

## COUNTY COUNCIL – 11 FEBRUARY 2025

### QUESTIONS FROM MEMBERS OF THE PUBLIC

#### **Question 1 – Josh Babarinde MP, Eastbourne, East Sussex**

What consideration has ESCC given to the alternative cost-saving plan for Milton Grange contributed to by a former manager of the service?

#### **Answer by the Lead Member for Adult Social Care and Health**

We have considered this proposal alongside several other suggestions that arose as part of the consultation and due diligence processes. These included reducing the level and scale of the service, reviewing the use of transport, back-office and administrative changes and changes to the staffing structure at Milton Grange.

All of these have been taken into account alongside the views and needs of people who use the service and their informal carers, the Equality Impact Assessment, the availability of alternative provision and the financial position.

All of the suggestions and ideas received are contained within the full consultation pack that will be available to all Members when the papers for Cabinet on 25th February are published.

#### **Question 2 – Tania Bilton, Eastbourne, East Sussex.**

Many clients depend on transport provided by ESCC to get them to and from their Day Care Provision at Linden Court. Therefore, if Linden Court closes then this needs to be in place for all those going to Beeching Park.

Please can the council give all families involved , a written guarantee that this will be provided forever and not taken away at a later date?

The council will be failing clients and their families if transport is not provided for as long as it is needed.

#### **Answer by the Lead Member for Adult Social Care and Health**

It is fully acknowledged that Linden Court is a well run and much valued services which has a profoundly beneficial impact on the people who use it. If the decision is made to close and re-provision we will make every effort to replace it with an equally beneficial, but more affordable, alternatives.

If the decision is made to close Linden Court, individual assessments of needs and preferences of all of the individuals will be undertaken. And alongside this we will also take into account the needs and views of their informal carers and family when agreeing how and where those needs can be best met.

Given the Council's financial situation and the need to maintain equity between all of the people who we provide care and support for, it is not possible to provide a blanket guarantee of indefinite funded transport to an alternative (or the existing) setting.

Whilst Beeching Park is the main potential alternative provision, it is not the only one and as part of the evaluation process, alongside existing independent sector provision, consideration of potential solutions has also included the provision of a satellite service in Eastbourne for two days per week. Any such options, that are considered viable, will be included in the papers presented to Cabinet on 25th February.

**Question 3 – Brett and Beverly Collison, Eastbourne, East Sussex.**

Will the council be providing an alternative day service in Eastbourne for clients who are unable to cope with the travelling to Bexhill if Linden Court closes?

**Answer by the Lead Member for Adult Social Care and Health**

If the decision is made to close and re-provision Linden Court, each person will be reviewed to identify how their eligible care and support needs can be met with appropriate provision.

Consideration of potential solutions to mitigate travel to Bexhill include the provision of a satellite in Eastbourne for 2 days per week. There are also day services run by other providers in Eastbourne that could offer an alternative service if people were not able to attend Beeching Park.

All of these considerations will be included in the papers presented to Cabinet on 25th February.

**Question 4 – Cathy Jessup, Eastbourne, East Sussex**

I would like to know how the results of the consultation and questionnaires were collated, and to what extent has ESCC considered these results?

**Answer by the Lead Member for Adult Social Care and Health**

As part of preparing the final report and recommendations to Cabinet, all consultation responses are taken into account alongside the views and needs of people who use the service and their informal carers, the Equality Impact Assessment, the availability of alternative provision and the financial position.

Every single consultation response received is included within the full consultation pack that will be available to all Members when the papers for Cabinet on 25th February are published and a summary of the consultation responses is included within each individual Cabinet report.

**Question 5 – Inge Keats, Eastbourne, East Sussex.**

How have the Council looked into alternative ways of running Linden Court, i.e. sharing the building with other services such as Milton Grange, Mencap, etc.?

**Answer by the Lead Member for Adult Social Care and Health**

The outcome of our review of alternative operating models concluded that it wasn't possible to achieve the same level of saving through changing how the service at Linden Court is delivered. However, potential alternative solutions, such as the provision of a satellite service in Eastbourne for two days per week remain under consideration.

We also explored the potential co-location of the day services (eg: Linden Court and Milton Grange) but this is not possible as there is insufficient space, the needs of the people attending the different services require support that is specific to their need and the financial saving generated from sharing premises is insufficient .

**Question 6 – Martin Keats, Eastbourne, East Sussex.**

How have ESCC considered future clients requiring day care provision such as the new intake which will be leaving college this year as Beeching Park would be at full capacity?

**Answer by the Lead Member for Adult Social Care and Health**

If Linden Court were to close, Beeching Park would still have surplus capacity even if all of the people from Linden Court transferred and could accommodate a maximum of 85 adults a day.

Currently an average of 56 adults attend each day.

The proposal sets out that, to accommodate additional people, Beeching Park would open for an additional day (from four to five days per week), in addition to the existing capacity in the service.

We also know that all the Adult Social Care day services currently have spaces, as do many independent sector day services (and/or the capacity to expand) which indicates that there is sufficient capacity to meet the anticipated future demand for those individuals who choose day services to meet their eligible needs.

**Question 7 – Ryan Keats, Eastbourne, East Sussex.**

How will ESCC ensure all clients' needs are met if Linden Court closes?

**Answer by the Lead Member for Adult Social Care and Health**

If the proposal to close and re-provision Linden Court is agreed, each adult would have a Care Act review to ensure their assessment of eligible needs is up to date. This would be used to inform their support plan and how we ensure eligible social care needs continued to be met.

Where appropriate, carer assessments would be offered alongside the reviews for adults using the services to identify and address their needs too.

**Question 8 – Gina Murphy, Eastbourne, East Sussex.**

I am concerned Beeching day centre in Bexhill won't be big enough for all clients moving over from Linden Court, I was told some current clients at Beeching Park day centre will be moved to a place in Hastings called working wonders?

**Answer by the Lead Member for Adult Social Care and Health**

Beeching Park day service is more than big enough to accommodate all of the people who use both services, if required.

The day service at Beeching Park currently also uses Working Wonders in Hastings, and when combined they provide a 30% larger physical area than Linden Court.

- Linden Court day service - 1006 m2
- Beeching Park day service - 893 m2
- Working Wonders - 439 m2

(Beeching Park and Working Wonders combined is 1332 m2).

People using the service currently attend Working Wonders and we will continue to utilise this valuable resource. This may be a more accessible option for people who live on that side of the County.

The consultation proposal sets out that, to accommodate additional people, Beeching Park would open for an additional day (from four to five days per week).

**Question 9 – Lissa Potter, Hailsham, East Sussex**

While looking at cost saving measures, which more local options have been considered, if any, as alternative premises to continue the day service for Linden Court clients? For instance, the currently unused part of the Grangemead Respite service, or the former Respite service building, Sandbanks, both situated in Hailsham. Both are much closer to Eastbourne and would hopefully be more easily accessible and less disruptive to family schedules, than travelling to Beeching Park.

### **Answer by the Lead Member for Adult Social Care and Health**

A number of options have been considered but simply moving the location of the Linden Court service to another site and/or sharing premises with another service would not generate significant savings and the core costs of the service would remain. Additionally, there would be significant (one off) reconfiguration and refurbishment costs to bring both of the example sites within your question up to an acceptable operational standard.

We are however, exploring a range of mitigations including, for example, the provision of a satellite service in Eastbourne for two days per week.

### **Question 10 – Angela Pryor-Spiers, Hailsham, East Sussex.**

How far away in miles and time does ESCC feel is acceptable for a vulnerable client to be away from their parent/carer in the event of an emergency?

It is 8.8 miles for my son to Linden Court, it is double that to Beeching Park 16 miles. Plus, more miles if other clients are picked up enroute.

### **Answer by the Lead Member for Adult Social Care and Health**

All of our Adult Social Care services have robust policies, procedures and guidance for managing the safe transportation of clients including the management of any emergency situations that may arise in the service or during a journey or outing. These include individual and generic risk assessments, personal transport plans and specially trained staff.

We don't work to a generic figure for distance or duration as we consider each individual's specific situation, needs and wishes. This will be explored in each individual's person centred review of their needs and how they can continue to be met.

### **Question 11 – Connor Spiers, Hailsham, East Sussex.**

Have ESCC considered at all the amount of vulnerable/ special needs clients and their families which will fall into crisis with no local day care centre locally to them?

It will have a huge impact on both mental and physical health of clients and family/carers and massive impact on quality of life for the clients as well as financial strain.

### **Answer by the Lead Member for Adult Social Care and Health**

I am acutely aware of the number of people who would be affected by these proposals.

As a Council, we would not choose to be in a situation where we are needing to make decisions of this kind in respect of well run and much valued services, that we know have a profoundly beneficial impact on the lives of East Sussex residents.

However, we have a legal obligation to deliver a balanced budget, so we have to address this year's £55 million funding gap that Council faces.

If decisions are made to cease services, those people with Care Act eligible needs who are affected will have those needs reviewed and individual plans developed to ensure that those needs continue to be met through alternative provision.

Where appropriate, carer assessments would be offered alongside the reviews for adults using the services to address their needs too.

**Question 12 – Sophie Ticehurst, Eastbourne, East Sussex.**

How have ESCC considered a range of financial funding methods and possible reduction costs to continue the service at Linden Court day centre before its threat of closure?

**Answer by the Lead Member for Adult Social Care and Health**

Before proposing the closure and reprovisioning of Linden Court, alternative savings, cost reductions and income generation were carefully considered but the conclusion was that it would not be possible to achieve any significant savings through changing how the service at Linden Court is delivered.

**Question 13 – Andrew Wainwright, Eastbourne, East Sussex.**

How have ESCC considered the crisis which will be created from the loss of Linden Court day centre and the influx need for premature full time residential care and the increased costs which will occur. Let alone the physical and emotional distress this will cause for the clients and their family members.

**Answer by the Lead Member for Adult Social Care and Health**

Whilst I fully appreciate the anxiety, concern and disruption that the proposal to close and reprovision Linden Court has generated, it is important to note that, even if the service closes, all eligible social care needs of adults would continue to be met.

We would identify alternative suitable provision to meet people's eligible needs as part of the individual's (and carers) review of needs. The most likely alternative provision would be a different day centre or service, so the need for a change in an individual's living circumstances, directly as a result of the closure of Linden Court, is highly unlikely.

**Question 14 – Claire Watts, Pevensey, East Sussex**

As the parent of a young person who would have attended Linden Court in the next two years after the end of her education placement, what alternative provision to

Linden Court will ESCC be making for her and all the other young people (whose numbers are increasing year on year) who will be finishing education?

**Answer by the Lead Member for Adult Social Care and Health**

An individual's assessed eligible needs can potentially be met in many different ways, but if a young person 'preparing for adulthood' wished to have their needs fully or partially met through attending a Day Service, all of the Adult Social Care day services currently have spaces, as do many independent sector day services.

Additionally, subject to available demand and funding many services have the capacity to increase the number of individuals they are able to support or sessions they are able to offer (e.g.: many of our own Learning Disability Day Services only operate four days per week and/or occupy premises that have the physical capacity to accommodate more individuals).

**Question 15 – Laurie Holden, Burwash, East Sussex**

Over a period of five years, there have been questions sent to the East Sussex County Council calling for the Pension Fund to divest from its investments that include companies that supply Israel with weapons and military technology that it uses to kill Palestinians; companies that provide infrastructure for Israel's unlawful military occupation; and companies that conduct business activity in, or with, Israel's illegal settlements on stolen Palestinian land.

There are major investment companies and pension funds globally and in the UK that have divested from these companies. Local government pension funds have made a commitments to begin processes to divest. These include Waltham Forest Pension Fund, Islington Pension Fund and Lewisham Pension Fund. Local Councils have called on their pension schemes to divest. These include Manchester City Council, Bristol City Council, Tower Hamlets Council and Sutton Council. Some of these organisations have got the ball rolling and have shown that they are serious with their commitment to divest, e.g. the Waltham Forest Pension Committee has started discussions with its asset pooling company the London CIV and has taken legal advice to help it assess its options.

But the East Sussex Pension Fund has consistently refused to make any changes, even refusing to screen for these complicit companies and pinpoint in which of the ESPF funds they are held. At one point the pension fund committee acknowledged the issue of its investments in the illegal settlement industry. Instead of dealing with this, it 'kicked it into the long grass' by sending the issue to the LAPFF (Local Authority Pension Fund Forum). So LAPFF has, as we knew would the case, got nowhere.

So while other councils and LGPSs are taking steps to divest from complicit companies, the East Sussex Pension Fund has not only refused to divest, but has in fact increased its investments in these companies. The total invested now stands at £170 million. The number of companies on the UN list involved in the illegal settlement industry has risen to eight. And the fund still has companies that supply

the Israeli military. This includes Airbus, BAE Systems, Rolls Royce, Thales and Ultra Electronics.

There are, of course, far reaching legal reasons for divesting. In July last year the International Court of Justice (ICJ) confirmed that Israel's occupation of Palestinian land and treatment of Palestinians is unlawful and that it is under an obligation to bring to an end its unlawful presence "as rapidly as possible." It also stated that Israel is "under an obligation to cease immediately all new settlement activities and to evacuate all settlers from the Occupied Palestinian Territory." This means that all illegal settlements must be disbanded.

On June 24, UN experts issued a statement demanding that both states and companies stop all arms transfers to Israel. In issuing their call, they outlined that financial institutions, such as banks and pension funds, investing in armaments companies supplying Israel must cease, stating that financial institutions' "failure to prevent or mitigate their business relationships with these arms manufacturers transferring arms to Israel could move from being directly linked to human rights abuses to contributing to them, with repercussions for complicity in potential atrocity crimes."

And In January 2024 a landmark ruling by the ICJ affirmed that there is plausible evidence that Israel has been committing genocidal acts against the Palestinian people in the Gaza Strip.

Therefore, the pension fund has a legal responsibility to act now in order to keep within international law.

So while other councils have been taking seriously their responsibilities over their investments that are complicit in war crimes and in breach of international law, isn't it time that the East Sussex County Council did the same? Therefore, I ask that the leader of the council arrange a meeting with members of the Palestine Solidarity Campaign, along with members of the pension fund who have raised objections to the fund's constituents, to look at the methods in which other councils have started on the road to divestment and to work out how they can apply these to the East Sussex Pension Fund.

### **Answer by the Chair of the Pensions Committee**

Under our legal obligation of Fiduciary Duty, the primary aim of the East Sussex Pension Fund (the Fund) is to provide pension benefits for members and their beneficiaries when due. To do this the Fund invests to secure the best financial return for its members balancing risk and return. The power of investment must be exercised for investment purposes, and not for any wider purposes. The Fund takes a risk-based approach in setting and implementing its investment strategy.

The Fund publishes its Investment Strategy Statement which includes the Responsible Investment Strategy and Funding Strategy Statement on its website, which clearly lays out the approach of the Fund when investing. The Fund also

engages with its fund managers and with companies through collaborative engagement.

The Pension Committee issued a statement in July 2022 relating to the Fund's exposure in the companies flagged by United Nations Human Rights Office of the High Commissioner's ("OHCHR") A/HRC/37/39 Report as part of the Funds stewardship responsibilities to consider the operational impact on labour and other human rights issues, which can affect long term financial return of a company.

The Fund does not make individual investment decisions directly, this is delegated to professional investment managers through pooled investment vehicles, meaning there are multiple investors in the same mandate. This means the Fund cannot dictate the underlying holdings or investment decisions of an investment manager. The Fund does not have sight of any investment transaction made by an investment manager and has no sight of what is owned on any given day. Responsibility for day-to-day interaction with companies is delegated to the Fund's investment managers, including the escalation of engagement when necessary.

Investment managers have a mandate to deliver investment returns within a specific asset class and will regularly change the underlying assets or holdings within the portfolio. As the Fund is directed by Government to pool its investments, it does not set the parameters of the investment mandate and cannot intervene in any sale or purchase within a portfolio. As a result, to remove any specific investment exposure to a company the Fund would need to sell the entire investment manager position and procure and invest in segregated mandates.

The Fund recognises that Environmental, Social and Corporate Governance ('ESG') issues can have a material impact on the long-term performance of its investments. Investors have a role in shaping and influencing company actions relating to human rights bringing the 'S' of ESG into focus. Social performance of companies considers the operational impact on labour and other human rights issues of people and communities in which it engages.

The Fund is an active member of the Local Authority Pension Fund Forum (LAPFF), who carry out engagement on behalf of the member funds. We are supportive of the LAPFF position on the occupied territories, which seeks to encourage companies operating in that jurisdiction to review and have regard for the human rights of all individuals with whom they interact in the conduct of their operations.