

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

1. Question by Councillor Godfrey Daniel to the Lead Member for Adult Social Care and Health

New figures from the Department of Transport show that thefts of Blue Badges have more than quadrupled over the last year. An LGA spokesperson has said that"Illegally using a Blue Badge is not a victimless crime. For disabled people, Blue Badges are a vital lifeline that helps them get out and about to visit shops or family or friends. Callous thieves and unscrupulous fraudsters using them illegally are robbing disabled people of this independence."

Does the Lead Member concur with that view, and will he furnish details about the numbers of Blue Badges reported stolen in East Sussex in each of the last 3 years, the numbers of people caught using a blue badge illegally and the number of prosecutions undertaken with regard to this offence (in each of those years). Is the Lead Member confident that he has the resources to rigorously crack down on this growing crime? What active measures are being undertaken in East Sussex to deal with this problem?"

Answer by the Lead Member for Adult Social Care and Health

Our experience is that Blue Badges can be misused. This can include using a badge which has expired, been altered or photocopied or the badge holder has died. The most common misuse of a Blue Badge is where friends, family or carers, who might have easy access to the badges on a daily basis, use them with or without the holder's consent. In these cases, the badge holder will receive a warning letter from us, in addition to the legal action taken against the perpetrator.

For less serious offences, people are invited to watch an educational video which features people with disabilities talking about how valuable Blue Badges are to them in their daily lives. Attending a session to watch the video is known as a Community Resolution.

Please see below figures for the past three years and total figures for 2018 so far, in respect of Blue Badge misuse and our enforcement work:

	2015	2016	2017	2018
Badges used by a third party	90	135	76	
Badges expired	64	29	31	
Badge altered or photocopied	9	19	12	
Badge holder deceased	10	14	11	
Total badges seized	173	197	130	30
Community Resolutions	37	91	72	15 (15 pending)
Prosecutions	15	14	14	4 pending

- The total number of Blue Badges seized for this period is 530
- The total number of warning letters sent for 2015 to 2017 is 300
- It is estimated that the Enforcement Officer saves at least £138,000 per year, in what would have been lost in parking revenue

A proactive approach is taken in East Sussex and in 2014 we bid for, and received, government funding for an Enforcement Officer within the Blue Badge team. We launched Operation Bluebird, working in partnership with other agencies, which has enabled us to act on our commitment to enforcement work and protect those people who have genuine need for a badge. This has been welcomed not only by residents in East Sussex, but is also highly commended by the Department for Transport and the British Parking Association.

The Enforcement Officer covers the whole of the county investigating reports from members of the public, training parking teams to identify potential misuse, interviewing offenders and compiling detailed statements that will be required in court. They have taken part in a number of TV presentations and press interviews, highlighting that Blue Badge misuse is not a victimless crime and that the Council will not tolerate abuse of this concession.

In recognition of our Blue Badge enforcement work, we won two awards in 2016, for Parking in the Community and Parking Partnerships. We were also invited by the Department for Transport, as a direct result of our enforcement successes, to host a workshop for all Local Authorities, to share our good practice. We have also recently been contacted by the Scottish Government for assistance with their enforcement.

The Enforcement Officer is therefore an invaluable resource in managing Blue Badge misuse, and in educating the public and other agencies. As Government funding for the Enforcement Officer has now ceased we are currently considering arrangements for the ongoing funding of the post. Another consequence of the Government funding coming to an end, means we will be unable to fund the police officers' attendance at the Community Resolution sessions, which is necessary because the Community Resolution orders are issued by police officers. As an alternative, we are looking at the possibility of implementing a Local Resolution, without the police being present. This would involve showing the same educational video and charging a fee which would create revenue for the Council.

2. Question by Councillor Lambert to the Lead Member for Education and Inclusion, Special Educational Needs and Disability

The recent Get a Grip campaign was controversial and caused distress to a number of parents who felt that they were being unfairly targeted, that the campaign was insufficiently nuanced and that it was unlikely to reach the people it needed to. Parents have asked the following questions:

- a) How has the campaign impacted on attendance levels in our schools?
- b) What research has the County Council undertaken to assess how effective the campaign has been?

- c) What research has the County Council undertaken to ensure that any future campaigns are effectively targeted?
- d) Has the County Council undertaken research with other local authorities with better attendance figures to see how they have tackled school attendance?

Answer by the Lead Member for Education and Inclusion, Special Educational Needs and Disability

The breadth of the comments we received, council and media coverage during the campaign, indicates that the campaign had very broad reach and was noticed by the full range of parents across East Sussex. Poor attendance starts when a child takes their first day of absence for an inappropriate reason, it is significantly poor attendance when it goes over just 5%: it was important to raise awareness with parents who would condone such absence as much as it was to target parents of children with protracted poor attendance.

- a) Over the first two terms of this academic year, when we ran the campaign, overall attendance rates improved across primary, secondary and special schools in comparison to the same period the previous academic year. This is the first time that attendance has improved in East Sussex for a number of years. Clearly we will continue to monitor the longer term impact, but it is promising to see early signs of improvement already.
- b) In addition to the improvements in attendance, we have seen a reduction in the number of absences which are being authorised by schools. This shows that there has also been a shift in the approach by a number of headteachers and low-level absence is being addressed more consistently.
- c) We feel that the attendance campaign has been effectively targeted as it is having an overall impact in our attendance figures and responses to absence are more consistent across the county. We will continue to develop our campaign over the next two terms to ensure that our messages target the most common types of absences and have an impact on overall attendance.
- d) We have regularly looked to other Local Authorities with better attendance to see if there is anything we can learn from them in terms of improving practice in East Sussex. However, we have never been able to identify anything materially different to what we currently do, indeed in some instances we had a more pro-active approach than other Local Authorities that traditionally had good attendance.

Interestingly, since running our attendance campaign, we have had a number of Local Authorities contact us to seek 'permission' to replicate our approach to address a similarly intractable problem.

3. Question by Councillor Lambert to the Lead Member for Resources

Seaford residents are alarmed to hear that services at Warwick House may be under threat.

- a) What is the total capital investment that the County Council made in the Warwick Road site (both the library and the Adult Social care parts)?
- b) What is the total capital investment made by partners in the whole site – again both the library and the Adult Social care side?
- c) What is the total revenue cost of running both the library and the Adult Social care services on the site since the building opened?
- d) Given that joint funding of the project was supposed to provide financial sustainability for both the library and Adult Social care services, what business planning was undertaken and why is this now being reviewed?

Answer by the Lead Member for Resources

- a) East Sussex invested £6.665m
- b) Saxon Weald Homes contributed £0.632m. This contribution was towards the development of the Supported Accommodation on the site, which is financially separate to the Library and ASC service elements of Warwick House. Additionally Friends of Seaford Library contributed £2,540 towards fixtures and fittings.
- c) The net costs of running Warwick House, Library plus ASC services are as follows:-

2014/15 £0.259m
 2015/16 £0.477m
 2016/17 £0.477m
 2017/18 (estimate) £0.454m
 2018/19 (budget) £0.477m

- d) Whilst there were advantages arising from a joint development of modern facilities to meet the service needs of both Adult Social Care and the Libraries service, not least in rationalising the assets of the Council and delivering improved facilities for the public, the services were always independent of each other in terms of their management and business planning, for example all revenue building related costs were managed separately, which means that there is no direct impact upon the Library business plan as a consequence of the proposal by Adult Social Care.

The current consultation is considering how best to deliver day services within the County but no decisions have been made at this time. ESCC is using the consultation period to consider all sustainable options.

4. Question by Councillor Philip Daniel to the Lead Member for Resources

The UK Government committed to the Open Contracting Principles for government procurement and adoption of the Open Contracting Data Standard (OCDS) in 2016.

The Open Contracting Data Standard enables disclosure of data and documents at all stages of the contracting process by defining a common data model. It was created to support organizations to increase contracting transparency, and allow

deeper analysis of contracting data by a wide range of users. OCDS reduces costs of disclosure by creating a standard format directly linked to the national Contracts Finder dataset.

According to a specialist commentator, the day after Carillion's collapse it was only possible to locate less than 30 of the 400+ government contracts with Carillion through the national Contracts Finder dataset. None had the text of contracts attached. Some local authorities continue to invoke 'commercial confidentiality' as a blanket reason to keep procurement or asset sale information secret, increasing corruption risks, and undermining opportunities to promote value for money, local economic development and strategic procurement across the public sector.

The Prime Minister issued a letter to government departments on 14 December 2017 accompanying new transparency guidelines. Amongst the guidance, is a revised note on "Publication of Central Government Tenders and Contracts" which provides a good snapshot of the current position for national government contracting (and which is also framed as useful guidance for Local Authorities considering their responsibilities under the local government transparency code issued by DCHLG).

ESCC contract publication to date is limited to the Excel spreadsheets, each with a single row for each contract containing limited high-level information on 439 contracts (Q3 2017/18).

What steps is the Council taking to adopt the Open Contracting Principles and implement the Open Contracting Data Standard? What steps is the Council taking to implement the government's revised guidance on publication of tenders and contracts?

[URLs for reference]

<https://www.open-contracting.org/implement/global-principles/>

<http://standard.open-contracting.org/latest/en/>

<http://www.timdavies.org.uk>

<https://www.gov.uk/government/publications/open-standards-for-government/open-contracting-data-standard-profile>

<https://www.eastsussex.gov.uk/business/doingbusiness/local-government-transparency-code-for-contracts-and-purchase-orders-over-5k/>

Answer by the Lead Member for Resources

Open Contracting Principles:

All contracting opportunities are published through the South East Shared Services Portal, which currently has circa 23,000 suppliers subscribed. In addition:

- for opportunities over £25k in value they are published on the national Contracts Finder managed by Crown Commercial Services;

- for opportunities over the current Official Journal of the European Union thresholds opportunities are published on the European Union's Tenders Electronic Daily.

In accordance with the Local Government Transparency Code we publish the following information on the ESCC website on a quarterly basis:

- All our active contracts;
- Purchase Orders over £500 in value;
- Purchase Orders over £5k in value.

We are about to implement a weekly report of key Procurement decisions in accordance with the Local Authority Regulations 2012. This will provide the public with details of all decisions to award key contracts and will include information on:

- The background and decision to buy
- The route to market
- The procurement process and number of bidders
- The successful supplier and the value of the contract award
- Details of any potential conflict of interest and what mitigating action has been taken to address it

Finally, in accordance with the Freedom of Information Act 2000 the Programme Management Office (PMO) within Procurement respond to requests from the public, including information related to our contracting procedures. They process an average of four FOI requests related to Procurement in East Sussex each month. A log of these requests is maintained in the PMO.

Open Contracting Data Standards:

Crown Commercial Service who are responsible for Contracts Finder have been publishing data to www.data.gov.uk daily since November 2016 in an OCDS format. They have also established a public interface which enables anyone to search the database and then download the results in an OCDS format. East Sussex County Council publish all contract opportunities over £25k to Contracts Finder so our contracting activity reflects in the datasets. Crown Commercial Service continues to enhance this offering in accordance with the UK Open Contracting National Action Plan.

In addition, the quarterly transparency reports detailing Council spend over £500 is one of 33 datasets available to download from the East Sussex County Council pages on www.data.gov.uk.

Guidance for central government on the publication of tenders and contracts:

Although we have already have measures in place, as detailed above, we will be reviewing the principles contained within the revised guidance provided by Crown Commercial Services around Central Government transparency to assess if there are any additional measures we need to take to strengthen compliance to the Local Government (Transparency Requirements)(England) Regulations 2015 and the associated Local Government Transparency Code 2015.