

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 17 March 2016 at 9.30 am.

PRESENT

Councillors Meirick Davies, Colin Hughes, Barry Mellor (Chair), Arwel Roberts and Gareth Sandilands.

Lead Members attendance requested by the Committee:- Councillors Hugh Carson Irving and Julian Thompson-Hill.

Councillor Raymond Bartley attended as an observer.

ALSO PRESENT

Chief Executive (MM), Head of Business, Improvement and Modernisation (AS), Principal Manager – Business Support (TW), Scrutiny Co-ordinator (RE) and Administrative Officer (CIW).

The Chair referred to the recent sad death of Councillor Peter Owen, and he and the Committee acknowledged the work he had undertaken for the Committee.

1 APOLOGIES

Apologies for absence were received from Councillors Richard Davies, Geraint Lloyd-Williams and Dewi Owens.

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, 28th January, 2016 were submitted.

Matters arising:-

6. Primary School Transport – Councillor Arwel Roberts enquired on the current position with respect to the school transport provision for children from Rhuddlan

attending Ysgol Dewi Sant, Rhyl. His concerns related to the fact that free transport was due to be withdrawn at the end of the spring term and that parents were still awaiting notification on whether they would be entitled to transport, either free or concessionary, from the beginning of the summer term. He was also concerned that he as one of the local members was not being kept informed of matters relating to this issue and that, despite cross-party support for his recommendation at the last meeting that the Council use its discretionary power to arrange concessionary travel for the pupils, nothing seemed to be happening.

The Scrutiny Co-ordinator assured Members that the recommendation approved at the last meeting had been forwarded to the Head of Education who would in due course, upon the completion of the road safety work on the route and once the road safety assessment had been undertaken on the 'new' route, consider the assessment's findings and the Committee's recommendation in relation to this matter. If, following that process, the route was deemed safe and parents still had concerns on its safety, they had the right of appeal to the Head of Service.

Councillor Roberts indicated that he wished scrutiny to look at the matter again. The Scrutiny Co-ordinator requested that he complete a 'scrutiny proposal form' to enable the Scrutiny Chairs and Vice-Chairs Group to consider his request. The Chief Executive suggested that scrutiny may wish, if the route was deemed safe, to consider the effectiveness of the new arrangements in due course.

The Chief Executive advised that in response to Members' concerns at the last meeting about this particular route he had asked that an independent road safety assessment be commissioned to ensure that the Council's assessment were correct. He assured Councillor Roberts and the Committee that local Elected Members would be advised of the outcome of the road safety assessment and any associated decision before parents. He also undertook to investigate the claim that officers had not been willing in this case to share information with local members, and report back to members on the issue. He assured members that as a matter of courtesy officers would usually keep local members informed on matters in their wards.

Responding to an enquiry on the secondary school transport matter that had been referred by parents for Judicial Review, the Chief Executive advised that the Council had decided to settle this matter out of court with the family concerned. He emphasised that it was not in the Council's interest to make children walk dangerous routes and school transport routes were reviewed on a regular basis as and when new factors impacted on the routes. He also drew Members' attention to the fact that the Scheme of Delegation to Officers would be reviewed next year and advised Members that they should examine it closely to ensure that they were satisfied with the powers delegated to officers.

Following further discussion, it was:-

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

A copy of a report by the Head of Business, Improvement and Modernisation (HBIM), which provides an update on the delivery of the Corporate Plan 2012-17 as at the end of quarter 3 of 2015/16, had been circulated with the papers for the meeting.

The Lead Member for Finance, Corporate Plan and Performance introducing the report outlined the key performance summary and stressed:-

- the importance of the Council's performance in meeting its Outcome Agreements with the Welsh Government (WG);
- that the Council still considered improving corporate sickness absence levels as a priority for improvement, hence the reason for setting such an ambitious target. Whilst the target had not been met the Council still compared favourably with other Welsh authorities and would continue to strive for improvement;
- the information on carbon emissions should be available in the near future. As the Council was due to switch its energy supplier in April 2016 this would not be a problem in the future as the new supplier had undertaken to routinely provide the information. Denbighshire was not unique in not being able to report carbon emissions information at present, it affected the majority of Welsh local authorities;
- the number of staff receiving performance appraisal reports had now reached 90%

Responding to Members' concerns in relation to economic growth and development the Lead Member for Finance, Corporate Plan and Performance and officers advised that:-

- the new Procurement Strategy and revised Contract Procedure Rules (CPRs) approved by Council recently should support economic development. The Procurement Board would be monitoring the implementation of the Strategy and new CPRs. In addition it would be ensuring that officers in different services as well as suppliers would receive appropriate training to deliver the Strategy and support economic growth;
- economic growth was one of the Council's top priorities. Whilst there was now a smaller team of officers responsible for economic development corporately, this was a very strong team who were there to support other officers within the Council's various services to deliver the economic development priority. Businesses within the county were now far more positive about the Council's prospects of delivering economic growth. Substantial investment was taking place across the county, approximately £200m in total, through the building of new school buildings, improvements to libraries etc.;
- there was a need to celebrate the achievements and investments by the Council and businesses realised to date, in Rhyl and across the county, including the high survival rate for new businesses in Denbighshire;
- whilst the local authority had a role to play in economic development it was only one of a number of organisation who could influence this area, others such as WG, higher education and businesses had as much of a role to play as Councils if the ambition was to be fully realised;
- the Council could support economic development locally, but it could not control the local economy. There were certain areas of the county which required a

collaborative approach from a number of public and private organisations in order to improve skills and income levels with a view to stimulating the local economy and prosperity

- reference was made to Rhuddlan as an example of where small businesses seemed to flourish, with retail premises lying empty being a rare occurrence

Members raised concerns with respect to performance in the following areas:-

- the perceived lack of WG support for St. Asaph Business Park and availability of business units for new businesses to move to once they had established themselves and were ready to grow. A number of home-grown businesses had been lost from Denbighshire because of the shortage of suitable premises;
- council housing – the period of time that houses lie empty due to refurbishment requirements before they are re-let;
- the development of affordable housing;
- prioritising highways maintenance work; and
- education – pupils' educational performance since GwE had taken over responsibility for school improvement and the number of pupils excluded from the county's schools

Responding to the above the Lead Member and officers advised that:-

- if Members had specific concerns about performance in specific areas they could follow the process established by the Scrutiny Chairs and Vice-Chairs Group (SCVCG) to call Lead Members and officers in to discuss those concerns;
- the Committee would during the summer of 2016 commence monitoring the progress made in delivering Theme 2 of the Council's Housing Strategy, which related to creating a supply of affordable houses;
- with respect to highways maintenance works the Council, like many other local authorities, faced a backlog of expensive work which would probably cost in the region of £25m to rectify satisfactorily and could at present only commit circa £1m annually towards that work. The work therefore had to be prioritised on a risk basis;
- GwE was more than aware that the Council was not satisfied with the service they had provided to the county to date, whilst pupils' performance in the county had not slipped since GwE had taken over the school improvement function their performance had not kept a pace with other local authorities. The support given by GwE to the primary sector had been well received and successful, this was not the case in the secondary sector and it was this sector that had suffered. Whilst there was a correlation between economic deprivation and pupils' performance this was not the only factor that affected performance, and Denbighshire on the whole was an affluent area therefore educational attainment should be higher.

At the conclusion of the discussion Members:-

RESOLVED – that, subject to the above observations, and the completion of 'scrutiny proposal forms' on the areas of most concern highlighted above, to receive

the information provided on the Council's performance in delivering its Corporate Plan up to and including the end of Quarter 3 2015/16.

6 YOUR VOICE' REPORT - QUARTER 3 2015/16

A copy of a report by the Corporate Complaints Officer (CCO), which provided an overview of compliments, suggestions and complaints received by Denbighshire County Council under the council's customer feedback policy 'Your Voice' during Q3 2015/16, had been circulated with the agenda.

The Lead Member for Customers and Libraries introduced the report on the Council's performance in dealing with customer feedback during the third quarter of the 2015/16 year. He advised that the number of complaints during the third quarter were down in comparison to quarter 2, whilst the number of compliments had increased. Over the last four years there had been a downward trend in the number of complaints received. Whilst the way in which complaints were now recorded may partly account for this downward trend, fewer actual complaints had also been received.

The Principal Manager: Business Support advised that during the last four years the average number of complaints per quarter had been between 80 and 150. He advised that it would be worth undertaking some additional analysis if complaints in any quarter rose above 150, as it may indicate an underlying problem which required addressing.

The Council had set itself an extremely ambitious target of dealing with 95% of complaints within 10 working days of their receipt, this target was proving to be a challenging one to meet, but officers felt that this was appropriate in order to raise standards and expectations. He advised that, in line with the Committee's request, paragraph 4.4 of the report included information about the process of dealing with complaints in respect of commissioned services.

It was anticipated that future quarterly performance reports would details complaints made in respect of commissioned services separately. Responding to Members' questions the Lead Member and officers advised that:-

- If an individual challenged the validity of a fixed penalty notice (FPN) or appealed against its issue that would not be counted as a complaint;
- Comparing the number of complaints and compliments received against the numbers recorded by other local authorities had limited value, as each local authority had different recording methods, it was far better to examine best practice in dealing with complaints and how to use them to improve service delivery in future;
- Only a very small minority of complaints were deemed to be vexatious complaints. However, due to their complex nature and the seniority of individuals sometimes cited in these complaints some complaints did take longer to investigate and often take up significant resources to bring to a conclusion; and
- The number of complaints listed in the report against each service area varied due to the size and nature of each service i.e. Highways and Environmental Services was one very large public facing service, which due to its size and the

types of services it provided was expected to receive one of the highest number of complaints in comparison to other services which had a more internal focus.

Following detailed discussion it was:-

RESOLVED – that subject to the above observations to receive the report on the Council's performance during Quarter 3 of 2015/16 in dealing with complaints and compliments in accordance with its 'Your Voice' Complaints Procedure.

7 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 Scrutiny Coordinator explained that in future no items would be included on a forward work programme without a 'scrutiny proposal form' being completed and accepted for inclusion by the Committee or the SCVCG. Assistance with their completion was available from the Scrutiny Co-ordinator.

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:-

12th April, 2016 (Special Meeting):-

- The Chair emphasised the importance of the meeting which had been convened to consider the Future of Adult Provider Services, and the findings of the Task and Finish Group in respect of In House Adult Social Care. The SC explained that she would liaise with Members of the Committee to seek confirmation regarding their availability to attend the meeting. Councillor C. Hughes explained that at the present time he was unable to provide confirmation of his availability to attend the meeting due to work commitments.

28th April, 2016:-

- The Committee agreed to a pre-meeting briefing for all Committee Members, prior their meeting with BT and WG officials in respect of the Broadband Rollout in Denbighshire. The pre-meeting would provide Members with the opportunity to identify areas of questioning which they wished to focus on during the meeting. Members requested that the public meeting start time be rescheduled from 9.30 a.m. to 10.00 a.m. and that the pre-meeting briefing start at 9.00 a.m.

The Chief Executive outlined his concerns regarding how the Broadband Rollout had been progressed in Denbighshire. He felt that details should be requested

specifying which areas had been completed, future plans and respective timescales.

In reply to concerns expressed by Members, the SC confirmed that the Democratic Services Manager would be progressing the appointment of Members to the Membership vacancies on the Committee. Councillor J.R. Bartley explained that he would be prepared to submit his name to his Group Leader for one of the vacancies. In response to a suggestion that substitute Members be utilised, the SC explained that the Constitution was currently under review.

The Scrutiny Chairs and Vice-Chairs Group had met on the 3rd march, 2016 and no matters were referred to the Committee.

The SC requested that Members complete and submit the Self Evaluation Questionnaire Forms which had recently circulated. The importance of completing the forms was emphasised as the Council would, later in the year, be subject to a Corporate Assessment.

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

8 FEEDBACK FROM COMMITTEE REPRESENTATIVES

RESOLVED – *No reports were received.*

Meeting ended at 11.45 a.m.