

Governance Services – Q3 2024/25

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

Reconciling Policy, Performance and Resources (RPPR)

The Government's Autumn Budget Statement in Q3 provided some additional funding for local authorities. However, it also included measures which further increased our costs, outweighing the support provided. The Local Government Finance Settlement confirmed the Government intends to make significant changes to the way funding is allocated to councils, although the impact of these changes is not yet clear, and the required funding to meet the increased costs facing local authorities was not provided. As such, the Council continues to face the most difficult financial outlook in its history. Consultations on the first phase of potential savings began in Q3. However, although the proposed savings would have significant impacts on local people, staff and partners, and may increase future need for services, they do not fully bridge the funding gap and further use of our very limited reserves is also required. The Council will continue to press Government, individually and through our networks and partnerships, to address the unsustainable position we face by delivering both sufficient funding and service reforms which will enable better use of the resources we have.

We have continued to develop the draft Council Plan and Portfolio Plans during Q3, in conjunction with our budget proposals. The Council Plan sets out our ambitions for the next three years. 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. It also sets out the work we are doing to address the climate emergency. 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.

In December 2024 the Government set out proposals to extend devolution to local government in England. In January 2025 Cabinet approved for the Leader to respond to Government setting out a clear commitment to devolution and reorganisation. This included a proposal for the devolution of powers to a new combined authority for the Sussex area covering the areas of the three upper tier authorities; a proposal for unitary government in East Sussex; and inviting the Government to postpone elections in May 2025, for a year, to enable the proposals for Local Government Reorganisation to be developed and the early implementation of the proposed devolution arrangements.

Corporate Lobbying

During Q3, the Leader took opportunities to meet with local MPs both individually and collectively and has continued to raise issues and priorities for the county with them. This included collective meetings with MPs and the Leaders of the five district and borough councils to discuss joint lobbying priorities for the county, and with Council Group Leaders to discuss the significant financial challenges facing the Council. The Chief Executive wrote to all East Sussex MPs throughout Q3 to keep them updated on the RPPR process and the steps being taken to address the deficit, including on the savings proposals contained within the September RPPR report to Cabinet. East Sussex MPs wrote a number of letters to Government, both individually and collectively, emphasising the specific and unique needs of East Sussex, and requesting that these were considered in the allocation the Council received in the Local Government Finance Settlement.

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. Chief Officers also continue to seek to influence service specific national policy developments through national professional associations and networks.

Supporting democracy

During Q3 we supported 45 meetings including: 1 County Council meeting; 2 Cabinet meetings; 12 Lead Member meetings, 19 Scrutiny Committees and Review Boards and 11 other committees and panels. We also despatched agendas for a further 7 committees and panels. The webcasts of meetings were viewed 2,363 times in Q3. The most viewed meeting was the Full Council meeting on 8 October 2024 which received 407 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 the Council as a Corporate Parent, An Introduction to Asset Based Community Development 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 continued to use a variety of approaches to ensure timely scrutiny input on a range of issues in Q3. Work planning Awaydays were held in October for People and Place committees to hear from departments within their remit about current priorities and to review their work programmes for the year ahead. The People and Place Scrutiny Committees continued their work on the RPPR process and held RPPR Board meetings in December. The People Scrutiny Committee considered reports on the East Sussex Safeguarding Children Partnership annual report, Transition in Services, the Adult Social Care CQC preparations, and a report from the Loneliness Stewardship Group. The Place Scrutiny Committee completed its review of Local Speed Limit Policy, and also held meetings of the Climate Emergency Action Plan reference group during Q3. The Place Committee also scrutinised the South East Water and Southern Water response to recent water supply interruptions and the future planning of water supplies for the county. The Health Overview and Scrutiny Committee met twice in Q3 and considered reports on access to GP and NHS Dentistry services, NHS missed appointments, the NHS Sussex Winter Plan, an update on changes made to paediatric services, ambulance handovers at the Royal Sussex County Hospital, and proposed changes to the Colorectal Cancer Surgery pathway at University Hospitals Sussex NHS Trust. It also commenced work on the review of the provision of audiology services, which is due to report in Q4.

The Health and Wellbeing Board met in Q3 and considered a number of annual reports for 2023/24, which included the East Sussex Safeguarding Children Partnership Annual Report and the Sussex Learning from Lives and Deaths Annual Report. The Board considered an update report on the Sussex Health and Care Shared Delivery Plan (SDP) and Integration Programme update, as well as an update report on the Joint Strategic Needs Assessment. The Board is also holding informal 'deep dive' Strategy sessions 2-3 weeks before each of the formal Board meetings to inform the future Health and Wellbeing Strategy, the outcomes of which are reported as part of the SDP update report.

Q3 saw significant work undertaken by the East Sussex School Appeals Service. 61 appeals were received during Q3 with a further 32 appeals, which had been received in Q2, also being worked on. In total 55 appeals were heard, including 13 virtual appeal hearings. 11 were successful and 44 were not upheld by an Independent Appeal Panel. Of the remaining 38 appeals, 14 are due to be heard during Q4 and 24 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 and heard by an Independent Review Panel during Q3.

Legal Services

During Q3, Legal Services assisted Trading Standards to obtain a successful conviction against a fraudulent trader for counterfeit tobacco offences. The trader will be sentenced in February 2025. The Service also assisted Trading Standards to obtain a successful conviction for animal welfare offences and an order to pay fines totalling £6,615, prosecution costs of £887 and a victim surcharge of £700. In addition, the Service also assisted Trading Standards to secure a 4 month sentence in prison and costs of 2,887 in relation to an individual who was guilty of counterfeit

tobacco offences in Q2. The Service also advised the Planning Enforcement Team in the successful prosecution of an individual for planning offences, resulting in a fine of £576, a victim surcharge of £230 and costs of £423, and in the successful prosecution of another individual for breaching a planning enforcement notice, resulting in a fine of £5,000, costs of £827 and a victim surcharge of £2,000. The Service also represented Children's Services in 53 prosecutions against parents for knowingly failing to ensure the regular attendance of their children at school.

In Q3, the Service also provided advice on 2 judicial review applications issued in Q1 2024/25. The first application disputed the Council's assessment of an asylum seeker as an adult and not a child. Permission to apply for judicial review was granted. Accommodation and support commensurate with this individual's claimed age was ordered pending resolution of the application. If it is determined that he was a child then the Council will continue to be responsible for his accommodation and support until he is 21 or until resolution of his application for leave to remain, whichever is earlier. A final hearing has been scheduled for 6 to 8 May 2025. The second application relates to an alleged failure by the Council to issue an Education, Health and Care Plan, which had been amended by the First Tier Tribunal (FTT). Permission to judicially review was granted. The Council had not issued the Plan because it had submitted an appeal to the FTT regarding two parts of the Plan. After the judicial review application was issued, the FTT resolved the appeal and the Council issued a plan to include the disputed parts. No judicial review hearing had been listed and a consent order, to include payment by the Council of the applicant's costs was submitted to the court which, if approved, will conclude the proceedings.

During Q3 the Service advised in relation to 59 Court of Protection cases and 22 matters involving safeguarding vulnerable adults (compared to 66 and 28 in Q3 2023/24) and 51 Deprivation of Liberty Safeguards applications in the Court of Protection (compared to 65 in Q3 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 continues to work with Children's Services on pre-proceedings being more focused, as well as timely, with the aim of completing all necessary assessments prior to issue of care proceedings and reducing the length of time children are subject to care proceedings. This has resulted in less pre-proceedings being open to the Service at any one time. At the end of Q3 2024/25, there were 34 ongoing pre-proceedings compared to 53 at the end of Q3 2023/24. At the end of Q3 2024/25, there were a total of 55 ongoing care proceedings for 113 children compared to 66 for 126 children at the end of Q3 2023/24. In Q3 2024/25 proceedings took on average 44 weeks to conclude per child compared to an average of 50 weeks in Q3 2023/24.

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

During Q3, the Service completed 16 planning and highways agreements to secure financial contributions to the Council of £363,850, together with the delivery of additions and improvements to the highway network across the county. The Service also advised on 43 new property matters (compared to 39 in Q3 2023/2024).

In addition, in Q3 the Service advised on 39 new contract and procurement matters compared to 66 in Q3 2023/24. During Q3, the Service also assisted Income Recovery in securing the recovery and repayment of £78,975 of debt (compared to £15,993 in Q3 2023/24).

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.

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 2024/25, 437 deaths were reported to the Coroner compared with 555 in Q3 2023/24. Of those deaths 266 (61%) went on to have a post mortem compared to 267 (48%) in Q3 2023/24. 78 Inquests were opened during Q3 2024/25 compared to 68 during Q3 2023/24. 81 Inquests were closed in Q3 2024/25 compared to 73 in Q3 2023/24. In Q3 2024/25, 2 inquests with a jury were held the same number as in Q3 2023/24. 12 Inquests in writing were held, which do not require court bookings, compared to 37 in Q3 2023/24. There are currently 262 open inquests, compared to 273 at end of Q3 2023/24. 38 Inquests are over 12 months old compared to 53 at the end of Q3 2023/24.

Regulation of Investigatory Powers Act (RIPA)

There were no active RIPA Authorisations during Q3. In October, the Council were notified that the Investigatory Powers Commissioner's Office were reassured of our ongoing compliance with RIPA 2000 and the Investigatory Powers Act 2016, following a paper based review. Therefore, no further inspection was required. During November, refresher RIPA Training was delivered to Council staff, people from all departments were invited to attend.

Local Government Ombudsman complaints

The Ombudsman issued 29 decisions in Q3. 5 of these cases related to Adult Social Care (ASC), 17 related to Children's Services (CS) and 7 to Corporate Services (CORP). 22 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 7 cases that were fully investigated 2 related to ASC and 5 related to CS. 5 were closed with the complaint partly or fully upheld as follows:

ASC – The client's daughter complained about how the Council dealt with securing a residential care home for her mother and how it dealt with her care charges. The Ombudsman found the Council at fault for incorrectly referring to an initial two weeks of care as 'respite' and for making an error with the client's personal expenses allowance figure, following its financial assessment. The Council has agreed to apologise to the client's daughter for the confusion caused to her by the Council's incorrect use of the word 'respite' and to provide her with a clear statement identifying her mother's care contributions. The Council has also agreed to offer an affordable repayment plan option for the outstanding Direct Payment client contribution of £1,036.

CS – The parent complained that the Council delayed providing an Education, Health and Care Plan (EHCP) for her daughter following an annual review. She said the Council's actions meant her daughter was out of school, did not receive appropriate educational provision and this left her unable to work during this period. The parent also complained the provision set out in the final EHCP lacked quantification and was not of a high quality.

The Ombudsman found fault with the Council for delays in carrying out an early review of the EHCP following the parent's request and concluded that, on the balance of probabilities, an earlier annual review would more likely than not have resulted in an earlier decision to name a specialist school in the EHCP. The Council has agreed to provide an apology to the parent and her daughter and to make a symbolic payment of £500 in recognition of the distress and uncertainty caused by

the delays. The Council has also agreed to remind staff to adhere to the statutory timeframes as part of the EHCP process, of the importance of recognising parental requests for early reviews of EHCPs and acting on those requests in a timely manner.

CS – The parent complained on behalf of her adult daughter that the Council had failed to make special educational needs provision for her since September 2022. She said this caused significant distress to her and her daughter and caused her daughter's mental health to deteriorate. The Ombudsman found fault with the Council due to delays in providing the client with support via the Interim Provision Service. The Council has agreed to pay the client £2,500 to acknowledge the loss of educational provision for two terms and to remedy the distress caused.

CS – The parent complained that the Council failed to provide alternative provision for her son when he was unable to attend school. She said he missed education and socialising with his friends. The Ombudsman found the Council at fault for referring primarily to medical needs when deciding if alternative provision was required, failing to have oversight of the case, and failing to conduct a three-month review. The Council has already updated its section 19 policy to strengthen the guidance around the importance of the three-month review and holistic decision making. In addition to this the Council has agreed to apologise to the family and pay them £2,500 for the distress, missed education and for uncertainty caused by failing to manage the case appropriately.

CS – The parent complained that the Council failed to secure special educational provision in her son's EHCP. She said this caused a loss of educational provision and avoidable legal costs. The Ombudsman found the Council at fault for failing to ensure the client received all the special educational provision in his EHCP between September 2023 and July 2024 and for failing to issue an amended plan by the legal deadline. The Council has agreed to apologise to the parent for the faults identified and make a payment of £2,900 to reflect the client's lost special educational provision and the uncertainty this caused. The Council has also agreed to ensure the client is receiving all the provision in Section F of his EHCP.

Web activity

There were 1.24m unique views of pages on the Council's website in Q3. Jobs, school term dates and the home page are the most visited parts of the site.

AI has been used to improve underlying descriptions of webpages (meta-description) to improve understanding of the purpose of the page and make relevant pages easier to find for people searching for our services and information.

Media and information work

There were 517 media stories about the Council in Q3. The team issued 34 press releases, generating 97 stories, of which 10 were on TV or radio.

Coverage in Q3 was dominated by articles related to 2025/26 budget discussions and consultations. Press releases on winter preparations by East Sussex Highways, the reopening of the revamped Uckfield bus station and work on 16 sites as part the Council's speed management programme received media coverage.

Effective publicity and campaigns

Social media advertising for the Warm and Well campaign during December yielded a string of enquiries from people looking at upgrade grants for insulation or solar panels to help keep energy inefficient homes warmer. The adverts were targeted at people less likely to have mains gas (especially in rural areas) making their homes harder to heat and increasing the likelihood of living in fuel poverty. The advert was clicked on 6,500 times and generated 15 bookings, which is 30% of the service's annual target.

Results from a campaign to encourage more use of the Flexibus (bookable bus) service showed a record weekly high of almost 700 passenger journeys, with a 38% increase in new sign ups and a 23% increase in first trips. This followed a social media and poster campaign to tell people about

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).

