

Governance Services – end of year 2023/24

Summary of progress on Council Priorities, issues arising, and achievements

Reconciling Policy, Performance and Resources (RPPR)

Planning for 2024/25 and beyond, culminated with the agreement of the budget and the Council Plan by County Council in February 2024. The plan and budget were informed by engagement events with strategic partners, young people, business representatives and Trade Unions as well as input from scrutiny committees and a survey of local people. The Council Plan and Portfolio Plans 2024/25, which set out our priority and delivery outcomes for the coming year and our plans for delivering them, have been published online. The plans and budget reflect the increasingly challenging financial position facing the Council. This is due to the growth in need for statutory, demand-led, services for vulnerable children and adults, an escalation of costs, and national support and funding not meeting the new costs facing the authority. For the first time, the 2024/25 budget relies on making a significant withdrawal from our limited reserves to bridge the shortfall in funding. This is not a sustainable position, and the forecast for the forthcoming years shows that our reserves would be exhausted within 2 years if we remain reliant on using these to keep our core services running. We will continue to work with our local, regional and national partners to highlight the specific needs of East Sussex, and to press for fair and sustainable allocation of funding that enables us to continue to meet the needs of our residents. In light of the financial position the Council will also need to instigate work to identify a range of actions that it will need to take to set a balanced budget for 2025/26, without the need to draw on reserves.

Our integrated planning process, RPPR, has allowed us to continue to focus and protect our spending where it will deliver our priority objectives most effectively. Through the process we have ensured that we have the demographic trends and performance information to monitor progress through the year, as well as the evidence we need to support lobbying at a local, regional and national level. We began the planning process for 2025/26 in Q4 in preparation for State of the County and are continuing to review our processes to ensure that we are maximising the value for money that we deliver.

Transport for the South East (TfSE)

Regional Centre of Excellence

TfSE has begun delivery of its Centre of Excellence website. Steering groups have been created to shape and inform its development. Seventy local transport authority officers are already registered and there will be an in-person event to launch the work.

We are engaging with professional institutes, partner organisations, national agencies and constituent authorities to understand what resources, tools, knowledge and expertise are desired and can be hosted on the platform.

We are capturing the priorities of local transport authority officers through our capability and capacity survey, which closed on the 22 April 2024. Then, working with our partners, we will develop a pipeline of content to best meet these needs. This data will also be shared with the Department for Transport to support them in their programme of work to boost capacity and capability nationally.

Active Travel

Work on the TfSE Regional [Active Travel](#) Strategy is progressing with the draft strategy due to be completed in summer 2024. The Regional Active Travel Steering Group has met 5 times since the project commenced and their input has been integral to shaping the development of the strategy.

Stage 3 included developing a methodology to identify a strategic active travel network for the region, taking account of input from the project team and Steering Group. The second Technical Report (Strategic Network Identification) has been produced and reviewed by the Steering Group members, and feedback is now being addressed for the final version. The next steps will be to

finalise the strategic network and apply the prioritisation framework developed with Steering Group members to the network.

Freight Forum

England's Economic Heartland (EEH), Transport East (TE), and Transport for the South East (TfSE) have established a Wider South East Freight Forum, which brings together freight and logistics industry representatives such as Logistics UK, the Road Haulage Association, local authorities, business representatives, and ports and airports.

The Forum met for the first time in December 2023. The second meeting in April 2024 focused on the associated with the provision of additional lorry parking and driver welfare facilities. The third meeting in June 2024 will focus on the decarbonisation of the freight and logistics sector.

Delivering the Strategic Investment Plan (SIP)

Our Strategic Prioritisation Framework and Methodology was approved by the Partnership Board in January 2024. A key role for Sub-National Transport Bodies (STBs) is to provide advice to Government on transport investment priorities in their areas and this tool provides a robust evidence-led process through which we can respond to such requests.

Corporate Lobbying

Throughout 2023/24 corporate lobbying work focussed on using our partnerships and networks at the local, regional, and national level to influence policy development in a range of areas, including investment in highways and children's services, as well as local authority funding more generally. During Q4, we took the opportunity to outline to East Sussex MPs the severe financial pressures the council is under, and to ask for their support in lobbying ministers to increase the funding provided in the Final Local Government Finance Settlement (LGFS) 2024/25. This successfully resulted in a number of local MPs signing a letter organised by the County Councils' Network that called for more funding in the LGFS and an additional £600m of national funding for social care subsequently being made available in that settlement.

The Leader and Chief Executive have continued to raise issues and priorities for the county with our local MPs, including through specific updates on our Council Plan and the final budget position for 2024/25. In Q4, ahead of a debate in the House of Commons, the Director of Children's Services provided a written briefing to MPs on pressures in the Special Educational Needs and Disabilities (SEND) system, which included proposed solutions to address these pressures. This briefing was mentioned during the debate and a copy provided to the Minister for consideration. Chief Officers also continue to influence service specific national policy developments through national professional associations and networks. The Chief Executive has contributed to national policy development throughout 2023/24 as representative for the South East region on a national grouping of local authority Chief Executives. In Q4, this work included discussions on community cohesion, local government performance, productivity and audit and preparations for delivering forthcoming elections.

Supporting democracy

During 2023/24 we supported 159 meetings (40 in Q4) including: 4 County Council meetings (1 in Q4); 8 Cabinet meetings (2 in Q4); 48 Lead Member meetings (11 in Q4); 54 Scrutiny Committees and Review Boards (15 in Q4); and 45 other committees and panels (12 in Q4). We also despatched agendas for a further 24 meetings (7 in Q4). We supported 3 Whole Council Forums (1 in Q4). The webcasts of Council meetings were viewed 7,686 times (2,229 times in Q4). The most viewed meetings were the Planning Committee meeting in July 2023, which was watched 582 times and the Full Council meeting in February 2024, which was watched 573 times, either by live view or as a recording.

The Member Training and Development Programme delivered a wide range of training and briefing sessions to Members throughout 2023/24 (a total of 16 sessions were delivered). Courses included sessions on the role of public health in local government, a climate change update, the

fiduciary duties of the Council, member interests and the code of conduct, race equality in East Sussex and training to support scrutiny committee members in their scrutiny role. To help ensure courses continue to meet the needs of Members, a survey of training needs will be undertaken in Q1. Feedback from the survey will inform the development of a fresh training offer for Members for 2024/25. To help make participation as easy as possible, most training sessions will continue to be delivered remotely with resources, such as slides from training sessions, being saved to the Councillors' area of the intranet for future reference. The Member Reference Group also met on 4 occasions and discussed a range of issues including, for example, a draft social media guidance for councillors.

The Council's scrutiny committees delivered varied work programmes during 2023/24, including a range of scrutiny reviews, reference groups and committee meetings, all of which have provided additional scrutiny and constructive challenge to the work of the Council and partners. In Q4, the Health Overview and Scrutiny Committee completed a review of changes to paediatric services at Eastbourne District General Hospital. Two scrutiny reviews were completed during Q4 on School Exclusions, and Pothole Management. Scrutiny comments were reported to Cabinet and Council as part of budget and Council Plan setting for 2024/25, following the Place and People Scrutiny RPPR Boards held in December.

During 2023/24 the Place Scrutiny Committee completed its scrutiny work on a draft corporate carbon offset framework and an updated corporate Environment Policy and provided input on the development of a new Economic Growth Strategy for East Sussex. It also continued with scrutiny work on the Local Transport Plan 4. The People Scrutiny Committee completed a scrutiny review of Equality and Inclusion in Adult Social Care, and continued its scrutiny work on the Health and Social Care Integration Programme and Prevention in Children's Services. The committee also engaged with work on the Adult Social Care Strategy and a Local Government Association peer review of Adult Social Care. In Q4, the People Scrutiny Committee held its annual meeting to review Educational Attainment and Performance.

The Health and Wellbeing Board met on 5 March 2024. The Board considered an update report on the delivery of the East Sussex Shared Delivery Plan (SDP) programme. The Board also received reports on School Attendance as a Public Health Outcome, a focus report on Men's Mental Health projects in East Sussex, and the Rye Listening Tour carried out by Healthwatch East Sussex. During 2023/24, the Board also considered annual reports from the Director of Public Health, Healthwatch, Sussex learning from lives and deaths report, the East Sussex Safeguarding Children Partnership and Safeguarding Adults Board. It also considered reports on Sussex and East Sussex Suicide Prevention Strategies, public health work with planning and creative health, and an update report on the Joint Strategic Needs Assessment.

The East Sussex School Appeal Service received 48 in-year appeals from families during Q4, which resulted in 8 virtual appeal hearing sessions taking place (at each hearing session a number of appeals are usually considered, with parents able to attend in-person if that is their preference). Of the appeals submitted during Q4, 6 were successful, 12 were dismissed by an Independent Appeal Panel, a further 15 were either withdrawn by the families or were not needed because a place became available at their preferred school before the hearing. The remaining 15 appeals are set to be heard in Q1 2024/25. A total of 262 appeals have been received for the September 2024 secondary school intake. These appeals will also be heard in Q1 2024/25.

The service successfully recruited and trained 4 new school appeal clerks. New volunteer Independent Appeal Panel members were also appointed, with training delivered early in Q4.

Also in Q4, an Independent Review Panel (IRP) was convened to review the permanent exclusion of 2 children from a school in East Sussex. The decision of the IRP was to recommend that the Governing Board reconsider the reinstatement of both children to the school.

Across the whole of 2023/24, a total of 615 school admission appeals were received and 52 appeal hearings conducted. A total of 6 school exclusion review requests were also heard by Independent Review Panels.

Legal Services

During Q4, Legal Services assisted Trading Standards to secure a confiscation order of £60,000 following a successful conviction for possession for sale of counterfeit footwear. The money, secured to repay the victims, include £22,500 payable to the Council in respect of the prosecution.

The Service advised in relation to 2 judicial review applications issued against the Council during 2023/24. The first claim was withdrawn following a settlement being agreed. The application for permission to apply, in relations to the second claim, was refused in March 2024; however, the application has been renewed and this is yet to be determined.

During 2023/24 the Service advised in relation to 268 Court of Protection cases and 84 matters involving safeguarding vulnerable adults (compared to 273 and 79 in 2022/23) and in relation to 232 Deprivation of Liberty Safeguards applications in the Court of Protection (up from 191 in 2022/23).

The Service continues to work closely with Children's Services, providing advice and representation, including in pre-proceedings and court applications for care proceedings. Our priority is to keep children within their family when it is safe to do so, and for public law applications to be a necessary and proportionate response to achieve the best outcome for the child. At the end of 2023/24 there were 52 families open in pre-proceedings compared to 48 at the end of 2022/23. In 2023/24 the Service applied for care proceedings in respect of 72 families compared to 71 in 2022/23. At the end of Q4, there were a total of 59 ongoing care proceedings compared to 68 proceedings in Q4 2022/23. In 2023/24 we concluded 81 sets of care proceedings compared to 63 in Q4 2022/23. Of the concluded proceedings 43% were placed in the care of family under special guardianship or child arrangements orders. Concluded proceedings in East Sussex in 2023/24 took on average 47 weeks per child, this is 6 weeks less than in 2022/23. The Service has also continued to provide training and legal advice to Children's Services, including on court work for newly qualified social workers and on policy and operational instructions.

During 2023/24, the Service completed agreements to secure financial contributions to the Council of over £4m, together with the delivery of additions and improvements to the highway network across the county. The Service also advised on 187 new property matters compared to 129 in 2022/23. In addition, the Service advised on 241 new contract and procurement matters compared to 230 in 2022/23.

During Q4, the Service assisted Income Recovery in securing the recovery and repayment of debts totalling £74,671, compared to £39,007 in Q4 2022/23.

Coroner Services

During Q4 2023/24, 585 deaths were reported to the Coroner (compared with 627 in Q4 2022/23), averaging 195 deaths per month. Of those deaths, 46% (269) went on to have a post mortem (compared to 47% in Q4 2022/23). 85 Inquests were opened during Q4, a slight increase on 80 inquests that were opened during Q4 2022/23. 66 Inquests were closed in Q4 2023/24, lower than 125 closed in Q4 2022/23.

In total during 2023/24, 2,211 deaths were reported compared to 2,470 in 2022/23. This averages 184 deaths per month. 46% (1,026) required a post mortem. This is an increase in the percentage for 2022/23 of 42% (1,034), meaning marginally fewer examinations were carried out and averaging 86 postmortems per month. A total of 338 Inquest were opened and 266 Inquests concluded in 2023/24. In 2022/23, 352 inquests were opened and 290 concluded.

7 Inquests were held in 2023/24 with Juries. These are usually held between 1 day and 2 weeks and require additional planning/resources. 112 Inquests were held in writing which do not require court bookings. There are currently 311 open Inquests compared to 242 at the end of 2022/23.

During Q4 the Senior Coroner retired and Fiona King was appointed as Acting Senior Coroner.

Regulation of Investigatory Powers Act (RIPA)

During Q3, Trading Standards reported on an existing Directed Surveillance Authority (DSA), which had commenced in November 2023. The DSA was set to run for a maximum of three months until February 2024. The Authority allowed officers to undertake covert observations on number of retail outlets in East Sussex, where illegal tobacco was on sale. For operational reasons, the DSA was reviewed and cancelled on the 18 January 2024, when it was assessed as no longer required.

Local Government Ombudsman complaints

The Ombudsman issued 22 decisions in Q4. 16 cases were closed before a full investigation for a variety of reasons. These reasons included insufficient evidence of fault, complaints being out of the Ombudsman's jurisdiction because the complaint had not been through our internal complaint process, or an appropriate remedy had already been applied, of which 4 were recorded as upheld.

Of the 6 cases that were fully investigated, 3 cases related to Adult Social Care (ASC) and 3 to Children's Services (CS). All 6 were closed with the complaint partly or fully upheld as follows:

ASC – The client complained that the Council charged her for care, which she thought was free and did not agree to pay for. She said the Council did not assess her finances correctly, as it only looked at incomings and not outgoings such as Disability Related Expenses (DRE).

The Ombudsman found the Council was at fault for delays during the assessment process after the client was discharged from hospital, and for failing to share important information about her care charges. The Council has agreed to apologise to the client and to pay her £400 in recognition of the avoidable distress she suffered. The Council has also agreed to issue a credit of £348 to the client's outstanding balance to account for the backdated DRE.

ASC – The client's spouse complained that the Council failed to deal properly with her husband's care or respect her position as his power of attorney for property and affairs and health and welfare, causing her significant expense and distress.

The Ombudsman found the Council at fault for failing to deal properly with the complaint, which caused avoidable distress. The Council has agreed to apologise to the client and make payments for the additional costs she incurred and to reflect the long delay in sending her its summary report on the investigation into her concerns.

ASC – The client complained that the Council billed him for top-up fees, which he had already paid directly to the care provider.

The Ombudsman found the Council at fault for providing duplicate invoices and for not clarifying their process. The Council has agreed to provide the client with a written apology and pay him £200 in recognition of the fault identified.

CS – The client's mother complained that the Council failed to provide suitable education to her son, who has special educational needs.

The Ombudsman found fault with the Council for a delay in considering whether the education it was providing was sufficient, whether its section 19 alternative education duty was triggered and for a delay in issuing the final amended Education, Health and Care (EHC) Plan. The Ombudsman also found fault with the Council's communication with the client's mother. The Council has agreed to apologise to the client's mother and pay her £2,900 for the benefit of her son, who missed out on alternative education, and £750 in recognition of the avoidable stress caused by the faults identified.

The Council has also agreed to implement a timescale for decisions about whether its section 19 alternative education duty is triggered to prevent delays and ensure children do not remain out of education for longer than necessary.

CS – The client’s mother complained that the Council delayed processing her daughter’s annual review and failed to consider her safety and welfare during the request for a change of placement. The client’s mother also said that the Council failed to consider all her comments and evidence, when it responded to her complaint.

The Ombudsman found the Council at fault for its delays during the annual review process. Furthermore, it failed to evidence that it had considered all relevant information when deciding on a suitable placement. The Council has agreed to apologise to the client’s mother and pay £250 for her frustration and distress and £1,000 for the loss of her daughter’s educational provision from June to October 2023.

The Council has also agreed to ensure it has a robust process in place to monitor when the annual review of an EHC Plan is due; and to ensure it has a process in place to keep detailed and contemporaneous records of special educational needs panel meetings.

CS – The client’s mother complained that the Council failed to provide alternative education to her son after he was permanently excluded from school. She also complained that the Council delayed finding him another school and refused to issue him with an EHC Plan.

The Ombudsman found the Council at fault for not providing alternative education to the client. The Council has agreed to apologise and to pay the client’s mother £500 in recognition of the distress caused and £1,500 for the 11 weeks her son did not receive any provision.

Web activity

There were 1,954,700 unique pageviews of the Council website in Q4 (and more than 7.2 million across the whole of 2023/24). In Q4, the jobs section of the site was viewed more than 600,000 times. Customer satisfaction with the website was 64%.

Media and information work

During 2023/24 the press office handled 470 media enquiries and issued 108 press releases which generated 261 media stories. There were 1,415 stories published in total about the Council during 2023/24.

In Q4, the press office dealt with 157 media enquiries and issued 31 press releases. In March, there were 138 media stories about the Council, 94 of which were positive or neutral.

Effective publicity and campaigns

Examples of successful campaigns include a campaign to recruit more hosts for Ukrainian people settling in East Sussex, 5 new hosts have been attracted so far. The campaign used personal stories from hosts and Ukrainians, who’ve already thrived under the Homes for Ukraine scheme. We promoted the campaign through a mix of paid-for and organic social media posts with print advertising and editorial, posters at transport sites and digital screens at supermarkets. The recruitment of 5 new hosts equates to a saving of around £27,000 by avoiding the costs of emergency accommodation.

Three pop-up COVID-19 vaccination clinics in East Sussex libraries were publicised through no-cost social media and web posts and with a library poster campaign. 300 at-risk people attended for a vaccination, filling the available capacity.

South East 7 (SE7)

Throughout 2023/24, the SE7 partnership continued to provide a valuable forum for sharing intelligence on the rapidly evolving national policy context and developing joint lobbying messages to position the partnership’s interests ahead of an expected general election. The SE7 partnership has also helped provide understanding on how neighbouring councils are responding to shared challenges, which this year has particularly focused on highways maintenance, asylum dispersal and demand and cost pressures in children’s services, including special educational needs and disabilities (SEND) and Home to School Transport.

Memo: treatment of savings not achieved in the year (£'000)	Temporary Funding ²	Part of reported variance ³	Total	Note Ref
	-	-	-	
	-	-	-	
	-	-	-	
Total	0	0	0	

¹ Where agreed savings are reasonably unable to be achieved other permanent savings are required to be identified and approved via quarterly monitoring.

² Temporary funding will only replace a slipped or unachieved saving for one year; the saving will still need to be made in future years (or be replaced with something else).

³ The slipped or unachieved saving will form part of the department's overall variance - it will either increase an overspend or decrease an underspend. The saving will still need to be made in future years (or be replaced with something else).

