



GOVERNANCE COMMITTEE

FRIDAY, 2 OCTOBER 2020

11.00 AM (OR AT THE CONCLUSION OF THE CABINET, WHICHEVER IS THE LATER)
ROOM CC2 – COUNTY HALL, LEWES

++Please note that this meeting will be taking place remotely++

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Nick Bennett, Godfrey Daniel, Rupert Simmons and David Tutt

A G E N D A

- 1 Minutes of the meeting held on 14 July 2020 (*Pages 3 - 4*)
- 2 Apologies for absence
- 3 Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
- 5 Customer Experience Annual Report (*Pages 5 - 30*)
Report by Director of Communities, Economy and Transport
- 6 Notice of Motion - virtual meetings (*Pages 31 - 32*)
Report by Assistant Chief Executive
- 7 Annual Review of the Corporate Governance Framework 2019/20 (*Pages 33 - 50*)
Report by Assistant Chief Executive
- 8 Pension Board- Appointment of a member (*Pages 51 - 52*)
Report by the Chief Operating Officer
- 9 Appointment to an outside body (*Pages 53 - 54*)
Report by Assistant Chief Executive
- 10 Local Managers Pay 2020-21 (*Pages 55 - 60*)
Report by the Chief Operating Officer
- 11 Any other items previously notified under agenda item 4

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24 September 2020

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NOTE: As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website. The live broadcast is accessible at:
www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm

GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at County Hall, Lewes on 14 July 2020.

PRESENT Councillors Keith Glazier (Chair), Nick Bennett, Godfrey Daniel, Rupert Simmons and David Tutt

8 MINUTES OF THE MEETING HELD ON 23 JUNE 2020

8.1 RESOLVED – that the minutes of the previous meeting of the Committee held on 23 June 2020 be confirmed and signed as a correct record.

9 PARTNERSHIP WORKING

9.1 The Committee considered a report by the Assistant Chief Executive regarding the partnership working arrangements with West Sussex County Council including sharing the services of the Chief Executive of East Sussex County Council.

9.2 The Committee RESOLVED to note the report and endorse the continuation of the partnership arrangements pending a review in July 2021.

10 APPOINTMENT TO OUTSIDE BODIES

10.1 The Committee considered a report by the Assistant Chief Executive regarding the appointment of a councillor as a Council representative on the Parking and Traffic Regulations Outside London Adjudication Joint Committee.

10.2 Councillor Glazier moved that Councillor Godfrey Daniel be appointed as the Council's representative on the Parking and Traffic Regulations Outside London Adjudication Joint Committee. This was seconded by Councillor Bennett.

10.3 Councillor Tutt indicated that Councillor Rodohan had also expressed an interest in being appointed to the Joint Committee.

10.4 The Committee RESOLVED (by 4 votes to 0) – to appoint Councillor Godfrey Daniel as the Council's representative on the Parking and Traffic Regulations Outside London Adjudication Joint Committee for the period to 11 May 2021

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Report to: Governance Committee

Date of meeting: 2 October 2020

By: Director of Communities, Economy and Transport

Title: Customer Experience Annual Report

Purpose: To provide an update on measures being taken to further improve customer experience and information about the Council's performance in 2019/20 in handling complaints, compliments and formal requests for information, including the Local Government & Social Care Ombudsman's annual letter.

RECOMMENDATIONS: Governance Committee is recommended to:

- (1) note the progress of the Customer Experience Board in the implementation of a series of measures to improve customer experience;**
 - (2) note the number and nature of complaints made to the Council in 2019/20; and**
 - (3) note the contents of the Local Government & Social Care Ombudsman's annual letter to the Chief Executive.**
-

1 Improvements in Customer Experience

1.1 It was agreed by CMT in August 2019 that the CET Customer Services Team (CST) would continue to lead on the corporate Customer Experience agenda and incorporate these activities into its role on a permanent, business as usual basis, thus ending the Customer Experience Project. The Customer Project Board would also become permanent as a Customer Experience Board.

1.2 The Customer Experience Board has representatives from all departments. Its aim is to identify an ongoing strategy for better and more consistent customer experience across the authority, considering our corporate priorities, particularly making best use of our resources in the current financial climate, and a One Council approach.

1.3 The Customer Experience Project had a two-phase Customer Experience Improvement Plan which identified and implemented practical improvements and medium-term objectives to improve customer experience across ESCC. Phase One in 2017/18 involved developing and launching a new Customer Promise for ESCC and piloting feedback measurement systems from customers using our website and receiving emails from us.

1.4 Phase Two in 2018/19 continued to gather customer feedback from our digital channels (website and emails) and expanded the pilots of gathering feedback to cover customer contact via telephone calls and face to face interactions. It also involved the launch of the Customer Service Network, embedding the Customer Promise into contracted and commissioned services within the procurement process, the roll out of the Unreasonable Customer Behaviour (UCB) policy and guidance, the development of a Customer Services training course with HR&OD, and relaunching of the Customer Services Managers Group (across East Sussex District and Borough Councils, Brighton & Hove City Council, and Sussex Police).

1.5 In 2019/20, with the permanent remit granted for continuing the corporate Customer Experience agenda, we have been able to continue with all the activities we felt so vital to improving our customers' experience. The most important part is gathering valuable customer feedback. We gather feedback from the website, email correspondence, and face to face visits. As explained in last year's report, telephone feedback proved unsuccessful as there are too many telephone systems to be able to carry out an effective Council-wide evaluation.

2 Customer feedback for 2019/20

2.1 It has been a successful year in receiving and utilising customer feedback. We received over 15,300 ratings from our surveys (website, emails and face to face) and over 3,300 verbatim comments from customers. These comments are fed back directly to services and have become a crucial element in service improvements.

2.2 For website surveys, we received an overall customer satisfaction rating of 62%, which remained the same as last year. Website feedback has played a significant role in shaping the information we provide to our customers. The comment function remains extremely useful for services and provides real-time alerts to issues such as broken links or out of date information. Comments also play a key role in making customer journeys more efficient, and highlighting poor performing content that needs reviewing. Our website feedback scored the lowest of all our channels, and in 2019/20 we focused on this area of development and improvement, which is discussed further in section 3.

2.3 For email correspondence, the satisfaction rating was 77% in 2019/20. Whilst this is still a very high level, it was down from 85% in 2018/19. However, the volume of feedback has increased hugely (up by 60% from 2018/19) and provides a wider range of services, which now includes Highways and Parking. The face to face surveys located in Eastbourne and Hastings Libraries, St. Mary's House, Ocean House and County Hall, still provide positive evidence that customers were happy with the customer service they received during their visit. The overall satisfaction rating is 87% for 2019/20. During 2019/20, East Sussex Highways was the only service to continue collecting feedback by telephone, receiving a 92% satisfaction rating about the service customers had received.

2.4 Surveys continue to be used as a tool to guide improvements to provide clear and concise information. We know from feedback from service managers that the results are being used as part of their management information for business development, tracking the performance of a service offer, for staff training and performance reviews, as well as service and systems improvements. Sometimes, where there is little other feedback from customers, these surveys are a valuable source of feedback that reminds the teams that the majority of customers are happy with the service they receive. Further details on feedback received in 2019/20 is presented as Appendix One.

3 Customer Experience developments 2019/20

3.1 In 2019/20 we carried out further work to better understand the lower satisfactions ratings for the website and any improvements that can be made. It is important to understand this, as the website is an essential channel for ESCC when communicating with customers, especially as we increasingly rely on it to reduce the costs of service delivery and information provision, in the light of the Core Offer.

3.2 Reasons for lower satisfaction ratings include poor quality content, complex text, customers unable to find what they need or faced with a prolonged customer journey navigating to the information they want, and often resorting to contacting the Council by email or telephone. For example, during 2019/20 we identified that the corporate 'contact us' section of the website receives very low satisfaction ratings, with 74% of feedback graded as 'poor' compared to the website overall at 38% 'poor'. CST carried out an evaluation of how to improve it and will test changes to the layout and information provided and monitor for six months to see if the satisfaction ratings improve. If not, a more radical re-design will be considered with approval from the Customer Experience Board. Another example of where we are seeking to improve content is in Communities, Economy, and Transport (CET). CET web content receives consistently lower ratings, with approximately 40% of website feedback rated 'poor' (compared to Children's Services and Adult Social Care with 27% of website feedback rated as 'poor' following a similar type of content review). CST carried out an analysis to identify improvements that will reduce the amount of content, increase readability and simplify the customer journey for CET's services and information. We hope to see the results of this in next year's Customer Experience Annual Report. Further considerations into the satisfaction rating for the website are presented in Appendix One.

3.3 In 2019/20, CST continued work on getting reporting systems in place to create a customer contact baseline, so that we have an overview of the volume of customer contact across ESCC via different channels. It focussed on customer-facing contact points for telephone numbers, email addresses, and online forms. Work is ongoing with IT & Digital Services in Orbis to create the reports on enquiries from customers by email. When complete, the baseline should provide us with a valuable understanding of how customers interact with us and will support our Core Offer aim for customers to use online resources where possible, by identifying further opportunities for channel shift.

4 Complaints and compliments

4.1 The Council received 731 complaints in 2019/20, which represents a slight decrease from 2018/19 where there were 745 complaints. Of the 731 complaints, 263 were fully or partly upheld, that is 36% of all complaints, the same as the previous year. A detailed review by department is attached as Appendix Two. Please note that departmental comparisons of complaints and compliments are not valid due to the varying nature of services provided by departments.

4.2 Analysing reasons for complaints provides us with valuable feedback on how we can provide services that meet customers' needs and manage their expectations. How we handle complaints is a crucial element of customer experience, and the Council seeks continuous improvement to ensure we resolve individual customer's problems as effectively as possible, but also to identify where service-wide improvements can be made to create a better experience. Further details are attached as Appendix Two.

4.3 The Council continues to receive more compliments than complaints. In 2019/20 we received 2,179 compliments compared with 2,244 in 2018/19. Further details are provided by department in Appendix Two. The number of compliments can vary from year to year due to events held or one-off campaigns which contact a high number of residents. Ensuring that we provide channels for both positive and negative feedback which are easy for customers to access and which helps services to reflect on what is or isn't working, is a priority for the Customer Experience Board.

5 Local Government & Social Care Ombudsman letter

5.1 The Local Government & Social Care Ombudsman (LGSCO) sends a letter annually to each local authority summarising the number of complaints and the decisions made about the authority during the period. It informs the Council how many of those complaints investigated were either upheld or not upheld, closed after initial enquiries, or referred back to the Council for local resolution (as they were brought too early to the Ombudsman).

5.2 In 2019/20 LGSCO made decisions on 101 complaints, compared to 90 in 2018/19, an increase of 12%. However, only 38 complaints were investigated fully (compared to 42 in 2018/19), and of those 20 were upheld. In 2018/19 there had been an increase in the percentage of complaints that the LGSCO had investigated and upheld against ESCC, which rose to 67%. For 2019/20 this has reduced to 53%, below the average of similar authorities (66%). Appendix Two provides a breakdown by department of the complaints. The LGSCO letter for 2019/20 is presented as Appendix Three.

5.3 The LGSCO focuses on the outcomes of upheld complaints and what can be learned from them, stressing compliance with its recommendations, which it monitors. Where it finds fault, it considers what can be done to correct or resolve the injustices and maladministration it finds, and recommends a number of remedies to put things right. It then monitors the Council's compliance of its recommendations. In 2019/20 the LGSCO recorded the compliance of recommendations for 18 complaints and ESCC succeeded on satisfying compliance on all of these. In 2018/19 we were also 100% compliant. A breakdown of the remedies we carried out is provided in Appendix Two.

5.4 The LGSCO noted in the annual letter that it issued a public report about ESCC in 2019/20. This was regarding home to college transport for an adult learner. A public report of a complaint is issued by the LGSCO when it believes it's in the public interest to highlight a particular issue or when an authority disagrees with a recommendation. In this instance the LGSCO found fault with the relevant ESCC policy even though it had previously deemed the same policy to be in line with the law. Governance Committee discussed the public report on 21 April 2020 and agreed to accept the

findings and implement the recommendations of the report. At the direction of Governance Committee, we wrote to the LGSCO to express our disappointment with how their investigation into this case was conducted.

6 Formal requests for information

6.1 There were 1,843 formal information requests in 2019/20, compared to 2,039 in 2018/19. These requests relate to the Environmental Information Regulations, Freedom of Information Act, and Data Protection Act. They include requests where information was provided in full or in part, where no information was provided or held, and requests that were not validated or were withdrawn.

6.2 There was a decrease of 11% to 1,416 in freedom of information (FOI) and environmental information regulations (EIR) requests received in 2019/20. Whilst we have no specific evidence that this is the case, it may be attributed to the public finding more information online by searching the disclosure log (an online archive of answers to previous requests) instead of having to submit their own request. During 2019/20 the Council achieved a 92% compliance rate in meeting FOI and EIR requests within the 20 working day deadline. For 2019/20, the Information Commissioner's Office (ICO) set a monitoring threshold of 90% to be answered within timescale. In 2019/20 there were 427 data protection requests received across the Council. Children's Services continues to receive the vast majority of these requests with the complexity and number of responses finalised and sent increasing significantly in 2019/20. Details on formal complaints regarding information requests is presented as Appendix Four.

7 Conclusion and Recommendations

7.1 This report provides an overview and progress update on measures being taken to further improve customer experience and summarises the annual results for complaints, compliments, the LGSCO letter, and formal information requests received in 2019/20.

7.2 Governance Committee is recommended to:

- (1) note the progress of the Customer Experience Board in the implementation of a series of measures to improve customer experience;
- (2) note the number and nature of complaints made to the Council in 2019/20; and
- (3) note the contents of the Local Government & Social Care Ombudsman's annual letter to the Chief Executive.

RUPERT CLUBB
Director of Communities, Economy and Transport

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None

Governance Committee

2 October 2020

Appendix 1 Key customer experience developments in 2019/20

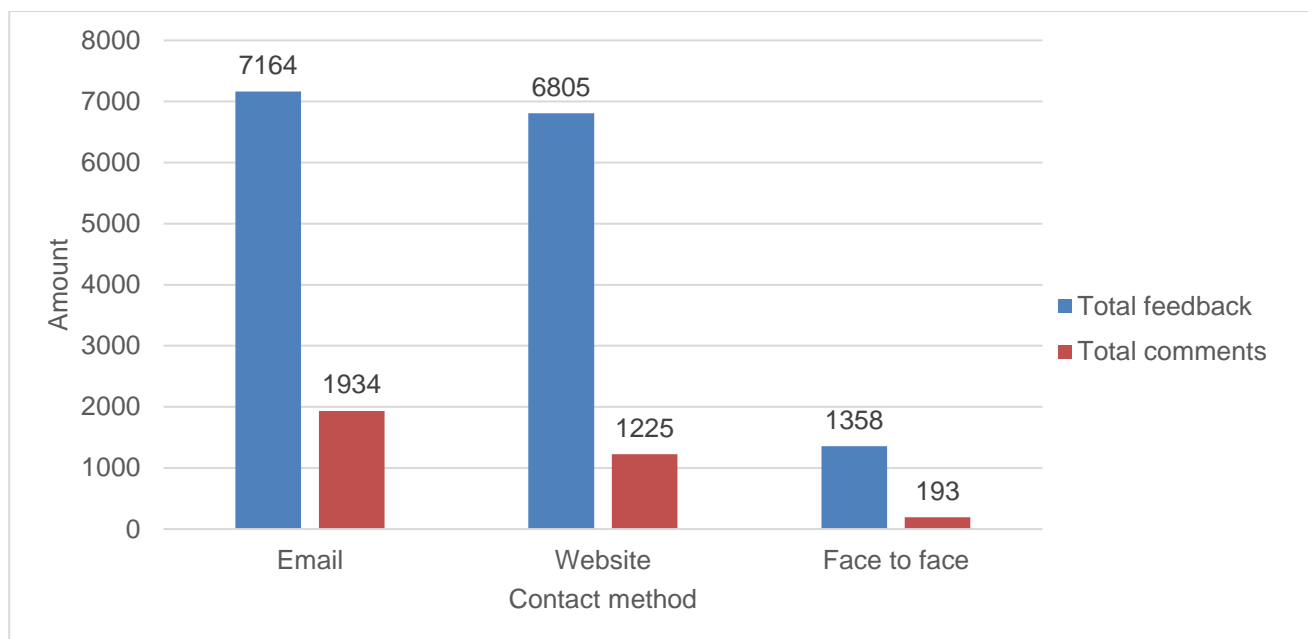
1.0 Customer Feedback in 2019/20

1.1 The collection of feedback from customers using our website, receiving email correspondence and visiting Council buildings has continued to assist structured monitoring of customer satisfaction across the Council and to provide valuable data which informs service improvements. The feedback collected in relation to our website has added value to the Council's ambition for customers to self-serve as much as possible, while striving for a high level of customer service.

1.2 Headlines for customer feedback in 2019/20:

- We received over **15,300 ratings** across all feedback surveys.
- We also received over **3,300 (22%)** verbatim comments from customers.

Graph 1 – Volume of customer feedback and comments, 2019/20



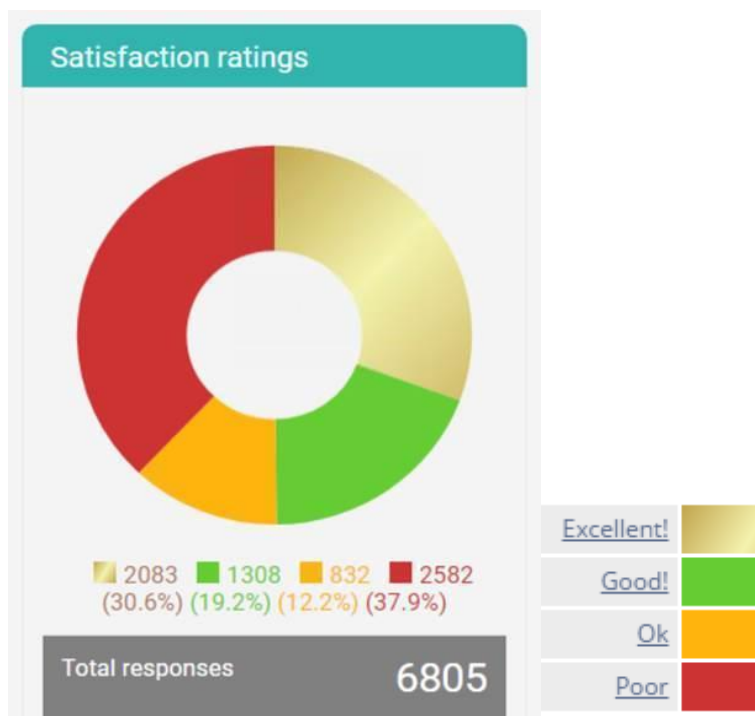
2.0 Website feedback 2019/20

2.1 Key takeaways:

- The website feedback is well used, even after being a regular fixture for nearly three years.
- Our website feedback increased by 5.5%, with over 6,800 pieces of feedback in 2019/20.
- Customer satisfaction rating was 62%, which remained the same as 2018/19.
- Feedback surveys are available on 553 webpages, that's 18% of the ESCC website.
- Some website content is not appropriate for feedback surveys, such as landing pages.
- We received over 1,200 comments as part of customer ratings (18%).
- Customer comments are especially useful in highlighting where to make improvements.
- We created a simple '[You said, we did](#)' webpage to capture the improvements we've made so customers know their feedback is important to us.

2.2 In further developments in 2020/21, the Customer Services Team (CST) will investigate where there are ‘pockets’ of content that consistently perform below the 62% average for overall customer web satisfaction. The reasons customers visit our website are wide-ranging and we need to consider that it will include visits related to a certain level of dissatisfaction with the range of services we are able to provide in the context of many years of reductions in government funding, or some of the policy and enforcement decisions we take. In order to provide better context, CST will benchmark our website satisfaction rating with similar authorities (and including our partnered councils), in order to get a sense of where feedback satisfaction levels typically fall for local authorities. Out of 13 councils we contacted, eight do gather similar feedback. However, conversations have been temporarily halted due to authorities redirecting staff resources to Covid-19, and we will pursue further discussions when appropriate.

Graph 2 – Customer Thermometer ratings: Website, 2019/20



2.3 Examples of improvements made from feedback we received from our customers:

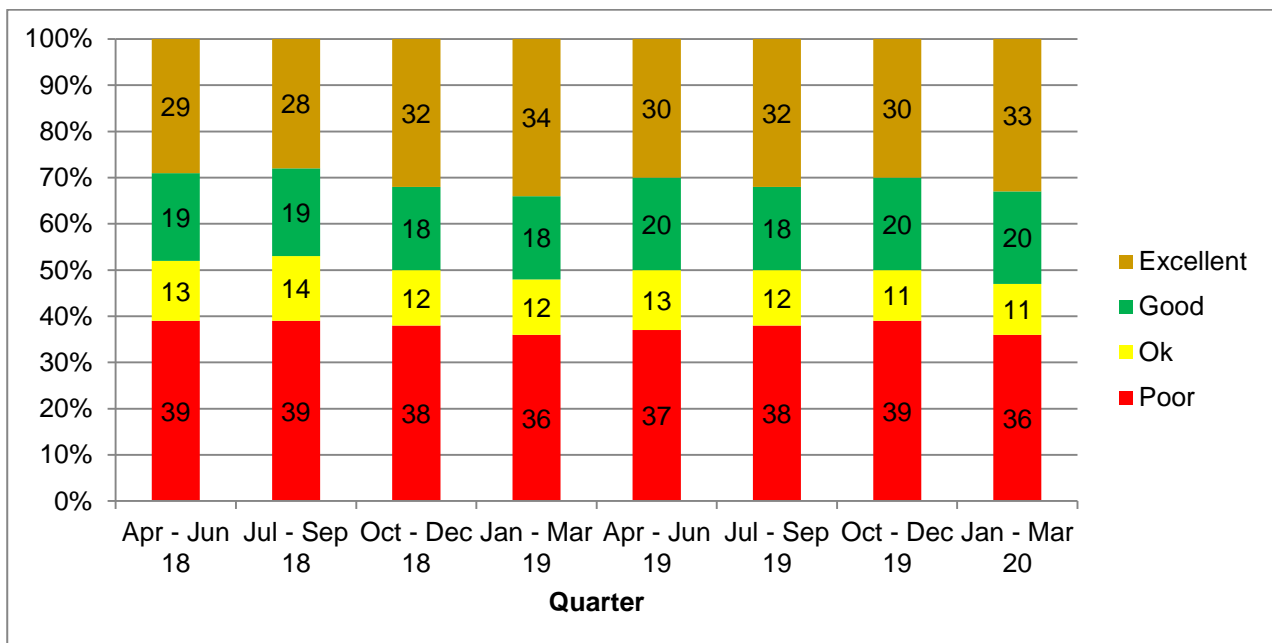
Table 1 – Improvements from customer feedback, 2019/20

Topic / when	Feedback from customers	Changes made	Difference made
Adoption October 2019	<ul style="list-style-type: none"> Out of date information about prospective adopters' events. 	<ul style="list-style-type: none"> Future events presented more clearly New action for staff to keep events dates up-to-date. 	<ul style="list-style-type: none"> No further negative comments received on this topic.
Apply for a school place December 2019	<ul style="list-style-type: none"> Customers were confused by the information and they were unable to find where to apply for a school place. 	<ul style="list-style-type: none"> Reduced content Broke down into easy steps 	<ul style="list-style-type: none"> Poor ratings have reduced by six times.

Sheltered housing January 2020	<ul style="list-style-type: none"> Link did not direct customers to most suitable information 	<ul style="list-style-type: none"> Link altered to re-direct customers to relevant district and borough housing departments across the county 	<ul style="list-style-type: none"> Comments of this nature have ceased
Covid-19 March 2020	<ul style="list-style-type: none"> Information could be clearer or presented elsewhere on the website. 	<ul style="list-style-type: none"> Specific changes made to certain services' content Addition of 'Latest box' on more pages 	<ul style="list-style-type: none"> Negative comments have reduced.

2.4 Having two full years of customer feedback, the graphic below indicates the trends of feedback of the last two years has been consistent.

Graph 3 - Website satisfaction ratings: Two-year comparison 2018/19 - 2019/20

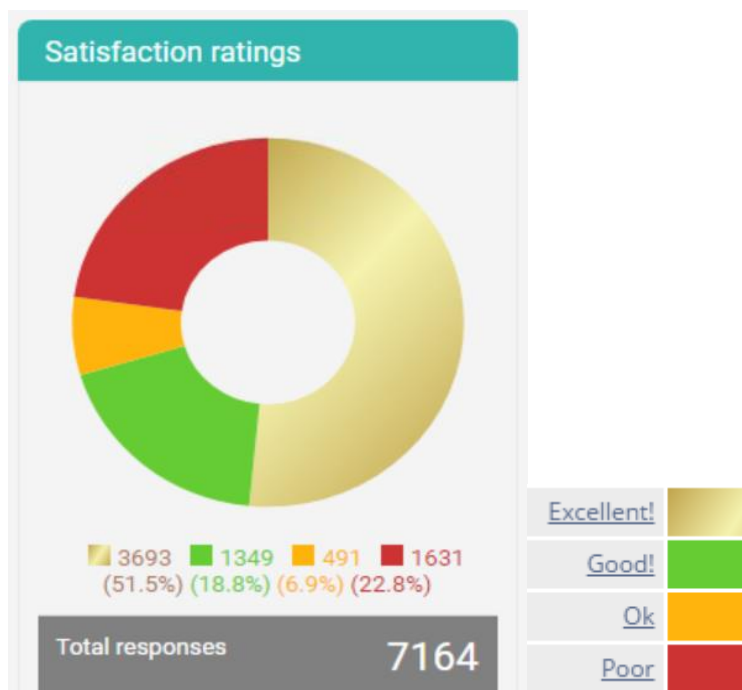


3.0 Email feedback 2019/20

3.1 Key takeaways:

- We received over 7,100 pieces of feedback, that's a 60% increase from 2018/19.
- Three more teams started using the email feedback surveys, totalling 13 teams in 2019/20.
- The Learning Disability Team is the first team in Adult Social Care to collect email feedback.
- Overall customer satisfaction rating for emails was 77%, down from 85% in 2018/19.
- Poor ratings have increased as we widened the range of services which have more challenging customer bases than we had previously collected feedback from.
- We received over 1,900 comments (27%) with customer ratings.
- Comments left with 'poor' ratings continue to mostly relate to a decision made rather than the customer service received.
- However, 'excellent' ratings provide compliments about staff, congratulating them on their good customer service.

Graph 4 – Customer Thermometer ratings: Email, 2019/20



3.2 Managers continue to advise they see the benefit of having a tool that can provide customer insight and the assessment of the quality of email correspondence that is not available through other sources. Comments left by customers provide management with intelligence in relation to possible amendments to their service offer but also, critically, specific praise of a response and/or member of staff. This type of feedback is especially welcomed.

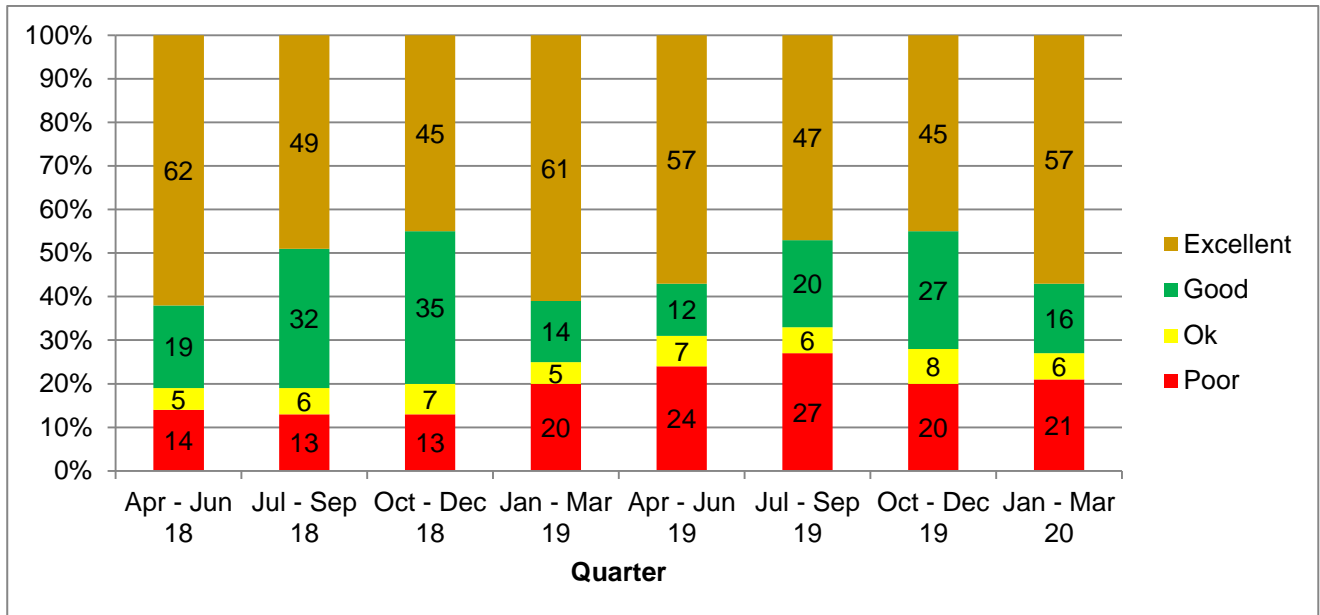
3.3 Examples of some feedback provided from managers includes:

- The feedback contributes to a quarterly summary report which is shared with departmental management and all comments related to business processes are considered for business development.
- Data collected is used to identify issues with training and performance of staff as well as areas where services and systems could be improved.
- As a team, little positive feedback is provided by customers, but Thermometer (feedback) provides a valuable source getting this and reminds the team that the majority of customers are happy with the service they have received.
- The feedback assists us to keep track of the performance of our service offer and has been used as evidence of the high standards of the service.
- Helps identify areas of web content or standardised correspondence that require reviewing.

3.4 Despite the reduction in overall satisfaction in 2019/20, satisfaction levels for email correspondence remain higher than those for our website, as has been the trend since collection of feedback started in 2017.

3.5 Email satisfaction ratings have fluctuated more than their website equivalents over the two full years of feedback collection, as highlighted in the table below. Assessment of service specific feedback suggests that this is related to seasonal campaigns, deadlines or decisions.

Graph 5 - Email satisfaction ratings: Two-year comparison 2018/19 - 2019/20

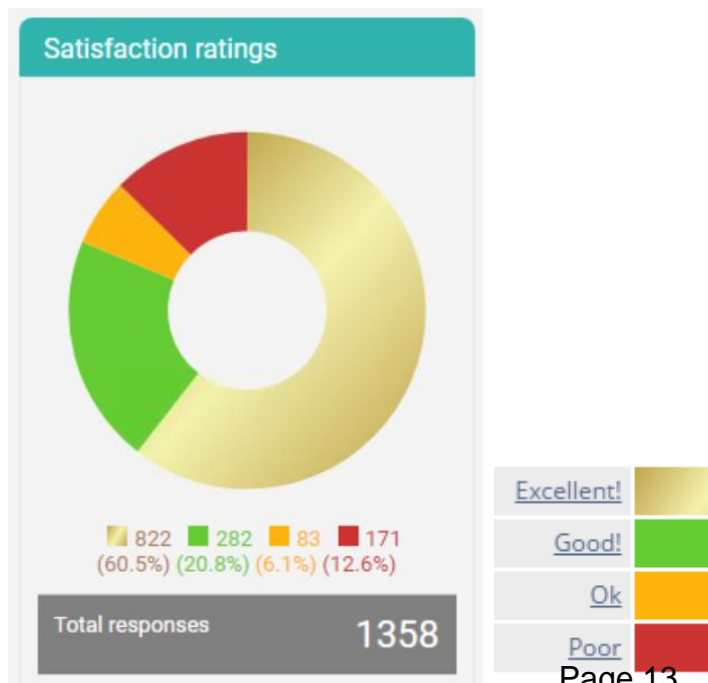


4.0 Face to face feedback 2019/20

4.1 Key takeaways:

- There are five face to face survey devices across the County: Eastbourne and Hastings Libraries, and St. Mary’s House, Ocean House and County Hall reception areas.
- We ran face to face surveys from August 2019 until Covid-19 lockdown, 23 March 2020.
- We received over 1,300 pieces of feedback.
- Overall, 87% of customers were satisfied with the customer service they received, 11% higher than 2018/19, although a different software and weighting was used in the previous year.
- We changed the survey in 2019/20 to ask one question (‘How would you rate the customer service you received today?’) and an option to leave a comment. Previously it was four questions with no comment.
- Staff feedback tells us that customers appear more willing to provide feedback when asked only one question.
- We received 193 comments (14% of surveys completed).
- Library sites continue to receive significantly more feedback than devices in reception areas.

Graph 6 – Customer Thermometer ratings: Face to face, 2019/20



4.2 It should be noted that the 11% increase in customer satisfaction, when compared to last year, could be related to the change in software. However, this feedback is still overwhelmingly positive and does highlight that customers are typically pleased with the service they are receiving when visiting council buildings. Feedback does vary from site to site, as highlighted in Table 3 below.

Table 2 – Face to face survey statistics, 2019/20

Services	Surveys answered	Poor	Ok	Good	Excellent
County Hall	145	7%	3%	10%	80%
St Mary's	17	29%	0%	6%	65%
Ocean House	286	27%	6%	23%	44%
Eastbourne Library	470	8%	6%	21%	65%
Hastings Library	440	10%	6%	24%	60%

4.3 The comments are largely positive and relate to specific members of staff or the service offer in general. As with email feedback, this collection of feedback gathers customer feedback for teams not previously gathered and is well received by managers.

5.0 Telephone feedback

5.1 As highlighted in last year's report, we discontinued the collection of feedback from telephone customers due to technical issues and low levels of staff and customer engagement.

5.2 During 2019/20, East Sussex Highways was the only service to continue collecting feedback by telephone. They use the telephone surveys as part of a suite of measures that make up the customer satisfaction performance indicator for Highways Contract.

5.3 There were 484 customers who provided feedback from August 2019 to March 2020, and 92% of customers who completed the survey were satisfied with the service they had received. The table below highlights customers satisfaction with different elements of their experience.

Table 3 – Telephone survey statistics: East Sussex Highways, 2019/20

Services	No. surveys answered	Overall satisfaction	Satisfaction with:			
			Time taken to respond	Helpfulness and politeness of staff	Fully understood your needs	Quality of information and advice given
Highways (CET)	484	92%	84%	95%	96%	93%

5.4 In early 2020/21, Highways were able to automate the surveys so all customers will have an option to complete the survey if they continue to hold at the end of their calls. This removes staff

asking customers to complete it. It is anticipated this will significantly increase the volume of completed surveys.

6.0 Customer Service Network

6.1 The Customer Services Network is a permanent part of our customer experience remit, providing a working group to feed back to the Customer Experience Board from customer-facing staff and services.

6.2 The group members indicate that the network provides a useful forum to highlight issues that have arisen in their service area, which can be discussed with colleagues from across the Council. Some issues have been resolved in the meetings and others have required work outside of the group.

6.3 The group has welcomed speakers from Council services to provide advice and information to members and to cascade to their teams. In 2019/20 the group received updates from:

- Facilities Management Team: Switchboard and reception enquiries
- Customer Services Team: Data protection best practice
- Communications Team: Increased importance of social media

6.4 This group continues to provide a valuable forum to update colleagues about new or existing developments related to customer experience. Over time, it has also provided an increasingly useful forum to gather intelligence in relation to issues facing teams from across the Council and to feedback to the Customer Experience Board.

7.0 Conclusions

7.1 Gathering customer feedback, across different modes of engagement with our customers, continues to provide us and colleagues across Council services with valuable insight into customers' opinions and their needs that we previously did not gather.

7.2 We now have a large amount of data, which provides a useful benchmark that can help us to understand how customers view their interaction with the Council and improve our customers' experience, whichever service they are accessing.

7.3 We will continue to increase the number of places where customers can complete a survey, where possible, for existing feedback surveys (website, email, face to face), in order to continue to provide valuable information for evaluating and improving our services for customers.

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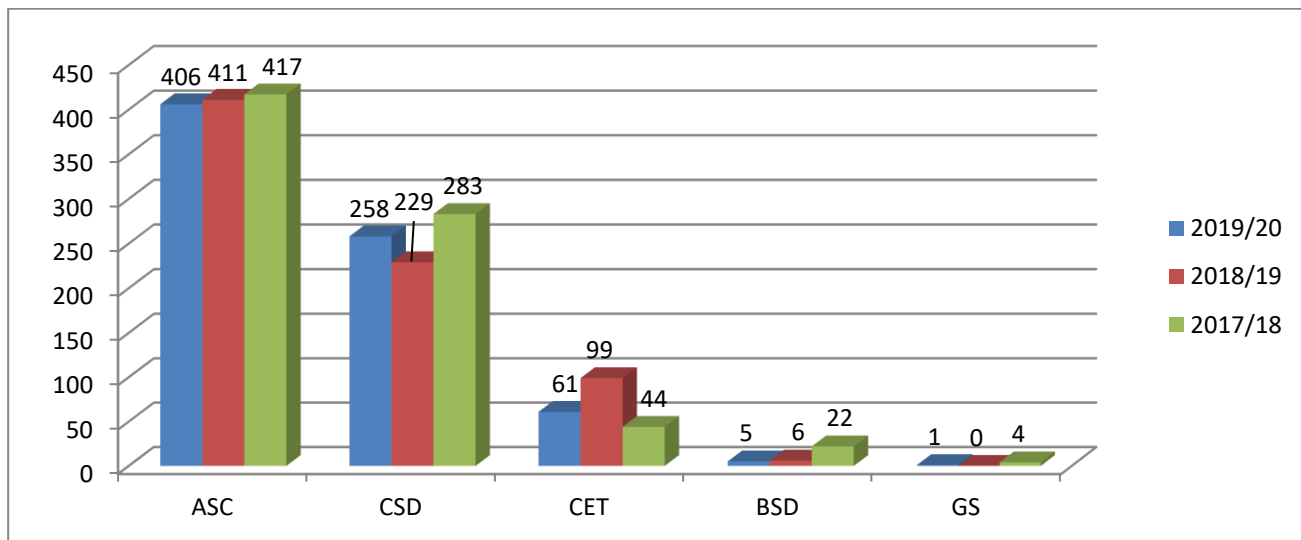
Governance Committee

2 October 2020

Appendix 2 Complaints and compliments by department 2019/20

1. Summary

1.1 The chart below shows the number of complaints received in 2019/20 by department compared with 2018/19 and 2017/18. ESCC received 731 complaints in total in 2019/20 compared to 745 complaints in 2018/19, which represents a slight decrease of 2%. Please note comparisons of complaints and compliments between departments are not valid due to the nature of the different services provided by each department.



1.2 The following table presents the number of Local Government & Social Care Ombudsman (LGSCO) complaints for ESCC where decisions were made and the percentages of upheld complaints compared to similar authorities for 2019/20 and 2018/19. LGSCO complaints by department are represented in the sections below.

Year	Investigated	Upheld	Not upheld	Not investigated	Total	ESCC uphold rate %	Average County Council uphold rate %
2019/20	38	20	18	62	101	53%	66%
2018/19	42	28	13	49	90	67%	64%
2017/18	35	16	19	53	88	46%	Not available

1.3 For upheld complaints there were 40 remedies that ESCC carried out. The following is a breakdown of the remedies:

- Apology (9)
- Financial Redress (12): due to avoidable distress / time (9), quantifiable loss (3)
- New appeal, reconsidered decision, reassessment (4)
- Procedure or policy review / change (4)
- Training and guidance (5)
- Provide services (2)
- Add or correct records (1)
- Provide information/advice (1)
- Other (2)

2. Adult Social Care

	2019/20	2018/19	Change
Number of complaints received	406	411	↓1.2%
Number of complaints upheld/partially upheld *to date	159*	179	↓11.2%
Number of compliments	1431	1375	↑4.1%

2.1 Summary

2.1.1 There was a slight 1.2% decrease in the complaints received about Adult Social Care (ASC) services compared to last year.

2.1.2 The ASC complaints process was deferred in mid-March 2020 so ASC could ensure its focus was directed to the impact of COVID-19. As a result, 48 complaints have yet to receive an outcome and so it is not possible to provide a direct comparison with last year of the complaints that were upheld or partially upheld. To date, out of 358 complaints that have an outcome recorded, 44% of complaints were upheld or partially upheld. This is the same as last year.

2.1.3 The proportion of complaints reported by clients themselves has again increased significantly to 63% from 43% in 2018/19 and 24% in 2017/18. Clients continue to appear to feel more confident to let us know when something is not right. Channel shifts with increased use of email and the availability of an online complaints process are likely to have had an impact.

2.1.4 Target response times were lower with less than half of complaints achieving a response within 10 to 20 working days, which is consistent with last year. Aside from the impact of deferring the complaints process on target times, complaints increasingly cut across a number of services with increasing complexity, which can take longer to look into. It may also be an indicator of the longer term impact of having a reduced number of managers and the competing demands on their time.

2.2 Action taken to improve the service

2.2.1 This section provides analysis of complaints for ASC in 2019/20 and actions related to these themes.

2.2.2 The highest complaint category related to assessment functions, with 91 recorded for this year and 34 (37%) either upheld or partially upheld.

- 51 complaints related to assessments for social care support, with 21 (41%) upheld or partially upheld. Almost half of these complaints did not agree with the outcome or decision of the assessment.
- Financial assessments received 27 complaints with 6 (22%) upheld in full or part, and 44% of these complaints were about a delay in doing something, and 41% were unhappy with the outcome of the assessment to identify the amount someone pays towards their care.
- Blue Badge mobility assessment outcomes recorded 8 complaints with 4 (50%) upheld.

2.2.3 Application of national eligibility criteria and financial guidance can leave some people feeling that their individual circumstances have not been considered as they would like. Where complaints were upheld, assessment outcomes were reviewed and individual actions taken to ensure the impact of the complaint was addressed, such as ensuring a service provided met clients and carers needs and any financial errors were amended.

2.2.4 There were 88 complaints received about the provision of services provided or commissioned by ASC and 34 (39%) of these were upheld or partially upheld. The dominant theme related to the quality or standard of ASC services falling below expectation or an inadequate service provided by a third party provider, such as a home care agency.

2.2.5 There is often a link between complaints about quality and charges for social care services. Despite extensive work on developing information about charges, many complaints about the provision of services are presented to the department on receipt of an invoice. Where complaints were upheld, charges were sometimes waived or written off. Confusion or barriers in accepting that most ASC services are subject to a client contribution does still remain and the development of

accessible information continues with a focus on helping clients self serve through developing accessible online financial indicators.

2.2.6 Another area of complaints related to reported shortfalls in staff actions and behaviour such as attitude and failing to do something. There were 37 complaints received with 37% (14) of these complaints upheld or partially upheld. In these instances, supervision and/or further training provided support to staff to reflect on and develop their practice.

2.2.7 Other actions taken to improve services in 2019/20 included:

- The ISEND and Transitions Team have drawn up a protocol to ensure effective joint working and information-sharing between them. A robust system is now in place to identify young people whose specialist educational placements are due to end and ensure timely referrals are made to the Joint Assessment Panel to make decisions on future placements.
- Health and Social Care Connect reviewed the online portal system to make improvements to this digital referral tool.
- Comprehensive action has been undertaken to improve Adult Social Care staff's knowledge and awareness of inter-familial domestic abuse, including arranging additional training and strengthening staff attendance.
- The Direct Payments Team revised processes for monitoring and auditing DP expenditure, to ensure contact is made at an earlier point when expenses are not in line with a Care and Support Plan, and ensuring improved communication within the Council.

2.3 Compliments

2.3.1 ASC has continued to receive far more compliments (1431) about its services than complaints (406). And we anticipate this number will increase as we have yet to collate all the data for the last quarter of the year due to the impact of the pandemic.

2.3.2 People's comments clearly show how much they have valued support, often referred to as both life changing and affirming. So far this year, people appear to have particularly valued work by our Carers Services (744) Joint Community Rehabilitation Service (116), and Eastbourne and South Wealden Neighbourhood Support Team (73).

2.4 Local Government & Social Care Ombudsman (LGSCO)

2.4.1 The table below sets out the LGSCO findings for complaints about Adult Social Care.

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Total
	Upheld	Not upheld				
2019/20	10	10	12	5	7	44
2018/19	14	7	8	5	5	39
2017/18	9	13	6	3	11	42

2.4.2 The LGSCO received 44 complaints this year, which is 13% higher than last year, when 39 complaints were recorded. This represents just over a 10% referral rate from the 406 complaints recorded for the year. The number of complaints investigated has remained steady (21 in 2018/19 and 20 in 2019/20). There has been a 29% decrease in complaints upheld, from 14 in 2018/19 to 10 complaints in 2019/20, as well as 55% were not taken to investigation compared to 46% last year.

2.4.3 Further analysis for Adult Social Care of the LGSCO complaints will be provided in the department's Annual Complaints Report. The report will be available later in the year and published on the Council's website: [Comments, compliments and complaints annual report](#). This report is provided under the Local Authority Social Services and National Health Service Complaints (England) Regulations, 2009.

3. Children's Services

	2019/20	2018/19	Change
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Number of complaints received	258	229	↑13%
Number of complaints upheld/partially upheld	80	50	↑60%
Number of compliments	231	178	↑30%

3.1 Summary

3.1.1 Children's Services received a total of 258 complaints during the reporting period, an increase of 13% from last year. Complaints from adults on behalf of children increase from 222 to 257, an increase of 15.8%. The number of complaints from children and young people dropped from 3 to 1. In previous years, complaints from young people have related to domestic matters within children's homes. This reflects a general trend of issues being dealt with without a formal complaint being logged. In 2019/20, 31% of complaints were upheld/partially upheld compared to 22% in 2018/19.

3.2 Action taken to improve the service

3.2.1 Children's Services (CS) continues to use the learning from complaints and how people contact us as a tool in improving the services offered by the department and in improving our digital offer through our website. We have continued to track key themes and complaint types to make enhancements to our call and complaint handling process.

3.2.2 Actions taken to improve services in 2019/20 include the following:

- Within Children's Social Care we have improved the ability for service users to speak to a duty worker when an allocated social worker is unavailable. This was based on feedback from clients who were frustrated by not being able to contact the named worker. Additionally, changes to the way diaries and cases are allocated have been made, meaning better distribution of complex caseloads.
- We have been working with colleagues in our Information Governance Team to improve the process for service users raising concerns about Family Assessments. In line with revised data protection regulations, we have clarified the different routes available to clients wishing to dispute factual issues vs disagreements with professional opinion. We have further clarified the process whereby unhappy clients can have their rebuttal or other views recorded on the file for future reference.
- In our ISEND service, a review was undertaken into the EHCP annual review process. Based on feedback and complaints, particular attention was given to the importance of timely communication and updates to parents of children with SEN as well as better communication of the process steps that are followed. Additional training and planning resources have been created to support this improvement to the process.
- Within the Complaints Service we have further developed the corporate complaints handling system that was originally implemented during summer 2018. We have made improvements to standardised documents to increase efficiency and consistency of approach. These changes have also been designed to make complaint responses easier to understand and clearer.
- Finally, in Q4 of the reporting year we introduced a new approach to handling social care complaints whereby the Complaints Officer managed the relationship with the complainant, raised enquiries to the service manager and provided an evidence based, formal response. This has improved timescale compliance and reduced requests for escalation to stages 2 and 3 of the statutory process.

3.3 Compliments

3.3.1 The total number of compliments received throughout the year is up from 178 to 231. The ratio of compliments per complaint is up from 0.7 to 0.9. This increase is attributed to a new monthly reminder to managers to ensure that compliments and emails/letters of thanks received by teams are logged and shared. Moving forward we will continue to share the positive messages coming through the compliments with key members of staff so that this can be learnt from in the same way as we learn from complaints.

3.4 Local Government & Social Care Ombudsman

3.4.1 The table below sets out the LGSCO findings for complaints about Children's Services:

Year	Investigations
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	Upheld	Not upheld	Closed after initial enquiries	Invalid/incomplete	Referred back	Total
2019/20	10	6	10	3	14	43
2018/19	12	5	2	3	12	34
2017/18	6	4	7	3	14	34

3.4.2 Of the 43 complaints, 16 were investigated and of those 10 were upheld. Whilst the total number of referrals is up from 34 to 43 (a 26.5% increase) the number being investigated is down slightly from 17 to 16. On the increased number of referrals this represents a fall in the investigation rate from 50% last year to 37% this year.

3.4.3 There is further analysis of these complaints in the Children's Services Annual Complaints Report. The report has been published on the council's website: [Children's Services Annual Complaints Report](#). This report is required under The Children Act 1989 Representations Procedure (England) Regulations 2006.

4. Communities, Economy & Transport (CET)

	2019/20	2018/19	Change
Number of complaints received	61	99	↓38%
Number of complaints upheld/partially upheld	22	34	↓35%
Number of compliments *to date	516*	690	↓25%

4.1 Summary

4.1.1 CET's complaints were down by over a third from 99 in 2018/19 to 61 in 2019/20. In 2018/19, CET changed a number of services, which resulted in an increase in complaints regarding policy and quality. Some customer complaints were about the new policies themselves, and others resulted from difficulties customers had using new systems associated with these new policies and changes, which initially did not always work as they should have done.

4.1.2 In 2019/20, most complaints were about policy, which is a year on year trend. However, there was a reduction in complaints regarding both policy and quality. This is due to the aforementioned changes of services being more imbedded by 2019/20. Complaints regarding communications were notable in 2019/20, being the highest in the last three years, even with the reduced number of complaints this year. We experienced more complaints this year about customers receiving no responses or long delays to their enquiries.

4.1.3 In 2019/20 36% of complaints were fully or partly upheld (22 out of 61). Overall we are seeing a trend of the percentage of upheld complaints in CET increasing year on year (34% in 2018/19 and 27% in 2017/18), although the absolute number is down. This increasing trend was mainly due to the number of fully or partly upheld complaints regarding communications, which make up three quarters of fully or partly upheld complaints. There was a decrease in the number of fully or partly upheld complaints regarding quality from 2018/19 to 2019/20. Although there were still some teething problems from the changes to services continuing into 2019/20, these continued to be resolved, resulting in fewer complaints regarding quality to the delivery of services.

4.2 Action taken to improve the service

4.2.1 The following are the summaries of some themes and trends that were drawn out during the year and where improvements were made.

4.2.2 The trend of complaints regarding customers receiving no responses or long delays to their enquiries was identified in Q2 of the year. Unlike when complaints are related to policy, this is one area where we have a high level of scope to get things right for customers. The Customer Services Team supported services to help identify the potential for better systems and processes, and where there could be lessons learned from these complaints. Improvements were put in place such as better staff procedures, ensuring that communications on cases weren't being missed, but also reducing duplicate cases. In one service an initiative was implemented called 'Think Like a Customer' which

focused staff's attention on improving communications with customers. There were also some small improvements to simplifying and streamlining communications between services internally which reduces delays to communications to customers. By Q4 of 2019/20 the number of complaints regarding lack of response had reduced.

4.2.3 Customers were finding it difficult to navigate and experiencing some errors on a new online system. The service and the Customer Services Team worked together to identify the types of issues being raised by customers. Improvements were made to make steps clearer to customers, confirmation emails were sent when transactions have been made, additional pop-up information was provided to help the customer when they get stuck, and a telephone number added to call when an error occurs. There has been a positive result in the reduction of complaints regarding the online system.

4.3 Compliments

4.3.1 There were 516 compliments recorded for CET in 2019/20, a decrease from 690 in 2018/19. However, reporting on compliments is incomplete for 2019/20 as reports are not yet available from some services as their staff are currently focused on the recovery and reopening services since the COVID-19 lockdown. These figures will be gathered in the coming months.

4.3.2 Compliment numbers overall continue to be high, which indicates that teams continue to deliver high quality services and show their commitment to customers. The main category that customers provide compliments for is the quality of service delivered and staff in general (46%), 20% were appreciation of a staff member helping on a specific query, issue or concern, and 21% were on work and repairs carried out which improves their accessibility and experience of their activities. The remainder were compliments regarding fast responses to queries (3%), facilities and activities provided (6%), and staff keeping customers informed (3%).

4.4 Local Government & Social Care Ombudsman

4.4.1 The table below sets out the LGSCO findings for complaints about CET:

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Total
	Upheld	Not upheld				
2019/20	0	2	2	1	5	10
2018/19	2	1	8	-	3	14
2017/18	1	2	6	1	0	10

4.4.2 There were no upheld complaints for CET in 2019/20.

5. Orbis (ESCC only)

	2019/20	2018/19	Change
Number of complaints received	5	6	↓17%
Number of complaints upheld/partially upheld	2	3	↓33%
Number of compliments	1	1	N/A

5.1 Summary

5.1.1 There were only a small number of complaints for Business Services in 2019/20, with only two upheld complaints. There were no themes to draw out from this small number of complaints.

5.2 Compliments

5.2.1 There was one compliment logged this year for Business Services.

5.3 Local Government & Social Care Ombudsman

5.3.1 There were no LGSCO complaints investigated regarding this department in 2019/20.

6. Governance Services

	2019/20	2018/19	Change
Number of complaints received	1	0	-
Number of complaints upheld/partially upheld	0	0	-
Number of compliments	0	0	-

6.1 Summary

6.1.1 There was one complaint logged for Governance Services in 2019/20 and it was not upheld.

6.2 Action taken to improve the service

6.2.1 As there was only one complaint logged which was not upheld, no actions have been noted.

6.3 Compliments

6.3.1 No compliments were recorded in 2019/20.

6.4 Local Government & Social Care Ombudsman

6.4.1 There were no LGSCO complaints investigated regarding this department in 2019/20.

7. Chief Executive's Office

7.1 Complaints are often addressed to the Chief Executive (CE) or Leader, and so are received through the CE Office. However, the complaints are about issues with services provided by departments rather than the CE Office itself, so these are recorded by the relevant department and form part of their figures and analysis.

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22 July 2020

By email

Ms Shaw
Chief Executive
East Sussex County Council

Dear Ms Shaw

Annual Review letter 2020

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

Complaint statistics

This year, we continue to place our focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have made several changes over recent years to improve the data we capture and report. We focus our statistics on these three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to resolving complaints. We recognise cases where an authority has taken steps to put things

right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

This data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

During the year, I issued a public report about your Council involving a case about home to college transport for an adult learner. We found the Council's policy was flawed and asked it to apologise and make a financial payment. I recommended the Council review and revise its policy to properly reflect the law. I also asked the Council to review similar cases and invite those identified as being affected by the fault to reapply for travel assistance under its revised policy. I am pleased to say the Council has now accepted my findings and has implemented the recommendations.

Resources to help you get it right

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the tool with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we

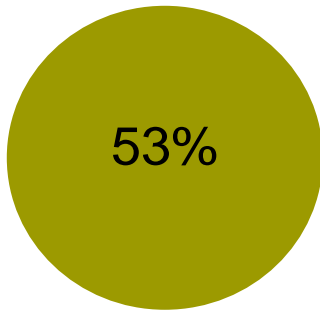
delivered last year and included more training to adult social care providers than ever before.
To find out more visit www.lgo.org.uk/training.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



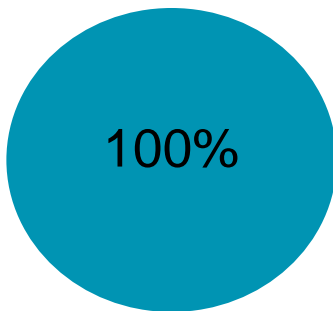
53% of complaints we investigated were upheld.

This compares to an average of **66%** in similar authorities.

20
upheld decisions

Statistics are based on a total of 38 detailed investigations for the period between 1 April 2019 to 31 March 2020

Compliance with Ombudsman recommendations



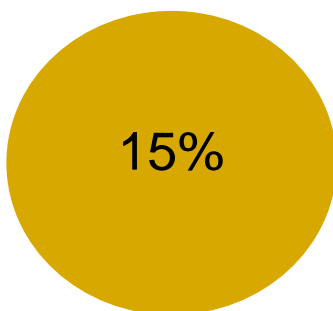
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **100%** in similar authorities.

Statistics are based on a total of 18 compliance outcomes for the period between 1 April 2019 to 31 March 2020

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority



In **15%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **9%** in similar authorities.

3
satisfactory remedy decisions

Statistics are based on a total of 38 detailed investigations for the period between 1 April 2019 to 31 March 2020

Governance Committee

2 October 2020

Appendix 4 Formal requests for information 2019/20

1.0 Internal reviews of formal information requests

1.1 Complaints regarding the final responses to freedom of information (FOI) and environmental information regulations (EIR) requests have their own procedure as an internal review carried out by Orbis Public Law. For data protection subject access requests (SARs), the Customer Services Team (CST) reviews our response if the customer remains dissatisfied and asks for legal support if it is particularly complex. There is an option for the customer to complain to the County Council's Data Protection Officer if they remain unhappy. For all types of information requests, there is then an option to complain to the Information Commissioner's Office (ICO) if the customer remains dissatisfied.

1.2 In 2019/20, we received seven requests for internal reviews, compared to nine in 2018/19. Out of the seven internal reviews, Orbis Public Law found fault with four requests in the way the exemptions, allowed by the legislation, were applied. In these four cases, further information was provided to the requesters and we were able to go back to the services who initially fulfilled those requests to clarify the use of exemptions, as part of a 'lessons learned' exercise. There was no fault found with two internal reviews and one is still outstanding. CST and Orbis Public Law continue to work closely to identify where improvements can be made irrespective of complaints, in order to improve the robustness, but also the helpfulness of our responses to requesters.

2.0 Complaints to the Information Commissioner's Office

2.1 In 2019/20, the ICO received four complaints regarding information requests made to the Council, compared to six in 2018/19. Three of these complaints were settled informally, with the Council receiving information notices. The cases were regarding incorrect or missing information, delay in responses, and exemptions applied. For these, we were able to provide information to the requesters resulting in no further action or investigation by the ICO. Lessons learned were that we improved the way we processed the cases and implemented better record management. One SAR was investigated as a formal complaint and a decision notice was given; the complaint was not upheld as we had applied the exemption correctly.

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Report to:	Governance Committee
Date of meeting:	2 October 2020
By:	Assistant Chief Executive
Title:	Notice of Motion – Virtual meetings after May 2021
Purpose:	To consider a Notice of Motion from Councillor Field seeking agreement to ask the Government to allow local councils to decide whether to continue with virtual meetings for some or all meetings when the temporary national regulations cease in May 2021.

RECOMMENDATIONS: The Committee is recommended to consider the Notice of Motion as set out in paragraph 1.1 and make a recommendation to the County Council.

1 Background Information

1.1. The following Notice of Motion has been submitted by Councillor Field:

Since lockdown remote working has been shown to be a very effective way for the Council to conduct its business. Without specific permission from the Government to continue in this way we shall have to revert to face to face meetings after the next County Council elections.

This Council resolves to ask Central Government to change the rules to enable Local Authorities to make their own decisions as to whether to hold virtual or physical meetings from May 2021.

1.2. In line with County Council practice, the matter has been referred by the Chairman to the Governance Committee for consideration to provide information and inform debate on the Motion. The Committee's recommendation on this Notice of Motion will be reported to the Council at its meeting on 13 October 2020.

2 Supporting Information

2.1 The current situation with regard to Coronavirus has led to widespread disruption to social and business activities, including Council meetings. In light of Government guidance on social distancing the holding of physical meetings at County Hall has been suspended since March. The temporary national regulations enacted in April 2020 to allow Council meetings to be held virtually remain in force until 7 May 2021 (the day after the scheduled date for local government elections). Unless the temporary regulations are extended, or replaced with similar permanent legislation, it will not be legally permissible in most cases for Members to attend formal meetings remotely from 8 May 2021 (there is more flexibility in relation to Executive – Cabinet and Lead Member – meetings).

2.2 In Wales, permanent legislation is already in place to enable a level of remote attendance by Members via video conferencing. The Welsh statutory guidance on remote attendance indicates that this was intended to make it easier for those who, for instance, may have to travel long distances, those with domestic responsibilities and those in employment to attend. Meetings can only take place remotely if not prohibited by the local authority's standing orders/rules of procedure. It is therefore up to each local authority to decide whether it wishes to make remote attendance available. However, the Welsh legislation does, in normal circumstances, require a minimum of 30% of those eligible to attend to be present at the main meeting place (this has been amended during coronavirus restrictions).

2.3 Members have adapted impressively to virtual meetings, embracing both the technology and the different procedures and etiquette involved in holding meetings in this way. The public have remote

access to all public formal meetings via a webcast. From a practical point of view virtual meetings are running smoothly on Microsoft Teams.

2.4 Members have been invited to provide feedback on their experiences of virtual meetings and this informed a recent review of the arrangements by the Member ICT and Development Reference Group. Overall, the Reference Group was very positive about virtual meetings and the way they are running. The benefits of reduced travel in terms of carbon emissions, time and cost savings were also welcomed. Member feedback indicated that the larger meetings - full Council, Cabinet and Scrutiny Committees – are viewed as less suited to the virtual format due to the nature of discussion and debate amongst larger numbers of attendees and the length of meeting. Some Members have found the technology and interaction with others via a screen to be challenging, and the loss of informal networking at County Hall outside of the meetings themselves was also noted. However, feedback also indicated that some Members wish to continue meeting remotely longer-term, especially for certain meetings which are seen as well suited to the format. These are generally the shorter meetings with fewer attendees where the benefits of reduced travel and greater flexibility are particularly apparent, and the meeting format adapts well to a video conferencing approach.

3 Conclusion and Reasons for Recommendations

3.1. The Notice of Motion to the County Council is to ask the Government to allow local authorities to make their own decisions in relation to the ability to hold virtual meetings after May 2021. There are a number of benefits to virtual meetings including a reduction in travel time, costs and emissions and greater flexibility with diary management (which may be of particular benefit to councillors who work or have caring responsibilities). However, virtual meetings are also reported to result in a loss of informal contact with other councillors and officers and require additional support in relation to the technology and related issues. It is likely, therefore, that if remote attendance was to be allowed on a permanent basis, the Council would wish to have flexibility to choose whether and how to make use of this provision in order to best meet the Council and Members' needs.

3.2. The Committee is recommended to consider the Notice of Motion as set out in paragraph 1.1 and make a recommendation to the County Council.

PHILIP BAKER
Assistant Chief Executive

Contact Officer: Claire Lee
Tel. No. 07523 930526
Email: claire.lee@eastsussex.gov.uk

BACKGROUND DOCUMENTS

None

Committee:	Governance Committee
Date:	2 October 2020
Title of report:	Assessment of the Corporate Governance Framework for 2019-20
By:	Assistant Chief Executive
Purpose of report:	To (i) provide information on compliance with the Council's code of corporate governance and any changes to it that may be necessary to maintain it and ensure its effectiveness in practice; and (ii) gain approval of the Council's Annual Governance Statement in compliance with the requirements of the Accounts and Audit Regulations 2015.

RECOMMENDATIONS: The Governance Committee is recommended to:

- 1. approve the action plan for 2020/21;**
 - 2. note that actions identified to enhance governance arrangements are reflected in Business Plans and that implementation will be monitored throughout the year;**
 - 3. confirm that Members are satisfied with the level of assurance provided to them through this report and the Council's governance framework and processes;**
 - 4. consider the comments from the Audit Committee;**
 - 5. identify any significant governance issues that should be included in the Council's Annual Governance Statement; and**
 - 6. approve the Annual Governance Statement for signature by the Leader and the Chief Executive and publication within the Statement of Accounts**
-

1. Supporting Information

1.1 The corporate governance framework reflects both legislative and regulatory change and is based on revised guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Chief Executives and Senior Managers (SOLACE).

1.2 The Accounts and Audit Regulations 2015 require the Council to ensure that it has in place a sound system of internal control which facilitates the effective exercise of its functions and which includes arrangements for risk management. The Council is required to conduct an annual review of the effectiveness of its system of internal control and to prepare an Annual Governance Statement (AGS) in accordance with proper practices in relation to internal control to accompany its Statement of Accounts.

1.3 The production of an AGS is the final stage of an ongoing process of review of our governance arrangements including risk management and internal control. In summary the process must involve an organisation reviewing the adequacy of its governance arrangements, developing an action plan for improving those arrangements and communicating the framework to users and stakeholders.

1.4 The draft AGS report was originally due to be submitted to SOG and CMT in June and the Audit and Governance Committees in July. In light of the coronavirus pandemic, and resulting pressures on local government, CIPFA has produced a briefing regarding the timing of the publication of the final Statement of Accounts and AGS. The revised deadline for publication of both is now 30 November 2020.

1.5 In June 2020 SOG agreed to delay consideration of the report as it is important that the AGS reflects the impact of coronavirus on the Council's governance. The impact of coronavirus has, and will, be felt by the Council and may require changes to the organisation's priorities and programmes. Consideration will also need to be given to the longer term disruption and consequences arising from the pandemic.

1.6 The report was considered by the Audit Committee on 18 September. The Audit Committee agreed that the Governance Committee should consider that the following should be added to the

Business Services actions at Annex A to the Annual Governance Statement: Report on progress towards full implementation of the Requirements and Recommendations of the Local Government Transparency Code 2015, including information in Part 3 of the Code

2. Assessment of the Corporate Governance Framework for 2019-20

2.1 The main policies and strategies that make up the Council's corporate governance framework are set out in the Local Code of Corporate Governance. The Local Code of Corporate Governance was updated to reflect the revised CIPFA/SOLACE Framework that was published during 2016 and was agreed by the Governance Committee in March 2017. The County Council's Local Code of Corporate Governance sets out the main principles of good governance for the Council. The Code is based on existing good practice and the core principles of the CIPFA/SOLACE framework.

2.2 The CIPFA/SOLACE framework defines the principles that should underpin the governance of local councils. To achieve good governance the Council should be able to demonstrate that its governance structures comply with the core principles contained in the framework. It has therefore developed and maintained a Local Code of Governance including the core principles set out in the framework.

2.3 The seven principles included in the framework are:

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Developing the entity's capacity, including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting, and audit, to deliver effective accountability

2.4 The Council's corporate governance framework is underpinned by a number of key documents and processes and the Local Code of Corporate Governance reflects the CIPFA/SOLACE Framework with the 7 core principles of the Framework being included as the County Council's principles of good governance. The main policies and processes that underpin the County Council's corporate governance framework have been reviewed against the seven core principles as set out in Appendix 1 with a view to seeing which principles they best relate to, and making sure that they do assist the Council in complying with the principles .

2.5 Evidence shows that the Council continues to have in place good arrangements for corporate governance and that they are working effectively. A review of the AGS was undertaken by Internal Audit during 2019/20 and a provisional Substantial Assurance rating was given. This opinion means that controls are in place and are operating as expected to manage key risks to the achievement of system or service objectives. The recommendations arising from the review have been implemented or are in the process of being implemented.

2.6 A review of the Council's governance arrangements for 2019/20 has been undertaken. This review process is summarised in Appendix 2. Each document or process in the framework has been assessed and named officers have been required to provide an assurance as to whether the document is being complied with, the level of awareness of the document amongst staff and stakeholders, whether it reflects Council policy and best practice, and arrangements for reviewing it. Where further improvements are identified these are set out within the AGS and form part of departmental business plans for the year ahead.

2.7 In addition, all Chief Officers have signed their own Directorate Assurance Statement confirming that proper governance arrangements, effective risk management and a sound system of internal control are in place within their department. They are also asked to identify any exceptions and any actions being taken to address them. These actions will also be monitored through the

relevant business plans. The Chief Finance Officer has signed an Assurance Statement regarding the Council's governance arrangements.

2.8 The overall corporate governance assessment and review of effectiveness has also been informed by the sources of assurance set out in section 3 of the AGS (Appendix 3). As part of the assurance gathering process, the CIPFA/SOLACE guidance on corporate governance was taken into account and is reflected in the Local Code.

2.9 A report from the Committee on Standards in Public Life included the following best practice recommendation: *Councils should report on separate bodies they have set up or which they own as part of their Annual Governance Statement, and give a full picture of their relationship with those bodies.*

2.10 At its meeting in March 2020, the Governance Committee considered a report on the requirement to report within the AGS on 'separate bodies' that the Council owns or has set up. The Committee agreed for the purposes of the AGS the Council interprets this as those bodies which are a separate legal entity (e.g. a company) and of which the Council is a member or has appointed a Member or officer as a Director.

2.11 To ensure that all relevant separate bodies are included the Governance Committee agreed that a review be undertaken to identify these bodies and establish:

- What the relationship is between the body and the local authority;
- The structure and form of the body (e.g. private limited company)
- Council's percentage share in the body
- What role the statutory officers will have in overseeing its activities and providing assurance on its governance, including financial governance;
- How and when the body will report to the council;
- What the relationship will be between the body and individual councillors and whether councillors' involvement is likely to constitute a conflict of interest;
- How the activities of the body will be scrutinised

2.12 Although the Governance Committee agreed that the review would not need to be completed until the 2020/21 AGS, we have brought this forward for this year. The review has been completed and information regarding relevant bodies has been included at Annex B of the AGS.

3. Annual Governance Statement

3.1 An AGS from the Leader of the Council and the Chief Executive is attached at Appendix 3. It includes the mandatory disclosure of any significant governance issues identified through the Council's governance and internal control arrangements.

3.2 Sound corporate governance is crucial if the Council is to continue to provide leadership, direction and control. It is important that Members are aware of the documents and activities that work together to provide assurances about the Council's governance measures in place. The AGS provides an opportunity for the Council to assess and report transparently to the public how it ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

PHILIP BAKER
Assistant Chief Executive

Contact officers:

Russell Banks, Orbis Chief Internal Auditor, 07842 362739

Andy Cottell, Democratic Services Manager 01273 481955

Local Member: All

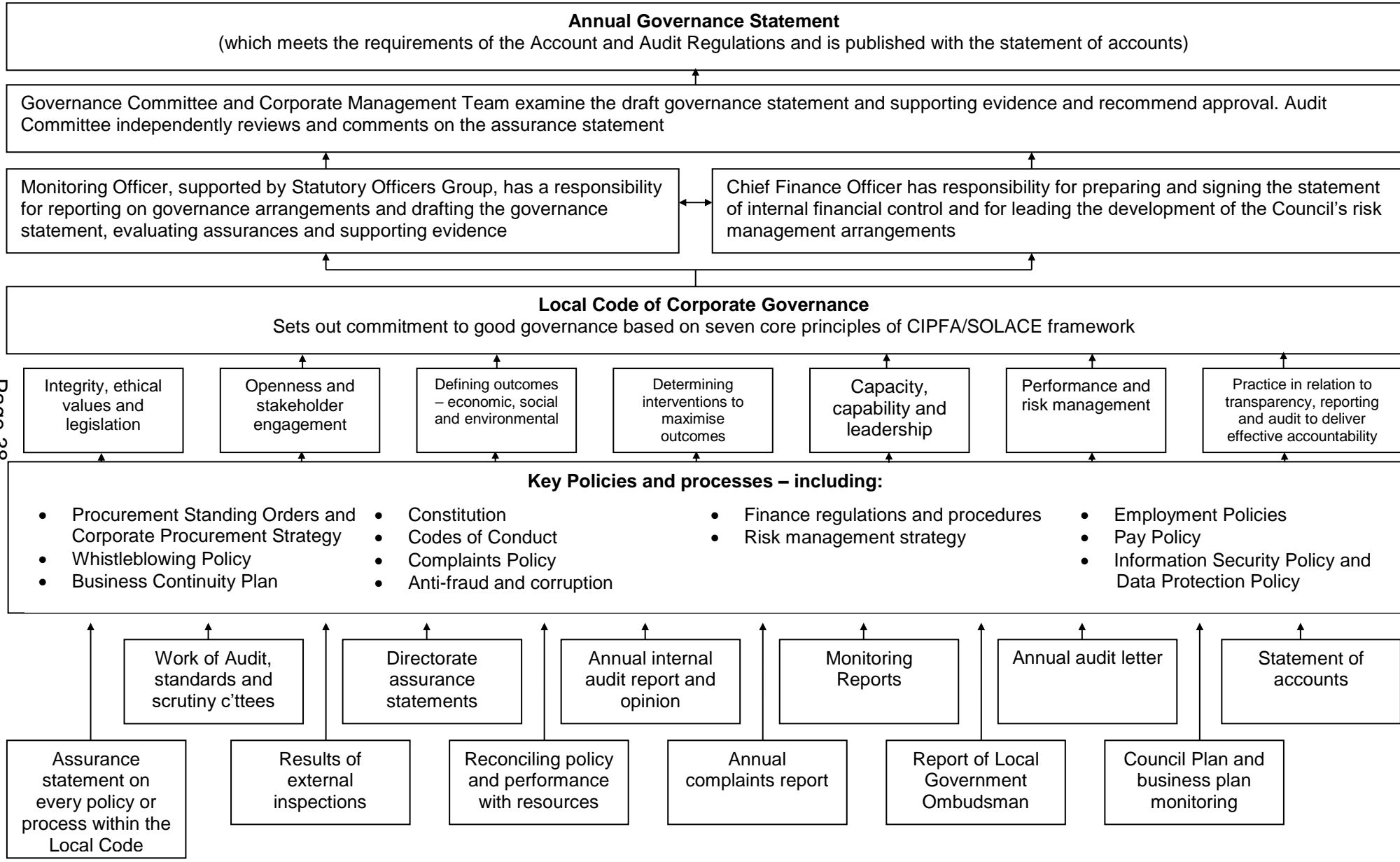
BACKGROUND DOCUMENTS: Pro formas returned by document "owners" setting out whether the various codes, policies and strategies are being complied with.

Local Code of Corporate Governance – key policies and processes

Policy or process	Integrity, ethical values and legislation	Openness and stakeholder engagement	Defining outcomes – economic, social and environmental benefits	Determining interventions to maximise outcomes	Capacity, capability and leadership	Performance and risk management	Practice in relation to transparency, reporting and audit to deliver effective accountability
Reconciling Policy, Performance and Resources	✓	✓	✓	✓		✓	✓
Council Plan	✓		✓			✓	✓
Council Monitoring		✓		✓	✓	✓	✓
Procurement Standing Orders and Corporate Procurement Strategy	✓		✓	✓		✓	✓
Risk Management Strategy			✓	✓		✓	
Corporate Complaints Policy	✓	✓				✓	✓
Constitution	✓	✓		✓		✓	✓
Business Continuity Plan						✓	
Employment Policies	✓				✓		
Pay Policy	✓	✓			✓		✓
Scheme of Delegation	✓				✓		✓
Code on Officer / Member relations	✓			✓			
Member Training and Development					✓		✓
Guidance to members on outside organisations	✓		✓				
Code of Conduct for Employees	✓						✓
Code of Conduct for Members	✓						✓
Anti Fraud & Corruption Strategy	✓						✓

Policy or process	Integrity, ethical values and legislation	Openness and stakeholder engagement	Defining outcomes – economic, social and environmental benefits	Determining interventions to maximise outcomes	Capacity, capability and leadership	Performance and risk management	Practice in relation to transparency, reporting and audit to deliver effective accountability
Confidential Reporting (Whistle-blowing) Policy	✓	✓				✓	✓
Anti Money Laundering Policy	✓						✓
Financial Regulations & Standard Financial Procedures	✓		✓	✓		✓	✓
Medium Term Financial Plan	✓		✓	✓			
Communication/ engagement with residents and partners		✓					✓
Health and Safety Policies & Procedures	✓						
Information Security Policy (including Data in Transit) and Data Protection Policy	✓						
Freedom of Information Policy		✓				✓	✓

ESCC Framework for the Annual Governance Statement



All of these sources and others provide assurance on the adequacy and effectiveness of our controls over key risks

East Sussex County Council**Annual Governance Statement for the year ended 31 March 2020****1. Scope of responsibility**

East Sussex County Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The County Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised. In discharging this overall responsibility, Members and senior officers are responsible for putting in place proper arrangements for the governance of the County Council's affairs, the effective exercise of its functions, the management of risk and the stewardship of the resources at its disposal. To this end, East Sussex County Council has approved and adopted a Local Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government. A copy of the Local Code is on our website at www.eastsussex.gov.uk or can be obtained from the Council's Monitoring Officer. This statement also sets out how the County Council has complied with its Local Code and also meets the requirements of the Accounts and Audit (England) Regulations 2015, regulation 4(3), which requires all relevant bodies to prepare an annual governance statement.

2. Purpose of the governance framework

Good governance is about how the Council ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. Our governance framework comprises the systems, processes, culture and values by which the Council is directed and controlled. Through effective governance the Council is accountable to, engages with and, where appropriate, leads the community.

The code of corporate governance can provide only reasonable and not absolute assurance that the Council achieves its aim of good governance. Equally the County Council's system of internal control is designed to identify and prioritise the risks to the achievement our policies, aims and objectives, to evaluate the likelihood and impact of those risks being realised and to manage those risks efficiently, effectively and economically. It cannot eliminate all risk of failure; it can therefore only provide reasonable and not absolute assurance that our policies, aims and objectives are achieved.

The Local Code of Corporate Governance and the system of internal control have been in place at East Sussex County Council for the year ended 31 March 2020 and up to the date of the approval of the statement of accounts.

3. Review of effectiveness

East Sussex County Council reviews the effectiveness of its governance arrangements, including its system of internal control, on an ongoing basis. This review of effectiveness is informed by:

- the work of Members through the Cabinet, Committees including Governance Committee, Standards Committee, Audit Committee, Scrutiny Committees generally and the full Council;
- the work of Chief Officers and managers within the Council, who have primary responsibility for the development and maintenance of the internal control environment;
- the work of the Chief Operating Officer and the Chief Finance Officer;
- the work of the Monitoring Officer and the Statutory Officers' Group;
- the risk management arrangements, including the maintenance and regular review of strategic risks by Chief Officers and departmental risks by management teams;
- the work of the internal audit service including their quarterly progress reports, on-going action tracking arrangements and overall annual report and opinion;
- the external auditors in their audit annual letter and annual governance report;
- the judgements of a range of external inspection and other statutory bodies including the Local Government Ombudsman, the Care Quality Commission and the Office for Standards in Education

4. Key elements of the governance and internal control environments

The key elements that comprise the Council's governance arrangements are set out in the Local Code and they include:

- a Council Plan that sets out our vision for the community and the outcomes we intend to achieve;
- an established medium term planning process including the process for reconciling policy priorities with financial resources, which takes account of performance and the need to improve both customer focus and efficiency;
- a business planning and performance management framework which includes setting clear objectives and targets, both financial and otherwise;
- regular reporting of performance against the Council's key objectives, as set out in the Council Plan, to officers and Members;
- established budgeting systems, clear budget management guidance and regular reporting of financial performance against budget forecasts to officers and Members;
- financial management structures which promote ownership of financial issues within service departments;
- compliance with the Chartered Institute of Public Finance and Accountancy's Statement on the Role of the Chief Finance Officer;
- the Council's constitution which sets out clear arrangements for decision making, scrutiny, communication and the delegation of powers to officers and Members;
- codes of conduct for Members and employees which set out clear expectations for standards of behaviour;
- a clear framework for financial governance based on Procurement Standing Orders, Financial Regulations and Standard Financial Procedures;
- a risk management framework, which takes account of both strategic and operational risks and ensures that they are appropriately managed and controlled;
- Member committees with clear responsibilities for governance, audit and standards;
- established arrangements for dealing with complaints and whistle-blowing, and combating fraud and corruption;
- schemes for identifying the development needs of Members and officers, supported by appropriate training;
- strategies for communication and consultation with the people of East Sussex and our key stakeholders;
- clear guidance that promotes good governance in our partnership working;
- a range of policies and processes designed to ensure best practice and legal compliance for personnel matters, ICT security, access to information, data protection and project management.

5. Assurance and Significant Governance Issues

No assurance can ever be absolute; however this statement seeks to provide a reasonable assurance that there are no significant weaknesses in the County Council's governance arrangements. On the basis of the review of the sources of assurance set out in this statement, we are satisfied that the County Council has in place satisfactory governance arrangements, including a satisfactory system of internal control, both of which are operating effectively.

As part of our review, we have not identified any gaps in assurance over key risks or significant governance issues.

The Council will continue to regularly monitor issues that may seriously prejudice or prevent achievement of its key objectives through its strategic risk review process

Both governance and internal control arrangements must be kept under review to ensure that they continue to operate effectively and meet changing legislative needs, reflect best practice and our intention to achieve excellence in all our activities. The Council, through the Directorate Assurance Statements and the Chief Finance Officer's Assurance Statement, has identified a number of areas where it wishes to enhance its governance arrangements. These are set out on the attached Annex A together with the department responsible for them. Each Director has included in their Directorate Assurance Statement confirmation that the actions identified for 2019/20 have been completed or provided an update and explanation regarding progress.

A review of the Annual Governance Statement was undertaken by Internal Audit during 2019/20 and a provisional Substantial Assurance rating was given. This opinion means that controls are in place and are operating as expected to manage key risks to the achievement of system or service objectives. The recommendations arising from the review have been implemented

The Council Plan identifies a number of areas that have governance implications and these will be monitored through the Council Plan monitoring process. The areas outlined in the attached Annex A will be monitored through departmental business plans.

The Council has also identified a need to develop its approach to transparency and to respond to the Government's open data agenda which will be monitored and managed.

Actions plans are in place to address these issues, and their implementation will be monitored and reviewed during the year.

A report from the Committee on Standards in Public Life included the following best practice recommendation: *Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.* Further detail regarding relevant bodies is set out in Annex B.

Councillor Keith Glazier, Leader
Becky Shaw, Chief Executive
2 October 2020

The following actions will be taken to strengthen governance, risk management and internal control environment during the current year. The actions are shown for each department and will be monitored through departmental business plans. Alongside these all departments will contribute to the council's Covid 19 response and recovery plan and consider what actions are required to return to business as usual and the identification of any learning (Ongoing)

Business Services (BSD)

- Implement Pension Fund's Good Governance Review (September 2020 and ongoing)
- Deliver priorities in the Orbis Business Plan (including savings) and managed progress through the relevant governance process (March 2021)
- Implement a new Property Asset Management System (January 2021) and asset maintenance contracts to ensure increased visibility of asset condition
- Implement a new target operating model for the property service (September 2020)
- Implement data improvement programme for Pensions administration (September 2020)
- Implement a project and portfolio management tool to ensure adequate control and governance over our change initiatives, ensuring they remain aligned with priorities and are adequately resourced and monitored post 'go live' to maximise benefits realisation (December 2020)
- Rollout the Contract Management Framework and training across the Council. The Framework will continue to evolve, with the addition of guidance around de-commissioning services and exit management (December 2020)

Children's Services

- Develop and monitor the multi-agency action plan to address the areas for development identified in the Joint Targeted Area Inspection of the multi-agency responses to children's mental health in East Sussex. Plan agreed July 2020
- Develop, monitor and report on the children and young people's priorities for the East Sussex Health and Care Plan and embed the new Children and Young People's Oversight Board (March 2021)
- Establish robust arrangements as the host authority and work with partner local authorities (West Sussex County Council, Surrey County Council and Brighton and Hove City Council) to establish Adoption South East as the Regional Adoption agency in line with government expectations and guidance (March 2021)

Communities, Economy and Transport

- Implementation of powers of entry actions identified by Internal Audit (August 2020)
- Review of progress and governance of the highways re-procurement project (Ongoing until contract award)
- Development of corporate strategy for the digital preservation of modern records and archive material (March 2021)
- Audit of grants and loans governance and process (March 2021)
- Review of our effectiveness as a statutory consultee on planning applications (March 2021)
- Review of highways cultural compliance actions identified by Internal Audit (March 2021)

Adult Social Care and Health

- Delivery of the Adult Social Care and Health Covid-19 Recovery Plan by August 2021

- Developing by December 2020 our East Sussex Integrated Care Partnership model to align with the priorities for the health and social care plan and delivering our objectives in 2020/21
- Establishing by December 2020 a shared understanding of our system financial model covering a 3 – 5 year period, including setting out the required shifts in investment to primary care and community services that will support the plan. More detail will be developed for 2020/21 and this will align with organisational budget-setting processes for future years, as well as any risk share arrangements that may be developed.
- Complete the review of Public Health and by March 2021 establish a delivery plan and governance arrangements to ensure all agreed proposals are delivered
- Complete an Adult Social Care Winter Plan that meets all requirements ESCC and DHSC requirements by October 2020
- Continue to review every three months the Local Outbreak Plan to ensure it reflects latest guidance, learning from outbreaks elsewhere best practice (ongoing)

Governance Services

- Implement and maintain revised decision-making arrangements as provided for in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 to ensure that effective and lawful decisions can continue to be made during the Coronavirus pandemic. This will include providing appropriate training for councillors in relation to remote meetings and agreeing procedures for remote meetings. (Ongoing 2020)
- Implement revised arrangements for school admission appeals to be heard during 2020/21 in line with the The School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020. (June 2020)
- Ensure decision-making arrangements and school admission appeal arrangements are revised to reflect any further Regulations published during the year as a result of Coronavirus. (ongoing throughout 2020/21)
- Undertake planning and preparation for the 2021 County Council elections and Member induction, including maintaining a risk log. (work will continue throughout 2020/21)
- Support implementation of the recommendations arising from the Internal Audit review of the of the online declaration of interest and gifts/hospitality system. (October 2020)
- Ensure updated legal advice provided as required in relation to changes to coronavirus legislation, including secondary legislation and newly issued guidance.
- Undertake work with the Judiciary to implement solutions to enable the progression of court proceedings in light of Covid 19 in order to avoid delays in relation to decisions being made for children and vulnerable adults.

Separate bodies owned or set up by the County Council

A report from the Committee on Standards in Public Life included the following best practice recommendation: *Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies.* Details regarding relevant bodies is set out below

TRICS Consortium Ltd – TRICS is an international system of trip generation analysis that is used in the transport planning industry. TRICS collect data relating to trip rates of different land uses, with members paying to access the database to use the data for a variety of uses.

What the relationship is between the body and the local authority	ESCC is a shareholder in TRICS Consortium Ltd. The Council has a 16.7% share - equal share with the five other county council shareholders
What is the structure and form of the body (eg private limited company etc)	TRICS is a local authority trading company. It has a board of directors (one from each of six counties that are shareholders plus a managing director). It is a private company limited by shares.
How the Council oversee its activities and provided assurance on its governance including financial governance	The ESCC nominated company director attends monthly board meetings to oversee the business of the company to ensure it is run to maximise the business for the benefit of ESCC. The ESCC Director shares the annual report with the relevant Head of Service.
What the relationship is between the body and individual councillors and whether councillor's' involvement is likely to constitute a conflict of interest	There is no relationship, aside from the Lead Member for Transport & Environment is updated on the work of TRICS through briefing meetings.
How can councillors scrutinise the activities of the body, in particular if it will fall within the remit of the audit or scrutiny committee, and if not, how else scrutiny will happen	The scrutiny of the work undertaken by the Body is through the planning process. The Council's role within the TRICS consortium falls within the remit of the Places Scrutiny Committee.
Designated Officer contact	Alex Jack, Communities, Economy and Transport

Woodland Enterprise Ltd. - The principal activity of the company is creating prosperity in woodland and wood using industries through sustainable development. The business works with woodcutters and other local businesses to promote sustainable use of wood.

What the relationship is between the body and the local authority	ESCC is a Member of this company. This is a company without shares but in terms of "influence" ESCC has one seventh (14.3%).
What is the structure and form of the body (eg private limited company etc)	The Company is limited by guarantee.
How the Council oversee its activities and provided assurance on its governance including financial governance	ESCC receives copies of Woodland Enterprise Limited's annual accounts. ESCC is required to disclose its interest in Woodland Enterprises in its own statements of accounts. A copy of the Woodland Enterprise Ltd annual accounts are requested each year and are included in the ESCC Statement of Accounts.
What the relationship is between the body and individual councillors and whether councillor's' involvement is likely to constitute a conflict of interest	The Council has appointed Councillor John Barnes to serve as a Director on the Board of Woodland Enterprise Limited. There might be possible conflicts of interest (eg. grant funding from ESCC etc).
How can councillors scrutinise the activities of the body, in particular if it will fall within the remit of the audit or scrutiny committee, and if not, how else scrutiny will happen	The Council's role within the Woodland Enterprise Limited consortium falls within the remit of the Place Scrutiny Committee
Designated Officer contact	Andy Fowler, Business Services

Sea Change Sussex is a trading name of East Sussex Energy Infrastructure & Development Ltd (ESEID Ltd) – This is a not for profit economic development company delivering capital infrastructure schemes in the County

What the relationship is between the body and the local authority	East Sussex is a member of Sea Change Sussex, with Councillor Rupert Simmons sitting on the Board of Directors. The company members do not hold shares, but have a percentage voting right in the company. The County Council alongside Rother District Council and Hastings Borough Council a 19.9% voting right in ESEID Limited company. The University of Brighton have a 30.1% voting right and local businesses the remaining 50%.
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	<p>Sea Change Sussex is a delivery partner developing and managing key economic development and infrastructure schemes in East Sussex. The partner delivers capital infrastructure schemes which unlock housing and employment sites in the county – this includes new site infrastructure (access roads) as well as employment space.</p> <p>These schemes are largely funded by external funding from either the South East Local Enterprise Partnership (SELEP) - Local Growth Fund capital grant programme or the SELEP - Growing Places Fund (GPF) loan programme or the Getting Building Fund (GBF) capital grant programme that Sea Change Sussex has secured, alongside some of their own capital receipts from the sale of commercial properties/land in their portfolio. East Sussex County Council acts as the Local Accountable Body for overseeing the devolution of funds from the SELEP to external partners such as Sea Change Sussex and has contract agreements in place for each scheme awarded.</p>
<p>What is the structure and form of the body (eg private limited company etc)</p>	<p>Not-for-profit economic development company limited by guarantee</p>
<p>How the Council oversee its activities and provided assurance on its governance including financial governance</p>	<p>The Lead Member for Economy (Cllr Simmons) is the Council appointed Director of the Sea Change Sussex Board and, supported by senior officers, attends the quarterly Board meetings. These meetings provide quarterly reporting on legal commitments, operations and finance statement and updates on all individual projects.</p> <p>As a scheme promoter of LGF, GBF and GPF funded projects, Sea Change Sussex enters into legal agreements for the County Council to monitor the delivery of this public funding and report back to SELEP. The authority to enter into these agreements is sought from the Lead Member for Strategic Management and Economic Development. Sea Change Sussex are bound by the terms of individual Grant and Loan agreements stipulating the guidelines for which Sea Change must adhere to.</p> <p>East Sussex officers regularly meet with Sea Change Sussex representatives and attend project progress meetings for individual schemes, along with attendance and participation at the SELEP Programme progress meetings.</p> <p>The Section 151 Officer carries out the stewardship role in terms of monitoring and accounting in respect of the financial case within the overall business case and agreeing to the receipt of the funding.</p> <p>Capital Programme management of projects includes financial management of the public funds, monthly invoicing and spend review with the delivery partner. This information is used to inform quarterly reports</p>

	<p>to Team East Sussex (TES), and SELEP and within the County Council, quarterly reporting to the Departmental (CET) Capital Board and Corporate Strategic Asset Board.</p> <p>A report is considered by the Lead Member for Strategic Management and Economic Development annually on the year-end financial statement of public funding (e.g SELEP Funding managed by ESCC (Local Growth Fund grants, Growing Places Fund loans, and more recently Getting Building Fund grant) invested in the delivery of the capital infrastructure delivered by Sea Change Sussex) and the forecast spend for the coming financial year, all of which are compiled with finance colleagues and signed off by S151 officer.</p> <p>Schemes can be subject to review by Internal Audit.</p>
What the relationship is between the body and individual councillors and whether councillor's' involvement is likely to constitute a conflict of interest	<p>Councillor Rupert Simmons, as the Lead Member for Economy, is a member on the Sea Change Sussex Board of directors and attends the quarterly Board meetings.</p> <p>Councillor Simmons regularly attends TES and occasionally attends SELEP Board and SELEP Accountability Board meetings as a substitute for Councillor Keith Glazer. If an agenda item relating to projects delivered by Sea Change Sussex is on the agenda, a declaration of interest is declared and recorded in the minutes.</p>
How can councillors scrutinise the activities of the body, in particular if it will fall within the remit of the audit or scrutiny committee, and if not, how else scrutiny will happen	<p>Councillor Keith Glazier sits on both the SELEP Board and SELEP Accountability Board and regularly attends meetings. In his absence, a member of the Cabinet attends meetings.</p> <p>There are scrutiny arrangements in place for all funding decisions taken by the Accountability Board. Under the SELEP Assurance framework, the Places Scrutiny Committee has the power to call in and scrutinise the decisions before they are implemented. Under the SELEP Accountability Board Joint Committee Agreement, each of the six Partner Authorities has the ability to challenge a decision made by the SELEP Accountability Board.</p> <p>Accountability Board decisions may be called-in by members of any Partner Authority in the same way they call-in decisions of their own executive arrangements, call-in may only be made if the decision affects that partner area. The 6 upper tier Authority Areas that form the SELEP are East Sussex, Essex, Kent, Medway, Southend and Thurrock.</p> <p>Furthermore, to facilitate Local Authority scrutiny of SELEP work and decisions, requests to attend Local Authority partner scrutiny committees are welcomed, and attendance prioritised.</p>
Designated Officer contact	Richard Dawson, Communities, Economy and Transport

South East Local Enterprise Partnership Ltd (SELEP Ltd) - Local Enterprise Partnerships (LEPs) were set up by Government in 2011 to identify and support local strategic growth priorities, encourage business investment and promote economic development. As one of 38 LEPs across England, the South East LEP is a business-led partnership between business, government, education and the third sector, plus other groups, covering the local authority areas of East Sussex, Essex, Kent, Medway, Southend and Thurrock.

<p>What the relationship is between the body and the local authority</p>	<p>The County Council is a partner authority of SELEP Ltd – one of six county/unitary authorities, as listed above. The Leader of the County Council is a Company Director of SELEP Ltd. There are no shares/shareholders in the company. The County Council has one seat on the Board of Directors of SELEP Ltd, occupied by the Leader of the County Council.</p>
<p>What is the structure and form of the body (e.g. private limited company etc)</p>	<p>SELEP Ltd became a 'company limited by guarantee' in Feb 2020. SELEP Ltd has a Board of 20 Directors (plus an additional 5 co-opted Directors). East Sussex, Essex, Kent, Medway, Southend and Thurrock are members of the company. SELEP Ltd operates a federated model of governance, with four 'federated boards' covering its geography, allowing for decision-making and project prioritisation at a local level. The federated board for East Sussex is 'Team East Sussex' (TES).</p>
<p>How the Council oversee its activities and provided assurance on its governance including financial governance</p>	<p>The SELEP Strategic Board (Board of Directors) meets at least quarterly, so the Leader of the County Council can directly oversee the activities of SELEP Ltd.</p> <p>SELEP Ltd has also established the following groups:</p> <ul style="list-style-type: none"> • Accountability Board – a 'joint committee' made up of SELEP's six county/unitary authority members, to oversee the financial governance of SELEP Ltd, responsible for the sign-off of all funding decisions. The Leader of the County Council is our representative on the SELEP Accountability Board. • Investment Panel – a sub-committee of the Strategic Board to act as an advisory committee on matters pertaining to project prioritisation, recommendations on provisional funding allocations and future priorities. The Leader of the County Council is our representative on the SELEP Investment Panel. • Senior Officer Group – an advisory group made up of a senior officer from each of SELEP's six county/unitary authorities. ESCC's Head of Economic Development, Skills, Culture and Infrastructure is our representative on the SELEP Senior Officer Group. <p>For projects within our local federated area, the County Council acts as the local accountable body for the defraying of funds (such as the Government's Growing Places Fund, Local Growth Fund or Getting Building Fund) from SELEP Ltd to external partners. A Service Level Agreement (SLA) is in place</p>

	<p>between the County Council and Essex CC as the accountable body to SELEP Ltd, and the County Council's S151 Officer is required to sign-off on all contract agreements between the County Council and project promoters.</p> <p>All of the governance arrangements for SELEP Ltd are set out in the SELEP Articles of Association, SELEP Framework Agreement and SELEP Local Assurance Framework. ESCC senior officers, including the Chief Finance Officer, collaborated on the development of all of these documents, and they have been approved through our own internal governance procedures (Lead Member SMED and Governance Committee).</p>
What the relationship is between the body and individual councillors and whether councillor's' involvement is likely to constitute a conflict of interest	The Leader of the County Council is a Company Director of SELEP Ltd, and has filed an appropriate declaration with SELEP Ltd in accordance with the SELEP Register of Interests policy. Where the Leader cannot attend a SELEP meeting, a substitute Cabinet Member may attend in their place, subject to full compliance with the same Register of Interests policy (the Lead Member for Economy has also filed an appropriate declaration with SELEP Ltd for such an eventuality). The declaration of a disclosable pecuniary interest does not apply where the interest concerned relates primarily to the general interest of any public sector member in her/his area of geographical responsibility; therefore the involvement of the ESCC Leader on SELEP Ltd is <u>not</u> likely to constitute a conflict of interest.
How can councillors scrutinise the activities of the body, in particular if it will fall within the remit of the audit or scrutiny committee, and if not, how else scrutiny will happen	The activities of SELEP Ltd do not fall within the remit of the County Council's audit or scrutiny committee, but SELEP Ltd does have its own scrutiny arrangements for all funding decisions taken by the SELEP Accountability Board, whereby each of the six county/unitary authority members of SELEP Ltd has the ability to challenge a decision made by the Accountability Board, and the scrutiny committees of the six county/unitary authorities have the power to call-in the funding decisions before they are implemented.
Designated Officer contact	Richard Dawson, Communities, Economy and Transport.

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Report to: **Governance Committee**

Date: **2 October 2020**

By: **Chief Operating Officer**

Title of report: **East Sussex Pension Board – Nomination/Appointment of new Member**

Purpose of report: **To agree the appointment of a new Pension Board member, in compliance with the arrangements for the administration of the Local Government Pension Scheme (LGPS) in East Sussex.**

RECOMMENDATIONS – The Governance Committee is recommended to agree to the appointment of a new Pension Board member as set out in paragraph 2.2 of the report for a term of 3 years.

1. Background

1.1 The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 require each Administering Authority to establish a *Local Pension Board* for the purposes of “assisting” the Scheme Manager (East Sussex County Council), and the Council established the Pension Board in compliance with the regulations. The County Council agreed to delegate authority to the Governance Committee to (i) determine the selection process for appointment to the Pension Board and (ii) appoint to, and remove from, the Pension Board.

2. Pension Board Representative nomination/appointment

2.1 The methodology for appointing employer and member representatives is not prescribed by the Regulations. It is therefore up to the Administrative Body’s (ESCC) discretion to establish an appropriate process, which has been included within the East Sussex Pension Board constitution and terms of reference. In summary, all appointments to the Board, including the Independent Chair, are made by the Governance Committee. The term of office for Board members shall be 4 years or such time as agreed by the Governance Committee.

2.2 Brighton & Hove City Council (BHCC) provide an employer representative to the Pension Board. Due to the recent change in political control of the authority, Councillor Tom Druitt has been nominated to replace Councillor Carmen Appich. The proposed term of office for Councillor Druitt is for a period of 3 years to align with the next elections in BHCC in 2023.

3. Conclusion and reasons for recommendations

3.1 The Committee is recommended to agree to the appointment of the Pension Board representative as set out in the report.

KEVIN FOSTER
Chief Operating Officer

Contact Officers: Ian Gutsell, Chief Finance Officer, 01273 481399
ian.gutsell@eastsussex.gov.uk

Local Member(s): All

Background Documents: None

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Report to: **Governance Committee**

Date: **2 October 2020**

By: **Assistant Chief Executive**

Title of report: **Appointments to Outside Bodies**

Purpose of report: **To receive an update in relation to appointments to outside bodies**

RECOMMENDATIONS: The Governance Committee is recommended to appoint a Councillor as a Council representative on the Corporate Programme Advisory Group of the Institutional Investors Group on Climate Change (IIGCC) for the period to 11 May 2021

1. Supporting Information

1.1 The County Council is invited to appoint Members (and in some cases non-County Councillors are eligible) to serve on a wide range of outside bodies whose role has a relationship to a function of the County Council. The appointments are a vital part of the County Council's working in partnership with voluntary bodies, statutory agencies and the public and private sectors.

1.2 The Council has been invited to appoint a representative to sit on the Corporate Programme Advisory Group of the Institutional Investors Group on Climate Change (IIGCC). The IIGCC is an organisation which seeks to engage with companies on behalf of investors to provide net zero company benchmarking, achieve de-carbonisation and other climate change objectives. This supports the work of the Pension Committee on Environment, Social Governance (ESG) and the Responsible Investment Policy of the Pension Fund.

1.3 The responsibilities of members of the Advisory Group are to support the IIGCC Secretariat in the following tasks:

Strategy:

- Climate Action 100+ Global:
To provide input and direction on key items of the Climate Action 100 global strategy/implementation.
- Climate Action 100+ Regional:
 - To help IIGCC to define an overarching approach to engagement in 2021 and beyond.
 - Working the IIGCC secretariat to ensure each IIGCC coordinated company engagement is on track to secure key outcomes (E.g a strategy to achieve net zero emissions) or has an appropriate engagement strategies in place.
- IIGCC Corporate Programme:
Provide guidance on the annual strategy of the programme and its three workstreams including focus of work and publications schedule.(E.g annual strategy and priorities to be approved by consensus by advisory group)

IIGCC publications:

Working with the IIGCC Secretariat, to input on the development of IIGCC corporate programme publications such as disclosure standards or investor expectations.

1.4 Given the nature of the work of the IIGCC and the Corporate Programme Advisory Group, it would be preferable for the Council to appoint a councillor who is a member of the Pension Committee. There has been a request that Councillor Fox be appointed as the Council's representative.

2. Recommendations

2.1 The Committee is asked to agree to the appointment of a Councillor as a Council representative on the Corporate Programme Advisory Group of the Institutional Investors Group on Climate Change (IIGCC) for the period until 11 May 2021.

PHILIP BAKER
Assistant Chief Executive
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Background Documents

None

DRAFT

Report to:	Governance Committee
Date of meeting:	2 October 2020
By:	Chief Operating Officer
Title:	LMG Managers Pay 2020/21
Purpose:	To appraise the Governance Committee on the considerations in relation to the LMG pay award for 2020/21.

RECOMMENDATIONS

The Governance Committee is recommended to agree the pay offer to LMG Managers for the financial year 2020/21 as being 2.75%, in line with the national (NJC) award.

1. Background

1.1. LMG Managers' pay is locally negotiated with Unison and reported to the Governance Committee on an annual basis to approve the pay offer and any subsequent settlement. Two reports are therefore presented: the first seeking agreement to the offer and the second, finalising the offer following local negotiations with Unison who are recognised for the purposes of pay bargaining on behalf of LMG Managers.

1.2. The national (NJC) pay award is relevant to these local negotiations as the decision made regarding the local pay offer needs to take into account the impact on the wider workforce and organisation as a whole. In addition, there is an overlap between LMG1 and the top of the Single Status pay range (SS13) which applies to specialist professional posts, such as Senior Practitioners in Adult Social Care and Children's Services. It is therefore important to ensure that these two grades remain comparable and that the relativities do not widen too far.

1.3. Set against this background, the local pay award for LMG Managers has therefore historically mirrored the national award. Any consideration of a pay increase must, however, take into account savings pressures and the significant financial challenges facing the Council, as well as any Government pay policy for the public sector. In addition, this pay award covers the COVID-19 response period and given the significant impact and requirements of this, is also relevant to these considerations.

2. Supporting information

2.1. The annual Consumer Prices Index (CPI) inflation measures changes in the price level of consumer goods and services purchased by households. On 21 March 2017, the CPI was replaced by a new measure: the Consumer Prices Index, including owner occupier's housing costs (CPIH). This extends the CPI to include a measure of the costs associated with owning, maintaining and living in one's own home (owner occupiers' housing costs OOH), along with council tax. This is the most comprehensive measure of inflation. The CPIH 12 month rate between August 2019 and July 2020 stood at 1.4% (Office for National Statistics, August 2020); down from 2% between August 2018 and July 2019.

2.2. For the three months ending July 2020, the median pay award for the whole economy was 0.5%, although this is due to a number of organisations having not yet agreed a pay award (Xpert HR, August 2020). The public sector organisations that have agreed a pay award include: Teachers (2.75%), armed forces (2%), prisons (2.5%), doctors and dentists (2.8%). Pay awards in the private

sector in the last 12 months, ending July, averaged 2.2%. Overall, average weekly earnings for employees in Great Britain in real terms (that is, adjusted for price inflation) decreased by 2% to -2.2% including bonuses compared with a year earlier. The overall decrease of average weekly earnings is a result of service and manufacturing closures and bonuses not being paid during the last quarter (Labour Market Statistics, ONS).

2.3. The wastage figure for voluntary leavers among LMG Managers (e.g. resignations) for the half year period April to August 2020 is 0.97%. However, as already noted, this period covers the key period of lockdown due to the COVID-19 pandemic, which explains the very low figure. As such, this is not reflective of the usual position.

Pay Negotiations 2020-21

2.4. The national NJC local government services reached a one year pay deal in August 2020 covering the period 1 April 2020 to 31 March 2021. The deal provided for a pay increase of 2.75% plus, from April 2020, an increase to the basic annual leave entitlement to 22 days per year for employees with less than five years service. In East Sussex, this only applies to staff on grades SS1 to SS8 with less than five years service; all other annual leave entitlements are already 22 days or higher.

2.5. LMG Managers received a pay award of 2% for the two years 2018/19 and 2019/20 to mirror the national NJC award. For each of the previous two years 16/17 and 17/18 LMG Managers received a pay award of 1%, again in line with the national NJC award.

Benchmarking

2.6. An assessment of the market position in relation to key LMG grades has been undertaken in respect of other local authorities, including our neighbours.

2.7. Appendix 1 provides high level benchmarking data in relation to other similar sized local authorities and our closest neighbours. As can be seen from this, the LMG grades are within the lower to middle mean range of local authorities.

2.8. In the context of the core offer and significant financial challenges facing the Council, it is recognised that there is a level of scrutiny on pay for managers. It is, however, equally important that the Council is able to attract and retain high calibre staff. Whilst acknowledging that pay is only one element of the overall employment package, it is, nonetheless, an important one. Alongside this, it is also important to note the critical role played by our LMG Managers in shaping and managing the Council's response to Covid-19. This has included setting up new services to protect and support our most vulnerable residents, as well as changing and adapting services to meet the changed circumstances and operating context. These managers will continue to play a key role in the reset and recovery arrangements as we move forward.

2.9. Given this background and other public sector pay settlements, it would seem appropriate to offer a 2.75% pay award to mirror the national NJC pay award.

Financial Implications

2.10. The LMG pay bill is approximately £26.7m per annum including on-costs. If the national NJC pay award were mirrored it would cost approximately £776k including on-costs. Revenue budgets for 2020/21 have been prepared with provision for a pay award of 2.75%.

2.11. Attached at Appendix 2 is a copy of the current LMG salary scales showing the impact of a 2.75% uplift.

3. Recommendations

3.1. The Governance Committee is recommended to agree the pay offer to LMG Managers for the financial year 2020/21 as being 2.75%, in line with the national NJC award.

KEVIN FOSTER
Chief Operating Officer

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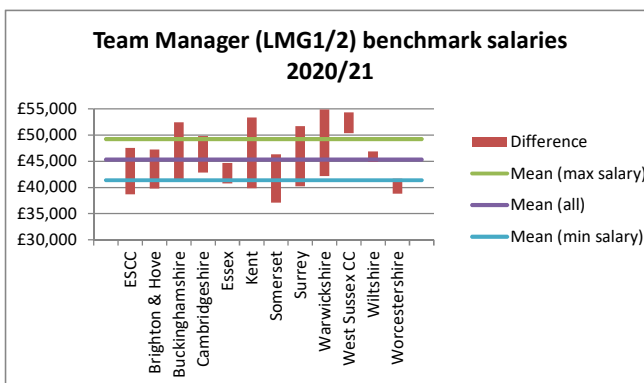
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Comparison against similar sized or neighbouring authorities

Team Manager (LMG 1/2)

	Min Salary	Max Salary
ESCC	£ 38,650	£ 47,546
Brighton & Hove	£ 39,782	£ 47,253
Buckinghamshire*	£ 41,218	£ 52,403
Cambridgeshire	£ 42,806	£ 49,802
Essex*	£ 40,760	£ 44,632
Kent	£ 39,812	£ 53,395
Somerset	£ 37,107	£ 46,347
Surrey	£ 40,227	£ 51,725
Warwickshire	£ 42,219	£ 54,922
West Sussex CC	£ 50,379	£ 54,347
Wiltshire	£ 44,863	£ 46,845
Worcestershire	£ 38,813	£ 41,675

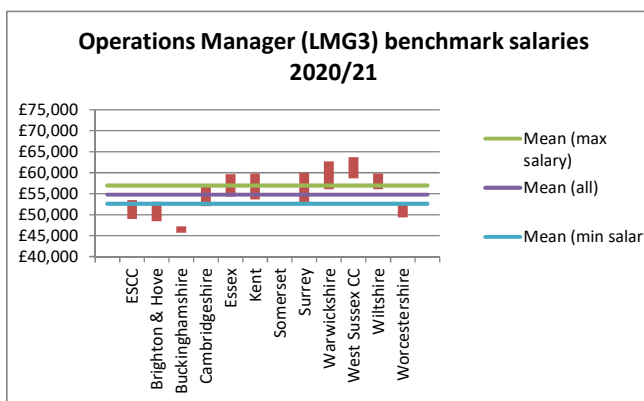
*2020/21 pay award applied



Operations Manager (LMG 3)

	Min Salary	Max Salary
ESCC	£ 48,974	£ 53,518
Brighton & Hove	£ 48,433	£ 53,105
Buckinghamshire*	£ 45,752	£ 47,218
Cambridgeshire	£ 52,025	£ 56,707
Essex*	£ 54,276	£ 59,701
Kent	£ 53,662	£ 59,832
Somerset	£ 54,816	£ 54,816
Surrey	£ 53,018	£ 59,964
Warwickshire	£ 56,105	£ 62,711
West Sussex CC	£ 58,700	£ 63,752
Wiltshire	£ 56,103	£ 59,809
Worcestershire	£ 49,359	£ 52,483

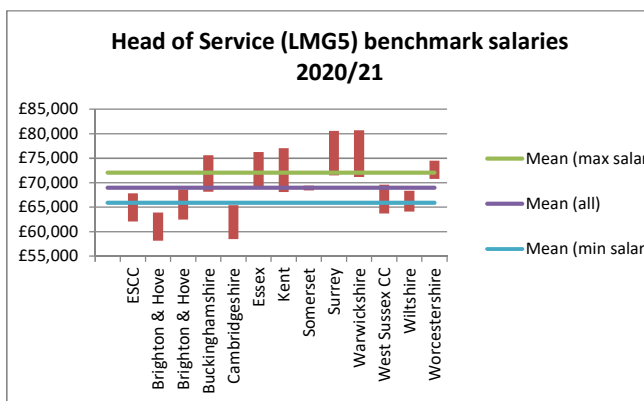
*2020/21 pay award applied



Head of Service (LMG 5)

	Min Salary	Max Salary
ESCC	£ 62,061	£ 67,818
Brighton & Hove (M5)	£ 58,176	£ 63,883
Brighton & Hove (M4)	£ 62,447	£ 68,632
Buckinghamshire*	£ 68,111	£ 75,603
Cambridgeshire	£ 58,499	£ 65,382
Essex*	£ 69,306	£ 76,238
Kent	£ 68,074	£ 77,009
Somerset	£ 68,376	£ 68,376
Surrey	£ 71,525	£ 80,586
Warwickshire	£ 71,168	£ 80,657
West Sussex CC	£ 63,708	£ 69,554
Wiltshire	£ 64,076	£ 68,308
Worcestershire	£ 70,736	£ 74,478

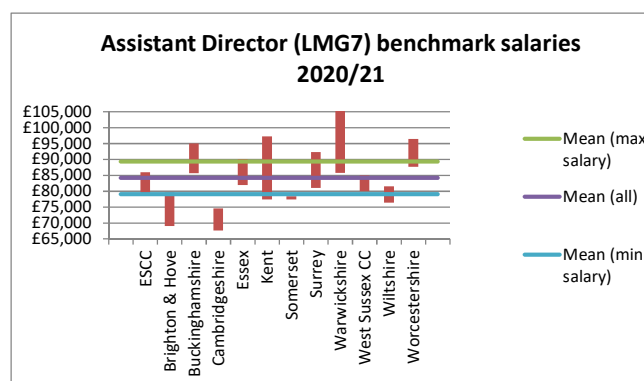
*2020/21 pay award applied



Assistant Director (LMG 7)

	Min Salary	Max Salary
ESCC	£ 78,625	£ 85,925
Brighton & Hove	£ 68,985	£ 79,598
Buckinghamshire*	£ 85,630	£ 95,049
Cambridgeshire	£ 67,628	£ 74,571
Essex	£ 81,904	£ 90,095
Kent	£ 77,394	£ 97,251
Somerset	£ 77,415	£ 77,415
Surrey	£ 80,977	£ 92,278
Warwickshire	£ 85,719	£ 116,555
West Sussex CC	£ 80,000	£ 85,000
Wiltshire	£ 76,402	£ 81,450
Worcestershire	£ 87,621	£ 96,510

*2020/21 pay award applied



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**Local Managerial Grades (LMG)
salary scale**



<i>Grade</i>	<i>Scale point</i>	<i>01/04/2019</i>	<i>Proposed 2.75%</i>
LMG 1	5	£38,650	£39,713
	6	£39,810	£40,905
	7	£41,002	£42,130
	8	£42,236	£43,397
LMG 2	9	£43,504	£44,700
	10	£44,812	£46,044
	11	£46,159	£47,428
	12	£47,546	£48,854
LMG 3	13	£48,974	£50,321
	14	£50,445	£51,832
	15	£51,965	£53,394
	16	£53,518	£54,990
LMG 4	17	£55,132	£56,648
	18	£56,785	£58,347
	19	£58,488	£60,096
	20	£60,246	£61,903
LMG 5	21	£62,061	£63,768
	22	£63,913	£65,671
	23	£65,844	£67,655
	24	£67,818	£69,683
LMG 6	25	£69,860	£71,781
	26	£71,953	£73,932
	27	£74,112	£76,150
	28	£76,331	£78,430
LMG 7	29	£78,625	£80,787
	30	£80,988	£83,215
	31	£83,427	£85,721
	32	£85,925	£88,288
LMG 8	33	£88,502	£90,936
	34	£91,163	£93,670
	35	£93,901	£96,483
	36	£96,724	£99,384

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