

## **PERFORMANCE SCRUTINY COMMITTEE**

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 31 January 2019 at 10.00 am.

### **PRESENT**

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

Co-Opted members – Kathy Jones, Neil Roberts and David Lloyd for business item 5.

Lead Members, Councillors Brian Jones, Huw Hilditch-Roberts and Richard Mainon attended at the Committee's request.

Observers – Councillors Meirick Lloyd Davies, Graham Timms and Emrys Wynne.

### **ALSO PRESENT**

Chief Executive (JG), Head of Education & Children Services (KE), Senior School Improvement Officer – Secondary (JM), Head of Customers, Communications & Marketing (LG), Principal Librarian (BH), Head of Highways & Environmental Services (TW), Waste & Recycling Manager (TD), Scrutiny Co-ordinator (RE) and Committee Administrator (SJ)

GwE Representative - Paul Matthew-Jones

### **1 APOLOGIES**

Apologies for absence were received from Councillors Martyn Holland

### **2 DECLARATIONS OF INTEREST**

Personal declarations of interest were received for agenda item 5, Verified External Examinations and Teacher Assessments from Councillors:

- Huw Jones, governor at Ysgol Carrog and Ysgol Caer Drewyn;
- Ellie Chard, governor at Ysgol Tir Morfa;
- Hugh Irving, governor at Prestatyn High School;
- Arwel Roberts, governor at Ysgol y Castell & Ysgol Dewi Sant;
- David Williams as a parent of a child in a Denbighshire school;
- Geraint Lloyd-Williams, governor at St Brigid's.
- Huw Hilditch-Roberts as a governor at Ysgol Brynhyfryd and Parent of a child in a Denbighshire school.

Together with:

- Co-opted member Neil Chambers Roberts, governor at Ysgol y Parc and Ysgol Cefn Meiriadog;
- Co-opted member David James Lloyd, governor as Ysgol Y Llys, Prestatyn

### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

No urgent matters were raised.

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

The minutes of the meeting of the Performance Scrutiny Committee held on 29 November 2018 were submitted.

#### Accuracy:

Members noted that it was Co-opted member Neil Roberts that declared a personal interest as a school governor of Ysgol Y Parc.

#### Matters Arising:

Agenda item 5 – Provisional External Examinations and Teacher Assessments – Page 12 – The Chair confirmed a letter had been sent to Qualifications Wales highlighting the Committee’s concerns. The Chair confirmed a response had been received from the Chief Executive of Qualifications Wales.

The Lead Member for Education, Children and Young People informed members he had received a response from Kirsty Williams AM, Cabinet Secretary for Education responding to the concerns of the Committee. Councillor Hilditch-Roberts confirmed the importance to receive the answers to concerns of the Committee for the children within Denbighshire.

***RESOLVED*** that, subject to the above, the minutes of the Performance Scrutiny Committee meeting held on 29 November 2018 be received and approved as a correct record.

### **5 VERIFIED EXTERNAL EXAMINATION RESULTS AND TEACHER ASSESSMENTS**

The Lead Member for Education, Children and Young People introduced the joint report by the Principal Education Manager and GwE Secondary Lead (previously circulated) which presented the Committee with the verified information on the performance of Denbighshire’s secondary school pupils at Key Stage 4 (KS4) and post 16 examinations in the summer of 2018.

Following the Committee’s consideration of the provisional examination results at its November 2018 meeting the Chair had written to the Chief Executive of Qualifications Wales registering members’ concerns on the significant increase in threshold to attain a ‘C’ grade in the summer 2018 GCSE examinations, particularly in relation to the English examination, and its detrimental impact on students. A copy of the letter of response received from the Chief Executive of Qualifications Wales was shared with the Committee. In his letter the Chief Executive stated that similar concerns had been raised by GwE and as a result a review of grading’s had

been instigated. This review had concluded that “the grade boundary had been moved appropriately” and therefore no further action was required. Members were advised by the Lead Member that Education officers and Education portfolio holders received a similar response from the Chief Executive of Qualifications Wales, consequently a meeting had been convened for mid-February between North Wales Directors of Education, Education portfolio holders, GwE and Qualifications Wales’ Chief Executive to discuss future external examination grading’s with a view to ensuring that future students would not suffer such volatility in grade boundaries. Education practitioners were resigned to the fact that Qualifications Wales would not instigate a further review of the 2018 grading’s, therefore they were determined that future examinations should not be subject to such significant volatility in grade boundaries. The Lead Member agreed with Committee members’ views that there was no recognition from Qualifications Wales of the impact of its decision to apply such a considerable increase in the ‘C’ grade boundary on the lives and career prospects of a significant number of individual students.

The Head of Education and Children’s Services, the Principal Education Manager and GwE’s Secondary Lead for Denbighshire:

- emphasised both officers and elected members’ disappointment that the verified results for 2018 had not changed despite their collective and concerted effort across the region in discussing the above concerns with representatives from Qualifications Wales, Welsh Joint Education Committee (WJEC), Welsh Government (WG) etc. (a copy of a letter from the WG’s Cabinet Secretary for Education to the Lead Member had been circulated to Committee members for information). Whilst WJEC representatives had met with Education officials, EAS officers and portfolio holders in the South East Wales region (the EAS region) to discuss similar concerns the challenge was being led by North Wales education leaders (the GwE region);
- advised that, due to their concerns, they were currently examining the provisions of the Qualifications Wales Act 2015 in relation to the WJEC’s monopoly over external examinations in Wales, to see whether the county’s schools could enter students for some examinations administered by other reputable examination boards. It was acknowledged that Welsh-medium examinations would only be administered by the WJEC; and
- confirmed that if the ‘C’ grade boundary for the English examination in the summer of 2018 would have been set at the same level as the previous year a further 107 pupils in Denbighshire’s schools, and 700 across North Wales, would have attained a grade ‘C’

Responding to members’ questions the Lead Member, Education and GwE officers:

- confirmed that the gap in performance between boys and girls had generally increased in 2018, with more girls gaining Level 2 inclusive than boys. Year on year comparison at present was not that meaningful due to changes in grade boundaries and the number of subjects entered for examination;
- advised that WJEC examinations were graded from ‘A’ to ‘E’ whilst English Examination Boards’ examinations were graded numerically. Nevertheless headteachers had a moral duty to select the best examinations for their pupils, hence the reason why the Service was examining the provisions of the 2015 Act to explore whether the county’s pupils could sit exams

administered by other Examination Boards. They were of the view that pressure needed to be exerted on the WJEC to set examinations that met students' needs;

- confirmed that there was a UK-wide agreement in place specifying that English and Mathematics examinations would take place on the same day and at the same time throughout the UK, therefore dual entry for these subjects was not possible;
- advised that currently there was a significant level of uncertainty in the county's secondary schools as a result of last summer's grade boundary increases. It had shaken Departmental Heads and teachers' confidence in their abilities to deliver for their students. Whilst Education Service officers had every confidence in their abilities their trust and confidence in the WJEC and Qualifications Wales had been severely dented. Education officials were now seeking assurances for the future, particularly in view of the imminent changes to the Science examination, and further reforms to the curriculum;
- confirmed that every teacher was aware of what the Council and GwE were doing to support them in light of the disappointment encountered with some of the 2018 GCSE results. All headteachers were working hard to support disappointed staff and pupils and making every effort to increase their confidence levels, whilst GwE were arranging training events specifically to support them going forward;
- confirmed that GwE's concerns mirrored those of the Council's Education Service staff, they were firmly of the view that grade boundaries should not be subject to the level of volatility experienced in 2018. GwE tracked the performance of pupils across the region, presently the performance of 677 pupils in Denbighshire were being tracked and monitored against those in other local authority areas;
- advised that whilst the WG had given the Welsh Baccalaureate qualification a high profile not all students viewed it as a high priority as not all universities recognised it as a qualification, therefore some students would rather study 3 or 4 'A' Levels with a view to securing entry to the university of their choice;
- confirmed that the Authority now had a greater understanding of the holistic needs of free school meal (FSM) pupils. Consequently this had resulted in a significant improvement in the L2 inclusive performance against this indicator in 2018;
- confirmed that the Council was aware of the high rate of short-term exclusions in the County's secondary schools (illustrated in Appendix 3 to the report). The Authority worked closely with all schools to monitor the situation, offer appropriate intervention services, and ensure that the policy was applied in a consistent manner across all schools. Officers were confident that schools were applying the policy correctly and as a result knew the whereabouts of each pupil during the school day. A significant number of pupils excluded from the county's schools on a short-term basis were identified as having special or additional needs. The short-term exclusion period provided time for appropriate support and intervention to be secured to support the pupil's education going forward. Appropriate use of short-term exclusions was aimed at reducing the number of permanent exclusions through the provision of appropriate intervention services at a

very early stage. The county's low number of permanent exclusions seemed to indicate that this approach was effective;

- reassured members that the Council emphasised to schools that exclusion data needed to accurately record the reasons why a pupil was being excluded in order that appropriate intervention support was put in place. A number of those excluded had significant behavioural problems. Work was currently underway to explore the possibility of accessing TRAC funding to establish on-site support provision for excluded pupils;
- informed members that school exclusion data was collated on a monthly basis and available to all schools for comparison purposes;
- emphasised that the profiles of schools were changing,. Whilst acknowledging that short-term exclusion rates were too high very complex issues usually led to the decision to exclude;
- advised that it was important that school behavioural policies and data were correct, and that no illegal exclusions were occurring. The WG was currently looking at standardising exclusion policies across Wales;
- advised that there was generally a correlation between attendance/absenteeism figures (detailed in Appendix 4 to the report) and FSM figures. Blessed Edward Jones High School had the highest number of FSM pupils in North Wales due to the fact that a high proportion of its pupils lived in high deprivation areas. Despite high levels of support from the Council's Education Service there had been significant leadership issues at the school, of which the Diocese was aware, which had resulted in absenteeism and performance not being challenged and addressed. Its main feeder school Ysgol Mair, did not suffer similar problems, therefore it was hoped that the new all through school, Christ the Word, which would replace both Ysgol Mair and Blessed Edward Jones High School in September 2019 would address the problems at the current secondary school and demonstrate continued improvement throughout. The recent appointment of a Headteacher for the new school, who would probably take up the post around Easter, should help deliver the expected improvements. Education Service staff were confident that all aspects of performance and school life would improve once the new school opened, as this had taken place at Rhyl High School following the delivery of the new school. Both schools served an area of high deprivation and had experienced similar problems;
- reassured the Committee that as both Education and Children's Services were served by the same Head of Service both services' work integrated well. Consequently officers from both services knew exactly which children and families required their intervention and support;
- advised that the roles and responsibilities of school governors were very wide and confirmed that they had concerns that not all governors at present had the skills to undertake the role. The Council had very limited powers in respect of school governing bodies despite the fact that the Governing Body was ultimately responsible for running the school and challenging performance etc. Under the School Standards Framework the local education authority's (LEA) intervention powers were limited. The LEA had no powers in relation to the Chair of the Governing Body, its powers were limited to the LEA representatives on a Governing Body. Denbighshire had a School Governors Association, which met on a quarterly basis, but

attendance levels at its meeting was not very high. Nevertheless there were some excellent school governors on school governing bodies who did provide effective, constructive challenge. WG had indicated its desire to review school governing bodies, but the proposals were not forthcoming. Directors of Education felt that any such review should be radical;

- explained the difference between setting local targets, which was undertaken by the schools at a local level, and pupil tracking which was undertaken at a county and regional level;
- advised that Prestatyn High School had adopted a similar approach to the one used by Ysgol Brynhyfryd in recent years with a view to improving performance. This system which included strong, robust leadership, effective challenge and continual tracking of pupil performance had proved extremely effective at Ysgol Brynhyfryd and despite the different FSM profile of Prestatyn High School officers were confident that similar improvements would be achieved;
- confirmed that pupils' performance in GCSE Welsh as a first language remained consistently high, with on average more pupils sitting the first language Welsh examination in the county than anywhere else in Wales;
- advised that although some vocational type courses were delivered in the county's schools which enabled pupils to gain vocational qualifications, these courses were no longer delivered to the same extent as some years ago due to the requirement for schools to focus on more academic subjects. Generally, vocational courses benefited from being delivered at a further education establishment due to the availability of the required specialist equipment to deliver the courses. It was confirmed that the Council had very strong relationships with the local further education colleges in relation to delivering vocational education;

The Chair during his summing-up congratulated schools on their very good performance overall in the 2018 external examinations, drawing particular attention to the number of secondary school pupils' achievements in being awarded a 'distinction' in vocational examinations. He also reiterated his disappointment with Qualifications Wales and other organisations' responses to the concerns raised in relation to the significant increase in the 'C' grade threshold for English and other summer 2018 GCSE examinations. The Chair also agreed to discuss with the Scrutiny Chairs and Vice-Chairs Group whether matters relating to the management of school governing bodies merited being considered by Scrutiny in the near future.

Prior to the conclusion of the discussion the Catholic Church's Co-opted Education Scrutiny member requested that her gratitude to Denbighshire County Council officers for their assistance in delivering the Christ the Word School project and to appoint the new Headteacher be recorded.

The Committee:

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

- (i) to acknowledge the performance of the County's schools in the 2018 external examinations and to congratulate the pupils on their achievement;***

- (ii) to receive and agree the areas for improvement as outlined in the report;***
- (iii) that the Chair on behalf of the Committee write again to the Chief Executive of Qualifications Wales emphasising members' continuing concerns relating to the significant increase in the 'C' grade threshold for the summer 2018 GCSE examinations and its consequential impact on pupils, their potential career prospects, Education Service and school staff, and schools in general; and***
- (iv) that a copy of the above letter be sent to all North Wales Assembly Members, and the local press and media.***

**At this juncture (11.30 a.m.), there was a 10 minute break.**

**The meeting reconvened at 11.40 a.m.**

## **6 LIBRARY STANDARDS**

The Lead Member for Developing Community Infrastructure introduced the Principal Librarian's report on the Library Service's performance against the Sixth Framework of Welsh Public Library Standards 2017-20 (previously circulated). Also outlined in the report was the Service's progress in developing libraries throughout the county as community hubs.

Chair and members congratulated the Service on their excellent performance in delivering against the majority of Core Entitlements and Quality Indicators (QI), as detailed in the Welsh Government's (WG) Museums, Archives and Libraries Division's (MaLD) Annual Assessment report (attached as Appendix A to the report). They also commended the Council on the range of services and events offered in libraries across the county for people of all ages, which were greatly valued by residents.

Responding to members' questions the Lead Member, Head of Communications, Customers and Marketing, and the Principal Librarian:

- confirmed that, similar to other services, the Library Service's budget had been reduced and as a consequence it had been unable to meet QI9 (spend per 1,000 population on reading materials) of the Welsh Public Library Standards;
- advised that QI13 (staffing levels and qualifications) had only been partially met because staff in the County's libraries delivered a range of library and One Stop Shop services. Whilst not all these staff were qualified librarians the range of services delivered at the county's libraries required a wide range of skills and officers were confident that the Service's staff had the appropriate skills set to deliver all these services. The Head of Service informed the Committee that they were currently exploring options on how to develop a qualification for Library Service staff which could support career development within the Service. Members were also advised that in recent years more male applicants were applying for posts in the Service, this had not been the case historically;
- confirmed that library staff were trained and up-skilled on a regular basis. In the near future staff would be trained on the new Library Management

System (LMS) and Customer Relationship Management (CRM) system. Two staff conferences per year were held which all Library Service staff attended;

- advised that there were five professional librarian posts within the Service in Denbighshire;
- advised that Llandrillo College was delivering levels 3 and 7 courses in library skills during the current academic year;
- confirmed that the Council's Library Service had utilised young volunteers for a number of years, this scheme was aimed at developing young people's skills. Volunteers were used to complement and support service delivery, they were not expected to replace remunerated Library Service staff. The Council acknowledged that people of all ages were keen to dedicate some of their time to a volunteering role, with a number wanting to deliver voluntary services in libraries. As a result the Council was currently developing a Volunteering Strategy and a Workforce Development Strategy, with a view to supporting volunteers to develop their skills whilst not compromising the role of trained, remunerated staff. The aim of the Volunteering Strategy would be to add value to services and not to save money;
- advised that the issue of applying financial penalties for late returned books was being examined. If the practice was to be discontinued it would impact on the Service's income, therefore potential new income generation schemes would need to be explored. In addition, in order to secure the return of outstanding loaned reading materials an amnesty of some sort would need to be facilitated;
- confirmed that the Service had an active marketing campaign for its service on a number of media platforms, including social media;
- advised that all members and residents had an important role to play to safeguard the long-term sustainability of the county's libraries, by ensuring they were used on a regular basis and promoting their services to residents;
- advised that due to the costs associated with restoring old books to a suitable condition to enable them to be sold to residents for a discounted price this work was now undertaken by a private company, as it gave the Service an opportunity to generate a small income. A small auction of surplus to requirements reading materials had recently been held at Rhyl Library, the financial benefits of this auction were currently being evaluated; and
- confirmed that a new Library Strategy for the county was currently being drawn-up, the focus of which would be around supporting community resilience

Members referred to the excellent working relationship that existed between Rhuddlan Town Council and the staff at Rhuddlan Library which was delivering much valued services at the local library which was a vibrant hub for the community, particular reference was made to the dementia activities held there. A query was raised whether more tourist information services could be delivered from the town's library and the local member was advised to speak to the Council's Team Leader: Tourism, Marketing and Events.

At the conclusion of the discussion the Committee:



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

- (i) to commend the Library Service on its performance against the Sixth Framework of the Welsh Public Library Standards; and***
- (ii) that a report on the Service's performance against the Welsh Public Library Service Standards 2018-19 along with the draft new Library Service Strategy be presented to the Committee at its meeting in November 2019***

## **7 WAO NATIONAL REPORT ON WASTE MANAGEMENT IN WALES**

The Lead Member for Highways, Planning and Sustainable Travel introduced the Waste and Recycling Manager and Head of Highways and Environment's joint report (previously circulated) which presented the Committee with the Wales Audit Office's (WAO) national report on Waste Management in Wales: Municipal Recycling (Appendix 1 to the report). During his introduction the Lead Member advised that the WAO expected greater collaboration between Welsh Government (WG) and local authorities with a view to increasing recycling rates and consequently reducing the amount of waste sent to landfill. The WAO had made four recommendations, the majority of which were directed at WG. However, the Council had considered all four recommendations and its observations and responses to each of them was contained in the covering report.

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

- the Council welcomed the opportunity to support Welsh Government (WG) to better understand the variations in costs between local authorities in respect of waste management services;
- the report's recommendations supported the Council's proposed new waste recycling model recently approved by Cabinet;
- the UK Government was expected to consult in the near future on reforming the UK packaging producer responsibility system. Under the proposed new system full costs of managing packaging waste would be placed on those businesses who used them with a view to them being able to influence their design;
- the Government was currently examining whether packaging/labelling required amending in order to provide clarity to the general public on which materials were recyclable and which were not;
- assisted collection arrangements would continue to operate as present once the Council's new waste recycling model came into operation. However, the Service would be reviewing this service in the near future to ensure that it was only those residents who required an assisted services that were receiving it;
- in the past Denbighshire had been reluctant to adopt the WG's blueprint model for recycling. However, things had changed over time and moving to the WG's blueprint model within the next few years would now benefit Denbighshire and its residents due to the financial implications of not meeting WG targets. Whilst adopting the WG blueprint model for recycling

was not a statutory requirement the financial incentives currently on offer made it worthwhile for the Council to adopt this model for the future;

- the Council agreed with the WAO's recommendation in relation to improving cost and performance benchmarking methods in order to ensure that a consistent approach was used for data analysis and comparing purposes;
- the proposed new recycling model would be far more robust against market forces than the current recycling system. Whilst market forces would always be a factor the new model would provide added resilience to the Council's service;
- initially the Council proposed to undertake a review of its waste management services at least once in any seven year period, which coincided with the average lifespan of refuse vehicles. However, WG and UK Government strategies in relation to waste management were changing on a regular basis at present i.e. consultations were expected imminently on a deposit and return scheme, reforming packaging producer responsibility etc. Dependent upon the results of these consultations waste management focus and priorities may change;
- Communities Scrutiny Committee was examining matters relating to the proposed new Waste Recycling Service design, including the proposed education and communications strategy being drawn up ahead of its introduction;
- it was manufacturers and central government who had the powers to determine the types of containers and packaging that were produced and sold, the local authority's responsibilities centred on waste management and the ethical disposal of waste products. Both the manufacturers and the government were currently looking at the materials used to make packaging products with a view to reducing the amount of non-recyclable products manufactured. One proposal was to levy higher taxes on non-recyclable packaging items;
- the Council did continue to provide a composting bin to residents upon request for a subsidised price;
- the Council's Streetscene and ground maintenance staff composted all green waste collected as part of their work; and
- whilst utilising large diesel vehicles to collect waste etc. did have an impact on the Council's carbon footprint, incinerating waste and inappropriate disposal of waste materials also had a detrimental effect on the environment and on the Council's performance in relation to the Carbon Index

At the conclusion of the discussion the Committee was of the view that the proposed new recycling model was the way forward for the Council and the local environment, however it was crucial that the Business Plan for the proposed new service was robust and deliverable. Members:

***Resolved: having considered the findings of the Wales Audit Office report on Waste Management in Wales: Municipal Recycling to endorse the Council's Waste and Recycling Service's response to address the issues raised in the report.***

The Scrutiny Co-ordinator introduced 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 date of the next meeting was confirmed, it was explained the proposed agenda item on Dolwen Residential Care Home had not progress sufficiently to enable it to be presented to the Committee at the March meeting and would be rescheduled for a future date.

The Scrutiny Co-ordinator confirmed the Chairs and Vice Chairs Group, where due to meet that afternoon, further reports may be added to the forward work programme following debate.

A list of the Committee's representatives on the Service Challenge Groups along with the schedule of Group meetings for 2018-19 had been included in the "Information Brief" document for members' information. Councillor Geraint Lloyd – Williams notified the Committee he was unable to attend the upcoming Service Challenge group he represent the committee on. Following discussion the Chair agreed to attend the meeting on behalf on the Performance Scrutiny committee.

***RESOLVED*** that subject to the above, the Forward Work Programme be approved.

## **9 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

Councillor Rachel Flynn and Ann Davies informed members they had attended the Community Support Services Performance Challenge meeting. It was stressed how informative and interesting the meeting had been. A copy of the notes from that Service Challenge meeting and other recent Service Challenge meetings had been circulated to members as part of the 'Information Brief' document.

**The meeting concluded at 13:10 p.m.**