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**7 June 2019**

**1. Written question from Dr Walsh for reply by the Cabinet Member for Adults and Health**

**Question**

I am concerned at several overlapping and related issues in Adults' Social Services, and would like to put the following questions:

- (a) How many individuals providing management consultancy have been engaged for Adults' Social Services workstream, including strategic and business plans, consultation documents, etc., in each of the last five years, and at what annual costs?
- (b) How many (i) young graduates from Price Waterhouse Cooper (PwC) and (ii) other PwC staff have been engaged for Adult Social Services workstreams in each of the last five years, and at what annual costs?
- (c) I am reliably informed that there are circa 2000 Deprivation of Liberty Safeguards (DoLS) assessments for potentially unlawfully detained individuals, and that the department is currently only dealing with those that may be imminently challenged. Is this figure correct? Has any estimate of the cost of clearing the backlog been made, and if so the quantum please, and over what timescale?

**Answer**

- (a) It is not possible to provide the exact number of individuals providing management consultancy for Adults' Social Services in each of the last five years. The information we do have is as follows:

From April 2018 to April 2019, PwC have provided support to the Adults' Service with the following packages:

- (i) Four people provided programme and project management support to the 100 days programme over four months from July 2018 to October 2018.
- (ii) Four people provided programme and project management to support the adults' social care improvement programme over six months from October 2018 to April 2019.
- (iii) Two people provided productivity improvement work for three weeks in February 2019.

In addition to this, as part of the Strategic Partnership Framework, there has been strategic oversight of the work provided by four people at various stages since February at a senior level.

The amount of consultancy expenditure charged to the Adults' Social Care, Corporate and Adults' Transformational budget in the last five years is as

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follows:

<b>2018/19</b>	<b>2017/18</b>	<b>2016/17</b>	<b>2015/16</b>	<b>2014/15</b>	<b>Total</b>
£'000	£'000	£'000	£'000	£'000	£'000
2,412	395	352	95	139	3,393

These figures include all consultancy expenditure which has been charged to the Adults' Services budget, some of which has had a purpose wider than strategic and business planning and consultation documents. The figures include expenditure for managers and other staff. It would take detailed work to break this down.

The increases in spending in 2018/19 related to the Adults' Transformation Programme; £2.2m of this was a one-off cost which was financed using the one-off Adults' Social Care Grant 2017/18.

- (b) There was one Higher Apprentice from PwC who shadowed and supported the work up until September 2018. No other additional staff have been employed from PwC during the last five years that is not outlined above.
- (c) I am reliably informed that there are circa 2,000 Deprivation of Liberty Safeguards (DoLS) assessments for potentially unlawfully detained individuals, and that the department is currently only dealing with those that may be imminently challenged.

A DoLS assessment is required for an individual who is deprived of their liberty through admission to residential care or hospital and who lacks the capacity to consent to this admission. This assessment must be undertaken by a trained best interest assessor (BIA). Case law in 2014 widened the scope of DoLS leading to a significant increase in numbers of individuals needing assessment.

In 2018/19 the Council received approximately 4,400 requests for assessments under the DoLS framework. The current capacity and budget available for DoLS assessments enables completion of approximately 2,400 assessments per year. Additional resource has been invested in DoLS assessments and a managed service engaged to support with this work. The numbers of DoLS requests will increase in line with demographic changes.

There is a plan in place to manage the increasing requests for DoLS assessments by training more staff to become BIA assessors and introducing a protocol for undertaking BIA assessments. The cost of providing enough capacity to undertake all outstanding assessments is estimated to be in excess of £2m per year in addition to the existing £1.3m DoLS budget.

As at the 31 May 2019, the County Council had a waiting list of 2,107 requests for assessments. All requested are thoroughly prioritised and we have a dedicated worker who re-triages those individuals on the waiting list.

Individuals are prioritised according to 5 bandings. Priority 1 and 2 cases are the highest priority for completion of assessment. Priority 5 cases are where the person is completely settled and has been living in the accommodation for at least a year. The number of unallocated cases is as follows:

<b>No. of cases</b>	<b>Bandings</b>	<b>Notes</b>
0	Priority 1	
136	Priority 2	We are actively trying to allocate these
846	Priority 3	Waiting list
585	Priority 4	Waiting list
265	Priority 5	Waiting list
25	Short stay/respice	Waiting list
250	Duty	Waiting list
<b>Total: 2,107</b>		

**2. Written question from Ms Sudan for reply by the Cabinet Member for Children and Young People**

**Question**

The BBC 'Newsnight' programme recently highlighted serious problems that can arise when young people (mostly 16 and 17-year-olds) in local authority care are placed in supported accommodation that is unregistered, unregulated and uninspected. It was recognised that supported living can provide a positive step on the journey to independent adulthood. However, it was revealed that such accommodation can be cheap and poorly-managed with little, or no attention paid to safeguarding.

Many police forces told the Newsnight programme of their concern that young people placed in unregulated supported accommodation are at a high risk of criminal and sexual exploitation. They frequently go missing and are vulnerable to organised crime. The Children's and Families Minister told the programme that he had recently written to all Directors of Children's Services reminding them of their obligation to make sure that children in care are given accommodation in which they will be safe and secure. In light of the serious concerns raised by the Newsnight enquiry and the reminder delivered by the Minister, I would be grateful if the Cabinet Member for Children and Young People could tell me:

- (a) How many 16 and 17-year-olds in the care of West Sussex County Council are currently placed in supported accommodation and what proportion of the total number of 16 and 17-year-olds in care this represents?
- (b) How the County Council ensures the safety and well-being of these vulnerable young people while they live in such accommodation?

Furthermore, the recently published Ofsted inspection report was critical of the level of support available to 16 and 17-year-olds who present as homeless.

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It stated that some young people who should have been offered accommodation under section 20 of the Children Act 1989 had not been afforded it.

- (c) I would therefore be grateful if the Cabinet Member could confirm that he is satisfied this has now been rectified and all 16 and 17-year-olds who are in the care of the County Council but who have presented as homeless are currently accommodated within regulated, safe and secure accommodation.

### **Answer**

- (a) As of 31 May 2019, there were 75 young people aged 16 and 17 years living independently or semi-independently. This represents 37% of the total of young people aged 16 and 17 in care. No young people are placed in bed and breakfast accommodation.
- (b) The County Council ensures the safety and wellbeing of this group of young people by working in partnership with providers registered on the County Council's approved supplier list. These providers are subject to regular monitoring visits by the local authority. In addition, Local Provider Forums are held with organisations where the County Council clearly communicates our expectations regarding the standard of support and accommodation.

The County Council is a member of the Children's Cross Regional Arrangements Group which is a partnership of local authorities working together to support the sourcing, contracting and monitoring of children's placements and to improve the outcomes for all children and young people.

Young people are made aware of how to raise any complaints relating to their wellbeing by their Personal Adviser and their concerns are responded to by the Care Leaver and Market Development teams. The Independent Reviewing Service continues to support all of our children looked after until they are 18.

- (c) I accept Ofsted's feedback with regard to our support to 16 and 17-year-olds and the County Council is currently developing an action plan to address all those areas that need to improve including support for children looked after aged 16 and 17 years.

### **3. Written question from Mr Crow for reply by the by the Cabinet Member for Corporate Relations**

#### **Question**

At a meeting earlier this year of the Performance and Finance Select Committee, I observed the then Labour Group Leader reading out a series of questions straight off a sheet that appeared to me to have been produced by a Council officer. In addition to this, I also observe a large number of written questions at each full Council meeting from the Labour Group, that appear to be of a style and of a level of detail that does not feel to me as though they have been formulated by the members whose name the questions are submitted under. As a non-Cabinet member of the County Council myself, I receive no officer assistance in

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formulating either verbal or written questions and nor do I observe this at other local authorities within West Sussex.

- (a) Is there dedicated officer support and assistance to the opposition groups and if so, is this available to other non-Cabinet members from the majority group?
- (b) Please set out what any dedicated support and assistance entails, providing the financial cost to the County Council as well as any officer FTE information. Within this answer, please state what support is taken up by each current opposition group and include any:
  - (i) Regular attendance by an officer at political group meetings;
  - (ii) Assistance with the preparation of written questions for full County Council meetings;
  - (iii) Assistance with the preparation of questions to be asked at Select Committee meetings, and
  - (iv) Assistance with the preparation of motions tabled at full Council meetings.

### **Answer**

- (a) Democratic Services is responsible for providing a range of advice and support to elected members in all roles, executive and non-executive, and including that of local member and regardless of political group. The Member Support team specifically provides support to the County Chairman, the County Vice-Chairman and minority group leaders. Other non-cabinet members can also ask the team for support on their work on committees and in preparation for full Council. Advice is sought in relation to matters such as the validity of notices of motion and the appropriateness and focus of questions for any meeting.
- (b) Approximately 0.4 FTE of a post is dedicated to minority group leader support at a cost of £17,000 per annum. The post holder undertakes other work within the Service. Other staff in Democratic Services may also provide occasional support. The purpose of the role is to provide some assistance to minority group leaders in discharging the member role within the range of democratic systems of the Council and in the interests of strong governance and transparency. Support for minority group leaders has been provided since the Independent Remuneration Panel (IRP) chaired by Baroness Cumberlege of Newick recommended that it should be provided, in a report to the Governance Committee in March 2002. The Governance Committee supported the IRP's recommendations and Democratic Services established the support in April 2002. Support is available for a range of activities, which is available to both minority groups (there were four minority groups in the last Council).

The take-up of support varies between groups and is not consistent as it depends upon the nature of the work being sought from time to time. The

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range of advice sought includes subject area research and data gathering. In relation to the specific areas referred to:

- (i) The resource is available to attend political group meetings to assist in County Council governance matters if required (available to all group meetings from Democratic Services).
- (ii) The assistance is available to assist in the drafting or focus of written questions – as a service that is available to all members.
- (iii) All members of Select Committee can seek assistance with the preparation for committee meetings and matters such as call-in. There is a separate resource to support the scrutiny function.
- (iv) All members are entitled to seek advice and support in the drafting of notices of motion for full Council.

**4. Written question from Mr Jones for reply by the Cabinet Member for Corporate Relations**

**Question**

I would be grateful if the Cabinet Member could confirm for each of the past five years, how many individual employees have been paid permanent relocation expenses as part of their employment offer in accordance with the County Council's relocation policy; and in respect of each of these occasions, how much those employees were paid to relocate and when that payment was made (month/year).

**Answer**

Over the previous five years significant numbers of staff have been offered a range of financial support incentives, over and above their base salary, to assist the County Council to recruit and retain staff in hard to fill roles. These initiatives currently include:

- A recruitment and retention payment of up to 25% of the equivalent value of one year's salary – with a repayment period within monies are repayable if the employee leaves.
- Access to interest free loans of up to £10,000 – subject to repayment terms.

In May this year the County Council offered a recruitment and retention offer of: 20% of the equivalent value of one year's salary, with a repayment term of 18 months, and an interest free loan provision of up to £10,000 to 436 qualified children's social workers. So far 83% of these eligible staff have opted in.

If an eligible employee in receipt of a recruitment and retention payment submits evidence of expense incurred by him/her that conforms with HMRC guidelines regarding 'permanent relocation', then some tax benefits may be applied.

For the period in question a total of £115,842 was been paid in respect of relocation expenses to five employees who are known to have relocated permanently.

The amounts paid to each of the five employees are shown in the table below. Employees 3 and 5 received a single payment and the other employees received multiple payments between the dates indicated in the tables.

<b>Employee</b>	<b>Total Amount</b>	<b>First Payment</b>	<b>Last Payment</b>
1	£33,022.60	February 2015	January 2016
2	£28,787.28	July 2016	December 2018
3	£2,426.20	March 2019	N/A
4	£26,606.42	July 2018	August 2018
5	£25,000.00	May 2019	N/A

**5. Written question from Dr Walsh for reply by the by the Cabinet Member for Corporate Relations**

**Question**

Could the Cabinet Member advise how much has the County Council paid to settle employment tribunal avoidance and tribunal hearing outcomes in each of the last five years?

**Answer**

The amounts paid in the last five years are set out in the table below. This does not include school staff where any payments are met from school budgets.

<b>Year</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
	3 cases	4 cases	3 cases	3 cases	3 cases
Settlement totals for employment tribunal 'avoidance'	£18,303	£160,150	£43,100	£53,157	£59,898
Employment tribunal outcomes	0	1 settled @ £7,800 1 struck out	0	2 withdrawn 1 settled @ £314.73	1 withdrawn 1 settled @ £85,000

**6. Written question from Mr Quinn for reply by the Cabinet Member for Environment**

**Question**

On 2 April this year a major fire involving 500 tonnes of household waste broke out at the Westhampnett Household Waste Recycling Site (HWRS); the fire was

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finally extinguished on 9 April. I am sure the Cabinet Member would like to join me in thanking all the firefighters and support staff who were involved.

I would be grateful if the Cabinet Member could tell me:

- (a) What she understands the cause to be and the extent of the damage caused;
- (b) What the cost implications for the County Council are as a result of the fire, both now and looking further ahead;
- (c) When she anticipates both the HWRS and the adjacent waste transfer being fully operational again;
- (d) Whether the County Council is or already has submitted an insurance claim and whether she anticipates higher premiums as a result; and
- (e) Whether any additional safety measures are being considered at other Household Waste Recycling Sites to prevent a similar occurrence in future either in general terms or in respect of the disposal of specific items.

**Answer**

- (a) Westhampnett is a dual-use facility used by Arun and Chichester District Councils to deposit material collected at the kerbside and partly used by members of the public to deposit general household waste via windows at the top of the site. The fire started in the area where the public deposit waste and the cause of the fire was accidental ignition. The fire has made the building unusable in its current state. All the cladding and at least 50% of the steel frame will need to be replaced.
- (b) The County Council will receive a 'tipping away' claim from Chichester District Council as it had to deliver waste to another location. The majority of this claim will be covered under the terms of the contract and the insurance. The County Council will be working with Viridor on other areas such as fire control systems at other sites. This is likely to have a cost implication which cannot be quantified at this time.
- (c) The HWRS was re-opened to deposit green waste on 18 April and for most other materials on 24 May. The site currently allows for the deposit of all waste except asbestos, plasterboard, soil and hardcore which will need to be taken to other sites and information on this has been made available via social media and the website. The Waste Team is working with Viridor, aiming to re-open the transfer station by the end of the year.
- (d) The insurance is held by Viridor who manage the sites on behalf of the Council as part of the terms of the contract. Any higher premiums imposed as a result of the claim will be at Viridor's risk.
- (e) Sites already contain a number of specific disposal options and containers to keep materials segregated as far as possible. This does however rely on users placing materials into the correct containers. Additional safety

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measures, such as smoke and heat detection and suppression/CCTV, are being assessed. The terms of the insurance enable the transfer station to be rebuilt to meet current standards that were not in place at the time of the original construction.

**7. Written question from Mr Jones for reply by the by the Cabinet Member for Finance and Resources**

**Question**

In 2018 the Planning Committee of Adur District Council approved a hybrid planning application for 600 new houses and an Ikea store to be built in Lancing. Tim Loughton, MP for East Worthing and Shoreham, subsequently called on the Secretary of State for Housing, Communities and Local Government to call-in that decision but I understand this has been refused; therefore, the planning permission stands. There are implications for County Council services due to the Monks Farm planning application and development.

The Cabinet Member will know from previous correspondence that I am very concerned about the potential financial implications for the County Council in respect of providing education facilities as a result of this development. Could the Cabinet Member, please advise:

- (a) To what extent work has been carried out to establish what education provision will need to be delivered, how much it is likely to cost and the extent to which a shortfall in developer funding exists.

The Cabinet Member will also know from the same correspondence that I am equally concerned about the implications of this proposed development for local residents, including those of the Withy Patch gypsies and travellers site. Given that the County Council owns what is essentially a ransom parcel of land in the form of the Withy Patch gypsy and travellers site which could essentially make or break this development, can the Cabinet Member confirm:

- (b) That it is still the intention to transfer the land in question to the developers;
- (c) Whether any agreement has been reached regarding the value of that land and if so whether he is now in a position to confirm what that is and how it has been calculated (if he is unable to share this in the public domain at this time please provide it separately);
- (d) That if the intention is still to proceed with transferring the site to the developers there will be full consultation with the individual residents on the site. If so, please confirm when that is likely to take place; and
- (e) When he anticipates being able to share provisional agreement of terms and publish the proposed key decision in relation to a land transfer with all members.

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## Answer

- (a) Calculations based on the proposed housing numbers from both the New Monks Farm and West of Sompting developments project the need for a new 1FE primary school (210 pupils), but expandable to 2FE (420 pupils). S106 contributions from both developments will be needed to meet the estimated £6m build costs for a new 1FE, expandable to 2FE, primary school but have not yet been secured. At present no shortfall is predicted but estimated costs are based on recent typical examples and may change subject to design, specification or market conditions.
- (b) The decision to transfer the land remains subject to the agreement of satisfactory terms and subject to a Cabinet Member key decision.
- (c) An agreement on the value of the land has not yet been reached. Further due diligence is being undertaken by the County Council's appointed valuation experts.
- (d) Consultation will be held with the residents at an appropriate time in the negotiations.
- (e) As above appropriate details will be shared as part of the publication of the key decision.

## 8. Written question from **Mr Oxlade** for reply by the **Cabinet Member for Highways and Infrastructure**

### Question

I understand that if a district or borough council wishes to remove the belongings of a homeless person they need to apply to the County Council for permission to do so.

Can the Cabinet Member please:

- (a) Confirm the legislative basis for the removal of such belongings;
- (b) Confirm which district or borough councils it has granted permission to and on how many occasions in the past three years;
- (c) Confirm what she understands happens to the belongings that are removed;
- (d) Advise whether there are any conditions attached to the permission that is granted to a district or borough council and how long it remains in force;
- (e) Confirm that before granting any such licence to a district or borough council to remove belongings, she has satisfied herself there is sufficient and appropriate accommodation available in the locality for the homeless.

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## Answer

- (a) The powers which may be exercised on behalf of any local authority are set out in Section 41 of the Local Government (Miscellaneous Provisions) Act 1982. The powers relate to items found on land and premises under the management of the County Council in this case as highway authority. The power is to publish notices to ask individuals not to deposit items in specific areas of the public highway, and to remove for storage and later collection any items which are deposited and left in those areas.
- (b) The power was granted in response to a request from Worthing Borough Council. The first authority was granted on 21 December 2018 until the end of March 2019. It is understood that the power was not exercised during that time. The authority was extended until the end of September 2019. It has not been previously given.
- (c) All belongings must be safely and securely stored until reclaimed by the owner.
- (d) The power is restricted to specific areas of shopping streets in Worthing town centre. It is time limited as set out in (b).
- (e) The exercise of the power and its implications for homelessness support provision is the responsibility of the Borough Council. The Borough Council confirmed in relation to the requested power that it was taking sustained and strong action to engage those involved, into housing and support services through outreach and working closely with the voluntary sector.

**9. Written question from Mr Oxlade for reply by the by the Cabinet Member for Safer, Stronger Communities**

### Question

Recruitment, retention and availability of On Call Firefighters is a major challenge facing the County Council. It is a challenge that can result in up to 70% of the County Council's fire engines being unavailable at times, which has serious consequences for the safety of residents. As one of the largest employers in the county, the Council should be setting an example to other employers by supporting and encouraging employees to become On Call Firefighters, can the Cabinet Member therefore tell me whether:

- (a) The County Council has a corporate policy that permits employees to become On Call Firefighters and allows them to respond to emergencies during working hours?
- (b) Corporate policies ensure that employees who are On Call Firefighters are not penalised financially, or in terms of career progression?
- (c) The Council ensures that similar policies are in place for contracted out staff?

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- (d) The Council ensures that managers actively encourage employees to become On Call Firefighters?

**Answer**

- (a) The County Council does not have a policy explicitly permitting employees to become On Call Firefighters and allow them to respond to emergencies during working hours. However, the County Council does support employees taking up other employment as long as it does not conflict with their main employment. In terms of employees who are also On Call Firefighters, there are examples of County Council managers being supportive and flexible to accommodate employees who also have an On Call contract.
- (b) The County Council does not have a specific policy or statement to cover this matter. However, this situation is not unique and would apply to anyone employed by the County Council, who has multiple contracts. While we would need to ensure that employees' working hours remained reasonable, the flexible working practices allow employees to respond to emergencies as an On Call Firefighter without suffering any detriment in their main employment.
- (c) By contracted out staff we take the meaning to be CAPITA and other providers. The County Council's contracts with these third party companies do not contain a requirement for such a policy to be in place. However, such partners have previously been supportive of their employees who also have an On Call contract.
- (d) West Sussex Fire and Rescue Services has run a number of internal communication campaigns on this matter recently including the computer log on screen message. These have generated little interest to date either from managers or employees.

**10. Written question from Mr Quinn for reply by the by the Cabinet Member for Safer, Stronger Communities**

**Question**

I understand it is intended that Chichester Fire Station will be relocated in accordance with the Chichester Growth Programme and One Public Estate. I believe that part of the justification for this is that the biggest call for the fire service now is highway incidents and, therefore, this change in focus would be a consideration in a new location for the fire station. I would be grateful if the Cabinet Member could:

- (a) Confirm for each quarter between January 2016 and March 2019 how many appliances from Chichester Fire Station were required to attend:
- (i) Fires; and
  - (ii) Highway incidents.

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- (b) Tell me what is the preferred location for Chichester Fire Station in relation to its proximity to the city and what factors will be used to determine the optimum location for it in future?
- (c) Confirm whether other changes to existing fire stations are currently under discussion as part of the One Public Estate programme.

**Answer**

- (a) Data is provided below:

**Incident type at time of stop: Fire**

<b>Quarter</b>	<b>Primary Fires</b>	<b>Secondary Fires</b>	<b>All Fires</b>
2015/2016 - Q4	28	24	52
2016/2017 - Q1	21	19	40
2016/2017 - Q2	27	19	46
2016/2017 - Q3	23	26	49
2016/2017 - Q4	18	9	27
2017/2018 - Q1	18	23	41
2017/2018 - Q2	25	20	45
2017/2018 - Q3	25	12	37
2017/2018 - Q4	20	20	40
2018/2019 - Q1	31	25	56
2018/2019 - Q2	25	39	64
2018/2019 - Q3	22	20	42
2018/2019 - Q4	20	25	45
<b>Total</b>	<b>303</b>	<b>281</b>	<b>584</b>

**Was the incident an RTC: Yes**

<b>Quarter</b>	<b>RTCs</b>
2015/2016 - Q4	10
2016/2017 - Q1	11
2016/2017 - Q2	17
2016/2017 - Q3	12
2016/2017 - Q4	14
2017/2018 - Q1	9
2017/2018 - Q2	23
2017/2018 - Q3	20
2017/2018 - Q4	10
2018/2019 - Q1	13
2018/2019 - Q2	15
2018/2019 - Q3	17
2018/2019 - Q4	19
<b>Total</b>	<b>190</b>

**Was the incident an RTC: No**  
**Incident type at call: RTC/Vehicle**

<b>Quarter</b>	<b>False Alarm</b>	<b>Fire</b>	<b>Special Service</b>	<b>Total</b>
2015/2016 - Q4	2	2	1	5
2016/2017 - Q1	3	10	2	15
2016/2017 - Q2	2	5	3	10
2016/2017 - Q3	6	7		13
2016/2017 - Q4	11	7	1	19
2017/2018 - Q1	8	7	1	16
2017/2018 - Q2	2	11		13
2017/2018 - Q3	5	8		13
2017/2018 - Q4	9	5		14
2018/2019 - Q1	5	13	3	21
2018/2019 - Q2	8	7	1	16
2018/2019 - Q3	5	6	1	12
2018/2019 - Q4	2	3		5
<b>Total</b>	<b>68</b>	<b>91</b>	<b>13</b>	<b>172</b>

- (b) The 'preferred' location is yet to be determined. There are many factors considered for new fire station locations, including response times, potential impact on On Call Firefighter response and availability of suitable land. Consideration is also given to the areas of highest risk and also future developments in terms of building and infrastructure. These factors are assessed through a robust assessment process that will also utilise an independent response modelling company (as used for the proposed Horsham site).
- (c) There are five fire stations (including Chichester) that are incorporated in the One Public Estate programme. In several cases this is related to the fire station occupying land that forms part of a wider scheme and, therefore, there is mutual benefit in the fire station moving. The other stations being considered are:

Horsham (in the detailed planning stage)  
 Burgess Hill  
 Littlehampton  
 Crawley