



To: Members of the Performance
Scrutiny Committee

Date: 23 November 2012

Direct Dial: 01824 712554

e-mail: dcc_admin@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **PERFORMANCE SCRUTINY COMMITTEE** to be held at **9.30 am** on **THURSDAY, 29 NOVEMBER 2012** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

Yours sincerely

G. Williams
Head of Legal and Democratic Services

AGENDA

PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING

1 APOLOGIES

2 DECLARATION OF INTERESTS

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

4 MINUTES OF THE LAST MEETING (Pages 5 - 18)

To receive the minutes of the Performance Scrutiny Committee held on the 18th October, 2012 (copy enclosed).

5 CORPORATE RISK REGISTER (Pages 19 - 32)

To consider a report by the Corporate Improvement Manager (copy attached) which details the latest version of Denbighshire's Corporate Risk Register.

9.35 a.m.

6 DENBIGHSHIRE COUNTY COUNCIL IMPROVEMENT LETTER (Pages 33 - 42)

To consider a report by the Corporate Improvement Team Manager (copy attached) which presents the Improvement Assessment Letter for Denbighshire County Council, issued by the Welsh Audit Office (WAO).

10.05 a.m.

Comfort Break

7 PERFORMANCE STANDARDS REVEALED THROUGH THE COMPLAINTS PROCESS (Pages 43 - 48)

To consider a report by the Corporate Complaints Officer (copy attached) which presented an analysis of the feedback received via Denbighshire's feedback policy `Your Voice` for Quarter 2 of 2012/13.

10.45 a.m.

8 LIBRARY SERVICE STANDARDS: ANNUAL REPORT 2011/12 (Pages 49 - 56)

To consider a report by the Lead Officer: Libraries, Archives and Art (copy attached) which details the Library Service's performance against CyMAL's Annual Assessment Framework for Welsh Public Library Authorities.

11.15 a.m.

9 REVIEW OF LICENSING MATTERS (Pages 57 - 76)

To consider a report by the Head of Planning and Public Protection (copy attached) which details the review of taxi and private hire vehicles (PHV) licensing policies and procedures and advises on the reporting mechanism to Licensing Committee.

11.45 a.m.

10 SCRUTINY WORK PROGRAMME (Pages 77 - 82)

To consider a report by the Scrutiny Coordinator (copy enclosed) seeking a review of the committee's forward work programme and updating Members on relevant issues.

12.15 p.m.

11 FEEDBACK FROM COMMITTEE REPRESENTATIVES

To receive any updates from Committee representatives on various Council Boards and Groups

MEMBERSHIP

Councillors

Ian Armstrong
Meirick Davies
Richard Davies
Huw Hilditch-Roberts
Colin Hughes
Geraint Lloyd-Williams

Peter Owen
Dewi Owens
Allan Pennington
Arwel Roberts
Gareth Sandilands

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All Councillors for information
Press and Libraries
Town and Community Councils

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PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 18 October 2012 at 9.30 am.

PRESENT

Councillors Ian Armstrong, Meirick Davies, Richard Davies, Huw Hilditch-Roberts, Colin Hughes (Chair), Peter Owen, Dewi Owens, Arwel Roberts (Vice-Chair) and Gareth Sandilands and Co-opted Members G. Greenland, D. Houghton and Dr D. Marjoram.

Councillors J. Butterfield, J. Chamberlain-Jones, M.L. Holland, G.M. Kensler and E.W. Williams attended as Observers.

ALSO PRESENT

Corporate Director: Economic and Community Ambition (RM), Head of Customers and Education Support (JW), Head of Internal Audit (IB), Head of Planning, Regeneration and Regulatory Services (GB), School Effectiveness Performance Officer: Secondary (JM), School Effectiveness Performance Officer: Primary (GB), Corporate Improvement Manager (TW), Planning and Resources Manager (CW), Corporate Complaints Officer (SG), Development Control Manager (PM), Democratic Services Manager (SP), Democratic Services Officer (RH) and Administrative Officer (CIW).

1 APOLOGIES

Apologies for absence were received from Councillors Ms C. Burgess and Geraint Lloyd-Williams

2 DECLARATION OF INTERESTS

No personal or prejudicial interests were declared.

3 URGENT MATTERS AS AGREED BY THE CHAIR

In accordance with the requirements of Section 100B(4) of the Local Government Act 1972, the Chair declared that he intended to include for discussion the following matter requiring urgent attention under Part II:-

Performance Scrutiny Committee representation on Service Performance Challenges - The Chair explained that he and Councillor A. Roberts would be unable to attend the Service Challenge for Education and Education Support meeting to be held on the 24th October, 2012 in County Hall, Ruthin. Councillor M.L. Davies agreed to attend the meeting and represent the Performance Scrutiny Committee in the absence of Councillor C.L. Hughes.

4 MINUTES OF THE LAST MEETING

(i) The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 6th September, 2012 were submitted.

Matters arising:-

Transformation of Post 16 Education – In reply to a question from Dr D. Marjoram regarding the receipt of a response relating to research into whether young people with disabilities or Asperger's Syndrome were being disadvantaged in the system, the Democratic Services Officer agreed to investigate the matter and provide a response for Dr Marjoram.

RESOLVED – *that the Minutes be received and approved as a correct record.*

(ii) The Minutes of a special meeting of the Performance Scrutiny Committee held on Thursday, 20th September, 2012 were submitted.

Matters arising:-

4. Corporate Plan – The Democratic Services Officer agreed to ensure that Councillor D. Owens received a copy of the Cefndy Enterprises Business Plan.

RESOLVED – *that the Minutes be received and approved as a correct record.*

5 REVIEW OF FOUNDATION PHASE PROVISION AND OUTCOMES OF FOUNDATION PHASE DATA, KS 2 AND KS 3 ASSESSMENTS

A copy of a report by the Corporate Director: Communities, which outlined the findings of the Foundation Phase and the provisional exam and teacher assessment results, had been circulated with the papers for the meeting.

The report detailed the performance of schools at all key stages and outlined provisional external examinations results at Key Stage 4 and post 16. An analysis of results would be provided when verified and benchmarked information made available in December.

The School Effectiveness Performance Officer: Primary summarised the following areas of the report:-

Foundation Phase – A more rigorous moderation process for Foundation Phase Outcomes had been adopted across all schools to ensure procedures were reliable and robust. The previous methods of assessing the progress of children between Foundation Phase Outcomes and the previous KS1 Assessments had been indicative and not absolute. Denbighshire was now ranked eleventh Wales, compared to eighteenth in the previous year, which compared favorably with the ranked free school meal position. Detailed results had been included in Appendix 1.

Key Stage 2 Teacher Assessment Results – At the end of KS2 year 6 pupils had been expected to achieve a Teacher Assessment Level of 4. Although

Denbighshire's ranking of 12th had compared favorably with the free school meal ranked position, it had been disappointing as it had been the Authority's aspiration for all key indicators to be in the top ten performing Authorities in Wales. Details of results had been included in Appendix 2.

The School Effectiveness Performance Officer: Secondary summarised the following areas of the report:-

Key Stage 3 Teacher Assessment Results – Performance at KS3 had improved with all core subjects having made significant improvements. The improvement rate had been below many other Local Authorities. However Denbighshire had moved from 13th to 17th in Wales. Detailed results had been included in Appendix 3.

Key Stage 4 External Examinations – Detailed results included in Appendix 3. All secondary schools have improved in the Level 1 and Level 2 thresholds. However two schools had dipped in performance. The national trend in attainment in English and Mathematics had declined with Post 16 having remained static. Key stage 4 results were provisional and the Welsh Government would provide Local Authorities and schools with detailed valued added data in the Core Data Sets. Details of the percentage of pupils achieving the Level 2 including English, Welsh and Maths, and Level 3 threshold results had been included in Appendix 3.

Level 3 threshold results (A Level and vocational equivalent) - The percentage of candidates achieving the Level 3 Threshold had improved from 97% in 2011 to 98% in 2012. Appendix 3 included detailed results.

It was confirmed that modernising the education service to achieve a high level of performance was one of the Authority's Corporate priorities, and the raising of attainment at all key stages, particularly Key Stage 4, was a key objective.

The support for schools in Literacy and Numeracy would be provided regionally from April 2013. Challenge and support for Headteachers and management in schools would be provided on a regional basis from April, 2013 by System Leaders. Education Officers would monitor and assess the quality of the regional support when the new systems and structures were in place in April, 2013. Officers working for the region would strengthen the moderation process for KS3 Teacher Assessments and this would improve the quality of external moderation and ensure continuity and parity of Teacher Assessments across North Wales. Members were informed that uncertainty remained regarding the continued 14-19 Learning Pathways Grant and ESF 'Potensial' funding after 2014.

The School Effectiveness Performance Officer: Primary responded to questions from Ms G. Greenland. She explained that a consultation paper would be circulated which would include radical proposals in respect of the Foundation Phase and assist in providing clearer guidance to schools. It was also confirmed that Family Link Workers would be utilised to address the reduction in the number of Health Visitors.

In reply to questions from Councillor J. Butterfield, it was confirmed that the consultation paper, which would be a radical revision of the provisions of support, would be circulated to all stake holders involved in the foundation Phase. The School Effectiveness Performance Officer: Secondary provided details of the Teacher Assessments KS3 and Provisional Examination Results in respect of Rhyl High School and outlined the steps being implemented to address and improve the figures. He explained that the discrepancy in reading level assessments between primary schools and high schools were related to a fluctuation in Teacher Assessments, and it was confirmed that records pertaining to the academic achievements of children under the umbrella of corporate parenting were available.

Councillor E.W. Williams expressed caution regarding the Foundation Results presented by some Local Authorities and expressed the view that Denbighshire had been very robust in the analysis of its Foundation Phase results. The School Effectiveness Performance Officer: Primary stressed the importance of the need for rigorous assessment, uniformity and regional moderation.

During the ensuing discussion, the officers provided the following responses to questions and issues raised by Members:-

Performance was down due to fluctuation

- Confirmation was provided that performance was down due to a fluctuation in results at St Brigid's, Denbigh and Ysgol Dinas Bran but this had not been a matter for concern.
- Details of the process for assessing children from feeder schools, and the impact on the High School assessments, were outlined. Members were informed that a robust transition process was in operation and liaison strategies between Primary and High schools were in place.
- Dr D. Marjoram expressed her appreciation to the officers for the inclusion of Special Schools in the report.
- Confirmation was provided that data was available to enable Primary Schools to track the progress of pupils following their transition to the High School. The School Effectiveness Performance Officer: Primary highlighted the importance of ensuring the effective transition of pupils and the ability to monitor their progress.
- The School Effectiveness Performance Officer: Secondary referred to the success achieved by Ysgol Plas Bron Dyffryn, Denbigh and confirmed that the results achieved would be shared with other Local Authorities.
- It was explained that the blank spaces under the heading of Welsh in the KS3 Teacher Assessment Results related to schools which taught Welsh as first or second language. Details of the assessment options were outlined by the officers.
- The Chair made reference to KS4 results at Denbigh High School. The School Effectiveness Performance Officer: Secondary confirmed that the results achieved in English and Welsh had been favourable.
- The School Effectiveness Performance Officer: Secondary responded to a question from the Chair relating to Banding. He explained that it was anticipated that Denbighshire High Schools would be in Bands 2 and 3 with none in Bands 4 and 5.

Councillor A. Roberts referred to the School Standards Committee and confirmed that Ysgol Y Castell, Rhuddlan had shown signs of improvement. He explained that Clocaenog C.P. School had achieved exceptional results. However, concern had been expressed that pupils learning Welsh at the school were disadvantaged when assessed through the medium of Welsh, particularly children from a none Welsh speaking background, and this also reflected in the Schools core attainment figures. Councillor E.W. Williams endorsed the views expressed and felt that allowances should be made under such circumstances.

RESOLVED – that:-

*(a) the Performance Scrutiny Committee receives the report, and
(b) the views and comments of Members on the performance of schools against previous performance and the external benchmarks be noted.*

6 DENBIGHSHIRE SCHOOL FUNDING FORMULA REVIEW

A copy of a report by the Planning and Resources Manager, which detailed the consultation proposals for the new Denbighshire School Funding Formula in mainstream and special schools, had been circulated with the papers for the meeting.

The Planning and Resources Manager introduced the report which detailed proposals for the new funding framework and outlined the potential areas of operational and financial risk. Appendix 1, consultation document, had been issued to Schools on the 1st October, 2012 outlining detailed proposals for a new funding framework for Denbighshire. The most significant change related to the categorisation of funding allocations, the proposed new formula being based on the identification of the actual cost drivers within the schools which had been split across seven strategic activity elements. The significance of pupil lead funding, under the heading curriculum, was highlighted. Draft proposals were subject to change pending the outcomes from the consultation pending implementation in April, 2013.

A confidential document, Appendix 2, provided an initial risk analysis of all schools showing the movement in the budget and the current level of balances. Consultation meetings would be held with each school to discuss the implications within their own delegated budget, and the analysis remained subjective until the full detailed discussions had taken place. It was explained that any issues raised must be submitted through the formal consultation process. A management fact sheet, Appendix 3, provided a comparison between the old and new formulas, and provided support for Members in addressing some of the key issues if they arose.

Concern was expressed by the Co-opted Members that they had not received copies of Appendix 2. The Planning and Resources Manager explained that Appendix 2 was a working document based on predictions which were subject to change. It was agreed that an updated version of Appendix 2 be circulated to Co-opted Members.

The outcome from the review would change the distribution of school funding to allow schools to think differently about how they managed their delegated funding, and this would support the priority of Modernising Education. There would be no additional costs as the Funding Formula would provide a means of distributing the total school quantum to each individual school. This would remain the same regardless of the outcome of the review but may result in funding being realigned differently across schools. Consultation had been undertaken with Head Teachers, Governors, Trade Unions, Education Officers and Elected Members.

The need to ensure funding was distributed fairly and equitable to all schools was emphasised. It would be important to consider the wider issues regarding any schools lose of funding, as balances and expenditure plans would play a vital role in assessing whether or not the loss of funding would have an underlying impact on the delivery of education.

The following responses to questions and issues raised by Members were provided by the officers:-

- Concerns were raised regarding the number of schools indicated as red in the funding formula. The main purpose of the funding formula review had been to realign funding in relation to need requirements. It was confirmed that red did not necessarily indicate a high risk area and in some instances included schools currently receiving officer assistance.

- With regard to the differential between Primary and High school funding allocations. Sector funded had been examined on a national basis and appeared to be balanced and in line with the national approach. The Planning and Resources Manager confirmed that she would liaise with the respective Education Officers to obtain an educational perspective of the issues and concerns raised.

- In reply to concern regarding the number of categories of schools, it was explained that following strong robust feedback received following consultation it was anticipated that the Welsh category would change significantly with funding being based on assessments rather than categories.

- Reference was made regarding the allocation of Deprivation Grants. Confirmation was provided that consideration had been afforded to Local Authorities being funded separately by specific grant for the pupil deprivation grant. Members were informed that the free school meals indicator had been included to meet the requirements of the school funding regulation which stipulated the need for a driver for social deprivation. Details of the match funding provision were outlined to the Committee.

- Members were informed that the class size regulation related to schools which had already accessed funding and new schools entering the system. The criteria pertaining to schools affected by the June time limit were outlined for Members.

- Dr D. Marjoram referred to the Foundation Phase and the Welsh Government requirement for ratio of support to pupils which had resulted in a reduction in

support for Special Schools. It was explained that there had been an indication that the previous funding criteria had appeared favourable. However, issues raised in respect of this matter would receive further consideration. With regard to the Banding of Special Schools, it was confirmed the pupil amount would be the balancing item. However, both Special Schools would be presenting alternative ways of addressing the issue. An outline of the difficulties in obtaining and distributing funding provision was highlighted by the Planning and Resources Manager who confirmed that a baseline budget set would be produced to indicate the funding required to deliver statutory functions. She also indicated that first language Welsh pupils, and charges for out of County pupils, would not be affected.

- Details relating to funding allocations in respect of federated and amalgamated schools were provided and the Planning and Resources Manager explained that were treated separately and could reserve more funding than amalgamated schools under the formula.

- Councillor A. Roberts expressed concern about possible imbalances of funding arrangements on Welsh Medium schools. It was explained that the figures provided comparisons between the old and new formula and did not give an indication of the actual budget or expenditure costs within the respective schools. Class size funding had been encompassed in a separate policy which afforded schools the opportunity to apply for funding against the scheme outside of the formula. The Planning and Resources Manager confirmed that changes in the Welsh Medium Schools were not related to the changes to the Welsh funding. However, she provided confirmation that the Welsh aspect of funding would be assessed on outcomes at the end of the respective Key Stage and not based on the categories of the Schools.

- The Planning and Resources Manager provided confirmation that school funding allocations would be protected. She referred to the Council's policy on the proceeds from the sale of surplus assets, such as Rhualt School, being allocated to the corporate priorities and any funding requirements be applied for on a priority basis.

- It was explained that the figures provided had been based on data from the previous year. It was confirmed that data was not yet available to produce next years budget figures. However, they would include predicted role numbers.

- In reply to a question from Councillor M.LI. Davies regarding the robust nature of the resolution in the report, it was confirmed that the document was in draft and subject to consultation. The Head of Customers and Education Support referred to the tight timescales relating to the circulation of budgets to schools and confirmed that a progress report could be submitted to the November, 2012 meeting of the Scrutiny Committee.

Following further discussion, it was:-

RESOLVED – *that Performance Scrutiny Committee:-*

- (a) receives the report and confirms recognition of the implications of the changes to the Formula for the funding framework.*
- (b) approves the methodology against each element of the Formula Review, and*
- (c) agrees that the officers undertake a review of the funding framework and submit a further progress report to the November, 2012 meeting of the Performance Scrutiny Committee.*

7 PLANNING COMPLIANCE UPDATE

A copy of a report by the Head of Planning, Regeneration and Regulatory Services, which outlined the legal and other resources available to the Planning Enforcement Team and its performance in service delivery, had been circulated with the papers for the meeting.

The report detailed how the statutory function of Planning Compliance was undertaken by the Council. It outlined the work of the Planning Compliance team in dealing with potential breaches of planning control, the Council's role within the wider Regeneration Enforcement Group, the current higher level priorities for the team and explained how some of the lower level work could be dealt with. Reference was made to the importance and effectiveness of collaborative working between the various service areas and Directorates.

The Development Control Manager provided a summary of the key issues and areas of the report which included:-

- An outline of the Town and Country Planning system in Wales which regulates the use and development of all land and buildings.
- The range of enforcement powers Under Part VII of the Town and Country Planning Act 1990, Local Planning Authorities.
- The Welsh Government quick guide leaflet, included as Appendix 1, which explained Planning Enforcement.
- A summary of the current Denbighshire Planning Compliance Function.
- A copy of the draft Denbighshire Planning Compliance Policy and Procedure document, Appendix 2, which set out how the team deal with complaints.
- The scoring matrix to highlight priority problem sites.
- The Project Proposal document relating to the on-going restructure of the Compliance function having been included as Appendix 3.
- A list of Planning Compliance issues categorised as high and low level having been included as Appendix 4.
- An outline of the accepted performance measure for dealing with planning complaints.
- The creation of more focused indicators around the monitoring of s.106 legal agreements, tackling problem sites and buildings, including eyesore sites, and dealing with planning compliance cases flagged up by Town and Community Council's.

It was confirmed that there were risks associated with failing to provide a coordinated and robust Planning Compliance function. It was suggested that a

more focused approach to all regulatory functions would serve to improve the performance in this area.

In reply to a question from Councillor M.LI. Davies, it was confirmed that information pertaining to the nature of complaints, property names and address was currently available on a data base monitored by the Department. It was explained that issues relating to the ownership of properties which were the subject of complaints was being examined. The Head of Planning, Regeneration and Regulatory Services referred to the role of the Planning Enforcement officers in the holistic approach to addressing problem sites. He referred to the restructuring process of the service and the need to provide a focus in respect of the core planning enforcement function, to include a small multi function approach.

The Development Control Manager responded to a question from Councillor G. Sandilands regarding the monitoring of Section 106 Agreements, a core planning enforcement function. He summarised the process adopted by Denbighshire and referred to page 97, Planning Compliance Workload Priorities, High Level Work, which set out the list of Planning Compliance workload priorities.

The officer provided the following responses to questions and issues raised by Members:-

- The process of street naming and numbering was now a function of the Business, Planning and Performance Team.
- It was confirmed that officers on site becoming aware of problems unrelated to their specific service would, due to the culture of the service, report the matter to the relevant service.
- In reply to concerns raised by Councillor A. Roberts regarding issues pertaining to planning matters in Rhuddlan, the Development Control Manager outlined the background and current situation regarding the Bryn Cwybr site and agreed to provide an update to Councillor Roberts on receipt of further information. With regard to the development site near Marsh Road, Rhuddlan, it was explained that this issue could be best addressed by the officers in the Regeneration Service by encouraging developers to invest in the area.

During the ensuing discussion, Councillor M.LI. Davies thanked the Enforcement Officers for the work undertaken.

RESOLVED – that Performance Scrutiny Committee receives and notes the contents of the report and officers acknowledged Members comments.

8 PERFORMANCE STANDARDS REVEALED THROUGH THE COMPLAINTS PROCESS

A copy of a report by the Corporate Complaints Officer, which presented an analysis of the feedback received via Denbighshire feedback policy 'Your Voice' for Quarter 1 of 2012/13, and highlighted areas of work currently being undertaken to improve performance, had been circulated with the papers for the meeting.

The report provided information regarding any performance issues identified by 'Your Voice', and recommendations to address the identified areas. The Corporate Complaints Officer referred to Appendix A, 'Your Voice' information, which detailed Your Voice' reporting times, performance measures and complaints response timescales. Appendix B, Your Voice' Quarter 1 2012/2013 data, detailed the overall complaint response times, response times according to stage, compliments received and complaint categories and highlighted the following key issues:-

Highlights:-

- The inclusion of statistics relating to the Council's overall response times to complaints according to the 'Your Voice' timescales.

Complaint response times:-

- Greater emphasis had been placed on monitoring service response times to complaints.
- Services had been reminded how to use the corporate system for recording and updating complaints.
- A noticeable improvement in the overall performance of the Council in responding to complaints within the 'Your Voice' timescales.
- Both Housing Services and Social Services having shown an improvement from previous quarters.
- An anticipation that the upward trend would continue for all services.
- Despite an 18% increase in the overall number of recorded complaints received in Quarter 1, the volumes had remained relatively low.
- Only half of the service areas had been able to respond to 100% of complaints within the relevant timescale.

Improving performance:-

- The need to improve how complaints were handled and to respond to at least 95% of complaints within the stated timescales. Two generic standards be adopted across the Authority.
- Two generic standards be adopted across the Authority.
- The need to demonstrate that the Council listens its customers and changes things for the better based on what they are told.
- Complaints be handled within timescale.
- Service improvements to be made as a result of customer feedback.

Weekly Service reports:-

- A weekly report to be circulated to officers responsible for coordinating responses to complaints in the services. Officers to be provided with information to assist them in managing the complaints more effectively, and to prevent timescales being missed.

Presentation at Middle Managers Conference:-

- A presentation be given to all 'Middle Managers' to raise the profile of 'Your Voice' and focus attention on enhancing the customer experience.

Focus on the customer:-

- A 'pre-complaint' feedback element be introduced into 'Your Voice' to encourage dialogue and interaction with the Council's customers to demonstrate that the Council listens and responds to feedback.

Recognise good performance:-

- The need to encourage and recognise the wider context of 'Your Voice' which references compliments under the banner of 'Feedback'. An analysis of the compliments received could be utilised to identify best practice and then applied to other areas or services within the Council.

The Corporate Complaints Officer provided a brief summary of the outcome of the Middle Management Conference held on the 17th October, 2012. He explained that the focus had now moved to how the customer interacts and communicates with the Council, and confirmed that the Council's policy in respect of this issue had been reviewed.

In reply to concerns raised by Councillor M.Ll. Davies, and endorsed by Councillor M.L. Holland, it was agreed that written responses be provided to document complaints received. The Head of Customers and Education Support referred to the necessity for a cultural change within the Authority and the need to redesign services, through the examination of the trends of complaints received, in order to change how the Council delivers its services to the customer. She also referred to work undertaken in respect of the service standards for the customer, the new website and the review of the CRM system to address the problems being experienced by both the public and officers. The review had been identified as a corporate priority and an outline of the work involved was provided which included a complete review of the complaint handling system. The Head of Customers and Education Support explained that the issue of the provision of translations would be examined from a customer perspective. She explained that it would be important to ensure that complaints received in Welsh also received responses in Welsh.

RESOLVED – that Performance Scrutiny Committee:-

- (a) receives the report and notes the suggestions made about improving Council performance through effective complaints handling, and
- (b) officers note the suggestions made.

9 ANNUAL PERFORMANCE REVIEW REPORT 2011/12

A copy of a report by the Corporate Improvement Team Manager, which provided information regarding the key areas of performance for the Council, and would enable the Scrutiny Committee to carry out its performance management function, had been circulated with the papers for the meeting.

The Corporate Improvement Team Manager introduced the Annual Performance Report which had been discussed at Council on the 9th October, 2012. The Corporate Plan 2009-12 set the strategic direction for the Authority and the publication of the annual Corporate Plan Delivery Document for 2011-12 outlined how it intended to contribute to the delivery of its Corporate Plan during that financial year. Each Council service produced a service plan for 2011-12 to

describe how it intended to contribute to the delivery of agreed outcomes for the communities of Denbighshire. The Annual Performance report provided a retrospective evaluation of the Council's success in delivering against the plans during 2011-12, and an indication as to whether the Council had successfully fulfilled its obligation to make arrangements to secure continuous improvement.

The Committee were informed that the next round of Service Performance Challenges had commenced and the opportunity would be available for Members to consider issues in that forum prior to consideration of their inclusion on the Committee's Forward Work Programme.

The Annual Performance Review, which had been developed by the Corporate Improvement Team in consultation with other Council services, evaluated the Council's performance in relation to the key indicators and performance measures, and indicated how the corporate priorities had impacted locally within the six areas of Denbighshire. The performance information had been drawn from the Ffynnon performance management system and the draft document discussed by CET and circulated to SLT for comment. The Wales Audit Office had provided feedback on whether the report was likely to enable the Council to meet the statutory requirements of the Local Government (Wales) Measure 2009. Details of the consultations undertaken had been included in the report. However, it was confirmed that an Equality Impact Assessment had not been undertaken in respect of this report.

The Chair referred to the significance of the Town Plans. The Corporate Director: Economic and Community Ambition explained that a method of monitoring the progress of the Town Plans was currently being developed, particular reference being made to the priorities identified in Plans. She confirmed that the contents of the Town Plans, which were working documents, would be reviewed by the Town and Community Councils, Member Area Groups and Local Members and progress reports would be presented to the Scrutiny Committee.

RESOLVED – that Performance Scrutiny Committee receive the report and note Members and officers comments.

10 SCRUTINY WORK PROGRAMME

A copy of a report by the Democratic Services Officer, which requested the Committee to review and agree its Forward Work Programme and provided an update on relevant issues, had been circulated with the papers for the meeting. A copy of the Cabinet Forward Work Programme had been included as Appendix 2 to the report.

Welsh Audit Office Corporate Improvement Assessment - Following the receipt of a request from the Corporate Improvement Manager to consider the latest Improvement Assessment Letter issued by the Welsh Audit Office on 17th September, 2012, Member agreed that this item be included in the Committee's Forward Work Programme for consideration at the meeting on the 29th November, 2012.

Performance Scrutiny Committee representation on Service Performance Challenges - Members agreed that Councillor D. Owens replace Councillor W.L. Cowie, who was no longer a Member of the Performance Scrutiny Committee, at the Service Performance Challenge meeting for Legal and Democratic Services, to be held on the 17th October, 2012.

The Committee considered its draft work programme for future meetings, as detailed in Appendix 1, and the following amendments and additions were agreed:-

29th November, 2012:-

- Denbighshire School Funding Formula Review (Information Report).
- Wales Audit Office Corporate Improvement Assessment.

21st February, 2013:-

- CSSIW Annual Council Performance Evaluation Report.

The Corporate Improvement Manager referred to the reports pertaining to the Corporate Plan 2012/2013 - Quarter 2 scheduled for January, 2013, and Quarter 3 Scheduled for April, 2013. Members agreed that a base line report be submitted in February, 2013.

RESOLVED – that, subject to the above amendments and agreements, the Future Forward Work Programme as set out in Appendix 1 to the report be approved.

Meeting ended at 12.55 p.m.

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Report To: Performance Scrutiny Committee
Date of Meeting: 29 November 2012
Lead Officer / Member: Alan Smith / Cllr Barbara Smith
Report Author: Tony Ward
Title: Corporate Risk Register

1. What is the report about?

- 1.1. This report presents the latest version of the Corporate Risk Register for Denbighshire County Council (attached).

2. What is the reason for making this report?

- 2.1 To enable the Performance Scrutiny Committee to fulfil its role in ensuring that identified risks are being appropriately addressed by the implementation of effective measures to mitigate risks.

3. What are the Recommendations?

- 3.1 That Members confirm that the attached Corporate Risk Register provides full coverage of the major risks facing the council at this time, and that the actions identified in the Corporate Risk Register are appropriate to address the identified risks.

4. Report details.

- 4.1 The main changes made to the Corporate Risk Register since the last discussion at Performance Scrutiny Committee are:
- The removal of DCC003: *“The risk that demographic change leads to un-resourced demands on council services”*. It was deemed that this risk was too low level and that demographic change was just one of the factors that the council needed to take into account whilst strategic planning.
 - The amendment of DCC005 from *“The risk that the time and effort invested in collaboration is disproportionate to the benefits realised”* to *“The risk that the time and effort invested in existing large-scale collaboration projects is disproportionate to the benefits realised”*. This is to enable the council to differentiate between the risk associated with existing collaboration projects and the collaboration agenda in general. This has led to the addition of the new risk (DCC015) described below.
 - The removal of DCC008: *“The risk that political change impacts on the ability of the political leadership (Leader/Cabinet) to deliver a difficult agenda”*. This risk related to the uncertainty surrounding the level of political change brought about by the elections in May 2012, and it is felt that this risk is now not relevant enough to feature in the corporate register.

- The revision of DCC014: *“The risk of a health & safety incident resulting in serious injury or the loss of life”* since responsibility for health and safety has moved from the Head of Strategic HR to the Head of Environment. Consequently, this risk now has a number of new mitigating actions.
- The creation of the new risk DCC015: *“The risk that the council cannot influence the collaboration agenda and that further collaboration is forced upon on rather than entered into voluntarily”*. This risk is about the council’s ability to influence the collaboration agenda, and the potential democratic deficit if it is unable to do so.
- The creation of the new risk DCC016: *“The risk that the impact of welfare reforms is more significant than anticipated by the council”*. This risk is relevant to several services, and could have a significant impact within our communities.

4.2 The Corporate Risk Register has been developed by, and is owned by, the Corporate Executive Team. The process for reviewing the Corporate Risk Register is as follows:

- All service risk registers are reviewed by services (according to the corporate risk management methodology) prior each round of Service Performance Challenge meetings. Any issues or queries are discussed in the Service Performance Challenge meetings.
- The Corporate Improvement Team analyse all service risk registers to identify any risks of corporate significance or any risk themes emerging across services.
- Updates on current corporate risks are collected from risk owners, and updates on mitigation actions are collected from action owners.
- A risk workshop is held with CET to review existing risks; discuss progress on agreed mitigation actions; discuss and agree new corporate risks; review and update residual risk scores; update existing controls (in light of completed actions); and agree any new actions required to mitigate risks.

4.3 The Corporate Risk Register is formally reviewed by CET following each round of Service Performance Challenges (where each service risk register is reviewed and discussed). However, any significant new or escalating risks are brought to the attention of CET (via the Corporate Improvement Team) as and when they are identified. CET then take a view as to whether that risk should be included in the Corporate Risk Register.

4.4 Following each formal review of the Corporate Risk Register (twice per year), the revised document is presented to the Performance Scrutiny Committee. The presentation of this report to Performance Scrutiny was originally due in September 2012 (following the Service Performance Challenges in June/July 2012), but has been delayed due to pressures on the scrutiny agenda in September. The next reporting of the Corporate Risk Register to Scrutiny will be in the New Year, following the current round of Service Performance Challenges.

- 4.5 Actions identified to address corporate risks are included in Service Plans, where appropriate, which enables Performance Scrutiny Members to monitor progress. Any performance issues in relation to the delivery of these activities should be highlighted as part of the Service Performance Challenge process.
- 4.6 The council's Internal Audit function provides independent assurance on the effectiveness of the internal control procedures and mechanisms in place to mitigate risks across the council. It also offers independent challenge to ensure the principles and requirements of managing risk are consistently adopted throughout the council. Internal Audit Services also use information from our service and corporate risk registers to inform its forward work programme.
- 4.7 An annual review and report on progress of the risk management policy, produced for the Corporate Governance Committee, will identify weak areas that need to be strengthened to improve the risk management process.

5. How does the decision contribute to the Corporate Priorities?

- 5.1 The purpose of the Corporate Risk Register is to identify the potential future events that may have a detrimental impact on the council's ability to deliver its objectives, including its corporate priorities. The identified controls and actions are therefore crucial to the delivery of the corporate priorities.

6. What will it cost and how will it affect other services?

- 6.1 The cost of developing, monitoring and reviewing the Corporate Risk Register is absorbed within existing budgets.

7. What consultations have been carried out?

- 7.1 Details of the consultation process to review the Corporate Risk Register are contained in paragraph 4.2.

8. Chief Finance Officer Statement

- 8.1 There are no financial implications arising from the process outlined in this report for developing, monitoring and reviewing the Corporate Risk Register.

9. What risks are there and is there anything we can do to reduce them?

- 9.1 The main risk associated with the risk management process is that the registers are not regularly reviewed and do not therefore become a dynamic and meaningful management tool. However, the new process is fully integrated into the council's performance management framework which should ensure that this does not happen.

10. Power to make the Decision

- Local Government Act 2000.

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Denbighshire County Council
2012 - 2013





Corporate Risk Register

	Inherent	Residual	Page
DCC001 The risk of a serious safeguarding error where the council has responsibility. This risk is increasing as the environment is changing, with growing expectations around our duties in relation to 3rd party provision. CRB criteria are also changing which may increase the risk.	B2	C2	Link
DCC004 The risk that we are unable to develop the staff and management capability to deliver the change agenda. The council currently does not have the internal capacity to deliver this change. Some of the issues	B2	B2	Link
DCC005 The risk that the time and effort invested in existing large-scale collaboration projects is disproportionate to the benefits realised.	B2	C2	Link
DCC006 The risk that the economic environment worsens beyond current expectations, leading to additional demand on services and reduced income. Although we do have a 3-yr indicative settlement, this position	C1	C2	Link
DCC009 The risk that strategic ICT does not enable improvement and support change. This risk is growing, and will continue to grow until we act decisively to mitigate the risk.	A2	B2	Link
DCC010 The risk that our asset portfolio becomes an unmanageable liability and an obstacle to strategic planning.	B2	D2	Link
DCC015 The risk that the council cannot influence the collaboration agenda, and that further collaboration is forced upon on rather than entered into voluntarily. Collaboration is not voluntary; it is already a requirement of the Compact. However, it is resource intensive and benefits realisation can be difficult.	B2	B2	Link
DCC002 The risk of a judicial review of care home fees ruling against the council. The risk here is that the additional costs associated with care home fees are over & above what is currently built into the Medium	C2	D3	Link
DCC007 The risk that critical or confidential information is lost or disclosed.	B3	C3	Link
DCC011 The risk of a severe weather event, over and above expected patterns of seasonal weather. Services plan for the impact of expected seasonal variations in weather, but severe weather events can impact	E1	E1	Link
DCC012 The risk of a significantly negative report(s) from external regulators.	C2	D3	Link
DCC013 The risk of significant financial liabilities resulting from the failure of an external organisation (e.g. Arms Length Management Organisations, facilities with lease arrangements, etc)	C2	C2	Link
DCC014 The risk of a health & safety incident resulting in serious injury or the loss of life. This could be as a result of an ineffective H&S management system; inadequate fire control systems (infrastructure);	C2	D1	Link
DCC016 The risk that the impact of welfare reforms is more significant than anticipated by the council. Welfare reform has potentially significant implications for a large proportion of residents, and also on the council	B3	B3	Link

Risk Assessment Criteria

LIKELIHOOD	Event is almost certain to occur in most circumstances	>70%	Almost Certain	A	Very High	High	Medium	Low	Very Low
	Event likely to occur in most circumstances	30-70%	Likely	B	Very High	High	Medium	Low	Very Low
	Event will possibly occur at some time	10-30%	Possible	C	Very High	High	Medium	Low	Very Low
	Event unlikely and may occur at some time	1-10%	Unlikely	D	Very High	High	Medium	Low	Very Low
	Event rare and may occur only in exceptional circumstances	<1%	Rare	E	Very High	High	Medium	Low	Very Low
						5	4	3	2
					Very Low	Low	Medium	High	Very High
Service Performance	Minor errors or disruption	Some disruption to activities / customers	Disruption to core activities / customers	Significant disruption to core activities. Key targets missed	Unable to deliver core activities. Strategic aims compromised				
Reputation	Trust recoverable with little effort or cost	Trust recoverable at modest cost with resource allocation within budgets	Trust recovery demands cost authorisation beyond existing budgets	Trust recoverable at considerable cost and management attention	Trust severely damaged and full recovery questionable and costly				
Financial Cost (£)	<£50k	£50k - £250k	£250k - £1m	£1m - £5 m	>£5m				
IMPACT									

Corporate Risk Severity Key

	Minor	Risk easily managed locally – no need to involve management
	Moderate	Risk containable at service level – senior management and SLT may need to be kept informed
	Major	Intervention by SLT and / or CET with Cabinet involvement
	Critical	Significant CET and Cabinet intervention

Denbighshire County Council

Register Owner: Corporate Executive Team

[LINK TO POLICY STATEMENT](#)

Updated: 12.11.12

[LINK TO RISK GUIDANCE](#)

Risk Description	Owner	Impact / Consequence	Inherent Risk	Controls to Manage Risk (in place)	Residual Risk	Further Actions	Action Owner	Action Date
<p>HC001 <i>Professional / Managerial</i></p> <p>The risk of a serious safeguarding error where the Council has responsibility.</p> <p>This risk is increasing as the environment is changing, with growing expectations around our duties in relation to 3rd party provision. CRB criteria are also changing which may increase the risk.</p>	<p>Sally Ellis</p> <p>Lead Member(s): Cllr Bobby Feeley</p>	<p>Significant reputational loss. Possible intervention by Welsh Government. Legal/compensation costs.</p>	<div style="background-color: red; color: white; padding: 5px; width: 30px; margin: 0 auto;">B2</div>	<p>Child protection & Safeguarding Procedures. Regular training of staff in Children & Family Services. Corporate Safeguarding Training Programme. Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse. Framework of self-assessment for schools in relation to safeguarding has been established. Section 28 Audits, and annual reporting requirement for services to demonstrate how they are discharging their duties in relation to safeguarding. Section 28 audit tool in place for voluntary sector to ensure safeguarding practices are in place.</p>	<div style="background-color: orange; color: white; padding: 5px; width: 30px; margin: 0 auto;">C2</div>	<p>Incorporate and embed safeguarding employment practices into the HR audits. <i>Safeguarding employment practices have been incorporated into HR audits and they commenced in October 2012. This is not yet embedded, and should be reviewed in January 2013. QA checks are undertaken as part of HR audits in schools and departments.</i></p>	Linda Atkin	31-Jan-13

DCC002	Sally Ellis	Financial cost is potentially more than that currently put aside. Potential additional fees for other areas of social care could follow. Reputational impact of negative publicity attached to an unfavourable judicial review.	C2	Resources have been set aside in the MTFP to cover potential additional costs. Clear methodology to calculate care home fees has been developed on a sub-regional basis.	D3	Develop a regional methodology for calculating care home fees. <i>Confirmation has been received that 2 out of the outstanding 3 North Wales LAs have signed up to the methodology. The 3rd LA is still considering the methodology, but is expected to agree it by March 2013.</i>	Phil Gilroy	31-Mar-13
<i>Legislative / Regulatory</i>						The risk of a judicial review of care home fees ruling against the council. The risk here is that the additional costs associated with care home fees are over & above what is currently built into the Medium Term Financial Plan (MTFP).	<u>Lead Member(s):</u> Cllr Bobby Feeley	Review the contingency within the MTFP prior to 2013-14 budget agreement to ensure it is sufficient.
DCC004	Mohammed Mehmet	The council is unable to deliver the associated savings incorporated into the MTFP. In addition, this could impact on the delivery of the planned collaboration savings.	B2	The fact that the residual & inherent risk scores are the same (and red) suggests that our current control environment in this area needs to be strengthened. However, we have recruited to the Hwb, and projects are currently being developed. Corporate Priority around Modernisation will provide some focus for the necessary work.	B2	Alignment of workforce, ICT and office accommodation strategies. <i>It has now been agreed that HR and ICT are involved at the early stages of accommodation strategies. The Modernisation Board is co-ordinating this activity and a Programme Manager is being recruited.</i>	Paul McGrady, Linda Atkin and Cara Williams	31-Mar-13
<i>Professional / Managerial</i>						The risk that we are unable to develop the staff and management capability to deliver the change agenda. The council currently does not have the internal capacity to deliver this change. Some of the issues include: inconsistent management; resistance to change; and a weakness in succession planning.	<u>Lead Member(s):</u> Cllr Barbara Smith	Delivery of the People Strategy Action Plan. <i>The first meeting of the Project Sponsors has been held with further meetings arranged for November and January. The Plan has been updated with progress made so far and reported to CET. Agreed that updates will be given to SLT in a regular basis and workstreams identified which will need to be reported through the Modernising Board.</i>
DCC005	Mohammed Mehmet	The council is unable to deliver the planned savings within the MTFP. If benefits are not realised, we may miss opportunities to deliver service improvements.	B2	We do have reporting arrangements in place for the existing major collaboration projects (e.g. Social Services Hub, Residual Waste Project, RESIS) through Regional Leadership Board. Scrutiny arrangements are in place. Exit clauses do exist where appropriate (e.g. for residual waste project if the project goes beyond the agreed affordability envelope).	C2	The council to establish a clear position in relation to the role it will play in implementing the Compact, ensuring that our input is proportionate to the potential benefits.	Mohammed Mehmet	31-Jan-13
<i>Partnership / Contractual</i>						The risk that the time and effort invested in existing large-scale collaboration projects is disproportionate to the benefits realised.	<u>Lead Member(s):</u> Cllr Hugh Evans	

<p>DCC006</p> <p><i>Economic & Financial</i></p> <p>The risk that the economic environment worsens beyond current expectations, leading to additional demand on services and reduced income. Although we do have a 3-yr indicative settlement, this position could change overnight (e.g. collapse of the Euro).</p>	<p>Mohammed Mehmet</p> <p><u>Lead Member(s):</u> Cllr Julian Thompson-Hill</p>	<p>The council suffers from a significant reduction in income, leading to an inability to deliver current levels of service provision.</p>	<p style="text-align: center;">C1</p>	<p>The council has no control over the global economy or the WG settlement. Therefore the inherent risk score likely to remain high. The Medium Term Financial Plan (MTFP) contains different scenarios to ensure it can deal with changes in the external environment.</p>	<p style="text-align: center;">C2</p>	<p>Develop alternative financial plans based on a different scenario, i.e. what would we do if our budget was cut by 5%?. <i>This is currently underway as it part of the MTFP.</i></p> <p>Coordinated approach to ensure services consider the implications of significantly reduced income due to the economic environment. <i>This is currently underway and will be reviewed as part of the 2013/14 budget process.</i></p> <p>Services to identify alternatives for current efficiency targets that look difficult to deliver. Service Performance Challenges in Oct/Nov 2012 will clarify the position and a revised MTFP will than be developed and presented to Members.</p>	<p>Paul McGrady</p> <p>Paul McGrady</p> <p>Paul McGrady</p>	<p>28-Feb-13</p> <p>28-Feb-13</p> <p>31-Dec-12</p>
<p>DCC007</p> <p><i>Legislative / Regulatory</i></p> <p>The risk that critical or confidential information is lost or disclosed.</p>	<p>Hywyn Williams</p> <p><u>Lead Member(s):</u> Cllr Barbara Smith</p>	<p>Reputational damage. Criticism from external regulators (e.g. WAO conducting a review of information management across Welsh Authorities in 2012). Fines from the Information Commissioner's Office (precedent of fines of up to £130k for single breach of data protection act).</p>	<p style="text-align: center;">B3</p>	<p>Our controls are particularly strong on the technical (i.e. electronic side), and work has been undertaken to improve the position with paper. The council achieves GCSX accreditation every year which demonstrated compliance with UK Government Code of Connection. Mobile racking has been installed, which doubled the capacity in the corporate stores, and archiving backlog dealt with. Staff workshops delivered on good archiving practices. Additional post created to manage Freedom of Information (FOI) requests.</p>	<p style="text-align: center;">C3</p>	<p>Under Phase 2 of ICT Strategy, continue to move essential paper records to electronic format, utilising EDRMS. This forms part of the Modernisation Programme.</p> <p>Create/agree retention schedules for information: paper & electronic. <i>This is partially complete and is covered by the review of information management, which has now been agreed.</i></p> <p>Agree timescales for application of agreed retention schedules within each service. <i>This is covered by the review of information management, which has now been agreed.</i></p> <p>Ensure that our frameworks for information management are legally compliant (e.g. in relation to FOI, DPA, etc).</p>	<p>Cara Williams</p> <p>Alan Smith</p> <p>Alan Smith</p> <p>Alan Smith Gary Williams</p>	<p>01-Apr-13</p> <p>01-Apr-13</p> <p>01-Apr-13</p> <p>01-Apr-13</p>

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DCC009	Sally Ellis	Staff are not able to respond to the change agenda. The council is unable to deliver planned efficiency savings as ICT acts as a barrier to change. Residents are unable to access information effectively.	A2	ICT Strategy (developed in conjunction with SLT) agreed. The fact that the inherent risk score is red suggests that our current control environment in this area needs to be strengthened. This is a reflection of the fact that the ICT Strategy is in its early stages.	B2	Review of benefits from Phase I of the ICT Strategy.	Cara Williams	31-Dec-12	
<i>Technological</i>						Cllr Barbara Smith	Agree (and then deliver) Phase II of the ICT Strategy. <i>This forms part of the Modernisation programme.</i>	Cara Williams	31-Mar-13
DCC010	Mohammed Mehmet	The council has to spend an increasing proportion of available resources on maintaining deteriorating assets. The council has an unsustainable asset portfolio.	B2	The Corporate Asset Management Plan. Similar to DCC009, our current control environment is weak in this area. However, it is felt that we do have the current capacity, capability and drive to deliver a solution to control this risk. The new Corporate Plan, with the intention to invest significant additional capital funding to improve our school buildings, provides a control for this risk.	D2		Review of the Corporate Asset Management Plan to provide a clearer picture of where we want to be with the asset portfolio. <i>This is already underway.</i>	Paul McGrady	31-Mar-13
<i>Economic & Financial</i>						Cllr Julian Thompson-Hill	Peer review of the Corporate Asset Management Plan. <i>This will be carried out following the completion of the action above.</i>	Paul McGrady	30-Jun-13
The risk that our asset portfolio becomes an unmanageable liability and an obstacle to strategic planning.							Alignment of workforce, ICT and office accommodation strategies. <i>Disposals are proceeding according to plan. The Modernisation Board will co-ordinate the strategies. The Corporate Plan identifies significant resources for investment in our asset portfolio.</i>	Paul McGrady, Linda Atkin and Cara Williams	31-Mar-13
DCC011	Mohammed Mehmet	Significant disruption to core services. Serious injury or fatality due to road network closure. Reputational risk to the council if unable to deal with issues.	E1	The control environment in this area is the joint Emergency Planning Unit (Denbighshire & Flintshire). We also continually review our procedures for winter highways maintenance (e.g. this was the subject of a report to Communities Scrutiny Committee in October 2012, and we recently reviewed our emergency call-out rota system).	E1	Review the joint arrangements with Flintshire to provide assurance that they are robust. <i>A partial review meeting has been held with the Civil Contingencies Manager regarding 'on the ground responsibilities'. This has improved the joint arrangements. The Emergency Planning Unit is currently subject to a regional collaboration review.</i>	Stuart Davies	31-Mar-13	
<i>Environmental</i>						Cllr David Smith	Implementing a more robust secondary stand-by rota for our emergency call-out system within highways winter maintenance.	Stuart Davies	31-Dec-12
The risk of a severe weather event, over and above expected patterns of seasonal weather. Services plan for the impact of expected seasonal variations in weather, but severe weather events can impact on service delivery.									

DCC012	Mohammed Mehmet	Reputational damage. Potential intervention by the WG.		The corporate performance management framework (PMF) is the main control in this area. New system of "excellence thresholds" and "interventions" now used which is more robust than traditional target setting. Training on PMF has been delivered to Members, with a specific sessions for Cabinet and Performance Scrutiny. Head of Business Planning & Performance and Corporate Improvement Team Manager meet monthly with Wales Audit Office to understand and respond to their concerns.		Develop a more formal framework for co-ordinating self-assessments to support regulatory activities.	Alan Smith	31-Mar-13
<i>Legislative / Regulatory</i>								
The risk of a significantly negative report(s) from external regulators.	<u>Lead Member(s):</u> Cllr Hugh Evans	Significant resources may be required to be diverted to deliver immediate and substantial change.	C2		D3			
DCC013	Hywyn Williams	Capital liabilities. Reduction in levels of service provided to the community, or increased revenue costs to continue delivery.		Council representation on Boards, and Heads of Service providing strategic leadership to facilities. Financial support and subsidies being provided. Resources have been committed to improve financial monitoring of facilities. Review of Clwyd Leisure is complete and report taken to CET in October 2012.		A shadow board to be established between Clwyd Leisure and DCC to assist with operational aspects of the company and take forward recommendations from the review, and work through replacement options for declining assets. A further report is due at CET in December 2012.	Jamie Groves	31-Dec-12
<i>Partnership / Contractual</i>								
The risk of significant financial liabilities resulting from the failure of an external organisation (e.g. Arms Length Management Organisations, facilities with lease arrangements, etc)	<u>Lead Member(s):</u> Cllr Huw Jones	Reputation damage to the council.	C2		C2			
						Finalise the long term strategy for Bodelwyddan Castle. <i>This remains ongoing. We are engaged in detailed discussions with the manager, but there is no long term strategy in place as yet.</i>	Steve Parker	31-Dec-12
DCC014	Hywyn Williams	Serious injury or death of an employee and/or member of public. Significant reputational damage Substantial legal/compensation costs. Criminal prosecution of senior staff.		Corporate approach to hazard identification in response to the HSE Strong Leadership Project. New H&S Committee established with representation from each service, plus meetings established with groups of services. Strategic leadership provided by Corporate Director with responsibility for health and safety. Improved efficiency through on-line & phone line incident reporting. Council does have existing Health and Safety Management System(s) but more needs to be done to ensure they are fully effective and completely		Deliver cultural change, including ensuring that roles, responsibilities & systems in relation to H&S management are understood by all managers / supervisors.	Steve Parker	31-Dec-12 (review date)
<i>Physical Hazards and H&S</i>								
The risk of a health & safety incident resulting in serious injury or the loss of life. This could be as a result of an ineffective H&S management system; inadequate fire control systems (infrastructure); or inadequate fire management planning.	<u>Lead Member(s):</u> Cllr Julian Thompson-Hill		C2		D1			
						Deliver Strong Leadership Project: Year 2.	Steve Parker	31-Mar-13
						All Heads of Service able to demonstrate that robust managerial control is being exercised in relation to all H&S risks.	Steve Parker	30-Jun-13

				<p>... fully understood and completely understood. Fire Control Systems are in place for the highest risk locations, but there is still a backlog of essential work. Fire management planning systems exist, but need to be improved and fully understood by staff.</p>		<p>Consolidate and enhance our systems for managing property-related fire risks.</p>	Steve Parker / Paul McGrady	31-Dec-12
						<p>Provide guidance and assistance to managers responsible for developing fire management systems (e.g. building managers)</p>	Steve Parker	30-Apr-13
						<p>All Heads of Service able to demonstrate that robust managerial control is being exercised in relation to all (non-infrastructure) Fire management Systems).</p>	Steve Parker	30-Jun-13
DCC015	Mohammed Mehmet	The time and effort invested in collaboration may be disproportionate to the potential benefits if we are not able to influence the collaboration agenda.		The fact that the residual & inherent risk scores are the same (and red) suggests that our current control environment in this area is weak. Although it may not be possible to control this risk, we do need to be involved in the discussion in order to influence the agenda. We are represented on the Regional Leadership Board, but the agenda is ultimately driven by Ministers.		CET to review whether the council is represented sufficiently on all relevant forums to ensure that we are fully engaged with collaboration discussions.	Mohammed Mehmet	31-Jan-13
<i>Partnership / Contractual</i>								
The risk that the council cannot influence the collaboration agenda, and that further collaboration is forced upon on rather than entered into voluntarily.	<u>Lead Member(s):</u> Cllr Hugh Evans		B2		B2			
Collaboration is not voluntary; it is already a requirement of the Compact. However, it is resource intensive and benefits realisation can be difficult.								
DCC016	Mohammed Mehmet	Potential increase in demand for services: e.g. homelessness and homelessness prevention services; housing (especially for stock which is currently scarce); benefits support / advice, etc. Reduced income from rents and council tax payments with reduced cash flow and an increase in bad debt for the authority. Increased recovery action and administrative costs. Increase in tenants' rents. Also an impact to Social Services due to Disability Living Allowance changes.		DCC Welfare Reform Group has been meeting since April 2012. This group is cross service to ensure that information is shared and pressures identified to support our customers. A joint bid with Flintshire for WG funding for a HB / Housing options co-ordinator officer for 2 years has been successful. Regular contact with Landlords (Private & Social) is being maintained. Letters are being sent to all affected customers advising of changes, with benefit visiting officers available for home visits. Assumptions around the loss of income have been built into the Council's Medium Term Financial Plan.		1. Work in ongoing to advise residents of the benefits they are entitled to claim. <i>At this stage it is difficult to update claimants on what the actual effect will be on them due to the significant uncertainties, numerous changes and the interdependencies and complexities of the benefits system. As yet there are no clear proposals from the Welsh Government. Legislation is expected to be approved in December, with WG regulations following in January. The Chancellor's autumn statement in December should also tell us the final amount of funding that will be allocated to the scheme.</i>	Paul McGrady	31-Jan-13
<i>Economic & Financial</i>								
The risk that the impact of welfare reforms is more significant than anticipated by the council.	<u>Lead Member(s):</u>		B3		B3			
Welfare reform has potentially significant implications for a large proportion of residents, and also on the council in terms of increased demand for services and reduced income. The actual impact is difficult to predict.								

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Report To:	Performance Scrutiny Committee
Date of Meeting:	29 November 2012
Lead Member / Officer:	Lead Member for Modernising and Performance/ Head of Business Planning and Performance
Report Author:	Corporate Improvement Team Manager
Title:	Denbighshire County Council Improvement Assessment Letter

1. What is the report about?

This report presents the Improvement Assessment Letter for Denbighshire County Council, issued by the Wales Audit Office (WAO) on 17th September 2012. The letter is attached at Appendix I.

2. What is the reason for making this report?

To provide information regarding one of the key external regulatory reports received by the Council each year, and to enable the Performance Scrutiny Committee to carry out its performance management function.

3. What are the Recommendations?

It is recommended that the Committee:

- 3.1 consider the report, and identify any areas of performance that require further scrutiny and should therefore be planned into the Committee's Forward Work Programme; and
- 3.2 agree to add the next WAO Improvement Assessment Letter to its agenda on 10th January 2013.

4. Report details.

The Improvement Assessment is the main mechanism for the WAO to report its assessment of the Council's performance and prospects for improvement. The latest Improvement Assessment Letter was issued on 17th September 2012. Although there are no formal recommendations in the letter, Members need to have an opportunity to discuss the letter in order to decide whether there are any particular aspects of performance that require further scrutiny.

The next Improvement Assessment Letter is due to be issued by the WAO before the end of November 2012. The Committee should consider whether it is able to accommodate this letter on the agenda for its meeting of 10th January 2013.

5. How does the report contribute to the Corporate Priorities?

The Annual Improvement Letter provides an assessment of the Council's performance and also of its prospects for improvement. A key element of the information considered by the WAO when drafting the letter is the Council's performance in relation to delivering the priorities in its Corporate Plan. The WAO is required to formally assess the Council's Annual Performance Report and its Corporate Plan. Neither document was available for assessment prior to the publication of this Improvement Assessment Letter, as the draft versions of both documents were discussed (and approved) by Council on 9th October 2012. The WAO will therefore include an evaluation of both documents in its Improvement Assessment Update Letter which is due to be published before the end of November 2012.

6. What will it cost and how will it affect other services?

There are no implications for any particular service areas.

7. What consultations have been carried out and has an Equality Impact Assessment Screening been undertaken?

The WAO undertook a number of interviews with relevant officers and Elected Members before drafting the Improvement Assessment Letter. The draft report was shared with the Council, and feedback was requested, prior to publication.

It has not been necessary to undertake an Equality Impact Assessment of this report, as it does not require a decision that will impact on staff or service users. However, an equality impact assessment was undertaken on the Council's Corporate Plan 2012-17, and this will be taken into account in the WAO Improvement Assessment Update Letter which is due to be published before the end of November 2012.

8. Chief Finance Officer Statement

There are no obvious significant financial implications arising from the report.

9. What risks are there and is there anything we can do to reduce them?

This report presents no new risks for the Council.

10. Power to make the Decision

This report is for information rather than decision, but does seek the Committee to consider whether it wishes to consider specific areas of performance for inclusion in its forward work programme.

Contact Officer:

Corporate Improvement Team Manager
Tel: 01824 706063



24 Cathedral Road / Heol y Gadeirlan
Cardiff / Caerdydd
CF11 9LJ
Tel / Ffôn: 029 20 320500
Fax / Ffacs: 029 20 320600
Email / Epost: wales@wao.gov.uk
www.wao.gov.uk

Dr Mohammed Mehmet
Chief Executive
Denbighshire County Council
County Hall
Wynnstay Road
Ruthin
Denbighshire
LL15 1YN

Date 17 September 2012
Our reference 494A2012
Your reference
Tel No
E-mail
Pages 1 of 7

Dear Mohammed

Improvement Assessment

I am required, under the Local Government (Wales) Measure 2009 (the Measure) to report my audit and assessment work in relation to whether Denbighshire County Council has discharged its duties and met the requirements of the Measure.

This letter summarises:

- my views on whether the Council has discharged its statutory duties in respect of improvement planning;
- my views on the Council's compliance with requirements to make arrangements to secure continuous improvement, based on work carried out to date by the Wales Audit Office and relevant regulators, including:
 - the Council's progress on areas for improvement and recommendations identified in my previous assessments;
 - any relevant issues that may have emerged since my last report, including comments on how the Council is addressing financial challenges; and
 - a brief summary of any reports of relevant regulators issued since my last report.
- my further proposals for improvement and/or recommendations; and
- updates to the Wales Audit Office work plan and timetable for delivering my Improvement Assessment work.

I shall update my views during the year and will provide a further letter by the end of November 2012.

I am unable to state whether the Council has discharged its improvement planning duties under the Measure as the Council has not yet published its Improvement Plan for this year

Following the local government elections in May 2012 the Council appointed a new Cabinet. The composition of the Cabinet has changed but remains politically balanced, in accordance with the Council's constitution. Labour councillors now form the opposition group.

The Council is currently developing a new Corporate Plan and determining whether it can deliver all of its proposed seven draft priorities by 2017. Councillors are leading these discussions, which are now subject to further public consultation, and the Council anticipates the Corporate Plan will be agreed in the autumn of 2012. The Council is undertaking a considerable amount of consultation and engagement with residents and its staff including:

- a Residents' Survey: 2,256 households responded to a survey;
- a Public Survey: 1,228 people responded to a survey on the Council's website and in leisure centres, libraries, and Council reception areas; and
- workshops with young people.

I shall provide a further letter by the end of November 2012 which will assess whether the Council has discharged its improvement planning duties under the Measure and review the goals (including but by no means limited to performance indicators and targets) that the Council has set for itself in order to monitor its delivery of its improvement objectives.

Based on, and limited to, work carried out to date by the Wales Audit Office and relevant regulators:

I believe that the Council is likely to comply with the requirement to make arrangements to secure continuous improvement during this financial year

I have reached this conclusion because:

- the Council is making reasonable progress in both areas for improvement identified in my last Annual Improvement Report;
- the Council's current arrangements for developing, using and supporting technology are likely to support continuous improvement once the Council further strengthens its ICT governance arrangements and successfully completes Phase One of its ICT strategy;

- an inspection by the Care and Social Services Inspectorate Wales (the CSSIW) concluded that the Council is providing responsive and timely assessment to most of the adults presenting with social care needs and is responding to the challenges experienced in implementing and further developing the Council's strategy; and
- Estyn has judged that the Council provides good quality education services for children and young people and that prospects for improvement are good.

The Council is making reasonable progress in both areas for improvement identified in my last Annual Improvement Report

I made two proposals for improvement in my Annual Improvement Report, published in January 2012, and also noted some areas where we would undertake further work. Progress on these matters is summarised below and in Appendix 1:

- I proposed that the Council should use its annual review of its governance arrangements to provide a more robust self-assessment of their effectiveness. The Council undertook a corporate governance review as part of the process to update and agree its *Annual Governance Statement*. The review found that the Council had adequate arrangements in place for meeting the six principles in the framework but the review of the effectiveness of the arrangements identified three significant governance risks:
 - Partnership governance
 - Information governance
 - Elected member performance and development

The Council is drafting its new Annual Governance Statement. We shall be conducting further work at all councils in Wales on the production of the Annual Governance Statements and I shall produce a national report in due course. I shall provide further feedback to the Council later this year.

- I proposed that, by September 2012, the Council should establish in more detail how it will support the *Rhyl Going Forward* delivery plan. Managerial responsibility within the Council for *Rhyl Going Forward* is undergoing a period of transition as part of the reorganisation of duties amongst the Council's heads of service whilst, at senior level, the newly appointed Corporate Director of Economic and Community Ambition will assume responsibility for economic development. I shall provide a further assessment of progress with regard to the *Rhyl Going Forward* delivery plan later in the year, including an evaluation of :
 - how the plan fits with the county regeneration programme;
 - the extent to which the plan confirms the staff and financial resources that will be available to support delivery; and
 - the arrangements for periodic evaluation of progress.

The Council's current arrangements for developing, using and supporting technology are likely to support continuous improvement once the Council further strengthens its ICT governance arrangements and successfully completes Phase One of its ICT strategy

I came to this conclusion because:

The Council has focused on developing customer access channels which are starting to perform well, but is not fully exploiting the potential of technology to deliver service transformation and efficiencies.

ICT governance arrangements do not fully align with and support the delivery of the Council's improvement and transformation priorities and there are weaknesses in technology resourcing arrangements.

An inspection by the Care and Social Services Inspectorate Wales (the CSSIW) concluded that the Council is providing responsive and timely assessment to most of the adults presenting with social care needs and is responding to the challenges experienced in implementing and further developing the Council's strategy

The CSSIW undertook an inspection of the arrangements for the assessment and care management of adults referred to the Council's Social Services. The report was published in June 2012.

The main conclusions are:

- The service model adopted by the Council is enabling it to provide a responsive and timely assessment to most of the adults presenting with social care needs.
- The Council is able to provide considerable evidence of service-user satisfaction. New practices are being introduced to try to ensure that service-user feedback is embedded in social services interventions and used more effectively to inform performance management and service evaluation and development.
- The Council's strategy is to support the development of a range of services and mainstream community facilities to meet need in a way which encourages independence. Whilst a range of service is being developed, challenges remain in relation to certain specialised areas, such as increasing direct payments.

Estyn has judged that the Council provides good quality education services for children and young people and that prospects for further improvement are good

Her Majesty's Inspectorate for Education and Training in Wales (Estyn) undertook an inspection of the Council's education services for children and young people. The report was published in February 2012.

The main conclusions are that:

- pupils' overall performance is good and has improved in all key stages, particularly in key stage 4;
- performance has improved against the Welsh Government's expected benchmarks based on free-school-meal entitlement;
- the number of exclusions has reduced and the overall number of days lost to exclusion is the lowest in Wales;
- the Council has very good arrangements to support and challenge schools and knows its schools very well;
- support for school improvement, additional learning needs and social inclusion are all good;
- the number of Denbighshire schools requiring follow-up after an inspection is among the lowest in Wales;
- the Council has made good progress in delivering its Modernising Education programme;
- the culture of very strong leadership from elected members and senior officers has driven significant change and improvement at a good pace; and
- the prospects for improvement are good.

Further proposals for improvement/recommendations

I make no new recommendations or proposals for improvement in this letter. We will continue to monitor and report on the progress made by the Council in implementing the proposals set out in my previous reports and letters.

Updates to the work plan and timetable

My Improvement Assessment Team will keep the Council informed of the detailed arrangements for the delivery of my assessment work. The regularly updated work plan and timetable provides more detail on the work being delivered during this year's assessment and in particular how we will add value by focusing on jointly identified areas or services.

The work plan and timetable takes account of my consultation with improvement authorities over my proposals for 2012-13 performance audit work. In particular, I shall be asking my Improvement Assessment Team to consider during the year the reliance that we can place upon the self-assessment processes (including your review of governance in producing the Annual Governance Statement and your Annual Performance Report). I shall comment on this approach in my Annual Improvement Report.

I am grateful to the Council for the way in which it has helped to facilitate our work. I remain committed to providing appropriate levels of public assurance while supporting you in mitigating the inevitable risks to services and accountability that stem from reducing resources and consequential change.

Yours sincerely



HUW VAUGHAN THOMAS

AUDITOR GENERAL FOR WALES

CC: Carl Sargeant, Minister for Local Government and Communities

Huw Lloyd Jones – Manager

Gwilym Bury – Performance Audit Lead

Appendix 1

Proposals for improvement made in the Annual Improvement Report 2012	Progress
<p>P1 The Council, in common with other authorities in Wales, should use its annual review of governance arrangements to provide a more robust self-assessment of their effectiveness.</p>	<p>I proposed that the Council should use its annual review of its governance arrangements to provide a more robust self-assessment of their effectiveness. The Council undertook a corporate governance review as part of the process to update and agree its <i>Annual Governance Statement</i>. The review found that the Council had adequate arrangements in place for meeting the six principles in the framework but the review of the effectiveness of the arrangements identified three significant governance risks:</p> <ul style="list-style-type: none"> • Partnership governance • Information governance • Elected member performance and development <p>The Council is drafting its new Annual Governance Statement. We shall be conducting further work at all councils in Wales on the production of the Annual Governance Statements and I shall produce a national report in due course. I shall provide further feedback to the Council later this year.</p>
<p>P2 By September 2012 the Council should establish how it will support the Rhyl Going Forward delivery plan including:</p> <ul style="list-style-type: none"> • showing how it fits with the county regeneration programme; • confirming the staff and financial resources that will be available to support delivery; and • arrangements for periodic evaluation of progress. 	<p>I proposed that, by September 2012, the Council should establish in more detail how it will support the <i>Rhyl Going Forward</i> delivery plan. Managerial responsibility within the Council for <i>Rhyl Going Forward</i> is undergoing a period of transition as part of the reorganisation of duties amongst the Council's heads of service whilst, at senior level, the newly appointed Corporate Director of Economic and Community Ambition will assume responsibility for economic development. I shall provide a further assessment of progress with regard to the <i>Rhyl Going Forward</i> delivery plan later in the year.</p>

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Report To:	Performance Scrutiny Committee
Date of Meeting:	29 November 2012
Lead Member/Officer:	Head of Customers and Education Support
Report Author:	Corporate Complaints Officer
Title:	Performance Standards Revealed Through the Complaints Process

1 What is the report about?

To present analysis of the feedback received via Denbighshire County Council's customer feedback policy 'Your Voice' for Quarter 2 of 2012/13.

2 What is the reason for making this report?

To provide information regarding any performance issues identified by 'Your Voice', and to make recommendations to address these accordingly.

3 What are the Recommendations?

That the Committee:

- 3.1 notes and comments on the performance of services; and
- 3.2 determines whether any service(s) performance in dealing with complaints warrants further detailed scrutiny or support at present.

4 Report details

Highlights

The Council responded to **87%** of complaints within the 'Your Voice' timescales in Quarter 2. This is down from 91% in the previous quarter and continues to be short of the corporate target which is 95%.

The authority received 86 compliments during quarter 2, though this figure does not include Social Services.

Complaint response times

Although the overall performance of the council has dropped, there are a number of points to note.

- There were a number of complaints incorrectly allocated to services. Some of these have been reallocated to 'Other' – and because they were dealt with outside of target, they have impacted on the overall performance figures. This category will not be used in future reports.
- Housing Services have 'stabilised' their performance after two poor quarters at the end of 2011/12 following the restructure.

- Environmental Services continue to perform well given they have the highest volume of complaints. The performance did not suffer significantly despite a 69% increase in their complaints during the quarter.
- Complaint volumes for Highways increased by 38% in the quarter, yet the performance only slipped slightly.
- Stage 1 complaints appear to be where the issue is in terms of failing to respond within the timescales – with 87% being responded to within timescale.

Improving performance

The corporate aim is to respond to at least 95% of complaints within the stated timescales. At present we are some way off this, with the main area of concern being responding to stage 1 complaints outside the 10 working day timescale.

A presentation was delivered to Middle Managers at their quarterly conference on 17 October 2012. There was a particular emphasis on complaint handling and responding to complaints.

A meeting is scheduled with service complaints and performance officers in November to further reinforce this aspect of performance to those officers who deal with and manage complaints. One aim of the meeting will be to try to understand why complaints are not responded to within timescale. The findings will help to formulate an action plan to improve this aspect of complaint handling with the results fed back to the Committee at the next meeting.

A monthly report was introduced in September for the Senior Leadership Team highlighting performance in regards responding to complaints.

5 How does the decision contribute to the Corporate Priorities?

An excellent Council, close to its community.

6 What will it cost and how will it affect other services?

None – existing role of Corporate Complaints Officer.

7 What consultations have been carried out?

Monthly reporting to Senior Executive Team.

8 Chief Finance Officer Statement

Not applicable.

9 What risks are there and is there anything we can do to reduce them?

By not dealing with complaints effectively, the reputation of the Council may suffer.

10 Power to make the Decision

Article 6.3.4 of the Council's Constitution

Contact Officer:

Corporate Complaints Officer

Tel: 01824 706197

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Appendix A – ‘Your Voice’ information

A1 Your Voice’ reporting periods

A1.1 The following periods are used for reporting data in regards ‘Your Voice’:

Quarter 1: 1-Apr to 30-Jun

Quarter 2: 1-Jul to 30-Sep

Quarter 3: 1-Oct to 31-Dec

Quarter 4: 1-Jan to 31-Mar

A2 Complaint response timescales

A2.1 The ‘Your Voice’ feedback policy states that the following timescales should be adhered to when responding to complaints:

Stage 1: **10** working days

Stage 2: **25** working days

Stage 3: **15** working days

A3 ‘Your Voice’ performance measures

A3.1 A traffic light system will be used to highlight performance in relation to response timescales to complaints. Performance is rated according to:

Red	Less than 80% of complaints responded to within timescale
Orange	when more than 80% but less than 90% of complaints responded to within timescale
Yellow	when more than 90% but less than 95% of complaints responded to within timescale
Green	more than 95% of complaints responded to within timescale

A3.2 To assist with identifying whether a service area’s performance has changed from the previous period(s), the following key has been developed:

Symbol	Indication
▲	Improvement in performance
▼	Decline in performance
◀	No change in performance
–	No data for period for comparison

Appendix B – ‘Your Voice’ Quarter 2 2012/13 data

B1 Overall complaint response times

Service Area	Quarter 1 (12/13)				Quarter 2 (12/13)			
	Recd	Within	%	Status	Recd	Within	%	Status
Social Services Adults	14	11	79%	▲ R	13	11	85%	▲ O
Social Services Children	18	17	94%	▲ Y	20	15	75%	▼ R
Business Planning and Performance	0	0	n/a	– –	0	0	n/a	– –
Legal and Democratic Services	1	1	100%	– –	1	1	100%	◀ G
Customer Services	4	4	100%	◀ G	2	1	50%	▼ R
Environment	26	25	96%	◀ G	44	42	95%	▼ G
Finance and Assets	7	5	71%	▼ R	8	6	75%	▲ R
Housing Services	26	21	81%	▲ O	15	14	93%	▲ Y
Regeneration	1	1	100%	◀ G	3	3	100%	◀ G
Planning and Public Protection	17	17	100%	▲ G	11	10	91%	▼ Y
Highways and Infrastructure	24	23	96%	▲ G	33	31	94%	▼ Y
Leisure, Libraries and Community Development	9	9	100%	▲ G	12	11	92%	▼ Y
Education	1	1	100%	– –	0	0	0%	– –
Other	1	1	100%	– –	4	0	0%	– –
	149	136	91%	▲ Y	171	149	87%	▼ O

B2 Response times according to stage

Quarter 1	Count	Within	
Stage 1	137	125	91%
Stage 2	8	7	88%
Stage 3	3	3	100%
Ombudsman	1	1	100%
	149	136	91%

Quarter 2	Count	Within	
Stage 1	159	138	87%
Stage 2	8	8	100%
Stage 3	4	3	75%
Ombudsman	0	0	
	171	148	87%

B3 Compliments received

Service Area	No	
Social Services Adults		
Social Services Children		
Business Planning and Performance	0	0%
Legal and Democratic Services	1	<1%
Customer Services	2	2%
Environment	44	51%
Finance and Assets	0	0%
Housing Services	4	5%
Regeneration	1	<1%
Planning and Public Protection	4	5%
Highways and Infrastructure	20	23%
Leisure, Libraries and Community Development	10	12%
Education Support	0	0%
Education	0	0%
	86	

Report To: Performance Scrutiny Committee

Report Author: Lead Officer: Libraries, Archives & Arts
(Communications Marketing and Leisure)

Report Title: Library Service Standards: Annual Report 2011-12

1. What is the report about?

The report outlines the Library Service's 2011/12 performance against CyMAL's Annual Assessment Framework for Welsh Public Library Authorities.

2. What is the reason for making this report?

To inform the Committee of the Library Service's 2011/12 performance against the 9 Welsh Public Library Standards and 7 Welsh Public Library Performance Indicators.

3. What are the Recommendations?

That Scrutiny Members:

- 3.1 consider the report and the comments relating to the Library Service's performance against the Annual Assessment Framework,
- 3.2 provide a statement to CyMAL concerning the Library Service's performance, and
- 3.3 determine whether any further scrutiny is required

4. Report details

CyMAL's Annual Assessment Framework for Welsh Public Libraries

5. The Public Libraries and Museums Act 1964 sets out the statutory duty of public library authorities to "provide a comprehensive and efficient library service" and makes it a duty of the Welsh Ministers to "superintend and promote the improvement" of public library services in Wales. In accordance with these statutory requirements the Welsh Government annually assesses the Library Service's Annual Return to CyMAL (Museums Archives and Libraries Wales) which focuses on performance against 9 Standards and 7 Performance Indicators.
6. The Framework is operational for a three-year period from April 2011 to March 2014, and focuses on the maintenance of a core library services in what is recognised as a challenging period for the public sector.

Library Standards

7. CyMAL's assessment of Denbighshire's Annual Report confirms that in 2011-12 the authority:
 - met 5 of the 9 Welsh Public Library Standards
 - partly achieved 3 of the Standards
 - and failed to meet one Standard

The average number of Standards met by Welsh public library authorities was 6, the highest number achieved was 8, and the lowest 3. Denbighshire's performance (5 out of 9 Standards) was considered by CyMAL to be "slightly below average when compared with other authorities in Wales."

Standards Met

8. The five Standards met by the authority were:
 - Location and accessibility of libraries within their communities
 - Access to services for user groups with particular access requirements (e.g: disabled access, housebound library service, accessible IT)
 - Accessibility of opening hours
 - Annual acquisition levels of stock for adults and for children
 - Satisfaction of user requests and reservations

Standards Partly Met

9. Some Standards have multiple sub-sections, and a partial achievement is recognised when an authority is achieving at least half of the multiple requirements. Denbighshire partly met 3 of the Standards:
 - **ICT facilities and services.** 14 of the 15 requirements within this Standard are already being met (eg the number of public access computers, scanning and printing facilities, plug-in facilities for digital media devices, and online information sources such as newspapers, family history and reference materials.) The only outstanding element is the provision of WiFi at those libraries open for 30 hours or more per week. Denbighshire has 6 libraries which fall into this category, but WIFI is only currently available at Rhyl Library.
 - **Expenditure on books and other materials.** This particular Standard is in two parts, with a separate expenditure target set for Children and Adult stock. Although Denbighshire's combined expenditure (at £2,055 per 1,000 population) was above the minimum standard of £1,948, Denbighshire's own stock priorities for 2011/12 resulted in a top quartile spend on resources for those

under 16, and an expenditure which fell below the minimum level for adults. As a result, the Standard was deemed to be partially met. Oddly enough, this seems to conflict with the Standard on Stock Acquisitions (see 8 above) where Denbighshire actually met the minimum number of stock purchases required for both adults and children, which suggests that CyMAL's correlation between the two is somehow out of sync.

- Expenditure on, and management of library buildings. CyMAL acknowledged Denbighshire's expenditure on the care and maintenance of its library buildings, but indicated that this Standard cannot be met if an Asset / Condition Survey has not been undertaken since 2006.

Standards Not Met

10. Denbighshire is one of 8 authorities not meeting the Standard relating to staffing levels. 4 full-time professional posts have been deleted from the structure since 1 April 2008 to address the efficiency agenda, and CyMAL have accepted that there are no plans to increase the staffing levels. (The Standard is met by 6 authorities, and is partly met by another 8.)
 - Staffing levels shall not fall below 0.37 staff per 1,000 population (Denbighshire = 0.35)
 - At least 23% of staff shall be formally qualified in library and information studies (Denbighshire = 19%)

Performance Indicators

11. CyMAL points out that Denbighshire is meeting 5 of the 9 Standards, when in fact the Welsh average is 6, and indeed the highest number achieved was 8. The implication is clear – that Denbighshire's Library Service is below average.
12. However, the suite of Performance Indicators tells a very different story.
 - 2nd highest used / visited Library Service across Wales, with 7,864 users per 1,000 population. (second only to Cardiff.) The indicator includes physical visits to libraries, virtual visits to the Library Service's website, and attendance at events and activities organised by the service (eg Children's Book Week, author visits, book promotions, etc). The Welsh average is 5,884.
 - 3rd highest authority in Wales for issues of books and other materials, with 6,021 issues per 1,000 population. The Welsh average is 4,823 issues.

- 17th for percentage of the Library Service's revenue budget spent on stock. Whilst this places us in the lower quartile for expenditure on stock, the high issue figure quoted above shows that the money is effectively spent, and that we must be meeting customer requirements. This is also confirmed by the high footfall.
 - 12th for percentage take up of public access PCs. With approximately 100 PCs across the 8 libraries, for 40% of the time, these were in active use throughout 2011/12. Usage varies from library to library, with a higher demand at Rhyl than elsewhere, although all libraries seem to approach the 100% take up after 3.30pm on school days.
13. Denbighshire's high usage and issue figures for 2011-12 reflects the success of its Summer Reading Challenge, which was the most successful ever in Denbighshire with 4,859 children participating – the highest ever and a 29% increase on 2010-11 [3,758]. This was again the highest participation figure in Wales (the Wales average is 1,830). 13.2% of the children participating in Wales were from Denbighshire.
- 68% completed – highest in Wales
 - 13.7% increase in the number of books borrowed
 - 56% of primary age children took part
 - 48% were boys – highest in Wales
14. Denbighshire is 4th for its net expenditure per 1,000 population on Library Services, although this demonstrates the Authority's investment in delivering shared and multi services from its library locations (5 One Stop Shops, 1 Museum, 4 Art Galleries, 1 Countryside office, and 1 Tourist Information Centre) with all the energy, caretaking, cleaning, National Non-Domestic Rates (NNDR) and associated costs paid for by the Library Service. Work has begun on cleansing the financial data to accurately reflect the true costs of the Library Service, and this will continue throughout 2012-13.
15. On the other hand, Denbighshire is in 20th position with a cost of £2.29 per visit/usage, compared with the Welsh average of £2.84, and the Welsh highest of £4.24.
16. Performance Indicator data for all Welsh authorities can be seen in Appendix A. In moving forward, we will contact other high performing Library Services within Wales to share best practice and to learn from their experience.
- 17. How does the decision contribute to the Corporate Priorities?**

The Library Service contributes to the health and wellbeing of local communities by providing access to books and information, and partnership activities for all ages. It also contributes to Denbighshire's Literacy Strategy, as acknowledged in the Estyn Self Assessment report.

18. What will it cost and how will it affect other services?

There are no cost implications.

19. What consultations have been carried out?

CyMAL's assessment has been discussed with Lead Member for Tourism, Leisure and Youth, at the Communications, Marketing and Leisure (CML) Lead Officer's Group and at the Library Service Management Team.

20. What risks are there and is there anything we can do to reduce them?

Performance against the Assessment Framework for 2011-14 is reported annually to CyMAL. Whilst the most recent evaluation from CyMAL indicates that Denbighshire is underperforming in meeting 5 of the 9 Standards, it is apparent from the Performance Indicators that Denbighshire is one of the best performing in terms of library visits, usage and issues. As such, there are no risks involved with the current assessment, and the service is confident it is addressing its own priorities in meeting the needs of local residents and communities within Denbighshire.

21. Power to make the Decision

Article 6.3.4(b) of the Council's Constitution.

Contact Officer:

Lead Officer: Libraries, Archives and Arts
Tel: 01824 708203

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Welsh Public Library Performance Indicators 2011-2012

Authority	WPLPI 1	WPLPI 3	WPLPI 4	WPLPI 5	WPLPI 6	WPLPI 7	WPLPI 8	
	Use of service per 1,000 pop	% PC use	Issues per 1,000 pop	% expend on stock	% expend on Library Service	% capital allocation on Libraries	Net expend per 1,000 pop (incl Central Support) £	Cost per visit £
Blaenau Gwent	6,360 7	46.7 7	3,350 21	8.5 21	0.79 16	0.00 19	18,370 3	2.89 10
Bridgend	4,243 20	33.0 17	3,838 20	12.5 14	0.90 14	0.10 14	15,290 16	3.60 3
Caerphilly	4,692 18	24.0 21	4,026 18	11.9 15	1.15 2	1.38 3	19,915 2	4.24 1
Cardiff	9,544 1	50.0 4	5,687 5	13.7 8	0.56 20	0.42 7	14,983 17	1.57 22
Carmarthenshire	5,102 17	82.0 1	4,957 9	7.8 22	0.60 19	3.40 2	15,826 14	3.10 6
Ceredigion	4,351 19	82.0 1	4,893 11	15.0 6	0.97 10	16.00 1	12,882 21	2.96 9
Conwy	5,803 11	46.3 8	5,047 8	13.2 11	0.96 12	1.14 4	16,215 11	2.79 13
Denbighshire	7,864 2	40.3 12	6,021 3	11.4 17	0.98 8	0.09 15	18,006 4	2.29 20
Flintshire	5,496 14	31.0 19	4,957 9	13.5 10	0.91 12	0.03 18	16,639 9	3.03 8
Gwynedd	5,741 12	37.0 16	5,636 6	14.6 7	0.97 9	0.16 13	16,419 10	2.86 12
Isle of Anglesey	5,169 16	43.0 10	4,845 12	9.9 20	0.80 15	0.26 9	15,834 13	3.06 7
Merthyr Tydfil	4,279 21	23.0 22	3,293 22	13.0 12	0.50 21	0.57 6	13,426 20	3.14 5
Monmouthshire	6,719 5	41.0 11	6,180 1	18.2 2	1.00 6	1.03 5	15,684 15	2.33 19
Neath Port Talbot	6,977 4	49.0 5	4,316 15	13.0 12	0.92 12	0.00 19	17,339 5	2.49 17
Newport	6,288 8	65.0 3	4,270 16	30.0 1	0.70 18	0.05 16	11,323 22	1.80 21
Pembrokeshire	6,035 9	32.7 18	4,803 13	17.1 3	1.07 4	0.04 17	16,168 12	2.68 14
Powys	6,418 6	37.8 14	5,871 4	10.3 19	1.02 5	0.22 12	16,677 8	2.60 15
Rhondda Cynon Taf	5,939 10	39.8 13	3,919 19	17.0 4	0.77 17	0.31 8	14,324 18	2.41 18
Swansea	5,701 13	49.0 5	6,129 2	16.2 5	1.00 6	0.24 10	14,362 19	2.52 16
Torfaen	4,169 22	44.4 9	4,085 17	11.9 16	0.50 21	0.00 19	17,121 7	4.11 2

Vale of Glamorgan	7,348	3	37.7	15	4,626	14	10.9	18	1.30	1	0.20	11	21,070	1	2.87	11
Wrexham	5,351	15	27.3	20	5,351	7	13.7	8	1.11	3	0.00	19	17,244	6	3.22	4

Report To: Performance Scrutiny

Date of Meeting: 29th November 2012

Lead Member / Officer: Cllr David Smith

Report Author: Graham Boase (Head of Planning and Public Protection)

Title: Review of licensing matters

1. What is the report about?

- 1.1 The report relates to the comprehensive review of taxi and private hire vehicles (PHV) licensing policies and procedures and to advise on the reporting mechanism to Licensing Committee.

2. What is the reason for making this report?

- 2.1 Members have previously requested a report on the Council's taxi and PHV licensing systems. The report will hopefully provide Members with reassurance that Officers are revising policies and procedures to ensure appropriate control over taxis and PHVs.

3. What are the Recommendations?

- 3.1 That Members note the content of the report and support the approach undertaken to date on the review process.

4. Report details.

- 4.1 Taxis and PHV are an important mode of local transport. The Council has a responsibility to provide a robust taxi and PHV licensing system, which ensures the public travel safely, receive a good level of service and drivers are not overly burdened by unnecessary conditions.

- 4.2 In Denbighshire there are currently 17 PHV Operators, 84 PHV licensed vehicles, 49 licensed PH drivers, 238 Hackney Carriage Vehicles (Taxis), and 338 Hackney (taxi) and PHV licensed drivers. Licenses are received, considered and issued by the Licensing Admin Team. Vehicle licenses are issued by Fleet Services once authorised by the licensing admin team. The licensing system can involve a number of team/agencies, including Licensing Admin Team, Community Safety Enforcement Officers, Fleet Services, Legal Officers, Members, Social Services, Police and CRB etc and it is therefore important to ensure that a robust system is in place which is understood by all parties. The Council operate a Licensing Committee who consider and propose policy, and make decisions as a quasi-judicial body, on individual

applications. A number of decisions are delegated to officers and/or Head of Service.

- 4.3 Taxi licensing is a particularly complex area of licensing. Co-ordination and communication between service areas of the Council and also partner agencies is integral to the safe operation of the system, and to protect the safety of the public. There is intelligence to indicate that there are a core of operators and drivers that are non-compliant and the Authority have and will continue to take robust action against drivers and operators that have failed to meet the required standards.
- 4.4 In order to ensure that the taxi licensing process is as robust as possible and that all interested parties have an understanding of the licensing process, a full review of the taxi licensing process was commenced during 2012.
- 4.5 This followed a project management approach and the project proposal can be found at Appendix 1 to this report.
- 4.6 Meetings were held with Licensing Admin Officers, Licensing Enforcement Officers, Social Services, Fleet Services, School Transport and North Wales Police to review all licensing processes as a group. This identified areas for improved communication and achieved the desired outcome of clarifying roles and responsibilities within the taxi licensing process and a better understanding by all of how it should work. This was facilitated by Internal Audit and revised processes were produced and circulated to the group for final agreement.
- 4.7 The group met on the 8th of November 2012 to finalise and agree the revised processes, which will then be presented to the Head of Service and subsequently Licensing Committee. Sample revised processes may be seen at Appendix 2a.
- 4.8 Further work is now planned to review the scheme of delegation and relevant parts of the Constitution.
- 4.9 The project remains on target to be completed by the 31st of December 2012. The Licensing Committee will be presented with an update report during 2013. The forward work programme for the Licensing Committee can be found as Appendix 3.
- 4.10 Scrutiny Committee may want to consider reviewing the effectiveness of the revised policies and procedures some time later in 2013.

5. How does the decision contribute to the Corporate Priorities?

- 5.1 The work on reviewing the taxi licensing process, with particular emphasis on safeguarding the public directly contributes to the corporate priority of 'Protection of the vulnerable' and also the wider aim and Service Outcome of keeping our communities safe.

6. What will it cost and how will it affect other services?

6.1 The cost will be met within service budget.

7. What consultations have been carried out and has an Equality Impact Assessment Screening been undertaken?

7.1 An Equality Impact Assessment will be undertaken for any new or revised Policy that is produced following this review.

7.2 Consultation has been undertaken with the following sections/services before, during and following the review: Head of Planning and Public Protection, Licensing Admin Section, Community Safety Enforcement, Legal Services, Social Services, School Transport Section, North Wales Police, Fleet Services. Responses have all been considered during the review process and incorporated where appropriate within the revised processes.

8. Chief Finance Officer Statement

8.1 Not required.

9. What risks are there and is there anything we can do to reduce them?

9.1 If the recommendations of this report are not agreed with, then the Council exposes itself to potential liabilities and claims as a result of not complying with legal requirements and best practice standards.

10. Power to make the Decision

No formal decision required.

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Appendix 1

	
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The Project Proposal is the first document developed to introduce a project. It should expand the initial concept or idea to broadly define the scope of the proposed project (objectives, outcomes and outputs), and provide an estimate of the resourcing time and costs associated with progressing the initiative.

Project / Activity Name:	Review of Taxi Licensing Function		
Head of Service:	Graham H Boase	Service Area:	Licensing
Form Completed by:	Emlyn Jones	Date:	9 th July 2012
Project Sponsor:	Graham Boase	Project team:	Ivan Butler Nicky Jones Jo Thomas Tim Wynne-Evans
Project Manager:	Emlyn Jones	<i>If relevant</i>	

PROJECT TYPE

Please categorise your project type. Mark **one** box only.

This PID is for a work programme or block allocation (ie a collection of smaller works managed coherently together eg maintenance schemes, grant schemes, highway maintenance, etc)	
The project scored 0 to 4 and is categorised as SMALL	
The project scored between 5 and 10 and is categorised as MEDIUM	x
The project scored over 10 and is categorised as LARGE	

Please complete the scoring matrix below to evidence your categorisation. This **is not** required if you have categorised the activity as a work programme or block allocation.

Criteria:	Score 0	Score 1	Score 2	
What is the total cost of the project?	Up to £50K OR Up to £150K (construction)	£50K to £150K OR £150K to £1mill (construction)	Over £150K OR Over £1 million (construction)	0
How long will it take to develop and implement the project?	Up to 3 months	3 to 12 months	Over 12 months	1
Which stakeholders are involved?	Mainly internal	Internal & external	Stakeholder opposition	1
Has Denbighshire done this sort of project before?	Many times	Once or twice	Never	1
What is the reputational risk to Denbighshire if we make significant mistakes in project delivery or the project fails?	Low	Medium	High	1

What is the financial risk to Denbighshire if we make significant mistakes in project delivery or the project fails?	Low	Medium	High	1
Total Score:				5

BACKGROUND INFORMATION

This section should provide a brief description of the project/activity you propose to undertake and the reason it is required. You should assume that the reader has no background knowledge.

Taxis and Private Hire Vehicles (PHV) are an important mode of local transport. They are of particular importance in areas that have limited public transport, such as our rural communities (such as Denbighshire). Denbighshire County Council have a responsibility to provide a robust taxi and PHV licensing system, which ensures the public travel safely, receive a good level of service and drivers are not overly burdened by unnecessary conditions.

In Denbighshire there are currently 17 PHV Operators, 84 PHV licensed vehicles, 238 Hackney Carriage Vehicles (Taxis), 49 licensed PH drivers and 338 Hackney and PHV licensed drivers. Licenses are received, considered and issued by the Licensing Admin Team. Vehicle licenses are issued by Fleet Services once authorised by the licensing admin team. The licensing system involves a number of people, including Licensing Admin Team, Community Safety Enforcement Officers, Fleet Services, Members and CRB and it is therefore important to ensure that a robust system is in place which is understood by all parties. The Council operate a Licensing Committee who consider and propose policy, and make decisions as a quasi-judicial body, on individual applications. Some decisions are delegated to officers and/or Head of Service.

Community Safety Enforcement Officers undertake enforcement activities in relation to taxi licensing. These officers investigate complaints in relation to taxis. There is intelligence to support the view that there are still a core of taxi operators/vehicles/drivers that are non compliant. DCC School Transport and Social Services also contract the services of licensed taxi operators/drivers to transport vulnerable people e.g children and the elderly. It is therefore of paramount importance to ensure that the taxi licensing system is operated safely to protect the safety of the public.

We recently had a case whereby a driver's licence was revoked following a complaint and subsequent evidence demonstrated that he had misled the Authority by failing to disclose his previous arrest and relevant enforcement history. This highlighted a need to review the scheme of delegations for revoking/suspending licenses, review policies and procedures relating to taxi licensing, and review of communication between the licensing section and other DCC sections namely social services and school transport.

The project involves undertaking a systems thinking review of the whole taxi licensing process, involving all relevant/involved parties. This process will then result in a series of recommendations which the project team will review and prioritise/implement accordingly. These are likely to include, review of scheme of delegation/constitution, developing a set of policies and procedures owned and communicated by all parties, development of a database to record all relevant information including enforcement activities and undertaking a comprehensive review of relevant fees and charges (which is already being undertaken separately).

OUT OF SCOPE

If this Project Proposal is approved please detail any elements (e.g. activities, functions, services, geographic areas) which will be specifically excluded from the project. Note that in-scope activity should have been defined in the Background Information section above.

OUTPUT

An output is what is physically created by the project e.g. a new or refurbished building, a policy or strategy document, a re-structured organisation or service, an event, a new software system installed, etc.

Reviewed, comprehensive and lean procedures
Development of a reliable and easy to access database of enforcement activities
A clear and correct scheme of delegation

OUTCOME

An outcome is what happens, or what should happen, as a consequence of delivering the output e.g. improved educational attainment, safer working practices, cheaper or more efficient service delivery, etc.

- Better understanding by all interested parties of the process of taxi licensing
- Greater confidence in the system
- Adherence to legal principles, relevant legislation and Department for Transport guidance
- Improved communication between service areas
- Clear understanding of roles and responsibilities of all interested parties in the process of taxi licensing
- Better and more informed decision making processes
- Improved protection of the public
- Improved use of existing ICT database (LALPAC)

INTER-DEPENDENCIES

Please provide further information if this project or activity will have dependencies with other projects, service reviews or council activities.

Law Commission Review of Taxi legislation/licensing
Service Restructure

OVERARCHING AIMS - CORPORATE PRIORITIES / SERVICE OUTCOMES

This section should identify how the project / activity supports Denbighshire's corporate priorities and the services' key outcomes

DCC/CCBC Service Outcomes, particularly in relation to keeping communities safe

TIMESCALES

This section should outline the desired timescales for the activity. It should include all key milestones including when the project / activity is proposed to commence and when the project / activity will be complete (and the output detailed earlier achieved).

Date	Milestone
15 th & 22 nd June 2012	Systems thinking review of the taxi licensing process
2 nd July 2012	Meeting with all/some members of project team and submission of project proposal to Head of Service.
July 2012	Project proposal agreed and signed off.
August 2012	Presentation of Systems Thinking Review findings, draft procedures and list of actions to Head of Service.
August 2012	Prioritisation of actions by project team and allocation of tasks with agreed timescales.
September 2012	Preparation of Update Report to Performance Scrutiny by September 2012
December 2012	Completion of all agreed actions and submission of reviewed/new policies and procedures to Head of Service/Manager for approval.
April 2013	Review of success of project
April 2013	Update report to Performance Scrutiny.

COLLABORATION

Is this a collaboration project?	Yes		No	x
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CAPITAL COSTS

The capital cost of a project is an important consideration in terms of whether or not it should proceed. Note that even some non-construction projects may have a requirement for capital costs. For example, fund the acquisition of new ICT hardware or undertaking alterations to a building.

At this stage it is acceptable to present a cost range.

Estimated project capital cost or cost range	£
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REVENUE COSTS

The revenue cost of a project is an important consideration in terms of whether or not it should proceed. Please indicate below the expected revenue impact of the project or activity.

What is the impact of this project in terms of the revenue requirement for:	increase	neutral	decrease	not known
staff costs (salaries and associated)?				x
energy costs (heating, lighting, ICT, etc)?		x		
other property related costs (rental, insurance, etc)?		x		
ongoing ICT costs (licences, etc)				x
mileage of Denbighshire fleet vehicles?		x		
mileage for business travel by Denbighshire Employees using their personal vehicles?		x		
OTHER (please enter)				
OVERALL REVENUE REQUIREMENT				x

If necessary, please use the box below to provide any further details in relation to the revenue funding information you have provided (e.g. any assumptions made, estimates of potential revenue savings, income that may be generated by the project to offset revenue expenditure, etc).

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EQUALITIES IMPACT

The Council has a duty to ensure compliance with the Equalities Act (2010) which is intended to protect individuals from unfair treatment and promote a fair and more equal society. The following section is designed to assess the possible equalities impact of the proposed project or activity. If you require further guidance on or assistance with completing this section please contact Denbighshire's Corporate Equalities Officer: karen.beattie@denbighshire.gov.uk

What is the expected impact of this project/activity in terms of the following equality groups:	positive	neutral	negative	not known
• Age (younger and older people)		x		

• Disability (physical, vision, hearing impairments, learning difficulties, mental health)		X		
• Gender reassignment		X		
• Marriage or civil partnership		X		
• Race (including migrant workers, gypsy and travellers)		X		
• Religion/Belief		X		
• Sex including male, female, transgender)		X		
• Sexual Orientation (lesbian, gay, bisexual, transgender))		X		
• Relationships between groups may require clarification		X		
• Welsh Language and/or culture		X		

If you have indicated that the project or activity may have an impact on equalities (positive or negative) you may be required to complete an Equalities Impact Assessment (EqIA)

VERIFICATION:

Head of Service (or above): I certify that:

- The project will address a service need and deliver benefits
- The project makes a necessary contribution to the overall strategy of the organisation
- The estimated cost can be justified by the anticipated improvement in services

And that I have assigned the following individuals into the key project roles:

Project Sponsor:	Graham Boase	Signature:	<i>Insert electronic signature</i>	Dated:	
Project Manager:	Emlyn Jones	Signature:	<i>Insert electronic signature</i>	Dated:	9/7/12

Frequency of Reporting: <i>Producing the "Project Status Report"</i>	
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Please return to Eleri Williams in Business and Performance



Planning, Regeneration and Regulatory Service

Name of Policy / Procedure / Protocol / Plan:

Procedure for the Grant of a Private Hire Vehicle Licence

Author / Custodian:	Nicky Jones
Date agreed and implemented:	
Agreed by:	
Frequency of Review:	Annual
Review date:	
Equality Impact Assessment completed: (date)	N/A
Member involvement (if any)	
Internal or Public Domain:	Internal
Head of Service Approval: (signature & date)	

VERSION CONTROL:			
Reference:	Status:	Authorised by:	Date:
V01	Final / Draft	Head of Service	

1. Purpose

To ensure consistency of administering and enforcing the Hackney Carriage legislation and the safety of the travelling public throughout the County of Denbighshire. This procedure aims to provide practical guidelines for officers accepting and processing applications and ensure that legislation is adhered to.

2. Related Documents

Town Police Clauses Act 1847
 Local Government (Miscellaneous Provisions) Act 1976
 Blue Book (Conditions and Policy)

3. Officer Delegations

The Licensing Committee have delegated to the Head of Service who has subsequently authorised the following Officers to carry out the functions detailed below. The relevant section of the Council's Constitution can be found at Section

FUNCTION	OFFICER
Processing of application	Licensing Support Officer
Rejection of application	Senior Licensing Officer/Licensing Enforcement Officer
Referral of application to Licensing Committee	Senior Licensing Officer
Grant of application	Senior Licensing Officer
Refusal of application (as per policy)	Senior Licensing Officer

4. Pre-Inspections

- i. Licensing Enforcement Officer (LEO) to inspect all new vehicles to ensure compliance with the vehicle specification as detailed in the policy.
- ii. If LEO satisfied that vehicle meets specification a notice to that effect will be issued to the proprietor authorising the vehicle to undergo the Council's Compliance test
- iii. If LEO is not satisfied that the vehicle meets the specifications then the LEO must issue a rejection letter with details of reasons for rejection eg vehicle is a left hand drive/bodywork is in poor condition

5. Testing Requirements

Following the pre-inspection all suitable vehicles (as deemed by LEO) must undertake a Compliance Test at the County's Fleet Services Dept in Bodelwyddan.

6. Processing application:

Appendix 2a

- i. If application received at Fleet Services, Fleet to scan application form, insurance documents, V5 and Certificate of Compliance and MOT to Licensing ([email details here](#))
- ii. Senior Licensing Officer (SEO) to check all details on application form fully completed, signed and dated
- iii. Check to see if applicant has a current Operating Licence (see notes below)
- iv. Check Insurance document has appropriate cover for use and has a valid date in force (see note below)
- v. Check details on V5 match application details (see note below)
- vi. Check correct fee received (see table of fees attached)

If SLO satisfied that the above requirements are complete ONLY then move to step 10. If Not satisfied SLO to issue rejection letter (see section 5 below).

- vii. Licensing/Fleet to receipt fee (See separate fee receipt process) – Code to H290019428
- viii. Licensing to allocate licence number from VIP and Lalpac. You must select the next highest free number
- ix. Licensing to email fleet with licence number and authority to issue licence plates
- x. Fleet to enter insurance/certificate of compliance/V5 details onto Lalpac (follow Lalpac procedures)
- xi. Fleet to enter details of V5 onto VIP and issue Plate/Door Stickers
- xii. Fleet send all documents in internal post to Licensing on the day they are received.
- xiii. Once documents received at Licensing, application process opened on Lalpac (follow Lalpac renewal procedures)
- xiv. Licence to be signed by SLO (authorised officer) and one copy sent to Licence Holder/one copy to go on file.
- xv. Documents to be filed once received from Fleet Services

7. Insurance Documents

Inspection of the insurance document must be done before authorising application. Officer must be look for the following:

- a. Insurance document relates to the vehicle application or is included on a schedule for fleet vehicle cover
- b. Start and expiry date of cover. Application cannot be accepted if cover has expired or if the start date commences after grant of licence. The cover must start on the date the licence has been granted for.

- c. The cover must be for the carriage of passengers for hire and reward or for private hire/public hire

Full Certificate or cover notes may be accepted.

If in doubt of any certificate or cover note please see SLO.

8. Vehicle Registration Documents (V5)

Part of the application procedure is for the production of a V5 document . This cannot always be produced if the vehicle has just been purchased and the applicant has sent the V5 to the DVLA in Swansea for a change of owner details.

If the applicant cannot produce a V5 then proof of ownership should be sought until the applicant can produce the updated V5 eg receipt of purchase from garage.

9. Operator's Licence

If the application is for a PHV you must check the following information:

- a. Does the applicant have an Operator Licence? If not, does the application detail another Operator who the applicant is proposing to work under? If not, then the application must be rejected
- b. If an Operator Licence is in force, does it detail any restrictions on the number of vehicles that can operate from the premises? If it does restrict then you must check the applicant's vehicle records to see how many vehicles are currently licensed under the Operator Licence. If the applicant has already reached the maximum number of vehicles that can be operated from the premises then the application must be rejected.

10. Rejection of Application

Rejection of application would take place if:

- a. the vehicle does not meet the specifications as per policy
- b. if the applicant has not provided all appropriate supporting documents
- c. If the applicant does not have an Operating Licence or has conditions on his Operating Licence which would breach that condition.

Insert reasons for rejection in the body of letter.

The applicant can request his/her application be referred to the Licensing Committee for consideration if rejected on the grounds detailed in (a) above.

Rejection Letter must be signed by SLO

11. Refusal to grant

A Local Authority has very little reasons for refusal of a licence if the applicant complies with all the application requirements.

Section 48(7) - any person aggrieved by the refusal of a district council to grant a vehicle licence under this section or by any conditions specified in such a licence, may appeal to a magistrates' court.

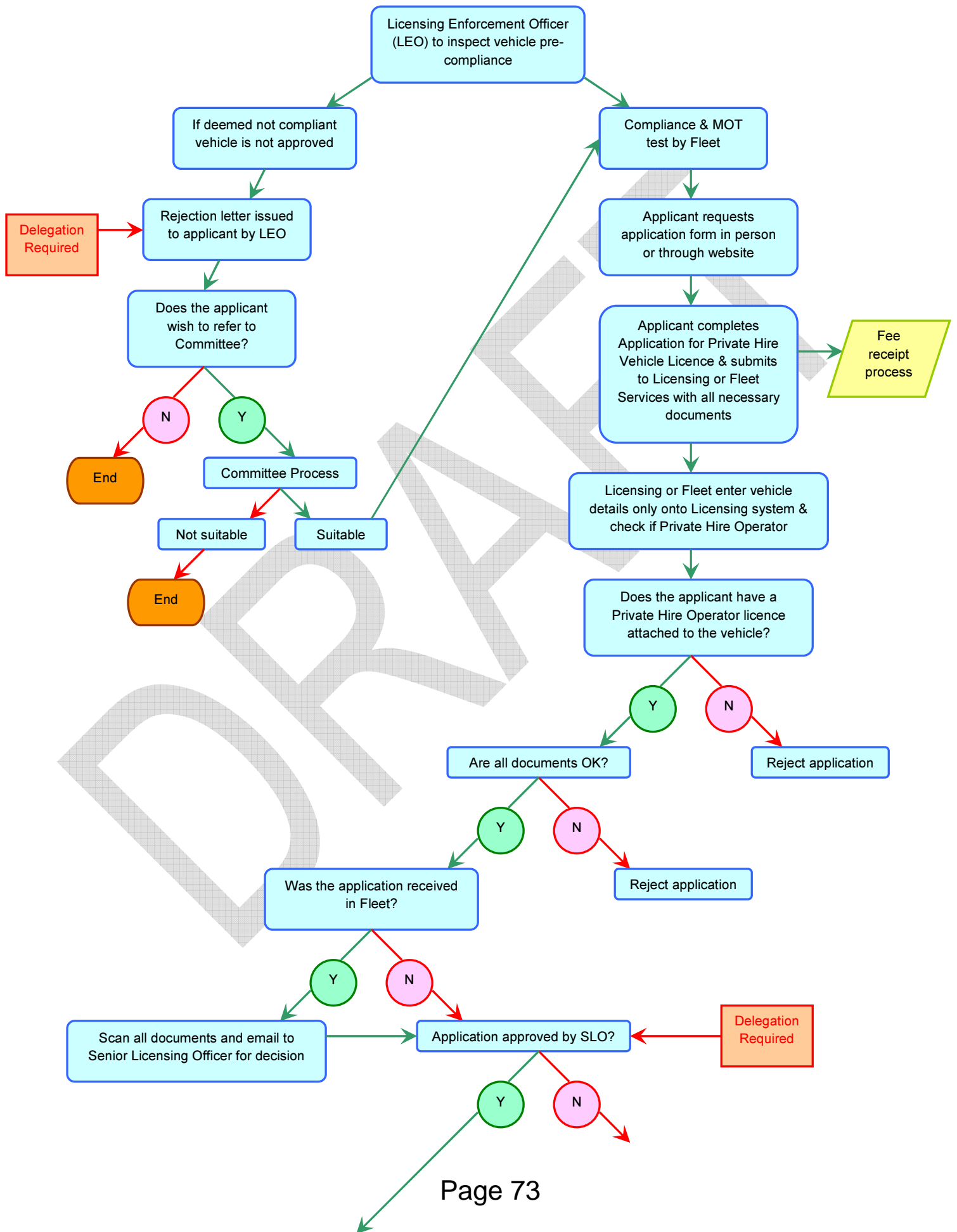
12. Review of Procedure

This procedure will be reviewed by the Licensing Section and Section Manager on an annual basis or sooner if changes to legislation are made.

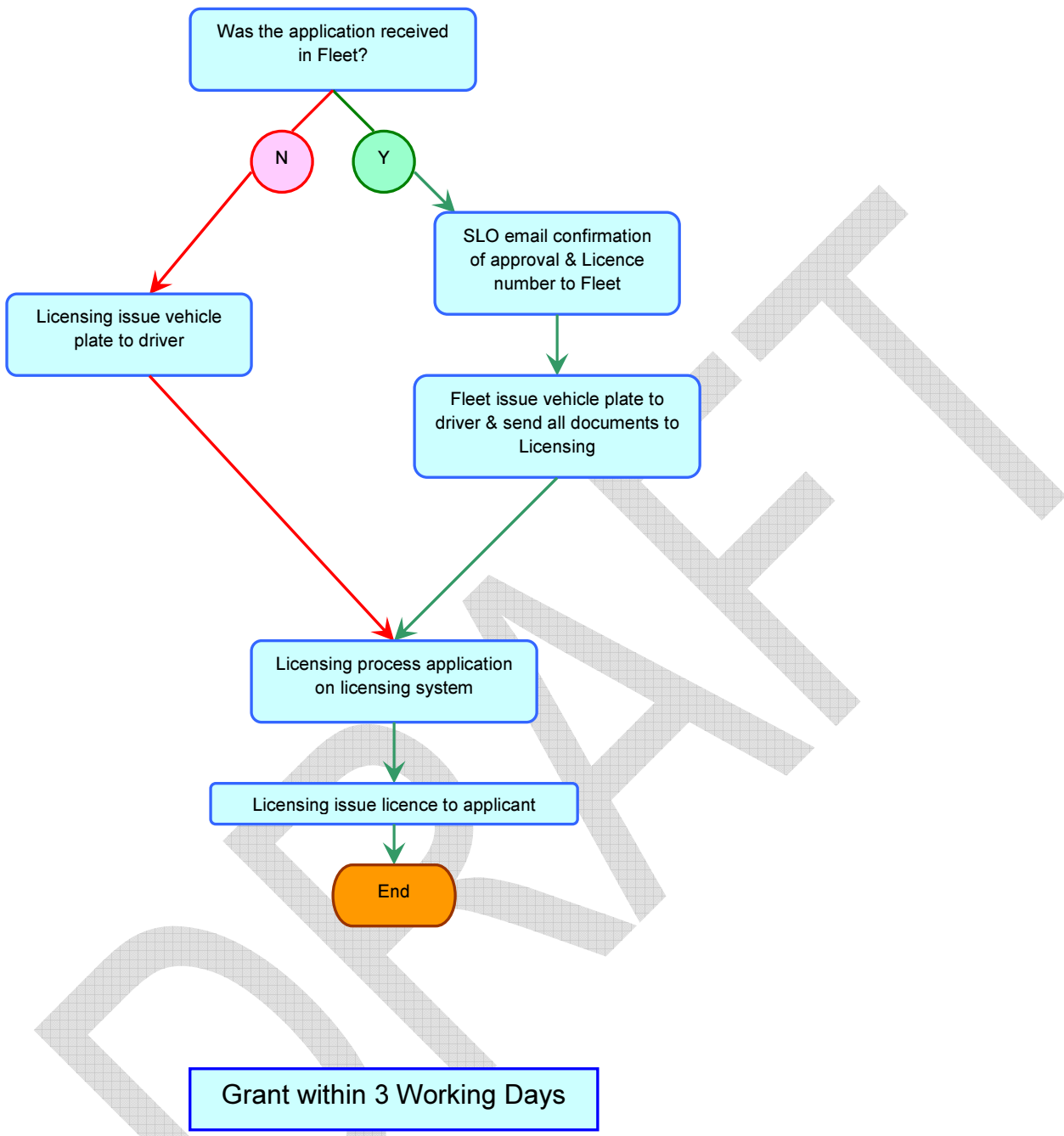
DRAFT

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Proposed - Application for Grant of a Private Hire Vehicle Licence



Reject application



Appendix 3

REPORT TO: LICENSING COMMITTEE

DATE: 5 December 2012

REPORT BY: THE HEAD OF PLANNING AND PUBLIC PROTECTION

SUBJECT: REVISED LICENSING COMMITTEE WORK PROGRAMME 2012/13

DATE	REPORT	COMMENT
5 December 2012	Revised Forward Work Programme for 2013/14	Report for Members to approve a revised Forward Work Programme
	Update report on Fees and Charges review	Report for Members to note
	Police Reform and Social Responsibility Act 2011 – Late Night Levy and Early Morning Restriction Orders	Report for Members consideration
6 March 2013	Sex Establishment Renewal	Report for Members' to consider the renewal of existing Sex Establishment Licence
	Review of Fees and Charges for 2013/14	Report for Members to consider and approve a set of fees and charges
	Review of Market Regulations	Report for Members to consider a review of the Market Regulations for Rhyl
June 2013	Hackney Carriage and Private Hire Procedures	Report for Members' to approve the revised procedures
	Review of existing policy and conditions for Hackney Carriage and Private Hire Drivers to include; Conviction Policy Driver Dress Code Code of Conduct	Report for Members' consideration and approval for Officers to consult with all interested parties

Appendix 3

September 2013	Review of House to House and Street Collection Policies	Update report on the results of the consultation undertaken on the revised policies
	Review of existing policy and conditions for Hackney Carriage and Private Hire Vehicles and Operators	Report for Members' consideration and approval for Officers to consult with all interested parties
	Review of Licensing Fees and Charges for 2014/15	Report for Members' consideration and approval
December 2013	Review of the existing Sex Establishment Policy	Report for Members' consideration
	Report on implementing a Penalty Point System for Hackney Carriage and Private Hire licence holders	Report for Members' consideration
March 2014	Agree Forward Working Programme priorities for 2014/15	
	Review of the existing Street Trading Policy	Report for Members' consideration and approval for Officers to consult all interested parties
	Sex Establishment Renewal	Report for Members' to consider the renewal of existing Sex Establishment Licence

Report to: Performance Scrutiny Committee

Date of Meeting: 29 November 2012

Report Author: Democratic Services Officer

Title: Scrutiny Work Programme

1. What is the report about?

The report presents the Performance Scrutiny Committee with its draft forward work programme for members' consideration.

2. What is the reason for making this report?

To seek the Committee to review and agree on its programme of future work, and to update members on relevant issues.

3. What are the recommendations?

That the Committee considers the information provided and approves, revises or amends its forward work programme as it deems appropriate.

4. Report details.

4.1 Article 6 of Denbighshire County Council's Constitution sets out each Scrutiny Committee's terms of reference, functions and membership, whilst the rules of procedure for scrutiny committees are laid out in Part 4 of the Constitution.

4.2 The Constitution stipulates that the Council's scrutiny committees must prepare and keep under review a programme for their future work. By reviewing and prioritising issues, members are able to ensure that the work programme delivers a member-led agenda.

4.3 For a number of years it has been an adopted practice in Denbighshire for scrutiny committees to limit the number of reports considered at any one meeting to a maximum of four plus the Committee's own work programme report. The aim of this approach is to facilitate detailed and effective debate on each topic.

4.4 The Committee is requested to consider its draft work programme for future meetings, as detailed in appendix 1, and approve, revise or amend it as it deems appropriate taking into consideration:

- issues raised by members of the Committee
- matters referred to it by the Scrutiny Chairs and Vice-Chairs Group

- relevance to the Committee's/Council's/community priorities
 - the Council's Corporate Plan and the Director of Social Services' Annual Report
 - meeting workload
 - timeliness
 - outcomes
 - key issues and information to be included in reports
 - officers and/or lead Cabinet members who should be invited (having regard to whether their attendance is necessary or would add value)
 - questions to be put to officers/lead Cabinet members
- 4.5 When considering future items for inclusion on the forward work programme members may also find it helpful to have regard to the following questions when determining a subject's suitability for inclusion on the work programme:
- what is the issue?
 - who are the stakeholders?
 - what is being looked at elsewhere
 - what does scrutiny need to know? and
 - who may be able to assist?
- 4.6 As mentioned in paragraph 4.2 above the Council's Constitution requires scrutiny committees to prepare and keep under review a programme for their future work. To assist the process of prioritising reports, if officers are of the view that a subject merits time for discussion on the Committee's business agenda they have to formally request the Committee to consider receiving a report on that topic. This is done via the submission of a 'proposal form' which clarifies the purpose, importance and potential outcomes of suggested subjects. No such proposal forms have been received for consideration at the current meeting.
- Cabinet Forward Work Programme
- 4.7 When determining their programme of future work it is useful for scrutiny committees to have regard to Cabinet's scheduled programme of work. For this purpose a copy of the Cabinet's forward work programme is attached at Appendix 2.
- 5. How does the decision contribute to the Corporate Priorities?**
- Effective scrutiny will assist the Council to deliver its corporate priorities in line with community needs and residents' wishes. Continual development and review of a coordinated work programme will assist the Council in monitoring and reviewing policy issues.
- 6. What will it cost and how will it affect other services?**

Services may need to allocate officer time to assist the Committee with the activities identified in the forward work programme, and with any actions that may result following consideration of those items.

7. What consultations have been carried out?

None required for this report. However, the report itself and the consideration of the forward work programme represent a consultation process with the Committee with respect to its programme of future work.

8. What risks are there and is there anything we can do to reduce them?

No risks have been identified with respect to the consideration of the Committee's forward work programme. However, by regularly reviewing its forward work programme the Committee can ensure that areas of risk are considered and examined as and when they are identified, and recommendations are made with a view to addressing those risks.

9. Power to make the decision

Article 6.3.7 of the Council's Constitution stipulates that the Council's scrutiny committees must prepare and keep under review a programme for their future work.

Contact Officer:

Democratic Services Officer Tel No: (01824) 712575

Email: dcc_admin@denbighshire.gov.uk

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Performance Scrutiny Committee Forward Work Plan

Note: Any items entered in italics have not been approved for inclusion at the meeting shown by the Committee. Such reports are listed here for information, pending formal approval.

Meeting	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered	
29 November	1	Your Voice' complaints performance (Q2)	To scrutinise Services' performance in complying with the Council's complaints process	Identification of areas of poor performance with a view to the development of recommendations to address weaknesses.	Jackie Walley/Steven Goodrum	
	2	Review of Licensing Matters	To consider the findings of the comprehensive review of licensing matters and procedures conducted by the Internal Audit Department (with specific emphasis on taxi licensing and safeguarding responsibilities)	The development of robust licensing policies and procedures that will provide assurances that the Council is taking all reasonable measures with respect to complying with all licensing and safeguarding legislation, and in mitigating risks to vulnerable groups who use services licensed by the Authority	Ivan Butler/Graham Boase	April 2012 (rescheduled by SCVCG April 2012 and July 2012 and by Committee July 2012)
	3	Corporate Risk Register	To consider the Council's Corporate Risk Register	Identification of effective measures to address the high level risks	Tony Ward	February 2012
	4	Wales Audit Office (WAO) Improvement Assessment of Denbighshire County Council	To decide whether there any particular aspects of performance that require further scrutiny	To carry out appropriate performance monitoring scrutiny.	Tony Ward	October 2012
10 January 2013	1	External Examinations and Teacher Assessments 2010 – 2011	To review the performance of schools and that of looked after children	Scrutiny of performance leading to recommendations for improvement	Julian Molloy	By SCVCG November 2011

Performance Scrutiny Committee Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
		[Education]				
	2	External Examinations Results and Achievements for Denbighshire Students at Llandrillo College [Education]	To review the performance of Denbighshire 16 – 19 year old students enrolled at PR6 and other colleges within the County run by Coleg Llandrillo Cymru	Assurances that the education delivered to Denbighshire students studying academic and vocational courses at the College's various sites within the County are equipping them with enhanced skills, and better outcomes and prospects for the future	Contact: John Gambles	September 2012
	3	Estyn Action Plan [Education]	To monitor the progress achieved to date in implementing the actions to address the 2 recommendations in the 2012 Estyn Inspection of the Quality of Education Services	Better quality services and better outcomes for pupils through early identification of any slippages in progressing actions, or in implementing mitigating measures to address risks identified	Karen Evans/Diane Hesketh	June 2012
21 February	1	Your Voice' complaints performance (Q3)	To scrutinise Services' performance in complying with the Council's complaints process	Identification of areas of poor performance with a view to the development of recommendations to address weaknesses.	Jackie Walley/Steven Goodrum	July 2012
	2	Corporate Plan 2012/13 (Q2)	To monitor the Council's performance in delivering its Corporate Plan 2012/13	Ensuring that the Council meets its targets, delivers its Corporate Plan and the Council's services in line with its aspirations and to the satisfaction of local residents	Tony Ward	July 2012 (Transferred from Jan 2012)
	3	CSSIW Annual Council Performance Evaluation 2011-12	To consider the formal annual letter from CSSIW, the regulators of both Adult and Children's Social Services,	The letter responds to the Director's annual report submitted to Council in July 2012. It is a key performance	Sally Ellis / Craig Macleod	October 2012

Performance Scrutiny Committee Forward Work Plan

Meeting		Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
			about performance of Social Services in 2011/12.	judgement of one of the Council's core services and as such should be subject to regular scrutiny.		
11 April	1	Corporate Plan 2012/13 (Q3)	To monitor the Council's performance in delivering its Corporate Plan 2012/13	Ensuring that the Council meets its targets, delivers its Corporate Plan and the Council's services in line with its aspirations and to the satisfaction of local residents	Tony Ward	July 2012
23 May	1	Your Voice' complaints performance (Q4)	To scrutinise Services' performance in complying with the Council's complaints process	Identification of areas of poor performance with a view to the development of recommendations to address weaknesses.	Jackie Walley/Steven Goodrum	July 2012
June/July (tbc)	1	Corporate Plan 2012/13 (Q4)	To monitor the Council's performance in delivering its Corporate Plan 2012/13	Ensuring that the Council meets its targets, delivers its Corporate Plan and the Council's services in line with its aspirations and to the satisfaction of local residents	Tony Ward	July 2012
Sept/Oct (tbc)	1	Annual Performance Review Report 2011/12	To report the Council's performance against the set PIs for 2011/12	Identification of trends or areas of poor performance leading to recommendations to address declining performance and realise the Council's ambition to be a high performing authority	Tony Ward	July 2012
Nov/Dec (tbc)						

Performance Scrutiny Committee Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered

Future Issues

Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered

Information/Consultation Reports

Date	Item (description / title)	Purpose of report	Author	Date Entered
November 2012 (Info Report)	School Funding Formula Review Update	To update the Committee of progress following the circulation of the new funding framework to schools	Jackie Walley / Carly Wilson	October 2012

Note for officers – Committee Report Deadlines

Meeting	Deadline	Meeting	Deadline	Meeting	Deadline
29 November	15 November	10 January 2013	22 December 2012	21 February 2013	7 February 2013

Performance Scrutiny Work Programme.doc

Updated 24/10/2012 - RAH

CABINET: FORWARD WORK PROGRAMME

20 NOVEMBER 2012	
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady
Review of Faith Based Education Provision	Cllr Eryl Williams / Jackie Walley
Ruthin Schools Review	Cllr Eryl Williams / Jackie Walley
Anti-Fouling Strategy	Cllr David Smith/Graham Boase
LDP – Response to the Inspector	Cllr Hugh Evans/ Graham Boase / Angela Loftus
Procurement of Highways Lighting Equipment – Contract Award (Part 2 report)	Cllr David Smith / Stuart Andrews
Items for Scrutiny Committees	Scrutiny Coordinator
18 DECEMBER 2012	
Welsh Housing Quality Standards	Cllr Hugh Irving / Peter McHugh
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady
Construction Procurement Project North Wales	Cllr Julian Thompson-Hill / Nina Ruddle
Highways & Infrastructure Collaboration	Cllr David Smith / Hywyn Williams / Stuart Davies / Danielle Edwards (CCBC)
Rhyl Front Projects (including Sky Tower)	Cllr Hugh Evans / Tom Booty
Gas Servicing – Council Housing Stock	Cllr Hugh Irving / Peter McHugh / Linda Cherryl
Supporting People Strategy Update and Spend Plan	Cllr Bobby Feeley / Sally Ellis / Jenny Elliott
Community Fund	Rebecca Maxwell
National Procurement Service	Paul McGrady
Pension Auto-enrolment	Cllr Julian Thompson-Hill / Richard Weigh
Items from Scrutiny Committees	Scrutiny Coordinator
15 JANUARY 2013	
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady
Budget Proposals	Cllr Julian Thompson-Hill / Paul McGrady
Items from Scrutiny Committees	Scrutiny Coordinator
19 FEBRUARY 2013	
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady

Contract Award – Personal Advisor Service	Cllr Bobby Feeley / Rhian Allen
Cefndy Healthcare: Potential loss of DWP funding and site move	Cllr Bobby Feeley / Phil Gilroy / Deborah Holmes-Langstone
Annual Report on the Housing Revenue Account / Housing Rent Increases	Cllr Hugh Irving / Peter McHugh
Items from Scrutiny Committees	Scrutiny Coordinator
19 MARCH 2013	
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady
Items from Scrutiny Committees	Scrutiny Coordinator
16 APRIL 2013	
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady
Items from Scrutiny Committees	Scrutiny Coordinator
14 MAY 2013	
Financial Update Report	Cllr Julian Thompson-Hill / Paul McGrady
Items from Scrutiny Committees	Scrutiny Coordinator

Updated 12/11/2012 - KEJ

Scrutiny Information update

School Funding Formula

The consultation on the new school funding proposals closed on 9th November 2012. All feedback has been collated and a detailed response is currently being drafted.

A response will be provided to all points raised in the consultation and where appropriate revisions to the funding formula will be made.

The response document will be released by 3rd December 2012 and will include a table showing the revised formula elements, a formal indicative budget for 2013-14 that will reflect changes as a result of the new formula, increased funding as a result of the schools budget protection and up to date budgets using the latest schools data (pupil numbers, free school meals, floor area etc). Full details of the transitional protection anticipated will also be provided to schools.

The School Budget Forum is scheduled to meet on the 11th December 2012 where the revised proposals will be considered. Meetings will also be offered to schools where requested to allow more detailed discussions to be held with schools where needed. Any further feedback to the formula must be received by 14th December 2012. The Education Management Team will make a decision by the 17th December 2012 as to whether to progress with the new formula. Schools will be notified in writing on the 18th December 2012 on the outcome of the decision of whether to proceed.

Should the decision be taken not to proceed then the Planning & Resource Team will work towards creating the 2013-14 budgets in January 2013 based on the old formula and these will be issued to schools in the week commencing 4th February 2013. If the formula proposals are approved then the indicative figures released on 3rd December 2012 will be the formal indicative budgets for 2013-14 and schools can begin work in January 2013 to review and revise their 3 year medium term plans

Carly Wilson
Education Planning & Resources Manager
15th November 2012

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