

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 26 April 2018 at 10.00 am.

PRESENT

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

Co-opted Members Kathleen Jones, David Lloyd and Gareth Williams were in attendance for business items 5 and 6 and the update on Denbigh College

ALSO PRESENT

Councillors Huw Hilditch-Roberts (Lead Member for Education, Children and Young People) and Julian Thompson-Hill (Lead Member for Finance, Performance and Assets) attended at the Committee's request for business item 5, 6 and 7 respectively).

Chief Executive (JG), Head of Education & Children Services (KE), Senior School Improvement Officer – Secondary (JM), Strategic Planning Team Manager (NK) and Strategic Planning & Performance Officer (EH)

1 APOLOGIES

Apologies were received from Councillor David Williams and Co-opted Member Mike Hall

2 DECLARATION OF INTERESTS

Declarations of a personal interest were submitted by Councillors:

- Ellie Chard – Governor Ysgol Tir Morfa and Ysgol Mair
- Martyn Holland – Governor Ysgol Bro Famau
- Huw Jones – Governor of Ysgol Caer Drewyn and Ysgol Carrog
- Arwel Roberts – Governor Ysgol Y Castell and Ysgol Dewi Sant
- Peter Scott – Governor Ysgol Brynhyfryd and St Asaph VP School and
- Graham Timms – Governor Ysgol Dinas Bran

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters were raised.

At this juncture the chair welcomed the Council's new Chief Executive to her first meeting of the Committee. He wished her well in her new role with the Council. The Chief Executive responded stating that she was looking forward to the new role and thanked councillors and staff for the warm welcome to the Council.

4 MINUTES OF THE LAST MEETING

The minutes of the meeting of the Performance Scrutiny Committee held on 15 March 2018 were submitted.

RESOLVED that the minutes of the Performance Scrutiny Committee meeting held on 15 March 2018 be received and approved as a correct record.

5 PUPIL PROGRESS FROM YEAR 10 TO YEAR 11 (KS4)

In welcoming the Lead Member for Education, Children and Young People, the Head of Education and Children's Services and the Senior School Improvement Officer – Secondary to the meeting to present the first report, the Committee congratulated them on their hard work which had resulted in Estyn, following its recent inspection, judging the Service to be achieving good outcomes, delivering quality education services and to have excellent leadership and management. The leadership qualities of the Head of Education and Children's Services had been cited as "highly effective and exemplary", members congratulated her and asked her to convey their congratulation to all staff within the Service.

The Lead Member for Education, Children and Young People introduced the report (previously circulated) which sought the Committee to consider the findings of the study undertaken on Year 10 pupils from choice of subjects to attainment. During his introduction the Lead Member informed the Committee that the Council's Corporate Plan for 2017-2022 included an ambition to see every child that was achieving the expected standard at the end of primary school, achieving as a minimum 5 GCSEs A* - C (including English or Welsh and Maths) by the end of secondary school. Estyn had referred to this ambition in its recent report.

The Head of Service advised that the Council acknowledged that a deficit in attainment existed between Key Stage (KS) 2 and KS4, with performance dipping significantly in the region of 20% to 25% between both key stages. Officers had devised a number of intervention measures to support pupils transferring from primary to secondary schools in a bid to make sure that they did not become excluded or disengaged with the education process and consequently under achieve, as this could impact on their life outcomes. Listed in the report were the different types of support and intervention measures available to pupils. A number of intervention measures could be triggered if a pupil was beginning to disengage with the education system i.e. by the use of the TRAC system. This system would identify the most appropriate type of support for a pupil on an individual basis, including the most effective educational environment required to support their

learning to ensure the pupil thrived and achieved their potential. However, it was important to realise that not all pupils would achieve the Level 2 inclusive threshold at KS4, nevertheless the aim was to ensure that they would achieve to the best of their ability.

Denbighshire tracked each individual pupil from the day they entered the County's education system until the day they left. Whilst the local authority knew its pupils and their needs very well, it probably needed to evidence its processes and the extent of its knowledge better. Appendix 1 to the report contained an example of a tracking matrix used to monitor the progress of pupils identified as having special educational needs (SEN), or who qualified for free school meals (FSMs), had English as an additional language (EAL), or were regarded as transient pupils. This matrix profiled each pupil who may require additional support. The use of this matrix ensured that all factors were taken into account when determining the type of additional support they required. When determining the type and level of any additional support required officers would also have regard to a pupil's attendance record, behaviour and any school exclusions imposed.

Whilst accountability measures were due to change again during the 2018/19 academic year which would further complicate the process of identifying support needs, every effort was being made to develop a system that would identify all pupils requiring support to enable appropriate intervention strategies to be put in place.

Responding to members' questions the Lead Member, Head of Service and Senior School Improvement Officer – Secondary advised that:

- The matrix document had been developed to be used by all school based education staff, both primary and secondary sector i.e. Headteacher, Head of Year, Head of Department, Education Service officers including the Head of Education and Children's Services. School based staff used it to determine and put in place appropriate intervention measures. GwE also held similar information and the Education Service at their regular meetings with GwE would triangulate the evidence held and challenge any support they provided to ensure it was appropriate for each pupil based on their individual profiles. The Head of Service illustrated an example of how support had been identified and put in place for an individual pupil using the profile built up on the matrix;
- Officers acknowledged that the transition between primary and secondary education was more challenging for some pupils than others, resulting in some who performed well at primary level not performing as expected following transition. However, due to the amount of data the Service had on each pupil they could identify pupils who struggled following transition early on to enable sufficient intervention and support to be put in place to ensure that they would achieve their full potential by the end of their period of statutory education;
- information was held on which primary school a pupil had attended prior to entering the secondary sector, therefore officers could identify any developing patterns or trends of under achievement. However, none of the

county's primary schools were subject to any Estyn measures, they were all performing well;

- since the introduction of KS3 the curriculum had not been revised. This had been recognised nationally as a problem and work was underway to revise its contents to better suit future needs;
- If anomalies came to light between teacher assessments and national test results Education officers would examine such anomalies to ensure that the teacher assessment process was robust and challenging. Any anomalies would also be discussed with GwE at the fortnightly meetings held between Education Service staff and GwE officers;
- one trend identified under the individual pupil profiling process used by the county was that pupils who performed well in maths and sciences generally tended not to perform as well in English or Welsh language, and vice-versa;
- the fact that English or Welsh literature examination results no longer counted towards attaining the KS4 Level 2 inclusive threshold was proving to be a challenge;
- pupils who transferred from English-medium primary education to Welsh-medium secondary education were introduced to the language and terminology via the immersion provision. Their progress was tracked on a regular basis via the database;
- Ysgol Brynhyfryd had developed a very sophisticated tracking database for its pupils, which seemed to be extremely effective. Other schools within the county were now adopting elements of this system and adapting them to suit their data analysis needs; and
- if officers suspected that a school was presenting inaccurate or invalidated data they would be robustly challenged by the Head of Education and Children's Services

Responding to members' concerns on whether the Council had set itself up to fail due to the extent of its ambition in respect of the pupil achievement element of the corporate priority relating to young people in its Corporate Plan, the Head of Service advised that the aim was to make sure that the county's pupils achieved to the best of their ability within an imperfect system.

Members thanked the Lead Member and officers for the report and explanations, and:

Resolved: subject to the above observations and reassurances given that the Committee was confident that all pupils were supported to achieve their full potential at Key Stage 4

6 BEHAVIOUR MANAGEMENT IN DENBIGHSHIRE SCHOOLS

Introducing the report and appendices (previously circulated) which summarised the trends in permanent and fixed term exclusions the Lead Member for Education, Children and Young People advised that the report had been requested by a member who had concerns about the number of fixed term exclusions of five days or less within the county's schools. During his introduction the Lead Member advised that whilst Estyn, as part of its recent inspection of the Council's Education Service, had examined this particular area it had not made any specific

recommendations in relation to school exclusion rates or policy. The Lead Member emphasised that the Council had an ambition and a policy to keep children in school and to support them through their education. Permanent exclusion from school was the very last resort, when all other interventions had failed, short –term exclusions were therefore high in a bid to address problems escalating to a need to permanently exclude a pupil, as permanent exclusion was likely to result in the pupil becoming ‘not in education, employment or training’ (NEET), disengaged, under or not achieving and therefore impacting on his/her eventual life outcomes.

The Head of Education and Children’s Services advised that:

- the rate of fixed-term exclusions was higher in secondary schools than in primary schools;
- fixed-term exclusion rates were higher in primary schools located in areas of deprivation in comparison to other primary schools;
- the County’s Education Service made sure that all exclusions, both fixed term and permanent, complied with the relevant legislation. Consequently schools were not permitted to send pupils home to ‘cool off’ etc. as they had a statutory duty of care towards the child and to ensure his/her safety;
- officers were confident that the figures reported were accurate; correct data was key to enable the Service to provide the appropriate intervention and support needed;
- the challenge for the Service lay with the complex behaviours displayed by some pupils in certain schools, generally linked to adverse childhood experiences (ACE). There was therefore a need to examine each individual child’s background in order to understand what triggered their behaviour; and
- in a number of cases a short-term exclusion period of one to two days was sufficient reprimand without recourse to further expulsion

Responding to members’ questions the Lead Member, Head of Education and Children’s Services and Senior School Improvement Officer – Secondary:

- advised that all pupils were tracked throughout their education journey in Denbighshire, be they in mainstream or special schools;
- pupils identified with special educational needs (SEN), additional learning needs (ALN) etc. would be provided with appropriate support to meet their needs. If their behaviour became more challenging the Education Department would work with the schools to support them, including through transition from primary to secondary education and further education if required. Officers outlined the process followed in devising appropriate intervention to meet an individual pupil’s needs;
- advised that one of the reasons behind the increase in the number of fixed-term exclusions of 5 days or less during 2015/16 was that one high school had a change of headteacher, with the new headteacher being less tolerant of bad behaviour;
- confirmed that the County had not changed its School Behaviour Management Policy in recent years. As a service the Education Service’s responsibility was to ensure that individual schools were following the correct procedures and implementing appropriate intervention measures to support the pupil concerned to achieve their potential whilst avoiding disruption to other pupils’ education;

- acknowledged that whilst the number of fixed-term exclusions of 5 days or less in the county did seem consistently higher than other North Wales local authorities they were satisfied that the measure was being used effectively for the purpose of ensuring that appropriate intervention measures were put in place to avoid further exclusion and reduce the likelihood of the pupil becoming NEET. Work was underway at present with schools in a bid to reduce the number of fixed-term exclusions through the provision of behavioural support services on site at the schools. A list of alternative solutions to fixed-term exclusions was included in the report. Denbighshire had a good track record of managing learners who were at risk of becoming disengaged, and was keen for its reputation in this area to be further enhanced;
- advised that a significant amount of training had been undertaken with school-based staff on identifying special and additional needs in pupils e.g. autism and dyslexia. Ysgol Plas Brondyffryn offered an outreach service to mainstream schools with respect of supporting pupils with autism. The Service promoted to schools the opportunity for them to undertake the Autism Accreditation programme, at the conclusion of which they could be awarded the Autism kite mark which would show that they were autism-friendly establishments. The Service also liaised with specialist support groups in relation to pupils' needs, this work was key to understating the needs of people supporting pupils with autism. In addition, the Service worked closely with the Child and Adolescent Mental Health Service (CAMHS). However it would not wait for an official diagnosis before putting support and intervention measures in place for pupils displaying mental health, autism or dyslexia behaviour. Interventions would be put in place at the earliest opportunity and could be reviewed following receipt of the CAMHS diagnosis;
- informed members that the Service also endeavoured to reduce class sizes in schools with a view to creating a positive and supporting learning environment;
- acknowledged that whilst an increase from circa 30 to 70 pupils per 1,000 pupils in the number of fixed-term exclusions of 5 days or less within a period of 3 to 4 years seemed extremely high, it was important to understand that in recent years the county's schools had been dealing with some very complex behavioural problems which required some considerable amount of intervention. There was always an underlying reason which led to pupils displaying challenging behaviour in school;
- advised that the bringing together of the Education Service and Children's Services under a single head of service had helped schools and Education Service staff to access specialist support services earlier and to ensure that sufficient support was available for individual pupils both at school and at home; and
- offered members to visit both the Ysgol Plas Cefndy, the Pupil Referral Unit (PRU), n Rhyl and the Stepping Stones facility in Ruthin to see the work undertaken there

At the conclusion of the discussion the Committee acknowledged that the county's approach towards reporting school exclusion data was accurate and honest. Members agreed that exclusion should be considered as a last resort, when all else

failed. The provision of restorative interventions with a view to improving behaviour and engagement and avoiding slippages was key in order to avoid further costs to society in future. Members:

Resolved: subject to the above observations –

- (i) to support the Council's approach towards behaviour management in the county's schools;***
- (ii) to request that an 'Information Report' be prepared and circulated to members following the publication of the 2016-17 data on school exclusions in Wales, detailing the school exclusion figures for Denbighshire, including details for each individual school in the county and the reasons why pupils had been excluded; and***
- (iii) that a visit be arranged for Committee members and co-opted members to Ysgol Plas Cefndy and the Stepping Stones facility***

Prior to leaving the meeting the Head of Education and Children's Services briefed members on the outcomes of a meeting she had attended with representatives from Grŵp Llandrillo Menai on their proposed future arrangements for students following the Group's recent announcement that their facility at Denbigh would close.

Members were advised that:

- the Council had been given assurances that the courses currently provided at Denbigh College would be available to current students at the Group's other sites;
- the majority of students currently attending the Denbigh site lived in the north of the county;
- the Group was currently exploring options for re-structuring its provision in a bid to save on costs, Denbigh College had the fewest number of students of all its sites. The number of courses available there were limited, this coupled with the number of students accessing the courses being low made its future unviable;
- the Group planned to deliver some courses in Denbigh in future, these would be delivered at 'Yr Hwb'
- the Group was continuing work with a view to securing the future of the building; and
- the Council would continue to work with the Group in relation to post 16 transition provision and opportunities to fill the deficit provision for Ysgol Plas Brondyffryn students following the College's closure.

The Head of Service confirmed that, in term of mainstream provision, the Council was satisfied with the provision the Group was proposing to provide in future.

7 CORPORATE RISK REGISTER REVIEW, MARCH 2018

The Lead Member for Finance, Performance and Assets introduced the report and appendices (previously circulated) which presented to the Committee the formally updated version of the Council's Risk Register for consideration. As part of his introduction the Lead Member highlighted the main changes to the risk register as outlined in Appendix 1 to the report. At the conclusion of his introduction he

explained that the risk associated with local government re-organisation had been removed from the register recently. However, following the recent announcement that local government reform was again being considered the risk may appear again when the Committee next considered the Risk Register report. With respect of the new risk relating to the return on investment for Denbighshire from the Regional Growth Deal, he explained that this was a very new and unknown risk at present, hence the reason why its inherent and residual risk scores were identical at present. It was anticipated that as the project progressed the residual risk score would reduce. The residual risk score relating to the Council being able to deliver a balanced budget had increased. The decision to increase the residual risk score was based on the fact that going forward the actions needed to secure the delivery of balanced budgets would require some extremely difficult and unpopular decisions to be taken, which would attract unfavourable media coverage and had the potential to damage the Council's reputation.

Responding to members' questions the Lead Member for Finance, Performance and Assets and the Strategic Planning Team Manager:

- confirmed that for ease of reference in future they would provide the summary document of the main changes in a format which would group together risks which were in the same category i.e. new, removed, changed, no changes, with the covering report highlighting the pertinent changes;
- confirmed that issues of risk which were probably of more interest to the public i.e. highway condition, cemeteries etc. would be included in the Service Risk Registers. These registers fed into the more strategic Corporate Risk Register. Risks identified in Services Plans would be managed as part of the process to deliver the Council's Corporate Plan; and
- confirmed that future versions of the register would include the names of relevant Lead Members and risk owners rather than noted 'to be confirmed' (TBC).

At the conclusion of the discussion the Committee:

Resolved: subject to the above observations being actioned to confirm the deletions, additions and amendments to the Corporate Risk Register

8 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator (SC) presented the report (previously circulated) seeking Members' review of the Committee's work programme and providing an update on relevant issues.

Members enquired whether a representative from Kingdom would be in attendance when the Committee would be examining the company's performance in delivering enforcement action on the Council's behalf at its next meeting on 7th June. The Scrutiny Co-ordinator undertook to ask officers to invite the most appropriate senior officer from the company to attend.

The SC informed members that the National Report on Waste Management, due to be presented to the Committee at its June meeting had been rescheduled to the autumn as the report was yet to be published. The Committee:

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

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Arwel Roberts and Councillor Geraint Lloyd-Williams both praised a recent service challenge meeting which they had attended. Members asked that the latest list of scrutiny committee representatives on Service Challenge Groups be circulated to them.

Meeting concluded 12:42pm