

## **PERFORMANCE SCRUTINY COMMITTEE**

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 7 December 2017 at 9.30 am.

### **PRESENT**

Councillors Ellie Chard, Ann Davies, Hugh Irving (Vice-Chair), Huw Jones (Chair), Geraint Lloyd-Williams, Bob Murray, Arwel Roberts, Peter Scott and David Williams

Cabinet Lead Members –Brian Jones and Richard Mainon attended at the Committee's request.

Cabinet Lead Members –Julian Thompson-Hill and Tony Thomas were in attendance.

Observer – Councillor Emrys Wynne

Welsh Audit Office representative – Charlotte Owen

### **ALSO PRESENT**

Head of Business Improvement and Modernisation (AS), Highways and Environmental Services (TW), Section Manager - Network Management (TT), Statutory & Corporate Complaints Officer (KR), Service Improvement Manager (FA), Scrutiny Co-ordinator (RE) and Committee Administrator (SJ).

The Chair extended a warm welcome to Alan Smith, Head of Business Improvement & Modernisation and also Charlotte Owen from the Welsh Audit Office.

#### **1 APOLOGIES**

Apologies were received from Councillor Martyn Holland and the Chief Executive Mohammed Mehmet.

#### **2 DECLARATIONS OF INTEREST**

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**

There were no urgent matters.

#### **4 MINUTES OF THE LAST MEETING**

The minutes of the meeting of the Performance Scrutiny Committee held on 28 September 2017 were submitted.

## Matters Arising –

Page 3 – (Information sheet) Teacher Assessments and Provisional Examination Results – The Scrutiny Co-ordinator confirmed she and the Chair had met with the Head of Education and Children’s Services to discuss ways going forward of inviting individual secondary schools to future Committee meetings. It was confirmed a training session had been scheduled for 29 January 2018 to enhance members understanding of their role in relation to all aspects of performance monitoring of schools. The training session would be facilitated by GwE and Education Department senior officers.

Item 6 – The New GwE Challenge and Support Programme – The Chair requested clarity if Estyn had re-inspected GwE as stipulated in the minutes. Officers confirmed that they believed a re-inspection had taken place and that the Regulator was pleased with the progress made to date. The Scrutiny Co-ordinator agreed to source the latest report and circulate it to Committee members.

***RESOLVED that, subject to the above, the minutes of the Performance Scrutiny Committee meeting held on 28 September 2017 be received and approved as a correct record.***

## **5 DEVELOPING A HIGHWAY MAINTENANCE STRATEGY**

The Lead Member for Highways, Planning and Sustainable Development and the Head of Highways and Environmental Services, introducing the Highways Asset and Risk Manager’s report (previously circulated), advised that they wanted to share with the Committee the effectiveness of the investment made to improve and maintain the county’s road network under the previous Corporate Plan and their proposed strategy for continuing to invest in the network during the term of the new Corporate Plan. The Lead Member advised that since being appointed to his Cabinet role he had visited all areas of the county to discuss with residents and businesses their concerns regarding specific highway matters in their areas. By means of a PowerPoint presentation the Highways Asset and Risk Manager briefed members on the current state of the county’s highways and the Service’s proposed strategy for its future maintenance. During the presentation members were:

- advised of the length of Class A, Class B, Class C and unclassified roads that made up the 1415.7Km of Denbighshire’s highway network (the three trunk roads that traversed the county were not included as the Welsh Government’s (WG) Transport Division was responsible for their maintenance costs);
- informed of the various methodologies for assessing and reporting on the condition of the carriageway, the causes of highway failures and the intervention/prevention work that was used to address failures and safeguard against further deterioration. It was emphasised that the national indicator relating to carriageway condition assessments, undertaken via the Scanner method, only covered 32% of Denbighshire’s road network. Consequently the Authority had developed its own visual method of evaluating the condition of all roads across the county. This method was found to be particularly useful for roads not covered by the Scanner

method. Examples of this visual method were displayed as part of the presentation and statistics were given to illustrate how the condition of the network had improved year on year between 2011 and 2017;

- advised that now the condition of the highway across the county had improved the concern going forward would be the Council's financial ability to continually invest in highway improvement and remedial work, drainage work projects, and the sustainability of improvement works for the medium to long-term. The risk posed by financial constraints had the potential to jeopardise the authority's performance in relation to road condition national Performance Indicators (PIs) going forward;
- informed that the approach proposed for the term of the new Council would be to attempt to sustain and at least maintain the current condition of the network. This approach was based on the assumption that the current levels of both capital and revenue funding would be maintained at current levels. Roads, due to usage levels and the effect of the weather would continually deteriorate. However, it was envisaged that by adopting a prevention approach to remedial work, innovative use of revenue funding available, closer working with other services and organisation in order to realise maximum benefits from any available funding and grants, the Council could at least maintain the network in its current condition; and
- Welsh Government (WG) funding would be sought for large scale highways capital projects.

Responding to members' questions the Lead Member and relevant officers:

- explained the technical difficulties involved with setting the correct levels when re-laying gulleys as part of highways maintenance work;
- emphasised that the Council would need to invest in its highways network or all the improvements realised under the 2012-17 Corporate Plan would be lost;
- confirmed that they would continue to lobby WG for funding for major highways capital projects. In the meantime the Council had a duty to keep the roads in a 'safe' condition to ensure users' safety;
- confirmed that the estimated costs detailed in Appendix 1 to the report included all costs involved with highways maintenance work, including preparatory costs and those associated with the disposal of waste materials;
- advised that whilst some of the maintenance work was undertaken in-house, the majority was outsourced from private contractors who were on the Council's approved contractors list. As these contractors were part of the Framework mechanism their work was guaranteed and any defects that came to light would be rectified under their agreement with the Council. The Framework provided quality assurance for the Council;
- utility companies were required to give advance notice to the Council if they intended to undertake any work that entailed digging up the highway. They were also legally obliged to return the highway to at least its previous condition once their work was complete. To ensure all requirements were complied with Council officers would inspect the condition of the highway at that particular location twice following the completion of the utility company's work. Generally, the condition of the highway following work by utility companies was usually better than its condition immediately prior to the work taking place;

- confirmed that utility companies were permitted to resurface a road following works with a temporary surface for up to 6 months if need be i.e. due to the high cost of asphalt they may wish to purchase a bulk load for use on a number of resurfacing projects in order to realise value for money, therefore it would be economically better for them to complete a number of projects at the same time;
- explained the SCRIM survey mechanism for measuring skidding resistance on roads, highlighting a number of recent road maintenance projects in the county where this method had proved invaluable;
- emphasised the importance of the quality of the 'joint sealing' process when undertaking maintenance work in order to mitigate against further deterioration in the fabric of the highway;
- confirmed that the schedules of local highway maintenance work would be discussed at the relevant Member Area Group (MAG) meetings. Work schedules were drawn up using sound methodology based on risks to the road user. Similarly, gulleys and ditches were prioritised for clearing and emptying based on the risk they posed to residents, businesses and material damage to the highway;
- informed the Committee that third party claims against the Council's insurance because of damage caused due to the conditions of its road network were not significant. The Council's insurer rarely had to pay out to third party claimants. The position was very similar in relation to pathways, pavement and footways. However, they did not form part of the proposed Strategy for Highway Maintenance, maintenance works on these would be subject to a funding bid to the Strategic Investment Group (SIG) ;
- confirmed that officers from Highways and Environmental Services would make every effort to work with staff from the Planning and Public Protection Service and developers with a view to maximising benefits to the Council, the Service and the highways network in general by securing effective Section 278 agreements linked to planning applications;
- advised that the provision of dropped kerbs was now routinely considered as an integral part of any highway maintenance work project, with dropped kerbs being laid where it was deemed safe and suitable for them to be laid;
- informed members that during the recent 'County Conversation' exercise held to gain residents input into the new Corporate Plan and Well-being Plan, the condition of the county's highways was rarely mentioned. This was perhaps an indication that residents were now generally satisfied with their condition; and
- encouraged members to report any issues that were brought to their attention regarding the condition of the highway, gulleys or ditches etc. which required maintenance or clearing/emptying, to the Council's Customer Services Centre who could then refer them direct to the Service for investigation

Committee members were firmly of the view that representations should be made to WG seeking it to provide financial support to the Council to help it deliver a number of highway improvement projects, some of which had already been scoped and designed but could not be delivered in the short to medium term due to continuing financial constraints. In view of this the Committee felt that an invitation should be

sent to the WG's Cabinet Secretary for Economy and Transport to meet with the Committee in the New Year to discuss highways funding for the county.

The Committee was also of the view that the development of a bypass for the city of St. Asaph should appear on the Council's programme of future projects, as this would be a vital link between the north and south of the county which would support the development of the economy across the whole county and improve incomes and prosperity. Whilst officers agreed with the need for this vital link road they did caution members that any additional road surface area would in turn increase the Council's financial and legal obligations in relation to their maintenance.

Officers agreed with members that it would be advisable to highlight to residents how much the condition of the county's roads had improved in recent years. It was felt that in future it would be beneficial if this were done on a project by project basis, apologising for any disruptions whilst explaining why roadworks were taking place and their potential long-term benefits for residents and the county as a whole.

At the conclusion of the discussion the Committee commended the proposal to develop a highway maintenance strategy for the term of office of the new Council. In supporting the proposal it did raise concerns on the quality of the Well-being Impact Assessment (WIA) completed in relation to the proposal. Whilst members felt that the 'positive consequences' of the proposal had been thoroughly assessed they felt that not enough attention had been given to the 'unintended negative consequences', therefore the overall assessment was not entirely holistic. Officers acknowledged this and undertook to update the WIA regularly as the strategy and its associated projects developed. Members:

**RESOLVED: subject to the above observations to –**

- (i) support the approach being proposed by the Service to balance the risk of deteriorating roads against the available financial resource over the period 2017 – 2022;***
- (ii) write to the Welsh Government seeking its assistance to fund designated road improvement projects that the Council was unable to fund by itself during a period of austerity, and which could potentially affect the overall quality of the county's road network and have an adverse effect on the local economy;***
- (iii) invite the Cabinet Secretary for Economy and Transport to attend a future meeting of the Committee to discuss highways funding for Denbighshire and the North Wales region; and***
- (iv) confirm that it had read, understood and taken account of the Well-being Impact Assessment (Appendix 3) as part of its consideration, highlighting that future Well-being Impact Assessments should contain a more holistic assessment of the proposals' potential impact, in particular the unintended negative consequences of any proposals on the well-being goals.***

At this juncture (10:45 a.m.) there was a 15 minute break

The meeting reconvened at 11:00 a.m.

## **6 YOUR VOICE COMPLAINTS PERFORMANCE (Q2)**

The Statutory and Corporate Complaints Officer introduced the report and appendices (previously circulated) in the absence of the Lead Member for Developing Community Infrastructure, who had to leave the meeting early in order to attend a meeting with the Welsh Government's Leader of the House and Chief Whip - the Minister responsible for digital infrastructure, to discuss poor Broadband coverage in parts of Denbighshire.

The report and appendices provided an overview and analysis of the complaints, compliments and suggestions received by the council under its 'Your Voice' Customer Feedback policy during Quarter 2 of the 2017/18 reporting year. During the introduction the Service Improvement Manager drew the Committee's attention to the fact that some councillors had inadvertently been utilising the 'Your Voice' customer feedback mechanism for reporting service enquiries/requests. Consequently the Head of Customers, Communication and Marketing had re-issued guidelines to councillors on how to submit service requests/enquiries, stressing the importance of following the agreed procedure in order to ensure that there was a complete audit trail relating to each request/enquiry received. If the correct procedure was followed elected members could track their request/enquiry's progress via the EMMA system – the system which had been devised and introduced for elected members' benefit and ease of reference. The Service Improvement Manager confirmed that discussions were continuing with respect to the roll-out of a new Customer Relationship Manager (CRM) System. An implementation plan was being drawn up by the Project Group, on which the Council's Corporate Communications Team were represented. It was anticipated that more information would be available early in the New Year on the proposed roll-out process for the new CRM system.

Members were informed by the Statutory and Corporate Complaints Officer that for the second quarter of 2017-18 reporting year the Council had attained the 'excellence threshold' in relation to dealing with Stage 1 and Stage 2 complaints, as all complaints had been transacted within the target timescales despite there being more complaints lodged than in the previous quarter. It was also pleasing to report that during quarter 2 more compliments and suggestions for service improvements had been received from the public. Examples of how complaints had been used constructively to improve services were included in the report. Whilst it would prove nigh on impossible to maintain performance at 100% for dealing with both Stage 1 and Stage 2 complaints throughout the year officers were confident that the Council would achieve circa 98% for Quarter 3, and an annual average attainment rate of around of 98% throughout the 2017-18 year.

Appendix 1 to the report contained details of the number of Stage 1 and 2 complaints received against individual services along with the Council's performance in dealing with them during quarter 2, as well as an analysis of its performance in dealing with complaints at both stages over a four year period.

Appendix 2 to the report contained a proposed format for the presentation of the statistical report to the Committee in future. Whilst there were still some issues which required to be resolved with the proposed new format, the main one relating to how graphs etc. could be produced in both English and Welsh and the information imported into the body of the report has been resolved.

Appendix 3 to the report contained the results of the independent analysis undertaken of residents and customers' satisfaction on their interaction with the Council and accessing the required services. The information gathered as part of this exercise was proving to be extremely valuable to Council Services to enable them to improve their services and strengthen their communication channels with residents. The Customers, Communication and Marketing Service was currently working with the ICT Service to develop a bespoke service specific reporting mechanism that would help them improve communication with residents and service-users even further.

Responding to members' questions the Statutory and Corporate Complaints Officer and the Service Improvement Manager advised that:

- complaints against schools and education related complaints did not fall within the scope of the 'Your Voice' Corporate Complaints Procedure. These were dealt with separately, generally by the schools themselves or by the Education Service's Complaints Officer;
- social services complaints had to be dealt with in accordance with statutory guidelines i.e. an acknowledgement was required within two working days and the Council had 10 working days to resolve the matter. Whilst that was a standalone process any issues of concern that came to light as part of the corporate complaints process which could possibly constitute any violation of a vulnerable adult would be referred to the Protection of Vulnerable Adults (POVA) Team for investigation as a matter of urgency;
- in their view the improvement in performance in relation to dealing with complaints could be attributed to mutual buy-in to the procedure from both members and officers, who valued its benefits for improving service delivery;
- the 10 day target for dealing with complaints was, similar to the 10 day statutory deadline for social services complaints, the absolute maximum time it should take to deal with any complaint. Generally, complaints were dealt with and resolved well within the 10 working day target; and
- at present seven of the nine Customer Service Centre Advisors spoke Welsh. This facilitated customers/residents who wished to conduct their business through the medium of Welsh at their initial point of contact to do so. Nevertheless, this may not be the case within the services who would ultimately be responsible for resolving queries etc.

Members did raise concerns about the frustrations felt by councillors and the public alike when they left messages on answerphones and no one called them back to update them on the progress with service enquiries or to even acknowledge receipt of a request. Officers undertook to draw this to the attention of all Services.

The Statutory and Corporate Complaints Officer undertook to enquire on the reason why the Council's performance had dipped to 60% of Stage 2 complaints dealt with within set timescale during Quarter 3 of 2016-17.

At the conclusion of the discussion the Chair informed the Committee that the Lead Member for Developing Community Infrastructure had asked that his gratitude to the Statutory and Corporate Complaints Officer for his role in improving performance in relation to the dealing with corporate complaints under the 'Your Voice' procedure be noted and recorded. The Committee then:

**RESOLVED: - subject to the above observations to –**

- (i) receive the report on the Council's performance in dealing with complaints, compliments and suggestions received under the 'Your Voice' corporate complaints procedure during Quarter 2, 2017-18; and***
- (ii) receive the data on the Customer Effort and Satisfaction results for Denbighshire County Council for the second quarter of 2017-18 and how that information had been utilised for the purpose of improving services to the Council's customers and residents.***

## **7 SCRUTINY WORK PROGRAMME**

The Scrutiny Co-ordinator presented the report (previously circulated) seeking Members' review of the Committee's work programme and providing an update on relevant issues.

A copy of the "Member's proposal form" had been included in Appendix 2. The Scrutiny Co-ordinator requested that any proposals be submitted to herself. The Cabinet Forward Work Programme had been included as Appendix 3, the table summarising recent Committee resolutions, advising on progress with their implementation, had been attached as Appendix 4.

The Scrutiny Co-Ordinator informed members that a training session on the scrutiny of education matters had been scheduled for the 29 January 2018 and encouraged those available to make every effort to attend.

The Committee was asked to nominate a member to serve on the Schools Standards Monitoring Group (SSMG). Information regarding the Group's terms of reference was attached as Appendix 5. Councillor Ellie Chard proposed Councillor Arwel Roberts represent the Committee at the group's meetings. Councillor Ann Davies also registered an interest in serving on the SSMG. Both nominations were seconded and on being put to the vote Councillor Arwel Roberts was appointed the Committee's representative on the SSMG, with Councillor Ann Davies acting as the Committee's substitute representative if Councillor Roberts were unable to attend a meeting.

**RESOLVED that –**

- (i) subject to the above observations and amendments, the Forward Work Programme be approved; and***
- (ii) Councillor Arwel Roberts be appointed as the Committee's representative on the School Standards Monitoring Group (SSMG)***



*with Councillor Ann Davies acting as Councillor Roberts' substitute on SSMG if he was unavailable to attend a meeting.*

## **8 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

Councillor Ann Davies informed Committee Members that she had recently attended a 'lines of enquiry meeting' to prepare for the forthcoming Community Support Services' Service Challenge meeting. Councillor Davies informed the Committee that Carers in Wales, the Single Point of Access (SPoA) Service and discharge times from hospitals would be explored further at the Service Challenge meeting. [The Head of Business Improvement and Modernisation](#) informed Councillor Davies that Carers, featured in the new Corporate Plan and work was currently underway regarding carers in Denbighshire.

The Scrutiny Co-ordinator informed members that the notes from Service Challenge meetings would in future be a regular feature in the Information Brief document circulated to members ahead of committee meetings.

The Chair thanked Members and Officers for their work and wished all present a peaceful Christmas and all the best for the New Year,

**The meeting concluded at 11:55 a.m.**