

West Sussex County Council – Written Questions

28 February 2022

1. Written question from **Cllr Cornell** for reply by **the Chairman**

Question

When submitting questions to Cabinet Members, it is often clear that similar (if not identical) questions have been asked previously.

If all such questions (and answers) were to be catalogued, first by portfolio, then by subject and by date, Members, Officers and (subject to some redaction for confidential issues) members of the public, would all be able to access information directly, preventing duplication and delivering greater transparency, easier communication, and efficiency.

So, given the workloads of Officers, Cabinet and Ordinary Members of the Council, would it not be both more time efficient and cost effective to establish such an on-line database/repository?

Answer

A check on the questions asked in the last two years has found that there is very little repetition. When repetition has occurred, it is usually a follow-up question from the same member. If a similar question is asked several years later, then it is likely that there will be differences in the answer as it will be more up to date. It is therefore not considered to be a proportionate use of officer time to create an on-line database. Any member preparing a written question is welcome to contact Democratic Services to check if any similar question has been asked in the past. If a question on the subject has been raised relatively recently Democratic Services will draw the member's attention to this fact.

2. Written question from **Cllr Sharp** for reply by **Cabinet Member for Adults Services**

Question

The Care Act (2014) champions the 'well-being' principle. This makes care charge debt recovery difficult especially alongside rising heating bills which hit hard our most vulnerable disabled residents.

- (a) How many people in West Sussex have had debt management procedures, including court proceedings, commenced against them due to non-payment of non-residential adult social care between April 2018 and March 2021?
- (b) What percentage of the number of people receiving adult non-residential social care does this represent and what percentage of the total amount charged for non-residential social care does this equate to?

- (c) How many people in West Sussex have chosen not to receive adult social care after the financial assessment has been made or at a later stage, between April 2018 and March 2021?
- (d) Does the authority monitor the health and welfare of people in (c) above?
- (e) Are debt management procedures in line with the 'well-being' principle?

Answer

- (a) No court proceedings were issued or commenced by the County Council between April 2018 and March 2021 in relation to non-payment of non-residential adult social care debt.
- (b) 0%
- (c) This data is not held by the County Council. However, we would always consider a customer's capacity if they were making a decision to decline a care package based on an assessed contribution. If the customer has capacity and chooses to decline care, then that is their choice, and the County Council would not be able to overturn their decision. If, however, the customer lacks capacity then officers will consider whether all risks are clearly understood and in exceptional circumstances, where they are declining care due to customer contribution, the County Council would still implement the care package even though we are aware the customer may not pay their contribution. In these circumstances, officers would be liaising with family members to check whether anyone can hold Lasting Power of Attorney to manage the customer's finances.
- (d) The County Council does not follow up those customers that have capacity and who choose to decline care, for financial or any other reason. Customers can however approach us again at any time for a reassessment should they change their mind, or their circumstances change.
- (e) The County Council's operational debt recovery procedures are in accordance with the Care Act 2014 and the Care and Support Statutory Guidance.

3. Written question from **Cllr Atkins for reply by **Cabinet Member for Learning and Skills****

Question

Can the Cabinet Member kindly assist to find an urgent solution to the matter concerning Durrington Infant and Junior Federated Schools?

The schools at present have no Lollipop person to cross the parents and children over the busy Salvington Road, this is in spite of frequent adverts the schools have placed to recruit such a person. Salvington Road is a 30 mph semi-main road, which can be dangerous at any time due to fast moving traffic. At present the parents and children cross Salvington Road without a Lollipop person and in an uncoordinated manner in different places both at the same time and at different times. This needs an urgent solution as it is an accident waiting to happen. As an example, a few years ago, a child was run down by a car crossing Salvington Road and had to be air lifted to Guys Hospital, London. Fortunately, he later made a full recovery. However next time the

outcome may not be so fortunate. I have attempted to get a pelican crossing put in place without success, but this cannot replace a Lollipop person.

Answer

The School Crossing Patrol left at the end of Autumn Term when the schools broke up for the school holidays. The site has therefore been vacant since the start of this term in January 2022. We have advertised the vacancy with the help of the school via their newsletter and a large banner. I am pleased to confirm that we have received some interest in the vacancy but will continue to advertise until we fill the role.

We work closely with local schools when vacancies arise as they help us find suitable candidates from within their communities such as parents, grandparents, friends, or relatives. We have also been proactively publicising staff who have been long-serving patrols and this has generated interest in this very worthwhile role.

Please note the incident in November 2019 occurred after 4pm after the School Crossing Patrol would have completed their duties.

4. Written question from Cllr Gibson for reply by Cabinet Member for Learning and Skills

Question

- (a) Can the Cabinet Member provide figures for the numbers of maintained schools and academy secondary and 'all through' schools that offer 'Triple Science', the numbers that offer only the 'Double Award' and the numbers that offer only BTEC Science (separate figures for each school type)?
- (b) What proportions of Year 10 students within maintained, academy and 'all through' schools' study 'Triple Science', 'Double Science' and BTEC Science?
- (c) If available; what proportion of students that study 'Triple Science' go on to take at least one science 'A' level? What proportion of students that study the 'Double Award' go on to take at least one science 'A' level?
- (d) How much does the Council provide annually for capital equipment for science teaching?

Answer

- (a) The local authority does not hold examination information on individual students as this responsibility sits with individual schools. The local authority's statutory role relating to standards and provision is that of 'championing high standards' but with the detail of how this translates into practice and provision within individual schools resting with each school and its governing body.

The most recent national dataset for the end of Key Stage 4 examinations across all West Sussex schools is for the year 2018/19.

Thirty-five of the 38 secondary schools (including special schools offering provision for secondary age students) offer triple award in science; with 36 offering a dual award in science. All schools offer GCSE Biology, and 35 secondary schools offer GCSE Chemistry and Physics.

A small number of schools offer only BTEC, ELQ or Applied Sciences qualifications.

- (b) The local authority does not hold individual data on students or the proportions within each school undertaking programmes of study as this is the responsibility of schools. Therefore, it is not possible to provide information on the proportions of Year 10 students in maintained schools or academies currently undertaking different science GCSE programmes. The numbers of students undertaking courses of study may not equate to the numbers who are entered into examinations when they are in Year 11.
- (c) The local authority does not hold information on the numbers and proportions of students successfully completing triple or double awards in science at the end of Key Stage 4 who then went on to attain at least one science award at A level. A significant proportion of West Sussex post-16 students undertake their post-16 courses in further education and sixth form colleges that are outside of the local authority's control.
- (d) Schools receive their funding for equipment and resources through their dedicated schools grant provided directly from central government and not from the local education authority.

5. Written question from **Cllr Smith** for reply by **Cabinet Member for Learning and Skills**

Question

The Quarter 2 Performance and Resources report highlighted a number of vacancies which have contributed to a reduction in the department overspend by £0.583m. Can the Cabinet Member please advise how many vacancies currently exist, and whether active recruitment is under way in respect of the following areas that our schooling community greatly benefits from:

- (a) school crossing patrol staff.
- (b) the school effectiveness team.
- (c) the school inclusion service.

Answer

- (a) School crossing patrol staff.

The status of our School Crossing Patrol (SCP) sites is as follows (noting that this can increase as and when further requests are made for sites):

Area	Vacant Sites	Active Sites
Southern	8	13
Northern	28	32
Western	13	10
Total	49	55

As can be seen, this highlights that 47% of the SCP sites are currently vacant.

The service are working hard to overcome some of the barriers to resourcing our SCP sites, including exploring and progressing a range of recruitment strategies. These have resulted in receiving applications from across the county and the first wave of interviews are currently being held.

- (b) There are currently 4.91 vacant positions. A number of vacancies have been held through this period pending the reduction in the school improvement brokerage grant and the school effectiveness redesign. We are not currently looking to recruit further into this part of the service at this point in time.
- (c) The school inclusion service has 4.5 vacant positions within the SEND Assessment Team. Of the vacancies, 2.5 vacancies remain vacancies. A 0.5 post is currently advertised. The Service has one agency cover and one post covering a maternity leave until the substantive member of staff returns in April 2022. The Educational Psychology Service has two vacancies which have now been filled following recruitment and the staff will commence in role in the new financial year.

6. Written question from **Cllr Gibson** for reply by **Cabinet Member for Environment and Climate Change**

Question

- (a) Can the Cabinet Member provide figures for the amount of Waste Electrical and Electronic Equipment (WEEE) which is collected by the Council annually, and the proportion which is recycled to recover valuable metals and other re-useable materials?
- (b) What quantities of precious metals such as gold, silver, platinum and palladium are recovered and does the Council benefit financially?
- (c) What weight of non-recyclable WEEE is sent to landfill annually?

Answer

- (a) Please see the table below showing the tonnages of Waste Electrical and Electronic Equipment (WEEE) managed by the Council during financial year 2020-21 and the WEEE processing facility where this material was sent to.

Material	Recycling Centres	Materials Recycling Facility	Waste Collection Authorities
TVs & Computer Monitors	585.38		
Fluorescent Tubes	13.84		
Fridges & Freezers	989.51		
Small WEEE	2,540.29	97.52	37.75
Large WEEE	1,455.66		374.21
Total Tonnage	5,584.68	97.52	411.96

Material	MDJ Light Bros.	Sweep Kuusakoski	BSX Ltd laptops	Wastecare Ltd batteries	Veolia ES (UK) Ltd flat screens	Enlightened Lamp Recycling Ltd	Environmentcom England Ltd
TVs & Computer Monitors	263.42				321.96		
Fluorescent Tubes						13.84	
Fridges & Freezers	841.08						148.43
Small WEEE	1,889.26	773.41	10.31	2.58			
Large WEEE	1,829.87						
Total Tonnage	4,823.63	773.41	10.31	2.58	321.96	13.84	148.43

Please see below a table showing the proportions of WEEE by % of recycling, recovery, and landfill, calculated by applying the mass balance of MDJ Light Bros, the reprocessor that takes the majority of the Council's WEEE.

Material	Recycling	Recovery	Landfill
Total WEEE Tonnage	87.96%	5.53%	6.50%

- (b) Household Electrical and Electronic Equipment (EEE) is regulated by The Waste Electrical and Electronic Equipment Regulations 2013. Organisations (depending on their turnover) have certain legal responsibilities if they sell EEE to either provide free like for like takeback service or to join the Distributor Take-back Scheme (DTS), allowing members an exemption from the in store take-back requirement.

The DTS is an extended producer responsibility scheme where the producer pays for the cost of processing and/or disposal. The Council therefore does not incur this cost and therefore has no income stream nor data on any precious metals recovered. Overall, however, the cost of processing is likely to exceed the benefit of any income derived by the processor from recovered materials.

- (c) When applying the mass balance from MDJ Light Bros (where the majority of the Council's WEEE goes) the table below shows that the amount of WEEE landfilled is low. For large domestic appliances, landfill is made up of concrete from washing machines and glass. For TVs and monitors, all leaded glass must go to hazardous landfill.

Material	Recycling	Recovery	Landfill
TVs & Computer Monitors	426.45	43.96	114.97
Fluorescent Tubes	13.84		
Fridges & Freezers	847.52	122.90	19.10
Small WEEE	2,667.53		8.03
Large WEEE	1,405.34	170.36	254.17
Total Tonnage	5,360.68	337.22	396.26

7. Written question from **Cllr Smith** for reply by **Cabinet Member for Public Health and Wellbeing**

Question

The Health and Adults Social Care Scrutiny Committee recently scrutinised a report on access to dental services. Members expressed concern about various matters including finding an NHS dentist, the treatment backlog and recruitment and retention of dentists. I believe the Cabinet Member in conjunction with the NHS has been asked to provide information to the Committee on the state of dental health in West Sussex and what is being done to address this through prevention work.

Can I ask the Cabinet Member to also provide the Committee with information about the availability of dentistry services to all residents, including those experiencing homelessness including the work of DentaId, who I understand deliver regular clinics in Littlehampton, a scheme that all our West Sussex districts and boroughs may find beneficial to access?

Answer

Thank you for raising this with me as Cabinet Member for Public Health and Wellbeing.

I agree that this is an important matter. However, the County Council does not hold the information requested regarding NHS Dentistry in West Sussex, as this is the commissioning responsibility of NHS England (NHSE) South East. If the Committee wishes to receive this information, it can be requested directly from NHSE South East, as appropriate.

Residents seeking dental care can visit <https://www.nhs.uk/service-search/find-a-dentist> or phone the Sussex Dental Helpline on 0300 123 1663 who will be able to provide information on local dental practices providing NHS care.

8. Written question from **Cllr Sharp** for reply by **Cabinet Member for Support Services and Economic Development**

Question

I have read in the Cycling Press that West Sussex County Council has paid an out-of-court settlement to Cycling UK for the unlawful removal of the pop-up Shoreham Cycle Lane.

- (a) I would like to ask how much this cost the County Council in total (above the £25,000 that will be paid to Cycling UK to cover their costs)?
- (b) As this was not reported to all county councillors in The Bulletin, I would like to ask if there is a method of other court cases being reported to councillors? If not, could we be sent regular reports of court cases the Council is involved in and the total costs this Council incurs on such expenditure?

Answer

- (a) I can confirm that the long-running legal challenge by the charity Cycling UK over the decision in November 2020 to remove the pop-up cycle lane in Shoreham was settled without a costly court hearing. The Council concluded

that, as the charity was no longer asking the court to order the Council to re-visit its original decision, the matter could be settled. The Council agreed to make a contribution of £25,000 towards the legal costs incurred by the charity. The Council incurred £32,700 of its own legal costs and was keen not to see yet more money spent on legal fees for this matter, which was not likely to have any useful consequences.

- (b) It is relatively rare for the Council to become involved in litigation of this nature. The County Council becomes involved in High Court judicial review claims perhaps once or twice a year. The established practice is for the relevant Cabinet Member to be fully briefed and for local members to be kept informed when, as in the Shoreham case, it was a matter of local interest. Occasionally such cases may be of interest to a wider range of members and so a briefing for all members is provided. This is decided on a case-by-case basis in consultation with the Cabinet member and Leader and I propose that this remains the case.

The County Council's legal department deals with a great deal of other, more routine litigation, varying in value or significance and covering all of the service areas of the Council – from debt recovery and small claims to contract disputes and child protection cases. It would place an unnecessary additional burden on officers dealing with those matters to have an expectation that members be briefed on them.

Costs related to litigation are largely managed within the legal services budget, with more significant costs occasionally requiring the use of reserves, corporate funds or insurance provision. Any unusually significant calls on such funds will be the subject of member briefings in the manner described above.