



GOVERNANCE COMMITTEE

TUESDAY, 25 JUNE 2024

10.30 AM (OR AT THE CONCLUSION OF CABINET, WHICHEVER IS THE LATER) COUNCIL CHAMBER, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Nick Bennett, Bob Bowdler, Chris Collier, Johnny Denis and David Tutt

A G E N D A

1. Minutes of the meeting held on 16 April 2024 (*Pages 3 - 6*)
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. External Audit Update: Statement of Accounts for 2021/22 and 2022/23 (*Pages 7 - 20*)
Report by the Chief Finance Officer.
6. Appointments to Outside Bodies: Local Levelling Up Partnership Boards (*Pages 21 - 44*)
Report by the Director of Communities, Economy and Transport.
7. Appointments to outside bodies: East Sussex Fire Authority (*Pages 45 - 46*)
Report by the Assistant Chief Executive.
8. Appointments to Outside Bodies: Police and Crime Panel (*Pages 47 - 48*)
Report by the Assistant Chief Executive.
9. Scrutiny Activity Review (*Pages 49 - 84*)
Report by the Assistant Chief Executive.
10. Flexible Retirement Policy (*Pages 85 - 94*)
Report by the Chief Operating Officer.
11. Amendment to the Constitution: Scheme of Delegation to Officers (*Pages 95 - 108*)
Report by the Director of Communities, Economy and Transport.
12. Amendment to the Constitution - Employee Code of Conduct (*Pages 109 - 130*)

Report by the Chief Operating Officer.

13. Appointment to the Pension Board (*Pages 131 - 132*)
Report by the Chief Finance Officer.
14. Any other items previously notified under agenda item 4

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

17 June 2024

Contact Georgina Seligmann, Governance and Democracy Manager
01273 481955
Email: georgina.seligmann@eastsussex.gov.uk

GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at Council Chamber, County Hall, Lewes on 16 April 2024.

PRESENT Councillors Keith Glazier (Chair), Bob Bowdler, Chris Collier, Johnny Denis and David Tutt

ALSO PRESENT Councillors Anne Cross, Godfrey Daniel, Penny di Cara, Tom Liddiard, Colin Swansborough and Georgia Taylor.

57. MINUTES OF THE MEETING HELD ON 5 MARCH 2024

57.1 RESOLVED – that the minutes of the previous meeting of the Committee held 5 March 2024 be confirmed and signed as a correct record.

58. APOLOGIES FOR ABSENCE

58.1 Apologies were received from Councillor Bennett. It was noted that Councillor Standley was substituting for him.

59. REPORTS

59.1 Copies of the reports referred to below are included in the minute book.

60. APPOINTMENT TO COMMITTEES

60.1 The Committee considered a report by the Assistant Chief Executive on the appointment of members to committees, sub-committees, panels and other bodies.

60.2 The following amendment was moved by Councillor Tutt and was seconded:
The Scrutiny Committees should each be chaired by a member of the opposition.

60.3 The amendment was lost (by 3 votes to 3).

60.4 The Committee RESOLVED to recommend to County Council to allocate to political and independent groups the places on, and membership of:

- (1) The main committees in appendix 1 of the report;
- (2) other committees and panels listed in Appendix 2 of the report; and
- (3) Chair and Vice Chair positions on Scrutiny Committees and other Committees as set out below:

Committee	Chair	Vice-Chair
Regulatory	Conservative	
People Scrutiny Committee	Conservative	Liberal Democrat
Place Scrutiny Committee	Conservative	Green

Audit Committee	Liberal Democrat	Conservative
Health Overview and Scrutiny Committee	Conservative	Labour
Governance Committee	Conservative	
Planning Committee	Conservative	Conservative
Pension Committee	Conservative	
Standards Committee	Conservative	

61. OUTSIDE BODY APPOINTMENT - GSEnz HUB

61.1 The Committee considered a report by the Director of Communities, Economy and Transport regarding an appointment to the Greater South East Net Zero Hub.

61.2 The Committee RESOLVED to appoint an officer, the Council's Environment Team Manager to the Greater South East Net Zero Hub.

62. AMENDMENT TO THE CONSTITUTION - HEALTH OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE

62.1 The Committee considered a report by the Assistant Chief Executive regarding proposed amendments to the Health Overview and Scrutiny Committee's Terms of Reference.

62.2 The Committee RESOLVED to recommend the County Council to approve the revised Health Overview and Scrutiny Committee's Terms of Reference as set out in Appendix 1 of the report and that the Constitution be amended accordingly.

63. EXCLUSION OF THE PUBLIC AND PRESS

63.1 The Committee RESOLVED to exclude the public and press from the meeting for the remaining agenda item on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraphs 1,2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), namely information relating to any individual, which is likely to reveal the identity of an individual and information relating to the financial or business affairs of any person (including the authority holding that information) respectively.

64. CONSIDERATION OF COMPLAINTS RELATING TO THE COUNCIL AND OFFICERS

64.1 The Committee considered an exempt report by the Assistant Chief Executive regarding complaints relating to the Council and Officers.

64.2 The Committee RESOLVED to:

- 1) agree with the findings and reasoning set out in the exempt report and to determine the complaints accordingly.

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Report to:	Governance Committee
Date:	25 June 2024
By:	Chief Finance Officer
Title of report:	Independent Auditor's, Grant Thornton (GT), Report to those charged with governance and Statement of Accounts for 2021/22 and 2022/23.
Purpose of report:	To present updated GT reports for 2021/22 and 2022/23, thereby concluding prior year audits.

RECOMMENDATIONS

The Governance Committee is recommended to:

- 1) **Note the Independent Auditor's (GT) Report to those charged with governance on ESCC Accounts for 2021/22 and the audit completion;**
- 2) **Note the Independent Auditor's (GT) Report to those charged with governance on ESCC Accounts for 2022/23 and the audit completion; and**
- 3) **Note the updated 2021/22 and 2022/23 Statement of Accounts have been published on the Council's website.**

1. Background

1.1 This report provides an update on Grant Thornton's (GT) audit work in relation to the Council's 2021/22 and 2022/23 financial Statements of Accounts. Delays in the completion of Local Government audits has been a feature of recent financial years. Audit firms have struggled to resource audits appropriately and changes in regulations, particularly with regard to the audit of estimates used within Property, Plant & Equipment, together with pension valuations, within the statement of accounts have caused additional work and delay. The Redmond Review of Local Government audit recognised the challenges being faced and actions are being taken to bring the audit of Local Government accounts back onto a more stable footing, although this may take some time.

2. Statement of Accounts 2021/22

2.1 GT UK LLP, as the Council's external auditor, have concluded their audit of the Statement of Accounts for 2021/22. Appendix 1 provides the concluding letter, signed on 20 December 2023, which confirms an unqualified audit opinion. GT has report regularly to the Audit Committee on the progress of this audit. The Statement of Accounts, including audit opinion, are now available on the website: [Statement of Accounts | East Sussex County Council](#)

3. Statement of Accounts 2022/23

3.1 The Statement of Accounts for 2022/23 was reported previously to the Governance Committee at its meeting on 28 November 2023. GT has now completed their audit and their concluding letter, signed on 31 May 2024, is at Appendix 2, which confirms an unqualified audit opinion. The Statement of Accounts, including audit opinion, are now available on the website: [Statement of Accounts | East Sussex County Council](#)

4. Publication of Statement of Accounts for 2023/24

4.1 The legal deadline for publishing the 2023/24 accounts was 31 May 2024, this was achieved, and the statement of accounts are now open for public inspection. GT will start their audit in July 2024, with the aim of providing an interim report to the Audit Committee in September 2024, with a final report in November 2024, which will then come to the Governance Committee.

5. Conclusion and reasons for recommendations

5.1 The Committee to note the completion of the audits of the 2021/22 and 2022/23 statement of accounts and the Independent Auditor's reports to those charged with governance. The Statement of Accounts, together with the unqualified audit opinions, are now on the Council's website.

IAN GUTSELL
Chief Finance Officer

Contact Officer: Ian Gutsell, Chief Finance Officer
Tel. No. 01273 481399
Email: Ian.Gutsell@eastsussex.gov.uk

Local Member(s): All

Appendices

Appendix 1: 2021/22 - Independent auditor's report to the members of East Sussex County Council

Appendix 2: 2022/23 - Independent auditor's report to the members of East Sussex County Council

Independent auditor's report to the members of East Sussex County Council

Report on the Audit of the Financial Statements

Opinion on financial statements

We have audited the financial statements of East Sussex County Council (the 'Authority') for the year ended 31 March 2022, which comprise the Comprehensive Income and Expenditure Statement, the Movement in Reserves Statement, the Balance Sheet, the Cash Flow Statement, and Notes to the Accounting Statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22.

In our opinion, the financial statements:

- give a true and fair view of the financial position of the Authority as at 31 March 2022 and of its expenditure and income for the year then ended;
- have been properly prepared in accordance with the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22; and
- have been prepared in accordance with the requirements of the Local Audit and Accountability Act 2014.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law, as required by the Code of Audit Practice (2020) ("the Code of Audit Practice") approved by the Comptroller and Auditor General. Our responsibilities under those standards are further described in the 'Auditor's responsibilities for the audit of the financial statements' section of our report. We are independent of the Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

We are responsible for concluding on the appropriateness of the Chief Finance Officer's (Section 151 Officer) use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify the auditor's opinion. Our conclusions are based on the audit evidence obtained up to the date of our report. However, future events or conditions may cause the Authority to cease to continue as a going concern.

In our evaluation of the Chief Finance Officer's (Section 151 Officer) conclusions, and in accordance with the expectation set out within the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22 that the Authority's financial statements shall be prepared on a going concern basis, we considered the inherent risks associated with the continuation of services provided by the Authority. In doing so we had regard to the guidance provided in Practice Note 10 Audit of financial statements and regularity of public sector bodies in the United Kingdom (Revised 2020) on the application of ISA (UK) 570 Going Concern to public sector entities. We assessed the reasonableness of the basis of preparation used by the Authority and the Authority's disclosures over the going concern period.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Authority's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

In auditing the financial statements, we have concluded that the Chief Finance Officer's (Section 151 Officer) use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

The responsibilities of the Chief Finance Officer ([Section 151 Officer](#)) with respect to going concern are described in the 'Responsibilities of the Authority, the Chief Finance Officer and Those Charged with Governance for the financial statements' section of this report.

Other information

The Chief Finance Officer (Section 151 Officer) is responsible for the other information. The other information comprises the information included in the Statement of Accounts, other than the financial statements, our auditor's report thereon and our auditor's report on the pension fund financial statements. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of the other information, we are required to report that fact.

We have nothing to report in this regard.

Other information we are required to report on by exception under the Code of Audit Practice

Under the Code of Audit Practice published by the National Audit Office in April 2020 on behalf of the Comptroller and Auditor General (the Code of Audit Practice) we are required to consider whether the Annual Governance Statement does not comply with 'delivering good governance in Local Government Framework 2016 Edition' published by CIPFA and SOLACE or is misleading or inconsistent with the information of which we are aware from our audit. We are not required to consider whether the Annual Governance Statement addresses all risks and controls or that risks are satisfactorily addressed by internal controls.

We have nothing to report in this regard.

Opinion on other matters required by the Code of Audit Practice

In our opinion, based on the work undertaken in the course of the audit of the financial statements and our knowledge of the Authority, the other information published together with the financial statements in the Statement of Accounts for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which we are required to report by exception

Under the Code of Audit Practice, we are required to report to you if:

- we issue a report in the public interest under section 24 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or
- we make a written recommendation to the Authority under section 24 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or
- we make an application to the court for a declaration that an item of account is contrary to law under Section 28 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or;
- we issue an advisory notice under Section 29 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or
- we make an application for judicial review under Section 31 of the Local Audit and Accountability Act 2014, in the course of, or at the conclusion of the audit.

We have nothing to report in respect of the above matters.

Responsibilities of the Authority, the Chief Finance Officer and Those Charged with Governance for the financial statements

As explained in the Statement of Responsibilities the Authority is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In this authority, that officer is the Chief Finance Officer (Section 151 Officer). The Chief Finance Officer (Section 151 Officer) is responsible for the preparation of the Statement of Accounts, which includes the financial statements, in accordance with proper practices as set out in the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22, for being satisfied that they give a true and fair view, and for such internal control as the Chief Finance Officer (Section 151 Officer) determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chief Finance Officer (Section 151 Officer) is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless there is an intention by government that the services provided by the Authority will no longer be provided.

The Audit Committee is Those Charged with Governance. Those Charged with Governance are responsible for overseeing the Authority's financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Explanation as to what extent the audit was considered capable of detecting irregularities, including fraud

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. Owing to the inherent limitations of an audit, there is an unavoidable risk that material misstatements in the financial statements may not be detected, even though the audit is properly planned and performed in accordance with the ISAs (UK).

The extent to which our procedures are capable of detecting irregularities, including fraud is detailed below:

- We obtained an understanding of the legal and regulatory frameworks that are applicable to the Authority and determined that the most significant, which are directly relevant to specific assertions in the financial statements, are those related to the reporting frameworks (international accounting standards as interpreted and adapted by the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22, The Local Audit and Accountability Act 2014, the Accounts and Audit Regulations 2015 and the Local Government Act 2003).
- We enquired of senior officers and the Audit Committee, concerning the Authority's policies and procedures relating to:
 - the identification, evaluation and compliance with laws and regulations;
 - the detection and response to the risks of fraud; and
 - the establishment of internal controls to mitigate risks related to fraud or non-compliance with laws and regulations.

- We enquired of senior officers, internal audit and the Audit Committee, whether they were aware of any instances of non-compliance with laws and regulations or whether they had any knowledge of actual, suspected or alleged fraud.
- We assessed the susceptibility of the Authority's financial statements to material misstatement, including how fraud might occur, by evaluating officers' incentives and opportunities for manipulation of the financial statements. This included the evaluation of the risk of: fraudulent revenue and expenditure recognition; management override of controls and the risk of management bias in accounting estimates. We determined that the principal risks were in relation to:
 - Large and unusual manual journal entries;
 - Material accounting estimates which were subject to significant management judgement, a high level of estimation uncertainty and high sensitivity to small changes in assumptions.
- Our audit procedures involved:
 - evaluation of the design effectiveness of controls that the Chief Finance Officer (Section 151 Officer) has in place to prevent and detect fraud;
 - journal entry testing, with a focus on large and unusual and high risk journals particularly manual journals, made during the year and the accounts production stage;
 - challenging assumptions and judgements made by management in its significant accounting estimates in respect of land and buildings and defined benefit pensions liability valuations;
 - testing income, expenditure, debtors and creditors;
 - assessing the extent of compliance with the relevant laws and regulations as part of our procedures on the related financial statement item.
- These audit procedures were designed to provide reasonable assurance that the financial statements were free from fraud or error. The risk of not detecting a material misstatement due to fraud is higher than the risk of not detecting one resulting from error and detecting irregularities that result from fraud is inherently more difficult than detecting those that result from error, as fraud may involve collusion, deliberate concealment, forgery or intentional misrepresentations. Also, the further removed non-compliance with laws and regulations is from events and transactions reflected in the financial statements, the less likely we would become aware of it.
- The engagement team discussed the risk of the Authority's potential non-compliance with relevant laws and regulations, including the potential for fraud in revenue and expenditure recognition and the significant accounting estimates related to related to land and buildings and defined benefit pensions liability valuations.
- Our assessment of the appropriateness of the collective competence and capabilities of the engagement team included consideration of the engagement team's:
 - understanding of, and practical experience with audit engagements of a similar nature and complexity through appropriate training and participation;
 - knowledge of the local government sector;
 - understanding of the legal and regulatory requirements specific to the Authority including:
 - the provisions of the applicable legislation;
 - guidance issued by CIPFA, LASAAC and SOLACE;
 - the applicable statutory provisions.
- In assessing the potential risks of material misstatement, we obtained an understanding of:
 - the Authority's operations, including the nature of its income and expenditure and its services and of its objectives and strategies to understand the classes of transactions, account balances, expected financial statement disclosures and business risks that may result in risks of material misstatement.
 - the Authority's control environment, including the policies and procedures implemented by the Authority to ensure compliance with the requirements of the financial reporting framework.

Report on other legal and regulatory requirements – the Authority’s arrangements for securing economy, efficiency and effectiveness in its use of resources

Matter on which we are required to report by exception – the Authority’s arrangements for securing economy, efficiency and effectiveness in its use of resources

Under the Code of Audit Practice, we are required to report to you if, in our opinion, we have not been able to satisfy ourselves that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2022.

We have nothing to report in respect of the above matter.

Responsibilities of the Authority

The Authority is responsible for putting in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.

Auditor’s responsibilities for the review of the Authority’s arrangements for securing economy, efficiency and effectiveness in its use of resources

We are required under Section 20(1)(c) of the Local Audit and Accountability Act 2014 to be satisfied that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. We are not required to consider, nor have we considered, whether all aspects of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

We have undertaken our review in accordance with the Code of Audit Practice, having regard to the guidance issued by the Comptroller and Auditor General in December 2021. This guidance sets out the arrangements that fall within the scope of ‘proper arrangements’. When reporting on these arrangements, the Code of Audit Practice requires auditors to structure their commentary on arrangements under three specified reporting criteria:

- Financial sustainability: how the Authority plans and manages its resources to ensure it can continue to deliver its services;
- Governance: how the Authority ensures that it makes informed decisions and properly manages its risks; and
- Improving economy, efficiency and effectiveness: how the Authority uses information about its costs and performance to improve the way it manages and delivers its services.

We have documented our understanding of the arrangements the Authority has in place for each of these three specified reporting criteria, gathering sufficient evidence to support our risk assessment and commentary in our Auditor’s Annual Report. In undertaking our work, we have considered whether there is evidence to suggest that there are significant weaknesses in arrangements.

Report on other legal and regulatory requirements – Audit certificate

We certify that we have completed the audit of East Sussex County Council for the year ended 31 March 2022 in accordance with the requirements of the Local Audit and Accountability Act 2014 and the Code of Audit Practice.

Use of our report

This report is made solely to the members of the Authority, as a body, in accordance with Part 5 of the Local Audit and Accountability Act 2014 and as set out in paragraph 43 of the Statement of Responsibilities of Auditors and Audited Bodies published by Public Sector Audit Appointments Limited. Our audit work has been undertaken so that we might state to the Authority's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Authority and the Authority's members as a body, for our audit work, for this report, or for the opinions we have formed.

Darren Wells

Darren Wells, Key Audit Partner

for and on behalf of Grant Thornton UK LLP, Local Auditor

London

20th December 2023

Independent auditor's report to the members of East Sussex County Council

Report on the audit of the financial statements

Opinion on financial statements

We have audited the financial statements of East Sussex County Council (the 'Authority') for the year ended 31 March 2023, which comprise the Comprehensive Income and Expenditure Statement, the Movement in Reserves Statement, the Balance Sheet, the Cash Flow Statement, and Notes to the Accounting Statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2022/23.

In our opinion, the financial statements:

- give a true and fair view of the financial position of the Authority as at 31 March 2023 and of its expenditure and income for the year then ended;
- have been properly prepared in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2022/23; and
- have been prepared in accordance with the requirements of the Local Audit and Accountability Act 2014.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law, as required by the Code of Audit Practice (2020) ("the Code of Audit Practice") approved by the Comptroller and Auditor General. Our responsibilities under those standards are further described in the 'Auditor's responsibilities for the audit of the financial statements' section of our report. We are independent of the Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

We are responsible for concluding on the appropriateness of the Chief Finance Officer's (Section 151 Officer) use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify the auditor's opinion. Our conclusions are based on the audit evidence obtained up to the date of our report. However, future events or conditions may cause the Authority to cease to continue as a going concern.

In our evaluation of the Chief Finance Officer's (Section 151 Officer) conclusions, and in accordance with the expectation set out within the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2022/23 that the Authority's financial statements shall be prepared on a going concern basis, we considered the inherent risks associated with the continuation of services provided by the Authority. In doing so we had regard to the guidance provided in Practice Note 10 Audit of financial statements and regularity of public sector bodies in the United Kingdom (Revised 2022) on the application of ISA (UK) 570 Going Concern to public sector entities. We assessed the reasonableness of the basis of preparation used by the Authority and the Authority's disclosures over the going concern period.

In auditing the financial statements, we have concluded that the Chief Finance Officer's (Section 151 Officer) use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the Authority's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the Chief Finance Officer's (Section 151 Officer) with respect to going concern are described in the relevant sections of this report.

Other information

The other information comprises the information included in the Statement of Accounts, other than the financial statements, our auditor's report thereon and our auditor's report on the pension fund financial statements. The Chief Finance Officer (Section 151 Officer) is responsible for the other information. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

Other information we are required to report on by exception under the Code of Audit Practice

Under the Code of Audit Practice published by the National Audit Office in April 2020 on behalf of the Comptroller and Auditor General (the Code of Audit Practice) we are required to consider whether the Annual Governance Statement does not comply with 'Delivering Good Governance in Local Government Framework 2016 Edition' published by CIPFA and SOLACE, or is misleading or inconsistent with the information of which we are aware from our audit. We are not required to consider whether the Annual Governance Statement addresses all risks and controls or that risks are satisfactorily addressed by internal controls.

We have nothing to report in this regard.

Opinion on other matters required by the Code of Audit Practice

In our opinion, based on the work undertaken in the course of the audit of the financial statements, the other information published together with the financial statements in the Statement of Accounts for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which we are required to report by exception

Under the Code of Audit Practice, we are required to report to you if:

- we issue a report in the public interest under section 24 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or
- we make a written recommendation to the Authority under section 24 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or
- we make an application to the court for a declaration that an item of account is contrary to law under Section 28 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or;
- we issue an advisory notice under Section 29 of the Local Audit and Accountability Act 2014 in the course of, or at the conclusion of the audit; or
- we make an application for judicial review under Section 31 of the Local Audit and Accountability Act 2014, in the course of, or at the conclusion of the audit.

We have nothing to report in respect of the above matters.

Responsibilities of the Authority and the Chief Finance Officer

As explained more fully in the Statement of Responsibilities, the Authority is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In this authority, that officer is the Chief Finance Officer (Section 151 Officer). The Chief Finance Officer (Section 151 Officer) is responsible for the preparation of the Statement of Accounts, which includes the financial statements, in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2022/23, for being satisfied that they give a true and fair view, and for such internal control as the Chief Finance Officer (Section 151 Officer) determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chief Finance Officer (Section 151 Officer) is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless they have been informed by the relevant national body of the intention to dissolve the Authority without the transfer of its services to another public sector entity.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. Irregularities, including fraud, are instances of non-compliance with laws and regulations. The extent to which our procedures are capable of detecting irregularities, including fraud, is detailed below.

We obtained an understanding of the legal and regulatory frameworks that are applicable to the Authority and determined that the most significant which are directly relevant to specific assertions in the financial statements are those related to the reporting frameworks (international accounting standards as interpreted and adapted by the CIPFA/LASAAC Code of practice on local authority accounting in the United Kingdom 2021/22, The Local Audit and Accountability Act 2014, the Accounts and Audit Regulations 2015 and the Local Government Act 2003.

We enquired of management and the Audit Committee, concerning the Authority's policies and procedures relating to:

- the identification, evaluation and compliance with laws and regulations;
- the detection and response to the risks of fraud; and
- the establishment of internal controls to mitigate risks related to fraud or non-compliance with laws and regulations.

We enquired of management, internal audit and the Audit Committee, whether they were aware of any instances of non-compliance with laws and regulations or whether they had any knowledge of actual, suspected or alleged fraud.

We assessed the susceptibility of the Authority's financial statements to material misstatement, including how fraud might occur, by evaluating management's incentives and opportunities for manipulation of the financial statements. This included the evaluation of the risk of: fraudulent revenue and expenditure recognition; management override of controls and the risk of management bias in accounting estimates. We determined that the principal risks were in relation to:

- Large and unusual manual journal entries;
- Material accounting estimates which were subject to significant management judgement, a high level of estimation uncertainty and high sensitivity to small changes in assumptions.

Our audit procedures involved:

- evaluation of the design effectiveness of controls that the Chief Finance Officer (Section 151 Officer) has in place to prevent and detect fraud;
- journal entry testing, with a focus on large and unusual and high risk journals particularly manual journals, made during the year and the accounts production stage;
- challenging assumptions and judgements made by management in its significant accounting estimates in respect of land and buildings and defined benefit pensions liability valuations;
- testing income, expenditure, debtors and creditors;
- assessing the extent of compliance with the relevant laws and regulations as part of our procedures on the related financial statement item.

These audit procedures were designed to provide reasonable assurance that the financial statements were free from fraud or error. The risk of not detecting a material misstatement due to fraud is higher than the risk of not detecting one resulting from error and detecting irregularities that result from fraud is inherently more difficult than detecting those that result from error, as fraud may involve collusion, deliberate concealment, forgery or intentional misrepresentations. Also, the further removed non-compliance with laws and regulations is from events and transactions reflected in the financial statements, the less likely we would become aware of it.

We communicated relevant laws and regulations and potential fraud risks to all engagement team members, including the potential for fraud in revenue and expenditure recognition and the potential for management override of controls. We remained alert to any indications of non-compliance with laws and regulations, including fraud, throughout the audit.

Our assessment of the appropriateness of the collective competence and capabilities of the engagement team included consideration of the engagement team's:

- understanding of, and practical experience with audit engagements of a similar nature and complexity through appropriate training and participation;
- knowledge of the local government sector;
- understanding of the legal and regulatory requirements specific to the Authority including:
 - the provisions of the applicable legislation
 - guidance issued by CIPFA/LASAAC and SOLACE
 - the applicable statutory provisions.

In assessing the potential risks of material misstatement, we obtained an understanding of:

- the Authority's operations, including the nature of its income and expenditure and its services and of its objectives and strategies to understand the classes of transactions, account balances, expected financial statement disclosures and business risks that may result in risks of material misstatement.
- the Authority's control environment, including the policies and procedures implemented by the Authority to ensure compliance with the requirements of the financial reporting framework.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Report on other legal and regulatory requirements – the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources

Matter on which we are required to report by exception – the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources

Under the Code of Audit Practice, we are required to report to you if, in our opinion, we have not been able to satisfy ourselves that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2023.

We have nothing to report in respect of the above matter.

Responsibilities of the Authority

The Authority is responsible for putting in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

Auditor's responsibilities for the review of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources

We are required under Section 20(1)(c) of the Local Audit and Accountability Act 2014 to be satisfied that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. We are not required to consider, nor have we considered, whether all aspects of the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

We undertake our review in accordance with the Code of Audit Practice, having regard to the guidance issued by the Comptroller and Auditor General in January 2023. This guidance sets out the arrangements that fall within the scope of 'proper arrangements'. When reporting on these arrangements, the Code of Audit Practice requires auditors to structure their commentary on arrangements under three specified reporting criteria:

- Financial sustainability: how the Authority plans and manages its resources to ensure it can continue to deliver its services;
- Governance: how the Authority ensures that it makes informed decisions and properly manages its risks; and
- Improving economy, efficiency and effectiveness: how the Authority uses information about its costs and performance to improve the way it manages and delivers its services.

We document our understanding of the arrangements the Authority has in place for each of these three specified reporting criteria, gathering sufficient evidence to support our risk assessment and commentary in our Auditor's Annual Report. In undertaking our work, we consider whether there is evidence to suggest that there are significant weaknesses in arrangements.

Report on other legal and regulatory requirements – Audit certificate

We certify that we have completed the audit of East Sussex County Council for the year ended 31 March 2023 in accordance with the requirements of the Local Audit and Accountability Act 2014 and the Code of Audit Practice.

Use of our report

This report is made solely to the members of the Authority, as a body, in accordance with Part 5 of the Local Audit and Accountability Act 2014. Our audit work has been undertaken so that we might state to the Authority's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Authority and the Authority's members as a body, for our audit work, for this report, or for the opinions we have formed.

Darren Wells

Darren Wells, Key Audit Partner

for and on behalf of Grant Thornton UK LLP, Local Auditor

London

31 May 2024

This page is intentionally left blank

Report to:	Governance Committee
Date:	25 June 2024
By:	Director of Communities, Economy and Transport
Title of report:	Appointments to Outside Bodies – Levelling Up Partnership Boards
Purpose of report:	To consider appointments to the Levelling Up Partnership Boards in Hastings, Bexhill and Eastbourne for the period to May 2025.

RECOMMENDATIONS

The Governance Committee is recommended to appoint a member as a Council representative on the following local Levelling Up Partnership Boards until the date of the annual council meeting in the next County Council full election year:

- 1) Hastings Levelling Up Partnership Board;**
 - 2) Eastbourne Levelling Up Partnership Board; and**
 - 3) Bexhill Levelling Up Partnership Board**
-

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.

2. Levelling Up Partnership Boards

2.1 Levelling Up is the Government's social and economic programme looking to spread opportunity more equally across the UK. The Levelling Up Partnership (LUP) is run by the Department of Levelling Up, Communities and Housing (DLUCH). Hastings, Eastbourne and Bexhill are among the 20 areas selected by DLUCH to establish a local LUP board. The local boards aim to provide strategic oversight and governance to the delivery of specific projects across these identified areas. The terms of reference of the local LUP Boards are set out in Appendix 1 of this report.

2.1 It is proposed that a member is nominated to each local board as set out below:

- 1) Hastings LUP Board
- 2) Eastbourne LUP Board
- 3) Bexhill LUP Board

3. Conclusion

3.1 The Committee is asked to agree to the appointment of a member as a County Council representative to each of the local LUP boards as set out in paragraph 2.1 of the report for the period until May 2025.

Contact Officer: Georgina Seligmann
Tel. 01273 482355
Email: georgina.seligmann@eastsussex.gov.uk

LOCAL MEMBERS

All.

BACKGROUND DOCUMENTS

None.

Interim Terms of Reference Bexhill Town Board

Bexhill Town Board (Long Term Plan for Towns)

Interim until 1st August 2024

Revised 28 May 2024_AR

Introduction

The Bexhill Town Board is the Responsible Body for the decisions and allocations of funding through the Department of Levelling Up, Housing and Communities (DLUHC) Long Term Plan for Towns (LTPT) funding. It is responsible for working together with Rother District Council (RDC), the Accountable Body for the funds, to maximise the benefits gained from the funding investment in the town.

The LTPT has three high level funding themes:

- Safety and Security
- High Streets, Heritage and Regeneration
- Transport and Connectivity

The Long Term Plan for Towns funding through DLUHC is dependent on a high functioning Town Board. The primary role of the Bexhill Town Board is to provide strong, progressive and visible leadership. Members have a responsibility to act as role models for what can be collectively achieved, and as positive advocates for the town and its transformation.

Responsibilities

With the support of the Levelling Up Partnership Manager, the Town Board will:

- Be responsible for deciding on the 10 year vision and investment plans for Bexhill.
- Provide leadership and decision making for the Town Investment Plans and overall vision: defining vision, maximising shared ownership and priorities.
- Be responsible for ensuring that deliverers stick to timescales and budgets, and for managing overall performance against grant agreements.
- Maximise visibility and promote the priorities of the Bexhill Long Term Plan at local, regional, national and international levels.
- Contribute to ensuring that the needs and successes of Bexhill are heard by policy makers and strategic planners at local, regional and national levels.

- Challenge all members and partners to stretch their ambitions of what can be achieved collectively, acting as strong advocates for the town and for collective endeavour.
- Ensure the community and business engagement – ranging from informing to supporting independent community action – is inclusive, robust and developmental.
- Ensure that the voices of people with lived experience of marginalisation and inequalities are heard and addressed within its plans.
- Provide adequate space for working groups of specialist expertise (lived experience and professional expertise) to inform and quality assure plans (for example, for communications, community engagement and development, climate and natural environment and others), to complement work on the three DLUHC funding themes.
- With partners, support the identification and application process of additional or future complimentary funding that is in line with the aims of the Long Term Plan for Towns.

For the avoidance of doubt, while the Town Board is responsible for funding decisions and allocations, it is not the accountable body for the governance of public funds. This role falls to Rother District Council. In its role as Accountable Body, Rother District Council will develop a separate agreement between it and the Town Board and articulate roles and responsibilities in more detail, during the Board Interim phase (i.e. before 1st August 2024).

Chair, Membership and Quorum

The Chair, appointed by Rother District Council as the Accountable Body, in collaboration with the Local Member of Parliament, will hold the position for 3 years from 1st April 2024. At this point, the Chairship will be reviewed. The Chair may be re-appointed by mutual agreement.

Members will be selected by the Chair, liaising with the Local Member of Parliament and Rother District Council, as the Accountable Body. The Town Board is considered interim until 31st July 2024, when the 10 year vision and first 3 year investment plan is submitted to DLUHC. Members are selected as individuals, rather than as direct representatives of their organisations, with the exception of those organisations mandated by DLUHC guidance. These are:

- The local Member of Parliament.
- Rother District Council.
- East Sussex County Council
- Police and Crime Commissioner or nominated Senior Police representative.

After 1st August 2024, membership will be confirmed/reviewed as deemed appropriate by the Chair. Following confirmation, members will be considered substantive for 2 years from the 1st of August 2024. Membership will be reviewed annually by the Chair, in consultation with the Local Member of Parliament and Rother District Council Chief Executive, in line with the approach suggested in DLUHC guidance ([Long-Term Plan for Towns: guidance for local authorities and Town Boards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/81424/Long-Term-Plan-for-Towns-guidance-for-local-authorities-and-Town-Boards-2020.pdf)¹.

¹ see section on The Process

The following organisations/sectors **must** be actively represented on the Town Board, in line with DLUHC guidance:

- The local Member of Parliament.
- Rother District Council.
- East Sussex County Council
- Police and Crime Commissioner or nominated Senior Police representative.

In addition, the Town Board has chosen to have the Bexhill Town Council within its membership.

DLUHC guidance also expects the Town Board to have representation from the following:

- Community partners (such as, community groups, faith groups, local charities, neighbourhood forums, youth groups, local community sector infrastructure organisation (Voluntary Action or equivalent))
- Local businesses and social enterprises (such as, representatives of business, individual businesses in key areas, local employers or investors in the town)
- Cultural, arts, heritage and sporting organisations (such as local sports club Directors, local heritage groups)
- Public agencies and other anchor institutions (such as local schools, higher education or further education)
- Relevant government agencies for the area (such as, Integrated Care Boards or similar)

Town Board membership will be selected and reviewed with the aim of being as representative as possible of a diverse range of demographics, sectors, skills and interests. This will ensure the Town Board membership develops and implements its plans in the most inclusive, equitable and effective ways possible.

Members will be expected to be fully engaged, with consistent attendance and to contribute their insights and resources positively, in order to promote a collective driver for a progressive future direction for Bexhill.

DLUHC representatives may attend Town Board meetings on occasion, to inform and support its work.

The meetings will be considered quorate when 50% or more of members are in attendance.

Meeting frequency and timings

Town Board meetings will be held monthly for the period 1st May 24 to 31st July 2024. Subsequently meetings will be held quarterly, with dates and times of meetings set for the year in advance. Meetings will be typically 2.5 hours duration including a short break. Venues and papers will be sent out at least 5 working days before each meeting.

Attendance and provision of Substitute Members

Named members should seek to ensure their consistent attendance at Board Meetings in person. On occasions when this is not possible, those organisations mandated by DLUHC guidance (the Local MP, East Sussex County Council, Rother District Council and the Police and Crime Commissioner must identify a Deputy to attend in their place, and vote on behalf of their organisation where appropriate. **This arrangement also applies to the Town Council representative.** Other Members are invited as individuals with relevant expertise and ability to represent their sector. They are not entitled to elect a Deputy to represent them, should they be unavailable to attend.

Members' attendance should be at a minimum of twice per year (i.e. one meeting out of every two). If members are not able to attend with this regularity, membership will be considered to have been relinquished, unless exceptional circumstances are agreed by the Chair. If the Member is a representative of a statutory body, mandated by the DLUHC guidance, it is their responsibility to help the Chair and Rother District Council Officers to identify an alternative representative who is able to consistently attend. The Chair may decide on exceptions based on individual and time limited circumstances.

Where attendance is not possible, the member will send their apologies to the Board Secretariat Officer, with as much notice as possible. Those Members representing mandating organisations will arrange for a substitute representative of their organisation to attend in their place.

Decision making and voting rights.

All Town Board Members will have equal voting rights.

All decisions by the Board will be made in accordance with the following principles and procedures:

Decision making will be made based on the principle of clarity of goals and looked for outcomes.

Due consultation will be carried out as appropriate to inform development of options papers and decision making. This might include (but is not restricted to):

- Consultation with relevant professionals with particular expertise.
- Consultation with residents and, in particular, those with lived experience of particular life challenges and social barriers.

All decisions will be taken as members of the Bexhill Town Board and not on behalf of specific organisations or areas.

All decisions will be decided by a simple majority of those Members voting and present in the meeting at the time a vote is taken. If there are equal votes for and against, then the Chair will have the casting vote.

There will be an expectation of open and transparent decision making, and transparency in communication to the wider public of decisions taken and the reasoning behind them.

Minutes will be sent to the Chair for approval within one week of the meeting and to Members within ten days of each meeting.

All minutes will be made public through an appropriate website within two weeks of each Board meeting.

The respective roles of Rother District Council

Recognising that Rother District Council has several distinct roles relating to the work of the Town Board (as Secretariat, Partnership Support, potential Delivery Partner and Accountable Body for Governance of Funds) the standards and expectations that relate to the specific role will apply to the relevant representative. In practice, this means that:

- The Town Board Member representative from Rother District Council will have the same rights and expectations on them as any other Board Member.
- Departments/work units of Rother District Council that have a delivery role in implementing the Long Term Plan for Bexhill plans will be subject to a written agreement in line with that of any other delivery partner or provider.
- The Head of Service, Housing and Regeneration (or another representative nominated by the RDC Chief Executive) will observe and support the Council's interests as accountable body for the governance of funds and inform and advise the Board to this end. They will not have automatic speaking or voting rights on the Board.
- Rother District Council will ensure that funding is spent in line with legislative and established best practice in terms of legal, procurement, compliance and financial monitoring standards. The Council will not underwrite projected overspend on grant allocations, nor be responsible for decisions about funding allocations. The Town Board will be responsible for ensuring effective performance management of delivery agreements, informed and supported by day to day oversight and reporting from the

Levelling Up Partnership Manager, and underwriting any overspend or inflationary costs incurred.

- The Levelling Up Partnership Manager will service the Board and the Partnership. They will be available to inform and advise the Board as specifically requested by the Chair. They will not have automatic speaking or voting rights on the Board.

The respective roles of other members

Other Town Board members may also have distinct roles, in that they represent or are part of organisations that are potential delivery partners. They will be subject to the Declaration of Interest policy in the same way as all members of the Board.

All substantive decisions will be subject to a vote by official Board Members only.

Code of Conduct for Members

The Bexhill Town Board will be based on collaboration and business will be conducted in the spirit of partnership working and abide by the Nolan Principles of Public Life. Appendix A outlines a statement of intent for Board Members, based on these principles.

All invited members will be asked to sign up to this statement and to adhere to the spirit and letter of the statement at all times in their contribution, both in meetings and outside in public life.

Failure to adhere to the Bexhill Town Deal Board Code of Conduct may result in dismissal from the Board by the Chair.

Declarations of interest

The Board will operate three levels of declarations of interest as follows:

Level 1: a register of declarations of interest must be filled in by all Board Members and supporting Officers. This will be held by the Levelling Up Partnership Manager, as part of the Secretariat function for the Board.

Level 2: at the beginning of each agenda item, all Board Members will be asked to declare verbally any interest, direct or indirect, in the item for discussion/decision. These declarations will be recorded as part of the minutes of the meeting.

Level 3: Members with a direct financial interest (whether personal or in relation to the organisation they represent, or any other capacity) must leave the meeting for the duration of discussion/decision for the relevant agenda item.

Standalone policy, documentation and procedures for these three levels of Declaration of Interest will be drawn up for Town Board approval in time for the June 2024 meeting. They will include procedures for financial and non-financial interests and the process for requesting exemption.

Version: 0.5 draft 1st May 2024

Anne Rathbone, Levelling Up Partnership Manager

Comments received (date):

Approved by (date):

Last reviewed: N/A

Reviewed by:

Comments received (date):

Approved by (date):

Appendix A: Board Members Statement of Intent

The Long Term Plan for Towns (LTPT) is a government initiative administered through the Department of Levelling Up and Communities (DLUHC). It is a regeneration initiative that aims to support improvements to UK towns, boosting economic growth, improving infrastructure, enhancing social well-being and reducing disparities in areas most in need. Specifically, the LTPT guidance from DLUHC states that the Town Board shall involve people from the local community, including businesses, working with central and local government representatives to identify and address regeneration priorities.

This is a fresh approach to decision making about key, long term priorities for regeneration of the town. The government guidance is clear that the Town Board has a leadership role in empowering our communities, in the widest sense, to take a long term approach to creating change that will last (see [Our Long-Term Plan for Towns - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/long-term-plans/our-long-term-plan-for-towns)). This is a big responsibility of service to our communities and our town.

In this spirit, and to ensure that we make the best use of this opportunity for Bexhill, members, and those in supporting roles to the Town Board, are asked to commit to acting according to the following statement of intent, based around the 7 principles of Public Life ('Nolan Principles'²).

1. We will act in a **selfless** way in the public interest, avoiding any personal gain or conflict of interest. We may all have conflicts of interest or boundary issues from time to time, but we will openly declare these, making sure they are up to date.
2. We will act with **integrity** at all times, upholding honesty and truthfulness, avoiding rumour, maintaining high moral standards in our role as community representatives and avoiding any behaviour that undermines public trust. This applies within the Town Board and the wider community.
3. We will always seek to be **objective** in our discussions and decision making, making decisions based on the best evidence, without bias or favouritism.
4. We will be constantly aware of our public **accountability**, being answerable for our words, our actions and our decisions, upholding transparency and responsibility.
5. We will collectively be **open** and transparent about our decision making processes and our reasoning, with regular community-faced engagement.
6. We will be **honest** in all our dealings, within the Board and out in the community.
7. At all times we will show **positive leadership**, motivating and inspiring, listening constructively to others' concerns and views, valuing diversity and seeking to resolve conflict constructively.

Failure to abide by this statement will, at the Chair's discretion, result in ending of an individual's membership of the Board.

Signed

Date

² These were first articulated by Lord Nolan in 1995 in the inaugural report of the **Committee on Standards in Public Life**.

1. Context

Hastings is one of 75 towns to be selected to receive up to £20 million of endowment style funding over 10 years to deliver a Long-Term Plan for Hastings. The selection was based on the towns ranking in the English Index of Multiple Deprivation, using metrics covering pay, skills, productivity, and health to identify those with the lowest rankings. The funding profile is 25% revenue, 75% capital to be delivered over ten years within three priority investment themes:

- Safety and security
- High streets, heritage, and regeneration
- Transport and connectivity

The Hastings Board will bring together the private, public and community sectors to provide strategic leadership to develop and deliver a Long-Term Plan and schedule of interventions focusing on the town’s assets, opportunities and challenges.

2. Funding Profile

in 000's	23-24	24-25	25-26	26-27	27-28	28-29	29-30	30-31	31-32	32-33	33-34	Total
Total Revenue	50	449	423	449	449	449	449	454	467	467	467	4,574
Total Capital		491	1,605	1,605	1,605	1,605	1,605	1,605	1,605	1,605	1,605	1,605
Total amount												19,510

3. Purpose

The Hastings Board is the vehicle through which the vision and strategy for the town is defined. It will be responsible for developing and delivering a Long-Term Plan for Hastings; starting with up to £20,000,000 of endowment style funding from the government to regenerate the town.

The Hastings Board will develop a plan that meets local priorities across the three investment themes: safety and security, high streets heritage and regeneration, and transport and connectivity. The plan will be a ten-year vision, evidenced by engagement with local residents and submitted to the Department for Levelling Up, Housing and Communities by 1st August 2024.

4. Key Tasks

The Hastings Board will:

- Be responsible deciding on the 10-Year vision and investment plans for Hastings, clearly identifying longer term priorities for the town based on evidence;

- Establish a clear programme of interventions to address the priority themes and to ensure coordinated and effective delivery;
- Ensure that delivery sticks to timescale and budgets;
- Provide leadership and maximise visibility and champion Hastings at a local, regional and national level; and
- Ensure communities' voices are involved in shaping design and decision making at each phase of development.

Community engagement is at the heart of the Long-Term Plan for Towns so the plan should reflect local priorities. The Board should be able to demonstrate how it has engaged with residents.

The Board will drive the priorities for investment, ensuring that they align with work that has already been undertaken or is underway in the town. This board should look to build civic capacity, leveraging in further funding including philanthropy and other support to enable the board to continue beyond the initial ten-year term.

5. Roles and Responsibilities of Board Members

The main role of Board members is to play an active part in the development and delivery of the Long-Term Plan and 3-year Investment Plan for the town. Members will bring their own perspectives and also represent their organisations, interest groups or areas. They will:

- Take a town-wide perspective and develop ideas in the best interests of the town as a whole;
- Act to bring together intelligence, expertise and community and business support to identify priorities and develop solutions to maximise the town's economic opportunities and address barriers to regeneration;
- Minimise bureaucracy and build upon existing structures; and
- Focus on the needs of the whole Borough, with an inclusive concern for all citizens, especially the marginalised and disadvantaged.

All Board members will strive to apply the following principles:

- **Commitment** to attend every meeting where possible and be properly briefed and prepared;
- To be **focused and strategic** and to contribute positively to discussions and work with others Board members to achieve consensus;
- To **respect others** and take into account the views of other participants; and
- To **contribute their experience and expertise** to achieve good workable solutions.

6. Chair and Deputy Chair Term and Responsibilities

The role of the Chair and Vice-Chairs is to lead the Board in defining the vision and direction and in delivering the desired outputs, whilst ensuring that appropriate procedures for governance and management of resources are in place.

The key responsibilities of the post are to:

- Lead the Board in achieving its objectives, maintaining an overview of activity and championing and supporting partnership working;
- Effectively chair meetings of the Board;
- Ensure that decision are made in accordance with good governance principles;

- Be an effective influencer and ambassador for Hastings at a local, regional and national level;
- Ensure that all Board members participate actively in the work of the Board; and
- Sign and submit the Long-Term Plan to Government on behalf of the Board.

The Chair and Vice Chairs would rotate bi-annually but also support chairing in conflict-of-interest situations.

7. Meeting Procedures

The Board will meet quarterly, and more frequently if required.

The agenda and supporting papers will be circulated five working days prior to meetings and minutes will be kept of each meeting by the Secretariat and circulated to members within five working days of the meeting.

The general rule about decision making is that any decision of the Board must be a majority decision at a meeting. Decisions will be reached by consensus as far as possible.

The Board will appoint either Hastings Borough Council or an alternative organisation to provide the secretariat and support the Board. The Board shall appoint co-chairs to conduct its meetings and act on its behalf between them.

8. Executive Group

It is proposed to establish an Executive Group of the Board with executive authority to advise and support the Accountable Body and its advisors on urgent matters to support the development of the Long-Term Plan if such decisions are required between meetings of the Board.

The proposed membership of the Group will be the Chair, one vice-chair and three other Board members, which represent the Board on the three thematic Sub-Groups. A minimum of two Executive Group members would be required for delegated decision making. An indicative list of delegated decisions that the Executive Group can make are:

- Allocating the £200,000 revenue capacity budget to support the development of the Long-Term Plan by 1st August 2024;
- Receiving updates from the Long-Term Plan thematic groups and providing guidance on proposed interventions and projects; and
- Reporting the outcomes of each Executive Group meeting to the full Hastings Board membership.

It is anticipated that the Executive Group will meet monthly (up to the submission of the Long-Term Plan). Meetings to be conducted virtually unless otherwise requested by the Chair or Vice-Chair. The Board will be kept fully informed regarding any decisions taken by the Executive Group, which impact on the design and development of the Long-Term Plan.

9. Substitutes

Board members will be allowed to send a substitute to a meeting if they are unable to attend provided that they are suitably qualified and of a similar standing; and with the prior written confirmation of the Chair.

10. Code of Conduct for Members

The Hastings Board will be based on collaboration and business will be conducted in the spirit of partnership working and abide by the Nolan Principles of Public Life. Appendix A outlines a statement of intent for Board Members, based on these principles.

All invited members will be asked to sign up to this statement and to adhere to the spirit and letter of the statement at all times in their contribution, both in meetings and outside in public life.

Failure to adhere to the Hastings Board Code of Conduct could result in removal from the Board.

11. Declarations of Interest

The Board will operate three levels of declarations of interest as follows:

- Level 1: A register of declarations of interest must be filled in by all Board Members and supporting Officers.
- Level 2: At the beginning of each agenda item, all Board Members will be asked to declare verbally any interest, direct or indirect, in the item for discussion/decision. These declarations will be recorded as part of the minutes of the meeting.
- Level 3: Members with a direct financial interest (whether personal or in relation to the organisation they represent) must leave the meeting for the duration of discussion/decision for the relevant agenda item.

12. Sub-Groups

The Board may set up working groups as may be appropriate for the efficient conduct of its business.

To support the immediate task of preparing the evidence-base and identifying priorities under the three investment themes, three Sub-Groups will be set up based around existing relevant group (s) in the town as set out below.

LTP Intervention	Partnership Lead Group	Board 'lead'
Safety & Security	Hastings & Rother Community Safety Board	Andrew Harvey
High Street, Heritage and Regeneration	No lead fora / partnerships exists that covers all the LTP interventions so a new grouping has been established that includes representatives from: Love Hastings, Hastings Common, Heritage Forum, Cultural Leaders Group, Chamber of Commerce, Arts Council, Historic England, West St Leonards Neighbourhood	Adam Daly / Mandy Curtis

	Forum, Hastings Town Deal, Cultural NPO organisations, Old Town Traders, Kings Road Traders, White Rock Theatre, Coastal users group, Fishing Fleet and 1066 Manufacturing Advisory Group.	
Transport & Connectivity	Hastings Sustainable Transport Forum	To be agreed

A Board Member will be nominated to attend meetings of the Sub-Group based on their areas of experience and expertise.

13. Accountable Body Arrangements

The Hastings Board is not a legal entity. It is not the accountable body for any grant or funding regime.

Hastings Borough Council will be the accountable body for the funding from the Department for Levelling Up, Housing and Communities.

Hastings Borough Council will act as the Lead Council for financial matters on behalf of the board.

All accounting arrangements will be made under the supervision of the Council's S151 officer.

14. Updating Terms of Reference

The Board may amend these terms of reference at any time and will be reviewed on an annual basis.

Signed: _____

Name: Rebecca Conroy

Role: Interim Chair

Date: June 2024

Seven Principles of Public Life: Nolan Principles

Selflessness:

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity:

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity:

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability:

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness:

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

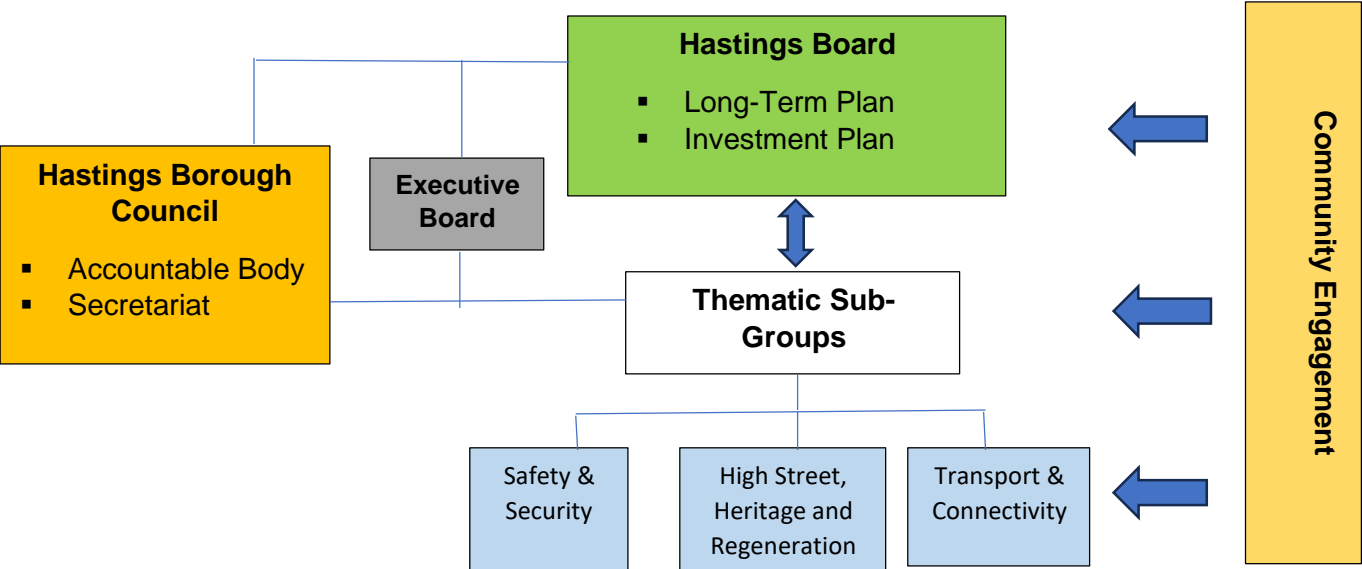
Honesty:

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership:

Holders of public office should promote and support these principles by leadership and example.

Board Structure



Hastings Board Interim membership

Updated: 08.04.24

Board leadership

■ Confirmed

No	As prescribed by guidance	Proposed individual and organisation	Sector
1	Led by community or business leader	East Sussex College Group CEO Rebecca Conroy CHAIR	Education
2	Led by community or business leader	Kurt J Lesker EMEIA Vice President Simon Mansbridge VICE CHAIR	Business (major local employer)
3	Led by community or business leader	Co-chair of the Hastings Community Network Executive ⁽²⁾ or rotational between them - Tracey Rose/Tracy Dighton	Voluntary, community and social enterprises

Proposal:

Chairs and deputy/vice chairs would rotate bi-annually – but also support chairing in conflict-of-interest situations.

Main board membership

No	As Prescribed by government	Proposed individual and organisation	Sector
4	MP	Sally-Ann Hart MP	Public Sector – Political
5	Councillor – upper tier local government	Keith Glazier	Public Sector – Political
6	Councillor – lower tier local government	Hastings Borough Council Leader Cllr Julia Hilton	Public Sector – Political
7	Business Improvement District ⁽³⁾	Love Hastings Ltd Chair Andrew Harvey	Business
8	Police and Crime Commissioner	Katy Bourne Sussex Police	Public Sector – Police
9	Integrated Care Board ⁽⁴⁾	Adam Doyle	ICB CEO (NHS Sussex)
Identified by Cllrs, MP, Chair and Vice chairs (and supporting officers), and suggested by government			
10	Youth voice	TBC Connected Futures ⁽⁵⁾ rep from young person researchers group	Community representation
11	Business	Sean Dennis (Director, Chamber of Commerce)	Business
12	VCSE	Hastings Voluntary Action (Steve Manwaring) ⁽¹⁾	VCSE
13	Culture	Culture Adam Daly (Fat Tuesday)/	Culture

		Mandy Curtis (18 hours)	
14	Education	Lorraine Clarke – ARK	Primary/secondary education

All board positions are for 2 years with re-election possible for a further 12 months. Ambition here is to build succession planning and capacity within the town

Eastbourne Borough Council Levelling Up Fund Local Partnership Group

Terms of Reference

December 2023

Purpose

The overall aim of the EBC LUF Local Partnership Group (known as the Partnership Group) is to:

Provide strategic oversight and governance to the delivery of the EBC LUF Programme

Roles and Responsibilities

The role of the Partnership Group is to:

- Co-ordinate resources and influence stakeholders
- Consult and engage with local residents, businesses and organisations throughout the delivery of the Programme
- Champion Eastbourne at every opportunity
- Provide strategic oversight of the three projects being delivered within the LUF Programme
- Ensure the Programme is being true to the vision and objectives set out in Business Case
- To monitor the progress, milestones, budget, risks and issues throughout the delivery of the EBC LUF Programme
- To celebrate the achievements of the Programme
- To provide regular updates and reporting to DLUHC's Levelling Up Team.

The role of Eastbourne Borough Council:

- Be the lead Council and accountable body for the Levelling Up Fund
- Be the main point of contact with DLUHC
- Coordinate the submission of quarterly monitoring and progress reports from all delivery partners
- Lead on the preparation and submission of performance reports requested by DLUHC.

Legal Status

The Partnership Group is an unincorporated group and therefore has no legal status. Any current legal requirements or obligations will be discharged by the membership organisations.

Decision Making

All decisions will be by consensus unless a member requests a vote. All decision making will be captured within the minutes.

Membership

The Partnership Group will consist of representatives from each of the following organisations:

- Eastbourne Borough Council
- Local Member of Parliament
- East Sussex County Council
- Eastbourne Chamber of Commerce
- The Eastbourne BID
- Towner Eastbourne
- Eastbourne Hospitality Association
- East Sussex College Group
- South Downs National Park Authority
- Victoria Place Traders
- Additional representatives as agreed by the Partnership Group.

Notes:

- Members may send substitutes in their place – this should be notified to the Secretariat in advance where possible
- Non-attendance by a member at three consecutive meetings will lead to a review of their membership (except where this is unavoidable)
- Proposals for new Partnership Group members will be considered against the key criteria of being a representative body for Eastbourne residents or businesses
- Any business or individual who wants to get involved with the Partnership Group will need to do so via the Secretariat.

Meetings and Administration

The Partnership Group will meet as and when required, to provide updates on project progress and next steps, as well as to monitor the delivery of the EBC LUF Programme. The Partnership Group will be supported by a Secretariat from Eastbourne Borough Council who will:

- Oversee delivery of the work programme on a day to day basis
- Co-ordinate and facilitate meetings
- Co-ordinate production and monitoring of the EBC LUF Programme and associated actions
- Provide other support as required.

A quorum of 8 must be present at any meeting for decisions to be taken.

Decisions can be made via email with all Partnership Group members, outside of the Partnership Group meetings.

Relationship with other bodies

The Partnership Group works closely with other partnership groupings and will provide update reports, as required to:

- Member organisations
- Other Groups as agreed

Declarations of Interests

All boards relating to DLUHC funding require all attendees and members to declare any conflict of interest and this will be recorded within the minutes and within the Declaration of Interest Register (DoIR).

Conflict of Interests

Any conflicts of interest will be in accordance with:



Code of Conduct
Policy V2.0 Feb21.pdf

Variation to Terms of Reference

The Partnership Group may update these Terms of Reference as and when required.

This page is intentionally left blank

Meeting: Governance Committee

Date: 25 June 2024

Title: Appointments to Outside Bodies: East Sussex Fire Authority

By: Assistant Chief Executive

Purpose of Report: To appoint a Councillor as a Council Representative to the East Sussex Fire Authority.

RECOMMENDATION

The Governance Committee is recommended to agree the appointment of Councillor Peter Pragnell to the East Sussex Fire Authority until the date of the annual council meeting in the next County Council full election year.

1. Background Information

1.1 The County Council is invited to appoint members (in some cases non-county councillors are eligible) to serve on a wide range of outside bodies. Appointments are normally made for the lifetime of the County Council. In the case of appointments being made now the term will be to the date of the annual council meeting in the next County Council full election year unless otherwise indicated, although in most cases it is open to the County Council to change its representation at any time by resolution.

1.2 In appointing members to some outside bodies, places on committees must be allocated to political groups in proportion to the number of seats on the Council held by each group, unless there is agreement, without dissent, that the provisions of the Act should not be applied.

1.3 The political balance provisions apply to the East Sussex Fire Authority. The Authority has 12 members of the County Council and 6 members of Brighton & Hove City Council. The allocation of seats was reviewed following the by-elections in July and August 2023 and were agreed by Full Council in October 2023 as set out below:

Conservative – 6
Liberal Democrat – 3
Labour – 1
Green - 1
Independent Democrat - 1
Independent – 0

1.4 In May 2021 Councillor Roy Galley was appointed to the East Sussex Fire Authority. Councillor Roy Galley was recently appointed as Chairman of the Council at the Annual General Meeting in May 2024 and as such has resigned from the East Sussex Fire Authority. The Conservative Group has indicated that they wish Councillor Peter Pragnell to take his place.

2. Conclusion and recommendations

2.1 The Committee is asked to agree to the appointment of Councillor Peter Pragnell to the East Sussex Fire Authority until the date of the annual council meeting in the next County Council full election year.

PHILIP BAKER
Assistant Chief Executive

Contact officer:
Georgina Seligmann
Tel: 01273 4823555
georgina.seligmann@eastsussex.gov.uk

Local Member: All

Background Documents: None

Committee:	Governance Committee
Date:	25 June 2024
Title:	Outside Body Appointment: Police and Crime Panel
By:	Assistant Chief Executive
Purpose of report:	To consider the appointment of a second Council representative on the Sussex Police and Crime Panel

RECOMMENDATION

The Committee is recommended to agree on the appointment of a Conservative councillor as a second representative on the Police and Crime Panel for a one-year period.

1. Supporting Information

1.1 Each of the 15 borough, county, district and unitary authorities across Sussex appoint one representative to the Sussex Police and Crime Panel. At the County Council meeting held on 25 May 2021, Councillor Standley was appointed as the County Council's representative on the Panel.

1.2 In addition to a representative from each authority in Sussex, the Constitution of the Police and Crime Panel allows for additional local authority members to be appointed to address any imbalance in political proportionality. Any such appointments will be for a one-year period to expire on 26 June 2025, the eve of the Panel's 2025 meeting. In order to achieve political proportionality, it is proposed by West Sussex County Council, which provides democratic services support to the Panel, that for 2024/25 East Sussex County Council should appoint a Conservative councillor as a second representative. West Sussex County Council have asked that a substitute Conservative councillor for the second representative for 2024/25 also be nominated.

2. Conclusion

2.1 The Committee is recommended to nominate a Conservative councillor as the Council's second representative on the Police and Crime Panel for a one-year period. The Committee is also recommended to nominate a substitute Conservative councillor for the second representative for a one-year period.

PHILIP BAKER
Assistant Chief Executive

Contact Officer: Georgina Seligmann
Tel: 01273 482355
Email: georgina.seligmann@eastsussex.gov.uk

Local Member: All

Background Documents
None

This page is intentionally left blank

Report to:	Governance Committee
Date of meeting:	25 June 2024
By:	Assistant Chief Executive
Title:	Scrutiny Activity Update
Purpose:	To provide an overview of scrutiny activity being undertaken by the People, Place and Health Overview Scrutiny Committees and an update on the work of the Audit Committee.

RECOMMENDATIONS

The Governance Committee is recommended to note the updates on Scrutiny and Audit Committee activity and the current work programmes at appendices 1-4.

1 Background

1.1 These six-monthly reports aim to provide the Governance Committee with a summary of activity across the People, Place and Health Overview Scrutiny Committees and the work of the Audit Committee to support the visibility and effectiveness of the Council's scrutiny activity.

1.2 This report outlines developments since the last update, particularly from the committee meetings held in November 2023 and in March 2024. The current work programmes for the committees are attached at appendices 1-4. An overview of planned Scrutiny Review and Reference Group activity over the coming months across the three scrutiny committees is attached at appendix 5.

1.3 All committees continue to develop their scrutiny practice and to deepen their understanding of the context for services and issues within their remit. Members of People and Place Scrutiny have requested that further scrutiny training is delivered primarily through 'bite-sized' sessions and topics for these sessions continue to be explored with the committees. As part of this programme People Committee Members have received short briefings on suicide prevention strategy and on the role of Healthwatch and how this relates to scrutiny. Audit Committee also continues to participate in a programme of ongoing training, and is currently exploring upcoming training in areas identified during its recent self-assessment exercise including:

- Awareness of the key principles of the Public Sector Internal Audit Standards and the Local Government Application Note, knowledge of the arrangements for the delivery of the Internal Audit service in the Council and how the role of Chief Internal Auditor is fulfilled.
- Awareness of the financial statements that the Council must produce and the principles it must follow to produce them, understanding of good financial management principles and knowledge of how the Council meets the requirements of the role of Chief Finance Officer, as required by the CIPFA Statement on the Role of the Chief Finance Officer in Local Government.
- Knowledge of the Seven Principles of Public Life, knowledge of the Council's key arrangements to uphold ethical standards for both Members and staff and knowledge of the whistleblowing arrangements in the Council.
- Skills and practice – including focusing on strategic issues and questioning techniques.

2 People Scrutiny Committee

2.1 The latest version of the committee's work programme (attached at appendix 1) captures the full range of activity underway or planned. Key elements are outlined below.

Committee meetings

2.2 The committee met on 13 November 2023 to consider:

- **Elective Home Education (EHE)** – the committee received an update on the numbers of EHE children in East Sussex and the Children’s Services Department’s (CSD) response to increased cases and concerns related to vulnerable children. The committee discussed the Department for Education consultation on proposals to introduce a voluntary registration scheme and enquired about the support in place to support families with vulnerable children, including those with a Child Protection Plan, as well as children with Special Educational Needs and Disabilities (SEND). The committee requested that their concerns about the proposal for a voluntary register were included in the department’s response to the consultation.
- **Reconciling Policy, Performance and Resources (RPPR)** – the committee discussed the RPPR update report considered by Cabinet earlier in the month. The committee discussed the challenging financial outlook for the Council, in particular the pressures facing Adult Social Care and Health (ASCH) and Children’s Services.
- **Scrutiny Review of School Exclusions** – the committee received the final report from the Review Board. The committee welcomed the report, discussed the challenges schools were facing post-pandemic, and the move towards inclusive policies in response to these, and recognised the ongoing focus of the Department on delivering effective support.
- **Work programme update** – the committee considered feedback from scrutiny activity undertaken since the September committee, and agreed updates to the work programme, including a request for information on current SEND pressures.

2.3 On 11 March 2024 the committee met to consider:

- **Loneliness Stewardship Group**– the committee received a report and presentation on the ASCH Connecting People and Places project to combat loneliness in East Sussex. The committee sought clarification on the project’s expected outcomes and enquired about the ongoing sustainability of the work.
- **RPPR** – the committee reviewed scrutiny input into the RPPR process, including ensuring relevant topics were incorporated into the scrutiny work programme to support the committee’s ongoing contribution to RPPR.
- **Inspection of Local Authority Children’s Services (ILACS) report** – the committee received a report on the recent Ofsted inspection of Children’s Services. The committee welcomed the positive findings in the report and discussed the Department’s response to Ofsted’s recommendations, including its approach to reporting and neglect.
- **Standing Advisory Council for Religious Education (SACRE) Annual Report** – the committee received a report on the recent work of SACRE including the implementation of a new syllabus. The committee discussed the membership of SACRE and arrangements for collective worship.
- **Work programme update** – the committee considered feedback from scrutiny activity undertaken since the November committee, including an update on the school attendance Scrutiny Review, which was deferred until summer 2024 to enable the impact of existing initiatives to be assessed, and agreed to undertake a scoping board for a Scrutiny Review on healthy ageing.

2.4 Future committee agenda items include:

- An update on the Equality and Inclusion in ASCH Scrutiny Review - a 6 month monitoring report on progress to be considered by the committee at its July 2024 meeting.
- An update on the Use of Digital and Technology in ASCH Review – a 12 month monitoring report on progress to be considered by the committee at its July 2024 meeting.
- An update on Children’s Services work with IMPOWER - to be considered by the committee at its July 2024 meeting.
- Work on the 2024/25 RPPR process.

Reference Groups and Briefings

2.5 People Scrutiny Reference Groups have continued their work to provide Member input to areas of work being led by departments. The membership of Reference Groups will be updated at the July committee meeting following recent changes to committee membership:

- **Health and Social Care Integration Programme (HASCIP) Reference Group** membership: Councillors Clark, di Cara, Geary (Chair), Ungar and Webb). This group meets as required to review the latest developments in local health and social care integration. The Group met in February 2024 to consider a progress update on the Joint Sussex Integrated Care Strategy Shared Delivery Plan (SDP) and Integrated Community Teams. The Group welcomed the update and discussed partnership working with district and borough councils and digital inclusion and sought clarification on project timelines. The Group agreed to further support the ASCH department as the SDP progressed.
- **Prevention in Children's Services Reference Group:** Councillors Adeniji, Howell (Chair), Cross, and John Hayling (Parent Governor Representative). This group provides the committee with an opportunity to consider work to develop preventative approaches including Family Hubs and the Family Safeguarding model, providing ongoing scrutiny challenge. The group met in February 2024 to consider the latest developments and discussed future sustainability, including future programme funding, and noted the early reported positive outcomes. The next meeting is taking place in June 2024, with a focus on support for older children.
- **Educational Attainment and Performance Reference Group** (membership: Councillors Field, Howell, Adeniji and Nicola Boulter – Parent Governor Representative). This group meets annually to provide the committee with an opportunity to have a focused approach to reviewing results and trends. The Group met in March 2024 to consider attainment results for the 2022/23 academic year. Members discussed the impact of Covid on attainment for all key stages, the role of Multi Academy Trusts in providing local support to communities, and the impact of short term government funding. The committee agreed the Department was working to support schools through a range of challenges.
- **Care Quality Commission (CQC) Assessment Reference Group** (membership: Councillors di Cara, Geary (Chair), Howell and Webb). This group was established to support ASCH with the upcoming CQC inspection and Local Government Association (LGA) Peer Review. The Group met on 13 December 2023 to understand the CQC assessment process, including scrutiny involvement, and consider work underway to prepare for this, including participating in an LGA Peer Review. The Group discussed and commented on the ASCH self-assessment framework.
- **RPPR Board** - The committee forms an RPPR Board annually to agree detailed comments and any recommendations on the emerging portfolio plans and spending and savings proposals to be put to Cabinet on behalf of the scrutiny committee. The Board met on 16 December 2023 and considered the financial outlook for the Council, relevant department portfolio plans, and the interim results of the 2023 public survey. The Board expressed concerns about the financial challenges facing the Council, particularly ASCH and Children's Services, including increased pressures facing ASCH due to the changing demography of East Sussex and increased resources needed to support migrants, and the ongoing need for mental health support for young people.

2.6 Briefings were provided to the committee on the following topics:

- **Suicide Prevention** – The committee received a briefing in January 2024 which outlined the national and local context around suicide, and work underway and planned on suicide prevention in East Sussex.
- **ASCH LGA Peer Review** – The committee received a briefing in February 2024 ahead of the LGA Peer Review of ASCH. The briefing outlined the Peer Review and CQC process, as well as the expected role of the committee.

Scrutiny Reviews

2.7 The committee's programme of Scrutiny Reviews is currently as follows:

School exclusions	<p>The committee undertook a review of CSD’s work to reduce the number of children and young people excluded from school. The Review Board explored whether the Council could do more to develop understanding amongst school leaders of preventative strategies, and appropriate responses to pupils at risk of exclusion, and whether the Council could do more to join up early help and education services to support reduction in school exclusions.</p> <p>The review considered a range of evidence including the perspective of service managers, young people, parents, and staff at East Sussex schools. The final report was agreed by the committee in November, reported to Cabinet in December and agreed by County Council in February. The committee will consider updates on progress with the review at approximately 6 and 12 months on, in September 2024 and March 2025.</p> <p>Review Board membership was Councillors Adeniji (Chair), Field, Maples and Howell and John Hayling (Parent Governor Representative).</p>
School attendance	<p>The committee undertook scoping in 2022 for a potential review of school attendance to understand more about the drivers of school absences, the impact of absences on children and young people, the work Children’s Services is undertaking in response, and whether there are areas where scrutiny could make recommendations for change or improvement. The Scoping Board agreed to defer proceeding with this review until 2023 when there would be a clearer understanding of the long-term impact of COVID on school absences.</p> <p>A further Scoping Board took place in December 2023 which explored current data and issues on attendance. The Board agreed that whilst the topic was still appropriate for a Scrutiny Review, significant work had recently commenced to address this, and it would be beneficial to wait until later in the academic year to establish which approaches were proving successful and to identify any gaps in provision which would benefit from scrutiny input.</p> <p>A final Scoping Board is taking place in July 2024 with the outcome to be considered at the July committee meeting.</p>
Healthy ageing	<p>The committee heard at its March 2024 meeting that a key priority for ASCH was responding to the needs of an increasing older population in East Sussex, including people in single households and those with complex needs, and that the Department would welcome scrutiny input into how preventative approaches could support people to age well in the county.</p> <p>A Scoping Board took place in May 2024 which recommended progressing this review. Evidence gathering will take place from June-August, with the aim to present a report to the committee at its September 2024 meeting.</p> <p>Review Board membership: Cllrs Geary, Pragnell, Ungar and Webb</p>

3 Place Scrutiny Committee

3.1 The committee’s latest work programme (attached at appendix 2) outlines the full range of activity underway or planned. Key elements are outlined below.

Committee meetings

3.2 The committee met on 23 November 2023 to consider reports on:

- **Southern Water Storm Overflows and Reduction of Discharges update** – Members received a presentation from Southern Water on its work to reduce the use of Storm Overflows (Combined Sewer Overflows), investment in infrastructure, and updates on Hastings town centre flooding and Bulverhythe/West St. Leonards sewer pipe leak incidents.

- **Scrutiny Review of Pothole Management** – The committee discussed the report and the recommendations made by the Review Board to improve the management and repair of potholes and the actions the Council is taking to tackle this issue. There was an acknowledgement that all councillors would like to see more money spent on pothole repairs, but the council was constrained by the current financial position. The committee agreed the report of the Review Board, which was subsequently considered by Cabinet and Full Council.
- **RPPR** – as with People Scrutiny, the committee reviewed the RPPR update report which had been considered by Cabinet earlier in the month. The committee discussed the implications of the announcements made in the Autumn Budget Statement and the financial outlook for the Council including the pressures on social care for children and adults. The committee also discussed the transition of funding and responsibilities from the South East Local Enterprise Partnership (SELEP) to ESCC and what would happen to the ongoing programmes.
- **Work programme update** – the committee considered feedback from scrutiny activity undertaken since the September committee meeting and agreed to carry out a work prioritisation exercise to update the work programme.

3.3 The committee met again on 12 March 2024 to consider reports on:

- **Scrutiny Review of Procurement: Social Value and Buying Local update** – The committee received an update on the implementation of the recommendations made by this Scrutiny Review. Good progress was being made against all the recommendations, which included a trial of a more qualitative approach to Social Value, and improved monitoring of the delivery of Social Value commitments.
- **Update on the SPACES Programme** – Members received a report providing an overview of the activities undertaken by the SPACES (Strategic Property Asset Collaboration in East Sussex) programme and an outline of current projects and funding bids that had been made with partners, including under the One Public Estate and Brownfield Land Release Fund programmes.
- **Community Assets** – the committee considered a report on the Council's Community Asset Transfer (CAT) policy and the process by which council assets can be disposed, leased or transferred to community groups. The report contained suggestions for improvements to the process, which the committee endorsed. This included providing a process map and further information about the decision making procedure and the requirements of Section 123 of the Local Government Act 1972 and the Local Government Act 1972 General Disposal Consent Order 2003.
- **Food Waste and Environment Act 2021 requirements** – the committee received an update on the implications for ESCC of the introduction of weekly food waste collections by 31 March 2026. No additional funding is being provided by the Government to ESCC as the Waste Disposal Authority, and there may be additional costs related to the modification of waste transfer facilities, provision of sealed containers and vehicles to store and transport food waste, and the composting of additional volumes of food waste at the Woodlands composting facility.
- **Scrutiny Review of Road Markings update** – the committee received the final update report on the implementation of the recommendations from this review and the use of £500k additional funding subsequently agreed by Cabinet to renew road markings across the county. All the recommendations from the review had been implemented and were now part of business as usual arrangements.
- **RPPR update** – the committee reviewed scrutiny input into the RPPR process, including ensuring relevant topics were incorporated into the scrutiny work programme to support the committee's ongoing contribution to RPPR.
- **Work programme update** - the committee agreed an updated work programme following a prioritisation of items on the work programme and agreed the the next scrutiny review topics. The committee agreed to scope a review of speed limit policy, following the debate on a Notice of Motion on this subject at Full Council last year. The committee also agreed

to re-establish the Climate Emergency Action Plan Working Group to provide scrutiny input into updating of the corporate action plan for 2025-30.

3.4 Future committee agenda items include:

- The committee's work on the 2024/25 RPPR process, commencing with consideration of the Q4 year-end Council Monitoring report and the State of the County report in July.
- Update reports to monitor the implementation of the recommendations from the Scrutiny Review of Pothole Management. This will be combined with an examination of the Highways Maintenance Contract year 1 Key Performance Indicators at the July meeting.
- Scrutiny Review of Procurement: Social Value and Buying Local. A second monitoring report on the implementation of the recommendations from this review, including the outcomes of the Social Value pilot of a more qualitative approach.
- Update reports on the Flexibus Services, which is part of the Bus Service Improvement Plan (BSIP), and the Local Cycling and Walking Infrastructure Plan (LCWIP).
- Reports on Flood Risk Management and the Climate Adaptation measures the Council is undertaking including the work with partners.
- Killed and Seriously Injured (KSI) Road Collisions - an update report on the effectiveness of the interventions that have been put in place to try and reduce the number of KSI collisions.
- Water Supply Issues and Future Demand Planning - to receive a report from South East Water and Southern Water about their longer terms plans for supplying water to East Sussex residents and businesses.

Reference and Working Groups

3.5 Place Scrutiny Reference Groups continued their work to provide Member input to areas of work being led by departments:

- The **Climate Emergency Action Plan (CEAP)** Working Group (membership: Councillors Hilton, Redstone (Chair) and Tutt). It has been agreed to re-establish the CEAP Working Group to provide scrutiny input into the development of an updated corporate Climate Emergency Action Plan for 2025-30.
- The **Local Transport Plan (LTP) 4** Reference Group (membership: Councillors Beaver, Collier, Hilton, Hollidge, Lunn, Redstone (chair) Stephen Shing and Tutt) has continued engagement work with officers and the Council's transport consultants Steer on the key stages of the development of the revised LTP. The Group met in January to review the interim feedback from the public consultation exercise, and further meetings in May and September to consider the draft LTP document and to comment on the final draft LTP prior to consideration by Cabinet and agreement by Full Council in the autumn.
- **East Sussex Economic Growth Strategy (EGS)**. The Reference Group comprised of Councillors Collier, Hilton, Hollidge, Redstone and Tutt met on four occasions to provide input into key stages of the development of a new Economic Growth Strategy for East Sussex alongside other stakeholders. This has included reviewing the feedback from the stakeholder workshops and the narrative for the strategy; hearing directly from stakeholder representatives on the evidence base and content of the strategy; and commenting on the draft strategy document.
- **RPPR Board** – As with the People Scrutiny Committee, the Place Scrutiny Committee forms an RPPR Board annually to agree detailed comments and any recommendations on the emerging portfolio plans and spending and savings proposals to be put to Cabinet on behalf of the committee. The Board met on 6 December 2023 and considered the financial outlook of the Council, relevant department portfolio plans, and the interim results of the 2023 public survey. The Board noted that the announced increase in the National Living Wage was likely to have an impact on the Council's financial position through increased wage costs, particularly for commissioned services in Adult Social Care. It also commented on the Autumn Statement announcement of plans for public sector productivity measures and Level 2 devolution deals for county local authority areas.

Scrutiny Reviews

3.6 The committee's current programme of scrutiny reviews is as below:

Scrutiny Review of Pothole Management	<p>This review focused on the Council's policies and procedures for defects/pothole repairs; the asset management approach and targets for road condition; communication with the public and the planned investment in highways maintenance. It also included the techniques used to repair potholes and quality assurance measures used to ensure repairs last and are carried out to the correct standard.</p> <p>The Board's report was agreed by the Place Scrutiny Committee in November 2023, considered by Cabinet in January 2024 and agreed by County Council in February 2024. The committee will consider updates on progress with the review at approximately 6 and 12 months on, in July 2024 and March 2025.</p> <p>The membership of the Review Board was Councillors Beaver, Hilton, Hollidge (Chair), Kirby-Green and Lunn.</p>
Speed limit policy	<p>The committee agreed to establish a scoping board to explore a potential Scrutiny Review of Speed Limit Policy. This followed the consideration of a Notice of Motion on speed limit policy at County Council in July 2023, where it was suggested that Place Scrutiny could look at this issue in more detail. The Council has developed speed limit policy PS05/02 to guide the process of assessing and setting speed limits on local roads.</p> <p>The scoping board met during May and recommended proceeding with a scrutiny review on this topic which is now underway.</p> <p>Review Board membership: Councillors Beaver, Hilton, Hollidge (Chair), Kirby-Green, Murphy, Redstone and Wright.</p>

4 Health Overview and Scrutiny Committee (HOSC)

4.1 Key work priorities for HOSC are set out in the attached work programme (appendix 3) with highlights below:

Committee meetings

4.2 The HOSC met on 14 December 2023 to consider reports on:

- **Paediatric Service Model Development at Eastbourne District General Hospital (DGH)** – to receive a report on the proposed changes to paediatric services provided at Eastbourne DGH, following concerns raised by committee members, members of the public and staff about the proposed changes.
- **NHS Sussex Winter Plan 2023/24** – the committee considered a report on the local NHS organisations' preparations and plans for the winter period.
- **Hospital Handovers at the Royal Sussex County Hospital (RSCH)** – a further report on the work being undertaken to reduce hospital handover times between ambulances and the Emergency Department (ED) at the RSCH, which serves the west of the County.
- **HOSC future work programme** – the committee considered and agreed its future work programme priorities.

4.3 The committee met again on 7 March 2024 to consider:

- **Future location of Specialised Cancer Services for Children** – a presentation and report from NHS England (London and the South East) on the outcomes of the public consultation on the proposed relocation of the Principal Treatment Centre for children's specialised cancer Services.
- **Changes to Paediatric Services at the Eastbourne DGH** – the committee received and agreed the report of the Review Board established by HOSC to undertake a scrutiny

review of the changes to paediatric services. The report of the Board was also accompanied by an update on the implementation of the new services.

- **NHS Sussex Non-Emergency Patient Transport Service (NEPTS)** – the committee received an update report on the recommissioning of the NHS Sussex contract for the provision of NEPTS. This included patient transport to and from hospital for appointments and planned procedures, as well as inter-hospital transfers and enhanced services to facilitate hospital discharges.
- **University Hospitals Sussex NHS Foundation Trust (UHSx) Care Quality Commission (CQC) report** – this report provided the committee with an update on the re-inspection of the trust by the CQC and the actions being taken to address the findings and recommendations of the inspection that rated services overall as 'Requires Improvement'. In particular, there was a focus on the Royal Sussex County Hospital which East Sussex residents frequently use.
- **HOSC Terms of Reference** – the committee considered a report on an updated terms of reference for HOSC to reflect the changes made to health scrutiny arrangements by the Health and Social Care Act 2022 and the updated statutory guidance published in January 2024.
- **HOSC future work programme** – the committee considered its future work programme priorities and requested a report on the provision of Audiology Services, a further update report on the UHSx CQC inspection, and a position paper from NHS Sussex on the provision of continuous and flash diabetes monitoring technology for people with Type 1 and Type 2 diabetes.

4.4 Key future committee agenda items include:

- Update reports to monitor the impact of the changes made to paediatric services at Eastbourne DGH following the completion of the review.
- A report on the provision and commissioning of Audiology Services in East Sussex, including the provision of NHS audiology appointments, NHS hearing aid equipment and servicing, and ear wax removal services.
- Access to GPs and Primary Care Network (PCN) services - an update report on the work being undertaken to improve access to GP services and appointments in East Sussex, including Primary Care Network (PCN) performance and services provided, including enhanced hours services.
- Access to NHS Dentistry Services - an update report on the progress being made to improve access to NHS Dentistry services in East Sussex.
- A further update report on UHSx response to the August 2023 CQC inspection and an update on the improvements being made to tackle hospital handovers and ED waiting times at the RSCH.
- NHS Sussex Winter Plan - a report on the NHS Sussex Winter Plan 2024/25 and associated risks, covering the preparations that are being made for the peak demand winter season.

Reference Groups and briefings

4.5 The committee continued with engagement work with NHS England on the proposals for changes to the children's specialist cancer services Principal Treatment Centre which is located in South London and serves most of the south east. A formal response to the public consultation was submitted and an update report was received on the outcomes of the public consultation at the March HOSC meeting. Subsequent to this, NHS England published its decision to move the Principal Treatment Centre to the Evelina Children's Hospital, which is part of Guys and St. Thomas' in central London. The committee will continue to monitor the implementation of these changes and has requested a future report from NHS England when services move in 2026.

Scrutiny Reviews

4.6 HOSC completed a rapid review of changes to paediatric services provided at Eastbourne DGH. The review was established at the December 2023 HOSC meeting, and the Review Board

was comprised of Councillors Azad, Belsey, Robinson (Chair) and Shuttleworth. This followed concerns raised by the committee, members of the public, and staff about the impact of the changes on services for children at the hospital. The review made 13 recommendations to mitigate the impact of the changes on patient care and to suggest improvements to the services provided at Eastbourne DGH for urgent and emergency care and planned services. Key changes included moving to an Advanced Paediatric Nurse Practitioner led model of care for urgent and emergency services and locating services so that they are adjacent to the ED at the 'front door' of the hospital. The committee will monitor the implementation of the changes carefully, together with Healthwatch East Sussex, to ensure the anticipated patient benefits are realised and any negative impacts mitigated.

4.7 HOSC is awaiting further detail on forthcoming NHS service changes which may require review and considering potential other topics for detailed review.

Other Issues

4.8 Following provisions in the Health and Social Care Act 2022 that allow the Secretary of State to intervene directly in local service reconfigurations, updated national regulations and guidance were issued by the Department of Health and Social Care in January 2024, which took effect from 31 January. Under the revised process for service reconfigurations, HOSC's specific powers to refer NHS decisions to the Secretary of State no longer apply but HOSC remains the statutory consultee on significant NHS service changes and has a number of roles in the new process. To reflect these changes, updated Terms of Reference for the committee were endorsed by HOSC in March and the Governance Committee in April and agreed by County Council on 7 May.

5 Audit Committee

5.1 The committee's future areas of focus are set out in the work programme attached at appendix 4.

Committee meetings

5.2 The Audit Committee met in November 2023 and March 2024 to discuss reports on:

- Internal Audit Progress Report Quarter 2, 2023/24
- External Audit - Audit Progress Report and Sector Update
- Review of Annual Governance Report & 2022/23 Statement of Accounts
- Review of Annual Pension Fund Governance Report & 2022/23 Statement of Accounts
- Auditor's Annual (VFM) Report on East Sussex County Council 2022/23
- Treasury Management Annual Report & Mid-Year Report 2023
- Modernising Back Office Systems (MBOS) Update
- Annual Update on Property Investment Strategy and Key Sites 6 monthly Update
- Internal Audit Progress Report - Quarter 3 (01/10/23 - 31/12/23)
- Internal Audit Strategy and 2024/25 Annual Audit Plan
- External Audit - 2021/22 and 2022/23 Audit Update
- External Audit Plan 2023/24
- External Audit Plan for the East Sussex Pension Fund 2023/24
- Strategic Risk Monitoring - Quarter 3 2023/24
- Audit Committee Self-Assessment
- Audit Committee work programme

5.3 The item on External Audit - 2021/22 and 2022/23 Audit Update included confirmation that the 2021/22 external audit had now been signed off and the committee noted that the 2022/23 external audit was due to be signed off in April 2024. The item on the Audit Committee Self-Assessment provided a focus to consider the recruitment of two co-opted independent members

to the committee, future training to be arranged for committee members and the committee noted the proposal to review its Terms of Reference and proposal to introduce an annual report of the Audit Committee.

5.4 The committee's future agenda items include the usual quarterly consideration of Internal Audit reports and the Strategic Risk Register, together with Assessment of the Corporate Governance Framework and Annual Governance Statement for 2023/24, Counter Fraud Annual report, Audit Committee Annual Report and Financial Management Code.

Briefings and working groups

5.5 The working group which provides oversight of the MBOS programme implementation met on in November 2023 to discuss the programme's current position. The sub-group noted the current status of the programme and the independent review which was being undertaken. The MBOS sub-group held a further meeting on 9 May 2024 following the conclusion of the independent review.

5.6 Audit Committee Members attended a planning session with Internal Audit in January 2024 to plan for the next financial year of Internal Audit work. This session helped inform the annual Internal Audit plan which was endorsed by the Audit Committee in March 2024.

6 Conclusion and reasons for recommendations

6.1 This report provides an overview of recent scrutiny and Audit Committee work and a look forward at planned activity for the Governance Committee to note. The next update will be in December 2024.

PHILIP BAKER
Assistant Chief Executive

Contact Officer: Claire Lee

Tel. No. 07523 930526

Email: Claire.lee@eastsussex.gov.uk

People Scrutiny Committee - Work Programme

Current Scrutiny Reviews		
Title of Review	Detail	Proposed Completion Date
Healthy Ageing	<p>The Committee heard at its March 2024 meeting that a key priority for ASCH was responding to the needs of an increasing older population in East Sussex, including those with complex needs, and that the Department would welcome scrutiny input into how preventative approaches could support people to age well in the county.</p> <p>A scoping board was held on 3 May 2024 and the Board agreed that although there was significant work underway, there were areas that would benefit from scrutiny input. The Board agreed that the Review would focus on how to encourage people in mid life and older age to take preventative actions to age well; changing attitudes to and reducing stigma around ageing; and exploring how the Department can maximise the benefits on an older population.</p> <p>Review meetings are planned for May – August and a final report for Committee in September 2024.</p> <p>Membership of the Scoping Board: Cllrs di Cara and Ungar. Membership of the Review Board: Cllrs Geary, Pragnell, Ungar and Webb.</p>	September 2025
School Attendance	<p>The Committee heard at their 2021 work planning awayday that overall school absence and persistent absence rates across East Sussex are high, when compared to national and statistical neighbours; and that East Sussex has a significant number of children and young people deemed too ill to attend school due to anxiety and poor mental health, and increasing levels of Emotionally-Based School Avoidance.</p> <p>A scoping board meeting was held on 10 March 2022 and the Board agreed that although the subject was appropriate for a Scrutiny Review, as so much of the current situation regarding school absence rates in East Sussex was related to the ongoing impact of, and disruption from, the coronavirus pandemic, it was too early for the Committee to undertake a scrutiny review of school attendance.</p> <p>A further scoping board meeting was held in December 2023 where the Board heard that several pieces of work to address attendance had launched in September 2023 and it was not yet clear what was having an impact. It was agreed that the Board would meet again in July 2024 to look at the latest data and see what progress was being made and any current areas of concern. This meeting will scope a focussed review to begin in September 2024 and report to the March 2025 Committee.</p>	March 2025

	Membership of the Scoping Board: Cllrs Field and Howell and Nicola Boulter and John Hayling (Chair) Parent Governor Representatives.	
Initial Scoping Reviews		
Subject area for initial scoping	Detail	Proposed Dates
Suggested Potential Future Scrutiny Review Topics		
Suggested Topic	Detail	
Elective Home Education	<p>The Committee heard at their 2021 work planning awayday that issues relating to the increase in the numbers of children being electively home educated (EHE) remain a concern for the Children's Services Department and expressed an interest in scrutinising the work the Department is doing in response.</p> <p>The Committee received additional updates on the local situation, as well as national updates, at their November 2022 and November 2023 meetings, including information at the November 2023 meeting on a DfE Consultation that has opened on revised home education guidance for Local Authorities to provide more clarity about 'suitable education' and support to be provided for home educators. In the absence of legislation for a statutory register, the guidance proposes Local Authorities set up a voluntary registration scheme for parents who home educate.</p> <p>The Committee agreed at the November 2023 meeting to retain this as a potential area for review but will await further information from the DfE consultation.</p>	
Scrutiny Reference Groups		
Reference Group Title	Subject area	Meeting Dates
Prevention in Children's Services	<p>The Committee agreed in March 2023 to convert a planned scrutiny review on prevention in Children's Services into a Reference Group in order to provide regular and timely input into key projects and programmes which are under development and progressing at pace. The group is considering work to develop preventative approaches including Family Hubs and the Family Safeguarding model, providing ongoing scrutiny challenge.</p> <p>This Reference Group last met on 23 February 2024 and received an update on the work and progress of Connected Families and Family Hubs.</p> <p>The next meeting is planned for June 2024 and will explore the Youth Services and exploitation related activities, including Collaboration Against Child Exploitation (CACE).</p>	Next meeting: 17 June 2024

	<p>Membership of the Reference Group: Councillors Cross and Howell, and John Hayling, Parent Governor Representative (Chair).</p>	
CQC Preparation Reference Group	<p>The Committee agreed at its 2023 awayday to establish a Reference Group to support ASCH with the upcoming CQC inspection and LGA Peer Review.</p> <p>The Reference Group met on 13 December 2023 and received a presentation from the Department detailing the CQC assessment process (including scrutiny involvement), as well as work underway to prepare for this, including participating in an upcoming Peer Review. The Group discussed and commented on the ASCH self-assessment framework.</p> <p>The Group heard that the Peer Review will include discussions with the People Committee; a Committee briefing on this will be arranged for early February.</p> <p>The next meeting is planned for June 2024 and will consider the LGA Peer Challenge report and the Department's action plan.</p> <p>Membership of the Reference Group: Councillors Geary, Howell, Ungar and Webb.</p>	17 June 2024
Health and Social Care Integration Programme (HASCIP) Reference Group	<p>The Committee agreed to establish a Reference Group to monitor progress of the East Sussex Health and Social Care Integration Programme and identify areas for future scrutiny. It will review HASCIP progress reports provided to the Health and Wellbeing Board and meet on an ad hoc basis as required to consider issues arising in more detail.</p> <p>The Group last met on 8 February 2024 to consider a progress update on the Joint Sussex Integrated Care Strategy Shared Delivery Plan (SDP) and Integrated Community Teams (ICT). The update outlined the progress in delivering collective SDP milestones for 2023/45, including the development of ICT footprints and intelligence profiles, and next steps for the SDP.</p> <p>The Group welcomed the update and agreed to further support the Department as the SDP progressed.</p> <p>The next meeting is planned for June 2024 and will consider the Shared Delivery Plan year 2 refresh.</p> <p>Membership of the group: Councillors Clark, Geary (Chair), Ungar and Webb.</p>	Next meeting: 24 June 2024
Educational Attainment and Performance Scrutiny Reference Group	<p>The Committee agreed in June 2018 to establish a Reference Group to focus on reviewing data on educational attainment in East Sussex and related issues. The group meets on an annual basis.</p> <p>The Group met on 27 March 2024 to consider attainment results for the 2022/23 academic year. Members discussed the impact of Covid on attainment for all key stages, the role of Multi Academy Trusts in providing local support to communities, and</p>	Next meeting: March 2025

	<p>the impact of short term government funding. The committee agreed the Department was working to support schools through a range of challenges.</p> <p>Membership of the group: Councillors Field (Chair) and Howell and Nicola Boulter, Parent Governor Representative.</p>	
Adult Social Care reforms Reference Group	<p>The Committee agreed at its 2022 work planning awayday to establish a Reference Group to consider the impact and implementation of the national Adult Social Care reforms. Implementation of the reforms was subsequently delayed in the 2022 Autumn Statement from October 2023 to October 2025 and the first meeting of the Group will take place closer to implementation.</p> <p>Membership of the group: Councillors Geary and Ungar.</p>	First meeting: closer to implementation of the reforms in Oct 2025
Reconciling Policy, Performance and Resources (RPPR) Board	RPPR Board meets annually to agree detailed comments and any recommendations on the emerging portfolio plans and spending and savings proposals to be put to Cabinet on behalf of the scrutiny committee.	Next meeting: December 2024
Reports for Information		
Subject Area	Detail	Proposed Date
Youth Employability Service Contract	A report on the new Youth Employability Service contract, which commenced in October 2023, and its impact on young people, including vulnerable groups.	June 2024
SEND support	A report on the school-run projects to improve inclusive practice in mainstream schools and improve outcomes for children with SEND and the national SEND and AP Change Programme.	Oct/Nov 2024
Training and Development		
Title of Training/Briefing	Detail	Proposed Date
People Committee awayday	To review the Committee work programme and discuss any key issues in further detail.	16 September 2024
Future Committee Agenda Items		Author
15 July 2024		
Equality and Inclusion in Adult Social Care and Health Scrutiny Review	6 month monitoring report on progress with the Review's recommendations.	Director of Adult Social Care and Health
Use of Digital and Technology in Adult Social Care and Health Scrutiny Review	12 month monitoring report on progress with the Review's recommendations.	Director of Adult Social Care and Health

Children's Services work with IMPOWER	The Committee agreed at its 2023 awayday to request an update on the Department's work with consultants IMPOWER to review and develop cost effective and outcome focused children's care arrangements, including the long term use of foster carers in the county. This update will also address current issues with private care provision and work underway to manage this.	Director of Children's Services
Committee Work Programme	To manage the Committee's programme of work including matters relating to ongoing reviews, initial scoping boards, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Policy and Scrutiny Adviser
Reconciling Policy, Performance and Resources (RPPR)	To commence the Committee's involvement with the RPPR process for 2024/25 financial year by reviewing the information in the Quarter 4 (end of year) (2023/24) Council Monitoring report and the State of the County report.	Chief Executive
24 September 2024		
Committee Work Programme	To manage the Committee's programme of work including matters relating to ongoing reviews, initial scoping boards, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Policy and Scrutiny Adviser
Reconciling Policy, Performance and Resources (RPPR)	To continue the Committee's work on the RPPR process for 2024/25 financial year.	Chief Executive
Healthy Ageing Scrutiny Review	Review into Healthy Ageing to be presented to Committee	Councillor Ungar, Chair of the Review Board
School Exclusions Scrutiny Review	6 month monitoring report on progress with the Review's recommendations.	Director of Children's Services
Safeguarding Adults Board - Annual Report	The Safeguarding Adults Board (SAB) Annual Report outlines the safeguarding activity and performance in East Sussex during the previous financial year, as well as some of the main developments in place to prevent abuse from occurring.	Chair, Safeguarding Adults Board
Annual Review of Safer Communities	To update the Committee on performance in relation to Safer Communities in 2023/24 and the priorities and issues for 2024/25 that will be highlighted in the Partnership Business Plan.	Assistant Director - Planning, Performance and Engagement
East Sussex Safeguarding Children Partnership (ESSCP) Annual Report	Presentation of the annual report of the East Sussex Safeguarding Children Partnership.	Independent Chair, East Sussex Safeguarding Children Partnership
19 November 2024		

Loneliness Stewardship Group	The Committee agreed at its March 2024 meeting to request a further update on the Loneliness Stewardship Group.	Director of Adult Social Care and Health
ASC Peer Review and CQC preparations	To provide the Committee with an update on progress against the action plan following recommendations from the LGA Peer Review of ASC in preparation for a CQC assessment.	Director of Adult Social Care and Health
Transition in services	To provide the Committee with clarification on the process of transitioning between Children's Services and ASCH.	Director of Children's Services and Director of Adult Social Care and Health
Committee Work Programme	To manage the Committee's programme of work including matters relating to ongoing reviews, initial scoping boards, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Policy and Scrutiny Adviser
Reconciling Policy, Performance and Resources (RPPR)	To continue the Committee's work on the RPPR process for 2024/25 financial year.	Chief Executive
13 March 2025		
Standing Advisory Council for Religious Education (SACRE) Annual Report	To update the Committee on the work of SACRE.	Roy Galley, Chairman of SACRE / Director of Children's Services
School Exclusions Scrutiny Review	12 month monitoring report on progress with the Review's recommendations.	Director of Children's Services
Committee Work Programme	To manage the Committee's programme of work including matters relating to ongoing reviews, initial scoping boards, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Policy and Scrutiny Adviser
Reconciling Policy, Performance and Resources (RPPR)	To continue the Committee's work on the RPPR process for 2024/25 financial year.	Chief Executive

Place Scrutiny Committee – Work Programme

Current Scrutiny Reviews		
Title of Review	Detail	Proposed Completion Date
Speed Limit Policy	It has been agreed to undertake a scrutiny review of Speed Limit Policy following the consideration of initial information and evidence at a scoping board meeting held on 21 May 2024. The following committee members have indicated they wish to take part in this work: Councillors Beaver, Hollidge (chair), Hilton, Kirby-Green, Lunn, Murphy, Redstone and Wright.	November 2024
Initial Scoping Reviews		
Subject area for initial scoping	Detail	Proposed Dates
To be agreed		
List of Suggested Potential Future Scrutiny Review or Reference Group Topics		
Suggested Topic	Detail	
Footway (Pavement) Maintenance	This topic was discussed as part of the Scrutiny Review of Pothole Management and the Review Board has suggested that the Committee may wish to carry out a scrutiny review on this topic. Some of the issues regarding additional investment in pavement maintenance may be similar to those examined as part of the pothole review.	
Highway Drainage	The Review Board who worked on the Scrutiny Review of Pothole Management has also suggested that the Committee may wish to carry out a scrutiny review on highway drainage. This topic has links to storm overflows, flood risk management and climate change mitigation measures.	

Climate Change	The Committee has agreed to consider scoping a review to examine the Council's countywide work on climate change, which could look at countywide actions and how the Council works with other organisations (e.g. District and Borough councils) on this issue.	
Parking Policy	A potential review of parking policy examining how the Council manages highway space in relation to allowing vehicles to park on street including for Electric Vehicle charging; the rational for pricing and could it be revised (e.g. can parking policy influence or encourage to more Active Travel); how the Council uses any parking revenue surplus and how that can be used under 2004 Traffic Management Act to fund other transport measures in areas where public expect ESCC to deliver services or projects where the Council does not have funding.	
Scrutiny Reference and Working Groups		
Reference Group Title	Subject Area	Meetings Dates
Local Transport Plan (LTP4) – Reference Group	The Committee has formed a Reference Group to work alongside officers on the development of the revised Local Transport Plan (LTP 4) focussing on sustainable transport issues. It is taking part in a series of workshops on the development of the LTP4.	2 nd September 2024.
East Sussex Economic Growth Strategy (EGS) Reference Group	The Committee formed a reference group to provide scrutiny input into the development of the draft Strategy. The membership of the reference group comprised of councillors Chris Collier, Julie Hilton (Chair), Ian Hollidge, Paul Redstone, and David Tutt. Work on the draft EGS has been completed and the Reference Group may wish to comment on the implementation plan which will be developed later in the year.	To be agreed.
Climate Emergency Action Plan (CEAP) Working Group	The Committee has agreed to re-establish the CEAP Working Group to provide scrutiny input into the update of the corporate Climate Emergency Action Plan (the current Action Plan is due to expire in March 2025). Membership of the Working Group consists of Cllr Hilton, Cllr Hollidge, Cllr Redstone (Chair) and Cllr Tutt.	24 July, 28 August 2024, and a third date tbc
Reports for Information/Briefings		

Subject	Detail	Proposed Date
Increased Use of Artificial Intelligence.	For the committee to have a briefing or report on the increased use of AI, including what was happening currently, a risk analysis and the potential benefits (e.g. where AI could be used to gain efficiencies in areas such as process documentation).	November 2024
The Keep	A report or briefing on The Keep including information on who uses it, how the service works, what are the costs of the service and how it generates income, together with a site visit for committee members.	To be agreed
Funding bids and opportunities from Government	A report or briefing outlining how ESCC can work collaboratively with District and Borough councils in East Sussex to ensure funding allocated as part of Levelling Up and Town Deals etc. (managed by Government and the relevant District or Borough councils) improves Traffic Management, Movement and Access, Highway improvements and the Public Realm in these areas which are ESCC's responsibility.	To be confirmed
Training and Development		
Title of Training/Briefing	Detail	Proposed Date
Place Scrutiny Committee Away Day.	Work planning Away Day to review the Committee's work programme and carry out horizon scanning of potential scrutiny topics, changes and challenges facing the Council where scrutiny input would be beneficial.	9 September 2024
Future Committee Agenda Items		Author/Witnesses
12 July 2024		
Reconciling Policy, Performance and Resources (RPPR)	To commence the Committee's involvement with the RPPR process for 2025/26 by reviewing the information in the Quarter 4, end of financial year (2023/24) Council Monitoring report and the State of the County report.	Chief Executive / Senior Scrutiny Adviser
Highway Maintenance Contract/Scrutiny Review of Pothole Management	To receive a report on the key performance indicators of the Highway maintenance contract at the end of year 1, including the delivery of planned maintenance programmes to address road condition, and an update on the implementation of the recommendations from the Scrutiny Review of Pothole Management.	Assistant Director Operations / Highways Contract Manager

Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
23 September 2024		
Reconciling Policy, Performance and Resources (RPPR)	To continue the Committee's work on the RPPR process for 2025/26, by reviewing Portfolio Plans and service based information.	Chief Executive / Senior Scrutiny Adviser
Scrutiny Review of Procurement: Social Value and Buying Local	To receive the second update report on the implementation of the recommendations from the Scrutiny Review of Procurement: Social Value and Buying Local.	Chief Operating Officer / Director of Procurement / Head of Policy & Modernisation, Orbis
Future Use of County Hall.	To receive a report on the work being undertaken on the future use of County Hall and the options that are being considered.	Chief Operating Officer / Assistant Director Property
Flood Risk Management.	To receive a report on flood risk management outlining ESCC's role as the Lead Local Flood Authority and an overview of current work activity.	Director of Communities Economy and Transport / Assistant Director Economy
Climate Adaptation measures.	To receive a report on the Council's climate adaptation work following the publication of the Government's new 5 year climate change adaptation strategy.	Director of Communities Economy and Transport / Assistant Director Economy
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
28 November 2024		
Water Supply Future Demand Planning and Water Supply Issues	To receive a presentation from South East Water and Southern Water about their longer terms plans for supplying water to East Sussex residents and businesses, and hear from them about the actions they are taking to resolve recent water supply issues in the County.	Representatives from South East Water and Southern Water.
Reconciling Policy, Performance and Resources (RPPR)	The Committee will examine any additional information requested at the September meeting and consider any updated RPPR information for 2025/26.	Chief Executive / Senior Scrutiny Adviser
RPPR – Income from Fees and Charges	A report outlining financial information on the fees and charges income for the services within the remit of the Committee, the mechanisms for reviewing fees and charges to ensure they cover costs, and whether there are opportunities to use increases in fees and charges income to support service activity.	Chief Finance Officer / Chief Operating Officer / Director of Communities Economy and Transport.

Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
20 March 2025		
Reconciling Policy, Performance and Resources (RPPR)	The Committee will review its input into the RPPR budget setting process, and the impact of any recommendations or comments made by the Committee.	Chief Executive / Senior Scrutiny Adviser
Scrutiny Review of Pothole Management	To receive the second update report on the implementation of the recommendations from the Scrutiny Review of Pothole Management	Assistant Director, Operations / Highways Contract Manager
Bus Service Improvement Plan (BSIP) Flexi-Bus Service	The Committee requested a report on the new Flexi-Bus service, including an evaluation of the use and success of the service.	Director of Communities Economy and Transport / Assistant Director Operations
Work Programme	To consider items for inclusion in the Committee's work programme: <ul style="list-style-type: none"> • Reports for future meetings • Scrutiny reviews and potential scrutiny reviews • Items from the Forward Plan 	Senior Scrutiny Adviser
Future Items – to be scheduled		Witnesses
Killed and Seriously Injured (KSI) Road Collisions	The Committee requested an update report on the effectiveness of the interventions that have been put in place to try and reduce the number of KSI collisions on the County's roads, and have an outline of the measures that other local authorities have put in place to tackle this issue.	Director of Communities Economy and Transport / Assistant Director Communities
Local Cycling and Walking Infrastructure Plan (LCWIP) and Active Travel Ratings.	To receive an update report on the LCWIP to understand what progress is being made and the update of the LCWIP that will be undertaken as part of the LTP policy review. The report is to include information on the Council's Active Travel Rating and what ESCC will have to do to move from the current rating of 1 towards achieving a higher rating of 2 or 3: Local authority active travel capability ratings (accessible version) - GOV.UK (www.gov.uk)	Director of Communities Economy and Transport / Assistant Director Economy

This page is intentionally left blank

Health Overview and Scrutiny Committee (HOSC) – Work Programme

Current Scrutiny Reviews		
Title of Review	Detail	Proposed Completion Date
To be agreed	To be agreed	

Initial Scoping Reviews		
Subject area for initial scoping	Detail	Proposed Dates
To be agreed.	To be scheduled.	

List of Suggested Potential Future Scrutiny Review Topics	
Suggested Topic	Detail
To be agreed.	

Scrutiny Reference Groups		
Reference Group Title	Subject Area	Meetings Dates
Sussex Partnership NHS Foundation Trust (SPFT) HOSC working group	6-monthly meetings with SPFT and other Sussex HOSCs to consider the Trust's response to CQC inspection findings and other mental health issues. Membership: Cllrs Belsey, Robinson, and Osborne	Last meeting: 31 October 2022 Next meeting: TBC in 6 and 12 months time
Reports for Information		
Subject Area	Detail	Proposed Date
Inappropriate behaviour of NHS staff	Following media reports that there were national problems with inappropriate staff behaviour in the NHS, to provide a briefing on the extent of the issue in East Sussex and what is being done to address problems if they were known to exist.	Early 2024
Training and Development		
Title of Training/Briefing	Detail	Proposed Date
Visit to Ambulance Make Ready station and new Operations Centre – East.	A visit to the new Medway Make Ready station and new Operations Centre for 999 and 111 services once the new centre is operational.	Summer 2024
Visit to the new Inpatient Mental Health facility at Bexhill	A visit to the new Inpatient Mental Health facility due to be built at a site in North East Bexhill to replace the Department of Psychiatry at Eastbourne District General Hospital (EDGH).	TBC but likely 2025

Future Committee Agenda Items		Witnesses
July 2024 (date TBC)		
Paediatric Service Model, Eastbourne District General Hospital (EDGH)	To receive an update report on the implementation of the changes to paediatric services at EDGH and to consider East Sussex Healthcare Trust's (ESHT) formal response to the recommendations from HOSC's Review of the changes to paediatric services.	Representatives from ESHT
SECamb CQC report	A report on the progress of South East Coast Ambulance NHS Foundation Trust (SECamb) improvement journey and exiting the Recovery Support Programme (RSP).	Representatives from SECamb
Audiology Services	To receive a report on the provision and commissioning of audiology services in East Sussex, including the provision of NHS audiology appointments, NHS hearing aid equipment and servicing, and ear wax removal services.	Representatives from NHS Sussex and Healthwatch East Sussex
Committee Work Programme	To manage the committee's programme of work including matters relating to ongoing reviews, initial scoping reviews, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Scrutiny Adviser
3 October 2024		
Access to Primary Care Services – GPs and Primary Care Network (PCN) services	An update report on the working being undertaken to improve access to GP services and appointments in East Sussex, including Primary Care Network (PCN) performance and services provided, including enhanced hours services.	Representatives of NHS Sussex.
Access to NHS Dentistry Services	An update report on the progress being made to improve access to NHS Dentistry services in East Sussex following the delegation of commissioning responsibilities from NHS England to NHS Sussex.	Representatives of NHS Sussex / NHS England SE. Healthwatch East Sussex.
Missed NHS appointments	A report on missed NHS appointments across East Sussex, the causes of these, and work being done to mitigate them.	Representatives from NHS Sussex

Committee Work Programme	To manage the committee's programme of work including matters relating to ongoing reviews, initial scoping reviews, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Scrutiny Adviser
12 December 2024		
NHS Sussex Winter Plan	A report on the NHS Sussex Winter Plan 2024/25 and associated risks covering the preparations that are being made for the coming peak demand winter season.	Representatives from NHS Sussex, ESHT and other Trusts
Paediatric Service Model, Eastbourne District General Hospital (EDGH)	To receive a further update report on the implementation of the changes to paediatric services at EDGH and to consider East Sussex Healthcare Trust's (ESHT) implementation of the recommendations from HOSC's Review of the changes to paediatric services.	Representatives from ESHT
UHSx CQC report and Hospital Handovers at Royal Sussex County Hospital (RSCH)	To receive an update report on University Hospitals Sussex NHS Foundation Trust's (UHSx) response to the August 2023 CQC inspection report (with a particular focus on the actions being taken at Royal Sussex County Hospital on patient safety), and a further update on the improvements being made to tackle hospital handovers and ED waiting times at the RSCH.	Representatives from UHSx and SECamb
Committee Work Programme	To manage the committee's programme of work including matters relating to ongoing reviews, initial scoping reviews, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Scrutiny Adviser
6 March 2025		
Ophthalmology Transformation Programme	An update report on the implementation of the ESHT Ophthalmology Transformation Programme including the development of services at Bexhill Hospital and the implementation of HOSC recommendations on transport and access measures made as part of the review of these transformation programmes	Representatives of ESHT and NHS Sussex.
Committee Work Programme	To manage the committee's programme of work including matters relating to ongoing reviews, initial scoping reviews, future scrutiny topics, reference groups, training and development matters and reports for information.	Senior Scrutiny Adviser
Items to be scheduled – dates TBC		

Hospital Discharge and Admission Prevention	To receive a report on the work being undertaken to improve hospital discharge including the models being elsewhere, and the work on virtual wards and other measures to prevent hospital admissions.	Representatives of ESHT and NHS Sussex.
Non-Emergency Patient Transport Service (NEPTS)	To receive an update report on the implementation and mobilisation of the new contract for Non-Emergency Patient Transport Services (NEPTS) in Sussex. <i>Note: Report to be scheduled for June 2025.</i>	Representative from NHS Sussex.
Cardiology transformation Programme	An update report on the implementation of the ESHT Cardiology transformation Programme including the transport and access recommendations and measures made as part of the review of this transformation programme. <i>Note: Timing is dependent on ESHT implementation timescales.</i>	Representatives of ESHT and NHS Sussex.
Transition Services	A report on the work of East Sussex Healthcare NHS Trust (ESHT) Transition Group for patients transitioning from Children's to Adult's services	Representatives of ESHT
Implementation of Kent and Medway Stroke review	To consider the implementation of the Hyper Acute Stroke Units (HASUs) in Kent and Medway and progress of rehabilitation services in the High Weald area. <i>Note: Timing is dependent on NHS implementation process</i>	Representatives of NHS Sussex/Kent and Medway ICS
Adult Burns Service	A report outlining proposals for the future of Adult Burns Service provided by Queen Victoria Hospital (QVH) in East Grinstead. <i>Note: provisional dependent on NHS England's plans</i>	NHS England and QVH
Sexual Assault Referral Centre (SARC)	A report on proposals for re-procurement of Sussex SARCs <i>Note: provisional dependent on NHS England's plans</i>	NHS England
Specialised Children's Cancer Services – Principal Treatment Centres (PTCs)	To receive an update report from NHS England, London and South East on implementation of the changes to the Specialised Children's Cancer Services – Principal Treatment Centre located in south London which serves East Sussex.	NHS England, London and South East

	<p><i>Note: timing of the report will be dependent on the implementation of the changes which are not due until 2026 at the earliest.</i></p>	
--	---	--

Audit Committee – Work Programme

List of Suggested Potential Future Work Topics		
Issue	Detail	Meeting Date
Audit Committee Working Groups		
Working Group Title	Subject area	Meeting Dates
Oracle Implementation (MBOS) Sub-Group	Oversight of the Oracle Implementation programme.	24 June 2024
Training and Development		
Title of Training/Briefing	Detail	Date

Future Committee Agenda Items		Author
5 July 2024		
Assessment of the Corporate Governance Framework and Annual Governance Statement for 2023/24	Sets out an assessment of the effectiveness of the Council’s governance arrangements and includes an improvement plan for the coming year, and the annual governance statement (AGS) which will form part of the statement of accounts.	Philip Baker, Assistant Chief Executive

Internal Audit Services Annual Report and Opinion 2023/24	An overall opinion on the Council's framework of internal control, summarises the main audit findings and performance against key indicators (includes Internal Audit Progress reports – Quarter 4, 2023/24, (01/01/24 – 31/03/24).	Nigel Chilcott, Audit Manager / Russell Banks, Chief Internal Auditor
Counter Fraud Annual Report	Annual report on Counter Fraud work	Simon White, Audit Manager – Counter Fraud / Russell Banks, Chief Internal Auditor
Strategic Risk Monitoring	Strategic risk monitoring report – Quarter 4, 2023/24 (01/01/24 – 31/03/24)	Ros Parker, Chief Operating Officer / Ian Gutsell, Chief Finance Officer
Audit Committee Annual Report	Annual Report 2023/24 of the Audit Committee: meeting a requirement of the CIPFA Position Statement for Audit Committee	Ian Gutsell, Chief Finance Officer, Sophie Webb, Interim Senior Governance and Democracy Officer
Modernising Back Office Systems (MBOS) Update	Update from the MBOS Sub-Group.	Ros Parker, Chief Operating Officer
Committee Work Programme	Discussion of the future reports, agenda items and other work to be undertaken by the Committee.	Sophie Webb, Interim Senior Governance and Democracy Officer

20 September 2024		
Internal Audit Progress Report	Internal Audit Progress report – Quarter 1, 2024/25 (01/04/24 – 30/06/24)	Nigel Chilcott, Audit Manager/Russell Banks, Chief Internal Auditor
Financial Management Code	Report of the Financial Management Code	Thomas Alty, Deputy Chief Finance Officer / Ian Gutsell, Chief Finance Officer
Strategic Risk Management	Strategic risk monitoring report – Quarter 1, 2024/25 (01/04/24 – 30/06/24)	Ros Parker, Chief Operating Officer / Ian Gutsell, Chief Finance Officer
Committee Work Programme	Discussion of the future reports, agenda items and other work to be undertaken by the Committee.	Sophie Webb, Interim Senior Governance and Democracy Officer
22 November 2024		
Review of Annual Governance Report & 2023/24 Statement of Accounts	Report of the external auditors following their audit of the Council’s statutory accounts. It allows the committee to review the issues raised and assess the management response.	External Auditors/ Ian Gutsell, Chief Finance Officer
Review of Annual Pension Fund Governance Report & 2023/24 Statement of Accounts	Report of the external auditors following their audit of the Pension Fund. It allows the committee to review the issues raised and assess the management response.	External Auditors/ Ian Gutsell, Chief Finance Officer
Treasury Management Annual Report & Mid-Year Report 2024	To consider a report on the review of Treasury Management performance for 2023/24 and for outturn for the first six months of 2024/25, including the economic factors	Ian Gutsell, Chief Finance Officer

	affecting performance, the Prudential Indicators and compliance with the limits set within the Treasury Management Strategy before it is presented to Cabinet.	
Internal Audit Progress Report	Internal Audit Progress report – Quarter 2, 2024/25 (01/07/24 – 30/09/24)	Nigel Chilcott, Audit Manager/Russell Banks, Chief Internal Auditor
Annual Update on Property Investment Strategy and Key Sites 6 monthly Update	Consideration of an annual report on the implementation of the Property Asset Disposal and Investment Strategy.	Ros Parker, Chief Operating Officer
Committee Work Programme	Discussion of the future reports, agenda items and other work to be undertaken by the Committee.	Sophie Webb, Senior Interim Governance and Democracy Officer
TBC March 2025		
External Audit Plan 2024/25	This report sets out in detail the work to be carried out by the Council's External Auditors on the Council's accounts for the financial year 2024/25.	Ian Gutsell, Chief Finance Officer & External Auditors
External Audit Plan for East Sussex Pension Fund 2024/25	To consider and comment upon the External Audit Plan for the East Sussex Pension Fund for the financial year 2024/25.	Ian Gutsell, Chief Finance Officer & External Auditors
Auditor's Annual (VFM) Report on East Sussex County Council 2023/24	To provide the Committee with Grant Thornton's Annual (Value for Money) Report for 2023/24	Ian Gutsell, Chief Finance Officer & External Auditors

Internal Audit Strategy and Plan	Consideration of the Internal Audit Strategy and Plan for 2025/26	Russell Banks, Chief Internal Auditor/ Nigel Chilcott, Audit Manager
Internal Audit Progress Report	Internal Audit Progress report – Quarter 3, 2024/25 (01/10/24 – 31/12/24)	Nigel Chilcott, Audit Manager/ Russell Banks, Chief Internal Auditor
Strategic Risk Monitoring	Strategic risk monitoring report – Quarters 2 and 3, 2024/25 (01/07/24 – 31/12/24)	Ros Parker Chief Operating Officer / Ian Gutsell, Chief Finance Officer
Committee Work Programme	Discussion of the future reports, agenda items and other work to be undertaken by the Committee.	Sophie Webb, Interim Senior Governance and Democracy Officer

This page is intentionally left blank

Scrutiny Review and Reference Group Timelines – Overview

Please note that timelines and dates of meetings may be subject to change due to the evolving nature of scrutiny work.

Scrutiny Reviews

2024>	May	June	July	August	September	October	November	December onwards	
Healthy ageing (People)	Scoping	Main Review activity			Report to committee		Report to Cabinet	Report to Council	
Speed limit policy (Place)	Scoping	Main Review activity						Report to committee	Report to Cabinet (Jan) Report to Council (Feb)
ASC Digital (People)			Progress report to committee						
ASC inclusion (People)			Progress report to committee					Progress report to committee (March)	
Pothole management (Place)			Progress report to committee					Progress report to committee (March)	
School exclusions (People)					Progress report to committee			Progress report to committee (March)	
School attendance (People)			Updated scoping		Main Review activity (TBC)			Report to committee – TBC (March)	
Paediatric changes (HOSC)		Progress report to HOSC						Progress report to HOSC	

Reference Groups

2024>	March	April	May	June	July	August	September onwards
Local Transport Plan (Place)			Meeting 29 May 2024				Meeting 2 September 2024
Economic Growth Strategy (Place)	Meeting 6 March 2024						
Climate Emergency Action Plan (Place)					Meeting 24 July 2024	Meeting 28 August 2024	
CSD Prevention (People)				Meeting 17 June 2024			
Health and Social Care Integration Programme (People)				Meeting 24 June 2024			Meeting Autumn 2024 TBC
Adult Social Care Reforms (People)							Meetings TBC based on national developments
Educational Attainment (People)	Meeting 27 March 2024						Next meeting early 2025
ASCH CQC (People)							Next meeting to be once Peer Review report received

Report to:	Governance Committee
Date of meeting:	25 June 2024
By:	Chief Operating Officer
Title:	Flexible Retirement
Purpose:	To seek the Governance Committee's agreement to the introduction of a Flexible Retirement policy to support the retention of skills and promote effective workforce succession planning, whilst providing greater flexibility for staff in their approach to retirement.

RECOMMENDATIONS

The Governance Committee is recommended to recommend the County Council to agree:

- 1) the implementation of a flexible retirement scheme for employees (excluding those on Teaching terms and conditions); and**
 - 2) that the Local Government Pension Scheme Employer Discretions Policy is updated accordingly as set out in paragraph 2.7.**
-

1 Background

1.1 The County Council previously operated a flexible retirement scheme for LGPS members which ceased in 2012. The scheme enabled an employee from age 55 to reduce their hours or move to a lower paid role, whilst accessing a proportion of their pension benefits to offset the reduction in salary.

1.2 The scheme was intended to provide employees greater flexibility in their approach to retirement and mitigate the 'cliff edge' effect of the now abolished compulsory retirement age of 65 years. It was also designed to support the business needs of the organisation by maintaining skill retention, and supporting effective succession planning.

1.3 The abolition of the default retirement age on 1st October 2011 prompted a policy review and consequently the scheme ceased due to several coinciding key factors mainly:

- the abolition of the compulsory retirement age at 65 years lessened the need for the scheme particularly with other available flexible working options, and a voluntary redundancy scheme in operation. It also created some uncertainty around the end date of a flexible retirement arrangement and therefore it's implied value and cost effectiveness;
- the scheme was not considered to meet the business needs of the council based on the recruitment context at that time. In particular, following the 2007 financial crisis there were more skilled recruits available and less need to retain existing employees; and
- the rule of abatement restricting earnings applied, which made the scheme less appealing. Abatement no longer applies (except in the cases of tier 3 ill health retirement only).

1.4 The Council's recruitment context has changed significantly. We are now experiencing an increasingly competitive recruitment environment where it is more difficult to attract and retain skilled employees. This warrants a greater focus on meeting the needs of a maturing workforce.

1.5 The rise in cost of living is also likely to have an impact on financially viable options for flexible working as staff approach retirement age. A maturing workforce, particularly those with caring responsibilities, are more likely to want to consider a financially balanced decision around flexible working.

1.6 A benchmarking exercise has shown that many authorities have continued to successfully operate a flexible retirement scheme despite a fluctuating economic and social climate, and the legislative change in 2011.

2 Supporting information

2.1 This report proposes the reintroduction of a flexible retirement scheme that facilitates a permanent reduction in an employee's contractual hours or grade (for example an internal role transfer at a lower grade) whilst accessing their pension benefits.

2.2 The scheme would be underpinned by the following key principles. A flexible retirement arrangement must:

- accompany a mutually agreeable reduction in contractual working hours or grade and therefore pay;
- be beneficial to the service and sustainable for ongoing business continuity; and,
- present no additional cost to the organisation (for example, in relation to waiving pension reductions for early access to benefits).

2.3 Employees would need to discuss and agree a business case with their manager, demonstrating how the arrangement would support the business needs of the service. HR would provide guidance for managers to ensure the process was managed appropriately and consistently. In approving requests, managers would need to consider the sustainability of an ongoing flexible retirement arrangement, bearing in mind that there is no expectation of a default retirement age or obligation to determine an end date.

2.4 In terms of a minimum reduction in contractual hours, it is recommended that this is at least 20%. This is broadly in line with other authorities who report a minimum percentage reduction between 20% - 50%. It is worth noting that as part of the policy review undertaken in 2012, managers reported that a 20% reduction was not enough to make an effective saving, enable the backfilling of the reduced hours, or effectively plan for succession. It is therefore propose that whilst any policy includes a 20% reduction in hours as a minimum, the service determines the appropriate minimum reduction in the context of business needs including retention of skills, experience, and succession planning. The reduction in contractual hours should be understood to be a permanent reduction.

2.5 If agreed, to support the implementation of the scheme, a communications plan will be drawn up to provide information and details for managers and staff on the scheme, the key points and the application process.

2.6 The scheme is not expected to incur any cost to the organisation. As stated above, it is expected that the Council would not waive any actuarial reduction and/or "strain" cost for early access to an employee's pension. This has been made clear in the draft Policy, a copy of which is attached as Appendix 1. Set against this background, the key consideration in relation to approval is around the needs of the service and business impact. As such, the draft scheme proposes that the authority to approve flexible retirement requests sits at Assistant Director level.

2.7 Provision to allow an active member who has attained the age 55 or over to reduce their working hours or grade and receive immediate payment of all or part of their their retirement pension is contained within the The Local Government Pension Scheme (LGPS) regulations – R30(6) and TP11(2). At present, the Council's Local Government Pension Scheme Employer Discretions Policy notes that the Council does not operate a Flexible Retirement Policy. If a Flexible Retirement Scheme is agreed to be implemented, the local discretions will be updated to reflect this.

3. Conclusion

3.1 A flexible retirement scheme can form an additional financially viable option to ESCC's existing suite of flexible working options for staff approaching retirement age. In circumstances where business needs can continue to be met by a flexible retirement arrangement, the scheme can retain skills and help services plan resources into the future. A flexible retirement scheme has the potential to provide a degree of security and stability for both employees and services particularly in the context of a changing operating environment.

3.2 The Governance Committee is therefore recommended to recommend the County Council agrees:the implementation of a flexible retirement scheme for employees (excluding those on Teaching terms and conditions) and that the Local Government Pension Scheme Employer Discretions Policy is updated accordingly.

Ros Parker
Chief Operating Officer

Contact Officers:

Jo Gaterell
HR Consultant, Policy
Email: jo.gaterell@eastsussex.gov.uk

Sarah Mainwaring
Assistant Director, HR&OD
Email: sarah.mainwaring@eastsussex.gov.uk

This page is intentionally left blank



Flexible Retirement Policy

Date:

Document summary

This policy sets out how managers and employees can work together to achieve flexibility for employees approaching retirement, by reducing the employee's working hours or grade while drawing their pension benefits. The policy applies to local government employees who are active members of the Local Government Pension Scheme.

Enquiries

HR Advisory Team, 01273 481300

Contents

1. What is flexible retirement?.....	2
2. The benefits of flexible retirement.....	2
3. Eligibility for flexible retirement.....	2
4. Conditions of service.....	3
5. Financial implications.....	3
6. Pension Reduction and the Protection of 85-year rule.....	4
7. Applying for flexible retirement.....	4

Flexible Retirement Policy

1. What is flexible retirement?

- 1.1. Flexible retirement is a planned approach to retirement that enables employees to phase down and draw from their pension early to offset the reduction in salary. Phasing down could include:
 - Reducing working hours and/or
 - Moving to a job on a lower salary
- 1.2. Employees who are current active members of the Local Government Pension Scheme may seek their employer's agreement to draw their pension benefits from the age of 55 and continue working on reduced hours or move to a job on a lower salary.
- 1.3. There must be at least a 20% reduction in pay or hours for an employee to access the flexible retirement scheme. Managers should consider whether the new working arrangements meet the business needs of the service, including retention of skills, experience, and succession planning.

2. The benefits of flexible retirement

- 2.1. Flexible retirement enables employees to plan their retirement, financially and socially to make a gradual adjustment towards the end of their working life.
- 2.2. Services also benefit by retaining experienced staff with valuable skills. This can better enable effective succession planning.

3. Eligibility for flexible retirement

- 3.1. To be eligible for flexible retirement, employees must meet the following eligibility criteria:
 - Be employed by the County Council with a permanent contract of employment.
 - Be an active member of the Local Government Pension Scheme.
 - Have reached the Normal Minimum Pension Age, currently age 55.
 - Working to a reduction in hours or pay of at least 20%

The scheme is not available to employees on Teachers' terms and conditions.

- 3.2. Managers must support an employee's application with a business case approved by their Assistant Director/Headteacher in consultation with HR Advisory. The business case should include details of the impact in service delivery and the benefit to the employee and school or department.
- 3.3. The Chief Executive's approval is required for applications for posts at Assistant Director level and above.
- 3.4. In the event a manager does not approve an employee's application, the employee may request that the decision is reviewed in accordance with the [Flexible Working Requests Guidance's](#) review process. There is no further right of appeal and no other procedure, such as the [Grievance Procedure](#), may be used.

3.5. There is no trial period for flexible retirement and, once it has been agreed, the decision cannot be reversed, because of the direct impact upon the pension benefits.

4. Conditions of service

4.1. In the event of an employee reducing hours in the same job, all the conditions of their contract of employment will be retained, including recognition of continuous service for purposes of annual leave and sick pay and for employment rights, such as redundancy payments and unfair dismissal.

4.2. If the employee starts a new job, they will receive a new contract of employment. Local government continuous service will be recognised for purposes of annual leave and sick pay and for employment rights, such as redundancy payments and unfair dismissal.

5. Financial implications

5.1. Flexible retirement enables employees to draw their pension benefits and to continue working, either in the same job on reduced hours or in a new job at a lower grade. There are, therefore, two sources of income; pension benefits and income from employment.

5.2. The annual pension and lump sum retirement grant are paid with effect from the date of flexible retirement and Additional Voluntary Contributions (AVC's) may be drawn if the employee so chooses. Pensions benefits will be reduced if accessing them prior to normal pension age, see Part 6.

5.3. Employees taking flexible retirement may contribute to the Local Government Pension Scheme in the new or continuing part time job and accrue further pension benefits within the LGPS that may be drawn when they finally retire. It is important to note that the new local government pension is a separate pension accrual. This means that the previous service (relating to the pension put into payment as a result of flexible retirement) will not count as accrued service in respect of the later benefits. This might affect entitlement to benefits such as ill health and could also affect any safeguarded "Rule of 85" protections. (See paragraph on "Rule of 85" below).

5.4. Employees are responsible for obtaining their own financial advice as the County Council is not able to provide this to staff, but the following information might be helpful:

- flexible retirement will have the effect of reducing salary and partially replacing this with pension benefits. Depending on the level of salary reduction and the amount of accrued pension benefits, the overall level of income received during the period of flexible retirement, or at the eventual date of retirement from the County Council, might be less than that received by continuing to work in the original contract until the LGPS standard retirement age of 65.
- different inflation awards are applied to pension benefits and salaries. This means that each element will increase at a different rate throughout the period of flexible retirement, whereas pay could increase more overall.

- the pension is treated as taxable income and will, therefore, be subject to income tax deductions, in the same way as salaries.
- on reaching state pension age, employees might become entitled to state pension benefits over and above their local government pension benefits. There are also some options in relation to state benefits - such as deferring them so as to receive a larger state benefit later or a lump sum.

6. Pension Reduction and the Protection of 85-year rule

- 6.1. In most circumstances, employees will experience a pension reduction in accessing their pension as a result of taking flexible retirement prior to normal pension age. Some employees' pension may be protected in part, by the 'Rule of 85'.
- 6.2. The 'Rule of 85' was removed from the pension scheme from 1 October 2006, with some protection for those who had an expectation of meeting it. This rule is satisfied when your age in whole years, added to the length of your LGPS membership totals 85 or more at the time of retirement.
- 6.3. No reduction will apply to those members who retire at or after their normal pension age. Some pension scheme members will qualify for some of their pension to be paid unreduced when retiring before the normal pension, where they meet the transitional protection arrangements.
- 6.4. All pension scheme members who joined before 1 October 2006 and could have satisfied the '85 year Rule' prior to the age of 65 have some level of protection. Those who wish to retire when they have satisfied the Rule of 85 and are beyond the age of 60 will have the relevant protections applied when accessing their benefits. However, those who satisfy the 85 year rule prior to the age 60 and also retire prior to age 60 may have a reduction applied to their otherwise protected benefits on account of them being accessed prior to age 60 (the minimum retirement age at the time the 85 year rule was in operation).
- 6.5. East Sussex County Council will not waive any pension reduction under the flexible retirement scheme.
- 6.6. The abatement rules do not apply when employees draw their pensions under the Flexible Retirement policy.

7. Applying for flexible retirement

- 7.1. As part of regular supervision meetings, such as 1:1s and performance appraisals, employees and managers/headteachers should maintain an open dialogue about future aspirations, which may include the option to take flexible retirement. The prospect of a contractual change to access retirement benefits can then be discussed and explored as part of a collaborative process.

Get estimates of pension benefits

- 7.2. Employees will need to contact XXXX, who will obtain an estimate of pension benefits. This will include any reduction to these benefits if drawn before 65 years of age. Please note that only one request per annum for an estimate of pension benefits will be made free of charge.

Apply in writing

- 7.3. Employees should make a request for flexible retirement in writing to their manager/headteacher using the [Flexible Retirement Application Form](#). This should include an indication of a possible start date.
- 7.4. Whilst there needs to be at least a 20% reduction in hours or pay, managers will need to consider the overall reduction and whether this is enough particularly in the context of succession planning. The appropriate amount of reduction will need to be mutually agreed.
- 7.5. In cases where an employee intends to move to a lower grade/salary, their line manager will need to be aware of whether an alternative position has already been secured or whether the employee needs to be supported in the change to a different post.
- 7.6. Managers must meet the employee within 28 days of the request and notify the employee of the decision to support the application or agree an extension within 14 days of this meeting. An extension may be necessary, for example, after a manager agrees to support the request in principle but needs more time to look into the proposed new working pattern.

Managers supporting the request

- 7.7. Managers must:
- confirm their support of the request or any agreed adjustment to the original request in writing to the employee, please see para 7.5.
 - complete the business case section of the [Flexible Retirement Application Form](#). Please see below for more information on supporting the application with a business case. The HR Advisory Team can be contacted for advice and guidance.
 - send the [Flexible Retirement Application](#) onto their Assistant Director/Headteacher for approval.

Preparing a business case

- 7.8. Each flexible working case should be treated on a case-by-case basis and supported by a business case that considers:
- The impact on service delivery
 - Succession planning arrangements, to transfer knowledge and skills to others
 - How the employee will phase down to full retirement eg. 3 day working for 2 years, then 2 day working for 2 years, then retire completely.
 - any other costs or savings arising from the flexible retirement, for example, saving on the employee's salary, recruitment of a new employee, additional duties payments made to other members of staff, avoidance of redundancy payment.

Managers decline a request

- 7.9. Where a manager decides that, due to the needs of the service, they are unable to accept an employee's flexible working request, they should promptly meet with the employee to discuss the reasons and then confirm these in writing.
- 7.10. Managers will need to refer to the declining the request section in the [Flexible Working Requests Guidance](#) stating the business ground(s) as to why the request cannot be accepted and provide an explanation of why the business reasons apply in the circumstances.
- 7.11. If the employee is dissatisfied with this decision, they may follow the review process outlined in the [Flexible Working Requests Guidance](#). No other procedure of the County Council, such as the Grievance Policy can be used once this review procedure has been exhausted.

DRAFT

Report to:	Governance Committee
Date of meeting:	25 June 2024
By:	Director of Communities, Economy and Transport
Title:	Amendment to Constitution – Scheme of Delegation to Officers
Purpose:	To seek approval to add to and amend the Scheme of Delegation in relation to functions delegated to the Director of Communities, Economy and Transport.

RECOMMENDATION

The Governance Committee is recommended to recommend the County Council to agree to amend the Scheme of Delegation to Officers as set out in Appendix 1 of this report.

1. Background Information

1.1 The County Council's Scheme of Delegation provides the Director of Communities, Economy and Transport (CET) with authority to perform a number of functions and make certain decisions across the range of services that make up the directorate. National policy, legislative changes and the need to more efficiently respond to specific scenarios can result in new and amended functions that need to be performed by the CET directorate. To ensure that decisions are taken at an appropriate level, and are capable of being taken within prescribed timeframes, certain changes and additions are proposed to the Scheme of Delegation to Officers.

1.2 The changes proposed in this report are as a result of the creation of the King Charles III England Coast Path National Trail, which is covered by the Countryside & Rights of Way (CROW) Act 2000 and the Marine & Coastal Access (MCA) Act 2009. Changes are also proposed in relation to the delegation of powers within Sections 15 and 16 of the Commons Act 2006. Respectively, these powers relate to the withdrawal of Town & Village Green applications by an applicant and the 'exchange' of Common Land, typically as a result of a development.

2. Proposed amendments to the Scheme of Delegation

King Charles III England Coast Path National Trail (KCIIECP)

2.1 The KCIIECP is a new 2,800-mile National Trail running around the coast of England. The Trail is currently being implemented on the ground by Natural England. However, once complete, the ongoing management of the Trail will fall to Access Authorities (typically County and City Councils or National Parks) to manage. The East Sussex section of the Trail is due to open in 2024/25.

2.2 Typically, the KCIIECP will run over existing public rights of way or highways. In these cases, the Highways Act powers to maintain and enforce the public's right of way are already delegated to the Director of Communities, Economy and Transport.

2.3 However, where public rights of way or highways do not exist along the coast, Natural England is required to create strips of 'Access Land', to ensure continuous public access. The public has access over this land on foot. The powers to manage and enforce public access under the CROW and MCA Acts are not currently delegated to officers.

2.4 Once the Trail is open, this duty will fall to East Sussex County Council (ESCC), and it is proposed that the powers detailed within Appendix 1 be delegated to the Director of Communities, Economy and Transport. This would also be in keeping with the equivalent Highways Act powers already delegated to the Director (see paragraph 2.2.).

Section 15, Commons Act 2006 – Town & Village Green application – withdrawal by applicant

2.5 A member of the public can make an application to ESCC to have an area of land registered as a Town & Village Green (TVG.) In line with legislative requirements, such

applications are subject to a range of legal tests and are, following a report and recommendation made by officers, ultimately confirmed or refused by ESCC's Commons and Village Green Panel.

2.6 Applying to register a TVG can be a lengthy and complex process for an applicant to take on. Due to the consultations required, and length of time an application may take to conclude, the situation on the ground in terms of access can also change before the application is concluded. Therefore, an applicant may, for their own reasons, wish to withdraw their TVG application.

2.7 Where an applicant wishes to withdraw their application, ESCC consults the various interested parties and also places notices on site to draw out local comments. If no objections are received, there is currently no delegation in place for a decision to be made at Officer level. A request to withdraw can therefore only be decided on by resolution of a Commons and Village Green Panel. It is proposed that if, following consultation, no objections are received, power should be delegated to the Director of Communities, Economy and Transport as set out in Appendix 1 to enable a TVG application to be formally withdrawn.

2.8 If, following consultation, objections are received to a proposed withdrawal of a TVG application, then the officer recommendation and ultimate decision would be referred to the Commons and Village Panel to consider.

Section 16, Commons Act 2006 – joining application for de-registration and replacement of Common Land

2.9 Section 16 of the Commons Act 2006 allows an applicant to de-register land that is registered as Common Land (CL). That Section also allows for land to be provided to 'replace' the CL that has been de-registered. The de-registration and replacement of CL is typically necessary to allow developments which have been granted planning permission to progress.

2.10 Such applications are usually a matter between the applicant and the Secretary of State for Environment, Food and Rural Affairs. However, where a public right of way runs across the CL to be de-registered, ESCC is required to become a joint applicant. (It should be noted that, if a diversion of the public right of way in question is also necessary, that would be dealt with by powers within the Town & Country Planning Act 1990 or Highways Act 1980, both of which are already delegated to officer level within CET.)

2.11 In these cases, the primary applicant (usually a developer) carries out all public consultation and liaison with the Secretary of State, meaning ESCC is a minor party to the application whose sole interest is the existence of the public right of way which runs across the CL. Therefore, where ESCC is required to join applications due to the existence of a public right of way, it is recommended that this power is delegated to the Director of Communities, Economy and Transport as set out in Appendix 1.

3. Conclusion and Reason for Recommendation

3.1 It is considered that the additions proposed to the Scheme of Delegation in Appendix 1 are necessary in order for the County Council to manage the England Coast Path and Section 15 and 16 applications. The proposed changes will ensure decisions can be taken in an efficient and timely manner at a level which is proportionate to their overall significance to the Council.

RUPERT CLUBB
Director of Communities, Economy and Transport

Contact Officer: Andy Le Gresley

Tel. No. 07786 171486

Email: andrew.legresley@eastsussex.gov.uk

LOCAL MEMBERS

ALL

BACKGROUND DOCUMENTS

None.

C. Director of Communities, Economy and Transport

1. To authorise, pursuant to the powers contained in the Highways Act 1980 (as amended):
 - (a) the erection and siting of buildings or structures (including but not limited to seats, signs, notice boards and bollards) or the carrying out of works (including but not limited to maintenance):
 - (i) within, over or under the highway and public rights of way;
 - (ii) in front of the prescribed building line;
 - (iii) of a private nature over or under the public highway, subject to securing appropriate bonding arrangements and commuted maintenance payments.
 - (b) interference with or obstruction to highways;
 - (c) the grant of permissions and licences;
 - (d) the grant of permissions and licences including but not limited to skips; trees/shrubs; scaffolding; builders materials and hoardings.
2. After consultation with the Assistant Chief Executive to serve any notices and to exercise the powers of the County Council to authorise direct action or institute legal proceedings relating to:
 - (a) interference with or obstruction to or nuisance on any highway or land adjoining a highway; and
 - (b) a failure to comply with any prohibition or requirement of the Highways Act 1980, New Roads and Works Act 1991 (Part 3), the Traffic Management Act 2004, National parks and access to the Countryside Act 1949, Wildlife and Countryside Act 1981, Dangerous Dogs Act 1989 or Builders' Skips (Markings) Regulations 1984.
3. (a) After consultation with the Assistant Chief Executive, appropriate District Council and local member (save in the case of temporary traffic restrictions), to make, give consent or object to the making of, apply or confirm any order under the provisions of the Highways Act 1980 (as amended), the Wildlife and Countryside Act 1981, the Road Traffic Regulation Act 1984 (as amended), the Town and Country Planning Act 1990, the Parking Act 1989 and the Rights of Way Act 1990, the Traffic Management Act, New Roads Works and Streets Act 1991, Countryside and Rights of Way Act 2000, Cycle Track Act 1984.

- (b) To make provision for the regulation of traffic, pursuant to the County Council's statutory powers, where formal orders are not required.
 - (c) To authorise the Assistant Chief Executive to make temporary traffic orders without recourse to the consultation procedure.
- 4. To approve, from time to time, a schedule of prospectively maintainable highways under the New Roads and Street Works Act 1991.
- 5. To authorise the entering into of agreements with developers under Sections 38 and 228 of the Highways Act 1980 and to exercise the powers of the County Council with respect to the formal adoption of private streets generally.
- 6. To authorise the entering into of any agreements under the Highways Act 1980 including (but not limited to) agreements under Sections 6 and 278 of that Act
- 7. To authorise entry onto any land, including for the purpose of survey and to place or leave on or in that land any apparatus for use in connection with that survey.
- 8. To exercise the discretionary powers of the County Council under the Land Compensation Act 1973 (as amended) and the Noise Insulation Regulations.
- 9. After consultation with the Assistant Chief Executive to serve notices of exemption from the Advance Payments Code (Private Street Works) in appropriate cases where this would not prejudice the County Council.
- 10. To object, when appropriate on highway grounds, to applications to local licensing authorities for licences for goods vehicle operating centres.
- 11. To undertake the powers and duties of the County Council as Enforcement Authority under the Reservoirs Act 1975, including the service of formal notices and the authorisation of legal proceedings.
- 12.
 - (a) In consultation with the Assistant Chief Executive, to grant permits under Section 115(E) of the Highways Act 1980 for the carrying out of trading and similar activities on footways and pedestrianised areas, in cases of unopposed applications.
 - (b) To deal with consultations by district councils exercising their own powers under Section 115(E) of the Highways Act 1980 and to give consent to the exercise of such powers.
 - (c) To authorise payment terms and associated conditions where permits are issued under Section 115(E) of the Highways Act 1980 for trading and similar activities on footways and pedestrianised

areas, in cases where the Highways Authority is the owner of the land.

13. After consultation with the Chief Operating Officer, to amend the fee for the service provided by the County Council in answering highway enquiries on the CON29 Enquiries of Local Authority Form, based upon current costs.
14. To determine the need for on-street parking bays for blue badge holders close to their residences, in terms of traffic problems.
15. To sign controlled waste transfer notes under the Environmental Protection Act 1990 and the Environmental Protection (Duty of Care) Regulations 1991 in respect of waste transferring between the County Council and another party.
16. After consultation with the Assistant Chief Executive, to determine claimed public rights of way pursuant to Section 53(5) of the Wildlife and Countryside Act 1981
17. After public consultation, and consultation with the Assistant Chief Executive, and where no objections have been received, to authorise the withdrawal of Town and Village Green applications made under Section 15 of the Commons Act 2006.
18. After public consultation, and consultation with the Assistant Chief Executive, to join applications for the de-registration and replacement of Common Land made under Section 16 of the Commons Act 2006.
19. After consultation with the Assistant Chief Executive to exercise the powers of the County Council contained in the Countryside & Rights of Way Act 2000, including to authorise enforcement action and the removal of obstructions
20. Pursuant to powers contained in the Countryside & Rights of Way Act 2000, to exercise powers of entry, the appointment of wardens and agreements in relation to access.
21. To authorise, pursuant to the powers contained in the Marine & Coastal Access Act 2009, the establishment and maintenance of the England Coast Path, the erection and maintenance and removal of notices and signs and powers of entry.

Public Transport

17. (i) To arrange such consultations as appear to him to be appropriate following the notification by an operator of an intention to change a local bus service.

- (ii) To take steps to provide for the provision at short notice of temporary gap filling journeys where an operator withdraws from a route.
- (iii) To award contracts, within established guidelines and policy, to the lowest tenderer.
- (iv) On behalf of the County Council, to enter into a 'de minimis' arrangement with an operator, subject to being satisfied that the particular arrangement is both appropriate and the most cost effective means of securing the provision of a journey.
- (v) To approve requests for fares increases on supported services which are broadly in line with the general level of inflation.

Development Control

- 18. To determine all applications for planning permission which fall to be determined by the County Council where the proposal is considered to be in accordance with the development plan and current planning policies except where two or more objections on planning grounds have been received within the consultation period.
- 19.
 - (a) To determine applications for planning permission amounting to minor variations to applications already granted.
 - (b) To determine applications for non-material amendments to planning permissions made under the Town and Country Planning Act 1990
 - (c) To determine particulars submitted pursuant to conditions attached to planning permissions.
- 20. To determine any matter arising under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and associated legislation and any legislation which amends or replaces it.
- 21.
 - (a) To determine whether an application for prior approval is required under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.
 - (b) To determine, where there are less than two objections relating to matters that can be considered by the County Planning Authority under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, applications for prior approval under the aforementioned legislation.
- 22. To determine applications for a periodic Review of Old Mineral Permissions made under Paragraph 4 of Schedule 14 of the Environment Act 1995.
- 23. To determine applications for certificates of appropriate alternative development under Section 232(3) of the Localism Act 2011, in respect of decisions which fall to be made by the County Planning Authority.

24. To determine applications for Certificates of Lawfulness of Existing or Proposed Use or Development under Sections 191 and 192 respectively of the Town and Country Planning Act 1990 (as amended).
25. To determine applications for Listed Building consent for alterations, extension or demolition of a Listed Building under the Planning (Listed Buildings and Conservation Areas) Act 1990, where the proposal is considered to be in accordance with the development plan and current planning policies, except where two or more objections have been received within the consultation period.
26. To assess whether a proposal which is a departure from the Development Plan requires referral to the Secretary of State and, when deemed necessary, make the referral.
27. To respond to consultations by District/Borough Planning Authorities on applications for development in areas which have been notified to them as mineral consultation areas or waste consultation areas.
28. To respond to the appropriate government department on applications made under the Environmental Impact Assessment and Habitats (Extraction of Minerals by Marine Dredging) Regulations 2001 unless the proposal raises issues of strategic importance.
29. To submit observations on behalf of the County Planning Authority and the Highway Authority in respect of proposals for development by District Councils.
30. To respond to the relevant District Planning Authority on behalf of the Highway Authority in respect of any statutory or other consultations in relation to proposals for development.
31. To submit observations on proposals for development by local authorities and government departments not involving formal consultation.
32. To give observations, if appropriate, on behalf of the County Council on applications to the Secretary of State for deemed planning permission under Section 90(1) of the Town and Country Planning Act 1990 for the erection of poles, pole mounted equipment and overhead electricity lines below 33kv.
33. To give observations, if appropriate, on behalf of the County Council on proposals for minor diversions or temporary routes on power lines up to 400kv where no objection is being raised.
34. After consultation with the Assistant Chief Executive, to decide whether to take and/or to discontinue formal enforcement action or initiate any other legal proceedings in any case where they consider it appropriate to do so; any action taken to be reported to a subsequent meeting of the Planning Committee.

35. In consultation with appropriate Directors to authorise the County Council to participate in planning obligations under Section 106 Town and Country Planning Act 1990.
36. To consider requests for variations to agreements made under S106 of the Town and Country Planning Act 1990, in consultation with relevant Directors, the local Members and the Chair of Planning Committee where this materially affects the obligations of, or to the County Council, and to enter into such variation agreements as appropriate.
37. To exercise the powers delegated to the Council by another Planning Authority to provide the planning service for matters detailed in Paragraphs 18 – 24 and 33 – 35 above for sites and proposals that are in accordance with arrangements agreed with the other Planning Authority.

Development Plans and Consultation

38. To respond to consultations by other Planning Authorities on Draft Local Plans and any other Development Plan.
39. To consider, agree and sign Statements of Common Ground that are prepared in support of Development Plans by both the County Council and other planning authorities.
40. To respond to consultations by Town and Parish Councils and other Qualifying Bodies on Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders.
41. To respond on behalf of the Council as County Planning Authority, Highway Authority and/or Lead Local Flood Authority to consultations from government departments and other statutory and non-statutory organisations.
42. To make representations on Development Consent Orders at the Pre-application, Acceptance and Pre-Examination stages, and to further these representations and represent the County Council at the Examination stage.
43. To agree briefs for joint County and District Local Plan studies.
44. To agree to publish the Waste and Minerals Monitoring Reports and Local Aggregate Assessments.
45. To publish amendments to the Council's Local Development Scheme.

Other Matters

46. To make new Tree Preservation Orders and modify existing Orders.
47. To determine applications for consent to fell, top or lop trees included in a

- Tree Preservation Order (where this is the responsibility of the County Planning Authority).
48. To submit observations when consulted on applications for felling licences.
 49. To authorise the planting of trees, subject to funds being available within the agreed budget.
 50. To authorise the service of Notices under Section 207 of the Town and Country Planning Act 1990, requiring the replacement of trees.
 51. To exercise the County Council's powers and duties under orders and regulations made under the Plant Health Act 1967 (includes Dutch Elm Disease).
 52. After undertaking appropriate consultations, to decline the offer of an access agreement between the County Council and the landowner in respect of woods which clearly have insignificant recreational value.
 53. To make arrangements for the transport of pupils and students to school or college where there is a statutory duty or it is the policy of the County Council to provide such transport.
 54. To discharge any function relating to the control of pollution or the management of air quality.
 55.
 - (a) To discharge the powers, duties and responsibilities of the County Council under the legislation in respect of trading standards and animal welfare, which shall include but not be limited to the legislation listed in 55 below ('the trading standards and animal welfare legislation').
 - (b) To appoint and designate officers in Trading Standards as authorised officers in respect of the trading standards and animal welfare legislation. The Team Manager –Trading Standards is designated the Chief Inspector of Weights and Measures.
 - (c) To grant, amend, refuse, suspend and transfer licenses or certificates, and to register persons or premises, pursuant to the trading standards and animal welfare legislation.
 - (d) To authorise the institution of proceedings brought under the trading standards and animal welfare legislation.
 56. The legislation set out below includes also any enabling enactment, statutory instrument, order in council, byelaw or other order, and any enactment repealing, amending or extending the provisions thereof.
 - Accommodation Agencies Act 1953
 - Administration of Justice Act 1970 – Section 40
 - Administration of Justice Act 1985
 - Agricultural Produce (Grading & Marking) Acts 1928
 - Agriculture Act 1970
 - Animal Health Act 1981

Animal Welfare Act 2006
Anti-Social Behaviour Act 2003
Cancer Act 1939
Celluloid & Cinematograph Film Act 1922
Children & Young Persons (Protection from Tobacco)
Act 1991
Children & Young Persons Act 1933
Clean Air Act 1993
Companies Acts 1985/2006
Consumer Credit Act 1974
Consumer Protection Act 1987
Copyright, Designs & Patents Act 1988
Courts and Legal Services Act 1990
Criminal Damage Act 1971
Criminal Justice Act 1988
Customs & Excise Management Act 1979
Education Reform Act 1988
Energy Act 1976
Enterprise Act 2002
Environmental Protection Act 1990
Estate Agents Act 1979
Explosives Act 1875
Fair Trading Act 1973
Farm & Garden Chemicals Act 1967
Fireworks Act 1951
Fireworks Act 2003
Food and Environment Protection Act 1985
Food Safety Act 1990
Forgery & Counterfeiting Act 1981
Fraud Act 2006
Hallmarking Act 1973
Health & Safety at Work etc Act 1974
Housing Act 2004
Intoxicating Substances (Supply) Act 1985
Knives Act 1997
Legal Services Act 2007 (S198)
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
(S16)
Malicious Communications Act 1988
Medicines Act 1968
Merchant Shipping Act 1995
Motor Cycle Noise Act 1987
Motor Vehicles (Safety Equipment for Children) Act
1991
Olympic Symbol etc (Protection) Act 1995
Performing Animals (Regulation) Act 1925
Poisons Act 1972
Prices Act 1974
Property Misdescriptions Act 1991

Protection of Animals Act 1911
Public Health Act 1961
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Act 1988 and 1991
Road Traffic Regulation Act 1984
Solicitors Act 1974
Telecommunications Act 1984
Theft Acts 1968 and 1978
Tobacco Advertising and Promotions Act 2002
Trade Descriptions Act 1968
Trade Marks Act 1994
Unsolicited Goods & Services Acts 1971 & 1975
Video Recordings Act 1984
Weights & Measures Act 1985

57. To authorise officers of the East Sussex Fire and Rescue Service or another Local Authority to act as licensing officer and petroleum inspectors, under sections 18 and 19 of the Health and Safety At Work (etc) Act 1974 and the Petroleum Consolidation Act 1928, on behalf of the County Council.
58. In liaison with Action in Rural Sussex and the Chief Operating Officer to agree arrangements for the consideration of applications for assistance to Village Halls and to determine applications, subject to keeping the Lead Cabinet Member, opposition Group Spokespersons and the local member informed.
59. To determine applications for ordinary watercourse consent, under the Land Drainage Act (1991) as amended
60. After consultation with the Assistant Chief Executive, to decide whether to take formal enforcement action or initiate legal action under the Land Drainage Act 1991 or the Flood and Water Management Act 2010 in any cases it is deemed appropriate to do so.
61. To respond to the relevant planning authorities on behalf of the County Council as Lead Local Flood Authority in respect of any statutory or other consultation in relation to the drainage and local flood risk aspects of proposals in applications for planning permission (including Notifications for Prior Approvals) and Development Plans.
62. To designate features which affect flood risk and to determine applications to alter or remove designated features under the Flood and Water Management Act 2010
63. To update the Preliminary Flood Risk Assessment for East Sussex in accordance with the requirements of the Flood Risk Regulations 2009.
64. Under the Safety of Sports Grounds Act 1975 (as amended):

- (a) after consultation with the East Sussex Fire Authority, to carry out inspections and issue Safety Certificates subject to any matters of particular relevance being reported to the Regulatory Committee.
 - (b) to issue, serve and enforce prohibition notices.
- 65. Under the Fire Safety and Safety of Places of Sport Act 1987:
 - (a) after consultation with the East Sussex Fire Authority, to undertake the County Council's powers and duties: (i) in respect of inspections, determinations and the issue, amendment and cancellation of certificates under Part III of the Fire Safety and Safety of Places of Sport Act 1987; and (ii) to enforce and institute proceedings under this legislation.
 - (b) to charge applicants for certificates up to the statutory maximum
- 66. In relation to libraries:
 - (a) to fix the opening and closing hours; and
 - (b) to set the fees and charges made by the Business Information Services.
- 67. To take the lead role in Arts related work, including determining applications for grant aid for support for the Arts where the sum applied for is £2,000 or less.
- 68. To amend the Commons Register following an application under Section 15(8) of the Commons Act 2006.
- 69. To undertake and be responsible for the day to day management and operation of the Lewes Public Library and Museum Charitable Trust.
- 70. To set charges for transport conditional permits within guidelines set by the Cabinet.
- 71. To publish a consultation draft of a Local Nature Recovery Strategy and undertake all tasks under Regulations 4 to 12 inclusive, of The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023, in preparing and publishing a draft LNRS. To make representations on Local Nature Recovery Strategies prepared by neighbouring authorities.

Registration Matters

- 72.
 - (a) To exercise the powers of the County Council under the Marriage Act 1994 and the Marriage (Approved Premises) Regulations 1994, save where a review has been sought which falls to be determined by the Approved Marriage Premises Review Panel.
 - (b) To convene a Panel of three Members, drawn from the membership of the Regulatory Committee, to review decisions made by the Proper Officer

for Registration under the Marriage (Approved Premises) Regulations 1995.

This page is intentionally left blank

Report to: Governance Committee

Date of meeting: 25 June 2024

By: Chief Operating Officer

Title: Amendment to the Constitution – Employee Code of Conduct

Purpose: For the Governance Committee to recommend to Full Council amendments to the Constitution in relation to the Employee Code of Conduct

RECOMMENDATIONS

The Governance Committee is recommended to recommend to Full Council to agree the following amendments to the Constitution, which relate to the Employee Code of Conduct:

- 1) additional wording to formally confirm that employees must not access the records of relatives or friends who receive services from the council; and
 - 2) minor amendments and clarifications as set out at Appendix 1 of the report.
-

1. Background

1.1. The Employee Code of Conduct (ECoC) forms part of the Council's Constitution, as well as being reproduced as a standalone document provided to employees via the staff intranet and Webshop for school employees. The ECoC sets out the minimum standards of conduct that employees will be expected to observe when carrying out their duties. The document is maintained by the Human Resources Team and is periodically reviewed to reflect any changes in best practice, legislation, or the Council's operational context.

1.2. Following a recent review of the ECoC, it's proposed that it is updated to include additional wording that formally confirms employees must not access the records of relatives or friends who receive services from the Council. Various minor amendments and clarifications are also proposed, as described below. An amended copy of the ECoC is attached as Appendix 1, with the proposed amendments shown as tracked changes.

2. Access to records

2.1. As the Governance Committee will be aware, the Council provides employees with comprehensive training on data protection, confidentiality, and information security, and restricts access to sensitive data only to those employees who need to access it in the course of their work. However, there have been isolated cases where employees have accessed the records of relatives or friends who are accessing services from the Council. To help mitigate the risk of future incidents, it's proposed that the ECoC is amended to:

- State that employees should declare any potential conflict of interest between their job role and council services received by relatives or friends;
- Actively state that employees must not access records relating to relatives or friends;
- Amend the paragraph giving examples of where a conflict of interest declaration should be submitted, to clarify that conflicts may relate to personal or business connections to the Council.

3. Other minor amendments

3.1. As part of the most recent review of the ECoC, the following minor amendments are also proposed:

- Updating the wording regarding conflict of interest declaration to confirm that employees are responsible for submitting a declaration annually, or sooner if a potential conflict arises;
- Clarifying the circumstances under which an 'offline' declaration form should be used and updating the list of departmental coordinators for offline forms. It's also proposed that for confidentiality purposes, the names of individual coordinators be removed from the version of the ECoC included in the externally published constitution; and
- Updating where employees can access further guidance on politically restricted posts and removing a reference to defunct guidance on intellectual property.
- Changes to the formatting of the ECoC in line with best practice and house style.

4. Conclusions

4.1. These proposed amendments will help strengthen the ECoC and ensure it remains fit for purpose. The Governance Committee is therefore recommended to recommend to Full Council to agree the proposed amendments to the Constitution relating to the ECoC.

Ros Parker

Chief Operating Officer

Contact Officer: Sarah Mainwaring, Assistant Director HR&OD

Tel. No. 01273 482060

Email: Sarah.Mainwaring@eastsussex.gov.uk

Local Member: All

Background Documents: None

Code of Conduct and Conflict of Interest Policy



Date: ~~Feb 2022~~ June 2024

Document summary

This Code sets out the minimum standards of conduct that employees will be expected to observe when carrying out their duties. The Code is there to protect you in the event that your actions are subject to challenge.

Contents

Key Points:	3
1. Introduction	3
2. Standards	5
3. Political neutrality	5
4. Using County Council equipment, materials and property	6
5. Gifts, bequests and legacies	7
6. Hospitality	8
7. Outside commitments	9
8. Personal interests	10
9. Disclosure of information and confidentiality	11
10. Appointment and other employment matters	12
11. Employment after working at the County Council	12
12. Criminal offences	13
13. Position of trust	13
14. Sponsorship	14
15. Relationships	14
16. Approvals	15
17. If in doubt	15
Appendix 1: Potential Conflicts of Interest	16
Appendix 2: Employment after working at the County Council	17
Appendix 3: Frequently Asked Questions	19
Appendix 4: Equality Impact Assessment Summary	20

About this document:

<p>Enquiries: HR Strategy Team</p> <p>Author: Legal Services, HR Strategy and Internal Audit</p> <p>Telephone: 01273 481194</p> <p>Email: ~dbspathrstrategyteam@eastsussex.gov.uk</p>	<p>Version number: 06</p> <p>Related information:</p> <p>East Sussex County Council Constitution</p> <p>Members' Code of Conduct</p> <p>Code on Member/Employee Relationships</p> <p>Disciplinary Policy</p> <p>Anti-Fraud and Corruption Strategy</p> <p>Corporate Sponsorship Policy</p> <p>Guidance about Politically Restricted Posts</p> <p>Whistleblowing Policy</p> <p>Safe Use of Motor Vehicles Policy</p> <p>Personal Use of Council Equipment Policy</p> <p>Internet Access and Usage Policy</p> <p>Email Use Policy</p> <p>Social Media Policy</p>
<p>Accessibility help</p> <p>Zoom in or out by holding down the Control key and turning the mouse wheel.</p> <p>CTRL and click on the table of contents to navigate.</p> <p>Press CTRL and Home key to return to the top of the document.</p> <p>Press Alt-left arrow to return to your previous location.</p> <p>References shown in blue text are available on the Intranet/the Webshop.</p> <p>References shown in underlined blue text are links to other areas of this document.</p>	

Code of Conduct and Conflict of Interest Policy

Key Points:

- This policy applies to all County Council employees, including schools based employees where the Governing Body has adopted the policy (subject to such other changes which may have been adopted by the Governing Body of the school). Throughout this policy, reference to the 'County Council' includes County Council-maintained schools.
- The Code aims to ensure that confidence in the integrity of employees is maintained at all times.
- The Code forms part of your contract of employment and must be followed - breach of this code may be viewed as a serious disciplinary matter depending on the severity of the breach.
- The Code, where appropriate, must be read in conjunction with the [Anti-Fraud and Corruption Strategy](#), [Whistleblowing Policy](#), [Financial Regulations](#), [Procurement Standing Orders](#), the [Scheme of Delegations](#), and with any other more detailed County Council/Departmental operational instructions/guidelines.
- All potential conflicts of interest must be declared before the activity commences or the issue arises. If your circumstances change, it is your responsibility to immediately inform your manager and make a new declaration.
- All staff will be reminded of the need to declare potential conflicts of interest and required to complete an annual form.
- A separate [Members' Code of Conduct](#) applies to Councillors.

1. Introduction

- 1.1. This Code should be considered alongside relevant guidance from professional bodies, such as the Health and Care Professions Council. In Schools, this includes the 'Code of Conduct for Employees Whose Work Brings Them into Contact with Young People'.
- 1.2. Please take time to read this Code, and make sure that you understand it. Although this Code cannot be exhaustive, its intention is to provide sufficient information to make you aware of what is required of you. Therefore, if you are unclear, or want to know something specific, please talk to your manager.
- 1.3. It is important that you understand that a breach of the Code could lead to disciplinary action, and even dismissal, depending on the severity of the breach (please refer to the [Disciplinary Policy](#)). Ignorance of the guidelines in the Code will not be seen as a valid excuse.
- 1.4.

- 1.5. ~~Annually, all staff will be reminded of the need to declare potential conflicts of interest and required to complete an annual form, including where a NIL return has been made in the previous declaration~~ **It is the individual responsibility of each employee to make a conflict of interest declaration when they join the County Council and to ensure that their declarations are kept up to date. Employees should update their declaration either annually, even if this is to make a 'nil return', or when there is a significant change in circumstances.. If there is a change in your circumstances and a potential conflict arises, it is your responsibility to inform your manager as soon as possible so the conflict of interest can be considered.**
- 1.6.
1. Staff in corporate departments who have ~~an ESCC email account~~ **access to the intranet** should use the electronic form available via the intranet.
 2. Staff in corporate departments who do not have ~~an ESCC email account~~ **access to the intranet** should send their written declaration to their [departmental coordinator](#).
 3. Staff in schools should use the form available on the Webshop.
- ~~1.7. You will be asked to review your declaration of interest form annually, including where you have made a NIL return in your previous declaration. However, if there is a change in your circumstances and a potential conflict arises, it is your responsibility to inform your manager as soon as possible so the conflict of interest can be considered.~~
- 1.8. Throughout this policy, where it is stated that Assistant Directors will determine whether a conflict of interest exists or whether a gift or offer of hospitality may be accepted, when the employee in question is an Assistant Director the determination will be made by the relevant Chief Officer and/or the Assistant Chief Executive. For Headteachers, the school's Governing Body should decide and a recommendation may be sought from the Director of Children's Services.
- 1.9. List of departmental coordinators: **PLEASE NOTE THESE CONTACTS WILL NOT BE LISTED IN THE CONSTITUTION WHEN PUBLISHED EXTERNALLY AS PART OF THE CONSTITUTION**

Adult Social Care	Kerry Sussex
Business Services	PA to Chief Operating Officer
Chief Executive's Office	Caroline Hodge
Children's Services	Julie Stevens
Communities, Economy & Transport	CETCorrespondence@eastsussex.gov.uk
Governance Services	Caroline Hodge
Public Health	Tracey Houston

2. Standards

- 2.1. You are expected to give the highest possible standard of service to members of the public, observing the standards of conduct which the law, the Council's [Standing Orders and Financial Regulations](#), Conditions of Service, this Code and any School /Departmental rules require together with any relevant guidance from professional bodies.
- 2.2. The Council has adopted the Nolan Committee's seven principles, which set the standards in public life. In performing your duties, you must act in accordance with the seven Nolan principles, which are:
 - Selflessness - You must act solely in terms of the public interest and not in order to gain financial or other material benefits for yourself, family or friends.
 - Integrity - You should not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
 - Objectivity - You must make choices on merit when making decisions on appointments, contracts, or recommending rewards and benefits for individuals.
 - Accountability - You are accountable for your decisions and actions to the public and you must submit yourself to whatever scrutiny is appropriate.
 - Openness - You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.
 - Honesty - You have a duty to declare any private interests relating to your work and you need to take steps to resolve any conflicts arising in a way that protects the public interest.
 - Leadership - You should promote and support these principles by leadership and example.
- 2.3. You are encouraged and expected, through agreed procedures and without fear of recrimination, to raise workplace concerns about risk, malpractice or wrongdoing in accordance with the County Council's [Whistleblowing Policy](#).
- 2.4. You must ensure that you use public funds entrusted to you in a responsible and lawful manner and in accordance with the County Council's Financial Regulations.
- 2.5. If requested to do so, you are expected to co-operate in any investigation being carried out by or on behalf of the County Council.

3. Political neutrality

- 3.1. Please note that Section 3 'Political Neutrality' is not applicable to employees on teachers' terms and conditions of employment.
- 3.2. You serve the County Council as a whole. It therefore, follows that you must serve all County Councillors and not just those of the majority group and you must ensure that the individual rights of all County Councillors are respected.

3.3. You must not be involved in advising any political group of the County Council or attend any of their meetings in an official capacity without the express consent of your Chief Officer. You must follow every lawful expressed policy of the County Council and must not allow your own personal or political opinions to interfere with your work. **Political Assistants appointed on fixed term contracts in accordance with the Local Government & Housing Act 1989 are exempt from these conditions.**

~~1. Political Assistants appointed on fixed term contracts in accordance with the Local Government & Housing Act 1989 are exempt from these conditions.~~

3.4. As an employee of the County Council you are not eligible to stand for office as an elected member of the County Council. For County Council staff (with the exception of staff on Teachers' Terms and Conditions of Employment), some posts are politically restricted and employees are prohibited from political activity as defined in the [Local Government and Housing Act 1989 \(as amended\)](#), either:

- (i) where the post holder gives advice on a regular basis to the Authority (meaning the County Council, the Cabinet, Lead Cabinet Member, any committee or sub-committee of the Authority, or to any committee on which the Authority is represented); and/or
- (ii) the post holder speaks on behalf of the Authority on a regular basis to journalists or broadcasters.

~~Advice on this can be obtained from the Assistant Chief Executive.~~ **Further information is available in the Politically Restricted Posts guidance available on the Intranet and Webshop.**

3.5. If your duties bring you into contact with County Councillors, you should be aware that guidance on relationships with Councillors is contained within the [Code on Member/Employee Relationships](#).

4. Using County Council equipment, materials and property

4.1. You must ensure that you use public funds entrusted to you in a responsible and lawful manner, and in accordance with the County Council's [Financial Regulations](#), and all other relevant County Council policies.

4.2. The facilities and equipment provided as part of your work belong to the County Council and should only be used for legitimate County Council business purposes. Please ensure that you:

- Comply with health and safety regulations and use personal protective equipment as required;
- Take care of County Council property or equipment, keeping it secure and reporting any breakages or breaches of security;
- Use equipment and facilities for authorised purposes only;
- Do not use County Council equipment or property, including vehicles, for your own private benefit or gain or in fraudulent activity or for any unauthorised purposes.

4.3. Facilities and equipment is taken to mean, but is not limited to; computers, software, telephones, vehicles and intellectual property. The County Council reserves the right to access all IT systems (including telephone voice recordings), in the event of a policy or security breach. Please also refer to the [Personal Use of Council Equipment Policy](#), [Internet Access and Usage Policy](#), [Email Use Policy](#) and [Information Security and Data Protection Policy](#).

5. Gifts, bequests and legacies

- 5.1. It is a serious criminal offence for you to corruptly receive or give any bribe, gift, loan, fee, reward, or advantage for doing or not doing anything or showing favour or disfavour to any person in your official capacity. If an allegation is made, it is for you to demonstrate that any such rewards have not been corruptly obtained. Please also refer to the [Anti-Fraud and Corruption Strategy](#).
- 5.2. As a representative of the County Council it is important that you treat any offer of a personal gift, loans, fees, rewards or other financial or in kind advantage (collectively referred to here as ‘gifts’) with care. You must not accept gifts from contractors or potential contractors, including those who have previously worked for the County Council, service users, clients or suppliers.
- 5.3. You should handle the refusal of gifts with tact and courtesy. The intentions of those offering gifts may not have been corrupt but simply inappropriate to professional relationships in the public sector. It is therefore important, that where organisations make offers of gifts or hospitality, they are clearly made aware that such practice is unacceptable and should not be repeated.
- 5.4. If you receive any unexpected gifts they must be returned with a polite refusal letter to the sender, which makes it clear that County Council employees are not permitted to accept any gifts, other than those set out in sections 5.6 and 5.7.
- 5.5. All gifts offered including, but not limited to, inducements such as air miles, trading discounts, vouchers, or offers of hospitality, must be declared
1. Staff in corporate departments who have an ~~ESCC email account~~ **intranet access** should use the electronic form available via the intranet.
 2. Staff in corporate departments who do not have an ~~ESCC email account~~ **intranet access** should send their written declaration to their [departmental coordinator](#).
 3. Staff in schools should use the form available on the Webshop.
- 5.6. Minor articles such as diaries, calendars, mugs, office items and the like will not be regarded as a gift. If you have any doubt as to whether an item falls within the definition of a gift and / or is acceptable, you are expected to raise this with your manager at the earliest opportunity.
- 5.7. In the case of schools, low value items are frequently offered as a gesture of appreciation from pupils, parents or carers, at the end of term for example. These may be accepted if they are not in any way connected with the performance of duties. Discretion should be exercised where the items offered are in excess of £10 in value and then can only be accepted with the Headteacher’s approval and must be declared.

5.8. The same rules as above apply to bequests, which must be refused, unless there are special circumstances approved in writing by your Assistant Director in consultation with the Assistant Chief Executive. In schools, this should be approved by your Headteacher and Chair of Governors.

5.9. In summary:

- You should not accept gifts.
- Declare the offer of any gifts (including bequests or legacies).
- You should handle the refusal of gifts with tact and courtesy and make those offering them aware that such practice is not acceptable and should not be repeated.
- Unexpected gifts must be returned with a polite refusal letter to the sender.
- All gifts offered for any amount must be declared.
- Minor articles of a promotional nature such as diaries, calendars, and mugs will not be regarded as a gift.
- If you have any doubt, as to what is acceptable, speak to your manager beforehand or at the earliest opportunity following receipt of the article or gift.
- In the case of schools, articles from pupils/parents/carers of less than £10 in value need not necessarily be refused.

6. Hospitality

6.1. You should exercise caution in offering and accepting accommodation, tickets or passes for an event, food or drink, or entertainment which is provided free of charge or at a discounted rate ('hospitality'). You should bear in mind how it might affect your relations with the party offering it or receiving it and how it might be viewed by a range of stakeholders, including:

- County Councillors;
- School Governors;
- other potential suppliers/contractors;
- the public;
- the media;
- your colleagues.

6.2. When considering any offer of hospitality, the following should be considered when determining whether it can be accepted:

- the invitation comes from an organisation or individual likely to benefit from the County Council;
- the organisation or individual is seeking a contract with the County Council, or one has already been awarded;
- in the case of a visit, it is genuinely instructive and does not constitute, or could be perceived as being, more of a social function;
- the scale and location of the hospitality is proportionate and relative to the event;
- the event takes place outside of normal working hours;
- it is being offered on a frequent basis;
- it is being offered just to you or others as well;
- the hospitality is purely a social or sporting event as opposed to an event which you are attending in an official capacity.

- 6.3. Examples of Hospitality which should not normally be accepted include:
- events that are purely social occasions;
 - attendance at events that, if they had been funded by the County Council, would be perceived as a poor or inappropriate use of public funds;
 - events where current or potential contractors pay for the meals or the table at the event; and /or
 - attendance at corporate events, including sporting or cultural events.
- 6.4. Examples of events which may be accepted (subject to consideration of the factors listed in 6.2):
- events that are clearly of a training or development nature; and / or
 - events where you are invited to attend as a formal representative of the County Council and attendance relates directly to the performance of your duties.
- 6.5. In all instances where you wish to accept hospitality, including site visits as part of procurement or similar activities, you must seek the approval in advance in writing from your Assistant Director/Headteacher and wherever possible the County Council should meet the cost of your attendance in full.
- 6.6. Particular care should be taken in the case of attendance at conferences, seminars or other training and development events, where current or potential contractors or suppliers offer to pay the associated costs. Whilst these may be business related events, it may be inappropriate hospitality to be funded by others. In such cases, advice should be sought from your Assistant Director/ Headteacher but as a general rule, if the event is genuinely business related then it should be funded by the County Council and the expense subject to the normal authorisation process.
- 6.7. All offers of hospitality, whether accepted or not, should be declared. You are also reminded that, where organisations make inappropriate offers of gifts or hospitality, they should be made aware that such practice is unacceptable and should not be repeated.

7. Outside commitments

- 7.1. Regardless of grade, whether whole or part-time, permanent, temporary, relief or seasonal, you must seek the written permission of, and make a written declaration (an oral declaration is not sufficient) to, your Assistant Director/Headteacher before engaging in any other work or business (*) which might relate or in any way impact on your duties for the County Council. This includes paid or unpaid work, and will include one off pieces of work as well as regular employment.
1. Staff in corporate departments who have an ESCC email account should use the electronic form available via the intranet.
 2. Staff in corporate departments who do not have an ESCC email account should send their written declaration to their [departmental coordinator](#).
 3. Staff in schools should use the form available on the Webshop.

- 7.2. If you are paid at or above Single Status Grade 9 (spinal point 23 and above) or equivalent, you are specifically required to declare to, and obtain consent from, your Assistant Director/ Headteacher, if you wish to engage in any other business (*), or take up any additional appointment regardless of whether there is any conflict of interest anticipated. Such consent will not be unreasonably withheld. If your request is approved, the County Council must be mindful of its responsibility under the Working Time Regulations 1998, the Health and Safety at Work Act 1974 and its general responsibilities towards the health of its employees.
- 7.3. You must declare in writing to your Assistant Director any relatives, partners or friends who are engaged in a business, **including roles such as company directorships, company secretaries and so on**, which either currently provides services to the County Council or may do so in the future. In the case of schools based staff, you must declare in writing to your Headteacher any relatives, partners or friends who are engaged in a business which either currently provides services to your School, or schools with which your school collaborates or is federated to, or may do so in the future. This is in order to minimise the risk of suspicion that some influence may be exerted over a particular customer as to the choice of provider, or that the provider gained advantage in terms of information received.
- 7.4. You must not work privately for personal gain for a service user/pupil for whom you have a service provision role within the County Council unless you have written consent from your Assistant Director/Headteacher. This includes service users or pupils to whom an employee may not personally be giving a service but does receive a service from the County Council. Suitability of such work may depend on the scale of the work, the impact it has on an employee's performance and whether there is any potential for an employee to be perceived as taking advantage of their position to generate the work. This determination lies with your Assistant Director or Headteacher.
- 7.5. If you are permitted to engage in any other business or take up any additional employment, you must not undertake any work in connection with your additional employment in County Council time, or make use of any County Council equipment or facilities. It is the responsibility of each individual employee to declare any additional personal income to Her Majesty's Revenue and Customs (HMRC).
- 7.6. If you have any doubt whatsoever you should make a declaration, so that the County Council can make the judgement as to whether a conflict exists.
- 7.7. The County Council is entitled to ownership of intellectual property e.g. copyright of material created by you in the course of your duties as an employee of the County Council. Please see [Guidance Notes on Ownership of Intellectual Property](#).

~~(*) - "engage in any other business" includes roles such as company directorships, company secretaries and so on.~~

8. Personal interests

- 8.1. Your off-duty hours are your own personal concern. However, you must not put yourself in a position where your job and personal interests conflict.

- 8.2. You must declare in writing any financial or non-financial interests that could in any way be considered to bring about conflict with the County Council's interests. This includes any relationship, discussions or correspondence over any employment or private interests with organisations or individuals that may have a past, current or future business connection with the County Council, including but not limited to circumstances where funds are being paid or received by the County Council or situations that could result in more favourable treatment or give advantage to an individual or organisation. If you have any doubt whatsoever you should make a declaration, so that your employer can make the judgement as to whether a conflict exists (see [Appendix 1: Making a declaration](#)).
- 8.3. You are required to disclose any personal interest that may conflict with the County Council's interests e.g. representative of an organisation which may seek to influence the County Council's policies (see [Appendix 1: Making a declaration](#)). **If a relative or friend accesses services provided by the County Council, you must declare any potential conflict between your job role and the services they receive. Employees must not access information or records related to Council services received by their relatives, friends, or anyone else they have a personal relationship with.**
- 8.4. You must inform your Assistant Director/Headteacher if you are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation, if it may potentially impact upon your role and duties. Bankruptcy may impact on the duties of employees who have a financial responsibility. The purpose of this is to ensure that a proper framework of support is in place.

9. Disclosure of information and confidentiality

- 9.1. It is generally accepted that open government is best. The law requires that certain types of information must be made available to members, auditors, government departments, service users, and the public. In particular, the Freedom of Information Act 2000 gives a legal right of access to information held by the County Council, subject to certain exemptions. You must ensure that you are aware of the [Freedom of Information and Data Protection guidance](#), and guidance for staff issued in relation to this.
- 9.2. No politically or commercially sensitive information, should be released to anyone, including County Councillors, without authorisation from your line manager.
- 9.3. You must ensure that any personal information you work with is only processed in accordance with data protection legislation. When handling personal data you must always adhere to the [Information Security and Data Protection Policy](#) ~~Data Protection Guide for Employees~~ and [Confidentiality Code of Practice](#). Further training and guidance is available from the Council, and you should ensure you are familiar with it. **You must not access information or records related to Council services received by their relatives or friends, or anyone else you have a personal relationship with.**
- 9.4. If you are in any doubt about disclosing information then you are expected to seek guidance from your manager.

- 9.5. Confidential Committee papers must not be released without the consent of the Assistant Chief Executive. In schools, confidential Governor Papers must not be released without the approval of the Governing Body.
- 9.6. You must not use any information obtained in the course of your employment for personal gain nor pass it on to others who might use it in such a way or for any purpose for which it was not originally intended.
- 9.7. Any information which you might receive from a County Councillor/ Governor relating to his/her personal/private affairs and which does not belong to the County Council should not be divulged without the prior approval of that County Councillor/ Governor, except where such disclosure is required or sanctioned by law.

10. Appointment and other employment matters

- 10.1. You must not be involved in the day-to-day line management, appointment, or any other decisions relating to the discipline, promotion or pay or conditions of another employee, or prospective employee, who is a relative, partner or friend. Managers should consider whether their relationship with a colleague may have an impact on their ability to carry out their duties. In schools, staff Governors should not be involved in making decisions about these matters when a colleague is the subject.
- 10.2. If you are responsible for appointing employees, you must ensure that decisions are based on merit and not on anything other than their ability to do the job. Similarly, you must not canvass on behalf of any applicant. (Please see the [Recruitment and Selection Policy](#)).
- 10.3. If you have a connection in a private, social or domestic capacity with someone who also works for the County Council or who sits on a school's Governing Body that may potentially create, or be thought to create, a conflict of interest you need to declare this to your Assistant Director/Headteacher for them to consider.
- 10.4. Employees must inform their manager if they are being investigated by any professional body and any sanction imposed.
- 10.5. If you are in doubt about any of the above, please seek advice from the Personnel Advisory Team.

11. Employment after working at the County Council

- 11.1. The County Council is concerned to safeguard the integrity of the workings of local government and to avoid even the appearance of impropriety among its employees. It is in the public interest that people with experience of public administration should be able to move into business and other bodies. It is also important that whenever a County Council employee accepts a particular outside appointment, there should be no cause for any suspicion of impropriety. The rules set out in [Appendix 2](#) to this Code are aimed at safeguarding both the County Council and individual employees from such criticism or suspicion. The rules apply to appointments in the United Kingdom and across the European Union.

12. Criminal offences

- 12.1. Employees are expected to conduct themselves at all time (inside and outside of work) in a manner which will maintain public confidence in both their integrity and the services provided by the County Council. In general, what an employee does outside work is his/her personal concern, unless those actions would cause a breakdown in the employment relationship.
- 12.2. Employees must inform their manager if they are arrested/convicted/cautioned in respect of any offence as soon as possible. Employees do not need to disclose minor driving offences (such as fixed penalty notices for speeding tickets) unless either:
 1. driving is a key requirement of their role (e.g. they drive County Council vehicles or drive their own vehicle regularly for work); and / or
 2. the conviction results in disqualification from driving.(See the [Safe Use of Motor Vehicles Policy](#) for details.)
- 12.3. Disclosing all convictions does not necessarily mean disciplinary action will be taken against an employee. The extent to which a criminal offence may affect employment depends on whether the conduct:
 - Makes the employee unsuitable for their type of work; and/or,
 - May reflect adversely on the County Council's reputation or ability to perform its function.
- 12.4. Employees sentenced to immediate imprisonment may be dismissed without notice or compensation in lieu of notice.
- 12.5. Employees should always notify their manager if there is any doubt as to whether or not they need to share information about an arrest or conviction.
- 12.6. Any failure to disclose such information, even where no charges are brought against you, may lead to disciplinary action. Where it is deemed that there is an adverse impact on your employment, the [Disciplinary Policy](#) will apply.

13. Position of trust

- 13.1. It is the responsibility of all staff to ensure they maintain professional standards and do not abuse or appear to abuse their position of trust in the way they conduct their relationships with service users/pupils/contractors, their families or carers.
- 13.2. Specific examples of conduct which should be avoided include, but are not limited to:
 - meeting socially with pupils or service users (or their carers or families); and/or
 - exchanging personal contact details or connecting using social media.
- 13.3. Employees must refrain from conduct of this nature unless there is sound operational reason to do so, in which case the action must only be taken with the express written approval of the employee's Assistant Director/Headteacher.

13.4. If employees are engaging in activity or associating with people outside work whose current or past conduct could raise doubts or concerns about an employee's own integrity or ability to be in a 'position of trust' with regard to children or vulnerable adults, this could have a direct consequence on their employment.

14. Sponsorship

14.1. When an outside organisation wishes to sponsor or is being asked to sponsor a County Council activity, the basic conventions concerning the acceptance of gifts and hospitality apply. Please refer to the East Sussex County Council's [Corporate Sponsorship Policy](#).

14.2. This section on sponsorship is not applicable to schools.

15. Relationships

15.1. Councillors

Employees are responsible to the County Council through its senior managers, except where a school's Governing Body is the employer. Your role may require you to give advice to councillors and senior managers. Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors. It should therefore be avoided.

15.2. Contractors

You must declare in writing to your Assistant Director/Headteacher any current or past relationships of a business or private nature with any outside organisation or individual that has a relationship with the County Council (see [Appendix 1: Making a declaration](#)). Orders and contracts must be awarded on merit and no special favour should be shown to any businesses, particularly those you have an interest in. If you have such an interest you must not be involved in any way in awarding work or orders or subsequent management of contracts. Similarly, you must not canvass on behalf of any outside organisation that has a relationship with the County Council.

Where your role within the Council means that you are involved with outside businesses and suppliers (e.g. through raising orders, letting contracts, contract management etc.) discussions over potential conflicts and gifts/hospitality should be had as part of regular performance and development conversations with your manager.

You must declare in writing to your Assistant Director/Headteacher, if you become aware that the County Council is entering a contract in which you have a direct interest, or if you are involved in assessing/evaluating tenders for business from an organisation in which you have a direct interest.

1. Staff in corporate departments who have an ESCC email account should use the electronic form available via the intranet.
2. Staff in corporate departments who do not have an ESCC email account should send their written declaration to their [departmental coordinator](#).
3. Staff in schools should use the form available on the Webshop.

15.3. Contract Tenders

If you wish to tender for a contract from the County Council, you must declare such an intention to the appropriate Assistant Director/Headteacher, as soon as intent has been formed, and at the earliest possible opportunity.

15.4. Foster Carers

If you act as a foster carer for the County Council or any other agency you must declare this (including the intention to do so if you are not already a foster carer) in writing as a potential conflict of interest.

15.5. The Press and Media

You must not deal direct with the press or the media in relation to anything related to County Council business unless required to do so as part of your duties, or you have been expressly authorised by your line manager in consultation with your Assistant Director/Headteacher.

If you speak as a private individual directly to the press or at a public meeting or other situation where your remarks may be reported to the press, you must take reasonable steps to ensure nothing you say might lead the public to think you are acting in your capacity as a County Council employee.

15.6. The Local Community and Service Users

You must always remember your responsibilities to the community which you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the County Council.

16. Approvals

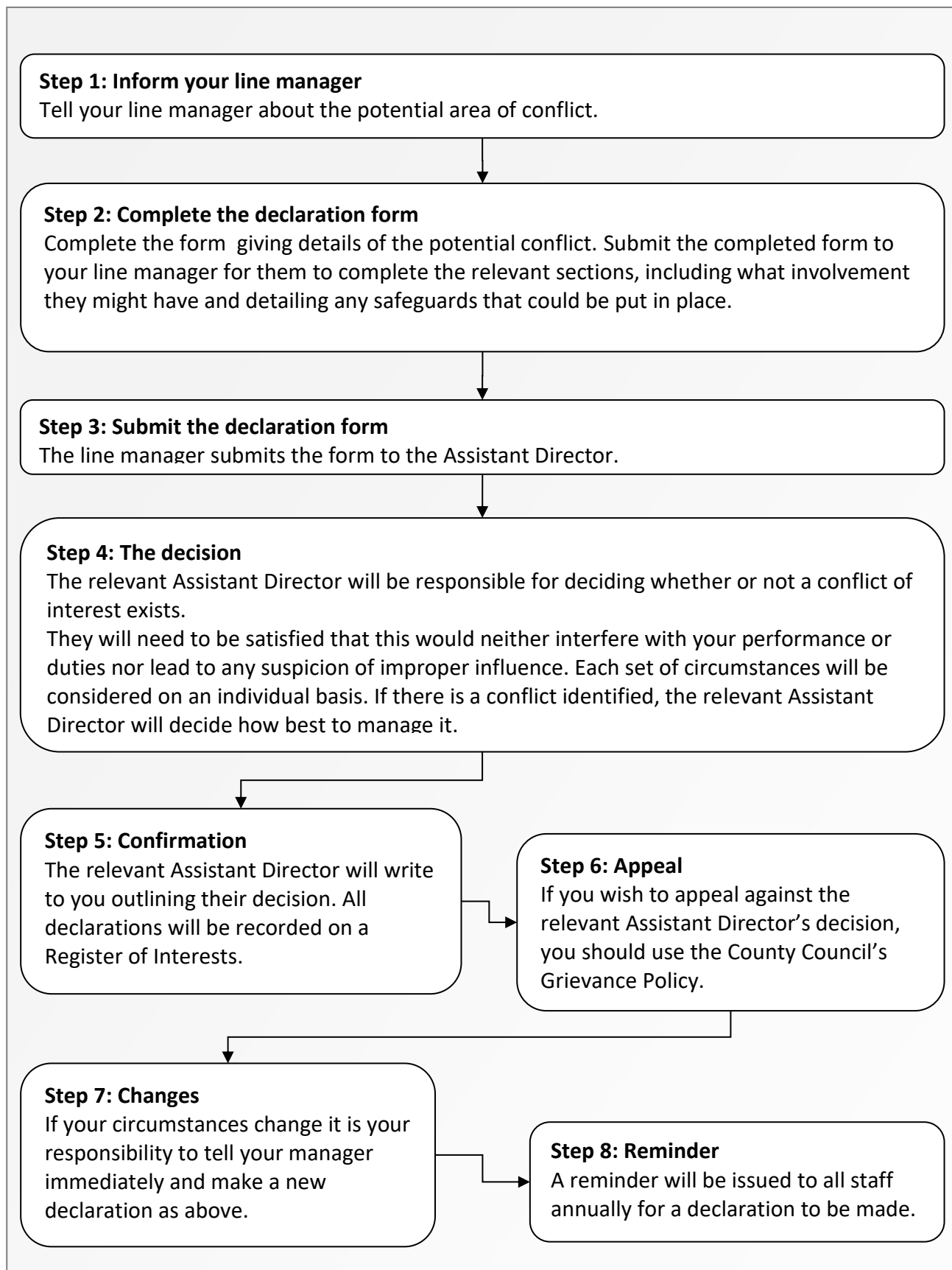
16.1. Where Assistant Directors, Deputy Chief Officers, and Chief Officers require approval or notification under the Code then this shall respectively be obtained from the appropriate Deputy Chief Officer, Chief Officer, or the Chief Executive. The Chief Executive shall obtain approval or notify either the Monitoring Officer, or the Section 151 Officer.

16.2. Where the Headteacher requires approval or notification under the Code then this shall be obtained from the Chair of Governors.

17. If in doubt

17.1. It is not possible to cover every situation you may face as an employee of the County Council. Simply because a particular action may not be addressed within the Code, this does not condone that action by omission. If you are in any doubt about anything contained within this Code, or are concerned about anything relating to your personal position, you should speak to your line manager immediately. Where necessary, line managers should seek advice from their Assistant Director/ Headteacher.

Appendix 1: Potential Conflicts of Interest



Appendix 2: Employment after working at the County Council

1. In order to safeguard the integrity of the administration of the County Council, and in order to counter any suspicion of impropriety in, among other things, the contracting process for local authority works and services, the County Council requires each of its employees to obtain the approval of their Chief Officer/Headteacher before accepting any offer of employment in business or other bodies outside the County Council which would commence within six months of leaving the employment of the County Council, whether full or part-time, or before establishing a consultancy in the following circumstances:
 - a. If you have had any material official dealings with your prospective employer (who, for the purpose of applying any of the clauses of these rules could be any organisation, individual or related undertaking including parent and subsidiary undertakings and associated undertakings as well as partners in joint ventures) during the last two years of employment with the County Council; or
 - b. If you have had any material official dealings of a continued or repeated nature with your prospective employer during the last two years of employment with the County Council; or
 - c. If you have had access to commercially sensitive information of competitors of your prospective employer in the course of your official duties; or
 - d. If you have been substantially involved in negotiations on behalf of the County Council in respect of any commercial or contractual arrangements with an external body or party; or
 - e. If, during the last two years of your employment with the County Council your official duties have involved advice or decisions benefiting that prospective employer, for which the offer of employment could be interpreted as a reward, or if your official duties have involved developing policy, knowledge of which might be of benefit to the prospective employer; or
 - f. If you are to be employed on a consultancy basis, either for a firm of consultants or as an independent self-employed consultant, and you have had any dealings of a commercial nature with outside bodies or organisations in your last two years of employment with the County Council.

Chief Officers to whom the rules apply are required to obtain approval from the Chief Executive. The Chief Executive will need to obtain approval from the Governance Committee in the event that s/he proposes to take up an appointment which would lead to the rules applying to him/her. Headteachers to whom the rules apply are required to obtain approval from the Chair of Governors.

2. Approval for appointment to any position falling within the scope of these rules shall not be withheld unreasonably. In considering whether to approve an appointment, the Chief Officer/Headteacher will take into consideration the following matters:
 - a. The relationship of the County Council to the prospective employer;
 - b. The relationship between the applicant and the prospective employer during the course of the applicant's employment with the County Council;
 - c. The possibility that the applicant may have had access to trade secrets and/or confidential information about one or more of the prospective employer's competitors during the course of employment with the County Council;
 - d. The applicant's degree of seniority within the County Council; and / or
 - e. Any other relevant factors.

3. It will be open to those considering applications to recommend unqualified approval or to recommend approval subject to any waiting periods less than two years or other conditions which are appropriate to the particular circumstances of the applicant (e.g. seniority of the employee and the prospective employer).

Appendix 3: Frequently Asked Questions

What is a conflict of interest?

A conflict of interest arises when a person's private or personal interests could be perceived to be able to influence or potentially influence a person's official responsibilities.

What should I do if I think there is a potential conflict of interest?

Inform your manager of the potential conflict and ensure you immediately complete the conflict of interest declaration form. If in doubt - declare it.

If the conflict concerns relationships between members of staff all parties must complete a declaration form.

What action should my manager take?

Your manager should ensure that:

- You do not directly supervise or that you are not directly supervised by anyone where there may be a potential conflict of interest.
- You do not have any Council business involvement with the declared conflict of interest, such as outside parties or specific contracts.
- Any claim forms you may submit e.g. travel, additional hours etc. or any invoices, orders or contracts are not authorised by anyone where there may be a potential conflict of interest.
- Any specific one-off requests are agreed by a neutral party.

What if someone I know applies for a job?

If you receive a job application from someone who is known to you, you should:

- Ensure you are not involved in any part of the selection process. This includes short listing, interview process, reference requests and decisions to appoint.
- If the person is successful you must declare the relationship and agree any necessary measures that need to be put in place, ideally prior to their commencing employment.

What should I do if I'm not sure whether there's a conflict of interest?

If you have any doubts as to whether a potential conflict of interest exists always talk to your manager about it.

Appendix 4: Equality Impact Assessment Summary

Date of assessment: 01 Feb 2024

Manager(s) name: Nicholas Earley

Role: Lead HR Consultant, Policy

Proposal, project, service, strategy or policy, that was impact assessed:

Code of Conduct and Conflict of Interest Policy

Summary of findings:

This policy does not discriminate against any group. Potential barriers concerning the accessibility of the policy are mitigated by employees being able to request the policy in different formats and having the policy printed for them by a manager with access to a computer/intranet.

Summary of recommendations and key points of action plan:

-

Groups that this project or service will impact upon

Please mark the appropriate boxes with an 'x'

	Positive	Negative
Age		
Disability		
Ethnicity		
Gender/Transgender		
Marital Status/Civil Partnership		
Pregnancy and Maternity		
Religion/Belief		
Sexual Orientation		
Other (carers, literacy, health, rurality, poverty)		
All	X	

Report to:	Governance Committee
Date of meeting:	25 June 2024
By:	Chief Finance Officer
Title:	East Sussex Pension Fund – Pension Board appointment
Purpose:	To appoint a representative to the Pension Board, in line with the constitutional requirement

RECOMMENDATION

The Governance Committee is recommended to agree the appointment of Linda Hughes as an Employer Representative on the East Sussex Pension Board (for the period 25 June 2024 to 24 June 2028).

1. Background

- 1.1 The Local Pension Board of the East Sussex Pension Fund was set up to meet the requirements of the Public Service Pension Act 2013, requiring Funds in the Local Government Pension Scheme to have a Pension Board whose duties are to provide advice to the Administering Authority. The Pension Board is not a decision-making body. Under the East Sussex County Council Constitution appointments to the Pension Board are reserved to the Governance Committee.
- 1.2 The Pension Board consists of 3 employer representatives, 3 member representatives and an independent chair. There is currently a single vacancy for an employer representative.

2. Appointment of the Employer Representative

- 2.1 Following the resignation of Tim Oliver in May 2024, Fund officers have contacted employer organisations to seek nominations for Pension Board membership.
- 2.2 The Southfield Learning Trust nominated its Director of Resources, Linda Hughes, for the position of employer representative. No other employer put a nomination forward.
- 2.3 Linda met with the Chair of the Pension Board and the Pensions Manager – Governance and Compliance to discuss the position, ensure suitability and full awareness of requirements, particularly relating to training and knowledge. The Chair of the Pension Board and officers are happy to recommend Linda Hughes for appointment to the Pension Board.

3 Length of appointment

- 3.1 Pension Board members can be appointed for a term of up to 4 years, with the possibility of providing an extension of up to 2 years. In the event of a full term being

offered, there is one other member of the Pension Board whose term would conclude in 2028. As such, Officers believe it would be beneficial for a full term of 4 years to be agreed by the Governance Committee.

4. Conclusion

- 4.1 The Governance Committee is recommended to agree the appointment Linda Hughes as an Employer Representative on the Pension Board for a term of 4 years (being 25 June 2024 to 24 June 2028).

IAN GUTSELL
Chief Finance Officer

Contact Officer:
Email:

Sian Kunert, Head of Pensions
Sian.kunert@eastsussex.gov.uk