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PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 29 November 2018 at 10.00 am.

PRESENT

Councillors Ellie Chard, Ann Davies, Martyn Holland, Hugh Irving (Vice-Chair), Huw Jones (Chair), Bob Murray, Arwel Roberts and David Williams.

Co-opted members Kathleen Jones Neil Roberts for agenda item 5.

Councillors Huw Hilditch-Roberts, Julian Thompson-Hill and Richard Mainon as Lead Members for items 5, 6 and 7/8 respectively.

Councillor Graham Timms present as an observer.

ALSO PRESENT

Chief Executive (JG), Head of Education & Children Services (KIE), Senior School Improvement Officer – Secondary (JM), GwE's Secondary Lead (PM-J), Strategic Planning Team Manager (NK), Head of Customers Communications and Marketing (LG), Service Improvement Manager (FA), Statutory & Corporate Complaints Officer (KR), Principal Manager - Support Services (AL), Scrutiny Coordinator (RhE) and Democratic Services Officer (KAE).

1 APOLOGIES

Apologies were received from Councillors Rachel Flynn and Geraint Lloyd-Williams and co-opted member David Lloyd.

The Chair welcomed Neil Roberts, the newly appointed Church in Wales education co-opted member, to his first meeting in his new role.

2 DECLARATION OF INTERESTS

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

- Huw Jones, governor at Ysgol Carrog and Ysgol Caer Drewyn;
- Ellie Chard, governor at Ysgol Tir Morfa;
- Martyn Holland, governor at Ysgol Bro Famau;
- Hugh Irving, governor at Prestatyn High School;
- Arwel Roberts, governor at Ysgol y Castell & Ysgol Dewi Sant;
- David Williams as a parent of a child in a Denbighshire school;
- Huw Hilditch-Roberts as a governor at Ysgol Brynhyfryd and Parent of a child in Denbighshire school;
- Graham Timms, governor at Ysgol Dinas Bran

Together with Co-opted member Kathleen Jones, Governor at Ysgol y Parc.

3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent items.

4 MINUTES OF THE LAST MEETING

The minutes of the meeting of the Performance Scrutiny Committee held on 27 September 2018 were submitted.

Matters Arising:

Councillor Martyn Holland expressed his appreciation for the inclusion of his comment summary that had been omitted from the minutes of the previous Performance Scrutiny Committee meeting.

Corporate Risk Register item 5 (page 8) - The Scrutiny Coordinator confirmed that the Performance Scrutiny Committee's observations were presented to Cabinet Briefing on 15 October 2018.

***RESOLVED** that, subject to the above, the minutes of the Performance Scrutiny Committee meeting held on 27 September 2018 be received and approved as a correct record.*

5 PROVISIONAL EXTERNAL EXAMINATIONS AND TEACHER ASSESSMENTS

The Lead Member for Education, Children and Young People introduced the Principal Education Manager and GwE Secondary Lead's joint report (previously circulated). The report provided the Committee with information on the verified Teacher Assessment results from Foundation Phase (FP) to Key Stage 3 (KS3) and the provisional Key Stage 4 (KS4) examination results for Denbighshire's pupils during the 2017/18 Academic Year.

During his introduction the Lead Member highlighted the fact that the attainment threshold for attaining grade 'C' in the English GCSE examination in the summer of 2018 had been increased by 20 points compared to the previous year. Consequently a total of 107 pupils in Denbighshire who, based on the 2017 scoring threshold, had been predicted to attain a 'C' grade in their English examination in the summer of 2018 had actually only been awarded a 'D' grade – across the GwE region a total of 700 pupils had been affected.

The Lead Member advised that all local education authorities in North Wales and GwE had raised their concerns about the disproportionate increase in the English GSCE threshold compared to other subjects and the detrimental effect it was having on pupils with the Welsh Government (WG). Education officials were currently seeking legal advice on the matter.

The Council's Head of Education and Children's Services (HoE&CS) advised members that the report was presented in a different format to previous years to comply with WG requirements. As National comparative attainment data for education key stages was no longer published there was no expectation on local education authorities to benchmark themselves against other authorities - although the regional education consortia could compile regional comparative data sets if they wished.

The HoE&CS advised that outcomes as the end of Key Stage 2 (KS2) had remained solid, a position which had been held for a number of years and which Estyn had acknowledged in its recent report following its inspection of the Council's education service.

Whilst the dip in performance at KS4 was a cause for concern it was important to bear in mind the reasons why this had happened and to have regard to the findings and conclusions of the Estyn Inspection of the Council's Education Service which had been extremely positive. Estyn was expected to make favourable references to Denbighshire's education services in its Director's Annual Report, due to be published in December 2018.

Appendix 1 to the report contained the draft joint report with GwE on educational performance in Denbighshire. The format and structure for this report had been agreed across the region to ensure that the same type of information was reported to all local authorities and in the same format.

The Committee was advised that:

- whilst Denbighshire pupils' performance at the FP had decreased slightly during the assessment period under consideration, the dip in performance had been less than that recorded both regionally and nationally. This dip in performance was mainly attributed to more challenging outcome descriptors being used when assessing outcomes in language and mathematics;
- KS2 results had continued to improve as expected as in previous years. Looking ahead the Council and GwE had identified a need to tackle the impact of deprivation on educational attainment, as well as how to support high achievers as part of their primary education focus for the future;
- performance remained strong at KS3 and remained broadly in line with national performance. Denbighshire pupils' performance against the Core Subjects Indicator (CSI) had been good despite a slight decrease in mathematical performance. This was attributed to the fact that there had been a slight increase in performance in English and a significant increase in pupils' performance in Welsh. Officers acknowledged that schools needed to change the way they challenged and used KS3 data in order to secure continual improvement. In addition, more work was required in relation to improving the performance of pupils in receipt of free school meals (FSM) against the CSI;
- due to the changes introduced to the KS4 examinations process during 2016-17 the performance data remained subject to a significant amount of volatility, hence the reason why there had been a dip nationally in performance in the summer 2018 examinations. This dip had been further compounded by the significant change in the attainment threshold for

English and mathematics for the summer 2018 examination, and the limitation of only one Science subject to be included in the Capped 9 score. Whilst Denbighshire's decrease in performance against the Capped 9 score of minus 10.4 seemed at face value to be significant, given the context of the changes introduced to the external examination system during recent years the decrease in performance was understandable. Denbighshire's Education Service was very proactive in both challenging and developing new indicators and would therefore challenge the effectiveness of the new set of indicators;

- Denbighshire's schools were focussed on supporting each individual pupil to achieve and to realise their full potential. The Authority and its schools viewed all pupils as equals who were entitled to receive appropriate support in order to ensure they succeeded to the best of their ability. A quality acknowledged by Estyn; and
- to attain a Grade 'C' in the English GCSE examination in the Summer of 2017 a student was required to score 200 points, for the November 2017 examination the threshold had increased to 206. However, by the summer of 2018 it transpired that the threshold had increased to 220, without any prior notification to education authorities or schools. The WJEC, the Examinations Board, had adopted a similar approach to the mathematics GCSE examination. All Directors of Education in North Wales, GwE and head teachers agreed that this was unfair and inconsistent with previous practice, but despite concerns being raised with both the WJEC and Qualifications Wales no satisfactory answer had been received. Consequently, the Lead Member had raised these concerns with the WG's Cabinet Minister for Education seeking her to hold an inquiry. Such significant changes in threshold boundaries made it extremely difficult for teachers to be able to support pupils through the examination process. As all local authority schools in Wales were obliged to enter their pupils for WJEC examinations - and could not enter them for examinations administered by other examination boards - pupils could be disadvantaged when competing for further and/or higher education places against pupils from England and/or independent schools. Whilst there was no indication that the WJEC or Qualifications Wales were going to reconsider the 2018 gradings it was important, having regard to the changes yet to be implemented to the examinations system, that such significant threshold changes were not introduced in future without prior notification.

GwE's Secondary Lead requested that his personal gratitude to Denbighshire Head of Education and Children's Services and the Department's staff for standing up for the county's schools and speaking up for the pupils be recorded. In his view it was encouraging that they ensured that the county and the region's voices were being heard on a national basis.

Responding to members' questions the Lead Member, Head of Education and Children's Service, Principal Education Manager and GwE's Secondary Lead:

- assured members that the Service could 'track' each individual pupil's progress and attainment throughout their education period. The data held on each pupil included information on any challenges which may affect their educational performance; be that medical, physical, mental or home

environment pressures. That level of detail helped the Council ensure that appropriate and timely intervention and support could be offered to the pupil, and if necessary the family, to help each child realise their full potential. Members were advised to contact officers if they wished to see the type of data used by the Service to 'track' each pupil;

- advised that one of Denbighshire's strengths was that it could 'track' the performance of pupils who were educated other than at schools (EOTAS). It included these pupils in its performance data, not all authorities included EOTAS data in their returns. As the Council was aware of EOTAS pupils it could monitor their progress, provide support if required and comply with its safeguarding duties and reduce the risk of Child Sexual Exploitation (CSE). Some local authorities did not include their EOTAS pupils in their returns, therefore if they did end their education without a qualification this was not reflected in their data returns. However, home schooled pupils were not included in the results data, as there was no requirement to include them, but Denbighshire was aware of who they were;
- confirmed that the Foundation Phase Assessment Framework Areas of Learning (AoL) in relation to language, literacy, communication and mathematics was proving to be useful for the Authority, as it assisted the Education Service to identify learning barriers at an earlier stage and enabled it to provide appropriate intervention early on in a pupil's education journey. The Education Service had worked with the Health Service on a piece of work focussing on deprived areas, that had highlighted that speech and language development problems were more prevalent in areas of high deprivation;
- agreed that the absence of comparable data for benchmarking purposes was disappointing. Nevertheless, it was hoped that some comparative information would be available by the time the verified results were due to be scrutinised;
- confirmed that there was a risk that the KS4 data for 2019 could also be distorted, similar to the situation in 2018, due to the Science qualification being reviewed;
- advised that the term 'Welsh first language' applied to those pupils who received their education via the Welsh medium education system in the county, be they from Welsh speaking homes or otherwise. Denbighshire was currently performing well in relation to Welsh language skills in both the Welsh medium sector and in Welsh second language sector. With the introduction of the new curriculum Welsh as a second language would cease and all pupils would be assessed on Welsh first language skills;
- emphasised that the Free School Meals indicator was a crude performance indicator used to gauge the level of deprivation and the support required at a school. It varied between schools. Local analysis of this indicator was key to ensure that each child was provided with the correct level of support to meet their specific needs;
- advised that there were approximately 44 pupils across the county's schools whose behaviour was having an adverse impact on other pupils. The Authority was working with the Police, colleges and other stakeholders to support these pupils and address the issues which caused them to behave badly. This was an extremely complex area of work, which required a medium and long-term approach as well as the involvement of a number of

different agencies as these pupils generally were not engaging with the wider community;

- confirmed that the composition and role of the Schools Standards Monitoring Group (SSMG) was currently under review;
- explained that whilst the local authority tracked each pupil's progress regularly in order to adequately support them to attain their projected grades, it had no prior knowledge that the WJEC was intending to increase the threshold for a 'C' grade to 80 for mathematics and 220 for English. That may potentially have affected some pupils' post 16 options, particularly in relation to apprenticeships.

School sixth forms and colleges were aware of the problem caused by the increase in threshold and had consequently relaxed their entry criteria to enable pupils to re-sit the examinations with a view to gaining the required grades, bearing in mind that the increase in the points required to gain a 'C' grade would also entail an increase in 'B' and 'A' grade thresholds;

- confirmed that the Council did have responsibilities with respect of gypsy and traveller families and children. Once the Authority had been alerted that a gypsy or traveller family had moved into the area the Education Safeguarding Officer would visit the family to offer support and guidance. The Authority did have residential gypsy and traveller children being educated in the county's schools. Whilst it often proved challenging to persuade travelling families to enrol their children in a local school and make every effort to ensure they attended, the specialist officer was very experienced and did encourage families to engage with the education system; and
- agreed that some comparative data would be provided with the verified results report in early 2019, but members were very welcome to visit the Service on an individual basis to go through data and see how they used the data available to challenge schools and to arrange appropriate support for pupils.

At the conclusion of the discussion the Committee

Resolved: - subject to the above observations –

- (i) to acknowledge the performance of schools against previous performance, and support the areas identified for improvement;***
- (ii) that a letter be sent on the Committee's behalf to Qualifications Wales registering members' concerns and disappointment in relation to the significant increase in the 'C' grade threshold for the summer 2018 GCSE English examination in comparison to the 2017 threshold, and its consequential adverse effect on students; and***
- (iii) that the report scheduled for presentation to the Committee in January 2019 on the Verified External Examination Results include actual numbers as well as percentage figures, and where possible regional comparative data, along with data on absenteeism and exclusions rates at each of the County's school.***

6 CORPORATE PLAN QUARTER 2 2017/ 2022

The Lead Member for Finance, Performance and Strategic Assets introduced the Strategic Planning Team Manager's report and appendices (previously circulated) which presented the Committee with an update on the Council's performance on delivering its 2017-2022 Corporate Plan as at the end of the second quarter of 2018-19. He drew members' attention to the Executive Summary report on progress to date - Appendix 1, Appendix 2 which contained the full quarterly performance report, and Appendices 3 and 4 which contained a summary of the projects underway with a view to realising the overall Plan and their current statuses, advising that both Cabinet and officers were currently satisfied that progress to date was as projected.

The Strategic Planning Team Manager highlighted a number of points and decisions taken recently in relation to each corporate priority in the Plan:

- **Housing priority:** the new Affordable Housing Register, Tai Teg, had recently been re-launched in partnership with Grŵp Cynffin. The largest user group for this register was expected to be 25 to 34 year old employed people
- **Connected Communities:** there had been an improvement in 4G coverage in the county in recent months, it was now in line with the national average for Wales. A project on Digital Access Points had been presented to the Digital Futures Board during the summer. Due to the project's potential inability to deliver long term change and realise value for money a decision had been taken not to proceed with the project
- **Resilient Communities:** this priority remained as a 'priority for improvement' status due to the fact that work was underway to bring a number of different services and agencies together to work on developing a Supporting Carers Project and a business case for an 'Acting to reduce Domestic Abuse in Denbighshire' project. Work was also underway on a project relating to the county being a 'Dementia Friendly' county
- **Environment:** work was continuing with a view to ensuring that the Council's housing stock would all achieve an energy rating of 'C' by the end of the Corporate Plan
- **Young People:** the Denbighshire Employment Bursary was in the process of being launched.

Responding to members' questions the Lead Member and the Strategic Planning Team Manager:

- reassured the Committee that despite the programme dashboard indicating an 'at risk' status for the new area school for Ysgol Carreg Emlyn the project was not at risk and building work was well underway. The risk status was thus due to the initial delay encountered in identifying a preferred site;
- advised that the locations for extra care housing projects were determined by the need for that type of accommodation in an area coupled with the economic viability of operating that type of facility. Extra Care accommodation would require to comprise of a sufficient number of units to ensure that its operating costs were met;
- confirmed that services and support to Carers featured prominently in the Corporate Plan. The Council's Carers Strategy had recently been examined

by Partnerships Scrutiny Committee and an Information Report on the support available to Young Carers was due to be circulated to members of that Committee in the near future. The Communities and Environment Corporate Priority Project Board had recently considered a business case in support of the Carers Strategy;

- informed the Committee that the 2,200 tree planting programme in Rhyl and Upper Denbigh was funded externally and linked to the well-being agenda, hence the reason that the planting programme was limited to the county's most deprived council wards. The Council's Countryside Services was actively working with schools, city, town and community councils in relation to other tree planting projects and opportunities;
- advised that the Council's Customers, Communication and Marketing Service was working with the Tai Teg Scheme with a view to promoting it and drawing its existence to residents' attention;
- advised that the decision on what constituted an 'affordable property' was determined based on a graded national formula;
- confirmed that a business case had recently been approved to facilitate the appointment of an Empty Homes Officer; and
- confirmed that a Communications Strategy for the Programme Boards projects was a standing item on both Boards' business agenda

Members welcomed the inclusion of the project around Denbighshire Working Toward Being Dementia Friendly with the Alzheimer's Society within the Resilient Communities corporate priority and the proposal to include activities to support parents as part of the Young People Corporate priority.

The Committee registered their concerns in relation to the increase in the number of domestic abuse incidents being reported, but acknowledged that this was partly as a result of a change in the way incidents were recorded and awareness raising campaigns.

Committee members requested that community bio-diversity events, such as tree planting activities, were publicised to a wider audience in order to improve participation and that more collaborative working took place between the County Council, city, town and community councils and local businesses with respect of tourism work and initiatives.

At the conclusion of the discussion the Strategic Planning Team Manager and Scrutiny Co-ordinator undertook to obtain:

- figures on the number of people helped to access housing via different government schemes and information on what was deemed as satisfactory performance in relation to helping people to buy their home;
- information on the support available to countryside and biodiversity initiatives across the county from the team based at Loggerheads;
- information on the length of the maintenance agreements associated with the trees planted under the PLANT tree planting scheme; and
- details on when a report on a Tourism Signage Strategy for the county would be presented to Communities Scrutiny Committee

It was:

Resolved: - subject to the above observations and the provision of the requested information to acknowledge the Council's performance, at the end of Quarter 2 2018-19, in delivering its Corporate Plan and improving outcomes for the county's citizens

7 YOUR VOICE COMPLAINTS QUARTER 2

The Lead Member for Developing Community Infrastructure introduced the Statutory and Corporate Complaints Officer's report and appendices (previously circulated) which detailed the Council's performance in dealing with customer feedback during the second quarter of the 2018-19 reporting year. The report also provided specific examples of how Council services had used the information gleaned from complaints and feedback to improve services for the future.

Recent quarterly reports on the complaints process had indicated consistently excellent performance in dealing with and resolving complaints. The only complaint which had missed the target date during quarter 2 was a Stage 2 complaint relating to the Planning and Public Protection Service, on which the target date had been missed due to human error. On the basis of the Council's consistent good performance in dealing with complaints the Committee:

Resolved: -

- (i) to acknowledge the consistent excellent performance in responding and resolving complaints submitted under its 'Your Voice' customer feedback policy and statutory complaints procedure; and***
- (ii) that in future the report be submitted to the Committee on a quarterly basis as an 'Information Report' to enable it to continue to monitor policy compliance and call-in any Service who regularly under-performed or failed to comply with the 'Your Voice' policy and procedure***

8 CUSTOMER EFFORT DASHBOARD

Customer Effort Dashboard – Q2 Update Report: the Lead Member for Developing Community Infrastructure introduced the Service Improvement Manager's report and appendices (previously circulated) which provided the Committee with an overview of the customer effort and customer satisfaction results derived following their contact with the Council. The appendices included the annual performance report on Services' effectiveness in dealing with enquiries (which included actual figures as well as percentages), examples of customer verbatim and proposals for future service improvements, along with an overview of the long-term trend in relation to public satisfaction with the way the Council dealt with their enquiries.

Members were advised by the Service Improvement Manager (SIM) that statistics which illustrated the least effort the public had to put in to pursuing their enquiry equated to a better performance on a Service's behalf in dealing and resolving an

enquiry. The SIM also advised that work was currently underway, as part of the delivery of the 'Connected Communities' corporate priority of the Corporate Plan, to upgrade the Council's website to enable and encourage more residents to transact their business with the Council electronically. A business case relating to this, which would include work to upgrade the Council's website, was scheduled to be submitted to the Communities and Environment Programme Board in January 2019.

At the conclusion of the discussion the Committee:

Resolved: that following consideration of all the information and data provided -

- (i) to acknowledge the continuous increasing trend in public satisfaction with the Council's performance in dealing with their enquiries; and***
- (ii) that in future the Customer Effort Dashboard report be submitted to members on a six-monthly basis as an 'Information Report' to enable them to continue to monitor public satisfaction with Services' performance in dealing with enquiries and facilitate the Committee to call-in any Service that regularly under-performed in this aspect of delivering their services***

9 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator presented to the Committee the forward programme. Members were informed that the next meeting had a potentially heavy workload and asked whether members would like to reschedule specific items.

Library Service Standards – Due to the delay in Welsh Government assessing this year's reports on public library standards this item had been deferred to the next meeting in January 2019.

That meant that there were now potentially five items (including the weighty subject of Verified External Examinations and Teachers Assessments) scheduled for January's meeting which raised concerns over feasibility. The Committee agreed to defer the items on the Effectiveness of Wellbeing Impact Assessments and the Draft Fleet Management Strategy to a later meeting leaving January's 2019 agenda to include:

1. Verified External Examinations and Teachers Assessments.
2. National Report on Waste Management in Wales and
3. Library Service Standards 2017/18.

At October's Scrutiny Chairs and Vice Chairs Group meeting the Group had requested that Performance Scrutiny Committee should consider a report on Housing Services at its March 2019 meeting.

The Scrutiny Coordinator drew members' attention to a copy of the "Member's proposal form" that had been included in Appendix 2. The Scrutiny Co-ordinator asked the Committee if they had any items to submit for scrutiny to complete proposal form and submit to herself by the middle of the following week, in order

that they could be considered at the next Scrutiny Chairs and Vice-chairs Group meeting.

Members were reminded that progress with the Committee's resolutions could be found in appendix 4.

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

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

There was no feedback to be reported.

Meeting closed at 13:00

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