

## WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

### **1. Question by Councillor Tutt to the Lead Member for Education and Inclusion, Special Educational Needs and Disability**

At the July meeting of the Council, I questioned the award of contracts for home to school transport for vulnerable children to a company based in Essex and asked whether Due Diligence had been conducted? You assured me that it had and that this would continue. In light of this please can you explain how just the week before children were due to return to school, we were informed that the company concerned would be unable to fulfil two of the contracts and that these would now be awarded to the second placed bidder?

As a supplementary question I asked if you would inform me when consultation would take place with the parents of the children concerned, but you failed to answer this. Please can you now provide details of how this consultation was conducted and when?

### **Answer by the Lead Member for Lead Member for Education and Inclusion, Special Educational Needs and Disability**

In July a contract was awarded for several home to school transport journeys to a company, called 24x7. 24x7 are a reputable home to school transport provider, known to this council. Unfortunately, they were let down by a major motor manufacturer from whom they had ordered over 150 new vehicles well in advance of the new term. They were only advised just over a week before the start of term that they would not receive the vehicles they had ordered in time, and that their order had been transferred to the continent. They therefore had difficulty sourcing sufficient cars for the school journeys so close to the start of the new school term. As soon as they told us of this, the council's transport team took appropriate action and appointed other transport companies to provide the journeys to school where needed.

The contract was awarded to 24x7 following a competitive tendering exercise with clear and rigorous criteria. 24x7 scored highly for both the quality and value of their bid and as such the contracts awarded to 24x7 were appropriate, complied fully with the Council's Procurement Standing Orders, and represented best value.

With regard to consultation with the parents of the children concerned, it is important to note that we do not consult on home to school transport provision and are not required to do so. The Council procures and manages home to school transport based on the needs of the pupils being transported. Parents of the children concerned are advised of any changes to their home to school transport provision, and in this case parents or carers of the children affected by the 24x7 changes were informed of a potential change to their transport provision on the 16 July and the changes confirmed on the 29 July. Unfortunately, a consequence of 24x7 being let down by the supplier of new vehicles and the resultant last minute changes, we weren't able to notify parents of the names of their drivers and passenger assistants until a day or two before the start of term. Whilst this aspect of the arrangements was regrettable, it was beyond the control of the Council. However, transport

arrangements were confirmed and no children were left at home on their first day of term.

## **2. Question by Councillor Tutt to the Lead Member for Adult Social Care and Health**

Would the Lead Member for Adult Social Care and Health please outline the potential impact upon the Council of the recently announced Government decision to give self-funders the right to ask the Local Authority to arrange their care

### **Answer by the Lead Member for Adult Social Care and Health**

Whilst the Government included reference to the right for people who fully fund their own care to ask the Local Authority to arrange their care in the launch of 'Build Back Better' on 7 September, 2021, this option has been available to people since the inception of the Care Act in 2014.

It is, however, anticipated that there will be a significant increase in the proportion of the (estimated) 3,500 self-funding individuals in residential and nursing care in East Sussex taking up this option.

It is not possible to make any meaningful estimate of the financial impact of this initiative until the government issues more detailed guidance as to how it will function in practice and the level of funding to be made available to authorities to support this shift in market proportion.

It should be noted that self-funding clients often pay a significantly higher rate for their placement. As many care home providers have a mixture of self-funding and local authority funded clients any increase in the proportion of those on local authority rates could have an impact on the overall income for a care home.

It is therefore, likely that providers would seek to mitigate this loss of self-funding income by seeking to increase the rates that they charge local authorities resulting in an inflationary impact on the rates that the council pays for care.

It is also likely that additional costs will be incurred to accommodate the anticipated increase in activity, including increased staffing capacity for additional Care Act and financial assessments and commissioning and brokerage resources to manage the increased volume of supported placements, including those with whom we do not currently have a contractual relationship. Existing existing systems and databases will also need to be amended and enhanced to record additional data and monitor spend against each individual's care cap.

In anticipation of more detailed guidance, the local authority is undertaking the following preparatory action:

- Engaging with the care market to quantify the potential loss of self-funding income and how it could be mitigated.

- Working with the Local Government Association (LGA) and Association of Directors of Adult Social Services (ADASS) to develop a consistent approach to quantifying the potential impact of this change.
- Monitoring the numbers of new full-cost / self-funding clients whose placements have been arranged by the local authority.
- Identifying areas that require clarification and guidance, such as whether the fact that some self-funding clients pay higher fees as a result of having a larger room or more facilities will be taken into account, or whether it will be necessary to offer the facility to self-funding individuals who do not have sufficiently significant needs to meet the Care Act eligibility threshold.

Once more detailed guidance has been issued, calculations will be completed to estimate the potential resource implications and incorporated in the council's Reconciling, Policy, Performance and Resources process and Medium Term Financial Plan.

### **3. Question by Councillor Murphy to the Lead Member for Resources and Climate Change**

1. Community centres and village halls across the county play a vital part in the life of the local community they serve. They provide a focal point for diverse activities and cultural events such as dance classes, exercise classes, indoor sports, Golden years and nursery groups to name just a few. There is a wide range of ownership and management of these centres from Parish Councils, Town Councils and Charitable Trusts. These centres let their rooms out to local groups for a set charge per hour that includes locking up out of hours after the groups have finished their activity. Research I have undertaken appears to show that no centre in the County charges extra for locking up.

This Council leases Hailsham East Community Centre from Wealden District Council and is the only such centre managed and operated by East Sussex County Council. Is there another Centre in the county that charges community groups £22.50 per hour in addition to the room letting charge for out of hours security lock up? Will this County Council abolish forthwith this discriminatory and unfair charge at Hailsham East Community Centre?

2. Hailsham Town Council have recently expressed a view that they would welcome the opportunity to discuss matters concerning the Centre with a long term aim of taking over the lease of the building. Will this County Council appoint a Cabinet member who is not a joint Wealden District Councillor, to avoid a conflict of interest, to investigate all aspects of the operation and management of this centre and to work collaboratively with Wealden District Council and Hailsham Town Council to ascertain if the transfer of the lease is feasible?

3. Hailsham East Community Centre sits adjacent to Maurice Thornton Playing field, an area which provides much needed sport and recreational facilities for the local community.

On four weekends at the start of this football season this Council refused to allow a girls under 15 football team to use the community centre toilets. The absence of any

appropriate welfare facilitates for young girls, under FA rules, resulted in pre-arranged fixtures having to be cancelled. Why is the council discriminating against Hailsham's under-15 girls football team by not allowing them to use the Community Centre's facilities and what steps will this Council take to prevent this happening again?

### **Answer by the Lead Member for Resources and Climate Change**

1. Making a charge for an out-of-hours attendance is usual practice and is a clause in licences for other settings. ESCC reserves the right to make an additional charge for a call out to a setting for additional cleaning out of hours, over and above the licence fee, and would apply that charge if attendance were needed. It is unusual for most premises to have out of hours use as a regular arrangement and East Hailsham Community Centre is only one of very few to be available in the evenings. The hourly security charge for Hailsham is £22.50. For some buildings such as the Robertsbridge Youth Centre that ESCC operates, the security charge is included in the hourly hire charge for out of hours opening.

All of our Children's Centres have an external security charge added to the room charge if a group wishes to run out of hours. This was set up to cover security costs of the company used to cover the site. The current charge from the company that covers Hailsham East is £17.50 + vat per hour (2 hour minimum). Sidley Children's Centre also has a charge of £20 per hour. Security costs in 2019/20 (the last year that is directly comparable given Covid) for out of hours security charges for the Children's Centres totalled £6,466.25 which would have to be met from within Council budgets if they are not passed on as part of the hire charges.

2. Wealden District Council are the freeholder of the building. ESCC have leased the centre from Wealden District Council from 2002 to run it primarily as a Children's Centre rather than as a Community Centre. East Sussex County Council has not had any formal request from Hailsham Town Centre to discuss taking back the lease at the property. If such a request is received, it will be considered in accordance with normal practice, with any consideration taking into account the critical nature of the children's services provided by the County Council to the local area from the building.

3. Hailsham Football Club approached the centre manager directly and were given a set of keys so that they could access the toilet facilities. They have been using it for over four weeks now and will continue to use these facilities until further notice and until the pavilion in the field is up and running. The Chair of Active Hailsham emailed with his thanks and to report that the under 15 girls beat Worthing Town under 15's 4 -3 at their match in September. Plans are also underway for other sporting activity to take place at the centre.