

## **Governance Services – Q3 2025/26**

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

#### **Reconciling Policy, Performance and Resources (RPPR)**

The provisional Local Government Finance Settlement, received in Q3, provided the first multi-year settlement for councils in a decade. However, the Fair Funding Review 2.0 has changed how funds for councils are distributed. This has had a significant negative impact on the funding for East Sussex, despite the high levels of need for services in significant parts of the county and growing demand that is not reflected in the financial allocations the Council received. The Council responded to the Ministry of Housing, Communities and Local Government's (MHCLG) consultation on the provisional settlement which closed earlier in January. We have continued work to identify further savings in 2026/27 as part of efforts to bridge the funding gap. We recognise that additional savings will have further significant impacts on local people, staff and partners and may increase the need for and cost of services in future years. However, with very limited options remaining we are faced with hard, short-term choices which do not reflect how we would want to approach evidence-based, longer term planning. We have also submitted an indicative request for up to £70m of capitalisation to MHCLG under the Exceptional Financial Support scheme. This includes a £12.5m contingency, which has been earmarked to cover emergent financial pressures, as well as investment aimed at bringing the Council back into financial balance over the Medium Term Financial Planning period

We continued to develop the draft Council Plan and Portfolio Plans during Q3, in conjunction with our budget proposals. The Council Plan sets out key activities that we will deliver to help achieve our Priority Outcomes. These are influenced by national policy reforms and the need to respond to our challenging financial position. It includes our planned work to meet the challenges of the increased number and costs of vulnerable children the Council is responsible for, the increasing complexity of need and demand in Adult Social Care, and work to grow the local economy. The Council Plan has been informed by consultation and engagement events on our budget and business plans with youth groups, wider strategic partners, Trade Unions, and business representatives.

#### **Devolution and Local Government Reorganisation**

Together with our local partners we have responded, at pace, to Government's reforms to the overall structure of local government, ensuring that we will be best placed to secure maximum benefits for our residents. We submitted our response to MHCLG's consultation on the different models for unitary government put forward for the Sussex area, reiterating the strong case for the One East Sussex model. We also encouraged local people and organisations to respond.

Alongside this we continued to work with partners to support the creation of the Sussex and Brighton Mayoral County Combined Authority. Together with partners we are working to ensure that the new authority remains in the best possible position to access funding and use its devolved powers to address challenges face by residents and businesses across Sussex.

#### **Corporate Lobbying**

Throughout Q3 the Leader, Group Leaders and Chief Executive continued to raise issues and priorities for the county with our local MPs, focused on the stark financial position of the Council. In letters and individual meetings, MPs have been kept regularly updated on financial planning for 2026/27, and the negative impact that the outcome of the Fair Funding Review 2.0 has on the Council's funding, resulting in the Council needing to request Exceptional Financial Support from Government. Lobbying has highlighted the acute need for services in the county due to the older than average population, the nature of the county's economy, and the level of deprivation in parts of the county which are unlike those seen in the wider South East. In doing so, the Council has received the support of MPs in impressing on Ministers the severity of the Council's financial position and the Council's urgent need for additional funding.

We continue to draw on broader partnerships and networks at the local, regional and national level to lobby on current priorities, including through the Local Government Association, County Councils Network and South East 7. Chief Officers also continue to influence service specific national policy developments through national professional associations and networks and responses to specific Government consultations within their service areas.

### **Supporting democracy**

During Q3 we supported 44 meetings including: 1 County Council meeting; 3 Cabinet meetings; 11 Lead Member meetings, 15 Scrutiny Committees and Review Boards and 14 other committees and panels. We also despatched agendas for a further 6 committees and panels and supported 1 Whole Council Forum meeting. The webcasts of meetings were viewed 2,807 times in Q3. The most viewed meeting was the Cabinet meeting on 21 October 2025 which received 408 views, either live or as a recording.

In Q3 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 Substance Misuse including the Alcohol Strategy, Independent Sector Care Provision, Special Educational Needs and Disabilities and Mainstream Home to School Transport, Children's Mental Health and Emotional Wellbeing, and a further Climate Change Update and Q&A session. 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.

The Council's scrutiny committees have continued to undertake a range of work to ensure timely scrutiny input on current issues. The joint Place and People Scrutiny Committee Reference Group on Devolution and Local Government Reorganisation met in November to consider and comment on the latest position with both programmes, including the draft Governance and the proposed Local Assurance Frameworks of the new combined authority. The Place Scrutiny Committee met in Q3 and scrutinised issues including the introduction of the Council's Social Value Model, the roll-out and management of Electric Vehicle charge points across East Sussex, and the call-in of the decision to relocate Hastings Registry Office. The Committee established a Review Board to examine the coordination and management of street works, which met twice in Q3 and will report to the Place Scrutiny Committee in Q4. Place Scrutiny Members also received briefings on Artificial Intelligence and the Local Cycling and Walking Infrastructure Plan. The People Scrutiny Committee considered reports on the East Sussex Safeguarding Children's Partnership Annual Report, findings from the recent Care Quality Commission assessment of Adult Social Care and the Ofsted focussed visit of Children's Services, and a report on the impacts of savings implemented by Adult Social Care in 2025. The People Committee also began a scrutiny review of Personal Travel Budgets and Independent Travel Training in School Transport, which will report later this year, and held a Reference Group meeting to consider process with health and social care integration. Both People and Place Committees held their annual RPPR Boards, as part of ongoing scrutiny engagement in the RPPR process and agreed comments for Cabinet's consideration in Q4. The Health Overview and Scrutiny Committee also met in Q3 where it considered and commented on reports on winter planning for the health system for 2025-26, reports from East Sussex Healthcare Trust on its cardiology transformation programme, estates works and proposals for the reprovision of Uckfield Day Surgery Unit.

The Health and Wellbeing Board met in Q3 to consider reports on the East Sussex Health and Social Care Programme, East Sussex Safeguarding Children Partnership, Sussex learning from lives and deaths and the Joint Strategic Needs Assessment.

Q3 saw significant work undertaken by the East Sussex School Appeals Service. 52 appeals were received during Q3. In total 43 appeals were heard across 14 days, of which 11 were successful and 32 were dismissed by an Independent Appeal Panel. Of the remaining 9 appeals, 1 is due to be heard during Q4 and 8 were either withdrawn by the families or were not needed because a place became available at a preferred school before the hearing. 1 school exclusion review

request was also received during Q3. This will be heard in Q4 along with 1 school exclusion review request received during Q2.

### **Legal Services**

During Q3, Legal Services successfully applied for an injunction under the Town and Country Planning Act 1990 to restrain an individual from breaching planning law by using his own property to operate a waste business and to store scrap metal without permission. Breach of the injunction carries a sentence of up to 2 years. The Council was awarded costs of £2,153. In Q2 we reported on the successful prosecution of a rogue trader who was expected to be sentenced in Q3, this has been adjourned to Q4. In Q3, the Service assisted Income Recovery in securing the recovery and repayment of debts totalling £195,096.

The Service provided advice on 2 judicial review applications issued in Q3. The first challenged the Special Educational Needs and Disabilities Travel Panel's refusal to provide home to school transport to a young person (16+) with special educational needs on the basis that the parents had the flexibility to provide transport themselves. The decision as to whether permission to judicial review is granted has not yet been made by the court. The second judicial review challenges the Council's alleged failure to discharge its duty under s.19(1)(a) Education Act 1996 to arrange suitable education for a young person who has been unable to attend school due to illness. Permission to judicially review has been granted. A substantive hearing has yet to be listed.

During Q3 the Service advised in relation to 64 Court of Protection cases compared to 59 in Q3 2024/25. The Service also advised in relation to 86 Community Deprivation of Liberty Safeguards applications compared to 51 in Q3 2024/25. The sharp increase in these applications has stemmed from developments in case law in this area. Authorisation for a deprivation of liberty is required in care homes, hospitals, community settings and in a private home where arrangements amount to a deprivation of liberty, a person lacks mental capacity and the arrangements are imputable to the state. The Service also advised on matters relating to safeguarding vulnerable adults, continuing health care, and inquest hearings. In addition, the Service gave legal advice on 52 adult social care matters compared to 22 in Q3 2024/2025. This increase similarly relates to case law developments and an increased complexity of issues arising in relation to adult social care matters. Efforts are being made to meet the increase in demand for legal resource, set out above, from within existing resources, but it is placing significant pressure on capacity.

The Service continues to work closely with Children's Service's 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 Q3 2025/26, there were 35 families in ongoing pre-proceedings, this is 1 more family than at the end of Q3 2024/25. At the end of Q3 2025/26, there were 52 ongoing care proceedings for 110 children compared to 55 cases for 111 children at the end of Q3 2024/25. In Q3 2025/26 concluded proceedings took on average 40 weeks to conclude per child compared to an average of 44 weeks per child in Q3 2024/25.

During Q3, the Service completed agreements to secure financial contributions to the Council of over £224,479, together with the delivery of additions and improvements to the highway network across the county. The Service also advised on 30 new property matters compared to 39 in Q3 2024/25. In addition, the Service has completed one academy conversion in Q3 alongside completing the various property elements of a transfer of an existing academy to an alternative provider. The Service also completed a complex disposal of a capital asset worth £1m. During Q3 2025/26, the Service also advised on 54 new contract and procurement matters, which was the same number of new matters as in Q3 2024/25.

### **Coroner Services**

The Council provides staff and accommodation to the East Sussex Coroner in undertaking the judicial role of investigating violent, un-natural or sudden deaths of unknown cause and deaths in

custody. Accommodation includes the provision of mortuary, pathology, histology, toxicology and body removal services, as well as court and office accommodation and relevant hardware, software and information technology support. On 1 December 2025, Laura Bradford commenced in the role as Senior Coroner. With the new Coroner's Office and courtrooms all under one roof at Westfield House at County Hall, the new Senior Coroner will have the opportunity to build on a service which provides key information and support to families, often at a time of significant vulnerability.

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 Q3 2025/26, 387 deaths were reported to the Coroner, compared with 437 in Q3 2024/25, averaging 129 deaths per month. Of those deaths, 64% (249) went on to have a post mortem, compared to 61% (266) in Q3 2024/25. 78 Inquests were opened during Q3 2025/26, compared to 78 inquests opened during Q3 2024/25. 108 Inquests were closed in Q3 2025/26, compared to 81 closed in Q3 2024/25. 21 Inquests were held in writing during Q3 2025/26, which do not require court bookings, compared to 12 in Q3 2024/25. 5 Inquests were held with a jury in Q3 2025/26, compared to 2 in Q3 2024/25. At the end of Q3 2025/26 there were 232 open inquests, compared to 262 at the end of Q3 2024/25. At the end of Q3 2025/26 there were 39 inquests over 12 months old, compared to 38 at the end of Q3 2024/25.

### **Regulation of Investigatory Powers Act (RIPA)**

There were no Authorisations under RIPA during Q3.

### **Local Government Ombudsman complaints**

The Ombudsman issued 24 decisions in Q3. 11 of these cases related to Adult Social Care (ASC), 9 related to Children's Services (CS) and 4 to Corporate Services. 14 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, because the complaint had not been through our internal complaint process or because the Ombudsman had sufficient information to uphold the complaint.

Of the 10 cases that were fully investigated 3 related to ASC, 5 related to CS and 2 related to Corporate Services. 7 were closed with the complaint partly or fully upheld as follows:

ASC – The client's son complained that the Council failed to send its standard letter about care and support services and their cost before assessing his mother, wrongly found that she had capacity to make decisions about her care and support needs, and failed to secure his mother's written agreement to the care and support package.

The Ombudsman found the Council at fault for avoidable delays in responding to a voicemail message from the client's family requesting a conversation about reducing the number of care visits, which caused the client avoidable frustration. The Council has agreed to waive 55 days of the client's care costs and send her a written apology, in recognition of the avoidable frustration caused. The Council has also agreed to review its procedures for transferring cases between its hospital discharge and neighbourhood support teams and write to relevant staff to remind them of the importance of timely responses to telephone messages, particularly when transferring cases between teams.

ASC – The client complained about the way the Council dealt with a review of his direct payments, a delay in completing a review of his sensory impairment needs, and a failure to adhere to reasonable adjustments. He also complained about the way in which the Council dealt with his complaints. The Ombudsman found the Council at fault for failing to properly assess his care needs in 2024 leading to a wrongful reduction in his support package. Consequently, the client missed out on services to which he was entitled to receive. The Council also delayed in dealing with complaints about this.

The Council has agreed to apologise to the client, pay him £1,250 in acknowledgement of his time and trouble pursuing the complaint and to acknowledge the distress and risk of harm caused. The Council has also agreed to consider any training needs of officers completing or overseeing needs assessments under the Care Act.

CS – The client’s mother complained that the Council caused significant delays deciding her daughter’s special educational needs support. The client’s mother said this should have been done by April 2024, but the support was not finalised until February 2025. The Ombudsman found the Council was at fault for the delay. The Council also caused a delay in sending a copy of the support plan to the client’s mother. The Council has agreed to make a symbolic payment to the client’s mother of £150 to recognise her likely distress from its delays in amending and sending the Education Health and Care Plan.

CS – The client’s mother complained that the Council failed to deliver the content of her child’s Education Health and Care Plan, delayed them viewing this plan and failed to provide alternative education provision when her child was too unwell to attend school from September 2023. The Ombudsman found fault with the Council as there was a delay in completing two annual reviews and the Council accepted that it did not do enough to ensure the client was receiving suitable education. The Council has agreed to apologise to the client’s mother for the fault identified and make a payment of £5,100 to recognise the distress caused as a result of the delays in reviewing the Education Health and Care Plan and the two terms of missed educational provision.

CS – The customer complained on behalf of a provision about the way the Council dealt with an application to join its alternative provision directory. The Ombudsman found the Council at fault for failing to properly explain its decision and failing to follow its policy, causing avoidable frustration and uncertainty. The Council has agreed to apologise, properly explain its decision and the customer’s rights and amend its policy.

CS – The client’s mother complained the Council failed to make educational provision after her son was permanently excluded from school and had still not found a school place for him. The Ombudsman found fault with the Council as it failed to provide education in the statutory timescale after the exclusion and failed to meet the section 42 duty to meet his special educational needs. The Council has agreed to apologise to the client’s mother, make a payment of £3,000 to recognise the failure to offer alternative provision for a month after the client was excluded from school and the failure to meet the section 42 duty for the period from February to October 2025. The Council has also agreed to continue to update the client’s mother every fortnight and ensure the reassessment of the client’s needs is completed within the 14-week timescale from the date it agreed to carry out a reassessment.

Corporate Services – The homeowner complained the Council failed to act following her report of flooding in her street. She said rainwater run-off from a nearby car park flows into an adjacent street before running into her own, risking damage to her home. The Ombudsman found no fault in the Council’s decision not to take further action and undertake remedial works around the homeowner’s report of water flooding on her street. The Council was at fault for delays in carrying out site inspections and for failing to inform her of its decision not to take further action. The Council agreed to apologise to the homeowner.

### **Web activity**

During Q3, there were almost 68,000 page views on our new booking page to reserve a slot at household waste sites. This was more than double the next most visited page (the homepage with just under 30,000 views). At the same time, a project to refine and improve our household waste web pages to make them as easy as possible to use saw the number of pages reduced from 53 to 18. Our *Your East Sussex* site, which features lifestyle and wellbeing content in support of Council priorities, had almost 33,000 page views in Q3 – an increase of 57% compared to Q3 2024/25.



**Savings exceptions 2025/26 (£'000)**

Service description	Original Target For 2025/26	Target including items c/f from previous year(s)	Achieved in-year	Will be achieved, but in future years	Cannot be achieved	Note ref
Member Services	32	32	32	-	-	
Performance, Research and Intelligence	99	99	99	-	-	
Communications	62	62	62	-	-	
Coroners Offices	40	40	40	-	-	
<b>Total Savings</b>	<b>233</b>	<b>233</b>	<b>233</b>	<b>0</b>	<b>0</b>	
			-	-	-	
			-	-	-	
<b>Subtotal Permanent Changes <sup>1</sup></b>			-	-	-	
<b>Total Savings and Permanent Changes</b>	<b>233</b>	<b>233</b>	<b>233</b>	<b>0</b>	<b>0</b>	

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

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

<sup>2</sup> 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).

<sup>3</sup> 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).

