

Governance Services – Q2 2024/25

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

Reconciling Policy, Performance and Resources (RPPR)

The Council is currently facing the most difficult financial outlook in its history. There is a substantial and growing gap between the costs of delivering essential services to meet the needs of East Sussex residents and the income we expect to have to fund these services in future years. The projected in-year deficit for 2024/25 has the potential to further deplete our very limited available reserves, removing any remaining flexibility for the year ahead. Unless additional funding is forthcoming, the Council will not be in a position to set a balanced budget in February without action over and above steps already being taken. As a result, Cabinet agreed in Q2 to begin consultation on a first phase of the potential savings that may be needed. The proposed savings would have significant impacts on local people, staff and partners, and they may increase future need for services. However, following the substantial savings of £140m already identified since 2010, there are few remaining options to reduce spend. We are faced with hard, short term choices which do not reflect how we would want to approach evidence-based, longer term planning and as preventative services are cut will likely result in increased future demand and costs.

Corporate Lobbying

Shortly after the General Election, which took place early in Q2, all Council Group Leaders wrote to the local elected MPs to outline the unique challenges facing East Sussex as set out in the State of the County report. The letter explained the financial challenges facing the Council in the short and medium term and asked for MPs' support in lobbying for reforms in areas including special educational needs and disability, children's social care and concessionary fares. The letter also asked MPs to work with us to ensure Government understands the need for sustainable funding arrangements, which properly reflect local needs. Throughout the rest of Q2 the Leader, Group Leaders and the Chief Executive have held meetings with MPs to discuss these and other issues in greater detail. Following the publication of the September RPPR Cabinet report, the Chief Executive wrote to all local MPs with details of the proposed savings to be consulted on, and the impact they will have on their constituents and to ask for their support in emphasising to Government the need for urgent financial support for local government in the Autumn Budget.

We continue to draw on broader partnerships and networks to lobby effectively, including the County Councils Network and the Local Government Association, and ensure key issues for the Council are brought to their attention. This has included responding to requests for information on financial challenges, which have informed national lobbying activity. Chief Officers also continue to seek to influence service specific national policy developments through national professional associations and networks.

Supporting democracy

During Q2 we supported 37 meetings including: 1 County Council meeting; 2 Cabinet meetings; 11 Lead Member meetings; 11 Scrutiny Committees and Review Boards and 12 other committees and panels. We also despatched agendas for a further 5 meetings and supported 2 Whole Council Forum meetings. The webcasts of meetings were viewed 2,075 times in Q2. The most viewed meeting was the Cabinet meeting on 26 September 2024, which received 473 views, either live or as a recording.

In Q2 the Member Training and Development programme continued to deliver a range of courses and briefings in support of Members and their roles. Courses delivered included sessions on Climate Change and Health, Cost of Living and Financial Inclusion and the new [East Sussex in Figures website](#). Most training sessions 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. During Q2 we started preparations for the elections in May 2025.

The Council's scrutiny committees continued to use a variety of approaches to ensure timely scrutiny input on a range of issues in Q2. The People Scrutiny Committee completed a review of Healthy Ageing which was agreed at its September meeting. A reference group on School Attendance was also established and will commence in early 2025. The Place Scrutiny Committee began its review of Local Speed Limit Policy, which will be reported in Q3. The committee also held meetings of the Climate Emergency Action Plan and Local Transport Plan (LTP4) reference groups during Q2. The Health Overview and Scrutiny Committee considered an update on NHS changes to paediatric services and a report on the provision of audiology services, agreeing to undertake a scrutiny review on the latter.

The Health and Wellbeing Board met twice in Q2 and considered a number of annual reports for 2023/24, which included the East Sussex Safeguarding Adults Board Annual Report; Healthwatch East Sussex Annual Report; and the Director of Public Health Annual Report. The Board considered and commented on the Year 2 Refresh of the Sussex Shared Delivery Plan and Integration Programme update, as well as a report on the Children and Young People's Mental Health Programme. The Board also agreed proposals to strengthen the role of the Health and Wellbeing Board in the context of the wider Sussex Integrated Care System.

Q2 also saw significant work undertaken by the East Sussex School Appeals Service. 93 appeals were received during Q2 with a further 11 appeals, which had been received in Q1, also being worked on. In total 27 appeals were heard, of which 8 were successful and 19 were dismissed by an Independent Appeal Panel. This resulted in 4 virtual appeal hearings. Of the remaining 77 appeals, 34 are due to be heard during Q3 and 43 were either withdrawn by the families or were not needed because a place became available at a preferred school before the hearing.

2 school exclusion review requests were also received during Q2. Of these, 1 review request was heard by an Independent Review Panel during Q2. The remaining review request will be heard by an Independent Appeal Panel in Q3.

Legal Services

During Q2, Legal Services assisted Trading Standards to prosecute a defendant who was found guilty to 4 counts of possession for supply of illegal vapes. The defendant was fined £750 and was ordered to pay prosecution costs of £2,136. The Service also advised Trading Standards in the successful prosecution of a defendant for breaching a planning enforcement notice, resulting in a fine of £711, costs of £311 and a victim surcharge of £280. The Service represented Children's Services in 18 prosecutions against parents for knowingly failing to ensure the regular attendance of their children at school.

In Q2, the Service also provided advice on 3 judicial review applications, 1 issued in Q4 2023/24 and 2 issued in Q1 2024/25. The Q4 2023/24 application related to an alleged failure by the Council to secure school provision named in an Education, Health and Care (EHC) Plan. School provision was made and permission to judicial review was refused. An appeal was submitted but permission was again refused. The first Q1 2024/25 application disputes the Council's assessment of an asylum seeker as an adult and not a child. Permission to judicial review has been granted and a further age assessment is being considered. The second Q1 2024/25 application relates to an alleged failure by the Council to issue an EHC Plan, which had been amended by the First Tier Tribunal (FTT). The Council had not issued the Plan because it had submitted an appeal to the FTT regarding two parts of the Plan. The appeal has since been resolved and the withdrawal of the judicial review application is being addressed.

During Q2 the Service advised in relation to 58 Court of Protection cases and 13 matters involving safeguarding vulnerable adults (compared to 65 and 13 in Q2 2023/24) and 58 Deprivation of Liberty Safeguards applications in the Court of Protection (compared to 52 in Q2 2023/24).

The Service continues to work closely with Children's Services, providing advice and representation, including in pre-proceedings (with the aim of avoiding the need for court action to safeguard children) 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. The Service has been working with Children's Services on making pre-proceedings more focused and timely. At the end of Q2 2024/25, there were 30 ongoing pre-proceedings compared to 53 at the end of Q2 2023/24. Although the number of pre-proceedings commenced has not significantly reduced, pre-proceedings are being dealt with in a shorter timeframe which has resulted in a reduction in the number ongoing. At the end of Q2 2024/25, there were a total of 66 ongoing care proceedings for 122 children compared to 65 for 129 children at the end of Q2 2023/24. In Q2 2024/25 concluded proceedings took on average 50 weeks to conclude per child compared to an average of 49 weeks in Q2 2023/24.

The Service continues to provide general advice on childcare related issues and on other matters before the court where the Local Authority are involved. These matters include applications for revocation of placement orders, discharge of care orders, secure accommodation orders, deprivation of liberty orders and adoption related matters. The Service has also continued to provide training and legal advice to Children's Services on legal processes, policy and operational instructions.

During Q2, the Service completed 15 agreements to secure financial contributions to the Council of £194,410, together with the delivery of additions and improvements to the highway network across the county. The Service also advised on 40 new property matters, the same as in Q2 2023/24. In addition, the Service advised on 62 new contract and procurement matters compared to 63 in Q2 2023/24. During Q2, the Service also assisted Income Recovery in securing the recovery and repayment of £12,621.06 of debt.

Coroner Services

Coroner Services provide funding and support to the East Sussex Coroner in undertaking the Coroner's role of investigating violent, un-natural or sudden deaths of unknown cause and deaths in custody. As an independent judicial officer holding office under the Crown, the Coroner operates entirely independently to the Council in making decisions about post mortems and inquests. During Q2 2024/25, 524 deaths were reported to the Coroner compared with 499 in Q2 2023/24. Of those deaths, 48% (244) went on to have a post mortem compared to 43% (202) in Q2 2023/24. 105 inquests were opened during Q2 2024/25, compared to 94 during Q2 2023/24. 89 inquests were closed in Q2 2024/25, compared to 70 in Q2 2023/2024.

In Q2 2024/25, no inquests with a Jury were held, compared to 1 in Q2 2023/24. 29 inquests were held in writing, which do not require court bookings, compared to 31 in Q2 2023/24. There are currently 289 open inquests, compared to 281 at the end of Q2 2023/24.

Regulation of Investigatory Powers Act (RIPA)

A RIPA authorisation issued in Q1 was cancelled in early July, just prior to the conclusion of its three month term, as it was no longer necessary. The authorisation enabled the gathering of evidence relating to the bulk storage of illegal tobacco worth several thousand pounds.

Local Government Ombudsman complaints

The Ombudsman issued 20 decisions in Q2. 3 of these cases related to Adult Social Care (ASC), one of which was upheld, 12 related to Children's Services (CS) and 5 to Corporate Services (CORP). 16 cases were closed before a full investigation for a variety of reasons. This included insufficient evidence of fault, complaints being out of the Ombudsman's jurisdiction or because the complaint had not been through our internal complaint process.

2 of the cases that were fully investigated related to ASC and 2 related to CS. All 4 were closed with the complaint partly or fully upheld as follows:

ASC – The client's niece complained that the Council did not contact her late aunt's family when they applied for Power of Attorney. She also complained that the Council was unreasonable in its refusal to release keys to her aunt's property and other items, which delayed administration of the

estate. The Ombudsman concluded that the Council's Deputyship ended when the aunt passed away and found the Council at fault in the delay in releasing property to the family.

As part of the complaints process, the Council acknowledged its fault in not releasing the property in a timely manner and has refunded its fee for the administration of the aunt's matters and offered the client's niece £250 in recognition of the impact its actions had on her. The Ombudsman found these remedies to be proportionate.

ASC – The client's mother complained about a lack of care hours provided to her son by the Council. She said the Council refused extra care hours and did not allocate a social worker. She said this delayed a care review being completed. The Ombudsman found fault with the Council due to delays in providing support, which in turn led to a lack of care hours for the client.

The Council agreed to write to the client's mother to apologise for the faults identified and pay the client's mother £3,530 in recognition of the impact its failings had on the care provided and the distress caused.

CS – The client's parent complained that the Council delayed providing alternative education and special educational provision for her child, as set out in an EHC Plan. She was also concerned that the alternative education ended before her child was reintegrated into their special school.

The Ombudsman found that there was a delay in putting alternative education in place, when the client's child was unable to attend school due to anxiety and when the Council had 'off-rolled' the child from their school. The Council agreed to pay the client's parent £400, on behalf of her child, for the failure to provide tuition in July 2023.

The Council also agreed to review its processes for alternative provision to ensure they are in line with current statutory guidance in terms of timescale and the requirement for medical evidence; review its use of 'off-rolling' to ensure this is only used, where the legal criteria are met; and ensure that appropriate wording is used in EHC Plans to specify whether alternative provision is interim provision, or whether it has decided a child's needs cannot be met in any school and Education Other Than At School is required

CS – The client's mother complained that the Council delayed putting alternative provision in place for her daughter until February 2024, after she stopped attending school in July 2023 due to anxiety. She said that her daughter missed out on education and her mental health declined, which caused distress and uncertainty. The Ombudsman found the Council at fault because it had delayed putting alternative provision in place between September 2023 and February 2024.

The Council agreed to pay the client's mother £400 to acknowledge the impact of her daughter's loss of alternative provision between October 2023 and February 2024 and the distress and uncertainty this caused to her. The Council also agreed to explain what action it intends to take around its commissioning arrangements for alternative provision tutors for children out of school, to prevent similar delays in securing alternative provision for children out of school going forward.

Web activity

There were 1,588,785 unique page views of the Council website in Q2. Almost a third of those, more than 533,000, were to the jobs section of the site.

A new [Safe in East Sussex website](#) was created on the Council's own domain to replace an obsolete site with a very poor accessibility rating, no analytics and which did not work on mobile devices. The new site offers improved accessibility, analytics and works on mobile devices. Moving to the new site also removed the need to pay an external contractor to maintain and host the site.

During Q2, out of 69 enquiries received in total about fostering with the Council, 41 were submitted through our website. These came via a new welcome page and online web form, with 12 going forward for consideration, compared with 2 in Q2 2023/24 before the new page was in place.

Media and information work

In Q2, the team dealt with 100 media enquiries and issued 34 press releases. There were 379 media stories about the Council.

There was good coverage of press releases about the Council's financial position issued in July and September, with interviews on BBC South East, BBC Sussex and ITV Meridian with Cllr Glazier.

There was also wide coverage of Cabinet's decision to double investment in the county's road patching programme, the introduction of body-worn cameras for parking enforcement officers and the introduction of measures around 3 East Sussex schools to make it safer and easier for children to walk or cycle to school.

Effective publicity and campaigns

A campaign filming and interviewing care support workers and the people they help led to 85 email contacts from people interested in the role. These 'warm' leads were followed up by the team recruiting to these vital roles. The campaign used these stories for video on Facebook adverts, which was viewed 50,000 times. Across the whole of 2024, the team has had 262 enquiries and 23 people have either started in the role or are in the process of doing so. This includes more male applicants, after a young male support worker was featured in the publicity.

Downloads of the Life Transitions app, to support people's wellbeing and preparedness for life changes including retirement and changes in physical or mental health, increased by 77% following a short social media campaign seen by over 30,000 people. The app was downloaded by 46 people during the campaign.

A video to inform people about how to spot symptoms of measles and act on them attracted 30,000 views online and was featured in local television, radio and print. The video was made to respond to a regional rise in cases and to counter online misinformation about vaccines.

South East 7 (SE7)

SE7 Leaders met in Q2 and discussed the outcomes and consequences of the General Election. In particular, Leaders discussed the results in their local areas, engagement with newly elected MPs, and the new Government's potential approach to devolution and policy areas such as adult social care and health. They also discussed how SE7 could lobby the new Government on priority issues. Leaders shared local responses and challenges related to the rising demand for and cost of delivering social care, support for special educational needs and disabilities and home to school transport. SE7 Chief Executives also continue to meet regularly, and in Q2 discussed opportunities for collaboration, national policy developments, and progressing work agreed by the Leaders. The group received an update on the development of the South East Regional Care Co-operative and discussed its potential to support Councils' responses to the challenges in securing appropriate residential placements for children.

Revenue Budget Summary

The Governance Services net revenue budget is £9.046m and at the end of Q2 is forecast to be on budget.

Performance exceptions (See How to read this report for definition)

Performance measure	Outturn 23/24	Target 24/25	RAG Q1 24/25	RAG Q2 24/25	RAG Q3 24/25	RAG Q4 24/25	Q2 24/25 outturn	Note ref
None								

Savings exceptions 2024/25 (£'000)

Service description	Original Target For 2024/25	Target including items c/f from previous year(s)	Achieved in-year	Will be achieved, but in future years	Cannot be achieved	Note ref
There are no savings for 2024/25	-	-	-	-	-	
	-	-	-	-	-	
Total Savings	0	0	0	0	0	
			-	-	-	
			-	-	-	
Subtotal Permanent Changes ¹			0	0	0	
Total Savings and Permanent Changes	0	0	0	0	0	

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).

Revenue Budget 2024/25 (£'000)

Divisions	Planned Gross	Planned Income	Planned Net	Projected Gross	Projected Income	Projected Net	(Over)/ under spend Gross	(Over)/ under spend Income	(Over)/ under spend Net	Note ref
Corporate Governance	5,768	(197)	5,571	5,528	(200)	5,328	240	3	243	
Corporate Support	3,887	(412)	3,475	4,119	(401)	3,718	(232)	(11)	(243)	
Total Governance	9,655	(609)	9,046	9,647	(601)	9,046	8	(8)	0	

Capital programme 2024/25 (£'000)[illegible]