This funding was made available to cover exceptional costs outside of the funding allowance which are necessary to deliver the scheme and to support both the Sponsors and Ukrainians coming into the UK under the Homes for Ukraine Scheme. This report updates on the scheme which commenced March 2022.

Recommendation(s):

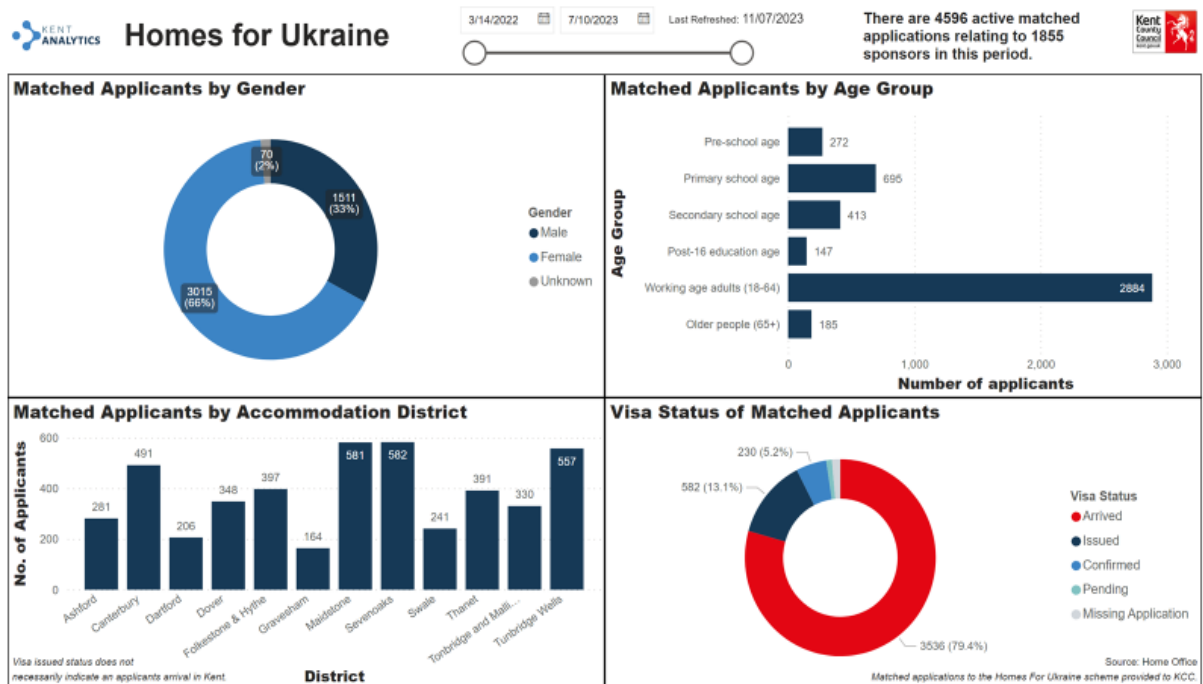
The Policy and Resources Cabinet Committee is asked to note the contents of this update report.

1. Introduction

- 1.1. The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War with approximately 4 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK government has positively responded with the development of two key pathways to enable refugees to enter the UK.
- 1.2. The two key schemes which are operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' whereby Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest from Ukraine who meet the eligibility criteria for this scheme.
- 1.3. Under the scheme, the sponsor receives a £350 per month 'Thank You' payment provided they meet the scheme requirements. Numbers are uncapped and restricted only by the number of eligible sponsors that come forward. Those accessing the scheme will be able to live and work in the UK for up to three years and access benefits, healthcare, employment, and other support. Those arriving need to meet standard security checks prior to being issued with a visa.

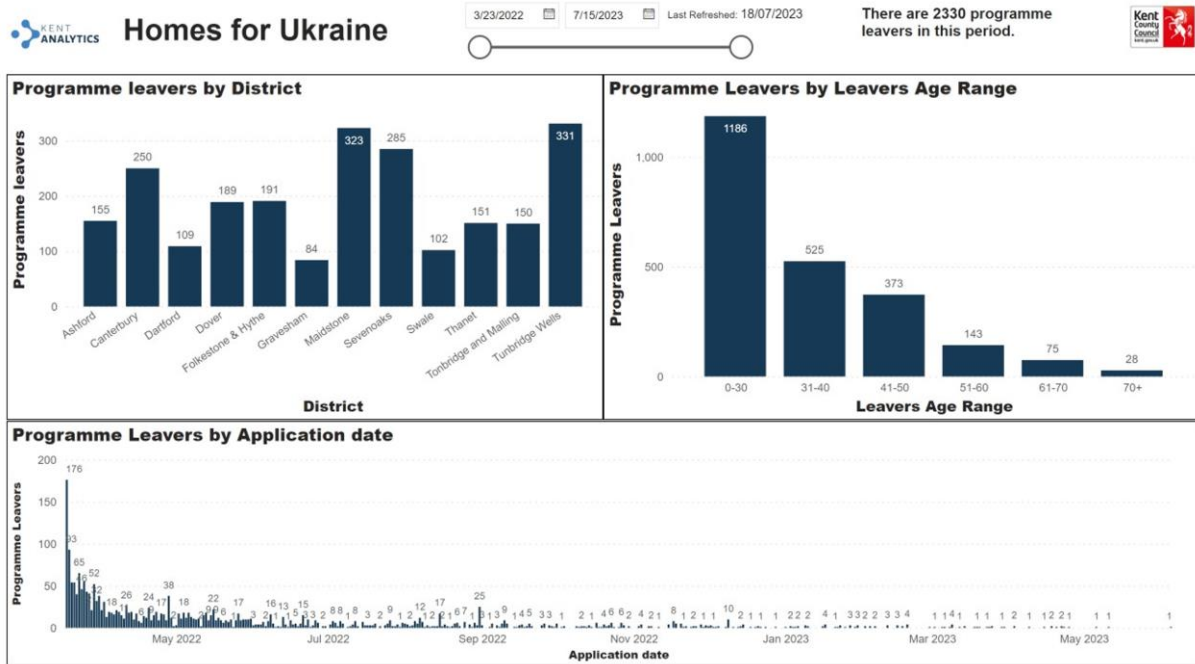
2. Homes for Ukraine Scheme to date

- 2.1 Update on applications to date.

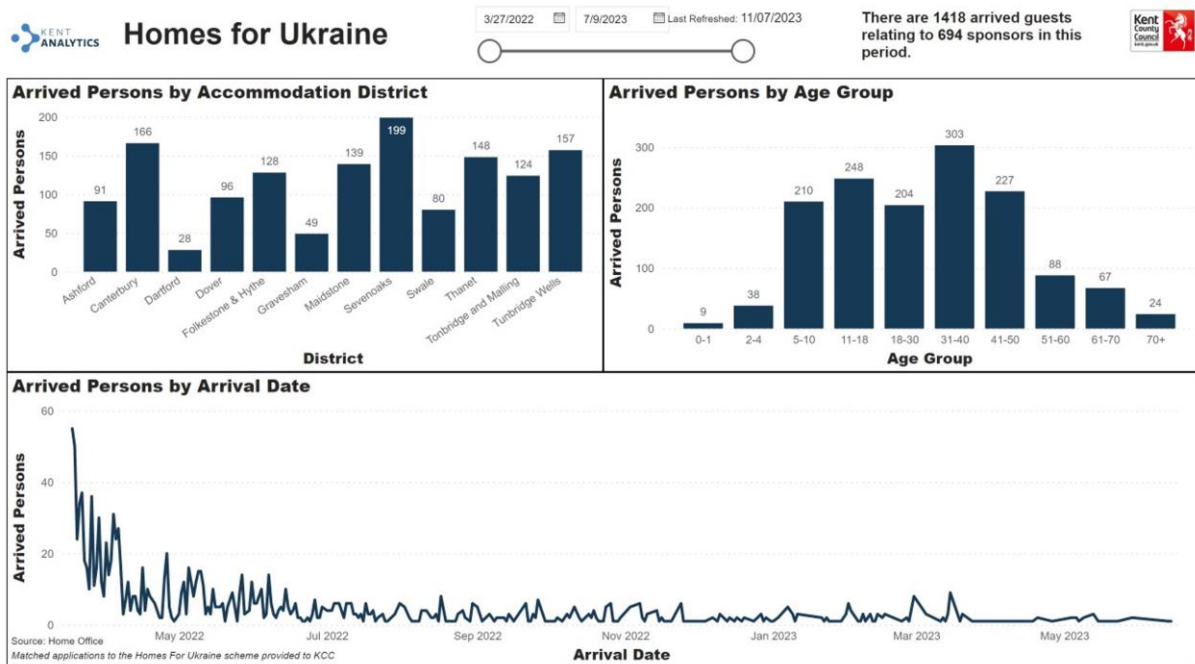


2.2 Update on those that have left the scheme to date since arrival in Kent.

Of those that have left the scheme, 51% of guests have moved into Private Rented Accommodation (1254) and 32% have returned to Ukraine.



2.3 Those currently residing in Kent.



3 Financial Implications - Current financial position

3.1 Income

- 3.1.1 KCC have received £31,185,000 for arrivals 1 March 22 – 30 November 22 based on £10,500 per guest x 2970 arrivals.
- 3.1.2 Department for Education (DFE) funding for the same period £6,728,885.

3.2 Spend up to 31 March 2023

- 3.2.1 Spending for 22/23 was £13,384,000, of this figure, £9,416,000 has been distributed to Districts and £3,968,000 was KCC expenditure.

The underspend rolled into 23/24 - £9,633,000 allocated to KCC and £8,168,000 allocated for districts.

- 3.2.2 KCC has been making additional thank you contributions to hosts to compensate for increased costs of living and have been making payments to guests when they move into private rented accommodations to purchase necessities. This has been based on group size, agreed from October 2022 to March 2023 to support cost of living rises. Following positive feedback from hosts, this is now until March 2024.
- 3.2.3 A recent meeting with finance leads from districts has taken place to map spending vs the funding provided, so future funding could be agreed by all considering the changes to the Programme. The current focus is now to support guests into private rental accommodation as hosting arrangements end. There is shortage of affordable accommodation in Kent, so districts have been providing deposits and rent advances. Following Central Government announcement re £500m Local Authority Housing Fund (is an innovative capital fund that supports local authorities in England to obtain housing for those who are unable to find settled accommodation on resettlement schemes) it has been agreed that Kent will provide match funding for those properties earmarked for Homes for Ukraine guests. This will ensure those with young families that cannot afford private rented could be provided with long term housing.

4 Governance and Legal implications

- 4.1 The Council has several existing legal duties to arriving adults and Children, irrespective of their country of origin or where they may eventually reside within the County. These duties exist pursuant to several pieces of legislation that apply to children and adults.
- 4.2 The intention was to use existing contracting and commissioning processes where possible. Due to the urgency and fast-moving nature of the delivery of the scheme a dedicated team to offer support to the hosts and guests has been created.

- 4.3 Relevant due diligence has been undertaken at project level, including in relation to Data Management and Equalities Impacts. Both documents have been submitted and are monitored as part of the project.
- 4.4 The delegations put in place by the key decision for ongoing management of grant funding and spend is being vested by the Corporate Director for Finance, in accordance with the agreed funding framework. This delegation includes reviewing, and where necessary revising, the spend arrangements after consultation with the Leader of the Council.
- 4.5 A Homes for Ukraine Monitoring Group (HfUMG) has been established and meets regularly to oversee and apply the funding framework to ensure consistency of all spend.

5 Equalities implications

- 5.2 An Equalities Impact Assessment has been undertaken.

6 Other corporate implications

- 6.1 Given the need to implement this programme quickly, the Council operated within existing data sharing protocols. A full Data Protection impact Assessment has been submitted to support the programme.

7 Conclusions

- 7.2 This scheme saw a large influx of guests during May-July 2022 and once the new KCC Homes for Ukraine was formed, guests have been supported with information and advice to meet their ongoing needs. Third Party agencies have been working with the guests to support with benefits, employment, wellbeing, and housing. As the programme has developed over time the focus has moved from the initial scheme set up to supporting guests move into sustainable accommodation as the hosting arrangements have come to an end.
- 7.3 The programme has utilised the funding as per the funding framework and has ensured all service delivery costs have been charged to the programme.

8 Recommendation(s)

Recommendation(s):

The Policy and Resources Cabinet Committee is asked to note the contents of this update report.

9. Background Documents

- 9.1 Appendix A - Previous decision report 22-00037
- 9.2 Appendix B - Urgent Record of decision 22-00037
- 9.3 Appendix C - EQIA 22-00037

10. Contact details.

Report Author: Kerry Turner Programme Manager Homes for Ukraine kerry.turner@kent.gov.uk 03000 41 55 24	Relevant Director: Rebecca Spore Director of Infrastructure Rebecca.spore@kent.gov.uk 03000 41 67 16
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From: Zena Cooke, Corporate Director for Finance

To: Roger Gough, Leader of the Council

Subject: Urgent Decision implementation of Homes for Ukraine Scheme in Kent

Classification: Unrestricted

Past Pathway of Paper: None

Future Pathway of Paper: None

Electoral Division: All

Summary:

The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War with approximately 4 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK Government has positively responded with the development of two key pathways to enable Ukrainian refugees to enter the UK. The two key schemes which are operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' which is where Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest from Ukraine who meet the eligibility criteria for this scheme. In later phases, organisations and community groups will be able to sponsor multiple guests.

As part of the Homes for Ukraine Scheme, the government requires local government to undertake several checks and provide support to both the sponsor and Ukrainian guests. In two tier areas responsibilities fall to both County and District councils and KCC is working closely with its partners to ensure a coordinated response is provided. In addition, several KCC services, in particular Children's and Adult Social Care have a statutory obligation to provide the necessary support. The government is funding £10,500 per guest and an ongoing monthly "thank you" payment of £350 to sponsors to support the Homes for Ukraine Scheme. Additional funding is also being made available in respect of education services and may also be made available to cover exceptional costs which are outside of the funding allowance but are necessary to deliver the scheme and to support both the Sponsors and Ukrainians coming into the UK under the Homes for Ukraine Scheme.

This report sets out the considerations and the urgent decision which is required to implement the Homes for Ukraine Scheme in Kent.

Recommendation(s):

It is recommended that the Leader agrees to:

1. accept the funding from Government required to deliver the 'Homes for Ukraine Scheme' in Kent;
2. approve the establishment of the infrastructure and other necessary arrangements required to support the implementation of the scheme;
3. authorise the Corporate Director for Finance to allocate funding in accordance with the Homes for Ukraine Scheme government guidance and implement the payments as set out by the scheme to enable delivery in Kent in accordance with the principles set out in the decision report and the proposed Funding Framework;
4. delegate authority to the Corporate Director for Finance, after consultation with the Leader to update, review and amend the distribution of funding to deliver the Homes for Ukraine Programme and/or in response to changing need;
5. delegate authority to the Corporate Director for Finance, after consultation with the Leader, to accept additional subsequent funding made available by Government where it is designed to support this and closely related Schemes, for deployment in accordance with relevant funding frameworks; and
6. delegate authority to the Corporate Director for Finance to take other appropriate actions, including but not limited to entering into contracts or other legal agreements as required to implement this decision.

1. Introduction

The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War with approximately 4 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK Government has positively responded with the development of two key pathways to enable refugees to enter the UK.

The two key schemes which are operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' which is where Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest from Ukraine who meet the eligibility criteria for this scheme. In later phases, organisations and community groups will be able to sponsor multiple guests.

Under the scheme, the sponsor receives a £350 per month 'Thank You' payment provided that they meet the scheme requirements. Numbers are uncapped and restricted only by the number of eligible sponsors that come forward. Those accessing the scheme will be able to live and work in the UK for up to three years and access benefits, healthcare, employment, and other support. Those arriving need to meet standard security checks prior to being issued with a visa.

2. Requirement of Local Government as part of the Homes for Ukraine Scheme

2.1. The government have issued guidance which sets out the following roles for Councils:

- i. The establishment of welcome point arrangements to support any short-term arrival needs at key arrival points in the UK. In the case of Kent consideration is needed for the portal points at both Dover and Folkestone.
- ii. Receipt and onward sharing of data.
- iii. Accommodation, DBS, Safeguarding and Welfare Checks.
- iv. £200 payment for each guest.
- v. Provision of school places.
- vi. Service referrals to specialist services.
- vii. Support to access local Job Centre Plus appointments for benefit assessments and job-seeking.
- viii. Homelessness support should the sponsor/guest relationship break down.
- ix. Supporting community integration.
- x. Administering 'Thank you' payments to sponsorships.

2.2 Detailed government guidance is expected and KCC is working closely with districts and other partners to ensure that appropriate arrangements are put in place. For KCC, there are a number of services which will have a key role to play in the delivery of the scheme in relation to the safeguarding checks and providing access and support to key services such as education provision and countywide infrastructure which is necessary to support the delivery of the scheme.

3. Financial Implications

3.1. The full extent of the financial implications is currently being established, however Under the Homes for Ukraine Scheme, the government has confirmed it will provide grant funding to councils at a rate of £10,500 per guest, to enable councils to provide support to families to rebuild their lives and fully integrate into communities. The £10,500 for each Ukrainian refugee is for the first year at this stage with future years to be reviewed. The £10,500 includes the initial £200 payment which is payable to each guest accessing the scheme. This funding will be un-ringfenced, but with several conditions attached.

3.2. Councils have been asked to administer 'Thank You' payments of £350 per sponsoring household per month. Additional funding will be allocated for these payments, but councils will be expected to absorb administration costs.

3.3. The government is also providing additional funding to councils to provide education services for children from families arriving from Ukraine under this scheme. The Department for Education (DfE) will allocate funding on a per pupil basis for the three phases of education at the following annual rates:

- Early years (ages 2 to 4) £5,000

- Primary (ages 5 -11) - £6,580
- Secondary (ages 11-18) - £8,755

3.4 These tariffs include support for children with special educational needs and disabilities (SEND).

3.5 The allocation and administration of the education funding will be undertaken in consultation with the Director of Education and the Cabinet Member for Education and Skills.

3.6 Collaboration with key partners such as District and Borough Councils will ensure funding is allocated equitably across organisations as required and will support emerging approaches that support the Council to respond as the Scheme develops and to ensure the partner best placed to support the different elements of the scheme, is able to put appropriate measures in place, this may be at a district, borough or at a county level, should countywide infrastructure or services be required an considered most efficient and effective.

3.7 The proportion of guests and sponsors is not known at this stage and the detail of scheme and related Government guidance is still emerging. There is a risk that the initial grant funding (the £10,500 per person and the education funding) will prove to be inadequate. Should this be the case KCC will seek to recover all additional costs from Government.

3.8 The use of any grant funding will be monitored closely, not only to provide update reports to Cabinet and the Policy and Resources Cabinet Committee but also to flex the response as the scheme develops and need and demand changes across the County.

4. The Funding Framework

4.1. A funding framework will be developed to ensure a consistent process for decision-making that aligns with the requirements of the Homes for Ukraine grant funding and the expectations Government has of councils having regard to KCC's statutory duties. The Framework will be reviewed and updated as required, in consultation with the Leader, subject to changes in the relevant government guidance relating to administration and management of the scheme.

4.2. The key elements of the framework are set out below:

- All spend should align with the conditions of the grant funding and / or the delivery of KCC's statutory responsibilities as part of the Homes for Ukraine Scheme.
- A consistent decision-making process in line with the delegated authority will be applied to all spend with grant approval by the Corporate Director for Finance
- Any organisation in receipt of the grant will be required to regularly report on the use of the funding and return any unspent funding if requested by KCC.
- A written summary of all funded activities will be recorded to provide an auditable process.

- The Director of Infrastructure or delegated officer will chair the monitoring group to be established called the Homes for Ukraine Monitoring Group (HfUMG) and be responsible for ensuring the framework is applied consistently. The HfUMG will also take account of the proposals made for funding by the working group representing district or borough councils.
- The Corporate Director for Finance will deploy the funding in a flexible way under officer delegation according to need subject to compliance with the Funding Framework.
- The spend will be regularly report to Cabinet and the Policy and Resources Cabinet Committee.

5. Governance and Legal Implications

- 5.1. The Council owes a number of existing legal duties to arriving adults and children irrespective of their country of origin or where they may eventually reside within the County. These duties exist pursuant to a number of pieces of legislation that apply to Children and Adults. Legal advice will be sought as the Funding Framework is developed further and implemented.
- 5.2. It is important to note that the possibility of increasing pressure on existing service delivery. This in turn may present challenges for KCC in its ability to discharge its legal duties to existing and new service users. This will be kept under review through the mechanisms set out in this report.
- 5.3. The intention is to use existing contracting and commissioning processes where possible or there may be a need to put new contractual arrangements in place. Due to the urgency and fast-moving nature of the delivery of the scheme it may be necessary to make use of appropriate procurement and contractual mechanisms that enable emergency contracting.
- 5.4. The delegations put in place by the key decision will confirm ongoing management of grant funding and spend will be vested in the Corporate Director for Finance, in accordance with the agreed funding framework. This delegation includes reviewing and where necessary revising the spend arrangements after consultation with the Leader.
- 5.5. All spend will be monitored as part of compliance checks to ensure adherence to the funding framework associated with the allocation of any funding.
- 5.6. A key decision is required to enable the implementation of the Homes for Ukraine Scheme in Kent and to ensure that the Council can meet its statutory duties. The decision asks the Leader to approve the approach set out in the report and delegate authority to the Corporate Director for Finance to implement the proposed arrangements.
- 5.7. A Homes for Ukraine Monitoring Group (HfUMG) will be established and meet regularly to oversee and apply the funding framework to ensure consistency of all spend.

5.8. Internal and External contracts may need to be put in place along with the utilisation of existing contracts. These will be completed in consultation with Strategic Commisisioning and the Head of Law.

5.9. Relevant due diligence will be undertaken at project level including in relation to Data Management and Equalities Impacts. Completion of these where appropriate will be monitored by the HfUMG.

5.10. An offer will be made to provide an update to the Scrutiny Committee in 3 months on the use of funding.

6. Reason for Urgency

6.1. The Homes for Ukraine scheme has been launched by the government following the Russian invasion of Ukraine and the subsequent humanitarian crisis as those in Ukraine seek to flee the conflict. Initial guidance was issued on the 18th March 2022 setting out the Government's intention and the expected role of Councils, this is continuing to be developed. An urgent decision is needed to enable the Council to implement the scheme and ensure that the appropriate infrastructure is in place to support the delivery of the Programme in the County. Compliance with the standard Executive Decision timeframes would significantly delay the delivery of vital support to those who are coming to the UK in Kent or are sponsors as part of the Homes for Ukraine national programme.

7. Equality Implications

7.1. An equality impact screening assessment has been undertaken.

8. Other Corporate Implications

8.1. Given the need to implement quickly, the Council will operate within existing data sharing protocols whilst in parallel developing data sharing arrangements.

9. Conclusions

9.1. The Homes to Ukraine scheme sets out the expectations of local Councils and whilst government guidance is being finalised, the Council must be able to respond to implement the scheme at a local level with partners. The scale of funding and the level of Council activity involved is such that a Key Decision is required. The speed of implementation required, and dynamic nature of the scheme is such that the key decision must allow for appropriate preparations via the establishment of a suitable framework that will ensure that the Council response can commence at speed.

9.2. Funding will be used in accordance with the funding framework as set out in this report and the Council will apply appropriate legal mechanisms where necessary, in relation to the implementation of the Homes for Ukraine

Scheme. The Council will record, monitor and report on the deployment of any grant or other funding, in accordance with its formal budget monitoring and reporting arrangements.

10. Recommendation(s)

Recommendation(s):

It is recommended that the Leader agrees to:

1. accept the funding from Government required to deliver the 'Homes for Ukraine Scheme' in Kent;
2. approve the establishment of the infrastructure and other necessary arrangements required to support the implementation of the scheme;
3. authorise the Corporate Director for Finance to allocate funding in accordance with the Homes for Ukraine Scheme government guidance and implement the payments as set out by the scheme to enable delivery in Kent in accordance with the principles set out in the decision report and the proposed Funding Framework;
4. delegate authority to the Corporate Director for Finance, after consultation with the Leader to update, review and amend the distribution of funding to deliver the Homes for Ukraine Programme and/or in response to changing need;
5. delegate authority to the Corporate Director for Finance, after consultation with the Leader, to accept additional subsequent funding made available by Government where it is designed to support this and closely related Schemes, for deployment in accordance with relevant funding frameworks; and
6. delegate authority to the Corporate Director for Finance to take other appropriate actions, including but not limited to entering into contracts or other legal agreements as required to implement this decision.

11. Background documents

11.1. Equalities Impact Assessment

12. Contact details

Report Author Rebecca Spore, Director of Infrastructure rebecca.spore@kent.gov.uk 03000 416716	Relevant Director Zena Cooke, Corporate Director for Finance Zena.cooke@kent.gov.uk 03000 419205
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KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

DECISION TAKEN BY:

**Roger Gough
Leader of The Council**

DECISION NO:

22/00037

For publication**Key decision: YES**

The decision will:

- a. result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or*
- b. be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions.*

Subject: Homes for Ukraine Scheme in Kent**Decision:**

As Leader of the Council, I agree to:

1. accept the funding from Government required to deliver the 'Homes for Ukraine Scheme' in Kent;
2. approve the establishment of the infrastructure and other necessary arrangements required to support the implementation of the scheme;
3. authorise the Corporate Director for Finance to allocate funding in accordance with the Homes for Ukraine Scheme government guidance and implement the payments as set out by the scheme to enable delivery in Kent in accordance with the principles set out in the decision report and the proposed Funding Framework;
4. delegate authority to the Corporate Director for Finance, after consultation with the Leader, to update, review and amend the distribution of funding to deliver the Homes for Ukraine Programme and/or in response to changing need;
5. delegate authority to the Corporate Director for Finance, after consultation with the Leader, to accept additional subsequent funding made available by Government where it is designed to support this and closely related Schemes, for deployment in accordance with relevant funding frameworks; and
6. delegate authority to the Corporate Director for Finance to take other appropriate actions, including but not limited to entering into contracts or other legal agreements as required to implement this decision.

Reason(s) for decision:

The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War, with approximately 4 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK Government has positively responded with the development of two key pathways to enable Ukrainian refugees to enter the UK. The two key schemes which are

operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' which is where Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest(s) from Ukraine who meet the eligibility criteria for this scheme. In later phases, organisations and community groups will be able to sponsor multiple guests.

As part of the Homes for Ukraine Scheme, the government requires local government to undertake a number of checks and provide support to both the sponsor and Ukrainian guests. In two tier areas responsibilities fall to both County and District councils and Kent County Council (KCC) is working closely with its partners to ensure a coordinated response is provided. In addition, a number of KCC services in particular Children's and Adult Social Care, have a statutory obligation to provide necessary support. The government is funding £10,500 per guest and an ongoing monthly "thank you" payment of £350 to sponsors to support the Homes for Ukraine Scheme. Additional funding is also being made available in respect education services and may also be made available to cover exceptional costs, which are outside of the funding allowance but are necessary to deliver the scheme and support both the Sponsors and Ukrainians coming into the UK under the Homes for Ukraine Scheme.

Financial Implications:

Under the Homes for Ukraine scheme, the government has confirmed it will provide funding at a rate of £10,500 per guest to Councils to enable them to provide support to refugee families, to rebuild their lives and fully integrate into communities. The £10,500 funding for supporting Ukrainian nationals is for the first year at this stage with future years to be reviewed. The £10,500 includes the initial £200 payment per guest which is payable to those accessing the scheme. This funding will be un-ringfenced, but with a number of conditions attached.

Councils are being asked to administer 'Thank You' payments of £350 per sponsoring household per month. Additional funding will be allocated for these payments, but councils will be expected to absorb administration costs.

The government is also providing additional funding to councils to provide education services for children from families arriving from Ukraine under this scheme. The Department for Education (DfE) will allocate funding on a per pupil basis for the three phases of education at the following annual rates:

- Early years (ages 2 to 4) - £3,000
- Primary (ages 5 -11) - £6,580
- Secondary (ages 11-18) - £8,755

These tariffs include support for children with special educational needs and disabilities (SEND).

Collaboration with key partners such as District and Borough Councils will ensure funding is allocated equitably across organisations as required and will support emerging approaches which enable the Council to respond as the Scheme develops, and the partner best placed to support the different elements of the scheme is able to put the appropriate measures in place. This may be at a District/ Borough level or at a county level should Countywide infrastructure or services be required and considered most efficient and effective. The proportion of guests and sponsors is not known at this stage and the detail of scheme and related government guidance is still emerging. There is a risk that the initial grant funding will prove to be inadequate, should this be the case, KCC will seek to recover all additional costs from Central Government.

Legal Implications:

The Council owes a number of existing legal duties to arriving adults and children irrespective of their country of origin or where they may eventually reside within the County. These duties exist pursuant to a number of pieces of legislation that apply to Children and Adults. Legal advice will be sought as the Funding Framework is developed further and implemented.

It is important to note that the possibility of increasing pressure on existing service delivery. This in turn may present challenges for KCC in its ability to discharge its legal duties to existing and new service users. This will be kept under review through the mechanisms set out in this report.

The intention is to use existing contracting and commissioning processes where possible or there may be a need to put new contractual arrangements in place. Due to the urgency and fast-moving nature of the delivery of the scheme it may be necessary to make use of appropriate procurement and contractual mechanisms that enable emergency contracting.

Reason for Urgency:

The Homes for Ukraine scheme has been launched by the government following the Russian invasion of Ukraine and the subsequent humanitarian crisis, as those in Ukraine seek to flee the conflict. An urgent decision is needed to enable the Council to implement the scheme and ensure that the appropriate infrastructure is in place to support the delivery of the Programme in the County. Compliance with the standard Executive Decision timeframes would significantly delay the delivery of vital support to those Ukrainian refugees coming to the UK to hosts in Kent, or those who are sponsors as part of the Homes for Ukraine National Programme.

Member and other consultation:

No Cabinet Committee consultation possible due to urgency process.

The Chair of the Scrutiny Committee, in addition to agreeing that the decision could not be reasonably deferred provided the following comments:

Mr Booth was supportive of the decision.

The Group Spokespeople of the Scrutiny Committee providing the following comments:

Mr Stepto was supportive of the decision.

Dr Sullivan commented as follows:

“I want to thank the officers for providing me with a briefing on this matter. I want to thank families in the Kent for volunteering to be sponsors for families and people fleeing Ukraine.

I do however wish to raise the following points of concern:

- I have concern for the risk that may occur, in some instances, of exploitation of people fleeing conflict, in particular, the vulnerable nature of the refugee cohort mainly being women and children cannot be understated. Based on the sponsorship-family matching program it is likely the family will be separated from friends and family and could be and feel very isolated. In relation to this matter, further work should be done to ensure all the people are safe and protected, prior to arrival, with more power to Councils to refuse potential sponsors if there are safeguarding and welfare concerns.
- I have some concerns about the planning capacity of this Council, based on the lack of knowledge or communication from Government of when and how many refugees will arrive in Kent, making it difficult to increase services and provision where needed, this extends to schools

also and early years provision. Strong communication back to Government needs to be made here to assist Councils with planning and executing support arrangements.

- I have great concerns that money allocated by Government will not fully cover the expense of the additional support required to support these families.
- I am also concerned about potential break-down in Sponsorships and families and where that leaves both the sponsor and the family and the Council's duties."

The Chair and Spokespeople of the Policy & Resources Cabinet Committee provided the following comments:

See above for Spokespeople comments (Mr Stepto and Dr Sullivan)

No other comments received.

Any alternatives considered:

Alternatives could have included passporting the grant funding and data to districts with KCC only keeping the funding related to education and other KCC related services. This option was discounted as a multiagency coordinated consistent response is needed across the County, which pulls on the strengths across partners.

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

N/A



5 April

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signed

.....
date

EQIA Submission – ID Number

Section A

EQIA Title	Homes for Ukraine Scheme in Kent
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Responsible Officer	Jennie Hocken - ST INF
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Type of Activity

Service Change	No
Service Redesign	No
Project/Programme	Project/Programme
Commissioning/Procurement	No
Strategy/Policy	No
Details of other Service Activity	No

Accountability and Responsibility

Directorate	Strategic and Corporate Services
Responsible Service	Finance and Infrastructure divisions
Responsible Head of Service	Rebecca Spore - ST INF
Responsible Director	Rebecca Spore - ST INF

Aims and Objectives

Context

The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War with approximately 4 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK Government has positively responded with the development of two key pathways to enable refugees to enter the UK.

The two key schemes which are operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' which is where Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest from Ukraine who meet the eligibility criteria for this scheme. In later phases, organisations and community groups will be able to sponsor multiple guests.

Under the scheme, the sponsor receives a £350 per month 'Thank You' payment provided that they meet the scheme requirements. Numbers are uncapped and restricted only by the number of eligible sponsors that come forward. Those accessing the scheme will be able to live and work in the UK for up to three years and access benefits, healthcare, employment, and other support. Those arriving need to meet standard security checks prior to being issued with a visa.

Requirement of Local Government as part of the Homes for Ukraine Scheme

The government have issued guidance which sets out the following roles for Councils:

1. The establishment of welcome point arrangements to support any short-term arrival needs at key arrival points in the UK. In the case of Kent consideration is needed for the portal points at both Dover and Folkestone.
2. Receipt and onward sharing of data
3. Accommodation, DBS, Safeguarding and Welfare Checks
4. £200 payment for each guest
5. Provision of school places
6. Service referrals to specialist services
7. Support to access local Jobcentre Plus appointments for benefit assessments and job-seeking.
8. Homelessness support should the sponsor/guest relationship break down.
9. Supporting community integration

10. Administering 'Thank you' payments to sponsorships

Detailed government guidance is expected and KCC is working closely with Districts and other partners to ensure that appropriate arrangements are put in place. For KCC, there are a number of services which will have a key role to play in the delivery of the scheme in relation to the safeguarding checks and providing access and support to key services such as education provision and Countywide infrastructure which is necessary to support the delivery of the scheme.

Aims and Objectives in Kent

- to ensure that Ukrainian refugees have equality of access to the financial support delegated by the Government
- to implement a consistent approach to the management of the payments to Ukrainian refugees and to their sponsors
- to ensure that risks around fraudulent access to the funding are assessed and mitigated
- to identify the proposed timescales for the time-limited activity and develop a clear exit strategy for this one-off funding

Summary of Equality Impact

The refugees who will be part of the scheme will be from a wide diversity of groups, with no impact on the funding relating to any protected characteristic.

The scheme is Government funded so will not financially negatively impact any Kent residents.

This EQIA Screening has been completed and found that there is a limited negative impact on protected characteristics.

Adverse Equality Impact Rating: Low

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?	Yes
It is possible to get the data in a timely and cost effective way?	Yes
Is there national evidence/data that you can use?	Yes
Have you consulted with stakeholders?	Yes

Who have you involved, consulted and engaged with?

Yes – Members are aware of this Government scheme, and a Key decision is being requested. We are liaising closely with District and Borough Councils regarding the provision of the scheme.

Engagement with the Ukrainian refugees at this stage is not possible, the scheme is aimed at supporting them and the sponsors offering homes but no negative impact on these groups is currently identified.

This is a Government scheme with statutory responsibility for the provision devolved to local authorities, we are continuing to follow the emerging guidance from Government and liaise with them as appropriate. Members of the public have been made aware of the scheme through government communication. No local consultation with members of the public is appropriate at this time.

Corporate Management team and involved officers.

Due to the fast moving nature of the situation consultation with any public groups at this stage would have a severe negative impact on those we are supporting, and there are no identified Equality or Diversity issues identified at this time.

Has there been a previous Equality Analysis (EQIA) in the last 3 years?

No

Do you have evidence that can help you understand the potential impact of your activity?

Yes

Section C – Impact

Who may be impacted by the activity?

Service Users/clients Service users/clients

Staff No

Residents/Communities/Citizens Residents/communities/citizens

Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?

Yes

Details of Positive Impacts

The provision of financial support to Ukrainian refugees through the scheme and the ability to match those volunteering their homes to refugees and allow them to fulfil their desired contribution.

Negative impacts and Mitigating Actions

19. Negative Impacts and Mitigating actions for Age

Are there negative impacts for age? No

Details of negative impacts for Age

Not Applicable

Mitigating Actions for Age

Not Applicable

Responsible Officer for Mitigating Actions – Age Not Applicable

20. Negative impacts and Mitigating actions for Disability

Are there negative impacts for Disability? No

Details of Negative Impacts for Disability

Not Applicable

Mitigating actions for Disability

Not Applicable

Responsible Officer for Disability Not Applicable

21. Negative Impacts and Mitigating actions for Sex

Are there negative impacts for Sex No

Details of negative impacts for Sex

Not Applicable

Mitigating actions for Sex

Not Applicable

Responsible Officer for Sex Not Applicable

22. Negative Impacts and Mitigating actions for Gender identity/transgender

Are there negative impacts for Gender identity/transgender No

Negative impacts for Gender identity/transgender

Not Applicable

Mitigating actions for Gender identity/transgender	
Not Applicable	
Responsible Officer for mitigating actions for Gender identity/transgender	Not Applicable
23. Negative impacts and Mitigating actions for Race	
Are there negative impacts for Race	No
Negative impacts for Race	
Not Applicable	
Mitigating actions for Race	
Not Applicable	
Responsible Officer for mitigating actions for Race	Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief	
Are there negative impacts for Religion and belief	No
Negative impacts for Religion and belief	
Not Applicable	
Mitigating actions for Religion and belief	
Not Applicable	
Responsible Officer for mitigating actions for Religion and Belief	Not Applicable
25. Negative impacts and Mitigating actions for Sexual Orientation	
Are there negative impacts for Sexual Orientation	No
Negative impacts for Sexual Orientation	
Not Applicable	
Mitigating actions for Sexual Orientation	
Not Applicable	
Responsible Officer for mitigating actions for Sexual Orientation	Not Applicable
26. Negative impacts and Mitigating actions for Pregnancy and Maternity	
Are there negative impacts for Pregnancy and Maternity	No
Negative impacts for Pregnancy and Maternity	
Not Applicable	
Mitigating actions for Pregnancy and Maternity	
Not Applicable	
Responsible Officer for mitigating actions for Pregnancy and Maternity	Not Applicable
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships	
Are there negative impacts for Marriage and Civil Partnerships	No
Negative impacts for Marriage and Civil Partnerships	
Not Applicable	
Mitigating actions for Marriage and Civil Partnerships	
Not Applicable	
Responsible Officer for Marriage and Civil Partnerships	Not Applicable
28. Negative impacts and Mitigating actions for Carer's responsibilities	
Are there negative impacts for Carer's	No

responsibilities	
Negative impacts for Carer's responsibilities	
Not Applicable	
Mitigating actions for Carer's responsibilities	
Not Applicable	
Responsible Officer for Carer's responsibilities	Not Applicable

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From: Ben Watts, General Counsel

To: Policy and Resources Cabinet Committee, 26
July 2023

Subject: Annual Information Governance Update

Status: Unrestricted

Recommendation

The Policy and Resources Cabinet Committee is asked to:

- a) **NOTE** the update on the proposed changes to the Freedom of Information Request Process; and
 - b) **NOTE** the activity undertaken to transform Information Governance processes and improve compliance with KCC policies.
 - c) **NOTE** plans to organise a Member Briefing ahead of the next meeting of the Committee to provide further details of the FOI process, requests and improvements planned.
-

1. Introduction

- a) The Committee previously sought an update relating to the actions that have been taken in relation to the Council's repeated failure to meet the statutory and performance targets relating to responses provided to FOI queries and Subject Access Requests.
- b) Those performance targets sit alongside a range of other important statutory duties for the organisation to discharge in relation to information governance and this report also provides an update regarding those.
- c) This report sets out some of the activities and actions that have been undertaken which show greater granularity on the challenges faced and solutions being developed. It is often presented as a static position because the headline figures haven't moved to compliance but that is not the case and the report seeks to discuss that concern. The planned Member briefing facilitating a deep dive into some of the complex issues will provide an appropriate and helpful opportunity to explore this matter further ahead of the next quarterly report to better clarify the evolving nature of KCC's FOI situation.

- d) It is important to repeat that whilst these performance indicators report to the Policy and Resources Cabinet Committee, the materiality of compliance is driven by the response rate from individual directorates who hold the information.
- e) The past year has seen an array of transformation activity whereby projects have been delivered to improve compliance with KCC policies across the Council.

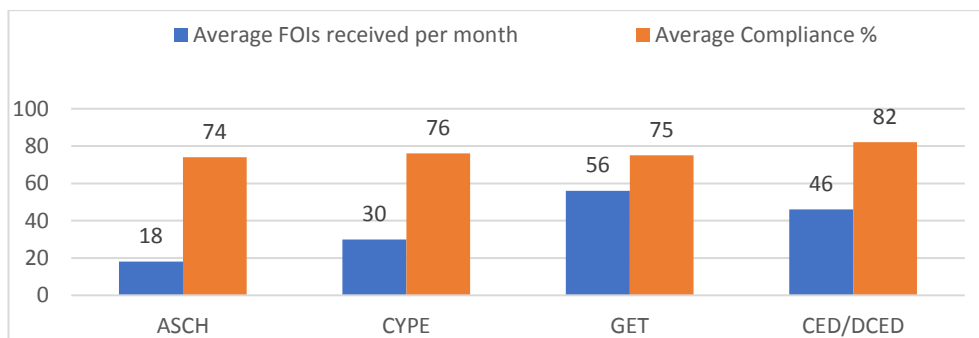
2. Freedom of Information Requests Background

- a) Members and Officers have previously noted that for both GLD02 (FOI) and GLD03 (SAR) that the targets were missed again this year and the improvement on the previous year's performance of just 1% in each case.
- b) In assessing and understanding the reasons for non-compliance we have reviewed the information available to us. We have previously made changes and improvements that have not materially improved performance so it was important to understand more about how the statistics occur to ensure that the right fixes are applied going forwards.
- c) In previous discussions, we have noted the increase in the number of requests of between 200% and 300% depending on the metric in question that had occurred in the Council's recent past in the period up to the pandemic. At the same time, the resources across the Council to respond to requests had reduced as budgets were reduced and the responses competed for resource with core activities within services.
- d) In mitigation, increasing amounts of information have been published on the Council's website in an effort to mitigate the need for residents and other interested stakeholders to make requests to get information.
- e) It is material that in the past two years we are seeing a change in the number and type of requests that are received.

Financial Year	Number of FOI requests
2018/19	2,358
2019/20	2,139
Pandemic	
2021/22	1,966
2022/23	1,738

- f) Accordingly, fewer requests are received but they are bringing greater complexity. Some of the requests impacting the statistics have also been linked to those service incidents reported elsewhere where the responding services have already been under pressure.

- g) Importantly, this means that the Council is in a very different position to the one that it faced previously where across the board the volume of FOIs being received was overwhelming the resources available. Whilst that still occurs in areas of critical concern, it is no longer the case across the organisation and in real terms the global number of requests is down by a quarter.
- h) In many respects, some of the easier requests are now dealt with automatically, which is positive for the requestor but it does not impact the performance statistics. In determining the next steps for improvement, it was important to further review the information that we held about the requests that we are now receiving.
- i) A further detailed deep dive of this information will be provided to Members at a forthcoming Member Briefing but in summary the data below provides an overview of FOIs received, and compliance rates from April 2022-2023:



	Total (Apr 22-23)	Average per month
Received	1951	150
Closed-In Time	1446	111
Closed-Overdue	427	33
Closed-Total	1873	144

- j) Based on this data, KCC currently has capacity to close an average of 111 FOI requests per month within the statutory timescales. However, alongside those being closed in time, there is also an average of 33 overdue FOIs being closed each month.
- k) The data suggests that, were the backlog of FOIs addressed, KCC could have capacity for up to 144 FOI requests to be closed in time, (depending on the complexity of the requests received) which would be just below the average number of FOIs received each month and would put KCC's compliance rate at around 96%.
- l) It is also clear that as services enter a period of difficulty in terms of delivery, that has an impact on the number and compliance rates which skews the organisational performance overall. Requests from dissatisfied service users go

up and because the service is struggling already the response rates go down, with a material impact on compliance rates. The reducing numbers of requests overall means that the impact on the statistics is even greater.

- m) Work has also been undertaken between colleagues in the Marketing and Resident Experience (MRX) team and the Information Resilience & Transparency (IR&T) team in Governance, Law and Democracy (GLD) to allow for the searching of previous FOI queries. The search of the disclosure log allows interested residents to search using a keyword or by date to see previous responses. This will be demonstrated at the meeting but the link for the disclosure log is available here: [Kent County Council Disclosure Log \(icasework.com\)](https://www.kent.gov.uk/icasework.com).

3. Proposed changes to KCC's Freedom of Information process

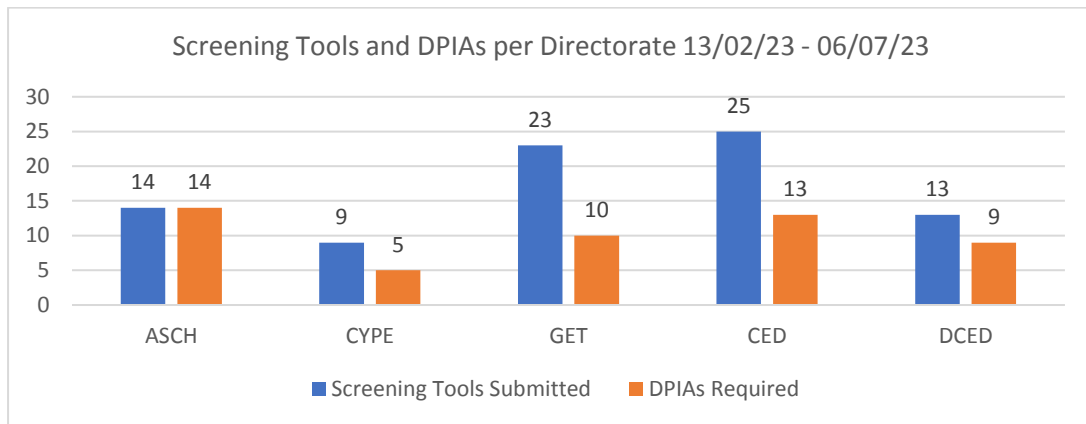
- a) Following a review of the current process, it is clear that any changes to the process must balance a recognition of the difference in the number of FOIs received in each directorate, as well as the realities of the resources available and the challenges present in each service. This will avoid the wrong solutions being applied universally to issues that are presenting locally.
- b) In simple terms, each Corporate Director is accountable for ensuring responses to FOI requests are returned to IR&T in advance of the statutory deadline and the resource that is currently utilised on chasing officers for responses will be converted to an advisory role to support those officers with drafting responses. In due course, we will be looking at how to use technology to support further efficiencies.
- c) It is anticipated that the conversion of the resource along with greater prioritisation within directorates will lead to increased understanding and ability around the more complex requests, thereby reducing the time to respond to them.
- d) The data and the engagement with Officers across the Council have made it clear that reminder emails are not an effective mechanism to keep services on track with their FOIs. We will be reflecting on the reporting arrangements both within directorate and corporate management teams as well as to Cabinet and Cabinet Committees.
- e) Officers are currently reviewing the end-to-end process and a further update will be provided in the autumn on the operational changes that are made. Similarly, work will be undertaken over the summer to look further with each directorate at the overdue cases and related trends to develop appropriate fixes to improve compliance.

4. Operational Delivery Activity

- a) The work undertaken to transform Information Governance processes was referenced at the start of this report and the two Information Governance projects that have been delivered so far in 2023 are the Data Protection Impact Assessment App (DPIA App) and the Data Breach processes.

5. DPIA App

- a) The DPIA App went live for use across KCC on Monday 13th February, following a joint project by Governance, Law and Democracy and the Centre of Excellence in Technology as part of the Strategic Reset Programme. The project aim was to save Officer time in the undertaking of the DPIAs, while also improving the quality of the assessments produced, through the utilisation of technology.
- b) The DPIA App was built using Microsoft Power Platforms, which have enabled the automation of different aspects of the process, including the initial determination of whether a full DPIA is required, which has already delivered substantial time saving to Officers.
- c) To determine whether a full DPIA is needed, a screening tool is completed by the project team. Under the previous process, it took an average of 23.5 days for the outcome of a screening tool to be reached. This was as a result of the back and forth of emails, and meetings between DPO Support and the project team to discuss the completion of the screening tool.
- d) When using the App, the user is informed immediately if a DPIA is required, as the answers input are matched against the criteria set out in KCC's DPIA policy. To ensure users input accurate information, the DPO Support team carry out spot checks on screening tools where it is determined a DPIA is not required.
- e) In the vast majority of cases, when carrying out these spot checks the outcome of 'DPIA not required' is confirmed. Additional information is only being sought for one or two screening tools per month. The App is therefore providing a time saving benefit to the DPO Support team and the project teams across KCC. It allows for the careful management of information governance risk whilst allowing busy project managers to self-serve their needs.
- f) As of 6th July there had been 84 screening tools submitted via the DPIA App, of which 51 required a full DPIA. The directorate breakdown is as follows:



g) Use of the App is at consistent levels, with an average of 16 screening tools being submitted per month, with 61% of these then requiring a DPIA.

h) Where a DPIA is required, it takes officers through the necessary steps and activities to assess the data protection impact of their project. This has meant that resources within Governance, Law and Democracy have been able to be applied judiciously to the projects with the greatest risk and has managed the growing demand effectively. Again, officers running projects (and information asset owners at a senior level) are able to log into the system and see where things are. Improvements continue to be made but the app has made a very promising start.

6. Data Breach

a) A new process for notifying and investigating data breaches was launched across the Council on Monday 3rd July 2023, following a successful pilot conducted earlier this year.

b) Officers from Governance, Law and Democracy have designed a new process with the aim of reducing the time spent by Officers reporting and responding to data breaches, while also providing greater assurances that data breaches are being investigated and resolved across the Council.

c) The first stage of the data breach process is the completion of Part 1 of the Data Breach Report Form to notify the IR&T team of the breach. Previously, the Part 1 form was only available as a Microsoft Word document which was downloaded, completed and emailed to colleagues who were responsible for manually inputting the response into their database.

d) The corporate team also had to identify and contact the individual responsible for completing the investigation, details of which would be inputted into Part 2 of the Data Breach Report Form.

e) As a part of this process, significant resources were spent clarifying information, inputting data and contacting Officers to seek assurance that an investigation had taken place.

- f) Both report forms have now been moved to Microsoft Forms which provides greater flexibility in terms of data gathering and signposting guidance to Officers thereby improving the quality of responses and reducing the time spent completing the form.
- g) Automation technology has been utilised to populate databases, emails and documents, allowing resources within Governance, Law and Democracy to be focused on assessing the risk of the breach and the preventative steps which can be taken.
- h) An automated reminder system has also been developed so that Officers are prompted to complete the necessary documentation when required.
- i) The new Data Breach process went live for use across KCC on 3rd July. Reporting tools will be used to analyse data breaches in further detail to identify steps that can be implemented to reduce the frequency and impact of data breaches.

7. Recommendations

The Policy and Resources Cabinet Committee is asked to:

- a) **NOTE** the update on the proposed changes to the Freedom of Information Request Process; and
- b) **NOTE** the activity undertaken within Governance, Law and Democracy to transform Information Governance processes and improve compliance with KCC policies.
- c) **NOTE** plans to organise a Member Briefing ahead of the next meeting of the Committee to provide further details of the FOI process, requests and improvements planned.

8. Report Author and Relevant Director

Ben Watts, General Counsel
03000 416814
benjamin.watts@kent.gov.uk

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From: Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services
 Rory Love, Cabinet Member for Education and Skills

To: Policy and Resources Cabinet Committee – 26 July 2023

Subject: Decisions taken between Cabinet Committee Meetings

Classification: **UNRESTRICTED** report, with **EXEMPT** Appendix B *by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 – information relating to the financial or business affairs of the Council and other parties.*

Electoral Division/s: Malling Central, Trudy Dean MBE;
 Sittingbourne North Swale, Mike Dendor;
 Hythe West Folkestone and Hythe, Jenni Hawkins;
 Ashford Central, Paul Bartlett;
 Birchington & Rural, Derek Crow-Brown, Linda Wright.

FOR INFORMATION ONLY

Summary: An urgent decision was taken outside of the Policy and Resources Cabinet Committee as it could not reasonably be deferred to the next programmed committee for the reason(s) set out in paragraph 1.3 below.

Recommendation(s): The Policy and Resources Cabinet Committee is asked to note that Decision No. 23/00067, Reinforced Autoclave Aerated Concrete in Schools, was taken in accordance with sections 12.32 and 12.35 of the Council’s constitution.

1. Background

- 1.1 In accordance with the new governance arrangements, all significant or Key Decisions must be listed in the Forthcoming Executive Decision List and should be submitted to the relevant Cabinet Committee for endorsement or recommendation prior to the decision being taken by the Cabinet Member or Cabinet.
- 1.2 For the reason set out below it has not been possible for this decision to be discussed by the Cabinet Committee prior to it being taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services and the Cabinet Member for Education and Skills. Therefore, in accordance with the process set out in the Council’s Constitution, the Chairman and Group Spokespersons for this Cabinet Committee, the Chairman and Spokesmen for the Scrutiny Committee were informed prior to the decision being taken and their views were recorded on the Record of Decision (attached at Appendix A). After the decision was taken, it was published.

1.3 The deadlines and dates of the Policy and Resources Cabinet Committee would have delayed the decision. To delay the decision would have meant that Kent County Council (KCC) would not have been able to implement emergency strengthening work necessary to allow pupils to return to their school buildings whilst a longer-term plan is implemented to remove the RAAC. To ensure the strengthening and associated works can be completed over the next 8 to 10 weeks, instruction had to be given imminently and could not be deferred to allow for the normal decision notice periods.

2. Recommendation(s)

Recommendation(s): The Policy and Resources Cabinet Committee is asked to note that Decision No. 23/00067, Reinforced Autoclave Aerated Concrete in Schools, was taken in accordance with sections 12.32 and 12.35 of the Council's constitution.

3. Background documents - Appendices

- 3.1. Appendix A - Record of Decision No. 23/00067
- 3.2. EXEMPT Appendix B - 23/00067 Decision Report
- 3.3. Appendix C - 23/00067 Equality Impact Assessment

4. Contact details

<p>Report Author: James Sanderson Head of Property Operations James.sanderson2@kent.gov.uk 03000 41 76 06</p>	<p>Relevant Directors: Rebecca Spore Director of Infrastructure Rebecca.spore@kent.gov.uk 03000 41 67 16</p>
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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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KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

DECISION TAKEN BY:

Peter Oakford

**Deputy Leader and Cabinet Member for Finance,
Corporate and Traded Services**

DECISION NO:

23/00067

For Publication**Key decision: YES**

Key decision criteria. The decision will:

- a) *result in expenditure which is in excess of £1,000,000);*

DECISION NAME – Reinforced Autoclave Aerated Concrete (RAAC) in Schools

As Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, I agree to:

- a) note the current position in respect of Reinforced Autoclave Aerated Concrete (RAAC) and the emergency closure of four schools across the County.
- b) note the emergency measures that have been taken to minimise disruption to education whilst works are undertaken to enable the schools to reoccupy school accommodation as soon as possible at the start of the new academic year.
- c) approve the required expenditure to deliver the relevant works at any identified schools with a positive RAAC confirmation that requires immediate action and cover necessary temporary measures, including authorising the draw down on reserves to fund the emergency response and strengthening works that are required at identified schools, should forward funding from existing underspends and rephasing be insufficient. Funding for this is capped at £2.5M, pending further decision-making in the event of escalating costs.
- d) note that the capital costs will be reimbursed by the Department for Education (DfE) regardless of school type in relation to the schools where action has already been taken with ongoing discussions continuing with the DfE to recover all costs and any further action which may be required in respect of any new schools where immediate action is required; and
- e) authorise the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Democratic Services to finalise and enter into the necessary contracts, funding and legal agreements and take other actions as necessary to implement this decision.

Reasons for decision:

In June 2023, through the course of relevant inspections and the consideration of new guidance by the DfE regarding the presence of Reinforced Autoclave Aerated Concrete (RAAC) in schools, the following schools were flagged by Surveyors as constituting Red Critical status:

- Birchington CofE Primary School
- Sunny Bank Primary School
- Palmarsh Primary School
- St James' CE Primary School.

These four schools were all closed with immediate effect, meaning that 1,130 pupils were unable to access face-to-face education. Kent County Council (KCC) carries the statutory duty to ensure that children have access to education. Emergency plans by KCC were initiated to minimise the period that the children were out of face-to-face education, the affected schools and the wider school community. 1 school returned to face-to-face teaching on Tuesday 20 June 2023 (Sunny Bank) with the other 3 schools returning on Wednesday 21 June 2023.

In addition, Godinton Primary School have temporarily closed the hall and adjacent areas where RAAC is present whilst further investigations are undertaken.

SUMMARY:

The decision confirms the authority and requirement for strengthening works to be undertaken on the affected buildings – during the period while works are conducted, pupils will continue to use the temporary arrangements set up for each individual school. Initial Strengthening works to be instructed under this decision are due for completion prior to the start of the September term or as soon as practicable thereafter – pupils will the return to normal school arrangements and their regular classrooms / buildings.

This decision grants authority to draw down up to £2.5M to fund relevant works for these and other schools as they are identified.

Consideration of and arrangements for longer term solutions to related building issues for the schools will be subject to separate decisions, pending ongoing discussions with the Department for Education.

Financial implications:

Assessments indicate costs will be approx. £1.2M for delivering the required strengthening works at the schools identified so far. This cost could increase if additional schools are identified as requiring similar closure, temporary arrangements and strengthening works.

There is therefore a risk that further RAAC may be identified within schools where KCC are the responsible body or within KCC's wider family of schools. This risk at present is unknown until all the schools KCC are responsible for have been visited through our own assurance process. This is expected to be completed for all three batches by August. Without further details as and when schools are identified, it is not possible to fully quantify the cost implications other than to note the risk of increased financial pressure. Should costs escalate beyond the approved level, the decision and arrangements will need to be reviewed to further consider the financial implications for the Council.

KCC will be required to fund any initial spend from reserves or underspending elsewhere in the capital programme whilst expenditure is reclaimed from the DfE.

Legal implications:

KCC has responsibilities both as a Responsible Body in respect of maintaining the buildings of community, foundation and voluntary controlled schools and as the education authority responsible for ensuring every child resident in Kent can access a school place. Maintained schools are required to deliver 380 school sessions each year, and whilst legal provision is made for sessions not being delivered in exceptional circumstances, such as an immediate health and safety risk requiring the school to close, it is expected the education function will be reinstated expeditiously. Failure to do so opens the school concerned and the maintaining authority to claims for failure to

educate.

In the event that another Responsible Body does not take the action required to ensure their school buildings can operate safely (because of affordability) and thus children cannot attend school, the most likely immediate reaction will be calls for the education authority to intervene to reopen the school, followed by options to look for alternative school places in order to discharge its statutory duty.

Equality Implications

No adverse impacts on protected characteristics were identified in relation to this decision, which seeks to deliver a solution to the issue that required the closure of school building and related temporary arrangements.

Data Protection implications:

No data protection implications identified in relation to instructing relevant works. No additional processing of personal data.

Reason for Urgency:

The closure of four schools occurred over the course of 24 hours following the interpretation of the current guidance from the Institute of Structural Engineers and the subsequent direction from the DfE.

As a result, it has been necessary to instigate temporary measures to enable the schools to return to face-to-face full-time education as soon as possible. To ensure there is approved funding and policy direction to allow the instruction of strengthening works within the required timescales, in addition to the temporary accommodation already implemented, a key decision is required and cannot be deferred.

The emergency temporary measures do not provide a sustainable environment for the pupils, therefore urgent strengthening works must be instructed to allow the children to return to their school buildings whilst a longer-term plan is implemented to remove the RAAC. To ensure the strengthening and associated works can be completed over the next 8 to 10 weeks, instruction must be given imminently and cannot be deferred to allow for the normal decision notice periods.

Member and other consultation:

No Cabinet Committee consultation possible due to urgency process.

The Chair of the Scrutiny Committee, in addition to agreeing that the decision could not be reasonably deferred, provided the following comments:

Mr Booth supported the Decision.

The Chair and Group Spokespeople of the Policy & Resources Cabinet Committee provided the following comments:

Mr Thomas (Chair) supported the decision.

Local Members provided the following Comments:

Mrs Dean supported the decision.

Mrs Wright supported the decision.

Any alternatives considered and rejected:

Alternatives to the chosen 'Strengthening Works' approach included:


Installation of temporary propping – not progressed as unviable based on unacceptable disruption to pupils.

Full transition into Temporary Accommodation – not progressed in view of significant cost implications and prolonged time frames for design and delivery.

Taking no action at all was not viable due to the potential risk to pupils and the disruption or prevention of their education.

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

None


signed
Peter J. Oakford

13 July '23
date

EQIA Submission – ID Number

Section A

EQIA Title

Schools Reinforced Autoclave Aerated Concrete in Schools

Responsible Officer

Lee Round - CY EPA

Type of Activity

Service Change

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

Commissioning/Procurement

Strategy/Policy

No

Details of other Service Activity

No

Accountability and Responsibility

Directorate

Children Young People and Education

Responsible Service

Infrastructure

Responsible Head of Service

James Sanderson - DCED INF

Responsible Director

Rebecca Spore - DCED INF

Aims and Objectives

Introduction:

Reinforced autoclaved aerated concrete (RAAC) was used for at least 25 years in buildings across the Country. Locally concerns manifested following the unexpected ceiling collapse at Singlewell School in 2019, leading KCC to raise concerns nationally.

Following this issue, Kent County Council (KCC) commissioned a validation exercise undertaking checks at schools for which KCC had responsibility. If concerns were raised, actions were taken to monitor and address the concerns.

Recently, following change to the Institute of Structural Engineers guidance, four schools with identified RAAC were closed temporarily and arrangements put in place to ensure the continued education of their pupils via a variety of actions. These are only short term measures, to ensure the safety of pupils staff and visitors, while structural works are undertaken to enable the schools to reoccupy affected school buildings.

Aims:

Significant funding will be required to complete the structural works thus allowing thus schools to be reoccupied. As such the the request is that the delegated Cabinet Members:

1. Agree capital funding that can be drawn down on to fund the emergency response and strengthening works that are required.

2. Authorise the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Democratic Services to finalise and enter into the necessary contracts, funding and legal agreements and take other actions as necessary to implement this decision.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

Yes

It is possible to get the data in a timely and cost effective way?

Yes

Is there national evidence/data that you can use?

Yes

Have you consulted with stakeholders?

Yes

Who have you involved, consulted and engaged with?

Consultation with school leaders of the schools where emergency works are required is on going.

Local Members have been informed where a school is within their division.

Has there been a previous Equality Analysis (EQIA) in the last 3 years?

No

Do you have evidence that can help you understand the potential impact of your activity?

Yes

Section C – Impact

Who may be impacted by the activity?

Service Users/clients

Service users/clients

Staff

Staff/Volunteers

Residents/Communities/Citizens

Residents/communities/citizens

Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?

Yes

Details of Positive Impacts

The emergency works were completed at schools where RAAC was identified and classed as a 'Red Risk.' These schools were closed for 3 days at most, minimising the disruption to the education of all pupils. However, the current temporary arrangements could potentially have negative effects for those with a disability, who have special educational needs or are pregnant.

Releasing funding for the emergency response works and the strengthening works will have a positive impact for all groups as school buildings will be reopened swiftly, minimising the impact of using temporary accommodation.

The continuing review of the school estate will enable KCC to identify where RAAC is present and will ensure that remedial works are prioritised, thus keeping schools open to all stakeholders.

Negative impacts and Mitigating Actions

19. Negative Impacts and Mitigating actions for Age
Are there negative impacts for age?
No
Details of negative impacts for Age
Not Applicable
Mitigating Actions for Age
Not Applicable
Responsible Officer for Mitigating Actions – Age
Not Applicable
20. Negative impacts and Mitigating actions for Disability
Are there negative impacts for Disability?
No
Details of Negative Impacts for Disability
Not Applicable
Mitigating actions for Disability
Not Applicable
Responsible Officer for Disability
Not Applicable
21. Negative Impacts and Mitigating actions for Sex
Are there negative impacts for Sex
No
Details of negative impacts for Sex
Not Applicable
Mitigating actions for Sex
Not Applicable
Responsible Officer for Sex
Not Applicable
22. Negative Impacts and Mitigating actions for Gender identity/transgender
Are there negative impacts for Gender identity/transgender
No
Negative impacts for Gender identity/transgender
Not Applicable
Mitigating actions for Gender identity/transgender
Not Applicable
Responsible Officer for mitigating actions for Gender identity/transgender
Not Applicable
23. Negative impacts and Mitigating actions for Race
Are there negative impacts for Race
No
Negative impacts for Race
Not Applicable
Mitigating actions for Race
Not Applicable
Responsible Officer for mitigating actions for Race
Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief
Are there negative impacts for Religion and belief
No
Negative impacts for Religion and belief
Not Applicable

Mitigating actions for Religion and belief
Not Applicable
Responsible Officer for mitigating actions for Religion and Belief
Not Applicable
25. Negative impacts and Mitigating actions for Sexual Orientation
Are there negative impacts for Sexual Orientation
No
Negative impacts for Sexual Orientation
Not Applicable
Mitigating actions for Sexual Orientation
Not Applicable
Responsible Officer for mitigating actions for Sexual Orientation
Not Applicable
26. Negative impacts and Mitigating actions for Pregnancy and Maternity
Are there negative impacts for Pregnancy and Maternity
No
Negative impacts for Pregnancy and Maternity
Not Applicable
Mitigating actions for Pregnancy and Maternity
Not Applicable
Responsible Officer for mitigating actions for Pregnancy and Maternity
Not Applicable
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships
Are there negative impacts for Marriage and Civil Partnerships
No
Negative impacts for Marriage and Civil Partnerships
Not Applicable
Mitigating actions for Marriage and Civil Partnerships
Not Applicable
Responsible Officer for Marriage and Civil Partnerships
Not Applicable
28. Negative impacts and Mitigating actions for Carer's responsibilities
Are there negative impacts for Carer's responsibilities
No
Negative impacts for Carer's responsibilities
Not Applicable
Mitigating actions for Carer's responsibilities
Not Applicable
Responsible Officer for Carer's responsibilities
Not Applicable

From: Peter Oakford, Deputy Leader, Cabinet Member for Finance,
Corporate and Traded Services

Ben Watts, General Counsel

To: Policy and Resources Cabinet Committee – 26 July 2023

Subject: **Work Programme 2023**

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 note its planned work programme for 2023

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 Chair, Vice-Chair and group spokesmen.
- 1.2 Whilst the Chair, 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” and these should also inform the suggestions made by Members for appropriate matters for consideration.

3. Work Programme 2023

- 3.1 The Cabinet Committee is requested to consider and note the items within the proposed Work Programme, set out in the appendix to this report, and to suggest any additional topics to be considered for inclusion on agendas of future meetings.
- 3.2 The schedule of commissioning activity 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 consider 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 Chair or the Democratic Services Officer between meetings for consideration.

5. Recommendation: The Policy and Resources Cabinet Committee is asked to consider and note its planned work programme for 2023

6. Background Documents

None.

7. Contact details

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POLICY AND RESOURCES CABINET COMMITTEE - WORK PROGRAMME 2023-24

19 September 2023 – 10am agenda setting 28 July at 11.30am (online)		
• Contract Management Review Group update	Clare Maynard Louise Merchant	Six-monthly item
• Performance Dashboard for the Chief Executive's Department and Deputy Chief Executive's Department	David Whittle Matt Wagner	Regular item
• Proposals regarding the Afghan Resettlement and United Kingdom Resettlement Schemes	David Whittle Michael Thomas-Sam Chris Grosskopf	Key Decision
• Work Programme 2023		
22 November 2023 – 2 pm - agenda setting 28 October at 2.00pm (online)		
• Annual Equality and Diversity Report (in 2022 moved to January)	David Whittle	Annual item
• Draft Revenue and Capital Budget and Medium-Term Financial Plan	Zena Cooke Dave Shipton	Annual item
• Facilities Management update	Rebecca Spore	Six-monthly item
• Regular Medium Term Financial Plan (MTFP) update	Zena Cooke Dave Shipton	Regular item
• Kent Public Service Network (KPSN)	Lisa Gannon Stuart Cockett	<i>Regular item Moved from March</i>
• Kent and Medway Domestic Abuse Strategy	David Whittle Serine Annan-Veitch	<i>Key Decision</i>
• Disposal of Former Rosemary Centre, High Road, Dartford, DA2 7DP	Rebecca Spore Karen Frearson Hugh D'Alton	<i>Key Decision Moved from March</i>
• Kent Communities Programme	Rebecca Spore Ben Sherreard	<i>Added at July agenda setting</i>

<ul style="list-style-type: none"> Proposals regarding the Afghan Resettlement and United Kingdom Resettlement Schemes 	David Whittle Michael Thomas-Sam Chris Grosskopf	Key Decision
<ul style="list-style-type: none"> Work Programme 2023 		
17 January 2024 – 10am agenda setting 27 November at 3.00pm (online)		
<ul style="list-style-type: none"> Implementation of the Armed Forces Covenant in Kent 	Tim Woolmer	Annual item
<ul style="list-style-type: none"> Performance Dashboard for the Chief Executive's Department and Deputy Chief Executive's Department 	David Whittle Matt Wagner	Regular item
<ul style="list-style-type: none"> Work Programme 2023 		
13 March 2024 – 10am agenda setting 29 January at 2.00pm (online)		
<ul style="list-style-type: none"> Update on Asset Management Plan 	Karen Frearson Mark Cheverton	<i>Moved to 2024 due to new Facilities Management arrangements. (frequency thereafter to be confirmed)</i>
<ul style="list-style-type: none"> Risk Management (Including RAG ratings) 	David Whittle Mark Scrivener	Annual item
<ul style="list-style-type: none"> Cyber Security 	Lisa Gannon	Annual item
<ul style="list-style-type: none"> Contract Management Review Group update 	Clare Maynard Louise Merchant	<i>Six-monthly item</i>
<ul style="list-style-type: none"> Regular Medium Term Financial Plan (MTFP) update 	Zena Cooke Dave Shipton	<i>Regular item</i>
<ul style="list-style-type: none"> Facilities Management update (bi-annual) 	Rebecca Spore	<i>Regular item</i>
<ul style="list-style-type: none"> Work Programme 2023 		
15 May 2024 – 10am – agenda setting 20 March at 2.00 pm (online)		
<ul style="list-style-type: none"> Performance Dashboard for the Chief Executive's 	David Whittle	<i>Regular item</i>

Department and Deputy Chief Executive's Department	Matt Wagner	
<ul style="list-style-type: none"> • Kent Partnerships Update - Kent Estates Partnership (KEP) and Kent Connects 	Rebecca Spore Phil Murphy Julie Johnson	<i>Regular item</i>
<ul style="list-style-type: none"> • Facilities Management update (bi-annual) 	Rebecca Spore	<i>Regular item</i>
<ul style="list-style-type: none"> • Work Programme 2023 		
10 July 2024 – 2pm – agenda setting 22 May at 11.00am (online)		
<ul style="list-style-type: none"> • Regular Medium Term Financial Plan (MTFP) update 	Zena Cooke	<i>Regular item</i>
<ul style="list-style-type: none"> • Work Programme 2023 		

PATTERN OF REGULAR ITEMS

JANUARY	Annual	Draft Revenue and Capital Budget and Medium-Term Financial Plan	Zena Cooke Dave Shipton
	Annual	Implementation of the Armed Forces Covenant in Kent	Tim Woolmer
	Every other meeting	Performance Dashboard for the Chief Executive's Department and Deputy Chief Executive's Department	David Whittle Matt Wagner
MARCH	Annual	Risk Management (Including RAG ratings)	David Whittle Mark Scrivener
	Annual	Cyber Security	Lisa Gannon
	Six-monthly	Contract Management Review Group update	Clare Maynard Louise Merchant
	Every other meeting	Regular Medium Term Financial Plan (MTFP) update	Zena Cooke Dave Shipton
MAY	Annual	Kent Partnerships Update - Kent Estates Partnership (KEP) and Kent Connects	Rebecca Spore Phil Murphy Julie Johnson
	Six-monthly	Facilities Management update	Rebecca Spore
	Every other meeting	Performance Dashboard for the Chief Executive's Department and Deputy Chief Executive's Department	David Whittle Matt Wagner
JULY	Every other meeting	Regular Medium Term Financial Plan (MTFP) update	Zena Cooke Dave Shipton
SEPTEMBER	Six-monthly	Contract Management Review Group update	Clare Maynard Louise Merchant
	Every other	Performance Dashboard for the Chief Executive's Department and	David Whittle

	meeting	Deputy Chief Executive's Department	Matt Wagner
NOVEMBER/ DECEMBER	Annual	Annual Equality and Diversity Report (in 2022 moved to January)	David Whittle
	Six-monthly	Facilities Management update	Rebecca Spore
	Every other meeting	Regular Medium Term Financial Plan (MTFP) update	Zena Cooke Dave Shipton

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