

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 15 March 2018 at 10.00 am.

PRESENT

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

Present as observers: Councillor Brian Blakeley, Councillor Jeanette Chamberlain Jones, Councillor Emrys Wynne, Councillor Gwyneth Kensler, Councillor Meirick Lloyd-Davies, Councillor Glenn Swingler and Councillor Rhys Thomas

Councillors Julian Thompson-Hill, Mark Young and Bobby Feeley attended at the Committee's request as portfolio holders for business items 6, 7 and 10 respectively.

ALSO PRESENT

Chief Executive (MM), Head of Customers, Communications and Marketing (LG), Principal Librarian (BH), Strategic Planning Team Manager (NK), Strategic Planning & Performance Officer (CE), Head of Community Support Services (PG), Service Manager – Client Services, Community Support Services (KN). Scrutiny Co-ordinator (RhE) and Committee Administrator (RhT-J).

1 APOLOGIES

Apologies were received from Councillor Peter Scott and Councillor Martyn Holland. Apologies were also received from Councillor Richard Mainon, Lead Member for Developing Community Infrastructure.

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

The Chair informed the Committee that it had been brought to his attention that the recent announcement on the unexpected closure of Denbigh College had been raised by members as a matter of great concern, particularly the lack of communication by Grŵp Llandrillo Menai with local elected members, stakeholders and the Council regarding their intention to close the facility. Members were informed that the MP had arranged an open meeting in Eirianfa, Denbigh the following day to discuss the closure of the college. It was also understood that the Head of Education and Children's Services had also requested a meeting with college authorities to discuss the decision to close and future provision for students.

The Committee requested the Scrutiny Co-ordinator to enquire with the Head of Service on the outcome of her meeting with college authorities and that those outcomes be shared with members.

4 MINUTES OF THE LAST MEETING

The minutes of the meeting of the Performance Scrutiny Committee held on 1 February 2018 were submitted.

There were no matters arising.

RESOLVED that the minutes of the Performance Scrutiny Committee meeting held on 1 February 2018 be received and approved as a correct record.

5 LIBRARY SERVICE STANDARDS AND PERFORMANCE

In the absence of the Lead Member for Developing Community Infrastructure the Head of Communications, Customers and Marketing introduced the Principal Librarian's report (previously circulated) which outlined the Library Service's performance against national standards and updated the Committee on developments within the service in Denbighshire and on a regional basis. Attached to the report as appendices were copies of the Welsh Government's Museums, Archives and Libraries Division's (MALD) formal assessment of the county's library service for 2016-17 (Appendix A) and the Council's revised charging policy for using library spaces for activities (Appendix B).

During her introduction the Head of Service informed the Committee that Denbighshire's Library Service had met 17 of the 18 Core Entitlements during the 2016-17 year, as it had throughout the term of the 5th Framework of Welsh Public Library Standards (from 2014-2017). She advised that Denbighshire welcomed the inclusion in the 6th Welsh Public Library Standards Framework, from 2017 – 2020, of a quality indicator relating to the libraries' performance in supporting health and well-being.

Details were shared with members of the current refurbishment works nearing completion at St Asaph library, the refurbishment programme funded through a MALD grant at Denbigh Library, and the work to replace the roof at Rhyl Library. Members were also briefed on the increased use of libraries for the purpose of delivering community services by the Council and by partner organisations, all of which supported the wider health and well-being work of the various organisations. The Library Service's revised charging policy for the use of library space for arranged activities, introduced in January 2018 for new bookings and applied to regular group bookings from April 2018, offered free use of library spaces for community benefit, a discounted rate for community groups and registered charities, with only commercial/private bookings or profit making groups being subject to full hire charges. Details were also shared of the regional and national collaboration work taking place between county library services for the purpose of realising efficiencies, supporting and enhancing the delivery of the health and well-being offer, increasing the range of reading material available to users and the medium of its availability i.e. books, e-books, e-audio books etc.

Responding to members' questions the Head of Service and the Principal Librarian advised that:

- Rhuddlan Library was currently open on Saturday mornings due to the temporary closure of St Asaph Library for refurbishment. Staff from St Asaph Library operated the Saturday morning opening at Rhuddlan. If members and residents were keen for Rhuddlan to remain open on Saturday mornings following the re-opening of St Asaph library financial resources would need to be secured to achieve this, one option would be to approach Rhuddlan Town Council to seek further financial support;
- at present only two city, town or community councils provided financial support to the County Council for the provision of library services in their area, they were St Asaph City Council and Rhuddlan Town Council. St Asaph City Council decided on an annual basis whether it would provide financial support to the Council's Library Service. Having regard to the prospect of diminishing financial resources for the provision of services in the medium to long-term the Library Service may consider approaching all city, town and community councils for financial support in order to secure the delivery of services in future years;
- they would enquire with the Council's Building Services Department regarding who was liable for the costs of the maintenance currently being undertaken on the roof of Rhuddlan's library building;
- despite the fact that the a number of the Quality Indicators (QIs) focused on non-book related services and whilst libraries were expanding the community based aspect of its services and promoting the availability of IT services at libraries, the Service's core business remained the lending of books and reading materials. Regional and national collaboration work across library services ensured the availability of the widest possible choice of reading materials for service users. If books were not held by the county's Library Service they could be requested from elsewhere in Wales and could be made available to the person who ordered them within a week or so, dependent upon where in Wales the copy was held when the request was received;
- figures would be provided to the Committee on the number of book loans in Denbighshire during the current year in comparison to previous years;
- whilst the County had not operated a mobile Library Service for a number of years it continued to operate a Home Library Service for residents who were unable to physically visit a library due to ill health or disability. Between 200 and 300 people currently utilised this service and the Library Service had an ambition to roll its availability out to carers in the near future;
- it was anticipated that the rollout of Universal Credit (UC) to a large part of Denbighshire in April 2018 would have an impact on libraries and staff. As yet the full extent of the impact was unquantified. The Principal Librarian was a member of the Council's Universal Credit Board, the Board which was working across Council Services and with partners such as Citizens Advice Denbighshire (CAD) and the Department for Work and Pensions (DWP) in an attempt to manage the impact of the introduction of UC in Denbighshire and support residents with the application process. Members were advised that CAD would be the resident's the initial point of contact for support with UC claims or enquiries, OPUS would also be providing assistance to people applying and receiving UC with regards to developing essential skills, whilst the DWP would provide retrospective funding to the Council and others for support provided to UC claimants. The Scrutiny Co-ordinator advised that Communities Scrutiny Committee had an item on the potential impact of the introduction of UC on the Council and residents on its forward work programme for its meeting in May 2018;

- the use of volunteers to deliver library services had to be managed extremely carefully as their use could cause concern and discontentment amongst qualified library staff. Opportunities for using volunteers for the purpose of supporting library staff and to add value could be explored. Work was currently underway with a view to drawing-up a student work experience programme that would maximise the value and benefit of the experience for the student and for the service alike;
- a marketing strategy for the County's libraries would be developed in due course;
- the Library Service in Denbighshire worked closely with the National Library of Wales in Aberystwyth i.e. via the all-Wales procurement contract, highlighting to Denbighshire's library members the availability to them of free remote access to the National Library's electronic resources; and
- income generated from hiring library spaces to external users was paid into the Library Service's general budget. The income generated was not excessive and as the level of income fluctuated on a month by month basis it could not be guaranteed and therefore used for budget-setting purposes.

At the conclusion of the discussion the Committee congratulated the Council on keeping its libraries open and on developing them into community hubs. Members also congratulated Library Service staff across the county on their dedication and the quality of service they provided to library users. The Committee:

Resolved: - subject to the above observations to –

- (i) ***commend the Library Service on its performance against the 5th Framework of Welsh Public Library Standards; and***
- (ii) ***request that a progress report be presented to the Committee at its November 2018 meeting on the Service's performance against the 6th Framework 2017-2020***

6 PERFORMANCE MANAGEMENT OF THE CORPORATE PLAN 2017-2022

The Lead Member for Finance and Performance introduced the report (previously circulated) which sought the Committee's views on the framework drawn-up to performance manage the delivery of the Council's new Corporate Plan 2017 – 2022. During his introduction the Lead Member drew members' attention to Appendix 1 to the report which outlined each of the five priorities and detailed the baseline (Current State) from which the journey to deliver the priorities would commence, and the proposed success threshold (Future State) which would signify the end of the journey and the priorities' delivery. For the purpose of supporting the delivery of the priorities a set of specific indicators had been developed to assist the Council to evaluate progress and overall achievement of its ambitions, these were included in Appendix A to the report. At this early stage in the Plan's delivery a number of these indicators were registering baseline performance, however as work progressed over time the aim would be to see performance against the indicators continually improving. With the passage of time the ultimate aim would be to move the direction of performance against each indicator from 'red' to 'green'. Scrutiny had a key role to play in securing continuous good performance and the delivery of the Corporate Plan, as did Cabinet and the Programme Boards established to oversee its delivery. Performance monitoring reports would be submitted to Scrutiny on a quarterly basis, and if it had concerns regarding any aspect of the Plan's delivery it could instruct the relevant service(s) to attend

Scrutiny to discuss with members the reasons behind slippages or poor performance.

Whilst the Corporate Plan was the Council's own strategic plan its delivery was not wholly within its gift, elements of certain priorities were dependent upon partners e.g. registered social landlords (RSLs), private developers, national government, Health Board, private business, utility companies etc.

Responding to members' questions the Lead Member and the Strategic Planning Team Manager advised that:

- as part of the development of the Corporate Plan the indicators agreed upon to measure performance and achievement had been guided by deeming what success would eventually look like;
- they would explore potential methods for including data and explanatory narrative on the graphs themselves for ease of reference purposes;
- work in relation to supporting carers would be progressed under the auspices of the Communities and Environment Programme Board and would be reported as part of the regular Corporate Plan performance monitoring reports in due course;
- whilst some members may be of the view that some roads across the county were in poor condition and required urgent maintenance work, the data from Welsh Government (WG) indicated to the contrary. WG used an independent evaluation system to assess the condition of the county's roads, this method produced an average-based assessment of their condition, it did not break their condition down on a road by road basis. The Scrutiny Co-ordinator reminded the Committee that it had resolved at its last meeting to extend an invitation to an official from the WG's Transport Planning Department to attend a future meeting to discuss with members future capital funding for highways projects. Confirmation was still awaited from WG officials on their availability to attend a future meeting;
- whilst the production of the Corporate Plan itself required intensive work from all Council services the compilation of data thereafter should not be too laborious;
- despite there being no explicit reference to 'culture' in the Corporate Plan it would in fact be an intrinsic element within a number of the priorities, particularly the Environment priority as well-being formed part of that priority. The Public Services Board's (PSB) Well-being Assessment and its Well-being Plan had a particular focus on culture;
- the Council was currently doing a piece of work on how it could support and encourage young people to undertake voluntary work within their communities and as part of their studies for the Welsh Baccalaureate. Members suggested that it may be useful for those tasked with delivering the work relating to young volunteers to liaise with the Council's Events Team as they were often looking for volunteers to assist at events or knew of organisations within communities who would value giving young people experience through volunteering. Officers undertook to follow-up this suggestion; and
- the Council worked on a regular basis with Denbighshire Voluntary Services Council (DVSC) in relation to volunteers and volunteering opportunities. Officers were also aware of the need to update the volunteer register on the

Volunteer website following the retirement of the officer who had been in charge of the website.

The Chief Executive reminded members that the Council, through its ability to persuade all services and officers to work together for the purpose of realising corporate ambitions, had a good track record for delivering its corporate plans. He was of the view that in the context of the well-being agenda the Authority needed to make more use of volunteers in order to deliver its ambitions for residents. Some volunteering organisations were adopting a more professional approach towards delivering their services and were therefore reluctant to use volunteers for certain aspects of their work, the Council could therefore seize the opportunity and by being creative and proactive make effective use of volunteers in order to deliver better outcomes for residents. The Committee:

Resolved: - subject to the above observations to support the content covered by the Current State and Future State descriptions, and the indicators and thresholds detailed in the report prior to their presentation to Cabinet Briefing on 9 April 2018.

7 INTERIM STRATEGIC EQUALITY PLAN 2016 - 2018 ANNUAL REPORT

The Lead Member for Corporate Standards introduced the Strategic Planning Team's report (previously circulated) to members and presented the Committee with the Council's draft Interim Strategic Equality Plan 2016-18. During his introduction he informed members that this was the first time that the Plan, which outlined the key projects and activities the Council had delivered in line with the Equality Plan during the 2017-18 year, had been presented to the Committee. In previous years plans had been presented to the Corporate Equalities Group (CEG). However, CEG was disbanded in March 2017. Going forward the intention would be to report on the Council's commitment and contribution to equality and diversity via the regular monitoring reports on the Council's performance in delivering its Corporate Plan, as equality and diversity should form an integral part of the delivery of the Council's entire business. The Lead Member also explained that the Equality Plan was being presented to members for observations prior to translation and subsequent publication in line with the statutory deadline of 31 March 2018. He also advised that if members required further training and development opportunities on equality and diversity issues every effort would be made to provide them. Work was currently underway with the Council's HR Department to make the e-learning module on Equality available to staff on the Council's e-learning platform in the near future.

In response to members' questions the Lead Member, Strategic Planning Team Manager and the Strategic Planning and Performance Officer:

- advised that Equality Impact Assessments (EqIA)/Well-being Impact Assessments (WIAs) were required to be undertaken for new or revised planning policies but were not a requirement or applicable to individual planning applications;
- confirmed that there was an expectation for every Council Service to undertake a WIA and adhere to equality duties when developing new policies or reviewing current policies; and

- emphasised that public sector equality duties stipulated in the Equality Act 2010 applied to public sector organisations only, they did not apply to private business. However, information provided to private businesses with respect of submitting planning applications would emphasise the need for their proposals to conform with the disability discrimination requirements of the Equality Act 2010;

During the discussion on the Plan's contents Committee members suggested that the following amendments and additions be made to the Plan document ahead of its translation and publication:

- a glossary be included to explain the acronyms and terminology used throughout the document;
- the document be checked to ensure that all organisations were correctly referenced throughout the document i.e. 'Urdd' not 'URDD';
- for clarity and understanding, the inclusion of a short narrative to explain the role of certain groups i.e. 'Community Development Co-ordinators' etc.;
- information to be included on the extensive work undertaken across the Council and in the community locally to raise awareness of dementia; and
- inclusion of photographs to enhance its appearance and entice people to read it

At the conclusion of the discussion the Lead Member and officers undertook to explore methods by which the Council could seek to influence the wider community in the county to meet similar Equality standards to those met by the Authority. The Committee:

Resolved:

- (i) subject to the observations made and the inclusion of the above suggested amendments and additions to support the Interim Strategic Equality Plan 2016-18 and recommend that it be translated and published in line with the statutory requirements; and***
- (ii) that a report reviewing the Council's performance in delivering its Strategic Equality Plan 2016-18 be presented to the Committee at its meeting in September 2018***

8 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator (SC) 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 Chair and Scrutiny Co-ordinator informed the Committee that following a meeting with the Head of Education and Children's Services and the Principal Manager – Education it had become apparent that the level of information required to be

presented as part of the education business item on 'Behaviour and Absenteeism Management in Denbighshire Schools' at the Committee's next meeting was far too cumbersome to be discussed as one business item in a single meeting. With a view to enhancing members' understanding of the various aspects and topics requested officers had offered to hold a workshop for elected and co-opted members on 'Inclusion and Well-being in Education and Children's Services' in June 2018. By June Estyn's report following its inspection of the County's Education Services would be available. Following this workshop it should be easier for members to identify which areas of the Service's performance merited detailed scrutiny. It was therefore suggested that the 'Behaviour and Absenteeism Management in Denbighshire Schools' item scheduled for presentation to the Committee on the 26 April be deferred until the workshop had been held and that the special meeting on the 10th May, for the purpose of inviting two secondary schools to meet with the Committee to discuss their School Improvement Plans be cancelled, as it would be more appropriate to invite schools to meetings in the autumn following the publication of the current academic year's examination results. The Committee agreed to the above approach.

Members were asked to complete the on-line scrutiny survey circulated earlier in the month. The importance of completing the survey was emphasised as its findings would be reported to County Council as part of the Scrutiny Committees' Annual report in May 2018. Members were also reminded about the training event on 'Effective Scrutiny for Positive Outcomes' that would be held the following week

RESOLVED that subject to the above observations and amendments, the Forward Work Programme be approved.

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Arwel Roberts reported on a recent School Standards Monitoring Group (SSMG) meeting which he had attended. Two schools had been robustly challenged at that meeting in relation to their performance in delivering education and on school management matters.

Councillor Geraint Lloyd-Williams reported on the recent Service Challenge meeting he had attended for the Facilities, Assets and Housing Service, which had been an effective and constructive meeting.

EXCLUSION OF PRESS AND PUBLIC

The Chair advised that the next item of business contained confidential information and the Committee subsequently:

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Act.

10 IN HOUSE CARE SERVICES UPDATE

Prior to the commencement of this business item the Chair of the In-house Adult Social Care Task and Finish Group, also the Chair of Performance Scrutiny Committee, informed the Committee that the Task and Finish Group had met earlier

that morning to the consider the information contained in the Service Manager – Client Services’ confidential report (previously circulated). This had been the Task and Finish Group’s second meeting to discuss the progress made to date in relation to the future provision of social care services at the Council’s social care establishments and day centres, following Cabinet’s decisions in 2016 to explore alternative options with relevant bodies for delivering services at Awelon (Ruthin) and Cysgod y Gaer (Corwen) and to commence a tender process for future delivery of services at Hafan Deg (Rhyl) and Dolwen (Denbigh). The Chair of the Committee gave members an overview of the discussions which had taken place at both Task and Finish Group meetings and advised that he would be reporting the Committee’s observations and any recommendations following their discussion to Cabinet when they considered the matter at their meeting in April 2018.

Introducing the report and associated appendices the Lead Member for Well-being and Independence briefed members on the work undertaken by the Task and Finish Group, Performance Scrutiny Committee and Cabinet during the term of office of the previous Council in relation to exploring potential sustainable options for delivering social care services in future which met residents changing expectations and conformed with the WG’s vision for social care services whilst complying with legislative requirements.

The Head of Community Support Services and the Service Manager – Client Services briefed members on the current position with respect of Awelon, Cysgod y Gaer and Dolwen before outlining the process undertaken in relation to undertaking a tender process for the provision of services from Hafan Deg, Rhyl. They emphasised that the tender process had been conducted in accordance with procurement regulations and professionally qualified officers had evaluated the tenders received against a quality and price criteria - quality of service provision being given greater weighting than price (60% quality/40% price). The Committee was advised that if the ‘preferred provider’ identified following the tender evaluation process was eventually approved for appointment the Council would work closely with the company to ensure that all of the Authority’s requirements in relation to service provision were incorporated into the contract agreement. This would include the insertion of clauses into the lease agreement for the facility regarding complying with the lease’s specification, maintenance costs and making space available at the building for other groups e.g. residents of War Memorial Court, third sector organisations etc. to hire when not in use by the leaseholder.

Responding to Committee members’ questions the Head of Service and Service Manger- Client Services advised that:

- the ‘preferred provider’ had undertaken in its Business Plan (attached to the report) to extend and grow the range of services currently available at Hafan Deg i.e. support for carers, social inclusion and reducing isolation etc.
- independent providers, such as the ‘preferred provider’ could access 3rd sector grants for delivering specific services. This option for securing funding was not available to the local authority;
- the Council’s contract with the ‘preferred provider’ would be subject to the same stringent contract monitoring arrangements as other providers from whom the Council commissioned services;

- a transfer plan would be put in place to transfer staff currently employed by the Council at Hafan Deg over to the 'preferred provider' under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations arrangements if the appointment was approved;
- a copy of the 'preferred provider's' pricing schedule had been included as an appendix to the report;
- day centres were not inspected by regulators, however the Council would as part of its contract review and management work closely monitor the delivery of services from Hafan Deg to ensure they conformed with the contract specifications; and
- confirmed that it would be in the 'preferred provider's' interest, if appointed, to effectively market the services it offered at Hafan Deg

Task and Finish Group members advised the Committee that whilst they had some reservations regarding how private individuals or companies could deliver quality services for residents and generate an operating profit while the Council itself could not meet those needs within its allocated budget, the majority of them felt that in order to secure the future of services at Hafan Deg, and with a view to enhancing and growing the services available to residents from the facility, they would support the appointment of the 'preferred provider' and seek the Committee to recommend to Cabinet that the 'preferred provider' be approved to become the leaseholder and to deliver services at Hafan Deg.

Following an in-depth discussion the Committee:

***Resolved:* - subject to the above observations and the assurances received in relation to the tender evaluation process,**

- (i) ***to recommend to Cabinet that it support the transfer of the lease and the running of services at Hafan Deg Day Centre, Rhyl, to the 'preferred provider' identified following the tender evaluation exercise; and***
- (ii) ***that a report be presented to Performance Scrutiny Committee, 12 months following the building's transfer and the commencement date of the contract for the delivery of services at Hafan Deg, detailing the effectiveness of services delivered at the facility, the impact of the transfer on service-users, staff and the local community; the progress made in relation to enhancing and growing services available at the Centre, the appointed provider's compliance with lease and commissioned services' contract specifications, and any lessons learnt from the process that may help inform similar decisions in future.***

PART 1

Prior to closing the meeting the Chair informed members that the current meeting was the Chief Executive's last meeting of the Committee before his departure from the Authority. The Chair and members thanked him for his contribution to the Council and his support for the Committee's work and wished him well for the future.

Meeting concluded at 1.20pm

Apologies for absence were received from Councillors Martyn Holland and Peter Scott