

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 26 January 2017 at 9.30 am.

PRESENT

Councillors Meirick Davies, Huw Hilditch-Roberts, Colin Hughes, Geraint Lloyd-Williams, Barry Mellor (Chair), Dewi Owens, Arwel Roberts, Gareth Sandilands and Joe Welch

Cabinet Members – Councillor Martyn Holland, Councillor David Smith, Councillor Julian Thompson-Hill and Councillor Eryl Williams attended at the Committee's invitation for items relating to their portfolio.

Observers – Councillor Martyn Holland

ALSO PRESENT

Chief Executive (MM), Head of Education (KIE), School Effectiveness Performance Officer: Secondary (JM), Head of Business Improvement and Modernisation (AS), Senior Engineer: Bridges (JH), Section Manager: Network Management (TT), Head of Highways and Environmental Services (TW), Scrutiny Co-ordinator (RE) and Committee Administrator (SJ).

Also in Attendance – Marc Berw Hughes, Senior Challenge Advisor GwE

Co-opted Members Kathleen Jones and Gareth Williams attended for agenda item 4.

1 APOLOGIES

No apologies were received.

2 DECLARATION OF INTERESTS

Councillors Huw Hilditch-Roberts, Geraint LLOYD-Williams, Barry Mellor, Gareth Sandilands and Martyn Holland declared a personal interest in Agenda item 4 - Key stage 4 Examination results as they are all School Governors in local schools.

Councillor Colin Hughes declared a personal interest in Agenda item 6 - Bridge Maintenance Strategy as Cadw was discussed and he is currently employed by Cadw.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 KEY STAGE 4 EXAMINATION RESULTS

The Head of Education introduced the report (previously circulated) which presented the Committee with the verified performance data on Denbighshire schools' external examinations results at Key Stage 4 (KS4) and post 16. Benchmarked information was also contained in the report on the Authority's performance in comparison to other local authorities. GwE's Senior Challenge Advisor was welcomed to the meeting and he explained the data contained in the report, advising that the county had improved its overall performance in relation to the main KS4 results indicator and met the set target. He advised that due to national changes to the curriculum schools and local authorities were currently experiencing a period of some uncertainty, which was likely to last for up to two years. In addition, some schools had presented pupils for the new qualification a year in advance of other schools, this had impacted on overall performance particularly the Level 2 Threshold results.

Following its establishment GwE's initial focus had been on supporting the primary education sector to improve. Consequently, this had led to a slippage in performance of secondary schools across the region. In a bid to redress this situation GwE and the local education authority had drawn-up a rapid action plan, which included the introduction of better ways of working with secondary schools to support them through curriculum changes.

Members were advised that Welsh Government (WG) reporting requirements in relation to educational data had changed for the 2015/16 year, with local authorities now being required to include in their data statistical information on the achievement of pupils Educated Other Than At School (EOTAS). However, local education authorities did not have a uniform method for measuring, collating or recording information on EOTAS pupils' achievements, and consequently this led to some considerable disparity in the overall performance and benchmarking data. All North Wales authorities were concerned on the inconsistent approach to recording EOTAS information across Wales and as a result they and GwE were in discussions with the WG on how the reporting aspect could be improved.

Responding to members' questions the Lead Member for Education, Head of Education, Principal Education Manager and GwE's Senior Challenge Advisor:

- advised that there had been some significant changes within GwE recently, including a change of leadership. This had resulted in an evaluation of the organisation which had led to a re-alignment of roles and focus for the service;
- confirmed that the profile of primary education in Denbighshire was now good. The focus had now turned towards the secondary sector where teams would be established to work around individual schools to support them on their journey of improvement;
- confirmed that a strong working relationship existed between GwE and Denbighshire's Education Service Officers. Both partners worked effectively together as one team whilst also challenging each other;
- confirmed that that local education authority tracked the attainment of each individual pupil in the county throughout their educational journey. Now that both Education and Children's Services had been merged into one service it

would be easier for officers to check whether any social problems were acting as a barrier to a pupil's achievement. It was acknowledged that individual circumstances were key to pupils' performance;

- advised that as the WG had changed its reporting requirements late in the academic year, too late to enable the Council to amend its education delivery plan for the year, the local authority would now need to re-align its targets to be in line with the WG;
- advised that Denbighshire's Free School Meal (FSM) profile was 14th, this was based on it being the 9th most deprived area in Wales;
- confirmed that data was held by the Council on high achieving pupils, particularly those who attained A* grades;
- informed members that there were circa 50 pupils in Denbighshire who were EOTAS. The County had built up a profile of each of these individual pupils, some of whom had transferred in from outside the area, and a number of which required significant intervention;
- advised that whilst some of the schools which were currently a cause of concern and would require intensive targeted support were located in Communities First areas, additional monetary resources was not always the answer to their problems. Some had suffered from a lack of effective leadership, on personnel and governor level, others had pressures placed upon them due to the pupil cohort numbers;
- accelerated Improvement Boards had been established at all three secondary schools in the county which were a cause of concern at present as it was widely acknowledged that strong leadership on all levels was key if schools were to be successful. Ysgol Brynhyfryd was a recent example of how strong leadership could improve outcomes;
- advised that Cabinet at its meeting earlier in the week had approved to proceed to formally consult on proposals to close both primary and secondary Catholic Schools in Rhyl and replace them with a 3 to 16 Catholic School on the same site and to approve funding for designing a new school in due course;
- confirmed that Head teachers in the county were keen to undertake a piece of work on how to improve educational outcomes for average achievers in the county, as they had some concerns that these pupils may be missing out due to resources and efforts being targeted at high achievers and/or challenging pupils. The Head teachers also wanted to explore whether it would be worthwhile to introduce 'other' more vocational type courses for these pupils in order to support them to realise their full potential. Members were of the view that this would be a useful piece of work to undertake and that it would also be beneficial to compare data on pupil choices at the start of Year 10 with the KS4 data to see how many pupils 'dropped' their chosen subjects during the two year period with a view to understanding what had led to their decision. The Committee recommended that these studies be undertaken and their conclusions reported to them in due course;
- agreed with members that schools needed to be honest with pupils when accepting their entry to 6th forms. They needed to be sure that A Levels and University based education was in their best interests and that they were not setting them up to fail. In some cases apprenticeships may better suit them and help them realise their full potential;

- confirmed that Denbighshire was performing above its expected ranking with respect of the number of pupils Not in Education, Employment or Training (NEET);
- explained that different 'measures' used for school performance benchmarking could sometimes be deceptive i.e. FSM. Ysgol Glan Clwyd was a prime example of this as it had a low number of pupils receiving free school meals this meant that it was placed in the same all Wales benchmarking 'family group' as schools in some very affluent and privileged areas;
- advised that whilst school absenteeism generally followed a well-defined pattern of being more prevalent amongst older boys, the trend in Blessed Edward Jones' Catholic School was different as absenteeism was a problem amongst girls. The local education authority was monitoring this situation closely and in regular contact with the school with respect of the matter. The Catholic Church's co-opted representative for education scrutiny undertook to take this matter and other matters relating to the Catholic schools up with the Diocese.

Prior to the conclusion of the discussion the Lead Member for Education assured the Committee that the County's Education Department was very thorough and had a detailed profile of each pupil educated in the county, be they in the Authority's schools or elsewhere. The Committee then:

Resolved: subject to the above observations –

- (i) to receive the information on the performance of the County's schools and pupils against previous performance and external benchmarks which were currently available;***
- (ii) that a report detailing GwE's new structure, the anticipated impact and timelines for the realisation of the expected outcomes (including the targets that will be put in place to measure the impacts) be presented to the Committee at the earliest opportunity in the term of the new Council; and***
- (iii) that a report on the findings of the work to be undertaken measuring pupils progress from choosing their subjects in Year 10 to achieving their results at end of year 11 (including projected grades, intervention/support given and consequential final grades) be presented to the Committee when available).***

5 CORPORATE RISK REGISTER

Introducing the report (previously circulated), which sought the Committee's observations on the deletions, additions and amendments to the Corporate Risk Register, the Lead Member for Finance, Corporate Plan and Performance detailed the main amendments to the Register following the recent review. He advised members that the Register was a 'fluid' document and officers were keeping a watching brief on the risks and on potential new risks. Potential new risks on the horizon included Brexit, Funding of specific anti-poverty and reducing deprivation programmes, and public sector reform. Not enough information was available on these areas as yet to enable the Council to determine the risks they posed and any measures that could be implemented to mitigate any risks.

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

- the Corporate Governance Committee, which had examined the Risk Register process at its meeting the previous day had been satisfied that the process was a thorough one;
- the Future of Adult In-house Social Care Task and Finish Group would continue to meet once the new Council was formed, as the work involved with transforming the delivery of in-house care service would take some considerable time to be delivered in their entirety;
- risk number DCC014 relating to Health and Safety matters would always be classed as 'high impact' despite all necessary measures being put in place, due to the life threatening consequences posed by inadequate health and safety measures;
- the risk identified in respect of Betsi Cadwaladr University Health Board (BCUHB) (DCC021) related to the interfaces between the Council and the Health Board. Now that a Regional Partnership Board had been established the risk of poor communication and interaction, which could lead to a misalignment of priorities, had been reduced, hence the decision to reduce the risk score;
- a decision on a potential 'new approach' for administering the current 'Communities First' fund was expected from the Cabinet Secretary for Communities and Children on 14 February 2017. The Council was in the process of making representations to the WG on the importance of this source of funding for Denbighshire's most deprived wards, emphasising that the Authority could utilise the funding and maximise its use for the benefit of vulnerable residents in those deprived communities, ensuring that it was used to empower them to improve their resilience and become sustainable.

Committee members highlighted a number of areas which in their view could pose some considerable risk to the Council in future. These included:

- the digital era – this would had the potential to transform the way the Council transacted all its business. The Authority would need to be ready for this change and ambitious in the way it approached it to ensure that it was not left behind;
- the cost of social care in future was expected to 'outstrip' the available resources. The Council would therefore need to manage this risk closely. Central Government should also be making a concerted effort to try and address resource shortages in this area; and
- risks relating to post-surgical care of patients once it was determined that they would not require care in an acute hospital setting.

At the conclusion of the discussion the Committee:

Resolved: - subject to the above observations to note the deletions, additions and amendments to the Corporate Risk Register.

6 BRIDGE MAINTENANCE STRATEGY

The Lead Member for Public Realm introduced the report (previously circulated) outlining the method by which the Council managed its highway structure assets

and explained how it intended to manage its current backlog of work in relation to those structural assets. Via a PowerPoint presentation a Senior Engineer – from Highways and Environmental Services gave members an overview of the County's approach to managing its Highway Structures. He outlined the definitions for the different highway structures which made up the Council's Highway Structures estate along with the number of structures in each category:

- 150 highway bridges (53 of which were listed and a further 6 were scheduled);
- 258 culverts;
- in excess of 300 retaining walls; and
- more than 300 a Public Right (PROW) of Way bridges

If the Council had to replace all of the above it would cost it in the region of £313m. In addition to the Highway Act 1980 the Council also had a duty to maintain all scheduled or listed monuments (including bridges).

The Senior Engineer:

- outlined the Asset Management Process followed by the Council and the myriad of Advice Notes and BSEN safety standards with which it had to comply;
- detailed Denbighshire's Highway Asset Management Plan (HAMP) which set out local standards and the risk based approach adopted to the frequency of inspection – this approach, also adopted by other County Highway Authorities and the North and Mid Wales Trunk Road Agency, had saved the authority a substantial amount of money compared to complying with National Standards whilst not compromising asset users' safety;
- outlined the amounts of funding allocated from within the Highway and Environmental Service's Revenue and Block Capital budget for 2016/17 for highway structure management and advised that this equated to £445K;
- provided data on the number of structures which had been assessed as weak structures, some of which had already been placed under weight restriction orders. Details were given on the various weight restrictions usually applied on structures and the types of vehicles which would be affected by different restrictions. Whilst weight restrictions were applied on safety grounds they could potentially have an adverse effect on residents, business, community life and emergency vehicles' access to areas and properties;
- displayed photographic evidence of different highway structures and the various types of erosion/material deterioration incurred and repair undertaken or required on the a number of structures across the county;
- advised that the appendix to the report detailed both the revenue and capital costs associated with the structures in the proposed Highway Structures Backlog Works Project. The estimated cost of this project would be circa £6m over a 10 year period and would be jointly funded from the Highway Block Capital Budget, which had been increased by approximately £320K per annum. Undertaking the project over a 10 year period would ensure that other projects funded from within the Highway Block Capital Budget would not be adversely affected too much by having funding diverted from them to the structures project. During the course of this work bridges and retaining walls would be restricted in order to reduce the rate of deterioration and ensure that they did not

collapse. It was also proposed to increase the revenue budget to support the backlog programme and to maintain a planned preventative maintenance programme. A number of efficiency measures, including employing specialist staff rather than procuring services from external specialists, were being explored in order to realise value for money during the course of the project. The remainder of the proposed budget requirement would be subject to an additional capital bid in due course;

Responding to members' questions the Lead Member, Senior Engineer and Highway Service Managers advised that:

- the prioritisation list for maintenance work on structures was flexible and was subject to change on a regular basis due to sudden changes in their material conditions i.e. severe weather/flood damage; structural damage caused by vehicles etc.;
- issues such as third party ownership and access to some structures for maintenance work need to be worked through;
- structural assessments were generally undertaken using mathematical modelling ;
- it was only when assessing structures that the actual extent of damage/erosion could be fully confirmed. It was during such assessments that engineers also could establish whether structures were actually built on much earlier structures across a river etc.;
- very few councils met the National Standards for Highway Structures, the majority undertook a risk based approach towards their asset management;
- scour was a major problem as it was undermining the foundation of a number of structures;
- the loading format for agricultural vehicles was 'shared' more evenly compared to Heavy Goods Vehicles (HGVs) and consequently less highway structure damage was attributed to them;
- a regular programme of maintenance was undertaken on the county's largest bridge, the bridge spanning the river Clwyd on the Rhuddlan bypass. Modern bridges such as this one had been designed to have a 120 year lifespan, nevertheless they would require regular maintenance during their lifetime;
- Cadw had provided a financial contribution towards the work undertaken on the river Elwy Bridge at the bottom of the High Street in St. Asaph;
- the old bridge over the river Clwyd in Rhuddlan, now that it had been restricted to single lane traffic, was not considered to be at immediate risk as it was the external 19th century steel widening which was the cause of concern, not the earlier stone structure which was also listed;
- the benefits of dredging rivers below bridges had to be assessed on a bridge by bridge basis, as in some cases this could potentially cause more problems in the long term;
- a high level of trust existed between the Council's highways officers, heritage officers and Cadw which assisted repair work etc. to be undertaken swiftly when necessary, as happened when Pont Nantglyn suffered vehicle damage. The level of mutual trust between all parties ensured that the bridge was repaired within a short period of time and reduced the disruption for residents and local users;

- a number of meetings had taken place between Finance and Highways officers with a view to drawing up a deliverable backlog works plan, based on service efficiencies and a long-term spend to save strategy without the need to apply for prudential borrowing;
- officers had considered a 5 year backlog works plan but this would have incurred significantly higher costs;
- officers were in regular contact with neighbouring counties regarding conditions of structures which spanned rivers on the county's boundaries and which served as access routes to and from the county e.g. Pont y Ddôl, in the Trefnant ward;
- the Council did inform a number of satellite navigation programmes providers once weight restrictions were placed on structures or when any legal notifications relating to the highway system were published. It was the provider's responsibility to update its sat nav programmes;
- third party owners of bridges had the same responsibilities as the Council to maintain their assets. However the Transport Act of 1968 placed some financial liabilities on councils for strengthening some third party owned bridges; and
- the Council erected advisory signage where restrictions etc. were placed.

The Committee's representative on the Strategic Investment Group (SIG) confirmed that SIG had supported the proposals submitted for the Highways Structure Backlog Works Project and was recommending that County Council should approve them.

Members thanked officers for an extremely informative presentation and acknowledged that a staggering amount of investment would be required to raise all structures to National Standards. They were therefore of the view that the managed approach suggested in the report was a logical way of addressing the backlog and the risks identified. The Committee:

Resolved: - to support the approach being taken by the Service to manage the backlog of works in relation to highway structures assets as per the suggested Highway Structure Backlog Works Project.

7 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 in Appendix 2, Cabinet Forward Work Programme at Appendix 3, and a table summarising recent Committee resolutions and advising on progress with their implementation was attached at Appendix 4.

The Committee considered its draft Forward Work Programme for future meetings, Appendix 1, and the following amendments and additions were agreed:-

- 16th March, 2017: The Committee agreed that Lead Members be invited to attend the meeting.

- To Bring forward the report on Local Housing Strategy from 27April to the 16 March 2017 meeting.
- To incorporate a report on Library Service Standards and performance on the 16 March 2017 meeting as proposed in Appendix 2(a).
- To cancel the meeting scheduled for the 27 April 2017.

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

8 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Barry Mellor (Chair) informed the Committee he had recently become a Governor of Blessed Edward Jones R.C High School and was very optimistic that the new Chair of Governors at the school will have a positive impact.

Meeting concluded at 12:50