

## **PERFORMANCE SCRUTINY COMMITTEE**

Minutes of a meeting of the Performance Scrutiny Committee held in Council Chamber, Russell House, Rhyl on Thursday, 16 January 2014 at 9.30 am.

### **PRESENT**

Councillors Bill Cowie, Colin Hughes, Geraint Lloyd-Williams, Peter Owen, Dewi Owens, Arwel Roberts and Gareth Sandilands.

Lead Member attendance requested by the Committee:- Councillor Eryl Williams.

**Co-optees:-** Mrs G. Greenland, Ms D. Houghton, Ms N. Lewis, Dr. D. Marjoram and Mr G. Williams.

### **ALSO PRESENT**

Corporate Directors: Economic and Community Ambition (RM), Head of Internal Audit (IB), Head of Education (KE), School Effectiveness, Performance Officer: Secondary (JM), Programme Manager: Modernising Education ( JC), Project Manager: NE Hub (JE), Senior Environmental Crime Officer (KH), Health and Safety Advisor (VR), Partnerships and Communities Team Manager (LG), Scrutiny Co-ordinator (RE) and Administrative Officer (CIW).

In the absence of the Chair, Councillor D. Simmons, the Vice Chair, Councillor A. Roberts took the Chair for the meeting.

The Chair Welcomed Co-opted Member Mr Gareth Williams to his first meeting of Committee.

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Meirick Davies, Richard Davies and David Simmons

#### **2 DECLARATION OF INTERESTS**

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

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

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

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

The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 12<sup>th</sup> December, 2013 were submitted.

Matters arising:-

5. Listed Buildings at Risk – The Scrutiny Coordinator confirmed that a copy of the letter of support sent by the Chair to the Minister for Sport and Culture, endorsing the views expressed by officers in response to the formal consultation on the New Heritage Bill, which highlighted the risks associated with the enforcement aspect of the legislation, had been included in the Information Update

8. Corporate Plan Performance report – Quarter 2 2013/14 – In reply to a question from Dr D. Marjoram regarding provision of a comprehensive report on the condition of school buildings and the School Estate in general, the Scrutiny Coordinator explained that the report presented to the Committee relating to School Places Data would instigate the process of examining the condition of the School Estate.

9. Scrutiny Work Programme – The Committee agreed that Councillor C. Hughes be appointed as the Committee's substitute representative on the Economic and Community Ambition Programme Board.

**RESOLVED** – that:-

*(a) the minutes be approved as a correct record; and*

*(b) Councillor Colin Hughes be appointed as the Committee substitute Member on the Economic and Community Ambition Board.*

## **5 ESTYN ACTION PLAN**

A copy of a report by the Head of Education (HE), which detailed the progress made in response to the recommendations made by Estyn following the 2012 inspection, had been circulated previously.

The HE provided a summary of the report and confirmed that the main findings of the Estyn Report indicated that the Authority achieved 'Good' for the three key questions which included How good are outcomes, provision and leadership and management. All other indicators had also been judged to be 'Good', with 'Leadership' having been judged to be 'Excellent'.

Members were reminded that Estyn had made two recommendations:-

- Recommendation 1: Improve the accuracy of Teacher Assessments at the end of Key Stage 3; and
- Recommendation 2: Related to the Partnerships Agenda and identify all services for children and young people in Denbighshire and establish an effective system to measure the impact of these services to help the Authority and its partners know whether these offer good value for money.

Progress to date against both recommendations was detailed in the appendices to the report. The Authority at present was at a crossroads in responding to the recommendations due to a combination of the efficiencies agenda, the regional collaboration work and plans for Estyn assessment in the context of on-going changes regionally and nationally. During the next six months officers would evaluate the work undertaken to date, assess its efficacy and revise the Authority's approach to meeting the recommendations according to the resources available, and it was explained that some of the services for children and young people questioned by Estyn in 2012 were now subject to the efficiency savings agenda. The importance of the need to acknowledge the change in the inspection process was highlighted by the HE, particular reference being made to the role of the Regional School Improvement Service.

Confirmation was provided that improving performance in education and the quality of school buildings was one of the Council's Corporate Priorities for 2012-17, and by monitoring the delivery of the Action Plan the Committee could assist the Council in fulfilling part of the above ambition. In order to reduce any risks to school support and challenge in Denbighshire schools, officers would monitor and assess the quality of the regional support from GwE. There would be an opportunity to strengthen the moderation process for KS3 Teacher Assessments, and this should improve the quality of external moderation ensure continuity and parity of Teacher Assessments across North Wales.

In response to questions from Members, it was suggested that the next monitoring report be presented to the Committee at the end of the 2014 summer term. The Committee agreed and requested that the report include details of the measures taken by the Authority to address issues relating to improving the accuracy of teacher assessments at Key Stage 3 and their effectiveness in achieving this aim, along with evidence that GwE was using Moodle to host (PDF) levelled exemplar materials in all subjects and levels, and also the results of the audit currently underway of all services available to children and young people in the County and the effectiveness of the system established to measure the impact and value for money of those services on the County's children and young people.

The HE replied to questions from Dr Marjoram and explained that details of the improvements to address the short comings in the accuracy of Teacher Assessments at the end of Key Stage 3 would be incorporated in the next report, and this would include measurements for improvement and performance at each of the Key Stages. She also provided an assurance rural areas would not bear the burden of the proposed budget cuts, as the Council were focused on eradicating silo working and ensuring the delivery of the best service provision for all residents across the County.

Councillor C. Hughes expressed the view that the report in respect of the Regional School Effectiveness and Improvement Service (GWE) should be presented to the Performance Scrutiny Committee. The Scrutiny Coordinator explained that the Scrutiny Chairs and Vice-Chairs Group had allocated this matter to the Partnerships Scrutiny Committee for consideration, and confirmed that both elected and co-opted members could attend the meeting. Non Committee members would also be welcome to attend. Following further discussion, it was:-

**RESOLVED – that:-**

*(a) subject to the observations made, the Committee note the progress achieved to date in addressing Estyn's recommendations.*

*(b) the Committee continues to monitor the Action Plan's implementation on a regular basis until Estyn's next inspection of the Authority's education services provision.*

*(c) the next monitoring report be presented to the Committee at the end of the 2014 summer term.*

*(d) the report includes details of the measures taken by the Authority to address issues relating to improving the accuracy of teacher assessments at Key Stage 3 and their effectiveness in achieving this aim, along with evidence that GwE is using Moodle to host (PDF) levelled exemplar materials in all subjects and levels, and*

*(e) the report also includes the results of the audit currently underway of all services available to children and young people in the county and the effectiveness of the system established to measure the impact and value for money of those services on the County's children and young people.*

## **6 KS4 EXAMINATION RESULTS**

A copy of a report by the School Effectiveness Performance Officer: Secondary (SEPO:S), which detailed the verified performance of Denbighshire schools' external examinations results at Key Stage 4 and post 16, had been circulated with the papers for the meeting.

The SEPO:S provided a summary of the report which analysed results against benchmarked information and performance against other Local Authorities (LAs) and provided information regarding the performance of Denbighshire schools teacher assessments and external examinations. Most key indicators at KS 4 for external qualifications had improved. However, the Level 2 threshold including English, Welsh and Maths had declined slightly which had impacted on the Core Subject Indicator (CSI). Assessments and Examination Rankings for 2011/13 had been included in the report

He explained that one of the key performance indicators at the end of key stage 4 was the Level 2 Threshold including English, Welsh and mathematics and respective data and information had been incorporated in Appendix 1. Details of the Level 2 Threshold statistics pertaining to individual schools had been included in the report, together with, provisional Level 2 results for Ysgol Plas Brondyffryn, Denbigh.

Details of Secondary Banding had been provided and the SEPO:S confirmed that there were no Denbighshire schools in lower bands 4 and 5 in 2013. The LAs average banding score had placed Denbighshire fifth in Wales in 2013 down from second in 2012. The performance indicator for post 16 was the Level 3 Threshold, which had remained static at 96.8% in for the last three years, was above the Welsh average of 96.5% and placed Denbighshire ninth in Wales. A Level results had improved in Denbighshire's secondary schools as detailed in Appendix 2 to the report.

The number of students in Denbighshire entered for post 16 qualifications in 2013 had increased to 463 compared to 439 in 2012. The improvement in results at KS4 and post 16 partnership working had contributed to the increase. Rhyl 6<sup>th</sup> students achieved 94% for the Level 3 Threshold compared with 97% of Denbighshire High Schools pupils. However, these results had not contributed to the LA's indicators.

The following responses were provided by the officers to issues and matters raised by Members:-

- The SEPO:S and HOE responded to concerns raised by Councillor G. Sandilands and explained the reasons for the decline in attainment at Prestatyn High School. It was confirmed that a decline had been predicted and that extra support had been provided to the school to mitigate the risk. However the decline had been greater than anticipated. Nevertheless officers were confident that improvements in respect of results would be achieved through close working with the Headteacher.

- Members were informed that the London Challenge approach was used within the county's schools as were consultants with a view of working with Headteachers and Heads of Departments to achieve rapid improvements.

- Councillor D. Owens referred to the improvements at Rhyl High School. The HE explained that the School had been aspirational and much of the success achieved had resulted from the leadership of the Headteacher and the effective working of the Primary Schools in the Rhyl area.

- The SEPO:S explained that problems experienced at St Brigid's, Denbigh, resulting in a 7% decrease, had stemmed from issues relating to mathematics. He referred to the competent work undertaken by the Acting Headteacher and the support provided for the school, particularly the Senior Leadership Team.

- Councillor C. Hughes expressed concern regarding the benchmark statistics in respect of Denbigh High School. The HE explained that areas of concern at Denbigh High School related to historical curriculum issues. It was confirmed that the Headteacher had worked closely with the Headteachers of the feeder primary schools to take the appropriate action to improve standards and the respective indicators.

- Dr D. Marjoram referred to the good work being undertaken in the special schools in terms of examination results and qualification achieved. However, she expressed concern that the Welsh Government (WG) had no methodology for ranking special schools.

- In response to issues raised by Members, the Committee requested data, in the form of an information report, on the examination results and teacher assessments on pupils attending the County's Special Schools, pupils with additional learning needs attending mainstream education, pupils educated at home, children/young people placed out of County, and those attending specialist schools outside the County.

Councillor E.W. Williams replied to a question from Councillor G. Sandilands and provided details of the proposed funding provision for education services in the light of budget cuts. He referred to the budget provision to protect long term improvement in schools and highlighted the importance and need to monitor and maintain performance in Denbighshire schools.

Following a detailed discussion it was:

**RESOLVED** – that the Committee:-

- (a) subject to Members' comments, receive and note the contents of the report.
- (b) request an information report on the examination results and teacher assessments on pupils attending the County's Special Schools, pupils with additional learning needs attending mainstream education, pupils educated at home, children/young people placed out of County, and those attending specialist schools outside the County, and
- (c) congratulate education staff and pupils on the results achieved.

## **7 SCHOOL PLACES DATA**

A copy of a report by the Head of Customers and Education Support (HCES), which provided information regarding pupil places, future projections, condition and suitability of schools and the number of mobile accommodation units currently in use, had been circulated with the papers for the meeting.

The Programme Manager: Modernising Education ( PM:ME) explained that the application of the Modernising Education Policy Framework had led the Council to make a number of difficult decisions regarding the future of a number of schools.

The Council approved its Corporate Plan in October, 2012, which included the commitment to “Improving Performance in Education and the Quality of our School Buildings”. This commitment included funding proposals to invest approximately £96m into the school estate to improve the quality of school buildings. A clear Modernising Education Programme had been established in December, 2012 with the objective of delivering this ambition. Details of how the Programme would be delivered, the current position on surplus places and school numbers, information on 21<sup>st</sup> Century Schools funded projects and other priority areas had been included in the report and associated appendices.

The Corporate Plan would potentially allow a further £23million to be invested towards implementing the findings of area reviews and other school building projects and improving works. No decisions had been made regarding where this investment would be made.

The following responses were provided by the PM:ME to issues and matters raised by Members:-

- Details were provided of the future use and disposal of mobile classrooms and any associated financial implications. Councillor E.W. Williams explained that the WG had indicated its intention to penalise authorities for using mobile classrooms.
- The PM:ME advised that the two Special Schools had not been listed due to the different methodology and criteria used for assessing pupil places at those schools.

- Councillor E.W. Williams suggested that Members seek clarification from the respective AMs regarding the designation of regional special schools, particular reference being made to possible impact of the pending boundary reviews and the possible implications for the service provision at Ysgol Plas Brondyffryn, Denbigh.
- The PM:ME explained that birth rate projections would be reviewed incorporating the challenges presented by the upward trend and factoring in the development of the Local Development Plan(LDP).
- Councillor E.W. Williams outlined the factors and statistics considered in relation to the size of rural schools. He referred to the Authority's funding strategy which would need to be adhered to if future funding provision from WG was to be ensured for forthcoming projects.
- The difficulties pertaining to the classification of English, Welsh and bilingual schools was highlighted by Councillor E.W. Williams. The PM:ME referred to the work undertaken by the Welsh Strategic Group in relation to the provision of quality assurance in respect of the classification of schools.
- In response to concerns expressed by Councillor C. Hughes regarding projected capacity in the Denbigh area, Councillor E.W. Williams made reference to the Capital Plan which provided the potential for investment for better education facilities provision in all areas.
- In reply to issues raised, the Committee agreed that a further information report be provided detailing the condition of the County's school estate.

Following further discussion, it was:-

**RESOLVED – that:-**

- (a) the report be received, subject to Members' observations to note the position and actions being undertaken as part of the Corporate Plan to improve the overall condition of schools in Denbighshire, and*
- (b) a further information report be provided detailing the condition of the County's school estate.*

## **8 DENBIGHSHIRE PERFORMANCE ON FLY TIPPING ISSUES**

A copy of a report by the Head of Highways and Environmental Services (HHES), which set out how fly-tipping is reported and dealt-with in Denbighshire, had been circulated with the papers for the meeting.

The Project Manager: NE Hub (PMNEH) provided an introduction and explained the reasons for the report as detailed in the report itself.

Natural Resources Wales (NRW) administered the database 'Flycapture' into which all Welsh Councils entered their fly-tipping statistics. NRW prescribed the procedures for submitting the data, including what should, and should not, count as a fly-tipping incident. However, individual councils continued to use different methods to gather and process their own statistics, and this affected the comparability of the published data. Examples of the differing ways that individual councils record their fly-tipping incidents had been included in the report.

The Senior Environmental Crime Officer (SECO) responded to questions from Members and explained that the huge variances in reported incident numbers, as detailed in the report, could only be explained by the different data collection and processing methods utilised by councils. These variances could not be explained by demographic differences or observed behavioral differences. He confirmed that the Environmental Crime Team had recognised the phenomenon and had pressed the NRW for a more consistent reporting regime. If councils did not gather data in a consistent manner, the annual NRW report would not indicate like for like comparisons, and the use of the statistics as a performance measure may be flawed. Comparison with other North Wales Councils had been incorporated in the report.

Denbighshire's reported incidents typically run at approximately 2 to 2.5 times higher than the numbers being reported by the other North Wales councils as Denbighshire purposely attempted to capture every single incident of illegally deposited waste, whether or not it was on public or private land, and regardless of whether or not it was reported by a member of the public. High reporting rates being regarded as a pre-requisite for the minimisation of actual fly-tipping activity which was an important principle.

Details relating to Denbighshire historical trends had been incorporated in the report. The SECO explained that the fly-tipping Enforcement Team would like the Council's CRM system to move to geographically-based recording. This would simplify the processing of all streetscene issues and help with the analysis of incidents by location, which would provide for more effective targeting of enforcement. NRW had also expressed a desire to move to a geographical system and were currently developing an 'app' to assist with this.

The SECO highlighted the need to improve the categorisation of incidents and to isolate genuine fly-tipping incidents, and those which the Council had a duty to clean up. This was currently undertaken via a stand-alone, secondary analysis, which it was felt should be part of the Council's normal CRM processes.

The importance of Denbighshire's Enforcement Strategy was outlined and the resulting investigations and/or prosecutions had resulted in a significant deterrent effect, which had been considered to be a crucial factor in making Denbighshire a clean and pleasant county.

The Chair and Members of the Committee congratulated and thanked the Environment Team for the work undertaken and it was then:

**RESOLVED** – that, subject to Members observations, the Committee:-

*(a) support the Council's current approach and method of recording fly-tipping incidents;*

*(b) supports the continuation of the Council's policy of rigorous enforcement on fly-tipping issues;*

*(c) endorses the proposal that Denbighshire should continue to lobby Natural Resources Wales regarding the quality of the 'Flycapture' data collated across Wales; and*



*(d) agreed that the Chair of the Committee write to the Chair of Natural Resources Wales reinforcing the Committee's concerns with respect to the quality and reliability of the 'Flycapture' data, and that the Head of Internal Audit also raise the Committee's concerns with relevant officers at Natural Resources Wales.*

## **9 SCRUTINY WORK PROGRAMME**

A copy of a report by the Scrutiny Coordinator, which requested the Committee to review and agree its Forward Work Programme and provided an update on relevant issues, had been circulated with the papers for the meeting. The Cabinet's Forward Work Programme had been included as Appendix 2 and a table summarising recent Committee resolutions, and advising on progress with their implementation, had been attached at Appendix 3 to the report.

The Scrutiny Chairs and Vice-Chairs Group had met on the 9<sup>th</sup> January, 2014 and received a request to consider a report in respect of the Modernising Education Programme. Members agreed that this item be included in the Committee's Forward Work Programme for consideration at the February, 2014 meeting, and that the Lead Member, Councillor E.W. Williams, be invited to attend.

Having considered its draft Forward Work Programme for future meetings the Committee agreed that the following amendments and additions should be made:-

**20 March, 2014:-** Arms Length Organisations – Members agreed that in view of work being undertaken by Internal Audit an Information Report be submitted to the Committee in March, 2014, with a further report being included in the Forward Work Programme for June or July, 2014.

Councillor C. Hughes referred to Page 2 of the Information Update, Developing the Local Economy. He explained that with regard to Outcome 5, further up to date information was available in relation to median income figures and the claimant count figures (Data for percentage of LSOA).

Members also requested that consideration be given to holding future meetings at venues across the County.

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

## **10 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

The Chair confirmed that he and Councillor D. Owens had attended meetings of the Schools Standards Monitoring Group (SSMG).

Councillor G. Lloyd-Williams explained that he had attended the Service Challenge for the Communication, Marketing and Leisure Service recently.

Meeting ended at 12.35 p.m.