

To all Members of the County Council

The annual meeting of the County Council will be held at **10.30 am** on **Friday, 22 March 2024** at **County Hall, Chichester PO19 1RQ**.

Agenda

1. **Election of Chairman**

To elect a Chairman of the County Council for the ensuing year (the Chairman to make a declaration of acceptance of office).

2. **Election of Vice-Chairman**

To elect a Vice-Chairman of the County Council for the ensuing year (the Vice-Chairman to make a declaration of acceptance of office).

3. **Apologies for Absence**

4. **Members' Interests**

Members are asked to disclose any pecuniary or personal interests in matters appearing on the agenda.

5. **Minutes** (Pages 7 - 20)

The Council is asked to confirm the minutes of the ordinary meeting of the County Council held on 16 February 2024.

6. **Review of Proportionality** (Pages 21 - 22)

The County Council has a statutory duty to review the proportionality on its committees each year. A table, together with an explanation of the proportionality rules and how they are applied is attached.

7. **Notification of Appointment of Cabinet Members and Advisers to Cabinet Members** (Pages 23 - 28)

The Leader is required each year to give notice to the Council of his appointments to the Cabinet and allocation of Cabinet portfolios between the Cabinet Members, together with the appointment of Advisers to Cabinet Members.

8. **Appointments**

Following the review of proportionality and in the light of the Leader's proposals at item 7, to appoint members of non-Executive

committees, to appoint the chairmen, vice-chairmen, panels and substitutes of those committees in accordance Standing Order 2.10 and to appoint the members of scrutiny committees (the chairmen and vice-chairmen will be appointed at the next meeting of each scrutiny committee). The appointments will take effect from the end of the meeting.

9. **Address by a Cabinet Member**

At the discretion of the Chairman, to receive an address by a Cabinet Member on a matter of urgency and/or significant interest to the County Council and which relates to the powers and responsibilities of the County Council or which affects the Council.

10. **Appointment of Chief Executive and Head of Paid Service (To Follow)**

The Council will receive a report from the Appointing Committee recommending an appointment to the post of Chief Executive of the Council, to act as the Council's Head of Paid Service.

11. **Governance Committee: Pay Policy Statement 2024/25**
(Pages 29 - 38)

The Council is asked to approve the Pay Policy Statement 2024/25, in the light of a report from the Governance Committee.

12. **Governance Committee: Revisions to the Constitution** (Pages 39 - 42)

The Council is asked to consider minor changes to the Constitution in relation to mandatory training requirements for the members of certain panels and committees and revisions to the terms of reference of the Governance Committee and of the Health and Adult Social Care Scrutiny Committee to be in line with current practice and recent legislative changes, in the light of a report by the Governance Committee.

13. **Regulation, Audit and Accounts Committee: Review of Financial Regulations** (Pages 43 - 72)

The Council is asked to consider revisions to Financial Regulations, in the light of a report by the Regulation, Audit and Accounts Committee.

14. **Report of Urgent Action** (Pages 73 - 76)

To note urgent action taken under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

15. **Question Time** (Pages 77 - 80)

Questions to the Leader and Cabinet Members on matters in the

Cabinet report, written questions and any other questions relevant to their portfolios. Members may also ask questions of the Leader on anything current and relevant to the County Council. The report covers portfolio-related business since the meeting of the Council on 15 December 2023. A supplementary report may be published.

(2 hours is allocated for Question Time)

Lunch (In the event that morning business is finished before lunch afternoon business will be brought forward.)

16. **Notices of Motion**

(a) **Motion on Property Disposal**

To debate the following motion, submitted by Cllr Milne, notice of which was given on 29 November 2023.

'Current arrangements for declaring council assets surplus to requirement, and their subsequent disposal, are not satisfactory:

- The decision rests exclusively with the Cabinet Member for Finance and Property.
- It provides insufficient opportunity for consultation with key stakeholders such as district and borough councillors and parish councils.
- There is no co-ordination with the policies of the local planning authority and decisions may directly contradict their wishes as expressed in their District Plan.
- If a land or property asset is subsequently transferred into the Joint Venture with Morgan Sindall, the criteria for development become purely commercial which prevents a full consideration of other desirable social outcomes (such as a higher percentage of affordable housing).

This Council therefore calls on the Cabinet to:

- (1) Introduce a new approach to the declaration and disposal of assets which has a fuller set of arrangements for local member and stakeholder consultation to take account of a broader set of interests; and
- (2) Extend this revised approach to the adoption of clearer criteria to be applied when deciding whether to option a site to the JV.'

(b) **Motion on Digital Exclusion**

To debate the following motion, submitted by Cllr McGregor,

notice of which was given on 5 March 2024.

'This Council notes that there is an ever-increasing use of and reliance on the provision of services via digital media.

It is well recognised that the use of digital technology has brought many benefits. However, it also excludes those who do not have the finance, resources, skills, or devices to engage with digital services.

In June 2023 the House of Lords Communications and Digital Select Committee identified that:

- 2.4m people are still unable to complete a single basic digital task to get online;
- 1.7m households have no broadband or mobile internet access.

The Council recognises that:

- The Council ensures, through the implementation of our digital culture, the availability of non-digital alternatives to access Council services.
- The Council's libraries are helping people engage with digital services.
- The Council has an extensive programme of work to build digital skills, including free access to public computer networks, the provision of free Wi-Fi in public spaces, and through our Digital Ambassador volunteers.

However, the Council recognises that despite this programme of support, many residents continue to be digitally excluded. Furthermore, digital exclusion goes much further than engagement with the services of West Sussex County Council. We need to be supporting our residents regarding all the effects of digital exclusion.

In recognition of this digital divide, the Council commits to increasing its work to ensure that residents are not digitally excluded within the county. The Council requests that the Chief Executive and Leader:

- (1) Ensure that the County Council is best able to identify residents and particular groups of residents who are most at risk of being digitally excluded due to lack of finance, resources, skills or devices.
- (2) Work with those groups to find the most effective ways of improving digital inclusion, recognising those ways will be different, depending on the reasons for the lack of digital inclusion.

- (3) Strengthen working with all tiers of local government and the voluntary sector to address digital exclusion.
- (4) Target appropriate publicity measures to raise awareness of the alternatives to digital engagement with the Council, for those residents for whom using digital channels is not a viable option.'

County Council concludes

Items not commenced by 4.15 p.m. will be deferred to the following meeting.

Director of Law and Assurance
13 March 2024

Webcasting

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Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

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West Sussex County Council – Ordinary Meeting

16 February 2024

At the Ordinary Meeting of the County Council held at 10.30 am on Friday, 16 February 2024, at County Hall, Chichester PO19 1RQ, the members present being:

Cllr Bradbury (Chairman)

Cllr Wickremaratchi (Vice-Chairman)	Cllr A Jupp
Cllr Albury	Cllr N Jupp
Cllr Ali	Cllr Kenyon
Cllr Atkins, RD	Cllr Kerry-Bedell
Cllr Baldwin	Cllr Lanzer
Cllr Baxter	Cllr Lord
Cllr Bence	Cllr Markwell
Cllr Boram	Cllr Marshall
Cllr Britton	Cllr McDonald
Cllr Burgess	Cllr McGregor
Cllr Burrett	Cllr McKnight
Cllr Cherry	Cllr Mercer
Cllr Chowdhury	Cllr Milne
Cllr Condie	Cllr Mitchell
Cllr Cooper	Cllr Montyn
Cllr Cornell	Cllr Nagel
Cllr Crow	Cllr Oakley
Cllr Dabell	Cllr O'Kelly
Cllr J Dennis	Cllr Oppler
Cllr N Dennis	Cllr Patel
Cllr Duncton	Cllr Payne
Cllr Dunn	Cllr Pendleton
Cllr Elkins	Cllr Pudaloff
Cllr Evans	Cllr Quinn
Cllr Forbes	Cllr Russell
Cllr Gibson	Cllr Smith
Cllr Greenway	Cllr Urquhart
Cllr Hall	Cllr Waight
Cllr Hillier	Cllr Wall
Cllr Hunt	Cllr Walsh, KStJ, RD
Cllr Johnson	Cllr Wild

52 Apologies for Absence

- 52.1 Apologies were received from Cllr Joy, Cllr Linehan, Cllr Oxlade, Cllr Richardson, Cllr Sharp, Cllr Sparkes and Cllr Turley. Cllr Kenyon arrived at 11.04 am.
- 52.2 Cllr Payne left at 12.44 pm and gave apologies for the afternoon session.

53 Members' Interests

53.1 Members declared interests as set out at Appendix 1.

54 Minutes

54.1 It was agreed that the minutes of the Ordinary Meeting of the County Council held on 15 December 2023 (pages 3 to 24) be approved as a correct record.

55 Appointments

55.1 The Council approved appointments as set out below.

Committee	Change
Communities, Highways and Environment Scrutiny Committee	Cllr Hillier to fill vacancy
Member Development Group	Cllr Payne in place of Cllr McGregor

56 Regulation, Audit and Accounts Committee: Changes to Standing Orders on Procurement and Contracts

56.1 The Council considered minor changes to Standing Orders on Procurement and Contracts to enable the Council to utilise the processes as set out in the Provider Selection Regime when procuring contracts for health care services, in the light of a report by the Regulation, Audit and Accounts Committee (pages 25 to 64).

56.2 Resolved –

That the proposed changes to Standing Orders on Procurement and Contracts, as set out at Appendix 1 to the report, be approved to enable the Council to utilise the processes as set out in the PSR when procuring contracts for health care services and to ensure they are up to date in relation to Council governance.

57 Council Plan and Draft Budget 2024/25

57.1 The Leader moved the report on the Council Plan and the Cabinet Member for Finance and Property moved the report on budget for 2024/25, the Capital Strategy 2024-29 and the Treasury Management Strategy Statement 2024/25 (budget pack pages 1 to 242). Members also had before them an addendum with a number of changes to the revenue budget, together with corresponding revisions to the recommendations in the report and to Appendix 1 of Annex 1 (pages 1 to 9), which had been circulated.

57.2 An amendment was moved by Cllr O’Kelly and seconded by Cllr Lord as set out below.

1. Amend the wording at paragraph (a) on page 3 of Council Plan and Budget report to read as follows:

The Council Plan for 2021 to 2025 is focussed on four priority outcomes ***with an underlying commitment to climate change action and*** ~~underpinned by a cross-cutting theme of~~ ‘Protecting the Environment’ and these remain unchanged for 2024/25.

2. Amend the wording at paragraph 2.6 on page 14 of the Council Plan and Budget report to read as follows:

‘Our Council Plan 2021-2025’ is attached at **Appendix 8 with an underlying commitment to climate change action** and is ~~underpinned by the cross-cutting theme of~~ ‘Protecting the Environment’. The plan sets out the four key priorities for the County Council:

3. Amend paragraph 5.17 on page 51 of the Council Plan and Budget report to read as follows:

Climate change action and protecting the environment remains a WSCC priority as outlined in the Council Plan and the Climate Change Strategy.

4. Amend the 7th bullet point on pages 137/8 of the Council Plan and Budget report to read as follows:

West Sussex Transport Plan – we are delivering the objectives and strategic priorities for improving the transport network up to 2036 set out in our West Sussex Transport Plan of April 2022, to enable active travel and access to education, employment and services, and decarbonise the transport system while ***taking action on climate change*** and protecting the local environment.

5. Amend the wording of the second bullet point of paragraph 3.6 on page 164 of Council Plan and Budget report to read as follows:

In line with the underlying ***commitment to climate change action and*** ~~theme of~~ protecting our environment, deliver the developments to a high quality that are appropriate to agreed design and sustainability standards, including electric vehicle charging points, air source heat pumps, feature porches and composite windows.

6. Amend the final line for In-Flight Approved Projects in the table at Appendix A of Annex 2a (Capital programme for Environment and Climate Change) on page 181 to read:

Climate Change action and Protecting the Environment.'

57.3 The amendment was put to a recorded vote under Standing Order 3.35.

(a) For the amendment – 20

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Gibson, Cllr Johnson, Cllr Kerry-Bedell, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O’Kelly, Cllr Oppler, Cllr Pudaloff, Cllr Quinn, Cllr Smith, Cllr Walsh and Cllr Wild.

(b) Against the amendment – 42

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Bence, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burgess, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr Dabell, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Evans, Cllr Forbes, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Lanzer, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr Patel, Cllr Pendleton, Cllr Russell, Cllr Urquhart, Cllr Waight, Cllr Wall and Cllr Wickremaratchi.

(c) Abstentions – 0

57.4 The amendment was lost.

57.5 An amendment was moved by Cllr Lord and seconded by Cllr O’Kelly as set out below.

Proposed amendment to the Revenue Budget

Ongoing Increase for Revenue Budget

Ongoing amendment to the revenue budget	2024/25 £'000
Active Travel Officer	55
Buses and Community Transport Officer	55
Rights of Way Officer	55
Operation Watershed Officer	40
Drainage Team Officer	80
Two outreach workers within the county-wide exploitation team, supporting children at risk from	84

Ongoing amendment to the revenue budget	2024/25 £'000
drug and/or sexual exploitation in our most deprived areas	
Two additional officers within the emotional mental health & wellbeing team working with schools to support our children's mental health	148
Additional revenue spending to highways for road safety maintenance	300
Total Ongoing Amendment	817

One-off Increase for Revenue Budget

One-off amendment	2024/25 £'000
Additional post dedicated to exploring sponsorship and income generation opportunities	60
Total One-Off Amendment	60

Ongoing Funding for Revenue Budget

Ongoing amendments to the revenue budget	2024/25 £'000
Increased income from street works enforcement	(25)
Reduction of three Executive Assistants	(135)
Additional increases of 1-1.5% on some fees within legal, planning, rights of way, records office, highways, fire services and commercial fees within library service	(82)
Surplus income from roundabout sponsorship of £50k plus new income of £10k generated through start of work on income generation	(60)
Additional vacancies of 0.25% on top of existing budget assumption of 6% vacancy factor	(500)
Initial reduction in postage and stationery within support services	(15)
Total Ongoing Funding	(817)

One Off Funding for Revenue Budget

One-off amendments	2024/25 £'000
One off use of Transformation Reserve for funding of additional post dedicated to exploring sponsorship and income generation opportunities for one year	(60)
Total One-Off Funding	(60)

Total

Total	2024/25 £'000
Total ongoing increase in revenue budget	817
Total one-off increase in revenue budget	60
Total ongoing funding	(817)
Total one-off funding	(60)
Total Budget Change	-

Proposed amendments to the Capital Programme

Increase

Amendment to the Capital Programme	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000
Restore Operation Watershed funding to £600,000 from 2024/25 onwards	200	200	200	200	200
Total Increase	200	200	200	200	200

Funding

Amendments to the Capital Programme	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000
Reduction in the Capital Improvements Line	(200)	(200)	(200)	(200)	(200)
Total Reduction	(200)	(200)	(200)	(200)	(200)

57.6 The amendment was put to a recorded vote under Standing Order 3.36.

(a) For the amendment – 19

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Gibson, Cllr Johnson, Cllr Kerry-Bedell, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O'Kelly, Cllr Oppler, Cllr Pudaloff, Cllr Smith, Cllr Walsh and Cllr Wild.

(b) Against the amendment - 42

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Bence, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burgess, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr Dabell, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Evans, Cllr Forbes, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Lanzer, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr Patel, Cllr Pendleton, Cllr Russell, Cllr Urquhart, Cllr Waight, Cllr Wall and Cllr Wickremaratchi.

(c) Abstentions – 0

57.7 The amendment was lost.

57.8 An amendment was moved by Cllr Cornell and seconded by Cllr McKnight as set out below.

Proposed amendment to the Revenue Budget

Ongoing Increase for Revenue Budget

Ongoing amendment to the revenue budget	2024/25 £'000
An additional Outreach Worker focussed on Pre-School to identify children and families in need of support with mental health and from the Early Help Service at an earlier stage.	40

Ongoing amendment to the revenue budget	2024/25 £'000
A new post of Carers Liaison Officer to support transitions, liaise with Carers Support West Sussex, and stakeholders with a focus upon public involvement and development of evidence-base and quality 'Making it real' benchmarks.	56
Total Ongoing Amendment	96

One Off Increase for Revenue Budget

Ongoing amendment to the revenue budget	2024/25 £'000
An additional Quality Control Officer (or part time equivalents) focused on identifying and inspecting damage and repairs to potholes and pavements.	38
Total One-Off Amendment	38

Ongoing Funding for Revenue Budget

Ongoing amendments to the revenue budget	2024/25 £'000
Reduction in Members' catering budget	(11)
Reduction in the Policy Team by 15%	(45)
Reduction in Corporate Contingency	(40)
Total Ongoing Funding	(96)

One Off Funding for Revenue Budget

Ongoing amendments to the revenue budget	2024/25 £'000
Allocation of the £4m additional funding in highways maintenance to be allocated to additional Quality Control Officer.	(38)
Total One-off Funding	(38)

57.9 The amendment was put to a recorded vote under Standing Order 3.36.

(a) For the amendment – 20

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Gibson, Cllr Johnson, Cllr Kerry-Bedell, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O'Kelly, Cllr Oppler, Cllr Pudaloff, Cllr Quinn, Cllr Smith, Cllr Walsh and Cllr Wild.

(b) Against the amendment – 42

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Bence, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burgess, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr Dabell, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Evans, Cllr Forbes, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Lanzer, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr Patel, Cllr Pendleton, Cllr Russell, Cllr Urquhart, Cllr Waight, Cllr Wall and Cllr Wickremaratchi.

(c) Abstentions – 0

57.10 The amendment was lost.

57.11 The revised recommendations were put to a recorded vote under Standing Order 3.36.

(a) For the revised recommendations – 42

Cllr Albury, Cllr Ali, Cllr Atkins, Cllr Baldwin, Cllr Bence, Cllr Boram, Cllr Bradbury, Cllr Britton, Cllr Burgess, Cllr Burrett, Cllr Cooper, Cllr Crow, Cllr Dabell, Cllr J Dennis, Cllr Duncton, Cllr Dunn, Cllr Elkins, Cllr Evans, Cllr Forbes, Cllr Greenway, Cllr Hall, Cllr Hillier, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Kenyon, Cllr Lanzer, Cllr Markwell, Cllr Marshall, Cllr McDonald, Cllr McGregor, Cllr Mitchell, Cllr Montyn, Cllr Nagel, Cllr Oakley, Cllr Patel, Cllr Pendleton, Cllr Russell, Cllr Urquhart, Cllr Waight, Cllr Wall and Cllr Wickremaratchi.

(b) Against the revised recommendations – 0

(c) Abstentions – 20

Cllr Baxter, Cllr Cherry, Cllr Chowdhury, Cllr Condie, Cllr Cornell, Cllr N Dennis, Cllr Gibson, Cllr Johnson, Cllr Kerry-Bedell, Cllr Lord, Cllr McKnight, Cllr Mercer, Cllr Milne, Cllr O'Kelly, Cllr Oppler, Cllr Pudaloff, Cllr Quinn, Cllr Smith, Cllr Walsh and Cllr Wild.

57.12 The revised recommendations were carried.

57.13 Resolved –

That, taking account of the priorities contained in the Council Plan, the Medium Term Financial Strategy and the Provisional Local Government Finance Settlement and noting the Director of Finance and Support Services' assessment of the robustness of estimates

and adequacy of reserves as required by Section 25 of the Local Government Act 2003 (Section 9), Cabinet proposes that County Council approve the following recommendations:

- (1) The Council Plan and KPIs for 2024/25 (as set out in paragraph 2.4 of the report and **Appendix 8**).
- (2) The net revenue budget requirement in 2024/25 of **£768.333m** (as set out in paragraph 3.37 of the report and **Appendix 1**).
- (3) An increase in Council Tax in 2024/25 of 4.99% comprising 2.0% in the precept for the costs for Adults' Social Care and 2.99% for General Fund services.
- (4) The increase in fees and charges as set out in **Appendix 7** to the report.
- (5) The five year capital programme of **£695.270m** over the period 2024/25 to 2028/29, of which **£131.571m** is expected to be spent in 2024/25.
- (6) The overall budget envelopes as set out in **Appendix 1** to the report.
- (7) The following amounts be approved for the financial year 2024/25 in accordance with Section 42A of the Local Government Finance Act 1992:
 - (a) That the Council Tax requirement for 2024/25 is **£600.178m**.
 - (b) The Council Tax base for the year 2024/25 is the aggregate amount calculated of Band D equivalents by the billing authorities to which the County Council issues precepts totalling **349,968.28**.
 - (c) The amount of Council Tax being the council tax requirement at 7(a) above divided by the council tax base at 7(b) above, shall be **£1,714.95** to the nearest penny for Band D.
 - (d) The amount of Council Tax payable for dwellings listed in a particular valuation band, calculated in accordance with the proportion set out in Section 5(1) of the Act, shall be as follows:

Band	2024/25 Council Tax £	2023/24 Council Tax £	Increase £	Increase %
A	1,143.30	1,088.94	54.36	4.99

Band	2024/25 Council Tax £	2023/24 Council Tax £	Increase £	Increase %
B	1,333.85	1,270.43	63.42	4.99
C	1,524.40	1,451.92	72.48	4.99
D	1,714.95	1,633.41	81.54	4.99
E	2,096.05	1,996.39	99.66	4.99
F	2,477.15	2,359.37	117.78	4.99
G	2,858.25	2,722.35	135.90	4.99
H	3,429.90	3,266.82	163.08	4.99

- (e) That the district and borough councils be requested to make payments totalling £600.178m to West Sussex County Council of sums due under precepts calculated in proportion to their Council Tax Band D equivalents as set out in Section 10 of the report.
- (8) The Medium Term Financial Position for period 2025/26 to 2028/29 which shows a budget gap of between **£58m and £190m** as set out in Section 6 of the report.
- (9) The total Schools Budget of **£850.293m** to meet the County Council's statutory requirement on schools funding as set out in Section 4 of the report.
- (10) The delegation to the Director of Finance and Support Services (as Section 151 Officer) of authority to make changes to the report on net revenue expenditure or to the precepts required:
- as a result of a change in the Council Tax base notified by the district and borough councils; or
 - arising from updated information from the district and borough councils to the Council Tax collection funds and business rates forecast and collection funds.
- All such changes of funding (positive or negative) to be applied through the appropriate reserve.
- (11) These ancillary financial management provisions:
- (a) The Capital Strategy for the period 2024/25 to 2028/29, including the specific delegation of authority set out in the Strategy, as set out in **Annex 2(a)**.
- (b) The policy for making a prudent level of revenue provision for the repayment of debt as set out in **Annex 2(a) Appendix B**.

- (c) The Flexible Use of Capital Receipts Strategy for 2023/24 and 2024/25 as set out within the Capital Strategy, **Annex 2(a), Section 8.**
 - (d) The Treasury Management Strategy Statement 2024/25, as set out in **Annex 2(b).**
 - (e) The Prudential Indicators, as set out in **Annex 2(c).**
- (12) The importance of effective lobbying with local, regional and national partners to ensure the Government understands the needs of West Sussex residents, businesses and communities. The focus during 2024/25 will be on funding for children's social care, home to school transport, high needs and essential road maintenance. This is particularly important in the run up to the Spring Budget on 6 March 2024 and the next spending review which is expected shortly after the general election.

Chairman

The Council rose at 5.08 pm

Interests

Members declared interests as set out below. All the interests listed below were personal but not pecuniary or prejudicial unless indicated.

Item	Member	Nature of Interest
7 – Council Plan and Draft Budget 2024/25	Cllr Ali	Member of Crawley Borough Council
7 – Council Plan and Draft Budget 2024/25	Cllr Atkins	Member of Worthing Borough Council
7 – Council Plan and Draft Budget 2024/25	Cllr Baxter	Cabinet Member for Regeneration, Worthing Borough Council
7 – Council Plan and Draft Budget 2024/25	Cllr Boram	Member of Adur District Council
7 – Council Plan and Draft Budget 2024/25	Cllr Burgess	Member of Crawley Borough Council
7 – Council Plan and Draft Budget 2024/25	Cllr Chowdhury	Registered carer
7 – Council Plan and Draft Budget 2024/25	Cllr Condie	Member of Burgess Hill Town Council
7 – Council Plan and Draft Budget 2024/25	Cllr Cooper	Member of Arun District Council
7 – Council Plan and Draft Budget 2024/25	Cllr Duncton	Member of South Downs National Park Authority
7 – Council Plan and Draft Budget 2024/25	Cllr Elkins	Member of Arun District Council
7 – Council Plan and Draft Budget 2024/25	Cllr Greenway	Member of Arun District Council
7 – Council Plan and Draft Budget 2024/25	Cllr Lanzer	Member of Crawley Borough Council
7 – Council Plan and Draft Budget 2024/25	Cllr McGregor	Member of Adur District Council, Lancing Parish Council and Sompting Parish Council
7 – Council Plan and Draft Budget 2024/25	Cllr Mercer	Chair of Orchard Hill College Academy Trust and Member of Horsham District Council
7 – Council Plan and Draft Budget 2024/25	Cllr Russell	Member of Mid Sussex District Council

Item	Member	Nature of Interest
7 – Council Plan and Draft Budget 2024/25	Cllr Smith	Member of Worthing Borough Council and as a parent of a child with an Education and Health Care Plan maintained by West Sussex County Council
7 – Council Plan and Draft Budget 2024/25	Cllr Waight	Member of Worthing Borough Council

Review of Proportionality

- 1** It is the duty of the County Council to review annually the entitlement of political groups to seats on committees in line with the proportionality rules set out in the Local Government and Housing Act 1989. The rules allow adjustments to be made to make whole numbers of seats and, once the County Council has determined how adjustments should be made, appointments are made to committees on that basis.
- 2** The proportionality rules are as set out below:
 - (1) No political group can have all the places on a committee (the exception is the Cabinet).
 - (2) A group having an overall majority on the County Council is entitled to a majority of seats on each committee.
 - (3) The gross number of seats is allocated in accordance with each group's entitlement.
 - (4) The number of seats on each committee is allocated in accordance with each group's entitlement.
- 3** The application of these rules produces different figures so the figures have to be reconciled by applying the rules in descending order of importance. The critical rule is rule (2) if, as in the case of the County Council, there is an overall majority, and numbers of seats are then reconciled with rules (3) and (4). Under the rules, if there are members of the Council who do not belong to a political group (independent members) then, once the division of seats between the political groups has been made, any remaining seats are allocated to the independent members by the County Council.
- 4** A table showing the number of seats on committees using the above formula is set out overleaf.

Allocation of seats

Committees	Places	Con	Lib Dem	Lab	Green and Ind All
Performance and Finance	15	10	2	2	1
Children and Young People's Services	12(16†)	8	2	2	0
Communities, Highways and Environment	12	8	2	1	1
Fire & Rescue Service	7	5	1	1	0
Health and Adult Social Care	12(19†)	8	2	1	1
Planning and Rights of Way	13	8	1	2	2
Regulation, Audit and Accounts	7	5	1	1	0
Governance	9	6	2	1	0
Standards	9	5	2	1	1
Allocation of seats	96	63	15	12	6

† Include four/seven voting co-opted members respectively

Tony Kershaw

Director of Law and Assurance

Contact Officer: Charles Gauntlett 033 022 22524

Background papers

None

Notification of Appointment of Cabinet Members and Advisers to Cabinet Members

- 1 The Leader has confirmed the appointment of cabinet members and their portfolios, together with the appointment of advisers to cabinet members, as set out below, for the ensuing year.

Portfolio	Cabinet Member	Adviser to Cabinet Member
Leader	Paul Marshall	Jacky Pendleton (Armed Forces Champion)
Adults Services	Amanda Jupp	-
Children and Young People, Learning and Skills (Lead Member for Children)	Jacquie Russell	-
Community Support, Fire and Rescue	Duncan Crow	-
Environment and Climate Change (Deputy Leader)	Deborah Urquhart	Keir Greenway (Flood Risk Management)
Finance and Property	Jeremy Hunt	-
Highways and Transport	Joy Dennis	-
Public Health and Wellbeing	Bob Lanzer	-
Support Services and Economic Development	Steve Waight	-

Notification of Cabinet Portfolios – March 2024

Collective Responsibilities

The collective responsibilities of the Cabinet are as follows:

- Co-ordinating priorities and policies across the County Council
- Assurance and performance management of the delivery of the Council Plan and budget (revenue and capital), including assurance that corporate risks are effectively managed
- Development and review of the Council Plan and the budget, policies and programmes to achieve it
- Ensuring value for money and co-ordinated external bidding
- Climate Change Strategy
- The West Sussex Economy Plan
- Co-ordinating communications and lobbying
- Customer service and providing a focus for community leadership
- Ensuring co-ordinated and effective partnership working
- Representing and promoting the reputation of the County Council

- Ensuring sound democratic systems, effective scrutiny and local member engagement
- Fire and Rescue Authority functions except where delegated to the relevant Cabinet Member or Chief Fire Officer.

The Cabinet shall meet to debate matters of corporate importance, significant cross-portfolio matters and other matters of significance for the County Council's responsibilities for the people of West Sussex as it may determine and shall take decisions on areas of collective responsibility or in relation to decisions within individual portfolios as indicated in the Forward Plan of key decisions.

All decisions about finance, property and support services are taken in consultation with the relevant cabinet member or as part of collective decision making.

A number of the specific responsibilities for particular cabinet members, as set out below, will be discharged in consultation with the Leader or another cabinet member as specified.

Leader of the Council

The following functions are allocated to the Leader of the Council:

- to chair meetings of the Cabinet and oversee the preparation of business for its consideration
- to indicate to the Chief Executive and executive directors the priorities and programmes of the Cabinet and majority party, and their likely reaction to new policies or projects.
- to be the principal political spokesman for the County Council at internal and external meetings
- to decide matters on behalf of another cabinet member if he or she is unwell, out of the county, has an interest in a matter under consideration, or is otherwise unable to act, or in the Leader's absence, to nominate the Deputy Leader or another cabinet member to do so
- to have responsibility for the following portfolio areas:
 - Strategic Political Direction
 - Policy and Strategy
 - Communications and lobbying activity
 - Partnerships including locally, SE7 and CCN
 - Economy (supported by cabinet members on some specifics)

Deputy Leader of the Council

To undertake the functions of the Leader of the Council in the absence of the Leader where the business cannot await the return of the Leader due to urgency or to the compelling interests of the Council or when specifically requested by the Leader to do so, within the scope and limitation set out below.

Acts as the Leader in key partnership roles in relation to the Economy Portfolio

Scope:

- To chair meetings of the Cabinet
- To act for the Leader at meetings of the Council or any of its committees, sub-committees or other member meetings which the Leader is expected or required to attend
- To act for the Leader at any external meetings or meetings with partners or other scheduled events to which the Leader is requested or invited to attend
- To make, when urgently required, appointments to the Council's Executive or decisions related to such appointments and the allocation of cabinet portfolios
- To take executive decisions relating to the Leader's portfolio or on matters reserved to the Leader or which would otherwise fall to the Leader

Limitation:

- Not to take any decision on the Council's business, or to attend any meeting on behalf of the Leader, and not to receive information on any matter, which has been identified by the Leader as the responsibility of another member or members of the Executive

Adults Services

- Adults' Social Care services
- Safeguarding
- Health integration
- NHS Partnerships (working with Cabinet colleagues)
- Voluntary and Community Sector
- Domestic Abuse

Children and Young People, Learning and Skills (and statutory Lead Member for Children)**Children and Young People:**

- Children's Social Care and Safeguarding
- Youth Services
- Youth Justice
- Early Help Services
- Children's Health – Public Health
- Education, Schools and Adult Skills

Learning and Skills:

- Adult Skills and Learning, Further and Higher Education, apprentices
- Post 16 Skills partnership
- Schools including schools place planning, Schools Forum and schools Capital Programme
- Special Educational Needs

Community Support, Fire and Rescue**Support to Communities:**

- Libraries and Archives
- Registration Services

- Coroner and Mortuary
- Community Safety and Police Liaison
- Trading Standards
- Refugees, Gypsy, Roma and Travellers
- Community Engagement and Support
- Linked with Parish and Town Councils
- Voluntary Sectors

Fire and Rescue:

- Fire & Rescue Service
- Emergencies and Resilience

Environment and Climate Change (Deputy Leader)

- Climate Change/Carbon Net Zero
- Waste and Recycling Strategy
- Energy
- South Downs National Park and AONBs
- Coast and Countryside and Rural Economy
- Minerals and Strategic Planning
- Flood prevention
- Rights of Way

Finance and Property

- Finance including Revenue and Capital Programme
- Pensions
- Treasury and Investment Management
- Property, Assets and Facilities Services
- Procurement

All decisions involving finance and property to be taken in consultation with this Cabinet Member

Highways and Transport

- Highways
- Transport Planning
- Strategic Transport (including engagement with Transport for the South East)
- Transport and Infrastructure including support for Public Realm and Town Centre Regeneration
- Railway and Public Transport Liaison
- All aspects of Cycling

Public Health and Wellbeing

- Public Health (in consultation with the Cabinet Members for Adult Services and Children and Young People for relevant business)
- Wellbeing in the community
- Health partnerships

Support Services and Economic Development

- Business Planning and effective business infrastructure and corporate resources

- Human Resources
- Legal Services
- Democratic and Member Services
- IT and Information
- Digital/Broadband
- Communications Services
- Economy and representations (working with Leader)

Tony Kershaw

Director of Law and Assurance

Contact: Clare Jones 033 022 22526

Background Papers

None

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Governance Committee: Pay Policy Statement 2024/25

Background and context

- 1** The Localism Act requires each local authority to produce a Pay Policy Statement (the 'statement') explaining its approach to the pay of its 'chief officers' and its 'lowest paid' employees and the relationship between the two. The statement must be published and accessible to the public. It must be approved annually before 31 March prior to the financial year to which it relates.

Proposal details

- 2** **Appendix 1** to this report, the Pay Policy Statement 2024/25, sets out the pay arrangements for staff.
- 3** There are no material changes in the arrangements outlined in the Pay Policy Statement since last year. The changes in wording, highlighted in Appendix 1, are to provide clarity regarding the arrangements relating to the Chief Executive. The Pay Policy Statement for 2024/25 needs to cover arrangements for part of the year where the Chief Executive is directly employed by the County Council as the current arrangements refer to the role being shared with East Sussex County Council.
- 4** The pay multiples between the highest paid employee and the median employee earnings and between the highest paid employee and the lowest paid employee are shown in **Appendix 2**. Since 6 January 2020 the County Council's Chief Executive has also been the Chief Executive of East Sussex County Council with the salary costs shared equally. The highest paid salary in the County Council is not that of the Chief Executive. The reference figure for the pay multiples as of 31 March 2023 is that of the highest paid West Sussex County Council employee.

Recommended

That the Pay Policy Statement, as set out in Appendix 1, be approved.

Pete Bradbury

Chairman of Governance Committee

Contact Officer: Colin Chadwick, Head of HR Specialist Services, 0330 2223283, colin.chadwick@westsussex.gov.uk

Appendices

- Appendix 1: Pay Policy Statement
- Appendix 2: Pay multiples

Background papers

None

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West Sussex County Council Pay Policy Statement

For financial year 1 April 2023~~4~~ - 31 March 2024~~5~~
As approved by the County Council on TBC

1. Aim of the Pay Policy

- 1.1 The County Council's pay policy aims to ensure value for money whilst enabling the County Council to deliver high quality services to the residents of West Sussex.
- 1.2 The County Council seeks to set pay rates that are competitive but will determine pay at an appropriate level in accordance with relevant legislation, overall affordability, and other relevant factors in recruiting and retaining its workforce.

2. Governance Arrangements

- 2.1 The Governance Committee determines the terms and conditions of employment for all staff.
- 2.2 The Scheme of Delegation provides for the Director of Human Resources and Organisational Development to manage, review and apply the County Council's Human Resources strategy and policies and to apply, with the Chief Executive, the appropriate pay and conditions for the appointment of staff. The responsibilities of members are as described in this Statement.
- 2.3 The Chief Executive is required to keep the Governance Committee informed of any matters of significance relating to staff terms and conditions.

3. Scope of the Pay Policy Statement

- 3.1 This pay policy statement meets the statutory duty to provide the County Council with a description of the policy on staff remuneration for annual approval. It provides information on remuneration arrangements for staff directly employed by the County Council, excluding staff in schools.
- 3.2 The County Council defines its lowest paid employees as those staff paid on the first spinal column point of the County Council's pay grades for National Joint Council (NJC) for Local Government Services staff.
- 3.3 The relationship between the remuneration of the lowest paid employees and that of the Council's senior officers is as described in this statement and by reference to published data requirements.

4. Grading, or Fixed Pay Point, Structure

- 4.1 For the officer on Strategic Management Grade (SMG) Tier 1 (i.e. the Chief Executive/Head of Paid Service) a single fixed pay point and grading is determined by the Leader and Cabinet Member for Finance and Property, with advice from the Director of Human Resources and Organisational Development, with reference to benchmarking remuneration arrangements, including Hay evaluation scores, of relevant comparator organisations. This

arrangement applies where the post holder is an employee of the County Council.

- 4.2 For **at least part of** the period covered by this Statement the payment for the services of the Head of Paid Service (the Chief Executive) will be by way of a payment to East Sussex County Council, which will be the employer of the person appointed to the post and who also holds the equivalent post at East Sussex. That Council will determine the salary in consultation with this Council's Leader and Cabinet Member for Finance and Property. This Council will be responsible for paying half of the salary and associated on-costs of the post.
- 4.3 For staff on Strategic Management Grades (SMG) a single fixed pay point and grading is determined either by the Chief Executive or, if appropriate, the Director of Human Resources and Organisational Development using the Hay job evaluation scheme and benchmarking remuneration arrangements, including Hay evaluation scores, of relevant comparators where available.
- 4.4 For staff on Hay Grades the County Council uses the Hay job evaluation scheme to allocate jobs to the appropriate Hay pay grade.
- 4.5 For staff on NJC pay grades the County Council uses the NJC formal job evaluation procedures to allocate roles to the appropriate council pay grade.
- 4.6 For staff appointed on Uniformed Fire Fighters, Teachers (Centrally Employed), Soulbury and Youth Worker terms and conditions, grading is established using national frameworks.
- 4.7 Salaries for staff who have transferred into the authority under Transfer of Undertakings (Protection of Employment) Regulations (TUPE) or Cabinet Office Statement of Practice (COSOP) arrangements are those applicable at time of transfer and, by agreement, may also be determined in accordance with the local pay framework described above.
- 4.8 NJC and Hay pay grades are published on the County Council's website.

5. Pay Progression

- 5.1 Staff on NJC and Hay grades are eligible for annual incremental increases to base pay until they reach the top of the grade for their role. There is no further base pay progression once the employee reaches the maximum of the grade, with the exception of a small number of staff who retain an entitlement to an additional long service increment, in accordance with the rules of a scheme which is no longer current.
- 5.2 Incremental progression is subject to satisfactory performance and this will be defined within the Council's Performance Management Policy/Procedure.
- 5.3 Pay progression for Uniformed Fire and Rescue Service, Teachers (Centrally Employed), Soulbury and Youth and Community Worker roles is based on assessment against national standards and/or terms and conditions of service.
- 5.4 Pay progression for newly qualified social workers is determined by the Continuous Professional Development (CPD) and Pay Progression Policy.

Progression is subject to satisfactory completion of an Assessed and Supported Year in Employment (ASYE).

- 5.5 Pay progression can also be achieved where an agreed career grade scheme is in place. Employees must satisfy specified criteria.
- 5.6 In exceptional circumstances staff increments may be accelerated within an employee's grade at the discretion of the Director in consultation with the Director of Human Resources and Organisational Development on the grounds of special merit or ability.
- 5.7 The pay progression arrangements for staff who have transferred into the authority with protected terms and conditions are those applicable at time of transfer.

6. Local Pay Awards

- 6.1 There is no automatic annual cost of living increase for staff on SMG or Hay grading arrangements.
- 6.2 **Where the Head of Paid Service is an employee of the County Council, pay awards for Strategic Management Grade Tier 1 are determined locally by the Leader and the Cabinet Member for Finance and Property in consultation with the Director of Human Resources and Organisational Development. Where the arrangements in paragraph 4.2 apply, through an agreement with East Sussex County Council whilst the postholder is employed by that Council any pay award will be in agreement with East Sussex County Council.** Any pay increase will be subject to reference to benchmarking remuneration arrangements of relevant comparators **and** Any pay award will follow consultation with the officer concerned.
- 6.3 The pay awards for staff on Strategic Management Grades, Tiers 2-4, are determined locally and are approved by the Chief Executive in consultation with the Director of Human Resources and Organisational Development. Any pay award will follow consultation with the staff concerned.
- 6.4 The pay awards for staff on Hay pay grades are determined locally and are approved by the Chief Executive in consultation with the Director of Human Resources and Organisational Development; and following consultation with the staff concerned and UNISON.
- 6.5 The total sum available for any pay increase for staff is decided annually by the Cabinet Member for Finance and Property on the recommendation of the Chief Executive, in consultation with the Director of Finance and Support Services, (S151 Officer) and Director of Human Resources and Organisational Development. This is based on consideration of appropriate market and other relevant information, including the performance of the County Council and affordability.
- 6.6 In exceptional circumstances; and as approved by the Leaders of East Sussex and West Sussex County Councils in the case of SMG Tier 1; and as approved by the Chief Executive in the case of SMG Tier 2 to 4 and Hay grades - an unconsolidated additional payment may be made to recognise exceptional performance. **Where the Head of Paid Service is appointed in agreement**

with East Sussex County Council, such approval in the case of a SMG Tier 1 officer will be jointly with the Leader of East Sussex County Council.

7. Market Supplements

- 7.1 The County Council may pay a market supplement, in addition to base salary, in order to recruit or retain staff with special skills, experience or knowledge.
- 7.2 Market supplements are applied, reviewed and withdrawn in accordance with the County Council's market supplement policy which is published on the County Council's website.

8. Remuneration on Appointment and Promotion

- 8.1 It is the County Council's policy to appoint at the minimum of the relevant pay range – where a pay range as opposed to a single spot pay point applies, unless:
- the individual is deemed to be immediately capable of performing the role at the optimum level required for the post;
 - the market value for the individual's experience and/or skills demands a higher entry point;
 - appointment above the minimum of the grade is required to ensure pay parity with other employees performing the role, with similar skills and experience; or
 - nationally determined arrangements apply to remuneration on recruitment and promotion.
- 8.2 The Governance Committee has delegated the authority to determine standard terms and conditions for staff and to delegate to appropriate roles the determinations of salaries on appointments as set out in this Statement.

9. Other elements of the Remuneration Package

9.1 Allowances and Enhancements

The County Council pays allowances to staff for additional responsibilities and duties as required to deliver services. The Allowances and Enhancements Policy is published on the County Council's Website.

Allowances for Uniformed Firefighters, Teachers (centrally employed by the County Council), Soulbury and Youth and Community Workers are determined in accordance with national arrangements, and as amended locally.

Staff who have transferred into the authority are covered by the applicable terms in place at time of transfer and as amended locally.

The Director of Law and Assurance is the Returning Officer for County Council elections and is eligible to receive election fees for carrying out these duties.

9.2 Annual Leave

Annual leave entitlements vary according to the terms and conditions of employment. Annual Leave entitlements are published on the County Council's website.

9.3 Pension Scheme

Membership is determined by the relevant conditions of service and is subject to the rules of the scheme. The County Council operates the following pension schemes: Local Government Pension Scheme (LGPS), the Teachers' Pension Scheme **2015** (TPS) ~~the Teachers' Pension Scheme 2015~~, the Fire Fighters Pension Scheme (now closed to new entrants) (FPS), ~~the New Fire Fighters Pension Scheme (NFPS) (now closed to new entrants)~~, the Firefighters' Pension Scheme 2015, ~~the NHS Pension Scheme and the 2015 NHS Pension Scheme.~~ ***Some employees may also have membership in the following pension schemes, all of which are now closed to the future build-up of service: the Teachers' Pension Scheme, the Firefighters' Pension Scheme 1992, the Firefighters' Pension Scheme 2006, and the NHS Pension Scheme.***

9.4 Abatement of Pension

Staff who are employed or re-employed by the County Council and who are in receipt of pension either under the ~~Local Government Pension Scheme (LGPS), or the Fire Fighters Pension Scheme (FPS 1992 or FPS 2006), NHS Pension Scheme or Teachers Pension Scheme~~ and ~~NFPS~~) are subject to the ***Scheme's*** rules on abatement of pension for the relevant scheme. The ***general principle*** ~~Abatement of Pension Policy~~ is ***that the new salary plus pension cannot exceed the previous salary*** published on the County Council's website.

~~9.5 Staff in receipt of an NHS or Teachers' pension are subject to the relevant Pension Scheme Regulations on abatement.~~

10. Termination of Employment

10.1 Severance

Should a severance payment be proposed that exceeds any threshold prescribed by Regulations, the County Council shall act in accordance with the requirements of those Regulations. Until such time any severance payment shall be in accordance with statutory guidance, the Council's pay policy and Scheme of Delegation, including relevant cabinet member approval.

10.2 Redundancy

The County Council's policy on redundancy, redundancy payments and re-employment is determined by the Governance Committee and is available on the County Council's website.

Staff who have transferred into the authority are covered by the applicable terms in place at time of transfer.

11. Settlements of employment-related claims

- 11.1 In exceptional circumstances, and specifically so as to settle a claim or potential dispute, the Director of Law and Assurance can agree payment of a termination settlement sum in consultation with the Director of Human Resources and Organisational Development, subject to any requirements of the statutory guidance referred to in paragraph 10.1 and the Council's Scheme of Delegation.

12. Pay Protection

- 12.1 The County Council's pay protection policy is approved by the Governance Committee. The policy provides a mechanism for assisting employees to adjust to a reduction in pay as a result of organisational change, job evaluation or redeployment as a result of ill health or disability.
- 12.2 Staff who have transferred into the authority with protected terms and conditions are covered by the applicable terms in place at time of transfer.

13. Remuneration of staff on a Contract for Services, or engaged via a third-party Agency

- 13.1 The County Council intends that individuals engaged via a Contract for Services are remunerated at a rate consistent with pay of directly employed staff performing a comparable role. However, the County Council may reflect market factors in remuneration levels, whilst ensuring value for money.

14. Employment Tax

- 14.1 The Council encourages the direct employment of staff and pays them via the payroll system in order to ensure that appropriate deductions for income tax and national insurance contributions are made. However, in exceptional circumstances individuals may be engaged through a Contract for Services in accordance with the relevant legislation.

15. Publication of information on the remuneration of staff; or individuals engaged via Contracts for Service

- 15.1 The County Council publishes information relating to the remuneration of staff over a level defined by Government guidance in the Annual Report and Accounts and on the West Sussex Data Store on the County Council's website. In addition, the County Council publishes the pay ratio between the highest paid salary and the lowest salary and this information is available on the County Council's website.
- 15.2 Gender pay reporting will be published annually in accordance with legislative requirements.
- 15.3 The County Council will ensure that all of its arrangements for managing personal data in relation to staff contractual, payment and performance arrangements are managed in accordance with all Data Protection legislation and the County Council's current Data Protection Policies. The County Council is committed to ensuring the security and maintaining the confidentiality of all personal staff data.

Pay Multiples

Date	Highest Paid	Median Pay	Median Pay Ratio (to highest paid)	Lowest Pay	Lowest Pay Ratio (to highest paid)
31/3/23	£159,452	£28,718	1:5.55	£20,258	1:7.87
31/3/22	£152,637	£29,174	1:5.23	£18,333	1:8.33
31/3/21	£164,583	£28,672	1:5.74	£17,842	1:9.22
31/3/20	£153,153	£27,905	1:5.49	£17,364	1:8.82
31/3/19	£190,020	£26,470	1:7.18	£16,394	1:11.59
31/3/18	£190,050	£25,301	1:7.51	£15,014	1:12.66
31/2/17	£184,111	£25,593	1:7.19	£14,514	1:12.69
31/3/16	£194,369	£25,183	1:7.72	£13,500	1:14.4

Notes:

- (1) Pay multiples:
 - (a) As specified in the Local Government Transparency Code 2015, the 'pay multiple' compares the earnings of the highest paid employee to the median full time equivalent earnings of all employees (excluding staff based in schools) at the specified date.
 - (b) 'Lowest pay' is the full-time equivalent lowest earnings of all employees (excluding schools) at the specified date.
- (2) The salary of the highest paid employee is used for the purposes of the pay multiples. With effect from 6 January 2020 the County Council's Chief Executive has also been the Chief Executive of East Sussex County Council with salary costs shared equally between authorities. Consequently, the highest paid salary in the County Council is not for the post of Chief Executive.
- (3) The remuneration payable to the Authority's senior employees and the payments made for the services of senior officers who are not directly employed are published in the County Council's annual accounts. The accounts for 2022-23 show that payments of £163,681 have been made to East Sussex County Council for the shared services of the Chief Executive.

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Governance Committee: Revisions to the Constitution

Mandatory training for members

Background and context

- 1 Some Council committees require a particular level of training to ensure their members take sound decisions and have a thorough understanding of their responsibilities. Training is generally understood to be a requirement for the Appeals Panel, Fostering Panel, Pensions Committee and Planning and Rights of Way Committee but this is not included in the Constitution. The Member Development Group (MDG) has considered this as part of a review of training requirements for all members. It recommends that these panels/committees' terms of reference be revised to include that members be required to undertake certain mandatory training (and as set out in the table at paragraph 3).

Proposal details

- 2 As recommended by the MDG, it is proposed that the following statement be included in the terms of reference of the Appeals Panel, Fostering Panel, Pensions Committee and Planning and Rights of Way Committee (in Part 3 of the Constitution):
 - Members of this Committee are required to undertake training as specified by the relevant Director or lead service officer, prior to being able to take part in meetings of the Committee/Panel.
- 3 This requirement will apply to all committee members, including any co-opted members. The current training requirements for each panel/committee are set out below but will not be included in the Constitution, to allow for flexibility, in consultation with the relevant panel/committee). It should be noted that the functions of the County Council's Planning and Rights of Way Committee are very different from those of a district or borough council and familiarity with such a committee as a member of such a Council will not suffice.

Panel or Committee	Mandatory training requirement
Appeals Panel	To be completed prior to taking part in any meetings: <ul style="list-style-type: none"> • Staff Dismissal Appeal Process • Staff Grievance Appeal Process • School Transport Appeal Process
Foster Panel	To be completed prior to taking part in any meetings, with at least one day refresher training per year: <ul style="list-style-type: none"> • Fostering Process and role of the Foster Panel • Observation of a Foster Panel meeting
Pensions Committee	To acquire and maintain an appropriate level of knowledge and understanding in compliance with the Fund Training Strategy. Induction training with officers should be completed prior to taking part in meetings. Areas of knowledge and understanding currently include:

Panel or Committee	Mandatory training requirement
	<ul style="list-style-type: none"> • Pensions Legislation • Public Sector Pension Scheme governance • Financial markets and pension fund investments • Pension Fund operation and administration • Actuarial methods, standards and practices • Procurement and relationship management
Planning and Rights of Way Committee	Training to be provided by officers in relation to: <ul style="list-style-type: none"> • Role and Operation of the Committee, including member interests • Background to the Planning System • Waste and Minerals Planning • Planning applications process • Determining Planning Applications • Definitive Map Modification Orders • Town and Village Green applications • Public path creations, diversions and extinguishments and any relevant legislation

Recommended

- (1) That that the statement set out in paragraph 2 be included in the terms of reference of the Appeals Panel, Fostering Panel, Pensions Committee and Planning and Rights of Way Committee in Part 3 of the Constitution;

Terms of reference of the Health and Adult Social Care Scrutiny Committee

Background and context

- 4 The Health and Care Act 2022 makes changes to how local authorities engage with the NHS. One change relates to the health scrutiny function, with the removal of the power to refer proposals for the substantial reconfiguration of NHS services to the Secretary of State. The NHS is still required to consult on such proposals, but the health scrutiny committee may now only write to the Secretary of State to request that a proposal be called-in. The Department of Health and Social Care expects these requests only to be used in exceptional situations where local resolution has not been reached. It is therefore necessary to amend the terms of reference of the Council’s Health and Adult Social Care Scrutiny Committee.

Proposal details

- 5 It is proposed that the Health and Adult Social Care Scrutiny Committee’s terms of reference be revised as follows:
 3. To discharge the statutory Health Scrutiny functions ~~(including power of referral)~~ on behalf of the County Council.

Recommended

- (2) That paragraph 3 of the terms of reference of the Health and Adult Social Care Scrutiny be amended as set out in paragraph 5; and

Terms of reference of the Governance Committee

Background and context

- 6** The Governance Committee's terms of reference include that it should receive a report on staffing matters twice a year from the Chief Executive or Director of Human Resources and Organisational Development. This was added in 2017 to cover updates on general staffing matters, including as raised through officer liaison with trades unions. Since that time the Council's Performance and Resources report has been introduced, providing detailed workforce information for consideration by Cabinet and each scrutiny committee on a quarterly basis. Reports to the Committee are no longer needed and, to avoid any duplication, it is proposed that this be removed from the Committee's terms of reference. The Committee continues to play an important role in staffing policy matters, including receiving an annual report on Staff Appeals and reviewing the Staff Pay Policy.

Proposal details

- 7** To reflect current practice on reporting workforce information to members, it is proposed that the following paragraph be removed from the Governance Committee's terms of reference:
22. To receive a report on staffing matters twice a year from the Chief Executive or Director of Human Resources and Organisational Development.

Recommended

- (3) That paragraph 22 of the terms of reference of the Governance Committee be removed.

Pete Bradbury

Chairman of Governance Committee

Contact Officer: Helen Kenny, Head of Democratic Services, 033022 22532, helen.kenny@westsussex.gov.uk

Background papers

None

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Regulation, Audit and Accounts Committee: Review of Financial Regulations

Introduction

- 1** The Financial Regulations and are part of the authority's Constitution, intended to help the exercise of statutory financial responsibilities, safeguard finances and assets and ensure proper record keeping and reporting of financial accounts.

Review of Financial Regulations

- 2** The Regulations set out the financial policies and the framework for managing the Council's financial affairs. They seek to ensure that the Council conducts its affairs in a way that complies with statutory provisions, generally accepted accounting principles and professional good practice.
- 3** The Committee was asked to approve a revised set of Regulations following an officer review. The Council also has a set of financial procedures which set out the controls in place for the key areas covered in the Financial Regulations, along with the responsibilities of the Directors in respect of each the key areas. These will be updated to align with the revised Financial Regulations.
- 4** The updated Financial Regulations, which are set out in **Appendix 1**, have been amended throughout to reflect the current titles for jobs, committees and cabinet members, along with minor wording changes and corrections.
- 5** Directors and Assistant Directors will be reminded of their responsibilities once the Regulations have been approved.

Recommended

That the revised Financial Regulations, as set out at Appendix 1, be approved.

Stuart Condie

Chairman, Regulation, Audit and Accounts Committee

Contact Officer: Vicky Chuter, Financial Reporting Manager, 033 022 23414

Appendices

Appendix 1 – Financial Regulations

Background papers

None

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Part 4 Section 3

Financial Regulations

Approved by the **County Council**
Regulation, ~~Audit and Accounts~~
Committee at its meeting on **22 March**
2024 ~~23 July 2018~~ and containing all
subsequent approved amendments up to
~~1 March 2022~~

March 2024

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Part 4 Section 3

Financial Regulations

Financial Regulation A - General

1. General Introduction

- 1.1 The Financial Regulations and Financial Procedures of the County Council are intended to help the County Council exercise its statutory financial responsibilities, safeguard its finances and assets, and ensure the proper record keeping and reporting of its financial accounts. The Financial Regulations form part of the Council's Constitution while the Financial Procedures are held outside of the Constitution. ***The Financial Regulations clarify responsibilities and provide a framework for decision making.***
- 1.2 Any changes to Financial Regulations will be drawn up jointly by the Director of Finance and Support Services and Director of Law and Assurance and approved by the ***County Council Regulation, Audit and Accounts Committee*** in the light of advice from the ***Regulation, Audit and Accounts Governance Committee***.
- 1.3 Any employee who knowingly or by negligence breaches the Financial Regulations may be subject to disciplinary action and in some instances may incur criminal liability.
- 1.4 The regulations also apply to persons who are carrying out the business of the County Council but are employed by any contractor, partner or other organisation ***representing*** acting for the County Council.
- 1.5 The Director of Finance and Support Services, in consultation with the Director of Law and Assurance, may approve a departure from Financial Regulations, where he or she concludes that such action is appropriate to safeguard the interests of the County Council.
- 1.6 It is the responsibility of all Directors and ~~Assistant Directors~~ to make all employees and other persons carrying out Council business aware of ***the*** Financial Regulations.

2. Financial Management

2.1 Introduction

- 2.1.1 Financial management covers all financial accountabilities in relation to the running of the authority, including the Policy Framework, revenue and capital budgets and treasury management.

2.2 The County Council

- 2.2.1 The County Council is responsible for adopting the authority's Constitution and for approving the Policy Framework and budget within which the

Executive operates. ***In terms of financial planning, the key elements are:***

- ***The Medium Term Financial Strategy***
- ***The Annual Revenue Budget***
- ***The Capital Strategy***
- ***The Treasury Management and Investment Strategy***

2.2.2 It is also responsible for approving and monitoring compliance with the County Council's overall framework of accountability and control, and for monitoring compliance with the agreed policy and related executive decisions. The functions of the County Council are listed in Responsibility for Functions, Part 3 ***of the Constitution***.

2.3 The Cabinet

2.3.1 The Cabinet is the principal Executive body of the County Council. The Cabinet is responsible for proposing the Policy Framework and budget to the County Council, and for discharging Executive functions in accordance with the Policy Framework and budget including Standing Orders and the Scheme of Delegation. The role of the Cabinet is described in the Description of the Constitution, Part 2, ***Chapter 7*** paragraph 2.06.

2.3.2 Executive functions can be delegated to the Cabinet, individual ***Cabinet Members***, officers or through joint arrangements with other public bodies. The County Council's Scheme of Delegation is set out in ***Appendices 1 to 4 of*** Part 3 of the Constitution.

2.4 Regulation, Audit and Accounts Committee

2.4.1 The Regulation, Audit and Accounts Committee's ***purpose is to provide an independent high-level oversight of the Council's systems of governance and risk management and its arrangements for financial control and compliance***.

2.4.2 ***The Committee*** is responsible for reviewing the external auditor's reports including the Audit Plan and Audit Results Report. Additionally, it is responsible for reviewing internal audit's work plan, ***progress and delivery of audit recommendations to assess the level of assurance it can give over the council's corporate governance arrangements. It*** ~~and~~ ~~progress~~ and can consult directly with internal and external auditors. The Committee also deals with the approval of the statutory Statement of Accounts of the County Council (***and the Pension Fund***) and the review of the Governance Framework including the system of internal control.

2.5 Director of Finance and Support Services

2.5.1 ***In line with the Local Government Act 1972***, the Director of Finance and Support Services is responsible for:

- Promoting and maintaining high standards of financial conduct, ***including compliance with the CIPFA Financial Management Code***
- The provision of proactive advice to both Cabinet and the County Council,

informing them of the financial implications of all new policies and changes of policy

- The provision of strategic financial planning and advice to the Executive **and Corporate** Leadership Teams ~~and Leadership Group~~, the Cabinet, other committees and member task groups
- Ensuring proper administration arrangements are in place for the Council's financial affairs
- Reporting to members on the overall budget performance and recommending corrective action
- Ensuring that the council or any officer of the council does not make any unlawful financial transaction or action
- Complying with the relevant accounting and financial procedures and standards in accordance with best accounting practices
- Agreeing and ensuring ~~these~~ locally managed schools and other local financial management arrangements are aligned to these regulations
- Preparing the revenue budget and capital programme
- Securing an effective internal audit function
- Treasury management and banking arrangements
- Maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Regulation, Audit and Accounts Committee
- Issuing advice and guidance to underpin the Financial Regulations that Members, officers and others acting on behalf of the Council are required to follow
- The maintenance of reserves, accounting policies, records and returns and the annual statement of accounts
- **Advising on prudential indicators required to be set in accordance with the CIPFA Prudential Code for Capital Finance in Local Authorities and ensuring that all matters required to be taken into account in setting Prudential Indicators, and monitoring them, are reported to the Cabinet Member for Finance and Property.**

2.5.2 The Director of Finance and Support Services has statutory duties in relation to the financial administration and stewardship of the County Council. This statutory responsibility cannot be overridden. The statutory duties arise from:

- Section 151 of the Local Government Act 1972
- The Local Government Finance Act 1988
- The Local Government and Housing Act 1989
- The Local Government Act 2003
- The Accounts and Audit Regulations 2015
- Local Government Pension Scheme Regulations 2013 and The Local Government Pension scheme (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

2.5.3 Section 114 of the Local Government Finance Act 1988 requires the Director of Finance and Support Services to report to the County Council, the Cabinet and external auditor if the County Council or one of its officers:

- Has made, or is about to make, a decision which involves incurring unlawful expenditure
- Has taken, or is about to take, an unlawful action which has resulted or

- would result in a loss or deficiency to the authority
- Is about to make an unlawful entry in the County Council’s accounts.

Section 114 of the 1988 Act also requires:

- The Director of Finance and Support Services to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under section 114 personally
- The authority to provide the Director of Finance and Support Services with sufficient staff, accommodation and other resources - including legal advice where this is necessary - to carry out the duties under section 114.

2.6 The Chief Executive and Directors

2.6.1 The Chief Executive and Directors are responsible for:

- Ensuring that **Cabinet Members** are advised of the financial implications of all proposals and that they have been agreed by the Director of Finance and Support Services.
- Consulting the Director of Finance and Support Services and seeking approval on any matter liable to affect the County Council’s finances materially, before any commitments are incurred.

3. Other Financial Accountabilities

3.1 Budget Transfers Transfer

3.1.1 Budgets may be transferred between revenue headings provided that they do not involve a new policy or a policy change and do not involve an increasing commitment in future years that cannot be contained within the existing approved budget allocations (see limitations below). Budget transfer limits apply equally to expenditure financed by increased income, including specific grants, and by drawing down of reserves and contingencies, other than when there is a specific delegation.

3.1.2 The Cabinet Member for Finance and Property is responsible for agreeing **the rationale** procedures for the transfer of budget between budget headings.

3.1.3 Revenue Budget Transfers - Assistant Directors (or Directors if appropriate) are responsible for agreeing in-year **revenue** budget transfers within delegated limits **for their relevant area**, as set out below, in consultation with the Director of Finance and Support Services where required.

<i>Delegated Approval</i> Minimum approval required	Limit for budget transfer
Key decision process applies	Over £500,000 and over
Assistant director(s) and Director of Finance and Support Services, in	<i>Technical budget transfers (eg, budget transfers to comply with proper accounting practice) – no</i>

Delegated Approval Minimum approval required	Limit for budget transfer
accordance with the Finance and Support Services' Scheme of Delegation	financial limit Below £500,000
Director of Finance and Support Services, in accordance with the Finance and Support Services' Scheme of Delegation	Administrative Technical budget transfers (e.g., already approved by County Council or Schools Forum) - no financial limit e.g., budget transfers to comply with proper accounting practice)
Assistant Director (or Director as appropriate) and Director of Finance and Support Services, in accordance with the Finance and Support Services' Scheme of Delegation	All other Administrative budget transfers up to £499,999 (e.g., already approved by County Council or Schools Forum)

3.1.4 Capital Programme – Budget Transfers - the overall governance arrangements for capital programme is set out in Section B, paragraphs 2.2 to 2.4 below. The Authority's Capital Strategy also outlines the governance controls and monitoring arrangements for the capital programme. Approvals for amendments to the capital programme including variations to individual projects are outlined in the Constitution's Scheme of Delegation, as set out below:

Delegated Approval	Limit for new projects, project variations or budget transfers
Key decision process applies	£500,000 and over
Director of Place Services in consultation with the Director of Finance and Support Services and the Cabinet Member, in accordance with the Constitution's Scheme of Delegation	Where the level of investment or variation (including transfers within or across portfolios) is no greater than £500,000 or no more than 10% of the total project cost (if higher) the Cabinet Member will be consulted before the decision is made and; (i) Where the decision has not previously been marked by the relevant Cabinet Member for decision by the Cabinet Member; or (ii) Where the matter has been the subject of previous Cabinet Member decision delegating further decisions to the Director;

Delegated Approval	Limit for new projects, project variations or budget transfers
	and (iii) Where the relevant Director, in discussion with the Cabinet Member, does not consider the matter to be politically sensitive and so the use of officer delegation would be appropriate
Director of Place Services in consultation with Director of Finance and Support Services, in accordance with the Constitution's Scheme of Delegation	Where the level of investment or variation (including transfers within or across portfolios) is no greater than £250,000 or no more than 5% of the total project cost (if higher)

Where a scheme is subject to more than one change in any financial year these will be considered cumulatively for this purpose.

3.2 Contingency Allocations

3.2.1 Revenue budgets and capital programmes are approved as cash-limited allocations. The presumption is that service budgets and capital programmes will not be supplemented. Any exception to that presumption **and the use of the contingency allocations** is the responsibility of the Cabinet Member for Finance and Property on receiving advice from the Director of Finance and Support Services.

3.3 Treatment of Year-end Balances

3.3.1 The Cabinet Member for Finance and Property, **on advice from the Director of Finance and Support Services**, is responsible for agreeing:

- **rationale for the transfer to and from reserves, including** the carrying forward of **underspends** underspendings on **revenue** budget headings
- **any transfers of non-portfolio budgets**

3.3.2 The on advice from the Director of Finance and Support Services is responsible for the approval of transfers to and from earmarked reserves, including carrying forward year-end underspends.

3.3.3 The Cabinet is responsible for approving the overall outturn position within the outturn financial management report.

3.3.4 The Capital Programme is approved as part of the budget process by County Council each February. Any variations within the overall programme, including capital slippage to be carried forward, due to planned expenditure being unable to be completed in the financial

year, is then reported through the Performance & Resources Report process.

3.3.5 Specific approvals for variations to the capital scheme including any transfers are outlined in 3.1.4.

3.4 Accounting Policies

3.4.1 ***The Regulation, Audit and Accounts Committee is responsible for approving the accounting policies.*** The Director of Finance and Support Services is responsible for ***the application of the*** selecting accounting policies and ensuring that they are applied consistently.

3.5 Accounting Records and Returns

3.5.1 The Director of Finance and Support Services is responsible for determining the accounting procedures and records for the authority.

3.6 The Annual Statement of Accounts

3.6.1 The Director of Finance and Support Services is responsible for ensuring that the annual statement of accounts is prepared in accordance with the 'Code of Practice on Local Authority Accounting in the United Kingdom' (CIPFA/LASAAC). The Regulation, Audit and Accounts Committee is responsible for approving the annual statement of accounts.

~~3.7 **Write Off of Debts**~~

~~3.7.1 The Director of Finance and Support Services can approve the write-off of irrecoverable debts up to £15,000, in consultation with the Director of Law and Assurance.~~

~~3.7.2 Any irrecoverable debt in excess of £15,000 will require the approval of the Cabinet Member for Finance and Property.~~

Financial Regulation B - Financial Planning

1. Introduction

1.1 The County Council is responsible for agreeing the authority's Policy Framework and budget, which will be proposed by the Cabinet. In terms of financial planning, the key elements are:

- ~~Our~~ the Corporate or County Council Plan
- Directorate Business Plans
- ~~annual~~ **Service Business Plans**
- the revenue budget
- the capital programme.

1.2 The County Council is also responsible for approving procedures for the budgets, plans and strategies forming the Policy Framework and for determining circumstances in which a decision will be deemed to be contrary to the budget or Policy Framework. Such decisions should be referred to the County Council by the Monitoring Officer.

1.3 The **Cabinet Members** are responsible for taking in-year key decisions on resources and priorities in order to deliver the Policy Framework and services within the annual budget set by the County Council.

2. Budgeting

2.1 Budget format

2.1.1 ~~The general format of the budget will be approved by the County Council and proposed by the Cabinet on the advice of the Director of Finance and Support Services. The draft budget should include allocation to different services and projects, proposed taxation levels and contingency funds.~~

2.1.2 Comprehensive budget plans should be based on realistic projections about:

- **pay and price inflation**
- **business and activity levels, including future budget pressures**
- **known service development plans**
- **savings plans**
- **government funding**
- **other income, including business rates and council tax**
- **risk assessments and contingency plans**
- **other internal plans such as human resources and IT**

2.2 Budget and Capital Programme Preparation

2.2.1 ~~The Cabinet is responsible, for issuing guidance on the general content of the budget and capital programme in consultation with the Director of Finance and Support Services,~~ **for setting the overarching strategies and policies, in line with the priorities in the Council Plan, which should**

underpin the budget and capital programme.

- 2.2.2 It is the responsibility of Directors to ensure that budget and capital programme estimates reflecting agreed service plans are submitted to the Cabinet and that these estimates are prepared in line with ***the strategic direction and policies set*** ~~guidance issued~~ by the Cabinet.
- 2.2.3** The Director of Finance and Support Services is responsible for ensuring that an overall revenue budget and capital programme summarising service budget estimates is prepared on an annual basis for consideration by the Cabinet, before submission to the County Council, along with a forward financial forecast in line with Government funding notifications. ***The County Council may amend the budget or ask the Cabinet to reconsider it before approving it.***
- 2.2.4** The Performance and Finance Scrutiny Committee considers strategic issues relating to the budget including ***comments on individual portfolio budgets ahead of its presentation to the Cabinet. All members are engaged in the budget planning process through informal member sessions where financial strategies and savings options/proposals are discussed and where appropriate, savings options are scrutinised by individual scrutiny committees*** ~~comment on individual portfolio budgets. The County Council may amend the budget or ask the Cabinet to reconsider it before approving it.~~

2.3 Budget and Capital Programme Monitoring and Control

- 2.3.1 The Director of Finance and Support Services is responsible for providing appropriate financial information to enable both the revenue budgets and the capital programme to be monitored effectively. He or she must monitor expenditure against budget allocations and report to the Cabinet on the overall position on a regular basis, as part of an overall performance management reporting process. The Director of Finance and Support Services will collate and present the ~~Total~~ ***Performance and Resources Report*** ~~Monitor~~ to the Executive Leadership Team, and ***the Cabinet and all scrutiny committees each quarter*** ~~month~~, including a forecast of the financial outturn at year end. This report will cover ~~both~~ financial and performance reporting ***for both revenue and capital, risk and workforce.***
- 2.3.2 It is the responsibility of Directors and Assistant Directors to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Director of Finance and Support Services. They should report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation and alert the Director of Finance and Support Services to any problems. Any new proposal containing significant financial implications must take note of the Director of Finance and Support Service's advice as well as that of the relevant ***Director or Assistant Director and Cabinet Member.***

2.4 Capital Governance

- 2.4.1 The Council has an established ~~officer~~ governance process which ensures transparency and gives assurance to members. Officer panels receive and

consider proposals and business cases, which are supported by a set of tools and procedures ('the officer handbook') to define the process for **approving** ~~getting~~ capital schemes ~~approved~~ and to manage subsequent variations, including how officers provide members with information and assurance that controls are in place alongside an audit trail that meets member expectations.

- 2.4.2 The same process for considering and approving projects and business cases applies whether the decision is for an officer or a **Cabinet Member**. A model for business cases is used, which is streamlined for less complex projects, to ensure the input is proportionate. Where a decision relating to the capital programme is also a 'key decision' (investment **of exceeds £500,000 and over** or significant impact on more than one division), it will be published in the Forward Plan **and taken in line with usual key decision governance processes**. ~~The quarterly review of the capital programme will be published in The Bulletin weekly newsletter and linked to the Members' Information Network database.~~
- 2.4.3 All projects have a business justification through an initial business case (for schemes that require resources to develop a detailed business case) or outline business case (where the scheme is more straightforward). These are considered for prioritisation each year ahead of recommendation to the Council for approval of the programme. Individual projects may be considered by the Performance and Finance or relevant service scrutiny committees.
- 2.4.4 In addition to the large schemes and development projects that make up much of the capital programme, there will be routine investment plans for the core business of the Council that have block allocations. These include the schools maintenance programme, the maintenance of the Council's operational buildings, highways maintenance, the replacement of vehicles and other essential service assets. These are planned and budgeted for through asset management plans within the capital programme and will operate within the approved control totals. Their implementation is delegated to the relevant Director ~~or Assistant Director~~.
- 2.4.5 All significant or cross-portfolio changes are taken through the ~~Total~~ Performance **and Resources Report** ~~Monitor~~ and published as **Cabinet Member** decisions in accordance with their portfolio. The Performance and Finance and service Scrutiny Committees sees the Forward Plan, notice of capital schemes on the programme register and has access to the business cases which may therefore be subject to preview as required.
- 2.4.6 The monitoring of the capital programme is part of the ~~core business of~~ ~~Cabinet Briefing on a~~ quarterly **Performance and Resources Report** basis with formal decisions published in accordance with constitutional arrangements. ~~The Performance and Finance Scrutiny Committee has the same quarterly programme review.~~ **Quarterly finance performance reports on the capital programme are reviewed by the Capital and Assets Board and both finance and performance are included in the Performance and Resources Report and reported to the relevant scrutiny committee. Variations and transfers between capital scheme budgets are outlined in Section A, 3.1.4 above.**

2.5 **Budgeting Resource Allocation**

2.5.1 The Director of Finance and Support Services is responsible for developing and maintaining a resource allocation process that ensures due consideration of the County Council's Policy Framework **and Medium-Term Financial Strategy**.

2.6 **Budget Principles Guidelines**

2.6.1 **Budget principles and general guidance relating to** Guidelines on budget preparation are **shared with** issued to Directors and Assistant Directors, following advice from the Director of Finance and Support Services, **through the Finance Business Partner Teams**. The **guidance** guidelines will take account of:

- legal requirements
- medium-term planning prospects
- **West Sussex Plan priorities**
- ~~Corporate or County Council Plan available resources~~
- spending pressures
- other relevant government guidelines
- other internal policy documents
- cross-cutting issues (where relevant)
- the role of the Performance and Finance Scrutiny Committee in strategic budget issues.

2.7 **Maintenance of Reserves**

2.7.1 It is the responsibility of the Director of Finance and Support Services to advise the Cabinet and/or the County Council on prudent levels of reserves for the authority, **having regard to an assessment of the financial risks facing the authority**. This duty is set out in Section 25 of the Local Government Act 2003.

2.8 **Budgets Delegated to Schools**

2.8.1 Revenue budgets delegated to schools under **Department for Education** DfE Regulations are outside the scope of these regulations and are subject to the conditions set out in the Scheme for Financing Schools – Statutory guidance for local authorities - March **2023** 2018.

2.9 **Fees and Charges**

2.9.1 A schedule of fees and charges must be reviewed annually as part of the business planning and budget setting cycle and agreed by **Cabinet Members**, guided by the Director of Finance and Support Services.

2.9.2 All income properly due to the Council must be collected promptly and recorded to the Council's benefit, unless specific authority to waive, discount or write-off such income is approved through Cabinet, **Cabinet Members** or under delegated powers to officers.

- 2.9.3 Proposals to commence charging for or trading in goods or services not previously subject to charging or trading must be agreed by the relevant **Cabinet Member** (external charging/trading only) **and in consultation with the Director of Finance and Support Services.**

Financial Regulation C - Risk Management and Control of Resources

1. Introduction

- 1.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant risks to the authority. This should include the proactive participation of all those associated with planning and delivering services.

2. Risk Management

- 2.1 The Chief Executive is responsible for approving the County Council's corporate risk management strategy and for reviewing the effectiveness of risk management.
- 2.2 The Regulation, Audit and Accounts Committee provides assurance of the adequacy of the risk management framework and the associated control environment and scrutiny of the County Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk.
- 2.3 The Performance and Finance Scrutiny Committee considers existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific portfolio and to issues of major strategic importance to the County Council. It also considers the effectiveness of the Council's arrangements and systems for the management of contracts and for the scrutiny of the achievement of such commissioning outcomes as have been determined, as well as the annual budget and performance framework on a strategic basis at each meeting.
- 2.4 Risk management must complement and build on the existing integrated service planning and performance management processes. All significant risks must be managed to, or maintained at, an acceptable level.
- 2.5 The Executive Leadership Team is responsible for promoting the County Council's risk management policy statement throughout the County Council with Directors responsible for ensuring there are sufficient processes in place to identify, assess and capture risks within their directorates.
- 2.6 The Director of Finance and Support Services is responsible for monitoring and reporting all significant risks and the Director of Law and Assurance is responsible for maintaining proper insurance cover where appropriate, in pursuant with paragraph 7 of this section.

3. Internal Control

- 3.1 Internal control refers to the systems of control devised to help ensure that the County Council's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that its assets and interests are safeguarded.
- 3.2 The Director of Finance and Support Services is responsible for advising on

effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.

- 3.3 It is the responsibility of Directors and Assistant Directors to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their business objectives and performance targets.

4. Audit Requirements

- 4.1 The Accounts and Audit Regulations 2015 require every local authority to “undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance”. Accordingly, internal audit is a separate, objective assurance and consulting activity designed to add value and improve an organisation’s operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

- 4.2 The Local Audit and Accountability Act 2014 requires the County Council to prepare an annual Statement of Accounts, and for these accounts to be subject to an external audit. The general duties of the auditor are set out in section 20 of the Act. The Council has opted into the national auditor appointment provisions of the Local Audit (Appointing Person) Regulations 2015. Under these provisions, an external auditor *is was* appointed to the authority by Public Sector Audit Appointments Ltd for a **specified** five-year period, **the latest appointment being from 2023/24 to 2027/28** commencing 2018/19.

- 4.3 The County Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access.

5. Preventing Fraud and Corruption

- 5.1 The Director of Finance and Support Services is responsible for the development and maintenance of the Anti-Fraud Strategy **and the Anti-Money Laundering Policy. They are** This is reviewed every three years and approved by the Regulation, Audit and Accounts Committee.
- 5.2 Where financial irregularity is suspected or discovered, Directors **or nominated officer** are to notify the Director of Finance and Support Services (represented by the Head of Internal Audit) immediately, who in turn is to inform the Director of Law and Assurance. Detailed procedures for such action are contained in the Anti-Fraud Strategy **and Anti-Money Laundering Policy.**

6. Assets

6.1 Directors **and Assistant Directors** should ensure that assets, including property, vehicles, equipment, furniture and stocks/stores, are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place, as set out in the council's Asset Strategy and Business Continuity policies.

7. Insurance

7.1 The Director of Law and Assurance shall effect all necessary cover for liability (including employer, third party, personal accident and fidelity guarantee), motor and property (including terrorism) insurance and negotiate all claims, in consultation with other officers where necessary.

7.2 Directors **and Assistant Directors** shall notify the Director of Law and Assurance immediately of:

- All new risks and liabilities which may require to be insured
- Any change which may affect existing insurance
- Any loss, damage, claim or event which might give rise to a claim by or against the Council
- Any acquisition or disposal of interests in property which involves an amendment to insurance cover.

7.3 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance.

7.4 The Director of Law and Assurance shall, at least annually, review all insurance in consultation with Directors.

8. Treasury Management

8.1 The County Council has adopted the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the Code) as ~~detailed in Section 5 of the Code~~. Accordingly, the County Council will maintain, as the cornerstones for effective treasury management:

- a Treasury Management Policy Statement, stating the policies, objectives and approach to risk management of its treasury management activities (held outside of the Constitution)
- suitable Treasury Management Practices (TMPs), setting out the manner in which the County Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

8.2 The content of the Policy Statement and TMPs follows the recommendations contained in ~~Sections 6 and 7~~ of the Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the County Council materially deviating from the Code's key recommendations.

- 8.3 The County Council will receive reports on its treasury management policies, practices and activities, including as a minimum an annual Treasury Management Strategy Statement in advance of the year, a mid-year review and an annual report after its close (see 8.4 below), in the form prescribed by its TMPs.
- 8.4 The County Council delegates to the Performance and Finance Scrutiny Committee responsibility for ensuring effective scrutiny of the treasury management strategy and policies. In accordance with the Constitution, a mid-year and year end treasury management report benchmarking security and liquidity, in addition to the actual yield achieved on County Council investments, will be submitted to this Committee.
- 8.5 The County Council in its Constitution delegates responsibility for monitoring compliance with its treasury management policies and practices against planned parameters to the Regulation, Audit and Accounts Committee.
- 8.6 The County Council delegates responsibility for the execution and administration of treasury management decisions to the Director of Finance and Support Services.
- 8.7 The County Council will act in accordance with the Policy Statement, TMPs and CIPFA's Standard of Professional Practice on Treasury Management in the implementation and administration of all treasury management decisions.

9. Prudential Code

- 9.1 Interlinked with the CIPFA Code of Practice for Treasury Management is the Prudential Code for Capital Finance in Local Authorities; furthermore, the Council is required by regulation to have regard to the code when carrying out its duties under Part 1 of the Local Government Act 2003.
- 9.2 The Director of Finance and Support Services will be responsible for ensuring that all matters required to be taken into account are reported to the full Council for consideration, and for establishing procedures to monitor performance.

10. Banking Arrangements

- 10.1 All arrangements with bankers must be made only by the Director of Finance and Support Services, who is authorised to operate any bank accounts considered necessary.

11. Staffing

- 11.1 The Chief Executive as **Head of Paid Service** is responsible for providing overall management to staff and is responsible for the arrangements for determining how officer support for Executive and non-Executive roles within the authority will be organised.
- 11.2 ~~Directors and Assistant Directors~~ are responsible for controlling total staff numbers by:

- advising the Cabinet on the budget necessary in any given year to cover estimated staffing levels
- managing the staffing numbers within approved budget provision and, where necessary, adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs
- the proper use of appointment procedures, workforce plans and verified personnel information.

12. Information Technology and Data and Information Management

12.1 The Director of Finance and Support Services shall ensure there is sufficient provision for all Information Technology and data and information management requirements.

12.2 All Directors and Assistant Directors will conform with and follow the Council's prevailing IT Strategy and will seek the advice of the Chief Information Officer on the introduction of new information and communications systems. In particular, Directors and Assistant Directors will ensure that sufficient standards and procedures are in place and will also ensure the achievement of value for money in the introduction of new systems and equipment.

12.3 Directors and Assistant Directors shall consult with the Chief Information Officer on the development of any financial or other systems whether computerised or manual at the earliest practicable stage and where appropriate obtain the consent of the Director of Finance and Support Services, and the Chief Information Officer in implementing those systems. This includes the potential use of AI assisted technologies to automate or simplify manual process.

12.4 Minimum standards of control for any new system or development of an existing system which involves a financial operation or produces output that may influence such an operation, must be agreed in advance with the Director of Finance and Support Services and Chief Information Officer.

12.5 Directors and Assistant Directors shall conform to the County Council's security and control of systems' standards within their Departments. They shall also be responsible for the security and privacy of data necessary to accord with the Data Protection Act 2018. When accessing central or other systems, Directors and Assistant Directors will be responsible for ensuring that agreed procedures are followed.

12.6 Any proposal to purchase or develop a computer system (IT hardware, software or communications equipment) shall be the subject of a business case in an approved form and in accordance with the Council's prevailing IT Strategy. In the same manner, such proposals will also be subject to post implementation review.

12.7 Directors and Assistant Directors shall make sound and sufficient contingency arrangements to ensure the security and continuity of

services in the event of a disaster e.g. cyber, fire, flood etc. and to enable the restitution of systems and data.

Financial Regulation D - Systems and Procedures

1. Introduction

- 1.1 Sound systems and procedures are essential to an effective framework of accountability and control.

2. General

- 2.1 The Director of Finance and Support Services is responsible for the operation of the County Council's accounting systems, the form of accounts and the supporting financial records. Any changes to the existing financial systems or the establishment of new systems must be approved by the Director of Finance and Support Services. However, ~~Assistant~~ Directors are responsible for the proper operation of financial processes in their own service areas, including those activities which are delivered by an external party.
- 2.2 Any changes to agreed procedures by ~~Assistant~~ Directors to meet their own specific service needs should be agreed with the Director of Finance and Support Services.
- 2.3 ~~Directors and Assistant Directors~~ should ensure that their staff receive relevant financial training that has been approved by the Director of Finance and Support Services. This will also apply to external parties.
- 2.4 ~~Directors and Assistant Directors~~ must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. ~~Directors and Assistant Directors~~ must ensure that staff are aware of their responsibilities **as set out in** ~~under freedom of information legislation~~ **including Freedom of Information requests and GDPR requirements**.

3. Income and Expenditure

- 3.1 It is the responsibility of ~~Assistant~~ Directors to ensure that a proper scheme of delegation has been established within their area and is operating effectively. The scheme of delegation should identify staff authorised to act on the ~~Assistant~~ Director's behalf, or on behalf of the Council, in respect of payments, income collection and placing orders, together with the limits of their authority.
- 3.2 ***Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the County Council's cashflow and also avoids the time and cost of administering debts. The Council has debt management procedures in place which are regularly reviewed.***
- 3.3 ***Public money should be spent with demonstrable probity and in accordance with the County Council's policies. The County Council's procedures should help to ensure that services obtain value for***

money from their purchasing arrangements. These procedures should be read in conjunction with the County Council’s Standing Orders on Procurement and Contracts. All ordering and payment for works, goods and services must comply with the County Council’s Standing Orders.

- 3.4** The Cabinet Member for Finance and Property is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control. **Any irrecoverable debt will be written off in accordance with the Scheme of Delegation, in line with the delegation limits set out below:**

Delegated Approval	Limit for Write-Off
Director of Finance and Support Services	Up to £15,000
Director of Finance and Support Services in consultation with the Director of Law and Assurance and Cabinet Member for Finance and Property	Between £15,001 to £100,000
Cabinet Member for Finance and Property	In excess of £100,000

4. Payments to Employees and Members

- 4.1 The Director of Human Resources and Organisational Development is responsible for **all** the payments of salaries and wages to all staff, including payments for overtime, as well as payment of expenses and any loans and for payment of allowances to members. The Director of Finance and Support Services is responsible for ensuring there are appropriate financial systems in place to make these payments.

5. Ex-Gratia Payments

- 5.1 Directors may approve reasonable ex-gratia payments to both employees and 3rd parties of £1,000 or less to provide a remedy under the Council’s complaints system or where a goodwill payment is made.**
- 5.2 For ex-gratia payments in excess of £1,000 Directors must obtain the approval of the Director of Finance and Support Services and the Director of Law and Assurance. Such payments shall not exceed £10,000 without the approval of the Cabinet Member for Finance and Property.**
- 5.3 A complete record of ex-gratia payments made by Directors shall be maintained and shall be available to the Director of Finance and Support Services on request and retained in line with the current policy.**

65. Taxation

6.1 The Director of Finance and Support Services is responsible for advising Directors, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on VAT taxation issues that affect the County Council. The Director of Human Resources and Organisational Development is responsible for advising Directors, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all employee related taxation issues.

6.2 The Director of Finance and Support Services is responsible for maintaining the County Council's VAT records, making all VAT payments, receiving VAT credits and submitting VAT returns by their due date as appropriate.

76. ~~Non-Employees Service Providers~~

7.1 It shall be a condition of engagement of any ***non-employee acting in partnership or on behalf of the County Council*** ~~service provider~~ (including consultants, contractors, agency staff and joint committees) for purposes within the scope of these Financial Regulations that they shall have a comprehensive knowledge of these Regulations and abide by them throughout the duration of their engagement. The relevant ~~assistant~~ **D**irector with responsibility for engaging and managing the service provider shall ensure that this requirement is met.

Financial Regulation E - External Arrangements

1. Introduction

1.1 The County Council provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It has the power to achieve the promotion or improvement of the economic, social or environmental well-being of its area.

1.2 This may involve the establishment of collaborative arrangements (formal or informal partnerships), joint ventures, joint operational models (such as pooled budgets) or providing an agency service.

1.3 The County Council may also want to provide financial support to staff in exceptional circumstances, clients or 3rd parties in the form of grants or loans. These are subject to approval by the Director of Finance and Support Services and where appropriate the Director of HR and Organisational Development.

2. Partnership Arrangements, Joint Ventures and Pooled Budgets Partnerships

2.1 The County Council is responsible for approving delegations (Part 3, Section 2 of the Constitution), including frameworks for partnerships. The Cabinet is the interface in forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

2.2 Cabinet **M**embers can delegate functions to officers. These are set out in the Scheme of Delegation that forms part of the County Council's Constitution. Where functions are delegated, the Cabinet remains accountable for them to the County Council.

2.3 The Chief Executive represents the County Council on partnership and external bodies, in accordance with the scheme of delegation.

2.4 The Director of Finance and Support Services is responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the County Council.

2.5 The Director of Finance and Support Services must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. He or she must also consider, in consultation with the Director of Law and Assurance, the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

2.6 ~~Executive Directors and~~ Directors are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

2.7 Formal joint ventures will be subject to Cabinet approval.

Governance arrangements, financial framework and funding must be agreed in advance of the signing of any agreement or formal commitment of the Authority.

3. External Funding

- 3.1 All external funding ~~granted to the County Council~~ is to be notified to the Director of Finance and Support Services and he or she is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the County Council's accounts. **Any grant funding for which we apply must support the County Council priorities and be accompanied by an agreed exit strategy.**

4. Work for Third Parties

- 4.1 The Cabinet **M**embers for a service and the Cabinet Member for Finance and Property shall be consulted before the completion of any contractual arrangements for any work for third parties or external bodies.

5. Grants and Loans

- 5.1 The County Council can make grants or loans to local enterprises, charities, wholly owned companies, joint ventures or private individuals as part of a wider strategy for economic growth or specific support.**

- 5.2 Loans to third parties will generally form part of the Council's Capital Strategy with approval based on the economic and social benefits to the Council and the residents of West Sussex; or following an external credit assessment of the companies involved. These are not treasury type investments, rather they are Service Delivery policy investments and the funding will be spent on capital projects and may include:**

- **loans to the Council's Joint Venture (JV) Partnership with Lovell Partnerships Limited or Edes Estates, the County Council's wholly owned company. Any loan made to the joint venture would be in line with the JV Partnership Agreement;**
- **loans to other third parties with which the County Council has a shared interest linked to the Council Plan priorities or legal responsibilities and where the nature of spend for which the loan is required is of a capital nature. These will be subject to consideration by the Director of Finance and Support Services.**

- 5.3 Non-Treasury Service Delivery investments will be funded through borrowing and will either utilise the Council's cash balances (internal borrowing) or impact on the Council's external borrowing. The value of loans to a specific third party at any one time will be limited to £15m.**

- 5.4 Such loans will be considered when all of the following criteria are satisfied:**

- ***The loan is towards expenditure which would, if incurred by the Council, be capital expenditure;***
- ***The purpose for which the loan is given is consistent with the Council's corporate/strategic objectives and priorities;***
- ***Due diligence is carried out that confirms the Council's legal powers to make the loan, and that assesses the risk of loss over the loan term;***
- ***A formal loan agreement is put in place which stipulates the loan period, repayment terms and loan rate; (which will be set at a level that seeks to mitigate any perceived risks of a loss being charged to the General Fund and takes appropriate account of Subsidy Control Rules).***

5.5 The approval limits for loans are:

- ***For loan amounts up to £0.5m, the Director of Finance and Support Services can authorise where there is no adverse impact on Council Policy or service delivery and can be funded from approved capital programme;***
- ***For loan amounts over £0.5m and funded from current capital programme resources the Cabinet Member for Finance and Property can authorise;***
- ***For any loan amounts in excess of the approved capital programme, County Council will need to approve any change to the capital programme required to enable such a loan to be approved.***

5.6 Third party loans approved in support of a company's (or individual's) revenue cash flows may however be arranged through the prescribed Treasury Management Practices (TMPs) of the County Council. Ahead of the Director of Finance and Support Services approving a loan the Council will undertake appropriate due diligence of the third party and the Council will also look to obtain appropriate levels of security or third party guarantees for any loan advanced. The Council would expect a return commensurate with the type, risk and duration of the loan and a maximum limit of £5m for all third party loans has been set. All loans should be in line with the Council's governance arrangements.

5.7 The County Council can make grants in certain circumstances where it is considered that they represent the most appropriate form of assistance. This is most likely to be the case for minor items of work or assistance, where the costs of arranging loan finance cannot be justified or in cases where the financial circumstances of the applicant are such that any other form of financial assistance would be inappropriate. All grant payments must be made in accordance with clearly defined criteria in line with the relevant grant conditions and should represent good value for money.

5.8 Grants or loans must be agreed by the appropriate Director and the Director of Finance and Support Services. All legal agreements to secure the repayment of a loan must be agreed by the Director of Law and Assurance.

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Report of Urgent Action: Regulation 19

- 1** Under regulation 19 of the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the County Council is required to receive a report from the Leader on any decisions taken under regulation 11. These are key decisions which were not in the Forward Plan and which needed to be taken with less than five clear days' notice. Such urgent decisions can only be taken with the agreement of the relevant scrutiny committee chairman or, in his or her absence, the Chairman of the County Council.
- 2** Such action is avoided wherever possible as it circumvents the normal mechanism for publication of decisions for ensuring that members have the opportunity to comment before decisions are taken.
- 3** On occasion this is not possible and the County Council is asked to note the following decisions which have been taken by the appropriate decision-maker, in consultation with the relevant members.

Contingency office accommodation lease arrangements

- 4** Over 500 staff were displaced due to the flooding at Durban House, with remediation works due to take between 12 to 18 months. Some have been accommodated in County Hall, Chichester, but others needed to be located nearer to the displaced office base (the contact centre or Customer Service Centre).
- 5** A serviced office at the Tradewinds Business Centre, located less than half a mile from Durban House, has suitable accommodation to house the staff for the period they will be displaced and whilst long term options are considered.
- 6** The funding, to cover all reasonable costs will be recovered from County Council's insurers under the Council's buildings insurance policy, subject to the policy excess.
- 7** The Cabinet Member for Finance and Property, with the agreement of the Director of Law and Assurance and the Chairman of the Performance and Finance Scrutiny Committee, approved the County Council entering into a licence agreement for office accommodation at the Tradewinds Business Centre, Heath Place, Bognor Regis, West Sussex for 18 months from December 2023. He delegated authority to the Assistant Director (Property and Assets) and the Director of Law and Assurance, to negotiate and agree terms of the occupational licence.
- 8** This decision did not feature in the Council's Forward Plan of key decisions as it was not anticipated that a decision for this purpose would be needed. The decision was urgent because delay was likely to affect delivery of the Customer Service Centre function. The decision was published on 11 December 2023.

Durban House Flood - Modern Records Restoration Work

- 9** The flood at Durban House in autumn 2023 caused damage to almost 3,000 boxes of modern records. The records form part of the archive the County Council has a duty to keep secure and accessible for defined retention periods. Work was required urgently to assist in the recovery and restoration of the records.

- 10** Harwell Document Restoration Services is a specialist supplier and has a contract in place with the County Council to react to emergencies. The contract did not cover the value of the restoration work following the flood. The Cabinet Member for Community Support, Fire and Rescue, with the agreement of the Director of Law and Assurance and the Chairman of the Communities, Highways and Environment Scrutiny Committee therefore approved the award of a contract to Harwell Document Restoration Services up to a value of £1,005,625.50 plus VAT.
- 11** This decision was taken without prior notice in the Forward Plan of key decisions as the need to undertake modern record damage repair work is time critical and delay would have destroyed records that could otherwise have been restored. The decision was published on 2 January 2024.

Hospital Discharge Care Commissioning

- 12** The NHS Sussex Integrated Care System (ICS) is a partnership that brings together agencies to plan services across geographical areas. To date this winter, contracts have been awarded for hospital discharge care contacts, domiciliary care rounds and a first wave of interim residential care and nursing home beds.
- 13** The Council, acting as the commissioning lead on behalf of the health and social care system completed a further procurement process for the award of contracts for 31 residential and nursing care beds from January 2024 until March 2024 with potential to extend until March 2025 subject to demand and funding.
- 14** The Director of Adults and Health, with the agreement of the Director of Law and Assurance and the Chairman of the Health and Adult Social Care Scrutiny Committee, approved the award of the Hospital Discharge Interim Block Bed Contracts for an initial period up to 31 March 2024 with the option to extend for 12 months until March 2025 if performance and delivery of the contracts are satisfactory, and funding commitment is provided from the Integrated Care Board.
- 15** This decision was taken without prior notice in the Forward Plan of key decisions because the council was delayed in receiving confirmation of Integrated Care Board funding. The decision was published on 16 January 2024.

A29 Phase 1 realignment: additional capital allocation and works licence

- 16** As part of the [delivery of the A29 phase 1 realignment](#), the County Council and CC Projects (CCP) will be entering an agreement for the demolition of buildings to commence the A29 phase 1 in line with planning permission and to clear the site for future development. The Works Licence includes for CCP to reimburse the County Council.
- 17** There was an urgency to the County Council completing the licences so that demolition could commence. The demolition forms part of the A29 phase 1 planning permission, to be achieved by 30 June 2024. There was a need to make a substantive start to allow for the Council's planning team to provide a lawful commencement certificate and so retain the phase 1 planning permission.
- 18** The Assistant Director (Highways, Transport and Planning), with the agreement of the Director of Law and Assurance and the Chairman of the Communities, Highways and Environment Scrutiny Committee, has therefore approved an additional capital allocation of £67,000 for the A29 phase 1 realignment and a

Works Licence for the County Council to undertake demolition works on CCP land at a cost of £557,000.

- 19** This decision was taken without prior notice in the Forward Plan of key decisions because delay would have prejudiced the County Council's interests by reference to the planning permission. The decision was published on 20 February 2024.

Paul Marshall

Leader

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Cabinet Report: Delivering Our Council Plan 2021-25

This report sets out the key strategic decisions, policy and programme initiatives, consultations, government announcements and key events within each Cabinet portfolio area to deliver our strategic priorities.

Leader – Paul Marshall

- West Sussex County Council, in collaboration with East Sussex County Council and Brighton & Hove City Council, have been successful in bidding to VisitEngland to form a [Local Visitor Economy Partnership \(LEVP\)](#) to support and boost the region’s visitor economy. The new LVEP will develop a Strategy for Growth for the visitor economy for Sussex, and open-up opportunities to access expert advice, resources and support from Visit England. A pan-Sussex collaborative approach will be key to success.
- Senior leaders from the County Council, Chichester District Council (who attended to provide a district and borough council perspective), Southern Water, Environment Agency and Water Resources South East held a [water summit on 8 February](#) to start developing a strategic plan to tackle the present and future challenges facing West Sussex in terms of water supply, water quality, flooding and pollution. The Summit acknowledged that working groups already exist in district and borough councils as well as community groups and Operation Watershed funding has assisted in tackling operational issues. Strategic collaboration through the water summit will support these working groups. An initial focus will be on sustainable drainage solutions, schemes for householders to reduce water run-off from roofs and working with river catchment partnerships to reduce flooding and also improve biodiversity.

Adults Services – Amanda Jupp

- Adults Services invited the Association of Directors of Adults Social Services (ADASS) to carry out an external review of the Adult Social Care’s [self-assessment report](#) which prepares for the forthcoming [Care Quality Commission Assurance Visit](#). Feedback provided areas to be proud of as well as suggested improvements which will be reflected in the next iteration of the self-assessment report. The County Council’s Adult Social Care annual report for residents; [Working Together: Your local account of adult social care performance in West Sussex 2022/23](#) has also now been published. The Local Account details work undertaken during the year demonstrating achievements, priorities and areas for improvement. It explains how the service’s budget was spent, outlines current activities and programmes of work and sets out plans for the future. Any enquiries can be directed to: localaccount@westsussex.gov.uk.
- The County Council has agreed the [provision of Domestic Abuse Housing Support Services in West Sussex](#) which will provide support and accommodation to those fleeing Domestic Abuse in the local area. The accommodation is provided in dispersed units rather than a traditional refuge style, is accessible to those with older children and supports victims with additional needs such as mental or physical health issues, larger families and men experiencing domestic abuse. This contract will support the Council to meet the aims of the [Sussex Domestic Abuse Accommodation and Support Strategy](#). The County Council’s [Worth Services](#) (domestic abuse support

service) has reached its [20-year anniversary](#) supporting victim-survivors of domestic abuse in West Sussex with 25,000 adults and young people receiving help since the service opened. Forty-three members of specialist frontline staff offer support across local area teams, including the Family Safeguarding Team, Housing Options and Acute Hospital Sites. To report domestic abuse call Worth's central duty phoneline between 9 am and 5 pm, Monday to Friday on 0330 222 8181 or Email: DomesticAbuseServicesCentral@westsussex.gov.uk.

- The County Council, in partnership with East Sussex County Council and Brighton & Hove City Council, will shortly receive funding of £1,201,750 following the submission of an expression of interest for funding from the [Accelerating Reform Fund](#). The fund supports innovation in adult social care across England making person-centred care and support a reality for people who use these services. The Sussex allocation will be used to fund projects to digitalise the carers pathway and increase the use of mainstream technology for carers, as well as support expansion of the provision of shared lives carers schemes over the next two financial years.
- [Carers Support West Sussex](#) will continue the provision of a [county-wide information, advice, assessment and support service](#) for family and friend carers following the award of a new five-year contract. This service will help provide vital information, advice and a range of services to the carer population of West Sussex. Carers Support offers a range of support from counselling, access to relaxation therapies, a Carer Wellbeing fund, Support Groups and Carer Response Line Tel: 0300 028 8888, Email: info@carerssupport.org.uk.

Children and Young People, Learning and Skills (Lead Member for Children) – Jacquie Russell

- The [report \(PDF, 268KB\)](#) detailing the findings of the [Special Educational Needs and Disabilities \(SEND\) inspection of the West Sussex Local Area Partnership](#) has been published. Ofsted and the Care Quality Commission gave the Partnership the middle rating for delivery, planning and commissioning of services for children with SEND, highlighting strengths and areas for improvement in the report. The detailed SEND improvement plan, co-produced with partners, is being implemented at pace to deliver the necessary improvements.
- Secondary school places have been offered to all pupils who made an application for starting secondary school this September following [National Offer Day](#). The County Council welcomes the additional places offered by some schools which has contributed to an increased number of pupils receiving one of their three preferences. 97.8% per cent of all applicants will be offered one of their three preferences, which is up on last year's figure of 96.1%.

Community Support, Fire and Rescue – Duncan Crow

- **West Sussex Library Service** is highlighting the ways that libraries can support wellbeing during its annual [Wellbeing Month](#) in March. Key themes are [Reading Well for Mental Health](#) with a [list of books that boost the mood](#), and regular [wellbeing events](#) which bring people together, helping to reduce social isolation. This year, the service is hosting drop-ins with a range of organisations, including Age UK; Alzheimer's Society; Fire and Rescue; HILS (West Sussex Meals on Wheels); Oral Health Promotion Team; Social

Prescribers; West Sussex Mind and some of the Wellbeing Hubs, all of whom will be highlighting their services supporting wellbeing to customers.

- Students have successfully completed one of the [Targeted Education Team Early Intervention Youth Projects offered by the West Sussex Fire and Rescue Service](#). The latest [IGNITE programme](#), this time, held at [Bognor Regis Fire Station](#) was attended by young people, in further education, aged 16 and over. The programme promotes personal resilience, increases positive wellbeing, strengthens relationships and builds stronger communities.

Environment and Climate Change (and Deputy Leader) – Deborah Urquhart

- [Operation Watershed](#) celebrates the tenth anniversary of helping to reduce the risk of flooding. Over the last ten years, the County Council has successfully supported local communities with £5m of funding for more than 500 projects which include improving riparian ditch networks and constructing new drainage infrastructure in public highway and private land. Parish and town councils and constituted community and volunteer groups in West Sussex can [apply for funding for projects](#) they can deliver themselves.
- The Department for the Environment, Food and Rural Affairs released their annual [results](#) for local authority collected waste in January. The County Council, as one of 29 English disposal authorities remains in **4th position with a 53.7% recycling rate**; the same as the previous year. All of the top three authorities collect food waste separately but have seen their recycling rate fall. The paint re-use trial at the Westhampnett recycling centre in Chichester continues to perform well, reusing over one tonne of paint between September and December 2023; the aim is to roll out this scheme to five more recycling centres by June.
- The final solar PV and battery installations are being completed under the third round of [Solar Together Sussex](#), which the County Council delivers with councils across Sussex. Residents and local small/medium sized businesses can have high quality solar panels, domestic battery systems and EV chargers installed at a competitive price. Over 900 systems have been installed for residents under the current round and over 2,500 since the scheme started in 2020. This equates to 10.8MW clean energy generation capacity installed.

Finance and Property – Jeremy Hunt

- The Cabinet Member continues to monitor the issue of the backlog of **publication of audited accounts** of local bodies in England. The delay in audit completions is due to various factors including limited resources in the external audit sector (with the focus being on prioritising the audits for those councils where there are opinions outstanding before 2022/23) and increased reporting and audit requirements, particularly in relation to valuations over recent years. The 2022/23 audit of the West Sussex Pension Fund Accounts has been completed and the Auditors Annual Report, including the Value for Money opinion was reported to Council's [Regulation Audit and Accounts Committee \(RAAC\) on 11 March](#). However, the audit of the 2022/23 County Council accounts remains outstanding. RAAC also considered a plan to produce the draft 2023/24 accounts for both the County Council and Pension Fund by the statutory deadline of 31 May 2024.

Highways and Transport – Joy Dennis

- As part of the budget agreed at full Council on 16 February, the County Council provided an [additional £4m of revenue funding to support highway maintenance](#) across the county. The budget will be used to enhance the repair of highway defects, provide more resources to tackle drainage and flooding issues and support better responses to enquiries. The budget will support the County Council's [Better Roads Programme](#).
- An **additional £10m capital funding has been allocated to road resurfacing** in 2024/25; this results in one of the largest ever resurfacing programme the county has ever undertaken and will see more roads resurfaced.
- The County Council has been awarded and is spending £2,204,800 of additional revenue funding to help [support the delivery of essential bus services](#) across West Sussex. This money will allow more services to remain in operation, providing a lifeline to and between local communities.

Public Health and Wellbeing – Bob Lanzer

- The County Council has [undertaken an important survey](#) about health and wellbeing in West Sussex. The results of the **'Your Health Matters – West Sussex Community Health and Wellbeing Survey 2024'** will help the Council plan services and take action to support the health and wellbeing of its residents in the future following the COVID-19 pandemic. A postal survey was sent out to a number of residents at the end of January, asking questions about their lifestyle and health, and the survey was open to all residents who could complete it online between 14 February and 8 March.
- West Sussex Public Health is undertaking an all-age **Public Mental Health Needs Assessment (PMHNA)**, as part of the [West Sussex Joint Strategic Needs Assessment](#), the evidence base that underpins strategic public health decision making in the county by the County Council and its partners. A priority area for the Council, the PMHNA will include reviewing the latest data and engaging with residents to develop a clearer picture and understanding of the level of need in the population, informing the Council's work and helping to shape priority areas to support our residents and communities.

Support Services and Economic Development – Steve Waight

- BDUK (Building Digital UK, the government department responsible for broadband policy) has recently announced that [CityFibre has been appointed as the supplier](#) to deliver **Project Gigabit in West Sussex**, providing improved broadband services to tens of thousands of rural homes and businesses. The delivery of Project Gigabit will be managed centrally by BDUK and the County Council will have a key role in facilitating and enabling CityFibre when it undertakes its works on the public highway and will seek to minimise disruption on the highway network. Residents can access more information and points of contact for the project (BDUK and CityFibre) at [Gigabit-capable broadband - West Sussex County Council](#).

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Background papers: None