

**Report to:** Governance Committee

**Date of meeting:** 27 June 2023

**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.

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**RECOMMENDATIONS:** The committee is recommended to note the updates on scrutiny and Audit Committee activity and the work programmes at appendices 1-4.

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## **1 Background**

1.1 These regular reports aim to provide a summary of scrutiny activity across the People, Place and Health Overview Scrutiny Committees and the work of the Audit Committee to support the visibility to all Members of the wide range of work being undertaken by the scrutiny and Audit committees. During 2022 the reports were prepared quarterly. In December 2022 the committee agreed to amend the reporting interval to six monthly to allow scrutiny activity to develop further between updates.

1.2 This report outlines developments since the last update in December, particularly arising from the committee meetings held in late November/December 2022 (which were not covered by the previous report) and in March 2023. The ongoing 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 To support the overall effectiveness of the Council's scrutiny work, a scrutiny leadership workshop was held in December 2022 for Chairs and Vice-Chairs to consider effective strategic leadership of the scrutiny work programme. This was followed, in March 2023, by questioning skills training open to all Members.

## **2 People Scrutiny Committee**

2.1 The committee's latest 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 17 November 2022 to consider:

- **Adult Social Care workforce update** – the committee received an update on the Adult Social Care Workforce Programme (2022-2025) including the latest Skills for Care data on the East Sussex care workforce. The committee asked about the number of local posts in social care, high vacancy and turnover rates and the high turnover of managers, recruitment methods, the use of exit interviews, staff training, and pay and support for the independent sector workforce.
- **Elective Home Education (EHE) in East Sussex** – the committee received a report on work the Department undertook to meet the Council's statutory requirements relating to EHE children, including its response to an increase in EHE children in East Sussex. The committee asked about areas with high numbers of EHE children, ensuring EHE children receive appropriate education, educational performance of EHE children, school budget pressures, support for parents, support for EHE children with special educational needs or

disability (SEND) and legislative changes. The committee asked the Lead Member for Education, Inclusion and SEND to write to the Secretary of State for Education or Schools Minister to ask for assurance the Schools Bills would contain anticipated powers to create a register of children not in school.

- **Reconciling Policy, Performance and Resources (RPPR) update** – the committee considered a range of existing information on the services within its remit to provide an overview of the current situation before reviewing draft plans for the coming year at its RPPR Board. Members were also able to ensure that key areas of interest were reflected in the committee’s work programme.
- **Work programme update** – the committee considered feedback from scrutiny activity undertaken since the September committee and agreed updates to the work programme.

2.3 The Committee held a further short meeting in December 2022 to agree the report of its Scrutiny Review of the use of technology and digital in Adult Social Care which enabled the report, and the departmental response to recommendations, to be considered by Cabinet in January and Council in February.

2.4 In March 2023 the committee met to consider:

- **Armed Forces Covenant** – the committee received an update on the work undertaken by the Council on the Armed Forces Covenant, including its recent application for Gold Accreditation under the Defence Employment Recognition Scheme. The committee asked questions about levels of engagement with the Armed Forces Covenant in local areas, support for families of Armed Forces personnel or veterans, employment support for veterans and noted the role of South East Reservice Forces and Cadets.
- **Standing Advisory Committee on Religious Education (SACRE) Annual Report** – the committee received a report on the recent work of SACRE including the introduction of a new syllabus. The committee asked questions about collective worship, the diversity of SACRE members and future funding options for SACRE.
- **RPPR update** – the committee reviewed its input to the 2022/23 RPPR cycle and ensured that key areas of interest were reflected in the committee’s ongoing work programme.
- **Work programme update** – the committee considered feedback from scrutiny activity undertaken since the November committee, agreed updates to the work programme, including agreeing to progress with a Scrutiny Review of school exclusions and to convert the Prevention in Children’s Services Review to a Reference Group.

2.5 Future committee agenda items, to be considered in July 2023, include:

- The final report of the committee’s Scrutiny Review of Equalities and Inclusion in Adult Social Care and Health (ASCH).
- An update on Schools White Paper reforms.
- An update on the Use of Digital and Technology in ASCH Review – a six month monitoring report on progress with the action plan.
- Commencement of the committee’s work on the 2023/24 RPPR process.

### ***Reference Groups and Briefings***

2.6 In December, the committee held its annual RPPR Board meeting to consider draft portfolio plans for the ASCH and Children’s Services departments, and the latest information on the emerging financial outlook for the Council. The Board agreed comments to put forward to Cabinet for consideration in January 2023.

2.7 People Scrutiny Reference Groups have continued their work to provide Member input to areas of work being led by departments:

- **Loneliness and Resilience** Reference Group (membership: Councillors Clark, Geary, Howell, Maples, Ungar (Chair) and Webb). This group held its final meeting in November, having provided ongoing Member input to Public Health-led work to consider the impact of loneliness on East Sussex residents over the previous 18 months. The meeting considered the project’s final recommendations and next steps and agreed to report the

Group's support for the recommendations made by Collaborate Community Interest Company to the committee. Progress with the work will be reported to the full committee at a future meeting.

- 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 November to review the draft joint Sussex Integrated Care Strategy prior to its consideration by the Lead Member for Strategic Management and Economic Development and the Health and Wellbeing Board. The Group agreed comments to be reported to the Lead Member, including overall support for the strategy, particularly its priorities to develop and support the health and care workforce and to maximise use of digital technology. Members also supported recommendations to the Lead Member with regard to strengthening the importance of Place within the strategy. The Reference Group met again earlier in June to consider the draft strategy implementation plan. The Group agreed comments to be reported to the Lead Member, including overall support for the content, priorities and milestones and welcoming the place-based governance arrangements and inclusion of a focus on children and young people.
- Educational Attainment and Performance Reference Group** (membership: Councillors Field (Chair), 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 to consider the first full set of attainment results since Covid. Members discussed the role of Educational Improvement Partnerships (EIPs), results for children with Education, Health and Care Plans (EHCPs), increasing pressures on schools to support children with complex needs including pupils with SEND, and impacts of local challenges, especially in the Hastings area. The committee agreed the department was working to support schools through a range of challenges.

2.8 The committee agreed in March 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 expected to consider work to develop preventative approaches including Family Hubs and the Family Safeguarding model, providing ongoing scrutiny challenge. The first meeting will be held on 29 June 2023. Membership of the Reference Group is Councillors Adeniji, Howell (Chair), Field and John Hayling (Parent Governor Representative).

### **Scrutiny Reviews**

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

<p>Use of technology and digital in Adult Social Care</p>	<p>This review, covering the ASCH Department's work to encourage greater use of self-service and digital services, concluded in November and reported to the committee in December. The report and action plan in response to the recommendations were subsequently considered by Cabinet in January and agreed by Council in February. The committee will receive updates on progress with the recommendations approximately six and 12 months on from the final report.</p> <p>Review Board membership was Councillors di Cara (Chair), Geary and Maples.</p>
<p>Adult Social Care Equalities and Inclusion</p>	<p>The committee agreed in 2022 to proceed with a review to consider work underway to define and engage with seldom heard groups and assess whether residents of all backgrounds know how to access and have confidence in ASCH services. This review is currently underway and due to report to the committee in July. Evidence gathering to date has covered identifying who seldom heard groups are, barriers to accessing services and building trust with communities.</p> <p>Review Board membership is Councillors di Cara, Geary, Ungar (Chair) and</p>

	Webb.
School exclusions	This topic had completed initial scoping and terms of reference for a full Review had been agreed prior to Covid. A re-scoping Board took place in January 2023 and heard that, whilst the number of East Sussex permanent exclusions had reduced in all schools combined (primary, secondary and special) to below the national average, suspension rates for all schools combined remained above the national average. There are current concerns that vulnerable pupils, including those with SEND and eligible for free school meals, remain more likely to be suspended than their peers; and that there have been an increasing number of decisions to exclude very young children at primary phase. The Scoping Board agreed the topic remained appropriate for a Scrutiny Review and updated the Terms of Reference. The review has recently begun and is aiming to report to the November 2023 committee meeting.
School attendance	<p>The committee undertook scoping during 2022 for a potential review of school attendance to understand more about the drivers of school absences, the impact of school absences on children and young people, the work the Children's Services Department is undertaking in response, and whether there are areas where scrutiny could make recommendations for change or improvement.</p> <p>The Scoping Board concluded that a review of this area would be beneficial but, in light of pressures on schools arising from Covid and the impact of ongoing Covid disruption on attendance rates, agreed to defer proceeding with this review until 2023 when there would be a clearer understanding of the long-term impact of the pandemic on school absences. In the interim, an update on school attendance data was reported to the November 2022 committee meeting. This review is expected to follow on from the school exclusions review.</p>

### 3 Place Scrutiny Committee

3.1 The committee's current work programme (attached at appendix 2) outlines the full range of activity underway or planned. Key elements are described below:

#### **Committee meetings**

3.2 The committee met on 24 November 2022 to consider reports on:

- **Southern Water Storm Overflows and Sewage Discharges** – Members received a report and presentation from Southern Water on their plans to reduce their use of Storm Overflows and sewage discharges from combined sewer overflows (CSOs). The committee noted the work being undertaken by Southern Water to meet their target of reducing the use of storm overflows/CSOs by 80% by 2030. The committee also noted written responses from the Environment Agency and Ofwat.
- **RPPR** – as with People Scrutiny, the Place Committee considered a range of existing information on the services within its remit to provide an overview of the current situation before reviewing draft plans for the coming year at its RPPR Board. Members were also able to ensure that key areas of interest were reflected in the committee's work programme.
- **Work programme update** – the committee considered feedback from scrutiny activity undertaken since the September committee meeting, agreed the updated work programme, and agreed the addition of an update report from Southern Water in November 2023. The committee also agreed to establish a scoping board to look at scrutiny input into Economic Development projects (subsequently the Committee has agreed to form a Reference Group on the East Sussex Economic Growth Strategy that will encompass this topic – see paragraph 3.7 below).

3.3 The committee met again on 28 March 2023 to consider reports on:

- **Scrutiny Review of Procurement: Social Value and Buying Local** – to agree the report of the Review Board.
- **Community Asset Transfers (CAT) and Asset Use** – to consider a report on the Council’s policy and processes for community asset transfers and asset disposal and use.
- **Food Waste Environment Act 2021 requirements** – a report on the implications for the Council of the requirement in the Environment Act 2021 for councils to provide a food waste collection service.
- **RPPR update** – the committee reviewed its input to the 2022/23 RPPR cycle and ensured that key areas of interest were reflected in the committee’s ongoing work programme.
- **Work programme update** - the committee agreed to proceed with a Scrutiny Review of Pothole Management. It also agreed to establish a Reference Group to provide scrutiny input into the development of the East Sussex Economic Growth Strategy and to add update reports on the SPACES programme, updated CAT policy and food waste collection.

3.4 Future committee agenda items include:

- Commencement of the committee’s work on the 2023/24 RPPR process.
- Reports on the Library and Information Service and Rights of Way Team to explore current service issues and performance.
- An update report from Southern Water on the use of storm overflows and sewage discharges, including views from the regulators Ofwat and the Environment Agency if possible.

### **Briefings and Reference Groups**

3.5 The **Climate Emergency Action Plan (CEAP)** Working Group (membership: Councillors Julia Hilton, Ian Hollidge, Stephen Holt, Eleanor Kirby-Green and Paul Redstone (Chair)), has completed its work on the updated corporate Climate Emergency Plan 2023-25 and provided a summary report of the work carried out by the Working Group to the other Place Scrutiny Committee Members. The updated corporate Climate Emergency Plan 2023-25 was agreed by Cabinet on 24 January 2023 and reported to Council at the meeting on 7 February 2023.

3.6 The **Local Transport Plan (LTP) 4** Reference Group (membership: Councillors Beaver, Collier, Hilton, Hollidge, Holt, Lunn, Redstone (chair) and Stephen Shing) has started engagement work with officers and the council’s transport consultants Steer on the key stages of the development of the revised LTP. The Group has held four workshop meetings and has reviewed the engagement plan for the LTP, commented on the key drivers for change, areas of uncertainty and the Group has also undertaken work on developing alternative scenarios for the LTP. Future work will be focused on the development of a preferred scenario and vision for the LTP, and the policy interventions needed to deliver the LTP. The Reference Group is meeting regularly through the summer to continue its work and review the feedback from the public consultation on the draft LTP.

3.7 **East Sussex Economic Growth Strategy.** The Committee has agreed to form a Reference Group to provide scrutiny input into the development of the strategy in response to the Committee’s request to have scrutiny involvement in the development process for economic development projects, which will be guided by the strategy. The membership of the Reference Group and terms of reference are to be agreed.

### **Scrutiny Reviews**

3.8 The committee’s current active scrutiny reviews are as below:

Procurement	The Scrutiny Review of Procurement: Social Value and Buying Local has been completed and the report of the Review Board was agreed by the Place Scrutiny Committee in March. The review and the department’s response to the recommendations were considered by Cabinet in April and agreed by Council on 9 May. The committee will receive updates on progress with the recommendations approximately six and 12 months on from the final report.
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Pothole management	The Scoping Board (membership Councillors Beaver, Hollidge (Chair), Kirby-Green and Lunn) met in February and agreed to recommend a review is undertaken on pothole management to look at what more can be done to tackle the issue of pothole repairs. The terms of reference for the review and membership of the Review Board (Councillors Beaver, Hilton, Hollidge (Chair), Kirby-Green and Lunn) were agreed by the Place Scrutiny Committee on 28 March. The review began in late May (following the commencement of the new highways maintenance contract) with a view to reporting to the November 2023 Committee meeting.
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#### 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 15 December 2022 to consider reports on:

- **NHS Sussex Winter Plan** – The Winter Plan sets out the plans as a health and social care system for the period October 2022 to April 2023. It covered programmes aimed at tackling the main pressures over the winter period including industrial action by staff.
- **Reconfiguration of Cardiology Services** – the committee considered a final report from NHS Sussex on the reconfiguration of cardiology services following the substantial variation review undertaken by the Committee (detail below).
- **Reconfiguration of Ophthalmology Services** - the committee considered a final report from NHS Sussex on the reconfiguration of ophthalmology services following the substantial variation review undertaken by the Committee (detail below).
- **Primary Care Access and next steps in integrating Primary Care** – the committee considered a report on the provision of GP services and access to NHS Dentistry, including a report from Healthwatch East Sussex, following a referral of this issue from the Health and Wellbeing Board.
- **HOSC future work programme** – the committee considered its future work programme priorities and agreed to add an update report on the Winter Plan to the agenda for the March 2023 meeting; add an update report on access to GP services and access to NHS Dentistry; and include a report on Patient Transport Services in the work programme.

4.3 The committee met again on 2 March 2023 to consider:

- **NHS Sussex Winter Plan update** – the committee received an update on how services were coping with the unprecedented pressures the NHS and system had been experiencing including over the Christmas and New Year period and during the industrial action by hospital and ambulance service staff.
- **Proposed changes to Children's Specialist Cancer Services - Principal Treatment Centre (PTC)** – the committee received a report from NHS England on the proposed changes to the PTC in London that provides services to children from East Sussex diagnosed with cancer. The committee determined that the proposal did not constitute a substantial variation for East Sussex but agreed to work with other HOSCs in the region to comment on the proposals.
- **New Elective Surgery Hub at Eastbourne District General Hospital (EDGH)** – the committee received a report from NHS Sussex on the proposal to create a new Elective Surgery Hub. The committee agreed that the proposal did not constitute a substantial variation and supported the proposal which will provide additional capacity for minor surgical procedures for residents in East Sussex and across the system.
- **Primary Care Networks (PCNs), Emotional Wellbeing Services and Mental Health Funding** – This report provided the committee with information on PCNs in East Sussex, the work they are carrying out, and the provision of primary care mental health services within GP practices.

- **HOSC future work programme** – the committee considered its future work programme priorities and agreed to add a further update report on the NHS Sussex Winter Plan; an update report on the implementation of the transport and access recommendations from the cardiology and ophthalmology transformation reviews; and an update report on PCNs at the September 2023 meeting. Update reports on the proposals for changes to Children's Specialist Cancer Services and the development of the new Elective Surgery Hub are also to be received by HOSC at an appropriate time.

4.4 Key future committee agenda items include:

- An update report on the Child and Adolescent Mental Health Service (CAMHS) from Sussex Partnership NHS Foundation Trust.
- An update report on hospital handovers and the South East Coast Ambulance Trust (SECamb) Care Quality Commission inspection.
- Proposals to move adult burn services from Queen Victoria Hospital in East Grinstead to a major trauma centre in the south east (timing dependent on NHS England).
- Proposals to re-procure the Sexual Assault Referral Centres in Sussex (timing dependent on NHS England).

### **Reference Groups and briefings**

4.5 The committee will be involved in further engagement work with NHS England and other HOSCs on the proposals for changes to children's specialist cancer services.

### **Scrutiny Reviews**

4.6 HOSC has been focused on completing the following substantial variation to services reviews:

Cardiology	<p>The committee has completed its work on the substantial variation review of proposals for the reconfiguration of cardiology services provided by East Sussex Health NHS Trust (ESHT).</p> <p>The HOSC considered a report at the 15 December 2022 meeting from NHS Sussex on the final Decision Making Business Case (DMBC) which included all the recommended actions from the HOSC review.</p> <p>The HOSC agreed that the proposals, which include the single siting of cardiology catheter labs and specialist cardiology at Eastbourne District General Hospital (DGH) is in the best interests of health services locally. A follow up report on the implementation of the travel and access measures has been requested by the committee.</p>
Ophthalmology	<p>The committee has completed its work on the substantial variation review of proposals to reconfigure ophthalmology services provided by ESHT.</p> <p>The HOSC considered a report at the 15 December 2022 meeting from NHS Sussex on the final DMBC which included all the recommended actions from the HOSC review.</p> <p>The committee agreed that proposals for reconfiguration of ophthalmology services provided by ESHT, which includes the location of day case and outpatient ophthalmology services at Bexhill Hospital and Eastbourne DGH, is in the best interests of health services locally.</p> <p>As with the cardiology substantial variation review, the committee has requested a follow up report on the implementation of the travel and access measures.</p>

4.7 HOSC will consider further topics for detailed review later in the year, which will include any further substantial variations to services proposed by the local NHS.

### ***Other Issues***

4.8 A joint training session with the West Sussex and Brighton & Hove HOSCs is being arranged to consider the implications for the committees of the Health and Care Act 2022, including the replacement of East Sussex Clinical Commissioning Group with the NHS Sussex Integrated Care Board (ICB), the creation of the Sussex Integrated Care System (ICS), and the effect of regulations that allow the Secretary of State to intervene in local service reconfigurations on HOSC's powers to refer decisions to the Secretary of State. The session is planned for Friday 7 July at County Hall and will also cover the implications of the Hewitt Review of ICSs. The session will include how HOSCs and ICSs are expected to work together and the role of the HOSCs in scrutinising the Sussex ICS and the NHS Sussex Integrated Care Strategy.

## **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 on 18 November 2022 and 31 March 2023 to discuss reports on:

- Review of Annual Governance Report and 2021/22 Statement of Accounts
- Review of Annual Pension Fund Governance Report and 2021/22 Statement of Accounts
- Treasury Management – Stewardship Report 2021/22
- Internal Audit Progress Report – Quarter 2 2022/23
- Annual update on Property Investment Strategy
- Auditor's Annual (Value For Money) Report on East Sussex County Council 2021/22
- External Audit Progress Update 2021/22
- Internal Audit Progress Report – Quarter 3 2022/23
- Internal Audit Strategy and 2023/24 Annual Audit Plan
- Orbis Internal Audit – Independent External Assessment Report
- Strategic Risk Monitoring Quarter 3 2022/23
- Audit Committee Modernising Back Office Systems (MBOS) Sub-Group Update
- Audit Committee work programme

5.3 The committee's future agenda items include the usual quarterly consideration of Internal Audit reports and the Strategic Risk Register, together with the External Audit Plan 2022/23, External Audit Plan for East Sussex Pension Fund 2022/23, Assessment of the Corporate Governance Framework and Annual Governance Statement for 2022/23, Follow-Up Audits in Communities, Economy and Transport, Co-opted Independent Members on the Audit Committee, Annual Audit Letter 2020/21 and Counter Fraud Annual Report.

### ***Briefings and working groups***

5.4 A training session was provided to the committee on 31 March 2023 covering a 'deep dive' of risk management framework and governance of strategic risk 12 – Cyber.

5.5 The final meeting of the Working Group which provided oversight of the Modernising Back Office Systems (MBOS) programme implementation was held on 22 November 2022 and discussed the project's progress and the movement of the 'go live' date to be later within the 2023/24 financial year. The Working Group resolved to receive a monthly written update from the MBOS Programme Manager regarding the progression of the MBOS Programme.



## **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 committee to note. The next update will be in November 2023.

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