

## KENT COUNTY COUNCIL

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### CABINET

MINUTES of a meeting of the Cabinet held in the Council Chamber on Thursday, 4 January 2024.

PRESENT: Mr R W Gough (Chairman), Mr N Baker, Mrs C Bell, Mrs S Chandler, Mr D Jeffrey, Mr R C Love, OBE, Mr P J Oakford and Mr D Watkins

ALSO PRESENT: Mr R Thomas, Mr A Hills

### UNRESTRICTED ITEMS

#### **22. Apologies**

*(Item 1)*

Apologies were received from Mr Murphy and Mr Thomas was present.

#### **23. Declarations of Interest**

*(Item 2)*

Mr Baker declared an interest under item 9 - 23/00091 - Kent and Medway Integrated Care Strategy - in that his wife was employed by East Kent Hospitals University NHS Foundation Trust

Mr Whittle declared in interest under item 9 - 23/00091 - Kent and Medway Integrated Care Strategy – in that the Integrated Care Board, on which he was a member, had already approved the document

#### **24. Minutes of the Meeting held on 30 November 2023**

*(Item 3)*

RESOLVED that the minutes of the meeting on 30 November were a correct record and that they be signed by the Chair.

#### **25. Cabinet Member Updates**

*(Item 4)*

Mr Watkins, Cabinet member for Adult Social Care and Public Health), provided an update on the following:

- (a) Three public consultations were due to be launched in the coming weeks:
  - New Non-residential Care Home Charging
  - The Future of Blackburn Lodge on the Isle of Sheppey
  - Voluntary Sector Grant Funding
- (b) A number of campaigns were due to launch in the coming weeks:
  - Dry January

- Healthy Weight Services
- Release the Pressure - Mental Health

2. Mrs Chandler, Cabinet Member for Integrated Children's Services provided an update on the following:

- (a) The High Court decision at the end of November 2023 determined that the Home Secretary has acted unlawfully and vindicated the actions that Kent County Council (KCC) had taken. The ruling found that the National Transfer Scheme (NTS) and the management of the scheme was inadequate, and for large periods of time unlawful; the Home Office received instruction to remedy the issues and create a NTS that worked both fairly and sustainably in the future. In particular, Mr Justice Chamberlain stated that the approach taken by the Home Office in the management of the NTS had been unreasonably slow and unlawful in the period December 2021 to 7<sup>th</sup> July 2023. The judgement was well received by KCC and confirmed that the Judicial Review brought against the Home Office regarding the management of the NTS, was the correct course of action. The Council had been in discussion with the Home Office regarding the funding required to ensure sufficient reception accommodation for all new UASC arrivals and several possible sites had been identified across the county, with local residents informed.
- (b) England's first Kinship Care Strategy was launched by Government and from April 2024 Kent County Council would be creating a new Kinship Care Service through the utilisation of existing staff within the fostering and district teams. The Kinship Care Strategy aimed to better support kinship carers - grandparents, aunts, uncles, siblings and wider family networks – who provide homes to children who can no longer live with their parents. The newly created service provided by the Council would attend family group conferences to meet with and assess potential carers, manage urgent entries into care, manage referrals into the Front Door that were subject to Special Guardianship Orders and would provide wider support to identify alternative measures of care that would minimise the need for extensive child protection measures and legal interventions. Section 17 funding would be utilised to support the new arrangements and the service would be closely monitored to review the impact that the formation of the service would have on improving the outcomes of vulnerable children and young people.
- (c) 'Any of Us', a short fostering film project supported, and part funded by Kent County Council won two prestigious awards for the 'Best collaboration' and Best Creative Comms' categories at the comms2point0 UnAwards which recognises excellence in public sector communications. The short film aimed to encourage people from backgrounds to consider becoming a foster carer for their local authority. A number of information sessions are held throughout the year with the next online session due to take place online at 7:00pm on Wednesday 10<sup>th</sup> January. Further information could be accessed via the website: [Events - Kent Fostering](#)

3. Mr Love, Cabinet Member for Education and Skills, provided an update on the following:

- (a) Congratulations were offered to the students and staff at the Northfleet Technical College who picked up the Zayed Sustainability Prize at the COP28 summit, winning £1180,000 for their onsite apiary business.
- (b) Following a number of successful SEND Roadshows in 2023, the next event is due to take place on 18<sup>th</sup> January in the Dover district. Details of upcoming events are communicated via the [SEND newsletter](#) which is available on the Council website. Further sessions were planned throughout the year as part of the Council's commitment to improving SEND services for Kent families.
- (c) A competition was held amongst Kent Primary Schools to design a Christmas Card, with the winning design created into a digital card for circulation by Mr Love. The winner was a student from St Stephens Primary School in Canterbury. Mr Love visited the school on 12<sup>th</sup> December and had the pleasure of meeting the winning student in person, who assisted Mr Love on a tour of the school where he met a number of staff and pupils taking part in Christmas activities. Mr Love concluded the visit with both the school Headteacher and Chief Executive Officer (CEO) of Aspire Academy Trust.

4. Mr Hills, Deputy Cabinet Member for Environment, Provided an update on the following:

- (a) Plan Tree had delivered the plantation of 169,313 trees to date and had received £1m in grant funding. The planting rate had accelerated above the 50,000 required per year with the onward trajectory indicating that KCC was on target to achieve its 1.5m tree ambition by 2045.
- (b) From October 2023, the Kings Hill Solar Park had generated 152,000kw and Bowerhouse II solar park which opened in 2022 had generated 32 million kw, thus making process towards net zero.

5. Mr Thomas, Deputy Cabinet Member for Growth and Economic Development, provided an update on the following:

- (a) The Kent and Medway Business Fund (KMBF) had launched in November 2023 and to date had received pre-applications totalling £8m. Work was underway to review the pre-applications with those eligible to proceed onto the next stage contacted in the coming weeks. The eligibility criteria could be found on the [Kent and Medway Business Fund](#) website.

6. Mrs Bell, Cabinet Member for Community and Regulatory Services, provided an update on the following:

- (a) on 5<sup>th</sup> December 2023 the Jasmin Vardimon Dance Company hosted their 25<sup>th</sup> anniversary gala. Mrs Bell attended the event and watched an exert from the company's show 'Alice' which was due to go on tour shortly. Mrs Bell paid tribute to the incredible performance and talent of the dancers.

(b) On 7<sup>th</sup> December 2023, Kent County Council hosted the John Downton awards for young artists from local schools. The quality of work entered for the competition was outstanding and was on exhibition within the Stone Hall at Sessions House. A number of pieces were due to be on show at the Turner Contemporary. The event provided an opportunity to both recognise and celebrate the talent that exists among the young people of Kent; and remind them of the opportunities available within the creative arts industry, one of the fastest growing sectors in the UK which contributed over £100bn each year and employed 2.3m people.

(c) The Kent Films Office help to facilitate a number of television series that were shot in and around Kent, including:

- Call the Midwife – filmed at Chatham Dockyard
- The Crown Season 6 – filmed at Discovery Park, Rochester and Cobham School
- The Serial Killers Wife – filmed at Saltwood in Folkestone and various locations within Dover
- Mr Bates Vs The Post Office - - filmed in Folkestone, Westerham and Plaxtol

7. Mr Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, provided an update on the following:

(a) The Human Resources and Organisational Development (HROD) team alongside Kent Supported Employment and Kent Special Schools had worked in collaboration to develop a programme which supported students in gaining experience in the workplace and had started to implement supported internships through Special Schools.

(b) Internal communications had carried out a number of actions, including, but not limited to:

- The migration of Knet onto a new platform which was more robust and offered better functionality.
- The 2023 staff surveys, which had a participation rate of 4561 responses (47% of staff)
- Provided communications and engagement support to the Kent Communities and Family Hubs Programme
- The launch of a manager mini series to reflect the change of management style required for staff to align with the Council's new ways of working. Training programmes were in development.

(c) Within Learning and Development 25 staff had completed levels 3 and 5 of the Chartered Management Institute programme with 24 awarded distinction.

(d) The first cohort of Social Work apprenticeships graduated in the autumn and created 21 newly qualified Social Workers, with a second cohort due to start the course in the new year, of which 32 had enrolled.

- (e) The Infrastructure team were responsible for the management of 885 tenancies across the Council's estate portfolio, of which 80 were negotiated this year. From April 2023 to December 2023, the Council collected £3.4m in rent from income produced in tenancies and by year end would have invoiced circa £4.8m of income from the Council's estate. Kent County Council were on target to generate £16m of capital receipts from disposals for the year 2023-2024, and over £10m of that had already been deposited, despite properties being removed from the programme to support the Council's response to unaccompanied Asylum-Seeking children and the need for reception accommodation.
- (f) Business rates continued to be a considerable cost to the Council's budget, with current spend at £7.7m. The revaluation team had recovered over £500k and anticipated a total of £800k by year end 2023-2024.
- (g) The Council had delivered a number of school expansions which created places for 692 pupils. Throughout 2024, further expansions and new schools were expected, creating an additional 650 places for students. There were also three Specialist Resource Provisions that were being developed within mainstream settings, which included Garlinge Primary School, St Nicholas satellite provision at Parkside Primary School and the modernisation of Herne Bay Infant School.
- (h) The Kent Estate Partnership Team had supported the most successful round of brown field land release funding. The round was submitted in March 2023 and had been awarded £7.6m for nine projects delivered by six councils.

## **26. Revenue and Capital Budget Monitoring Report - October 2023-24** (Item 5)

*Zena Cooke (Corporate Director of Finance) was in attendance for this item.*

1. Mr Oakford (Deputy Leader and Cabinet member for Finance, Corporate and Traded Services) introduced the report that set out the overall forecast position as at 31 October 2023-2024, which presented a revenue overspend of £35.6m before management action. The forecast overspend represented 2.7% of the revenue budget and continued to present a serious and significant risk to the Council's financial sustainability. Within the overall outturn position there were still significant forecast overspends in Adult Social Care & Health totalling £31.3m, and in Children's, Young People and Education totalling £28.9m before management action. Planned management action has been identified to bring the forecast outturn to within budget by the end of the financial year.

It remained essential that all management action be delivered as planned to prevent the need to use Council reserves as this would further weaken the Council's financial resilience and would increase the requirement to replenish reserves in succeeding years. The majority of the management actions were related to one off measures; therefore those spending reductions would not flow through to the 2024-2025 budget position.

The need to restrict spending where possible had been communicated across the Council with guidelines for all staff. The spending controls in place to reduce the forecast overspends for 2023-2024 were being monitored weekly. Spending trends were also reviewed and reported to the Corporate Management Team (CMT) and the Member Finance Oversight meeting on a weekly basis. Whilst spend was reducing it was not at the pace required to balance the budget and therefore had not resulted in the corresponding reduction in the forecast. It was therefore likely that further, more stringent spending controls would be implemented.

The latest forecast projection also indicated that the outturn position was worsening. The summary position at the end of November would be presented to Cabinet on 25<sup>th</sup> January 2023.

The draft revenue budget for 2024-2025 and the Medium-Term Financial Plan (MFTP) for 2024 -2027 was published on 3<sup>rd</sup> January.

Mr Oakford commented on the acknowledgment from Cabinet on the degree of work that had been done across the Council to reduce spend and commended the support from the Corporate Directors and management teams in addressing the challenge; however, the Council needed to make further savings to balance the budget. The pressure of demand in the growth of the Council's services continued to outweigh the increase of income and therefore more stringent spending controls would need to be implemented.

2. Mrs Cooke confirmed that the organisation was acutely aware of the Council's financial situation, however, the Council was struggling to meet the pressures of inflation in both the Adult Social Care and Children, Young People and Education sector. Alternative spending control measures had been introduced and were monitored on a weekly basis, however, the position for the Cabinet meeting on 25<sup>th</sup> January 2024 would not be improved. CMT would continue to identify further action to bring the budget back into a balanced position by the end of the financial year.
3. RESOLVED to note the recommendations as outlined in the report.

## **27. Quarterly Performance Report, Quarter 2, 2023/24**

*(Item 6)*

*Matthew Wagner (Chief Analyst, Strategy, Policy, Relationships & Corporate Assurance) was in attendance for this item.*

1. Mr Wagner outlined the report for Quarter 2 (Q2) which set out the performance data up to the end of September 2023 and highlighted the changes made to the executive summary which contained the previous quarters' RAG status. Mr Wagner said that out of the 38 KPIs contained within the Quarterly Performance Report (QPR), 15 achieved or exceeded target (rated Green), 15 achieved or exceeded the floor standard but did not meet the target (rated Amber), and 8 did not meet floor standard (rated Red). The direction of travel analysis indicated a positive trend for seven indicators (three more than the previous Quarter), 19 were stable or with no clear trend (five fewer than the previous Quarter), and 12 were

showing a negative trend (two more than the previous Quarter). Mr Wagner addressed the KPIs assessed as Red and the projected direction of travel.

2. Further to comments and questions from Members, it was noted:

- The call answer rate for customer contact through the Contact Point had reduced due to high levels of staff sickness and staff training, resulting in its Amber rating. Despite actions taken to ensure staff availability to respond to calls, the service remained under resourced, and work was ongoing to both upskill and recruit additional staff to manage demand. Work was also underway with Agilisys to improve response times where targets were not met; however, it was key to ensure that the quality of responses were not offset by the need to achieve quantity.
- Quarter 2 saw a 3% decrease in the number of complaints received compared with the previous quarter. Older cases continued to impact on the closure of new cases in timescale however an action plan had been put in place to reduce backlogs within the Special Educational Need (SEN) service; these would take some time to reduce, and the impact on performance in this service specifically would continue throughout the year. Response times continued to present a challenge within Adult Social Care in a number of localities, however, the service had implemented a number of actions to improve this. In regard to GET complaints, a majority of the backlog had been cleared.
- Freedom of Information (FOI) / Environmental Information Regulation (EIR) requests, and Data Protection Act (DPA) Subject Access requests completed within timescales remained below floor standard. FOIs and DPA Subject Access Requests continued to present a challenge in terms of the accessing historical records as these were still held in manual case files as opposed to digitalised files that could be easily accessed, impacting on the number of requests completed within timescale. Work was underway to streamline the approval process, however the complexity of cases often impacts on the services' ability to respond quickly. The service remained committed to keeping respondents informed and effectively managing delays.
- Within Children's, Young People and Education, the percentage of case holding posts filled by permanent qualified social workers decreased slightly (Red), however management action was in place to address the challenge.
- The number of citizen children in care had decreased over the last quarter which positively impacted on the Council's financial position and was a testament to the excellent work carried out by Social Workers and Early Help Workers. Mrs Chandler thanked all staff for achieving the performance measures within challenging environments and continuing to deliver good services.
- The KPIs for Highways and Transport, specifically in relation to the percent of routine pothole repairs completed within 28 days did not represent a true picture of the road conditions due to the timing of reports presented to Cabinet. The public continued to effectively report issues via the online reporting tool and the service remained committed to completing works promptly.

- The percentage of Education, Health Care Plans (EHCPs) issued within 20 weeks was expected to remain below the target while the service prioritised completing the backlog of older cases for those children and their families who had been waiting the longest. In many of these cases the 20-week timescales had already been exceeded and significantly contributed to the current performance. New working practices would further help to see a reduction in the backlog and further improve the service's ability to effectively manage new cases.
- In response to school inspections and the placement of children with Educational Health and Care Plans (EHCP) into independent or out of county special schools. Work was underway to reduce the number of children transitioning into specialist settings, thus supporting more children with EHCPs in mainstream settings, and ensuring maintained special school places were targeted at those children with the most complex needs. Recent inspections revealed that 89% of Kent schools were judged Good or Outstanding compared to 81% nationally.
- Work was underway to review the Public Health KPIs to ensure the service were focusing on the correct areas of challenge.
- Adult Social Care KPIs continued to present a challenge due to demand pressures, therefore impacting on the service's ability to achieve several of its targets. Work was underway around the recruitment and retention of staff, however the output of the services currently outweighed staffing levels. Assurance was given that the quality of work remained high and this was reflected in the metrics for those clients not returning to the service after initial intervention, indicating that they had received the correct care package or intervention required. Frontline staff were thanked and commended for continuing to provide a high quality of care in what was a challenging environment.

3. RESOLVED to note the report.

## **28. Provisional Local Government Finance Settlement - Presentation**

*(Item 7)*

*Zena Cooke (Corporate Director of Finance) and Dave Shipton (Head of Finance , Policy, Strategy and Planning) was in attendance for this item.*

4. Mr Oakford (Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services) introduced the report. He commented on the misleading announcements that had been made by Government on increased spend as Kent County Council had seen a significant reduction in the allocation of grant funding from Government.
5. Mr Shipton presented a series of slides that outlined the Provisional Local Government Finance Settlement and reported the headline figures. The settlement largely confirmed previous announcements made by Government despite the increased pressures reported; however, the significant and unexpected reduction in the Services Grant (-£6.4m), of which £1.0m had been



reallocated within the Social Care grant, would have a detrimental impact on the Council's financial position and ability to balance the budget. The net £5.4m reduction was assumed to be permanent and therefore a further £5.4m would need to be identified through management action for the 2024-2025 budget and Medium Term Financial Plan. Mr Shipton advised that the £2.1m New Homes Bonus grant could be included as part of the Council's one-off solutions for 2024-25, however, this had only been extended for one more year and would need to be replaced with savings in 2025-2026.

Mr Shipton addressed the £104.2m Social Care Grant which was allocated to Councils according to the Adult Social Care Relative Needs Formula (RNF) and council tax equalisation (but available for both adults and children's social care). However, the Relative Needs Formula was based on data from 2013-2014 with a considerable number of factors based on the 2001 census, resulting in inadequate funding to Councils which did not reflect the current pressures.

The settlement was currently out for consultation with responses due to be submitted to central Government on 15<sup>th</sup> January 2023.

6. Further to comments and questions from Members, it was noted:

- The Exceptional Financial Support Framework that had been announced to assist authorities with balancing the budget would only be allocated to those Councils who could evidence an inability to balance the budget. Mrs Cooke advised that Government had not announced the criteria that would be considered as part of that evidence base to show inadequate funding, however, whilst the Council was in a position to provide discretionary services and had sufficient reserves, it would be difficult to secure funding under the exceptional support framework. Mrs Cooke assured Members that the Council would continue to challenge Government over the reduction in grants.
- That communication with the residents of Kent needed to be open and honest to ensure the correct message was being cascaded in regard to the Council's financial position and its ability to continue to deliver effective services despite inadequate funding from central government.
- Additional funding and support was required from central government to address climate change and the ability to react to emergencies created through adverse weather conditions.

7. RESOLVED to note the report.

## **29. Corporate Risk Register**

*(Item 8)*

*Mark Scrivener (Corporate Risk and Assurance Manager) was in attendance for this item.*

1. Mr Scrivener introduced the report and addressed the significant growth in the number of risks presented on the Risk Register, a majority of which were rated as

High. Mr Scrivener highlighted the importance of reviewing the criteria in terms of what risks remained on the Corporate Risk Register and which risks (deemed to be at their target residual level and not rated as High) could be removed. Mr Scrivener addressed the wider concern in regard to desensitisation because of the number and scale of risks reported and the impact this could have on the Council's operations should inadequate checks and balances be in place. As part of the proposed refresh, attention was paid to key themes from the Budget Recovery Plan, Securing Kent's Future, and work had been done to identify any business as usual risk factors along with changed risks that could impact on the successful delivery of the budget programme.

The Corporate Risk Register would be subject to a formal review via the Corporate Management Team, Cabinet Members and through the Governance and Audit Committee.

The Risk Management Policy and Strategy was also due to be updated for review by the Governance and Audit Committee in March 2024 which would incorporate risk appetite. This would be dependent on the Council's budget situation.

2. Further to comments and questions from Members, it was noted:

- Mr Love commented on risk **CRR0057 – Home To School Transport Pressures**, advising that the risk that was previously operational in the wake of a major network re-tendering exercise had now moved to a risk associated largely with the cost pressures of Home to School Transport and the impact of this on the Council's budget. As suggested within the report, Mr Love agreed that this risk could be migrated into the budgetary corporate risks and removed as a stand alone risk.
- Mr Love queried the wording used within risk **CRR0056 - Special Educational Needs and Disabilities (SEND) Delivery Improvement and High** – regarding the high needs block of DSG and how it had not kept pace with the substantial increase in demand for SEND which resulted in deficits accrued on DSG spending. Mr Love advised that this comment suggested that keeping pace with demand was outside the Council's control, which was not a true reflection as the threshold for the identification of complex SEND cases had lowered over time and work was being done within mainstream schools to better support pupils with special educational needs and reduce placements out of county or in special schools. Mr Love welcomed the opportunity to further review the wording against the risks.
- Members commented on risk **CRR0042 – Border fluidity, infrastructure, and regulatory arrangements** and sought assurance from officers that whilst the risk was largely outside the Council's control, Members would be updated in due course on the associated risks and the impact that this could have on Kent and its residents, specifically in relation to the European Union Entry/ Exit system (EES).
- Mr Oakford commented on risk **CRR0014 – Cyber and Information Security Resilience**, and thanked Lisa Gannon (Director of Technology) and her team

for the excellent procedures in place to mitigate the threats to KCC's cyber security.

3. Mr Scrivener acknowledged the comments from Members and advised that risks which could be deemed as largely outside of the Council's control should remain on the Corporate Risk Register due to the impact these could have on the Council's services.
4. RESOLVED to note the report.

**30. 23/00091 - Kent and Medway Integrated Care Strategy**  
(Item 9)

*Anjan Ghosh (Director of Public Health), David Whittle (Director of Strategy, Policy, Relationships & Corporate Assurance) and Jenny Dixon-Sherreard, (Policy Advisor) were in attendance for this item.*

1. Mr Gough (Leader of the Council) introduced the Strategy that had been developed under the leadership of the three statutory partners of the Integrated Care Partnership (ICP) – Kent County Council (KCC), Medway Council and NHS Kent and Medway. At its meeting on 7 December 2023, the Integrated Care Partnership recommended the Kent and Medway Integrated Care Strategy for approval by the three statutory partners, which was required before the strategy could be implemented. Cabinet were asked to approve the strategy for KCC.
2. Dr Ghosh and Ms Dixon-Sherreard outlined the purpose of the Integrated Care Strategy and the next steps in the delivery and monitoring of progress against the strategy. A shared delivery plan was already in development across the partner organisations which would bring together and build on delivery already underway across the system and would signpost to supporting strategies and action plans. The Integrated Care Partnership would provide oversight and assurance of the strategy.
3. Further to comments and questions from Members, it was noted:
  - Members welcomed the change of emphasis, tone and language used throughout the strategy which signified the importance and extent of the consultation process with partners and service users, with a strategy that now encompassed personal responsibility and the participation of those in receipt of their care as opposed to a strategy that instructed service users how they would receive their care.
  - Members paid tribute to the team for their extensive work and the development of a strategy that represented a dynamic leadership team and a passion to tackle health inequalities through unity.
4. Mr Gough reiterated his thanks to Dr Ghosh, Ms Dixon-Sherreard and colleagues for the outstanding work they had done and noted that the development of the strategy was the first step in a gradual process of embedding structures and a way of working that would benefit residents in the years to come.

5. RESOLVED to agree to the recommendations as set out in the report.