

## **PERFORMANCE SCRUTINY COMMITTEE**

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Friday, 24 May 2013 at 10.00 am.

### **PRESENT**

Councillors Bill Cowie, Meirick Davies, Richard Davies, Dewi Owens, Arwel Roberts and Gareth Sandilands

### **ALSO PRESENT**

Corporate Director: Modernisation and Wellbeing (SE), Head of Internal Audit (IB), Head of Adult and Business Services (PG), Head of Customers and Education Support (JW), Corporate Improvement Team Manager (TW), Service Manager: Quality and Systems Development (CM), Service Manager Cefndy Healthcare/Business Development (DHL), Corporate Complaints Officer (CO), Wales Audit Office (GB), Scrutiny Co-ordinator (RE) and Administrative Officer (CIW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillor Colin Hughes, Councillor Geraint Lloyd-Williams, Councillor Peter Owen and Councillor David Simmons

#### **2 APPOINTMENT OF VICE CHAIR**

Councillor A Roberts had circulated his CV to Committee members prior to the meeting. Councillor Roberts was nominated and seconded for the office of Vice-Chair, no other nominations were received and it was:

**RESOLVED** – *that Councillor A. Roberts be appointed Vice Chair of the Performance Scrutiny Committee for the ensuing year.*

In the absence of the chair, Councillor D. Simmons, the Vice Chair, Councillor A. Roberts, took the Chair for the meeting.

#### **3 DECLARATION OF INTERESTS**

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

#### **4 URGENT MATTERS AS AGREED BY THE CHAIR**

No items were raised 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.

#### **5 MINUTES OF THE LAST MEETING**

The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 11<sup>th</sup> April, 2013 were submitted.

Matters arising:-

5. Corporate Plan QPR: Quarter 3 2012/13 – Following the briefing session held prior to the meeting on the Council's Quarterly Performance Reports, the Committee agreed that the process in place was fit for purpose and sufficiently challenging. The Lead Member for Modernising and Performance assured Members that all quarterly performance reports would be presented to scrutiny prior to being presented to Cabinet to ensure that the information was robustly challenged at all levels.

The Scrutiny Coordinator confirmed that a progress report in respect of dropped kerbs would be circulated when finalised. She explained that a briefing note detailing the progress made regarding the initial core group meetings held within ten days of the first child protection conference had been included in the Information Brief circulated prior to the meeting.

In response to a question from Councillor D. Owens, the Scrutiny Coordinator explained that an item pertaining to the progress of the development of CCTV in Denbighshire had been included in the Committee's Forward Work Programme for October, 2013. The report would detail progress with the development the Council's CCTV function in light of the Regional Collaboration project not being progressed. It would also highlight cost reduction and income generation methods while progressing a more equitable distribution of CCTV throughout the County. The Scrutiny Coordinator agreed to enquire whether the report could also detail the Police's financial contribution towards the service and an analysis of the financial/resource benefits they realised as a consequence of using the service.

**[RE to pursue]**

**RESOLVED** – that, subject to the above, the Minutes be received and approved as a correct record.

## **PART II**

### **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** – that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

## **6 CEFNDY ENTERPRISES**

A copy of a confidential report by the Service Manager Cefndy Healthcare/Business Development, which detailed Cefndy's past performance and highlighted the need for future investment, had been circulated with the papers for the meeting.

Councillor R.L. Feeley provided the Committee with details of Cefndy's past and present performance, future targets and the main challenges it would be facing as a result of the elimination of DWP funding.

The Head of Adult and Business Services (HABS) explained that although financial and service performance had been good Cefndy's delivery of its targets had inhibited the service from investing in its factory infrastructure. He explained that Cabinet would in July be considering a proposal requesting draw down of the Corporate Plan capital reserve to invest in plant/machinery to replace aged existing plant. Denbighshire had made a commitment in its Corporate Plan to support its future existence by approving capital investment.

Attendance at Scrutiny had been requested to consider the organisation's:-

- Performance in delivering its Business Plan for 2012/13;
- Its Business Plan for 2013/14;
- The risks identified with respect to subsidy reduction and DWP funding and the consequential impact on the workforce and Council; and
- Health and safety matters

Cefndy's future vision was to be self-sustaining and robust in its governance. Cefndy Healthcare was a Denbighshire supported business which provided meaningful employment and training to over 60 people, 45 of whom had a disability. Details of Cefndy's history and contribution to local employment and training had been included in the report. During the last 5 years Cefndy had reversed the trend of increasing dependency on Denbighshire's financial underpinning, by delivering commercial growth and financial efficiencies and a copy of the Business Plan had been included as Appendix 1.

Over the last 5 years Cefndy had:-

- Increased sales performance by over £1m to now £3.8m.
- Reduced financial dependency on the Council by £225k.
- Been on course to deliver the key objective of being at zero cost to the Council.
- Had an excellent record of H&S management, working with Corporate H&S and through robust internal processes in line with legal requirements.

The challenges now facing the organisation compromised the sustainability of the business/service and could threaten Cefndy's viability of existence if not addressed in the near future. These challenges had been further compounded by recent UK Government welfare reforms. Three options had been identified for the Committee's consideration with a view to securing the business' future. Members considered the options and resolved to recommend that Option C be supported – which proposed to draw down the capital investment outlined in the Council's Corporate Plan which would permit the business to invest to address the risks it faced and enable it to become more efficient and able to cope with the loss of Department for Work and Pensions (DWP) funding and eventually lead to financial sustainability without a Denbighshire budget.

The Corporate Director: Modernisation and Wellbeing explained that she had discussed the implications of the withdrawal of 'Work Choice' funding with the local MP and the AM. Officers explained that staff employed at Cefndy came from various areas within and outside the County. Details pertaining to the business' advertising and internet sales were provided for the Committee. Following detailed discussion the Committee:

**RESOLVED –**

- (a) *to note the contents of the report, and*
- (b) *recommend to Cabinet that Option C – to draw down the Corporate Plan capital reserve to invest in plant/machinery to replace aged existing plant - be approved as the preferred Option, with a view to assisting the business to address the challenges it faces and become a financially sustainable business without Council funding in future.*

**[SE/PG/DHL to report to Cabinet]**

**PART I**

**7 ANNUAL IMPROVEMENT REPORT : DENBIGHSHIRE COUNTY COUNCIL**

A copy of the Wales Audit Office's Annual Improvement Report for Denbighshire County Council had been circulated with the papers for the meeting. The Corporate Improvement Team Manager (CITM) introduced the report which provided information regarding the latest Annual Improvement Report for Denbighshire and was the key external regulatory report received by the Council each year.

The Auditor General reports annually on how well Welsh Councils, Fire and Rescue Authorities and National Parks were planning for improvement and delivering their services. Drawing on the work of the relevant Welsh inspectorates, as well as work undertaken on his behalf by the Wales Audit Office, the report presented a picture of improvement over the last year. The three main sections of the report mainly cover Denbighshire's delivery and self-evaluation of services in relation to 2011-12, and its improvement planning arrangements for 2012-13. Overall the Auditor General had concluded that the Council had made good progress in delivering its improvement programme and no new recommendations had been made this year. However, there was scope to improve the quality of some of the performance measures and evidence the Council uses to judge its effectiveness. It was explained that the report did set out the progress the Council was making to address the recommendations and proposals for improvement made in previous reports.

The Committee was informed that a draft of the Annual Improvement Report had been presented to, and discussed with; the Chief Executive and feedback had been provided prior to the report being finalised. The Annual Improvement Report would be presented to the Corporate Governance Committee on the 22<sup>nd</sup> May, 2013, and to Council on the 4th June, 2013.

With the aid of a power-point presentation (copy circulated at the meeting) the Wales Audit Office Representative (WAOR) provided a detailed summary of the Annual Improvement Report which included the 2011-12 Performance Assessment Contributors, Findings, Conclusions, Performance Findings, Improvement Planning Findings and Overall Conclusions. The WAOR highlighted the following main areas within the report:-

- Performance having continued to improve in most aspects of the Council's work to adapt service delivery to address demographic change.
- The ambition of the Council having been emphasised by the setting of challenging targets.
- Estyn having judged that the Council provided good quality education services for children and young people with prospects for further improvement.
- The Council's programme to improve roads had progressed.
- The corporate performance management arrangements had been proficient. However, there was scope to improve the quality of some of the evidence to judge its effectiveness.
- The Council had made good progress in delivering its improvement programme.
- The arrangements to support improvement were good with well-developed links between the Council's Medium Term Financial Plan and Corporate Plan.

On the basis of these findings and conclusions the Auditor General had made no new recommendations this year.

The WAOR advised that the Council's progress in delivering Welsh Housing Quality Standard (WHQS) council housing by the Welsh Government's deadline had been reported well internally, but not externally. There had also been limited reporting on performance on collaboration work. More extensive reporting of performance in this area, particularly the lessons learnt, would assist other authorities when considering entering into collaborative arrangements. One area in which Denbighshire seemed to be falling behind some other local authorities was with respect to the take-up of direct payments, the Council was however attempting to improve its performance in this area.

The CITM explained that not all national indicators had been reported upon as there had been a specific focus on indicators which related to the Council's priorities and those that measured what residents wanted. However, he accepted that the appropriate measures may not have been utilised in some of the areas but felt that the new Corporate Plan would address this issue and outlined the work currently being undertaken.

Following consideration of the report the Committee:-

***RESOLVED*** – *to accept the Wales Audit Office's Annual Improvement Report and to note the Auditor General's comments and observations.*

A copy of a report by the Head of Customers and Education Support, which provided an analysis of the feedback received via Denbighshire's customer feedback policy 'Your Voice' for Quarter 4 of 2012/13, had been circulated with the papers for the meeting.

The Head of Customers and Education Support (HCES) introduced the report and explained its contents in detail. The overall performance of the Council had improved in the last quarter with no service areas highlighted as RED in quarter 4. Of the 9 service areas that received complaints in quarter 4, 5 had responded to all complaints within the corporate target. Stage 1 complaints had been responded to within timescale which had been an improvement on previous quarters as indicated in the report. The number of Stage 2 complaints had reduced during the quarter but would require further monitoring over the coming periods. Stage 3 complaints had increased in each quarter from just over 2% of complaints considered by the Authority in Q1 to 3.5% in Q4 and these should be reviewed to determine whether there was a specific reason for the increase and whether any assistance could be offered to the respective services.

The HCES explained that following the recommendation of the Committee in February, 2013, a sample of feedback received during Q4 from Environmental Services and Highways had been undertaken and details of the findings had been included in the report. Details of the work and issues considered by the Customer Service Sub-Group in analysing the data and figures relating to the complaints process was outlined for Members of the Committee.

In reply to concerns raised by Councillor W.E. Cowie, officers agreed that an e-mail sent to all Members, following discussion at the Communities Scrutiny Committee on the production and issuing of calendars for wheelie bin collection dates, be recirculated.

**[JW to pursue]**

The HCES outlined to Committee members a proposal to develop a new complaints framework which Lead Members would be able to use during their one to one meetings with Heads of Service to drill down to the detail of the complaints, the reasons behind them and the delay encountered with their resolution. Members endorsed this approach and congratulated officers on the report and on the improved performance in responding to complaints achieved during 2012/13. The Committee:

***RESOLVED*** – *subject to the endorsement of the above proposal to receive the report and note the performance of services in dealing with complaints.*

**[JW/CO'G to note above resolution]**

## **9 ANNUAL COUNCIL REPORTING FRAMEWORK**

A copy of a report by the Corporate Director: Modernising and Wellbeing (CD:MW), which provided a summary of the effectiveness of the authority's social care

services and priorities for improvement, had been circulated with the papers for the meeting.

The draft annual report for 2012/2013, included as Appendix 1, intended to provide an honest picture of services in Denbighshire and demonstrated a clear understanding of the strengths and challenges faced, and would be subject to further consultation and refinement prior to being presented to Full Council by July, 2013.

A summary of the four components of the Annual Council Reporting Framework (ACRF) had been outlined in the report:-

- A detailed self-assessment and analysis of effectiveness
- Evidence trail
- Integration with business planning
- Publication of an annual report

The report formed an integral part of the CSSIW performance evaluation of Denbighshire Social Services, and the evaluation informed the Wales Audit Offices assessment of Denbighshire as part of the annual Improvement Report. The overall assessment indicated that Denbighshire Social Services had succeeded in making real improvements in terms of both performance and quality over the past year, and details of the areas of progress had been summarised in the report. There had been some real challenges for both Adult & Business and Children's Services and Appendix 2 provided an overview of the challenges and how the Council intended to respond to them. Members were informed that views and challenges on the draft report had been sought from officers in Flintshire County Council and BCUHB.

Improvement priorities within the annual report recognised the need to continue to adapt and modernise services in order to respond to the expectations and requirements of the Welsh Government's Social Services and Wellbeing Bill. Details of the key features to the Council's approach to proactively remodel and develop new service patterns to improve local services had been included in the report. Areas of improvements were highlighted which included Children's Services, collaborative working and quality assurance.

The Council's commitment to modernisation would involve an increased investment in preventative and early intervention services to enable citizens to be independent, resilient and able. The approach would need to be underpinned by a range of services, activities and support networks which people could access in their own community, and the delivery of the agenda would require cross-council/service and cross-sector solutions including community led initiatives.

Members were informed that remodeling and development of new services and approaches would inevitably result in some unpopular change. There would be a focus on making changes which deliver cost effective, sustainable services to ensure vulnerable people were protected and received high quality services which provided dignity in care and good outcomes.

Priorities detailed within the ACRF directly contributed to priority 4 of the Council's Corporate Priorities: vulnerable people are protected and are able to live as independently as possible. Activity identified within the annual report would continue to directly contribute to, and benefit from, the delivery of both the Economic Ambition and Modernising the Council programmes.

The CD:MW responded to a question from Councillor W.E. Cowie and provided details of the charging process for Residential Care Home provision which would be agreed on an annual basis and subject to regulatory requirements. Councillor D. Owens referred to the 58% increase in children looked after by the Authority and the Service Manager: Quality and Systems Development explained that the increase had been experienced on national level, and was partly attributable to new procedures adopted by the courts. An outline of Denbighshire rehabilitation programme was provided for the Committee. Details of the Council's monitoring process for Care Homes, together with the national standards, were provided in response to a question from Councillor R.J. Davies.

The availability of services bilingually was highlighted by the CD:MW and reference was made to the initiative introduced by the Welsh Government which contained working standards and a strategic framework which related to health and social care. She explained that there were some areas where the provision of bilingual services could be challenging and reference was made to the work undertaken by the Welsh Language Strategy Group.

Following further discussion the Committee:-

**RESOLVED** – *to receive the report and endorse:-*

- *the Director's self-assessment of social care in Denbighshire.*
- *the improvement priorities for 2013/2014; and*
- *that draft report provided a clear account of performance.*

**[SE/CMcL to note above resolution and report to Council]**

## **10 SCRUTINY WORK PROGRAMME**

A copy of a report by the Scrutiny Coordinator, 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.

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

The Corporate Improvement Team Manager explained that a report in respect of the Corporate Risk Register would be submitted twice annually, in June, 2013 and January, 2014, and Members agreed that this item be withdrawn from October's work programme. He explained that the Terms of Reference of the Corporate Governance Committee stated that the Corporate Risk Register should be submitted to the Corporate Governance Committee, and clarification on the



Corporate Governance Committee's role and Performance Scrutiny Committee's role with regards to the Risk Register would be considered by the Scrutiny Chairs and Vice Chairs Group at its meeting on the 27<sup>th</sup> June, 2013.

The Scrutiny Coordinator referred to the Information Report on the new Service Challenge process contained in the Information Brief circulated to Committee members. Members consequently agreed the following nominations and appointments, subject to individual Member confirmation:-

Legal and Democratic Services – Councillor D. Owens  
Children and Family Services – Councillor A. Roberts  
Business Planning and Performance – Councillor D. Owens  
Adults and Business Services – Councillor D. Simmons  
Customers and Education Support – Councillor R.J. Davies  
Planning and Public Protection – Councillor M.LI. Davies  
Communications, Marketing and Leisure – Councillor G. Lloyd-Williams  
Strategic Human Resources – Councillor R.J. Davies  
Education – Councillor A. Roberts  
Housing and Community Development – Councillor W.E. Cowie  
Finance and Assets – Councillor A. Roberts (substitute: Councillor D. Owens)  
Environment and Highways – Councillor W.E. Cowie (substitute: Councillor M.LII. Davies)

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

**[RE to advise Business, Planning and Performance of appointments]**

## **11 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

The Corporate Improvement Team Manager explained that Corporate Equality Group had at their meeting requested that the following three points of information be conveyed to the relevant Committees:-

- Equality Impact Assessments (EqIA) - All reports to Council and Cabinet, and Delegated Decisions should be submitted utilising the new report template, and the associated Equality Impact Assessment should be appended to the respective report.
- Respect Booklet – The booklet, which raises awareness in respect of diversity issues, be mandatory for all staff.
- Equality Training for Members – The Corporate Equality Group had expressed the view that Equality training for Elected Members should be made mandatory. Councillor M.LI. Davies expressed the view that an explanation detailing the purpose and reasons for the provision of training sessions, and whether attendance was mandatory, should be included on the invitation sent to Members.

**RESOLVED** – that the reports be received and the position be noted.

**[SP/EW to note above information]**

*Meeting ended at 12.45 p.m.*