

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Council Chamber, Russell House, Rhyl on Thursday, 10 December 2015 at 9.30 am.

PRESENT

Councillors Meirick Davies, Richard Davies, Colin Hughes, Geraint Lloyd-Williams and Gareth Sandilands.

Lead Members attendance requested by the Committee: - Councillors H.C. Irving and J. Thompson-Hill.

Councillor J.M. McLellan attended as an observer.

ALSO PRESENT

Chief Executive (MM), Corporate Director: Communities (NS), Strategic Planning Team Manager (LG), Principal Manager – Business Support (TW), Principal Librarian (AJ), Customer Service Business Partner (FA), Wales Audit Office Representative (SC) CSSIW Regional Director (VP), Scrutiny Co-ordinator (RE) and Administrative Officer (CIW).

In the absence of the Chair Councillor G. Sandilands was appointed as Chair for the meeting.

Members present were advised that quorum requirements were not met at the commencement of the meeting. However, at least one other Member had confirmed his intention to attend the meeting and was therefore expected to arrive. Members therefore agreed to proceed with the agenda business informally until another member arrived and the quorum requirements were met.

Quorum requirements were met midway through business item number 5 and therefore the minutes of the previous meeting were approved following conclusion of business item 5.

1 APOLOGIES

Apologies for absence were received from Councillors Peter Owen, Dewi Owens, Arwel Roberts and David Simmons

2 DECLARATION OF INTERESTS

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

3 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.

4 MINUTES OF THE LAST MEETING

The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 24th September, 2015 were submitted.

4. Provisional Examination Results - The Scrutiny Coordinator confirmed that, as agreed at the previous meeting, an information report on the retention and progression of Denbighshire Sixth Forms had been circulated to Members of the Committee.

In reply to a question from Councillor M.Ll. Davies, the Scrutiny Coordinator explained that the Monitoring Officer had confirmed that the relevant Regulations did not permit, Committee Members who chaired meetings in the absence of the Chair of a Committee, to be eligible for payment of an allowance for undertaking such duties.

The Scrutiny Co-ordinator informed members that Councillor Arwel Roberts had chaired the above meeting in the absence of the chair and that this should have been reflected in the minutes.

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

5 CSSIW ANNUAL PERFORMANCE EVALUATION 2014/15

A copy of a report by the Principal Manager: Business Support, Community Support Services (PM: BS - CSS) had been circulated with the papers for the meeting.

The Corporate Director: Communities (CDC) introduced the report and explained that the evaluation was based on a wide-range of evidence from the Council, regulators and service users. On the whole the Regulator's evaluation of the Council's Social Care Services was a positive one, with just a few areas for improvement identified. The main areas on which the Care and Social Services Inspectorate Wales (CSSIW) would be regularly liaising with the Council on during the current year with a view to ensuring they would be strengthened or progressed were:-

- The changes to the senior management infrastructure for the delivery of social care and their impact upon children and adults;
- Protection of Vulnerable Adults (PoVA) – improving the timeliness and engagement of PoVA and undertaking a review of threshold levels
- Quality monitoring of all domiciliary care providers (including obtaining service users' views and experiences of the services); and
- Integrated partnership working with the Betsi Cadwaladr University Health Board (BCUHB)

The CSSIW's Regional Director for North Wales outlined to the Committee the main points highlighted in the Regulator's report. In addition to the areas listed above which required strengthening she advised that:-

- A recent Wales Audit Office (WAO) national study had concluded that greater use of Telecare and assistive technology was needed across Wales, therefore the Regulators would be monitoring the situation across the country;
- With respect to the need to improve the quality monitoring of domiciliary care providers, the Council would need to have regard to a national report due to be published in the spring of 2016 when developing this aspect of its work;
- The 38% increase in the uptake of direct payments for people with learning disabilities or mental health needs was commendable;
- Profiling of people with mental health was an area for improvement across the North Wales region. Clarity was required around the identification, assessment and commissioning of services;
- Denbighshire had an exceptionally high number of people with learning disabilities, often with complex needs, from outside the county living within its boundaries. They mainly resided in accommodation run by independent providers, a number of which had been established following the closure of the former North Wales Hospital. As a number of the residents were from outside Denbighshire there was a risk that they were not at present known to either health or social care services, but there was likely to come a time when they would need to access primary health and social care services and require the protection of the Council's safeguarding services. There was therefore a need for the Council and its partners to assess potential future pressures on their services;
- The Council's prevention and early intervention approach through various teams working within the Children and Family Services had resulted in a significant drop in referrals and re-referrals to the Service. Nevertheless there was a need to track and monitor outcomes for children and families signposted to other services;
- As the non-contributory respite care for children with disabilities had now ended there would be a need to monitor whether some families were opting out of receiving respite care on financial grounds, and the consequential impact that was having on the entire family;
- There would also be a need to monitor access and outcomes for children and families who were currently not meeting the threshold to directly access support from Children's Services – the new National Outcomes Framework (currently being piloted by Denbighshire) would assist with this aspect;
- Whilst there were improvements with respect to services offered to Looked After Children (LAC) more work was required with respect to ensuring regular health and dental checks for LAC and in relation to forward planning and outcomes for young people leaving care.;
- The National Outcomes Framework pilot in the county seemed to be working well; and
- The Regulator was satisfied with the leadership and the governance of social care services in the county – it was of the view that the service challenge process and scrutiny of the service provision was robust

Responding to Members questions officers and the CSSIW's Regional Director advised that:-

- Large clusters of independent care provision for people with intensive/complex needs learning disabilities were not in-keeping with the intended ethos of the closure of the former mental health institutions;
- The provisions of the Social Services and Well-being (Wales) Act 2014, when they come into force in April 2016, would strengthen powers relating to information sharing;
- There was a need to put the SPoA Service on a more secure financial funding, it was currently heavily dependent upon grant funding. There was also a need to grow the service to include more partners/stakeholders, currently it was Health, Social Care and the voluntary sector that were involved in the service. One potential future partner could be the Police Service;
- the Council took its responsibilities with respect to safeguarding both children and adults extremely seriously. One of the objectives of the current re-structure of the Community Support Services was to strengthen aspects of safeguarding. In addition a peer review had been undertaken with Conwy County Borough Council and measures identified as part of the findings of that review would be embedded in the service, as would the findings of the WG's Operation Jasmine Review. Designated Lead Managers had also been subject to specialist confidence building training and the new post of Safeguarding Team Manager would be crucial in taking a professional lead in the area of safeguarding;
- Part 6 of the Social Services and Well-being (Wales) Act 2014 should help with regards to securing better educational outcomes and forward planning for LAC, as would the policy change around 'When I'm Ready'. However, Denbighshire already had a similar policy with respect to determining the most appropriate time for a young person to leave care, called 'Staying Put', this would require some refinement to bring it in line with the new legislation. A LAC nurse had been appointed during 2014/15 and this had improved performance with respect to ensuring that LAC were registered with a GP and Dentist;
- Denbighshire was the first local authority in North Wales to establish a SPoA Team. This joint team between Health, Social Services and the voluntary sector has a 'What Matters' conversation with individuals and their families/carers to establish the type of support required and to signpost them to other relevant services or organisations. A formal evaluation of the SPoA Service had been undertaken recently and it had concluded that it was a good, valuable service which benefitted residents. The service conformed with the requirements of the new Social Services and Well-being (Wales) Act 2014 requirements. Good working relationships already existed between social care staff and district nurses and work was currently underway with a view to fostering similar relationships with third sector staff and therapists. This would help identify any service gaps;

Discussion took place around the value of 15 minute 'check calls' to service-users in their own homes. It was emphasised that there was no expectation for those who undertook these calls to administer care. However, when commissioning care packages the Council had to have regard to the individual service users' views on the type of care they required. The national study into domiciliary care which was currently underway would look at all aspects of domiciliary care e.g. length of calls, travelling time between calls, continuity of care/carers etc. When determining the

future domiciliary care contracts and the monitoring of those contracts the Council would need to have regard to the findings of the national study.

The Committee was advised that Partnerships Scrutiny Committee had already scheduled into its forward work programme for February 2016 a report examining PoVA matters and a report on the 'Independence of Older People'. It was:-

RESOLVED – *that, subject to the above observations and the fact that Partnerships Scrutiny Committee had already scheduled reports on aspects of the areas identified for improvement in its forward work programme, to receive the CSSIW's Annual Evaluation and Review of Denbighshire's Social Services for 2014/15, and the Council's associated Action Plan.*

6 CORPORATE PLAN - QUARTER 2 2015/16

The Lead Member for Finance, Corporate Plan and Performance introducing the Quarter 2 2015/16 report (previously circulated) on the Council's performance in delivering its Corporate Plan:-

- advised that the indicators which relied on either the residents or business surveys, were historical in nature and would be updated next quarter with the most recent data.
- highlighted the key areas of performance listed in the report and advised that the Council was proposing to delete performance indicator (PI) QSCC013ai – 'the percentage of open cases on the child protection register who have an allocated social worker' as it was no longer a statutory indicator and officers had agreed that it was not a meaningful PI for measuring intended outcomes. They felt that the intended outcomes could be better managed and achieved in other operational ways;
- whilst corporate sickness absence levels were continuing to improve this area remained a priority for improvement;
- the decrease in the number of staff who had received a performance appraisal was at least in part attributable to the i-Trent recording software system. The Lead Member and officers were monitoring this aspect closely;
- the Council's inability to provide information for carbon emissions at present was due to an issue relating to its energy provider's billing system. This problem was not unique to Denbighshire, a high number of local authorities were affected and the company was working on solutions to rectify the problem. However, the Council was due to change its energy provider from April 2016 and the new provider could provide all the required information in due course;
- none of the Council's Corporate Projects were registering a 'red' status.

Responding to members' questions the Lead Member and officers confirmed that:-

- the decision to change energy provider from April 2016 had been taken on commercial grounds;
- both littering and dog fouling could only be measured for performance purposes within 30 mile per hour (mph) zones. However there were methods of tracking such activity outside 30mph areas;

- officers from all Council departments were now familiar and confident in using the Verto system for the purpose of recording performance and project related information;
- they were confident that the actual number of performance appraisals undertaken across the Council was likely to be in the high eighty percent range. With a view to obtaining a correct assessment of the Council's performance in this area the Chief Executive had asked all Heads of Service to check that they had inputted all the required information into the i-Trent system. He had also asked the Head of Legal, HR and Democratic Services to review the system in order to determine the cause of the reporting problem;
- the Tackling Poverty Working Group had commenced its study. It was an ambitious Group and would soon have a number of PIs which could be scrutinised;
- scrutiny had no powers to compel the Council's energy provider to attend a meeting to discuss its inability to provide carbon emissions information. It could however, if it wished, invite them to attend.

The Scrutiny Co-ordinator undertook to check on whether proposed by-laws relating to banning dogs from school pitches and other playing fields had ever been adopted. Members and officers were reminded that, if they thought any of the areas listed in the Corporate Plan merited detailed scrutiny, they should complete a 'scrutiny proposal form' and submit it to the Scrutiny Co-ordinator for consideration by the Scrutiny Chairs and Vice-Chairs Group. The Committee:-

RESOLVED - *subject to the above observations, to receive the report on the Council's performance in delivering its Corporate Plan in a bid to improve outcomes for residents.*

7 CORPORATE RISK REGISTER

A copy of a report by the Strategic Planning Team Manager (SPTM) which detailed the October, 2015 formal revision of the Corporate Risk Register (CRR), had been circulated with the agenda.

A formally updated version of the CRR had been agreed at Cabinet Briefing in October, and presented to the Corporate Governance Committee on the 18th November. The current report presented the opportunity for Performance Scrutiny Committee to comment on the formal revision.

Introducing the report the Lead Member for Finance, Corporate Plan and Performance made particular reference to the following revisions to the CRR:-

- DCC007 – the risk that critical or confidential information is lost or disclosed: due to the introduction of a number of risk reduction actions, the introduction of the information security policy and e-learning package it was now felt that this risk could be managed at a service level. Therefore it would be deleted from the CRR;
- DCC013 – the wording for this risk had been changed to 'the risk of significant liabilities resulting from external models of delivery' to encompass the variety of service delivery models either in operation or being explored. Until the

Framework for Governance Arrangements was fully implemented and embedded the residual risk score would remain the same;

- DCC021 - the residual risk score for 'the risk that effective partnerships and interfaces between Betsi Cadwaladr University Health Board (BCUHB) and Denbighshire County Council (DCC) do not develop, leading to significant misalignment between the strategic and operational direction of BCUHB and DCC' had been increased to reflect the serious concerns the Council had for this particular area, despite the fact that a number of control measures had been put in place;
- A new risk had been entered on to the register – DCC030 'the risk that appropriate capacity and skills to sustain service and corporate performance is not available'. This risk related to succession planning work which was currently underway. Some control measures were already in place and others were planned with a view to managing this risk; and
- There was also another emerging risk, this related to Protection of Vulnerable Adults (PoVA) arrangements which had been raised by the CSSIW. Scoping work was currently underway on this risk and therefore more detailed information on it and the measures to manage it would feature in the next version of the CRR.

Responding to Members' questions the Lead Member and officers:-

- Advised that with respect to risk DCC016 'the risk that the impact of welfare reforms is more significant than anticipated by the council' and in particular the risk associated with closure of the Welfare Rights Unit and the transfer of its work to an external provider, the Cutting Our Cloth Task and Finish Group had recently reviewed this cut and concluded that the new service provided by the Citizens Advice Bureau (CAB) was working well and delivering as expected. Assurances were also given by the Scrutiny Co-ordinator that the Task and Finish Group would be continuing to monitor the situation and was scheduled to examine the service delivery against the service level agreement (SLA) again in the summer of 2016.
- Requested that as some members had raised concerns at the meeting with respect to the CAB's capacity to deliver the welfare advice service at present due to pressures, it would be useful if those members could detail their concerns to senior officers at the Council to enable them to be investigated, as the Task and finish Group had found no evidence of any detrimental effect on residents following the transfer of the service to an external provider;
- Explained that the additional funding recently announced by the Welsh Government (WG) to Health Boards in Wales was specifically for the Intermediate Care Fund (ICF). Across Wales an additional £30m, to top the fund up to £50m, would be channelled through the regional Health and Social Care Partnership Boards from April 2016 for the purpose of delivering integrated health and social care services. Each local authority's Director of Social Services served on their area's Health and Social Care Partnership Board; and
- gave a detailed explanation of the Deprivation of Liberty Safeguards (DoLS) Supreme Court judgement and its implications for the Council.

The Committee:-

RESOLVED – *subject to the above observations to note the changes made to the Corporate Risk Register, the reasons for the changes, and to receive the revised Register.*

8 LIBRARY SERVICES

A copy of a joint report by the Principal Librarian (PL) and the Customer Service Business Partner (CSBP), which outlined the Library Service's performance against the Welsh Government's Framework of Public Library Standards 2014-17, and seeking the Committee to consider this in the context of Denbighshire's new Face to Face Customer Service Delivery Framework, had been circulated with the papers for the meeting.

Details of the statutory duties of Library Authorities in Wales had had been outlined in the report, particular reference being made to the requirements of the Public Libraries and Museums Act 1964. The Frameworks of Welsh Public Library Standards enabled MALD (Museums Archives and Libraries Division of Welsh Government, previously CyMAL) to measure and assess how Authorities were fulfilling their statutory duties. The Fifth Framework had been launched on the 1st May, 2014.

The Lead Member for Customers and Communities introduced the report on the WG's Assessment of the Library Service's performance for 2014/15, which also informed members of the work undertaken and planned with a view to developing libraries into community hubs. The Principal Librarian detailed the report's contents with respect to the Library Service's performance against WG standards, whilst the Customer Service Business Partner explained the work in relation to developing libraries into community hubs and the Framework associated with that work.

Members were advised that:-

- 17 out of the 18 Core Entitlements in the Frameworks of Welsh Public Library Standards had been met, the only one not achieved related to the availability of the Service's Strategy and Vision. This had not been met because the Service, as part of the Freedoms and Flexibilities process had been restructuring. This final core entitlement would be met by March 2016 as the vision would be available in bilingual format on-line and printed by then;
- With respect to the Quality Indicators (QI) contained in the Standards Framework, and listed in the report, the Council had only partially met the QI relating to access to up-to-date reading materials and would not be meeting it in the current year either. The Council was not unduly worried about this as book loans across the county was high, which in itself was an indicator that the Service was purchasing what readers wanted to read;
- The QI relating to appropriate spend on reading materials had also only been partially met – this was due to the County taking the approach to give priority to purchasing books for children. The Council was spending above the WG target on children's books with a view to improving basic reading and literacy skills, and was pursuing this approach during the current year. Officials had met with the WG's Deputy Minister for Culture, Sport and Tourism to emphasise this approach;

- Another QI which had only been partially met was the one relating to staffing levels and qualifications – this would be looked at again in the light of the staffing restructure to see what could be met in relation to the QI; and
- The new Framework should help the Council to achieve quality indicators relating to web pages and customer take-up of ICT services.

Responding to members' questions the Lead Member and officers advised that:-

- The fund for purchasing reading materials for 2014/15 was £160K;
- The new Museums, Archives and Libraries Division (MALD) Framework was rather prescriptive and focussed too much on inputs rather than on outputs, outcomes and benefits for citizens, which was what Denbighshire's Library Service wanted to concentrate on;
- Meetings had been held with both the WG's Deputy Minister for Culture, Sport and Tourism and the Director of MALD with respect to the prescriptive nature of the Framework Standards, and both had indicated their full support to Denbighshire for its approach to widening the range of services offered within libraries and turning them into community hubs;
- The WG could not withhold funding to the library service on the basis that it was not meeting all required indicators, if the Service could prove that it was delivering services which residents wanted and valued;
- They were confident that Wi-fi would be available in all of the county's libraries by the end of March 2016. Officers had also asked that the Service be included as part of the Nova Wi-fi pilot;
- Officers from the Library Service met on a regular basis with Education Service staff, they would also in the near future be meeting with Youth Service staff, with a view to supporting post 16 and Not in Education, Employment or Training (NEET) initiatives;
- Under the 'Face to Face Customer Service Framework' the Council was aiming to provide consistent service delivery to all its customers, via their preferred service delivery method e.g. face to face, telephone, electronic, self-service;
- The staffing re-structure, recruitment of other staff combined with a focussed training programme would ensure that all staff were equipped with the necessary skills to deliver all services available at the 'hubs';
- Staff 'floor-walked' on a regular basis to ensure that customers were not waiting long for assistance;
- Following the recent refurbishment of Rhyl Library there was now a Police desk at the Library and two members of the Revenues and Benefits staff were located there working in partnership with the Job Centre assisting people to apply for the new Universal Credit on-line. The CAB was also holding periodic surgeries at the Library;
- In Rhuddlan work was underway with the Town Council with a view to replicating a similar model to the one in Rhyl, but with more of a community hub emphasis i.e. permitting local groups to meet in the library building;
- In Denbigh discussions were taking place with Communities First officers with a view to them utilising the Library building, this would enable the Council to apply for specific grants available to Communities First organisations for modifying the building. Despite the fact that the actual Library building was outside the

Communities First area in the town, the organisation was of the view that it was the most appropriate building in the area to deliver their services;

- For the purpose of future proofing the service each location was being assessed based on its capacity and potential uses in order to optimise their utilisation.

Members congratulated the Service on their performance and on its vision for the future, which was particularly heartening at a time when a number of local authorities were discussing closing a number of their libraries.

RESOLVED – *that, subject to the above observations, to receive the Welsh Government's Assessment of the Library Service's 2014/15 performance, support Denbighshire's response and approach to delivering the services particularly in the context of the new Customer Service Delivery Framework, and endorse the Council's customer focused approach to delivering services to the community.*

9 SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Coordinator (SC), 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 'Member's proposal form' had been included in Appendix 2. The Cabinet Forward Work Programme had been included as Appendix 3, and a table summarising recent Committee resolutions and advising on progress with their implementation, had been attached at Appendix 4.

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

28th January, 2016: at the request of the Scrutiny Chairs and Vice Chairs Group, following their meeting held on the 15th October, 2015, the Committee agreed to include a business item in the forward work programme on the Primary School Transport Policy.

The Committee agreed that Lead Members Councillors E.W. Williams and H.C. Irving be invited to attend the meeting.

14th July, 2016: following the receipt of a request from the Scrutiny Chairs and Vice Chairs Group, emanating from their meeting held on the 3rd December 2015, Members agreed that a business item be included in the forward work programme with a view to monitoring the Local Housing Strategy, particular reference being made to Theme 2 which incorporated Affordable Housing.

The Committee's representative on the Corporate Equalities Group (CEG), Councillor C. Hughes, had recently requested that a new Member be appointed as the Committee's representative. Councillor Hughes had indicated that he was willing to be the Committee's substitute representative on the CEG. A copy of the Group's terms of reference had been included as Appendix 5.

As the Committee was unable nominate a representative Councillor Hughes agreed to continue in post, with Councillor G.Lloyd-Williams as a substitute, until a greater compliment of Committee Members were in attendance and the Committee was in a better position to nominate a new representative.

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

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The Committee were informed by Councillor M.LI. Davies that he had attended the Planning and Public Protection Service Challenge meeting, held on the 25th November, 2015. Councillor Davies advised that a representative from National Resources Wales (NRW) was present at the meeting. He proceeded to provide a brief summary of the following business items which had been considered at the meeting:-

- Planning charges
- Dangerous buildings
- CCTV
- Public Realm issues

The Scrutiny Coordinator informed Members that the Partnerships Scrutiny Committee would be considering a business item relating to CCTV at its meeting in January, 2016.

RESOLVED – *that the report be received and noted.*

Meeting ended at 12.55 p.m.