

Minutes of Performance Scrutiny Committee held on Thursday, 2 October 2014 at 9.30 am at Conference Room 1a, County Hall, Ruthin

Present:

Councillors Meirick Davies, Richard Davies, Colin Hughes, Geraint Lloyd-Williams, Peter Owen, Dewi Owens, Arwel Roberts (Vice-Chair), Gareth Sandilands and David Simmons (Chair)

Also Present:

Mohammed Mehmet (Chief Executive), Nicola Stubbins (Director of Social Services); Karen I Evans (Head of Education), Leighton Rees (Head of Children and Family Services), Phil Gilroy (Head of Adult and Business Services), Keith Amos (Manager – Corporate Programme Office), Iolo McGregor (Corporate Improvement Officer), Ivan Butler (Head of Internal Audit), Rhian Evans (Scrutiny Coordinator) and Karen A Evans (Democratic Services Officer).

Co-Opted Members; Gill Greenland, Debra Houghton and Dr. Dawn Marjoram.

1 APOLOGIES

Councillor Eryl Williams (Lead Member for Education). Co-opted Members Nicola Lewis and Gareth Williams

2 DECLARATION OF INTERESTS

No declaration of personal or prejudicial interest had been raised

3 URGENT MATTERS AS AGREED BY THE CHAIR

No matters had been raised.

4 MINUTES OF THE LAST MEETING

The minutes of the Performance Scrutiny Committee held on 17 July 2014 were submitted. There were no matters arising.

RESOLVED that the minutes of the meeting held on 17 July 2014 be received and approved as a correct record.

5 PROVISIONAL EXTERNAL EXAMINATIONS AND TEACHER ASSESSMENTS

The Head of Education (HoE), Karen Evans introduced the report (previously circulated). She confirmed that all results had been verified apart from Key Stage 4. Those verified results would be reported to the Committee in January 2015. Whilst the majority of schools and pupils were performing well there were specific areas which would benefit from support to improve attainment, and consequentially outcomes for pupils.

One area which would benefit from intervention during the forthcoming year would be first language Welsh (Cymraeg) at Key Stage 2, which had seen a 2.9% drop in performance compared to the previous year. It was speculated that one possible reason for this could include the increase of English medium families sending children to Welsh medium schools. It was noted that functions previously undertaken by the Authority e.g. Athrowen Bro had now transferred to Regional School Effectiveness and Improvement Service (GwE) who would be supporting schools in this specific area.

The Committee discussed the Foundation Stage where the County was quickly being caught up by other Local Authorities. It was mused that in areas of deprivation more children were coping with behavioural issues that impacted on teaching. The Committee also considered the range of levels of skills at Foundation Stage and agreed that it was more important to focus on children's attainment at the end of primary education – the progress made.

Member of the Committee advised that some school governing bodies felt they were receiving insufficient support from GwE. The HoE emphasised the need for school governing bodies to inform the Education Department if they were of the view that their school was not receiving sufficient support from GwE, or the support received was not of the desired standard. This would enable officers to examine whether the terms of the Service Level Agreement (SLA) were being met.

A report to be presented to the Performance Scrutiny Committee in January 2015 on 'Verified External Examinations and Teacher Assessments' should include an illustration of Denbighshire's position both nationally and regionally over the past five years, and be accompanied by GwE's Annual Report (including and that a representative from GwE should be in attendance to present and discuss the report;

Members of the Committee asked that assurances be sought from GwE that it is not its intention to solely focus its work and efforts on failing schools/authorities, and that it does have services in place to help support good schools/authorities to achieve an excellence level. Officers emphasised that the Council's education service and GwE were not separate entities, both services' aims and objectives were the same - to support and assist the County's pupils to realise their educational and vocational potential which should result in better outcomes for them. Estyn would judge both the Council and GwE on these outcomes and on their joint role in supporting pupils to achieve their potential.

The HoE reported that as yet there was no update from the Welsh Government regarding children with special needs in special schools having to sit the same tests as those who have not which has a negative impact on the Authority's perceived performance

Councillor Arwel Roberts wanted to clarify a point he had raised at a recent Cabinet meeting, that when he said that Ysgol Brynhyfryd should teach through the medium of Welsh 100% of the time, he meant the Welsh Stream rather than the whole school. The Head of Education offered to facilitate a visit for members to Ysgol Brynhyfryd to see and meet pupils in the Welsh Language stream throughout the school. A number of Members indicated that they would appreciate such a visit.

it was requested that future reports include information on the the three lowest achieving secondary schools' improvement plans

Following a detailed discussion it was:

Resolved: - *subject to the above observations and actions to note the performance of schools against previous performance and the external benchmarks that are currently available.*

6 LOOKED AFTER CHILDREN - PERFORMANCE INDICATORS

The Lead Members for Social Care and Children's Services introduced the report (previously circulated) that had been requested in the light of recommendations made in the Wales Audit Office's (WAO) Annual Improvement Report and areas for improvement included in the Director of Social Services' Annual Report.

The Head of Children and Family Services (HoC&FS) expanded further on detail in the report. He explained that there were issues within the education and health indicators last year as timescales were being affected by not having in place specialist staff and issues with partnership working – relying heavily on the availability of Betsi Cadwaladr University Health Baord (BCUHB) health professionals.

The Authority had now employed a nurse specifically for looked after children (LAC) which has increased the availability and responsiveness for reviews. The LAC nurse post had greatly assisted with the health checks aspect, as this post was less focussed on process and more focussed on improving outcomes for individual children;

Members acknowledged that the data behind the statistics and the reasons for the number of placements experienced by some looked after children were both complex and valid. It was explained that not all moves had negative associations e.g. the move from the hospital to the Service or from the Service back to a family member.

There were a number of contributory factors which influenced the number of children who had experienced 3 or more placements per year. Some children move for positive reasons eg rehabilitation or with extended family, adoption placements, moving into independence etc. In a minority of cases it proves difficult to find a resource that is able to effectively manage the issues and concerns the young person faces and they can then move a few times before that is satisfactorily arranged.

Members were satisfied that the interest of the child and his/her's long-term stability and welfare were the reasons behind the perceived underperformance (number of moves), and that actually the Authority was acting in the best interest of the child.

Concerns were raised with respect to disabled children, some of whom attended residential special schools that met their needs and others who received respite foster care, being classed as 'Looked after Children' despite the fact that they had a stable family life and home. It was explained that the reason for this was the legislation contained in the Children Act, 1989, which had proved upsetting to a number of families.

It was noted that the Welsh Government (WG) was about to trial a set of outcome-based indicators in the area of looked after children and DCC are to be part of the pilot programme. It was hoped that the new indicators would address some of the anomalies which had come to light with the current indicators. The Committee acknowledged that no set of indicators would ever be perfect but they were a good management tool to prompt asking questions or further investigation.

The Committee:

Resolved: - *subject to the above observations and the assurances given, to receive the report and endorse the actions taken to improve performance and support the County's Looked after Children*

7 2013/14 ANNUAL PERFORMANCE REVIEW

The Lead Member for Modernising and Performance introduced the draft Annual Performance Review Report for 2013/14 (previously circulated) for the Committee's comments ahead of its presentation to County Council for approval to publish. The Lead Member reiterated that none of the information presented in the report was new to the Committee – it had been presented twice previously – but was a mandatory report for Welsh Government.

During its consideration the Committee identified the following areas for closer scrutiny when considering the performance report on the Corporate Plan - end of Quarter 2 report in January 2015:

- the progress with the delivery of the Outcome Agreements and the potential budgetary implications of non or partial delivery of the agreements going forward;
- to focus on 'red' delivery status areas, in particularly those registering a decline (downward arrow) in performance and deliverability;
- in early 2015 the Committee should consider the potential impact of budget cuts on the deliverability of the corporate priorities and on the Council's future performance in delivering services to enable expectations and risks to be effectively managed

In addition to the above the following actions were identified:

- footnotes to be included on future reports to define complex activity or indicators;

- Committee link members to focus on their particular area of the Corporate Plan and arrange to meet the Head of Service if they have concerns and report back to the Committee
- a comment was made that the Economic and Community Ambition Board was too process orientated with not enough emphasis on actions to develop the local economy
- that the conclusions of the Affordable Housing Task and Finish Group be reported to Scrutiny in due course - with the SCVCG to determine the most appropriate Committee

It was:

Resolved:

- (i) subject to the above observations, that the draft 2013/14 Annual Performance Review be submitted to County Council for approval; and*
- (ii) that the Committee should in future utilise the Quarter 2 Corporate Plan Performance Report to identify areas and outcome agreement for detailed examination with a view to improving performance and realising maximum benefits from the outcome agreements.*

8 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator submitted a report (previously circulated) seeking members' review of the committee's work programme and providing an update on relevant issues.

The next meeting of Performance Scrutiny Committee has the "Your Voice" complaints report scheduled. The Head of Customers and Education Support had asked the Committee to select 2 Service areas to focus on for Officers to attend and respond to questions. The Committee agreed that the Chair should meet with the Scrutiny Coordinator to go through the report and chose 2 Service areas that stand out.

CCTV was also on the agenda for the next Performance Scrutiny Committee. The Partnership Scrutiny Committee had asked that the question of North Wales Police's contribution to funding CCTV be raised.

The Committee were updated on the Scrutiny Chairs and Vice Chairs meeting that recommended that future forward work programmes focused on delivering the Corporate Plan and meeting budgets. The SC&VCG also agreed items included on agendas pass the "P.A.P.E.R." test and that forms for submission of items to scrutiny be submitted by members.

The SC&VCG had discussed the possibility of items relating to Co-opted members be solely submitted to the Performance Scrutiny Committee but had eventually agreed that they were referred to the most relevant Committee.

RESOLVED that –

the forward work programme as detailed in Appendix 1 to the report be approved

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Colin Hughes announced that there was a meeting scheduled for the Affordable Housing Task and Finish Group in October that he could not attend - but his deputy Councillor Geraint Lloyd-Williams would attend. There was another meeting scheduled for 24th October which neither could attend. The Chair agreed to deputise on this occasion.

10 THE FUTURE OF IN-HOUSE SOCIAL CARE SERVICES

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 items of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 15 of Part 4 of Schedule 12A of the Local Government Act 1972.

A report (previously circulated) by the Scrutiny Task and Finish Group that had been examining the future of in-house adult social care services presented to the Committee by the Group's Chair, Councillor Meirick Lloyd-Davies who outlined the process followed and the method and depth of the review. It was emphasised that whilst the Council faced severe budgetary constraints in the future, the main driver for this review was the need to meet the demands of an increasing older population within the requirements of the Social Services and Well-being (Wales) Act 2014, which placed a far greater emphasis on promoting independence and reablement.

A number of members questioned the rationale behind the options set out in the Task and Finish Group's report, including the Group's recommendations. The questions which the Task and Finish Group Chair and officers answered related to the capacity within the independent sector locally to meet the demand for services, the quality of services in the independent sector, monitoring arrangements, anticipated savings and the timescale for the implementation to the proposed changes to services if they were agreed. The Task and Finish Group's Chair and members, as well as officers emphasised that the proposals emanating from the Task and Finish Group's review were citizen-centred, the emphasis would be on meeting the service-user's need and providing equitable access to services for all of the County's residents. No establishment would be closed before a service-user's needs had been met. Capital realised from the sale of any buildings released as a result of the review would be re-invested in future extra-care and associated Social Services and Well-being Act services. At the conclusion of a detailed discussion the recommendations were put to the vote and it was:

Resolved: to -

(i) receive the options appraisal and support the preferred options, resulting in the reprovision of services for those people using them while still meeting their assessed needs; and

(ii) that whilst noting that the report and the options appraisal be presented to County Council for discussion, the Committee recommends to Cabinet that a formal consultation, including an Equality Impact Assessment, be undertaken on the reprovision of services so that the preferred options can be implemented and savings made.