

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Wynnstay Road, RUTHIN, LL15 1YN on Friday, 6 January 2017 at 9.30 am.

PRESENT

Councillors Meirick Davies, Huw Hilditch-Roberts, Barry Mellor (Chair), Dewi Owens, Arwel Roberts, Gareth Sandilands and Joe Welch.

Cabinet Members – Councillors Hugh Irving and Bobby Feeley attended at the Committee's invitation for items relating to their portfolio.

Councillor Win Mullen-James was in attendance for Agenda item 5, in her capacity as the Chair of the Adult In-house Social Care Task and Finish Group.

Observers - Councillor Gwyneth Kensler, Councillor Martyn Holland and Councillor David Smith.

ALSO PRESENT

Chief Executive (MM), Corporate Director: Communities (NS), Head of Community Support Services (PG), Head of Facilities, Assets and Housing (JG), Programme Manager- Business Change (TB), Strategic Planning Team Manager (NK), Customer and Quality Manager (MB), Scrutiny Co-ordinator (RE) and Committee Administrator (SJ).

Also in attendance- Rhys Dafis, Regeneration Services Director for Grŵp Cynefin.

COUNCILLOR RAYMOND BARTLEY - TRIBUTE

The Chair paid tribute to the late Councillor Raymond Bartley, a member of the Committee and the task and finish group, who had passed away recently. Condolences were conveyed to his family and as a mark of respect all in attendance stood in silent tribute.

1 APOLOGIES

Apologies for absence were received from Councillors Colin Hughes and Geraint Lloyd-Williams

Councillor Julian Thompson-Hill (Lead Member for Finance, Performance and Corporate Plan) for business items 6 and 8.

2 DECLARATION OF INTERESTS

Councillor Bobby Feeley declared a personal interest in Agenda item 5.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES OF THE LAST MEETING

The minutes of the meeting of the Performance Scrutiny Committee held on 29 September 2016 were submitted:-

RESOLVED that the minutes of the meeting held on 29 September 2016 be received and approved as a correct record.

5 UPDATE ON OPTIONS APPRAISALS FOR IN-HOUSE CARE SERVICES

Councillor Win Mullen-James, Chair of the Task and Finish Group who had been tasked with reviewing the Council's in-house social care provision, in introducing the Group's findings with respect to the future use of Awelon paid tribute to late Councillor Raymond Bartley, who had been a dedicated member of the Task and Finish Group and the Committee. Councillor Bartley had worked tirelessly to safeguard the rights and welfare of the elderly and vulnerable in the county throughout his career, and would be greatly missed.

In her introduction the Chair of the Task and Finish Group informed the Committee that the Group was of the view that the recommendation contained in the report (previously circulated) would meet the demand for both care and support in the preferred Extra Care arrangements as well as support community activities for residents and the wider community within the new community facilities. The Task and Finish Group was also of the view that the entire project would benefit from being managed by the 3 current users of the site – the Council, Grŵp Cynefin and the Committee of Canolfan Awelon - coming to a mutually beneficial agreement. Hence the reason why the Group was recommending that they work together to implement the best configuration for the site based on Options 2a, 2b and 3a in the report. By adopting this approach individuals currently living in the residential part of the site would be able to remain there for as long as their needs could still be met.

The Chair welcomed Rhys Dafis, Grŵp Cynefin's Regeneration Services Director, to the meeting for the discussion on the proposals and feasibility study.

The Corporate Director: Communities and the Head of Community Support Services detailed the feasibility study undertaken by Grŵp Cynefin, which respected the spirit of the Cabinet resolution in May 2016, and outlined the conclusions drawn at the end of the study.

Responding to the Committee's questions the Corporate Director: Communities, Head of Community Support Services, Lead Member for Social Care (Adults and Children's Services), Chair of the Task and Finish Group and Grŵp Cynefin's Regeneration Services Director:

- confirmed that Option 3 put forward by Cabinet in May 2016, relating to engaging with the Betsi Cadwaladr University Health Board (BCUHB) to investigate the feasibility of developing additional nursing care capacity in Ruthin, was still being pursued. However, the schools site, adjacent to the present hospital in the town would not become vacant for some time. The

proposals for consideration at the current meeting related to the Awelon site, which was a separate entity. Any future proposals which may be put forward, either separately or in conjunction with BCUHB for the former schools site, could potentially further enhance health and social care provision in the Ruthin area;

- explained the Council and the Regulators roles in inspecting and monitoring care and support both in care establishments and in people's own homes. This was a multi-layered approach, the quality of care and support provided was closely monitored as were safeguarding arrangements. Contracts for the provision of care were regularly monitored to ensure that all contract specifications were being met. A quarterly report on quality monitoring of external care services was provided to the Scrutiny Chairs and Vice-Chairs Group (SCVCG);
- advised that, with a view to enhancing the Council's contract monitoring capacity, a recruitment exercise would be undertaken in the new financial year for an additional contract management post within the Council's Contracts Management and Review Team;
- confirmed that the majority of the Council's arranged social care placements were within the independent sector in the county;
- emphasised that the proposals being put forward for the future provision of social care services in Denbighshire were not being driven by the need to realise budget savings. The primary driver was meeting legislative requirements and providing services which were in line with residents' needs and choices and which improved outcomes for the individual concerned. Whilst budget pressures had become more of a factor in recent years, the approach of supporting independence and supporting people in their own homes was a long-term aim of the Council. The Extra Care complex approach enabled individuals to have a level of independence and couples to stay together when one or both needed care or different intensity of care, in an environment that they could regard as their 'own home', thus improving their quality of life;
- advised that the Council had a duty to utilise public money effectively and efficiently. The intention of the proposals contained within the report was to improve outcomes for individuals whilst meeting their identified needs. The proposals under consideration for Awelon specifically stated that no current resident would be expected to move to another establishment for as long as their needs could be safely met at Awelon;
- confirmed that the proposed £7m investment proposed for Awelon was an investment by Grŵp Cynefin, the Council's contribution would be to transfer the site to Grŵp Cynefin, who already operated the Llys Awelon Extra Care housing complex on site;
- explained that with respect to Options 2a, 2b and 3a the eight temporary residential care bedrooms was a guide to how many would be needed whilst the remodelling and refurbishment work was taking place. As and when work was due to commence this number could be increased or decreased to meet the demand at that time from residents who wished to remain at Awelon. 'Temporary' units would continue to be available for as long as they were required, they would not be subject to time constraints. To ensure the development can be progressed in as timely and smooth a way as possible, no new 'residential' residents would be admitted to Awelon;

- confirmed that needs defined currently as 'residential needs' could be met within extra-care facilities, and were actually met in extra-care facilities that were currently in existence. The advantage of the extra-care facilities was that when residents' needs increased they did not have to move out, instead their care packages were changed to meet their increased needs. Whilst the Council was not, by law, permitted to provide nursing care in its establishments the development of extra-care facilities would result in less upheaval and disruption to vulnerable people's lives when their care needs increased;
- confirmed that the Council and Grŵp Cynefin were looking to work closely with the Committee of Canolfan Awelon with a view to identifying their requirements and incorporating them into the final plans for the complex. The ultimate aim would be to enhance the offer available at the community centre for the local community;
- advised that from Grŵp Cynefin's perspective they would be looking towards developing an integrated facility to benefit residents and the wider community which would deliver the Group's core vision of improving residents' quality of life. This was similar to their approach for developing extra care housing in Denbigh, those plans were currently being consulted upon;
- advised that for Grŵp Cynefin from a value for money perspective Option 2a would be the most cost effective. However, they were willing to work with the other two partners to develop any of the three preferred options. It may be at the conclusion of this exercise that the final option may contain an element of all three preferred options;
- explained the reason why Option 1 had been deemed unviable. This was because of the risk involved with adapting an old, inefficient energy usage building that would not in the long-term deliver a sustainable solution for providing modern social care services. The proposed new extra-care facility would provide at least the same level of residential care as at present, but aspired to provide a much more holistic living and care package that would supplement and enhance each individual resident's well-being;
- advised that if Option 1 was to be recommended the Council would need to find a new partner to deliver the development and would need to invest circa £2m in refurbishing the current building;
- emphasised that the main consideration in relation to the proposals was the model of care that should be delivered in future. The Council was expected to commission/deliver services which improved outcomes for residents and which were sustainable in the long term having regard to the demographic changes which lay ahead. By developing bespoke extra care facilities, similar to those proposed for the Awelon site, better outcomes could be delivered for residents as there would be a wider range of choices available to them in future;
- reassured members that the health, safety and welfare of residents during the remodelling work would be of paramount importance to all partners and every effort would be made to support and reassure them and their family members/carers before the work commenced, as well as during and after its completion;
- advised that if approval for the proposals development were given Grŵp Cynefin would form a Partnership Group, as it had done with similar developments elsewhere, to engage with residents, families, carers and stakeholders with a view to alleviating fears and misconceptions and finding solutions to identified problems etc. Grŵp Cynefin had also in the past revisited

residents, stakeholders and Partnership Group members twelve months following the completion of the project to undertake an evaluation of the project and the impact on their lives. The same approach was likely to be adopted for this project;

- the design for the extra-care facility at the Awelon site would be 'dementia friendly' throughout, similar to the design being proposed for Grŵp Cynefin's Denbigh extra-care facility;
- the facility would also have an apartment for visiting family members/friends to use;
- proposals for the majority of apartments being two-bedroomed units were based on service-users preferences, these were also practical for residents who would require overnight carers;
- advised that Grŵp Cynefin would not be responsible for delivering care services at the new facility, these would be commissioned from an independent provider following a tendering exercise. Consequently, not all current staff at Awelon would be transferred over. Some staff were likely to be offered to transfer to Grŵp Cynefin i.e. canteen staff. Nevertheless, Council officers had already had discussions with staff regarding the potential implications for them of the proposals under consideration. All of the care staff were highly skilled and therefore their skills would be in great demand in health and social care establishments. The Council, via its HR Department, would make every effort to support staff to find alternative employment

The Lead Member read a message she had recently received from relatives of a former resident of the extra-care facility at Rhyl, in which they thanked the facility's staff for the devoted care they had given their relative throughout her time there, and in particular the dignified care they had given her and them during her final days. In the Lead Member's view this epitomised the whole concept of extra-care. The Task and Finish Group's Chair also gave an example of how the extra-care facility had enriched a resident's life and improved his/her general health now that he/she was no longer socially isolated.

Grŵp Cynefin's Regeneration Services Director extended a welcome to councillors to visit any of their extra care schemes to see the facilities on offer and speak to residents.

Prior to the conclusion of the discussion the Committee Chair permitted a member of the public present to address the Committee. In her address she asked the Committee to consider in detail the actual floor space size of the proposed new Canolfan Awelon. She was of the view that it should not be of a smaller floor space size than the current facility. She also asked the Committee to consider who should be charged with managing the community facility in future. In her view there would always be a need for some level of 'residential care' going forward or otherwise local hospitals would continue to be full to capacity.

Committee members emphasised the need for the new Canolfan Awelon to be designed in a way that met residents and the wider community's needs. The current Canolfan Awelon was widely used by the local community, as had been illustrated by members at the meeting. It would therefore be important that any future design could accommodate a wide range of users whilst meeting residents' needs at the same time, and that public access to the community centre would not

impinge on residents' privacy. Members also requested that the Council make every effort to support community groups to find alternative suitable accommodation to conduct their events whilst the remodelling work was being undertaken.

The Chair thanked everyone involved for the production of a very detailed feasibility study and for their work in bringing the proposals forward for the Committee's consideration. He also thanked everyone present for diligently scrutinising the proposals.

A minor amendment to the recommendation put forward by the Task and Finish Group (as detailed in the report) was proposed and seconded. On being voted upon the Committee, by a majority:

RESOLVED: *having had regard to the observations made at the meeting and the conclusions of the Well-being Assessment, to recommend to Cabinet that it:*

- a) should take account of the Well-being Impact Assessment as part of its considerations;*
- b) agrees with the Committee that Options 1 and 3b of Grŵp Cynefin's Feasibility Study are not viable options for the reasons stated in appendices 1 and 5 of the report respectively; and*
- c) authorises discussions to commence between local Members, officers, Grŵp Cynefin and the committee of Canolfan Awelon to work through Options 2a, 2b & 3a to take forward the best configuration for the site that meets all parties' needs and provides least disruption for existing residents/tenants, and that these discussions include floor space requirements for the Canolfan Awelon Community Centre*

(At a suitable point, this would enable the remaining Awelon Site to be cleared and for work to begin on the extension. The task and finish group were of the view that maximising the number of Extra Care units developed (as set out in Option 2a) would deliver the optimum arrangements for providing Extra Care Housing with Community Facilities on the Awelon site. However, it was acknowledged that further discussions need to take place with the committee for Canolfan Awelon to ensure the final scheme can deliver the community activities they already provide.

This meets the preferred option of Cabinet following discussion in May 2016 and will secure up to 35 additional Extra Care apartments on the site whilst enabling those residents who are currently receiving residential care services to remain on site through the development if that is their wish, as well as continuing to provide community facilities to promote independence and reduce social isolation.)

The original recommendation, as outlined in the report, was then proposed, seconded and voted upon. As the majority of the Committee abstained from voting on the original recommendation the amended recommendation as detailed above will be submitted to Cabinet for approval. Members also asked that the report to Cabinet states clearly why Option 1 is not considered a viable option.

6 PROCUREMENT STRATEGY AND REVISED CONTRACT PROCEDURE RULES

In the Lead Member for Finance, Corporate Plan and Performance's absence the Facilities, Assets and Housing Programme Manager – Business Change introduced the report (previously circulated) which outlined the progress to date with the Procurement Transformation Programme, specifically the impact of the implementation of the Procurement Strategy and the revised Contract Procedure Rules. In his introduction he detailed the contents of the report and advised that the actual impact of the new strategy on the local economy had been slower than anticipated. Nevertheless, the Service was working closely with the Economic and Business Development Team with a view to co-ordinating attendance at events to promote the benefits to businesses of trading with the Council, and in a bid to assist small and medium sized businesses to consider tendering for contracts or for supplying goods to the Council, by helping them to register with the Authority as potential suppliers for specific types of contracts or provisions.

Members were advised that the 'Commissioning Form', a copy of which was attached to the report, had proved extremely useful in identifying problems at an early stage for contracts over £25K in value. All contracts over £10K in value were now required to be entered on to the Proactis system. There were benefits to the Council of using this system for procurement as the purchaser could not proceed to award the contract unless all required stages and checks had been completed. This ensured compliance with the Strategy and with Contract Procedure Rules (CPRs).

One specific area of procurement arrangements which had been identified for improvement was the recording of the percentage spent with local businesses. The figures for 2015/16 seemed low despite the fact that the County was spending a significant amount of capital expenditure on the new Rhyl High School project. The reason for this was that the main contractor, Willmott Dixon's, invoicing address was outside the area. Nevertheless, the Council was aware that a significant amount of the work on the site and been sub-contracted to local tradespeople and that goods had been purchased locally. Potential solutions for accurate geographical apportionment of the Council's contract expenditure were currently being explored. Gwynedd Council seemed to have an effective method for capturing local spend, although fewer large contractors from the North West of England or the West Midlands tended to tender for contracts in North West Wales due to the distances involved with delivering the work.

Responding to members' questions officers advised that:

- ten people were employed in the Procurement Team which undertook procurement work for both Denbighshire and Flintshire County Councils. The team was currently being re-structured. However, the number of members in the team would remain as at present;
- the Procurement Team was currently working closely with the Economic and Business Development Team with a view to establish a good knowledge base on small businesses in the area with a view to encouraging them to tender for smaller contracts, or working together to bid for larger contracts;
- every effort was made to simplify the wording of tender documentation and make it accessible and less time consuming for small and medium sized businesses, who did not employ dedicated contract bidding officers, as the

- Council as part of its corporate priority of developing the local economy was keen to work with local businesses to encourage them to bid for contracts etc.;
- the Procurement Team were planning to provide training to new councillors following May's local elections on how they could help local businesses to interact and do business with the Council;
 - the Council had not set a specific 'percentage spent with local businesses' target when developing its Procurement Strategy, it had instead decided that it would be more worthwhile to monitor the local spend element on a regular basis with a view to continually increasing the local spend proportion over time;
 - Procurement Team members were always willing to assist managers with enquiries with respect to procurement practices. It was extremely encouraging that, in a recent survey, the number of middle managers who now considered their knowledge of procurement procedures to be either good or very good had increased considerably;
 - work was currently underway across both Denbighshire and Flintshire with respect of public transport contracts following the demise of GHA Coaches;
 - in line with the requirements of the new Welsh Language Standards all public adverts in relation to contract opportunities will be published in both Welsh and English. There was no requirement under the Standards for supporting documentation to be available in Welsh;
 - once contracts were let the Service who procured the work/goods would be responsible for monitoring the quality of it and ensuring that every aspect was delivered in line with the contract specification;
 - there were frameworks, which included Key Performance Indicators (KPIs), in place for regularly procured works. For these types of contracts managers would be expected to complete evaluation questionnaires;
 - officers were currently exploring the potential for having a uniform approach for quality assurance across all Council contracts;
 - community benefit requirements had to be applied to all contracts in excess of £1m – the documentation relating to these high value contracts required the successful bidder to evidence the community benefits achieved;
 - the Council was of the view that having a representative from the Federation of Small Businesses (FSB) serving on the Procurement Transformation Board was a more transparent option than actually having one local business person on the Board, this approach ensured the independence of that appointment; and
 - the Council was bound by public contract regulations when advertising for tenders or letting contracts. Nevertheless it was always willing to support local businesses, as far as it was legally able to do so, to register on the Council's business register for tenders etc.

Members suggested that collating data on the number of local people employed under each contract let by the Council could be a useful statistic to measure the local impact of the Strategy and its consequential impact on developing the local economy.

Prior to concluding the discussion the Committee was advised that the recently introduced Minor Works Frameworks would be independently evaluated after six months in operation. Officers also undertook to enquire with the Economic and

Business Development Team on the actual number of local businesses that belonged to the FSB. It was:

RESOLVED - *subject to the above observations that the new Procurement Strategy and revised Contract Procedure Rules (CPRs) had resulted in improved performance of the organisation in relation to procurement activity.*

As a number of members had to leave the meeting at this juncture the remaining members agreed to continue to transact the business on an informal basis for the remainder of the meeting.

With members' consent the order of business was varied at this juncture.

7 'YOUR VOICE' COMPLAINTS PERFORMANCE (Q2)

The Lead Member for Customers and Libraries introduced the report (previously circulated) which gave an overview of the Council's performance in dealing with complaints, compliments and suggestions received under the corporate 'Your Voice' customer feedback policy during quarter 2 of the 2016/17 year. The report detailed performance in relation to complaints received in respect of council delivered services and services commissioned from external providers.

The Customer and Quality Manager, deputising for the Interim Principal Manager (Support Services), detailed the contents of the report and advised that the Council was looking to do more work around learning from complaints, with a view to improving services, during the forthcoming year. It was pleasing to report that there had been fewer complaints and more compliments during quarter 2 than in the first quarter. There had been a concerted effort within services to deal with complaints on time. There had been a steady improvement in dealing with complaints within the expected timescale as illustrated in the graph on page 223 of the committee papers.

Responding to members' questions the Lead Member and Customer and Quality Manager undertook to establish the specific nature of the 'workload pressures' experienced in both the Children's Service and the Highways and Environmental Service which had resulted in response times for complaints not being met. It was emphasised that the Social Services Department acknowledged receipt of any complaint within 48 hours of its receipt. Members expressed their concern that workload pressures was being highlighted as a factor and wanted assurances that individuals' workloads were not excessive and consequently affecting service delivery or the welfare of staff members. It was:

RESOLVED- *subject to the provision of the requested information that the Council's performance in dealing with Customer Feedback be received.*

8 CORPORATE PLAN (Q2) 2016/17

In the Lead Member for Finance, Corporate Plan and Performance's absence the Strategic Planning Team Manager introduced the report (previously circulated) detailing the Council's performance in delivering its Corporate Plan 2012-17 during

quarter 2 of the 2016-17 year. She drew members' attention to a number of areas in the Executive Summary (Appendix 1), these being:

- the effectiveness of the new approach for handling investment enquiries which had secured the investment by Wagg Foods in Bodelwyddan;
- the lack of capacity identified for businesses who wanted to expand and grow in the county;
- that asbestos checks in the Council's housing stock would only be required to be undertaken once; and
- the increase in the number of exclusions from the county's schools and school absenteeism.

Members regarded the increase in school exclusions and absenteeism as a cause for concern. The Scrutiny Co-ordinator informed the Committee that Communities Scrutiny Committee had examined school absenteeism at a meeting in the autumn of 2016 and undertook to circulate the report presented to that Committee and the associated minute of the discussion to enable members to determine whether they should examine the statistics and reasons behind them in more detail. Members therefore:

RESOLVED- that subject to the above observations and the provision of the requested information, to receive the report on the Council's overall performance in improving outcomes for citizens and delivering its Corporate Plan.

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 which 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 SC requested that any proposals be submitted to herself. 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 as Appendix 4.

The Committee considered its draft Forward Work programme for future meetings, Appendix 1, and discussed whether the meeting scheduled for 27 April if viable could be incorporated with the meeting scheduled on the 16 March and subsequently the meeting on the 27 April be cancelled. This was suggested due to proximity of the County Council Elections which were due to be held at the beginning of May to the April meeting.

The Scrutiny Coordinator agreed to enquire if proposed item scheduled for the 27 April would be available for the March meeting and communicate with the Committee after her enquires.

The Committee:

RESOLVED- *subject to the above enquiries being made that its Forward Work Programme be confirmed.*

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Gareth Sandilands advised that he had recently attended a meeting of the Council's Strategic Investment Group (SIG) at which a number of long-term funding investment bids had been discussed.

Meeting concluded at 13:00 p.m.