

West Sussex County Council – Agenda Item No. 7 – Written Questions

17 February 2017

- 1.** Written question from **Mrs Smith** for reply by the **Cabinet Member for Adult Social Care and Health**

Question

At its meeting on 18 January 2017 the Health and Social Care Select Committee (HASC) discussed the proposal to procure the externally provided part of the community reablement service which had been called-in.

As a result of additional information being provided ahead of that meeting members were told that the current provider had provided domiciliary care services for this authority despite this not being part of their contracted services. We were also told this had had an impact on their workforce capacity such that the budget for reablement had been under-spent by up to £0.5m during the recent past.

I would be grateful if the Cabinet Member could:

- (a) Advise whether evidence from the Department of Health still suggests that the same provider should not deliver both home care and reablement in the same area;
- (b) Confirm what procedures (e.g. legal advice) has to be followed when the County Council wishes to request that a provider delivers additional services which do not form part of their current contracted service;
- (c) Confirm that the appropriate procedures referred to in (b) above were indeed followed and are documented;
- (d) Confirm whether the reablement services provider is still providing services that do not form part of their current contracted services; and

If the answer to (d) is no, confirm when this arrangement began and ceased.

Answer

- (a) Having researched Department of Health guidance it has not been possible to find any evidence of this nature. However, the County Council's commissioners feel that in the right circumstances it could be possible to manage a provider supplying both home care and reablement, although the preferred approach would be to keep them separate. This is because such a contract would be more complex to manage and would need to clearly set out the difference in services provided and the costs for each element supplied. The County Council would want to also retain control over how referrals were made to each service.

- (b) Whilst the delivery of care at home is not explicitly covered in the current reablement contract, it is usual in this type of arrangement to have clauses in the contract to enable the County Council to have some flexibility, in order to come to arrangements for the delivery of similar services. All contracts that are let are formally reviewed by The County Council's legal services.

In this case the flexibility was used in order to support the pressures on care at home providers in supplying support to people to prevent a build-up of delayed discharges, so as to free up capacity in local hospitals. The alternative would be for the customer to be at home without services and/or to be retained in hospital or admitted to residential care.

- (c) As indicated in (b), the clause around providing flexibility is within the current reablement contract and has been used to enable the provider to provide care at home to particular named individuals and is monitored accordingly.
- (d) As indicated in (b), the clause, as set out in the contract, enables on-going discussions with the provider for the provision of similar services for the duration of the contract. The present provider is currently providing care at home services to particular customers to ease the pressures in local hospitals, as described above.

2. Written question from Ms James for reply by the Cabinet Member for Corporate Relations

Question

The issues with Direct Access have now been ongoing for some months, where certain users are unable to connect outside of a County Council office to the County Council's network. It appears that the County Council's IT contractor, Capita, has been unable to provide a long-term solution. The problem, which affects both staff and members, is frustrating, affects productivity and is detrimental in terms of time and cost in travelling to a County Council site to connect to the network to apply a 'fix' which does not have a permanent effect. Can the Cabinet Member:

- (a) Provide the reasons given by County Council's IT contractor, Capita, as to why the Direct Access IT issue has continued to be a problem for so long and why promises to fix the issue have been consistently unmet?
- (b) Reassure members and staff that there is not a more serious, underlying problem with the County Council's IT server; and
- (c) Advise if Capita are prepared to make up the costs where productivity has been lost through such problems as evidenced from the Direct Access issue and other County Council server problems?

Answer

- (a) Direct Access was deployed to all County Council laptops by January 2015. Since then there have been three technical issues that have impacted users:
- From April 2016 some Internet Service Providers changed the set up on their home routers. A number made their changes during April and May 2016, others made changes throughout the period April to December 2016. These changes required adjustments to be made to the way Direct Access was set up on each laptop. Different users experienced problems at different times depending on when and if their Internet Service Provider updated the home router.
 - During October and November 2016 the Direct Access software was updated from Direct Access 2008 to Direct Access 2012. Though testing with a pilot group identified no significant issues with the upgrade, as it was deployed to the wider user base some configuration problems arose for some users. Not all users were impacted by these changes as it was deployed at different times on the various servers that provide the Direct Access service.
 - In January 2017 a previously unreported error in the server configuration software implemented unintended changes to the Direct Access server software. This impacted all users for part of a day.
- (b) There are no known serious, underlying problems with the technology base used to provide Direct Access. The Direct Access solution has been tested and accredited by HM Government agencies. It includes the software on laptops and server equipment installed on both the public and secure sides of the County Council's firewalls. These servers are provided as clusters of virtual servers that are designed to manage peaks and troughs of activity and server availability runs at more than 99.5%.
- (c) The contract with Capita defines Service Level Agreements and Key Performance Indicators (KPIs) that define target response times when dealing with major incidents and problems. Failure to meet KPIs will result in the payment of service credits from Capita to the County Council. The Direct Access problems have contributed to a service credit payment for January 2017.

3. Written question from **Mr Smytherman** for reply by the **Cabinet Member for Education and Skills**

Question

Regarding the impact of Dyscalculia on Maths education in West Sussex, does the Cabinet Member:

- (a) Know what Dyscalculia is and how this can impact on Maths tests results in our schools?

- (b) What is the percentage of students in West Sussex schools that suffer with Dyscalculia and what is the breakdown for Worthing?
- (c) What support is there in West Sussex schools for students who suffer from Dyscalculia?
- (d) What are officers are doing to help improve the lack of knowledge of Dyscalculia in schools in West Sussex?
- (e) What statistics are available for primary schools in the county to show the young people with poor grades in maths and a diagnosis of Dyscalculia?
- (f) What is the Cabinet Member doing to raise awareness about Dyscalculia to improve our Maths test results compared to Dyslexia?

Attached is a link to a website and tests for background information:
<https://www.understood.org/en/learning-attention-issues/child-learning-disabilities/dyscalculia/understanding-dyscalculia>

Answer

- (a) There is not an agreed definition for Dyscalculia. Therefore, West Sussex works with this definition from the National Numeracy Strategy:

'A condition that affects the ability to acquire mathematical skills. Dyscalculic learners may have difficulty understanding simple number concepts, lack an intuitive grasp of numbers, and have problems learning number facts and procedures. Even if they produce a correct answer or use a correct method, they may do so mechanically and without confidence.'

- (b) This data is not centrally collected.
- (c) Individual pupils with maths difficulties can be referred to the Learning and Behaviour Team or the Educational Psychology Service for advice on how to support the pupil. The Learning and Behaviour Team delivers free training regularly on Dyscalculia/ Maths difficulties throughout the county - centrally and in schools and localities.

Training and consultations highlight suitable assessments; research-based interventions, and develop the theoretical understanding of staff about why pupils struggle in maths and how they best learn maths. Schools are using a number of research based interventions to support pupils, which all involve training for staff.

- (d) The Learning and Behaviour Team are delivering regular training about Dyscalculia/ Maths difficulties centrally and in schools and localities where requested.
- (e) This data is not centrally collected.
- (f) In October 2016 the Cabinet Member approved the County Council's Special Educational Needs & Disability Strategy which aims to ensure that

local early years, mainstream and special educational provision is effective, of a high quality and delivers the best educational outcomes for children and young people with SEND, which includes children with dyscalculia. In addition, the Learning and Behaviour Team take every opportunity to raise awareness of dyscalculia in their work with schools.

4. Written question from Mrs Mullins for reply by the Cabinet Member for Finance

Question

I understand that as of 31 March 2016 there were 13 schools with deficits (up from seven the previous year) with a combined deficit of £261,000. In September the Regulation, Audit and Accounts Committee was informed that eight of the 13 schools in deficit at March 2016 were expected to recover from them by March 2017, with five remaining in deficit. In addition, a further 11 additional schools (nine primary, two secondary) were expected to incur a deficit during 2016/17, which would leave 16 schools in deficit at 31 March 2017. I would be grateful if the Cabinet Member could provide an update on the position regarding schools currently in deficit and those likely to incur a deficit as of 31 March 2017.

At the time of writing, it is understood the Cabinet Member will publish a proposed decision on school funding for 2017/18 which will see the West Sussex Scheme for Financing Schools amended such that deficit budgets are converted to loans for repayment and that any outstanding loan, when a school converts to an academy, will in future be repaid in full or be transferred to sponsored academies. I would be grateful if the Cabinet Member could provide details of the total amount of deficit budgets that sponsored academies left as a charge to this authority since the academisation of schools in West Sussex began.

Answer

Licensed Deficits - As at 31 March 2016 there were 13 schools in deficit, with a combined deficit of £0.261m. Of these, eight schools were able to set a budget for 2016/17 which also enabled them to payback their deficit, and the remaining five requested a licensed deficit for the current financial year. A further nine schools were unable to set a balanced budget for 2016/17 and, therefore, also requested a licensed deficit.

In total the 14 schools were given approval for a licensed deficit of £0.985m, with an expectation that £0.582m of this would be saved, as part of their agreed recovery plans, in 2016/17:

Phase	Number 03/16	Licensed Deficit	Year Saving 1	Number 03/17	Forecast Deficit 31/03/17
Primary	10	£0.695m	£0.484m	9	£0.211m
Secondary	3	£0.268m	£0.098m	3	£0.170m
Special	1	£0.022m	nil	1	£0.022m
Total	14	£0.985m	£0.582m	13*	£0.403m

* One primary school planned to clear its deficit in 2016/17

The latest forecast year end position is that six schools (five primary and one secondary) will have been able to clear their deficit, and the deficit balance at the end of the financial year for the remaining 8 schools is expected to be £0.330m.

Deficits on Conversion

Currently, any school converting to academy status takes its balance, be it positive or negative. However, any school becoming a sponsored academy by means of an Academy Order applied for by the governing body, under the Academies Act 2010, takes any surplus, but any deficit is left as a charge to the Local Authority.

Since 2009, when the academisation of schools in West Sussex began, there have been 8 schools that have become a sponsored academy with a closing deficit balance. The total value of these deficits is £1.534m, and these costs have been picked up by the County Council.

5. Written question from Mrs Mullins for reply by the Cabinet Member for Finance

Question

The Cabinet Member will recall that at the County Council meeting in July 2016, I asked for information about the premises across the County previously used to provide youth services to help members understand whether they were still in use and what the County Council planned to do with them.

At the time I was told that a review of the County Council's property assets was being undertaken and a Strategic Asset Management Plan would be produced. I was given to understand that members would have sight of the plan by October 2016; however, nothing seems to have materialised. I would be grateful if the Cabinet Member could advise me:

- (a) What the following assets are currently being used for and what are the future plans for these sites:
 - (i) Old Court Lodge School site, Cuckfield;
 - (ii) County buildings, Exchange Road, Crawley.
- (b) When work on the property asset review and Strategic Asset Management Plan was commissioned and when it was due to be completed by;
- (c) When work on these actually commenced and when he anticipates these being finalised; and
- (d) When members will have an opportunity to see it.

Answer

- (a) (i) Old Court Lodge School site, Cuckfield

The premises known as Court Meadow, on the site in Cuckfield, are currently vacant.

A feasibility study is being commissioned to assess the options available to the Council for the future of the site. This work will include an assessment of the current and future needs of the Council's Services for accommodation on the site.

(ii) County Buildings, Exchange Road, Crawley

Currently the County Council leases part of the County Buildings site to a dental practice; the remaining parts of the site are vacant.

Work is being undertaken to accommodate a temporary Coroners Court on the top floor of Centenary House. Consideration is also being given to accommodating the 'Find it Out' Service who currently lease a building in the town centre. Discussions are also taking place with one of the County Council commissioned service providers to take the remaining space on the ground floor of Centenary House. This is a temporary use for three to five years.

The future of the site is being reviewed and is part of the West Sussex One Public Estate programme (the County Council and Crawley Borough Council are working closely on a range of town centre initiatives identified in the Growth Deal including proposals for this area of the town).

(b) Combined response with (c) below.

(c) Work on the Asset Strategy commenced in November 2016 and will progress through 2017. The development work involves making site-visits to all assets owned by the County Council (in excess of 1,000) and working with services on their asset demand/requirement identified through service planning. This is a significant piece of work which is likely to conclude by the end of the 2017/18 financial year.

Previous work on developing an asset strategy was discontinued because it had become clear that the data gathering and survey work needing to be undertaken, to produce a robust and up to date strategy, was beyond the scope of the previous exercise.

(d) The Performance and Finance Select Committee will be updated on the strategy and progress being made as appropriate.

6. Written question from Mr Glennon for reply by the Cabinet Member for Residents' Services

Question

Can the Cabinet Member advise:

- (a) If the rate of the cost of disposal per tonne of waste is satisfactory declining; and
- (b) Therefore, does this demonstrate that the County Council's strategy for waste disposal is fit for purpose relative to our peer council groups?

Answer

- (a) The ongoing work, undertaken by County Council waste management officers, in managing the waste treatment and disposal contracts, will ensure that the waste treatment and disposal costs for household waste continue to decrease compared to previous years. Successful delivery of the Refuse Derived Fuel offtake contract (procurement underway) will further reduce the County Council's waste disposal costs in future years.
- (b) This demonstrates that the County Council's waste treatment and disposal contracts are fit for purpose, are robustly managed and monitored and continue to provide value for money. This in turn helps to ensure that the strategic objectives and outputs required as part of the Joint Municipal Resource Management Strategy are being delivered efficiently and provide value for money. Any direct comparison to the County Council's peer county groups will be dependent on the scope, scale and contract details of their respective waste treatment and disposal contracts.

7. Written question from Ms James for reply by the Cabinet Member for Residents' Services

Question

Flytipping is a blight wherever it occurs and, in particular, when it affects the highly vaunted beauty of rural West Sussex, which is being adversely affected by changes in the Household Waste Recycling Sites (HWRSs), following the Cabinet Member's decision in October 2016 to close mobile sites in Chichester district, implement changes to hours and close many sites on some days of the week, as well charging residents at all sites for the disposal of certain non-household and DIY waste. The County Council cannot hide behind the fact that we have commissioned District and Borough authorities to clear up the flytipping, yet it is our responsibility to determine the overall HWRS strategy.

Can the Cabinet Member provide the annualised savings from the closure of the HWRSs relative to the increase in costs borne by district and borough authorities for dealing with flytipping and also the costs to the County Council in disposing of that flytipped waste (e.g. at Hambrook, the cost borne by Chichester District Council, and the cost incurred by County Council to dispose of flytipped waste).

Answer

The County Council has not commissioned the district and borough councils to clear fly tipped waste. This function and statutory duty is and always has been the responsibility of the districts and borough councils.

Where the risk of increased instances of fly tipping in the county was considered as part of the proposed changes, County Council officers have been liaising closely with district and borough council partners prior to and since the introduction of the changes to services and requesting fly tipping data and intelligence on a monthly basis. It is largely agreed by all district and borough councils that the increases in instances being reported cannot be directly attributed to the changes made at our sites and all increases in fly tipping are in line with the annual increases being experienced in West Sussex (and across the UK).

In addition to this, the County Council is providing additional resources by recruiting two waste enforcement officers to assist the boroughs and districts in the identification of those responsible for fly tipping and to strengthen the individual and collective enforcement function in the county.

For the whole of 2016, with a few exceptions and anomalies, statistics show an increase for all months for all district and borough councils when compared to the corresponding month in 2015. With the exception of Chichester District Council the data shows a consistent increase in the instances of fly tipping in 2016 both before and after the introduction of the changes at the County Council's Household Waste Recycling Sites (HWRS) in October 2016. Chichester District Council is known to be experiencing increases in the instances of fly tips containing;

- Green Waste (which is not a chargeable waste stream at the HWRS);
- Asbestos, which may be as a result of Hampshire County Council introducing a charge for this waste stream as part of its own austerity measures in October 2016 (West Sussex County Council does not charge for the disposal of asbestos at its HWRS); and
- Builders' rubble, being illegally deposited by contractors.

County Council officers are working with Chichester District Council colleagues to identify why this increase has occurred and to determine where these fly tips have originated. Annual savings from County and departmental budgets that are expected, as a result of all the changes to the scope and scale of HWRS service provision, are stated within the Cabinet Member decision report but in summary are: £166,000 for the reduction in the Chichester mobile service and £600,000 for the change in opening hours/days at the HWRS.

Collectively, the borough and district councils spent an estimated:

- £199,000 in 2014 for the clearance of 4,170 fly tips.
- £205,000 in 2015 for the clearance of 4,310 fly tips.

As the recording of fly tips, actions and costs now forms part of Department for Environment, Food and Rural Affairs waste data flow recording process, the fly tip collection costs for October – December 2016 are not yet available but based on January – September 2016 data, it can be forecast that an estimated,

collective cost in the region of £225,000 will be made for the clearance of a forecast 4,800 fly tips.

For the same period, the County Council spent the following on the disposal of this fly-tipped waste £374,000 in 2014, £265,000 in 2015 and an estimated £258,000 in 2016. The reduction in 2016 is as a result of lower fly tip tonnages i.e. each fly tip is on average smaller than the previous year.

8. Written question from Mr Petch for reply by the Cabinet Member for Residents' Services

Question

Answering a question last year on the Selsey Academy Fire, the Cabinet Member stated that "lots of other fire engines turned up within a few minutes of each other".

Is he aware that a Freedom of Information request shows that it took nearly three hours before the requisite numbers of appliances arrived? The true figures were: 1st appliance - 18 minutes; 4 appliances - 31 minutes; 8 appliances - 1 hour 5 minutes; 14 appliances - 2 hours 56 minutes.

Would he admit that such delays are unacceptable, and what measures will he take to improve the situation?

Answer

The question states that it took nearly three hours before the requisite number of appliances were in attendance. This is misleading as the incident commanders requested additional appliances as the incident progressed.

The first assistance message requesting six appliances ('make pumps 6') was sent at 08:12:16. A further assistance message was sent at 08:26 requesting 10 appliances ('make pumps 10'). At 08:44 there were seven fire engines and one Aerial Ladder Platform in attendance at the incident, 18 minutes after the make pumps 10 assistance message and 52 minutes after the initial call.

The incident commander sent his final assistance message to 'make pumps 14' at 10:13 which was two hours and 21 minutes after the time of call. The incident log shows that there were 14 fire engines in attendance at the incident at 10:36, 23 minutes after that request.

Recruiting of Retained Duty System (RDS) firefighters is a particular challenge experienced by the Fire and Rescue Service, which, for Selsey is made more challenging by its geographical location. The service is making efforts to improve the appliance availability at Selsey. A recruitment drop-in event was held at Selsey for prospective RDS recruits on the 28 January where five people registered their interest to become RDS.

A 'have-a-go day' was held on 29 January in Storrington which was attended by one person from Selsey. There are three prospective RDS recruits from Selsey

attending the testing day on 22 February. If all candidates are successful it will result in improved appliance availability in Selsey.

Note: Answer revised since original publication due to an inaccuracy in the data.

9. Written question from Dr Walsh for reply by the Cabinet Member for Residents' Services

Question

The target response times in West Sussex for the Fire and Rescue Service to arrive at critical fires is set at 8-14 minutes, with a requirement to achieve that in at least 80% of cases. In similar rural counties the following targets are set, which apply to ALL locations in those fire service areas. Hampshire - 8 minutes; Kent, Norfolk, Surrey, Devon and Somerset - 10 minutes; in Suffolk and Oxfordshire - 11 minutes.

Is the Cabinet Member happy that we have lower target figures than other similar counties, and that the latest figures show that 25% of incidents wait more than 13 minutes in West Sussex?

Answer

The comparison of response standards with other Fire and Rescue Services is not as straightforward as it may first appear. This is due not only to the way that the response standard is measured but it is also influenced by the geography of the Services being compared, therefore comparisons cannot be considered like for like. West Sussex Fire and Rescue Service has a sophisticated risk model that is the basis for the response standard for the county.

The response standard for West Sussex is different from a significant number of other Services, in that the clock is started at the moment that the 999 call is received at the control centre. This means that the public can be clear that the time being measured includes the time that they have spent on the phone requesting assistance. This 'call handling' time is expected to be no more than two minutes. In many other Services the response standard is measured from the time that the first appliance required is alerted and does not include the call handling time.

The next factor in the comparison between the response standards set by other Fire and Rescue Services is the actual achievement against those standards. West Sussex set stretch targets that are met or are very close to being met. Some of the other Services mentioned are a number of percentage points away from achieving the standard that they have set.

The final point is to consider the complexities of measuring response standards across counties that vary considerably. Areas that have significant conurbations will often have a greater achievement of their response standard due to the higher activity within these more densely populated areas. This produces a high proportion of relatively short journeys, which has a disproportionate effect on the overall measurement.

10. Written question from Dr Walsh for reply by the Cabinet Member for Residents' Services

Question

In an answer to a previous question, the Cabinet Member stated "Hampshire Fire & Rescue don't actually come a great deal into West Sussex; approximately it's about 50 times every year".

Would he accept that the true figure is 3 times what he told the Council, at an average of 145 times per year. And that Hampshire also standby, at times, at West Sussex fire stations, and these figures are not included?

Answer

The response quoted above was made at the Council meeting in April 2016 in response to Ms James' question relating to Hampshire responses into West Sussex. Ms James' comments related specifically to the Bourne Division and I responded from my own general knowledge that Hampshire Fire and Rescue only enter West Sussex occasionally. In answering that, "approximately, it's about 50 times every year", I was referring to responses into Bourne from Emsworth, which for 2014/15 was 51 occasions. The next available appliance into that area from Hampshire is likely to be from Havant, which responded 47 times into the county in 2014/15. The total mobilisations of Hampshire Fire and Rescue Service into West Sussex are as follows:

2014/15	151
2015/16	142

Please note that a mobilised appliance may be cancelled prior to arrival at the location of the incident.

The figures given do not include stand-by moves as these are currently not recorded due to an anomaly of the current mobilising system used in Sussex Control Centre.