

PEOPLE SCRUTINY COMMITTEE

MINUTES of a meeting of the People Scrutiny Committee held at Council Chamber, County Hall, Lewes on 17 March 2025.

PRESENT Councillors Johanna Howell (Chair), Colin Belsey, Anne Cross, Nuala Geary, Stephen Shing, Colin Swansborough, Trevor Webb, Paul Redstone, Brett Wright and Steve Murphy and John Hayling (Parent Governor Representative)

LEAD MEMBERS Councillor Bob Standley
Councillor Bob Bowdler and (via MS Teams)
Councillor Carl Maynard (via MS Teams)

ALSO PRESENT Carolyn Fair, Director of Children's Services
Mark Stainton, Director of Adult Social Care and Health
Bekki Freeman, Solicitor
Kaveri Sharma, Head of Inclusion and Support Services
Rachel Sweeney, Senior Policy and Scrutiny Adviser

30. MINUTES OF THE PREVIOUS MEETING 19 NOVEMBER 2024

30.1 The Committee **RESOLVED** to agree the minutes of the meeting held on 19 November 2024 as a correct record.

31. APOLOGIES FOR ABSENCE

31.1 Apologies for absence were received from Councillors Clark, Field, Lambert and Pragnell and Maria Cowler (Diocese of Arundel and Brighton Representative). Councillor Murphy attended as a substitute for Councillor Field, Councillor Redstone attended as a substitute for Councillor Pragnell and Councillor Wright attended as a substitute for Councillor Lambert.

32. DISCLOSURES OF INTERESTS

32.1 Councillor Redstone declared a personal, non-prejudicial interest under item 7, School Exclusions Scrutiny Review and item 9, Standing Advisory Council for Religious Education (SACRE) Annual Report as Chair of Governors for the Genesis Federation.

33. URGENT ITEMS

33.1 There were no urgent items.

34. CALL-IN: DECISION MADE BY CABINET REGARDING THE PROPOSAL TO CLOSE THE LINDEN COURT DAY SERVICE FOR PEOPLE WITH A LEARNING DISABILITY AND MERGE IT WITH BEECHING PARK DAY SERVICE

34.1 The Chair introduced the report and outlined that the purpose of the report was to allow the Committee to consider the call-in in relation to the decision by Cabinet regarding the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service.

34.2 The Committee considered the call-in and the information contained in the report. A summary of the questions raised, and comments made is given below.

- **Impact of decision on a future unitary authority** - Some Members raised concerns about the potential financial impacts of the proposal on a future unitary authority, including a potential increase in residential care costs for individuals who would not be able to access alternative provision. Some Members also expressed concern that this proposal could impact on vulnerable people's emotional wellbeing which would increase demand for local health services, including specialist provision such as the NHS Sussex Partnership Foundation Trust Learning Disabilities service and, subsequently, increase costs for a future unitary authority. Some Councillors expressed the view that there needed to be more financial assessment of any impacts on a future unitary authority, including increased demand for residential care.

In response, the Director of Adult Social Care and Health (ASCH) recognised the concerns and the impact of all the ASCH savings proposals on clients, carers and families but noted that these were put forward in light of the need for the Council to deliver its statutory duties to meet Care Act eligible needs and to deliver a balanced budget. In relation to the agreement in principle between ESCC and the district and borough councils, there was no formal agreement yet in place and final proposals for a unitary authority would not be submitted until September 2025. He also noted that potential impacts of decisions on a future unitary authority had been considered by the Scrutiny Committee and at Cabinet and confirmed that there were no anticipated impacts of this proposal on any future unitary council. In response to concerns about increased demand for residential care, the Director clarified that there was no anticipated increase to residential care needs as a result of this proposal due to the reprovion of care for those with eligible needs.

- **Impact of decision on districts and boroughs** - Some Members raised concerns about the potential financial impacts of the proposal on district and borough councils, including a potential increase on demand for Revenue and Benefits services if people needed to pay more for care. Some Members expressed the view that there needed to be more financial assessment of any impacts on district and borough councils. In response, the Director confirmed that there were no anticipated impacts from this proposal on district and borough councils and no anticipated increased costs for clients' care.
- **Use of consultations** - Some Members raised concerns about the responses to the public consultation in relation to the proposal, noting that the majority of respondents either strongly disagreed or disagreed with the proposal to close Linden Court Day Service and raised concerns about public engagement in future consultations if residents felt their views had not been heard. In response, the Director noted that the proposal to close Linden Court had been made after extensive consultation and views on all proposals had been considered. In response to these views, a number of adjustments had been made to the original proposals, where it was possible to achieve required savings in an alternative way. This included the updated proposal in relation to Linden Court to provide a satellite service two days a week in Eastbourne.
- **Alternative provision** - Some Members of the Committee expressed concerns about potential challenges for clients and carers accessing alternative provision, including increased travel times for some, and that this could lead to an increase in people receiving residential care which would be costly, compared with providing existing services at Linden Court, and would not provide the same experience for clients. Some Members therefore felt there should be more financial assessment before a decision could be made on this proposal. Concerns were also raised about the provision of transport to alternative provision, and that this could not be confirmed until individual assessments had been undertaken. Councillor Murphy also commented that this proposal would increase travel emissions which contradicted the Council's priority to reduce

emissions. Councillor Wright commented that some families and carers had expressed doubt that the Council could meet client's eligible needs with the proposed alternative provision.

In response, the Director clarified that as part of a Care Act Assessment for individuals and their carer/family members, the Department would review transport needs and had already made provision for anticipated additional transport costs. Although the detail could not be worked through until these assessments had been completed, the Director confirmed that that where transport was an identified eligible need, this would be met. Where there was a lack of trust in this process from family/carers, the Department would continue to work with them to build that trust.

The Chair noted that the Committee had considered the locations and anticipated travel times for current clients at its pre-decision scrutiny board in February. The Director also confirmed that this information had been included in the original Cabinet report and had therefore been considered.

- **Ongoing costs for Linden Court** - Councillor Murphy sought clarification about the ongoing costs to maintain and secure Linden Court and if these had been included in the proposal. The Director clarified that the proposal included the expected costs to maintain a satellite service in Eastbourne for two days a week, the additional staff needed to support Beeching Park and the additional associated costs for the premises and transport, and included costs to support clients who would access alternative services to Beeching Park following their care assessment.
- **Respite provision** – Councillor Webb enquired if the Department had considered a potential increase in respite provision. The Director responded that the demand for respite was not expected to increase as result of this proposal.
- **Alternative savings** – Some Members of the Committee questioned whether required savings could have been identified elsewhere. The Director noted the difficulty in identifying savings in the current financial context, with significant savings delivered in previous years, and outlined the areas the Department had identified to protect as far as possible. He reiterated that the Department would continue to meet Care Act eligible needs and support people to live as independently as possible.

34.3 The Lead Member for Adult Social Care and Health welcomed the Committee's engagement with the ASCH savings proposals, including at its pre-decision scrutiny board, which had considered the proposals in detail. He commented that these were difficult decisions, but in response to concerns about the impact of these decisions on a future unitary authority, noted that it was currently unclear what form a future authority would take, and the County Council had a current responsibility to set a balanced budget. The Department also had a responsibility, and would continue, to meet Care Act eligible needs on an individual basis.

34.5 Councillor Tutt expressed the view that the proposal would impact on clients' and carers' mental health and wellbeing and affect clients' relationships with other attendees of the service if different alternative provision were required. Councillor Tutt also commented that it was currently unclear what future costs of provision would be, including for transport, potential requirements for residential care, staff redundancy, and ongoing building costs and that more financial analysis was needed. Councillor Tutt also commented on the reduced attendance at Linden Court and suggested that there could be more demand for this service. In response, the Director noted the standardised approach that was used to cost the reprovision of services and that costs for transport included the maximum possible costs of every client attending Beeching Court, which was unlikely. The Director noted the Council's Employment Stability Policy which aimed to reduce redundancies and clarified that expected redundancy costs for all proposals had been included in the Cabinet report. The Director reiterated the view that this proposal was

unlikely to result in an increase in residential care as individuals' needs would be met through reprovisioned care. The Director also commented that occupancy for all day services had seen a reduction and commented that those who do attend, often attend on a part time basis throughout the week.

34.6 The Lead Member for Education and ISEND, commented that Members had heard that the proposal would not impact on district and borough councils and that it was unclear what form a future unitary authority would take. He also noted that the proposal had been considered in detail by the Committee at its pre-decision scrutiny board and the Committee had noted that in light of the financial context it regretfully accepted the proposal.

34.7 Councillor Cross moved a Motion that the matter be referred to the County Council on the grounds that more financial assessment of the impact on a future unitary council and on district and borough councils was needed, including any additional costs for respite care. Councillor Webb seconded the Motion.

34.8 A recorded vote was taken on the motion moved by Councillor Cross. The motion was CARRIED with the votes being cast as follows:

FOR THE MOTION

Councillors Cross, Murphy, Shing, Swansborough, Webb and Wright

AGAINST THE MOTION

Councillors Belsey, Geary, Howell and Redstone

ABSTENTIONS

None

34.9 The Committee RESOLVED to refer the matter in relation to the decision by Cabinet in relation to the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service to the County Council.

35. CALL-IN: DECISION MADE BY CABINET REGARDING THE PROPOSAL TO REDUCE THE FUNDING FOR THE HOUSING-RELATED FLOATING SUPPORT SERVICE

35.1 The Chair introduced the report and outlined that the purpose of the report was to allow the Committee to consider the call-in in relation to the decision by Cabinet regarding the proposal to reduce the funding for the Housing-Related Floating Support Service.

35.2 The Committee considered the call-in and the information contained in the report. A summary of the questions raised, and comments made is given below.

- **Use of consultations** – Councillor Cross commented that 92% respondents to the public consultation either strongly disagreed or disagreed with the proposal and expressed concern about public engagement in future consultations if residents felt their views had not been heard, which could impact on a future unitary council. In response the Director of ASCH commented that consultation responses had been considered and that the value of the service and potential impacts, including an increase in demand, had been acknowledged and debated by the Scrutiny Committee and by Cabinet.
- **Impact of decisions on district and borough councils**– Some Members commented that district and borough housing teams had estimated an additional annual cost to housing authorities of £9m if the service had not been available and sought clarification about conversations with district and borough councils about alternative funding arrangements. Some Members commented that, although they understood that the Housing-Related Floating Support Service was

not a statutory responsibility, reducing the funding would have significant financial implications for district and borough councils and, in light of local government reorganisation, that these implications, as well as plans for the transition period, needed further consideration.

In response, the Director noted that, although the £9m cost to district and borough councils was unverified, the impacts had been transparent in the original Cabinet papers and had been considered in detail by the Scrutiny Committee and Cabinet. The Director clarified that ESCC made up approximately 50% of the referrals to the service (although noted that most referrals were housing related), and the remainder came from district and borough councils (approximately 25%), other organisations (approximately 20%) and self-referrals (approximately 5%) and noted that it was currently fully funded by ESCC. The Director clarified that, as well as the consultation, formal and informal conversations had been taking place with district and borough councils since prior to the publication of the proposals and that these were continuing. ESCC had requested funding from district and borough councils to support the service, but as of yet this had not been forthcoming. If the implementation of the decision was delayed for six months, as requested by the districts and boroughs, ESCC would need to identify £1.9m of savings elsewhere. The Director reiterated that, although the implications of reducing the service had been considered by Cabinet, housing and homelessness prevention was not a statutory duty for ESCC.

The Chair noted the discussion at the pre-decision scrutiny board where it was recognised that this proposal would have an impact on the district and borough councils but the Committee, in light of the financial situation, had understood it was not a statutory duty of the Council.

- **Impact of decisions on a future unitary authority** – Some Members raised concerns that the proposal did not align with the draft East Sussex Local Government Reorganisation Interim Plan which set out in principle that councils would consider the interests of the future unitary council in decision making, and noted that district and borough councils had requested to delay the proposal in order to seek alternative funding arrangements. Councillor Wright expressed concern that there was a risk a future unitary authority would need to issue a Section 114 notice if funding for support services, including Floating Housing Support, was reduced.

In response, the Director reiterated that there was currently no formal agreement in place between the County Council and district and borough councils and final proposals for a unitary authority would not be submitted until September 2025. He also noted that the impacts of decisions on a future unitary authority had been considered in detail by the Scrutiny Committee and at Cabinet.

- **Draft Homelessness Strategy** – Some Members raised concerns that the aims of the draft Homelessness Strategy had not been considered in Cabinet's decision to proceed with the proposal to reduce funding for the Housing-Related Floating Support Service. In response the Director noted that housing related support was a key element of this strategy, and had significant preventative value, but that this could only be achieved with sufficient funding which required input from partners, and clarified that as yet, there had been no financial commitments from partners.
- **Future of the service provider** – Councillor Cross noted the work of the service provider, BHT Sussex, and commented that their alternative proposal to reduce the contract value by £2m would enable them to continue supporting 3,500 people and she expressed concern about the sustainability of providing support if the funding were to reduce as set out in the proposal. In response, the Director recognised BHT Sussex as a valued strategic partner but commented that if the

alternative proposal put forward by BHT Sussex were to be implemented, ESCC would need to identify £1.8m of savings each year from other services.

- **Impact on Children's Services** – Some Members commented on the original Cabinet report which noted a potential impact on Children's Services with increased demand to prevent families from homelessness. The Director reassured the Committee that the service would continue to prioritise and support households with children at risk of homelessness. Priority would also be given to adults at risk of presenting with Care Act eligible needs if their housing needs were not met.

35.3 The Lead Member for ASCH and the Lead Member for Education and ISEND commented that Cabinet had given due consideration to the impact of this proposal on district and borough councils.

35.4 Councillor Cross moved a Motion that the matter be referred to the County Council on the grounds that a full mediated assessment of the position of the district and borough councils on the proposal was needed, and that further consideration was needed about the impact of this proposal on a future unitary authority. Councillor Webb seconded the Motion.

35.5 A recorded vote was taken on the motion moved by Councillor Cross. The motion was CARRIED with the votes being cast as follows:

FOR THE MOTION

Councillors Cross, Murphy, Shing, Swansborough, Webb and Wright

AGAINST THE MOTION

Councillors Belsey, Geary, Howell and Redstone

ABSTENTIONS

None

35.6 The Committee RESOLVED to refer the matter in relation to the decision by Cabinet in relation to the proposal to close the Linden Court Day Service for people with a learning disability and merge it with Beeching Park day service to Full Council.

36. SCHOOL EXCLUSIONS SCRUTINY REVIEW

36.1 The Committee considered the report which provided an update on the implementation of the recommendations of the School Exclusions Scrutiny Review.

36.2 The Committee RESOLVED to note that all the recommendations from the Scrutiny Review had been embedded within the work of the Department which had resulted in a reduction in permanent exclusions. The Committee agreed that any questions on the report would be followed up outside of the meeting.

37. NATIONAL POLICY DEVELOPMENTS IN CHILDREN'S SERVICES

37.1 The Director of Children's Services Department (CSD) introduced the report which detailed key national policy developments in Children's Services, including the Children's Wellbeing and Schools Bill which set out 39 new policies across social care and education, which would impact on the services provided by ESCC. The Director welcomed the direction of travel, noting that many of the reforms aligned with current CSD priorities, including a focus on prevention, although did note some concern with the speed in which these were being implemented. The report outlined the Department's response to these reforms and the Director welcomed scrutiny's input into this.

37.2 The Committee asked questions and made comments on the following areas:

- **Use of agency workers** – The Committee enquired about the Council's use of agency workers and if this would be impacted by the reforms to reduce council spend on this. The Director welcomed the change as it promoted a more permanent and stable workforce and clarified that this would have less of an impact on ESCC as they did not use many agency social workers.
- **Funding**- The Committee sought clarification on the likely costs for ESCC, as well as government funding, to deliver the reforms. The Director noted that local authorities had been allocated some funding through the Government's Prevention Grant to deliver these reforms and commented that the ambitions of the reforms mirrored local priorities on prevention and early intervention to improve outcomes for families as well as significantly reduce the cost of care.
- **Departmental priorities** – The Committee welcomed some of the reforms, including increased school places, changes to Multi Academy Trusts and inclusive education in schools, but recognised the Council's financial limitations and asked how the Department would prioritise its resources. The Director clarified that the Department would provide services in line with the legislation and reiterated that work currently underway to support families earlier and focus on prevention mirrored the ambitions of these reforms and the Prevention Grant would be used to further resource the delivery of these ambitions. The Director also noted that it would be working with partners to ensure there was wider support for this work.
- **Educational outcomes** – A question was asked about the educational outcomes in schools in East Sussex compared to national outcomes. The Director commented that there was more to do in East Sussex to improve attainment and that there was focussed work in targeted areas to improve outcomes.

37.3 The Committee RESOLVED to note the breadth and depth of policy reforms affecting the delivery of services to children, young people and families in East Sussex and agreed to receive updates on progress of these reforms by the Department quarterly through a Reference Group.

38. STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION (SACRE) ANNUAL REPORT

38.1 The Chair of SACRE introduced the annual report which outlined the work of SACRE for 2023-24 and thanked the team involved with SACRE, including teachers and volunteers.

38.2 The Committee welcomed the report and noted the positive addition of a Humanist Representative to SACRE and that there had been no complaints regarding Collective Worship which was a testament to the hard work of SACRE. The Committee also welcomed the number of school visits arranged by SACRE.

38.3 The Committee RESOLVED to note the work of SACRE in the implementation of the Local Agreed Syllabus, raising the profile and importance of religious education and supporting the high-quality teaching of Religious Education in East Sussex and academies.

39. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR)

39.1 The Chair introduced the report which reviewed the Committee's input into the RPPR cycle for the 2024-25 financial year and provided an opportunity for the Committee to review the priorities on its work programme.

39.2 The Directors of ASCH and CSD welcomed scrutiny's input into the RPPR process.

39.3 Councillor Wright commented that the Committee could explore how to make the process more agile.

39.4 The Committee RESOLVED to note the report and identify topics for the Committee's work programme in the work programme item.

40. WORK PROGRAMME

40.1 The Chair introduced the report which outlined the Committee's latest work programme.

40.2 The Committee discussed its current reference groups and RESOLVED to combine the School Attendance Reference Group and the Prevention in Children's Services Reference Group into one reference group focussed on Children's Services reforms. The Director of ASCH commented that the CQC Reference Group could provide input into the Department's action plan in response to the awaited CQC report.

40.3 The Committee discussed a potential focus on the recruitment of foster carers and agreed that this would be included in the Children's Services reforms Reference Group.

40.4 Councillor Wright enquired if the Committee could look at the Council's consultation process. The Lead Member for Education and ISEND commented that this would be within the remit of the Governance Committee.

40.5 The Committee discussed transport for all age care and RESOLVED to establish a scoping board for a potential scrutiny review of this topic. The scoping board would include officers from ASCH, CSD and Communities, Economy and Transport.

40.6 The Director of ASCH informed the Committee of work underway to develop a Climate Change Health Impact Assessment and asked if the Committee would like to receive a briefing on this. The Committee RESOLVED to receive a briefing on this as well as a report to Committee in July.

40.7 The Committee RESOLVED to agree the updated work programme incorporating the changes above.

41. EQUALITY AND INCLUSION IN ASCH SCRUTINY REVIEW

41.1 The Director of ASCH introduced the report which provided an update on the implementation of the recommendations of the Equality and Inclusion in ASCH Scrutiny Review. The action plan included significant progress including a new Gypsy, Roma and Traveller Group and the use of data to understand how seldom heard groups accessed services.

41.2 The Director noted that work on the Community Engagement Framework had paused due to the resources needed for the recent CQC assessment and the RPPR savings proposals, however this would continue in the near future.

41.3 The Committee welcomed the positive outcomes outlined in the report and action plan and asked questions in following areas:

- **East Sussex Gypsy Roma Traveller Health Inequalities Partnership Group –** There Committee enquired about the membership of the East Sussex Gypsy Roma Traveller Health Inequalities Partnership Group. The Head of Inclusion and Support Services commented that the Department had taken time to establish this Group to ensure a Terms of Reference was drafted in collaboration with key partners including members of the Gypsy, Roma and Traveller

community and confirmed that the Group included representatives from this community.

- **ASCH complaints** – The Committee enquired about the work to collect data around complaints and if people were happy to share this data. The Head of Inclusion and Support Services noted that analysis was being undertaken to understand groups that are not making complaints, as well as those who are, and noted that they had not received a lot of feedback to date. The Department was working to complete data impact assessments to collate data from the liquid logic system when complaints are made. The Director added that data was being used to understand how the Department was engaging and supporting seldom heard groups and confirmed that its annual complaints report could be circulated to the Committee.

41.4 The Committee thanked officers for the report and requested another update in 6 months time.

41.5 The Committee RESOLVED to note the report.

The meeting ended at 4.45 pm.