

## **PERFORMANCE SCRUTINY COMMITTEE**

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 16 July 2015 at 9.30 am.

### **PRESENT**

Councillors Meirick Davies, Huw Hilditch-Roberts, Geraint Lloyd-Williams, Dewi Owens, Arwel Roberts, Gareth Sandilands and David Simmons (Chair).

Lead Members attendance requested by the Committee: - Councillors Bobby Feeley, Hugh Carson Irving and Julian Thompson-Hill.

Councillors Raymond Bartley, Brian Blakeley, Martyn Holland and Win Mullen-James attended as observers.

### **ALSO PRESENT**

Chief Executive (MM), Head of Community Support Services (PG), Head of Customers and Education Support (JW), Corporate Health and Safety Manager (GL), Democratic Services Manager (SP) and Administrative Officer (CIW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Richard Davies, Peter Owen and Merfyn Parry.

#### **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**

- (a) The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 11<sup>th</sup> June, 2015 were submitted.

***RESOLVED*** – *that the Minutes be received and approved as a correct record.*

- (b) The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 22<sup>nd</sup> June, 2015 were submitted.

**RESOLVED** – *that the Minutes be received and approved as a correct record.*

## **5 THE FUTURE OF IN-HOUSE ADULT SOCIAL CARE**

A copy of a report by the Head of Community Support Services (HCSS), had been circulated with the papers for the meeting.

The Chair of the In-house Social Care Task and Finish Group (T&FG), Council;lor W. Mullen-James, provided a summary of the purpose and work of the T&FG, and thanked the officers for their hard work. She explained the remit of the Group had been to consult on the future of in-house adult social care and ensure cost effectiveness and best value for money in Denbighshire, while ensuring users retain their identity and links with the community.

The Head of Community Support Services (HCSS) outlined the results from the T&FG following the first stage of the consultation process, which included information gathered from reviews of individuals and families who use the services. The Committee had been requested to comment on the information gathered and subsequent recommendations by the T&FG on the options to present to Cabinet for formal consultation with all stakeholders. An options appraisal had been developed for each of the in-house services which had been considered by the Committee in October, 2014 and Cabinet in December, 2014, and their recommendations had been included in the report.

Councillor R.L. Feeley explained that the word “consultation” had been changed on the advice of the Consultation Institute to ensure the process was perceived as an information gathering exercise involving families and service users, prior to undertaking a full and proper consultation.

Details of the methodology agreed by CET for assessing the needs of individuals and gathering their views on the future of the service, as well as the terms of reference and timescales for the consultation, had been provided. The suggestions from the T&FG, Appendix 1, clearly demonstrated that the assessments and views of individuals and families had been taken into account in offering solutions that focus on modernising service delivery through meeting the expectations of Welsh Government and the wider population on what modern care and support looks like, at the same time as focusing resources towards the areas of highest demand while also delivering the savings required.

The results from the information gathering had been included in the report with regard to Hafan Deg Rhyl, Dolwen Denbigh, Awelon Ruthin, Cysgod y Gaer Corwen and the Extra Care Schemes in Prestatyn, Rhyl and Ruthin.

The Committee were informed that the total amount of the savings identified in the proposals would equate to £680k over a 2 year period. Details of the consultation process undertaken, and possible risks and the steps implemented to mitigate them, had been incorporated in the report.

The Chief Executive explained that Cabinet's recommendation for wider consultation had commenced with service users' needs having been assessed. He suggested that the findings from the wider consultation on residential and extra care provision, supported by local and national evidence, be reported explicitly and succinctly back to Cabinet. It was felt that the findings of the consultation be presented to the Consultation Institute, and details of the rationale for change be presented to the public.

Reference was made by the Chief Executive to the overwhelming evidence against traditional residential care homes, with the majority of service users expressing a desire to remain in their own homes with extra care support. Details of options for possible joint working arrangements with the Health Authority were outlined. However, the Chief Executive explained that it would be inappropriate not to develop proposals whilst joint working with the Health Board was not a viable solution.

The HCSS explained that the report reflected the views of the public and service users, with the original proposals having been amended to incorporate really good solutions to provide support. It was confirmed that no timetable or dates had yet been agreed and changes would not be implemented, or referrals stopped, prior to a decision having been agreed by Cabinet. Reference was made to the high standard of service provided by Denbighshire care workers, and to possible future collaborative working with the Health Authority. He made reference to the statement of intent, future training targets and possible savings being achieved by the delivery of services in a different way.

Confirmation was provided by the HCSS that service users could remain in their current placements and that the Authority would be required to meet their needs. However, alternative methods of provision could be considered and details were provided of the service provision to support carers.

Councillor H. Hilditch-Roberts referred to the decision made by Cabinet that a wider consultation exercise be undertaken involving the public. He explained that whilst he embraced change he felt that only a commentary of the current situation had been provided and there had been no evidence of benefits to the public and service users included in the report. The need for the provision of explicit evidence that service users desired more independence was highlighted, together with, the development of a strategic plan prior to reaching any final conclusion. He also emphasised the importance of the need to outline the strategic view of care in Denbighshire to ensure clarity in the future. Councillor Roberts queried how the future provision of care for the Ruthin area would be met.

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

- Any concerns expressed by members of staff regarding future service provision and requirements had been addressed promptly.
- The quality of service provision was monitored on a regular basis, with quality control ensuring that provision standards were met.

- Training targets were in situ to ensure that staff employed in independent organisations had the correct training.
- It was explained that the costs relating to service provision would reduce, but could increase over a period of time with inflation.
- Members expressed the view that the level of Welsh language provision within the service should be maintained.
- Support was expressed for the Cabinet decision relating to Dolwen, and regarding the continuity of staff within the different categories in the Home.
- Reference was made to the link between the NHS and Social Care providers.
- Concern was expressed that the level of day care provided by Denbighshire and its staff could not be emulated by private day care providers.
- All relevant stake holders, including housing associations, to be included in the consultation process.

At the discretion of the Chair Mr David Jones of Llangollen spoke of the service provision in the Llangollen area and the declining service demands as a result of a change in eligibility requirements. He referred to the possible increase in service costs per resident as a consequence and outlined the opportunities available to Denbighshire to influence the Health Board towards ensuring appropriate social care provision.

The Chair made reference to the support expressed for the decision made by Cabinet with regard to a wider consultation exercise for future reports to include details of the relevant research undertaken and a consultation period, which could be extended if required.

**RESOLVED** – *that the Committee:-*

- (a) supports the Cabinet's consideration of a report in September in respect of undertaking a public consultation.*
- (b) recommends that proposals or options in future reports explicitly detail underlying research and evidence, and*
- (c) recommends that, if required, the consultation period be capable of being extended.*

## **6 CORPORATE HEALTH AND SAFETY ANNUAL REPORT**

A copy of a report by the Corporate Health and Safety Manager (CHSM), which provided an update on Health and Safety management within Denbighshire as seen from the perspective of the Corporate Health and Safety Team (CHST), had been circulated with the papers for the meeting.

The CHSM introduced the report which provided information regarding an annual update on health and safety management in Denbighshire. The CHST activities covered many Denbighshire operational workplaces and improvements in Health and safety awareness and management had been observed. When weaknesses, gaps or problems were identified in management systems or process, the necessary support, guidance and training was provided to the extent of available resources.

Health and Safety Executive (HSE) feedback suggested that Denbighshire's safety management was positive. Despite being in a generally positive position it would be important not to become complacent and continue to drive and support the Health and Safety improvement process.

The data for accidents/incidents for April, 2014 to March, 2015 indicated that the number of incidents had shown a decrease from 2013/2014. The decrease reflected the advice provided to schools as the single largest contributor to the numbers, and the Team were aware that the potential for under-reporting was ever present. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) incidents had also decreased partly due to the reporting requirements of RIDDOR being changed late in 2013.

Details of one significant incident, involving a waste management operative, which had instigated a full HSE investigation with no fault found against the Council.

The report also included details pertaining to:-

- Monitoring of safety systems in workplaces.
- A Coroner request to look at Prestatyn promenade following a fall that resulted in a fatality. The report had been included as Appendix 2.
- Fleet depot – Appendix 3 detailed an ongoing issue with Plastecowood.
- Concerns relating to the Rhyl Yacht Club, Quay Wall and Boat Yard had been included in Appendix 4. Staff Protection Register (SPR).
- CHST structure.
- Accident / Incident Reporting.

Councillor A. Roberts referred to section 4.1.3 of the report and highlighted the importance of ensuring that school buildings were properly maintained to avoid accidents. The CHSM confirmed that all accidents reported in schools were recorded electronically and assessed individually to ascertain if further action was required. Members were informed that detailed information was presented to the Corporate Health, Safety and Welfare Committee, and each school had a Health and Safety Committee which monitored health and safety issues within the school.

In reply to a question from Councillor M.Ll. Davies regarding security within Council buildings and the importance of staff and members of the public displaying identity badges, the DSM agreed to pursue the concerns raised regarding security and visitors to Council establishments.

The CHSM responded to a question from Councillor G. Sandilands and confirmed that the level of training provided for staff had remained the same in 2015 and 2014. He explained that the courses available had been advertised on TRENT and in Intranet, with the training provided having focused on personal responsibility.

In response to queries regarding claims against the Authority, the CHSM explained that compliance with the provisions of the Occupiers Liability Duty in Civil Law, which required the Council to take reasonable precautions, would in the event of a claim be utilised as a basis for defence.

Concern were raised regarding problems emanating from seagulls, particularly at school premises. The CHSM confirmed that information and guidance relating to this subject had been compiled by the HCES and distributed to schools. Details of the relevant legislation and legal implications were outlined for the Committee. The HCES confirmed that, despite the matter being beyond the remit of the Council, she and the Head of Highways and Environmental Services had agreed to examine the options available and provide advice to address the problem in the appropriate manner.

The Chair referred to the excellent work undertaken by the Corporate Health and Safety Team. He explained that Denbighshire had recently been requested by the HSE to provide a neighboring authority with copies of the safety systems used in their waste collection business, as they regarded Denbighshire's systems as displaying the use of best practice.

Following further discussion it was:-

**RESOLVED** – *that Performance Scrutiny Committee:-*

- (a) receives the report and notes the activities of the Corporate Health and Safety Team, and*
- (b) requests that the Democratic Services Manager pursues the concerns raised regarding security relating to visitors to Council establishments.*

## **7 YOUR VOICE COMPLAINTS REPORT - Q4**

A copy of a report by the Corporate Complaints Officer (CCO), which provides an overview of compliments, suggestions and complaints received by Denbighshire County Council under the Council's customer feedback policy 'Your Voice' during Q4 2014/15 (Appendix 1), had been circulated with the papers for the meeting.

The Head of Customers and Education Support (HCES) introduced the report and explained that following a review the Corporate Complaints Officer, Customers and Education Support, would in future be working with Social Services, which it was anticipated would make the process more resilient. She confirmed that the next Your Voice Complaints Report to Committee would be presented as a joint report with Social Services.

Reference was made to gaps across the organisation in previous reports, and it was suggested the Committee look at introducing a more systematic approach and learning from complements, complaints and suggestions received.

The report provided information regarding performance issues and made recommendations to address these accordingly.

Headlines for Q4 had been included in Appendix 1.

- The Council had received 78 complaints in Q4, bringing the annual total to 411, a decrease of 19% compared to the previous year.

- Complaints against Environmental Services had decreased by 39%; 14 in Q4 compared to 23 in Q3.
- Complaints against Highways and Infrastructure had decreased for the first time this year. Down 48%; 15 in Q4 compared to 29 in Q3.
- Stage 2 complaints for Planning & Public Protection increased by 75%; from 4 in Q3 to 7 in Q4.
- The Council had received 103 compliments during Q4.
- The Council had received 16 suggestions during Q4.

#### Details of Performance – Q4:-

- 88% (66/75) of stage 1 complaints had been responded to within the 'Your Voice' timescales. This had not met the corporate target of 95%.
- 67% (6/9) of stage 2 complaints had been responded to within the 'Your Voice' timescales. This does not meet the corporate target of 95%.
- 92% (69/75) of complaints were successfully dealt with at stage 1.
- Four service areas had been highlighted as having RED status; Customers and Education Support, Environment, Planning and Public Protection (stage 2) and Highways and Infrastructure (stage 2).
- Three service areas are highlighted as having AMBER status; Housing and Community Development, Planning and Public Protection and Highways and Infrastructure.

The HCES responded to questions from Members regarding problems experience with the EMMA system. It was explained that the EMMA system had been an interim solution pending the installation of a new CRM system which would be installed by the end of the year. She also confirmed that the Your Voice booklet was available bilingually and both language versions should be displayed and distributed equally.

The Chair referred to the percentage figures in the report and questioned whether services who failed to meet their targets within specified timescales were being monitored. The HCES confirmed that breaches were monitored on a regular basis and raised with the respective Heads of Service and SLT. It was explained that in cases where there had been persistent failures to meet timescales the offending department could be summoned to attend the Committee and provide an explanation.

The Chief Executive referred to the need to raise the profile with regard to complaints and compliments by demonstrating a learning process, and not just by noting the quantity received. He referred to the recommendation that the Committee assists with the agenda by questioning the reaction of service providers to comments received. It was suggested that this could impact on planning for future service provision, and include the possible introduction of systems and positive changes in practice to address complaints. The HCES confirmed that a learning from complaints feedback report had been presented previously to this Committee and the Corporate Governance Committee, and it was agreed that the report be appended to future Quarterly reports.

In reply to concerns raised by the Chair with regard to the Finance and Assets Service, the HCES explained that the issues related to the Revenues and Benefits Service which had recently transferred to Customers and Education Support, and this had now been highlighted as red. The HCES explained the matter had been raised at the Revenues and Benefits CIVICA Board meeting and they had been informed that the matter would be reported

During the ensuing discussion the Chair requested that the statistics included in the paper copies of the agenda include colour guidance indicators to assist Members. e.g. 'G' for green, etc.

**RESOLVED** – *that the Performance Scrutiny Committee:-*

- (a) receives and notes the contents of the report, and*
- (b) agrees that a copy of the learning from complaints feedback report be appended to future Quarterly reports.*

## **8 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 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 as Appendix 2. It was explained that in future no items would be included on a forward work programme without a 'scrutiny proposal form' being completed and accepted for inclusion by the Committee or the SCVCG. The DSM confirmed that assistance was available to Members when completing the forms if required.

Members referred to the meeting on the Committee to be held on the 24<sup>th</sup> September, 2015 and agreed that the five business items scheduled for discussion should remain. The Chief Executive explained that the business items relating to "Provisional External Examinations and Teacher Assessments" and "Rhyl Sixth" could be considered under the same business item.

In response to a question from Councillor H. Hilditch-Roberts regarding the process for assessing and scrutinising Estyn Inspection reports, particular reference being made to schools where concerns had been identified and the support mechanisms in place to provide assistance, the Chief Executive explained that reports were collated by the Education Team, and he outlined the role and remit of the Schools Standards Monitoring Group (SSMG) where issues relating to individual schools were discussed. Councillor A. Roberts provided an outline of the work undertaken by the SSMG, and it was agreed that details of the Group's membership and remit be circulated to Members, including information on whether Councillors could attend SSMG meetings as observers.

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

## **9 FEEDBACK FROM COMMITTEE REPRESENTATIVES**



No reports were submitted.

Meeting ended at 12.25 p.m.