

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Council Chamber County Hall and by video conference on Thursday, 14 July 2022 at 10.00 am.

PRESENT

Councillors Ellie Chard, Jon Harland, Carol Holliday, Hugh Irving (Chair), Paul Keddie, Terry Mendies and Gareth Sandilands (Vice-Chair).

Co-opted Members for Education, Kathleen Jones and Neil Roberts for items 5 and 6.

The Lead Member for Education, Children and Families, Councillor Gill German for items 6, 7 and 8

The Lead Member for Health and Social Care, Councillor Elen Heaton for items 7 and 8

ALSO PRESENT

Corporate Director: Communities / Director of Social Services (NS)

Head of Education (GD)

Interim Head of Service, Business Support Services (AL)

Interim Head of Service, Operational Services (DS)

Head of Children Services (RM)

Principal Education Managers (MG) & (JB)

Inclusion Officer – Additional Learning Needs (ALN) Implementation (JE)

Scrutiny Coordinator (RhE)

Committee Administrator, Host (KJ)

Democratic Services Officer, minutes (KE)

System Leader for GwE – North Wales (JC) for item 5.

Observers: Councillor Emrys Wynne and Gwilym Bury (Audit Wales).

1 APOLOGIES

Apologies for absence were received from Councillors Alan Hughes, Geraint Lloyd-Williams and co-opted member Terry Flanagan.

2 DECLARATIONS OF INTEREST

The following members declared personal interests in business items 5 & 6 as governors at Denbighshire County Council schools:

Councillor Hugh Irving – Prestatyn High School

Councillor Carol Holliday – Ysgol Clawdd Offa

Councillor Ellie Chard – Ysgol Tir Morfa and also Chair of the Council's Standing Advisory Council for Religious Education (SACRE)

Councillor Gareth Sandilands – Ysgol Clawdd Offa

Neil Roberts – Ysgol y Parc

3 URGENT MATTERS AS AGREED BY THE CHAIR

No items of an urgent nature had been raised with the Chair or the Scrutiny Co-ordinator prior to the commencement of the meeting.

4 MINUTES OF THE LAST MEETING

The minutes of the Performance Scrutiny Committee meeting held on 9 June 2022 were submitted. It was:

Resolved: - that the minutes of the meeting held on 9 June 2022 be received and approved as a true and correct record of the proceedings.

No matters were raised with regards to the contents of the minutes.

5 CURRICULUM FOR WALES

The Lead Member for Education, Children and Families introduced the report (previously circulated) that reviewed the progress of the implementation of the new Curriculum for Wales. The report was produced in partnership with GwE who would be supporting schools with the implementation of the new curriculum.

The Committee were advised that it was a very different type of curriculum than previously followed, more skills based and less prescriptive. Schools were encouraged to shape the curriculum around their learners. The curriculum would be statutory in all Welsh primary schools from September 2022 and secondary schools from September 2023.

The Head of Education explained that whilst the new curriculum was not prescriptive it gave a clear structure to ensure that Denbighshire's 16,500 students became ambitious, capable, enterprising, creative, healthy, confident and ethically informed.

A statutory requirement to include Relationships and Sexuality Ethics (RSE) was a requirement in the Curriculum for Wales commencing September 2022, mandatory for learners age 3 to 16 years. Similarly, Religion, Values and Ethics (RVE) would be a statutory requirement but its syllabus determined locally. In Denbighshire the Standing Advisory Council for Religious Education (SACRE) had recommended to adopt the RVE guidance produced by Welsh Government as the Denbighshire Agreed Syllabus.

The Committee were advised that the curriculum would follow a thematic approach that focussed on skills rather than content and whilst a subject may still be taught on its own e.g. mathematics, it may also be incorporated in another topic area e.g. humanities.

Consultation was ongoing for G.C.S.E. and A level qualifications examination style and their equivalent - pending implementation of the secondary school curriculum -

but there was still an expectation that there would be numeracy, literacy and scientific qualifications etc.

Historically reports on education results, key stage assessments and national result comparisons had been presented regularly at Performance Scrutiny Committee. The change of focus to local adaptations of the syllabus and less on result outcomes meant that the method of reviewing performance would need to change. Whilst standardised testing would still be available the previous benchmarks they were measured against would not. Work was ongoing to agree a meaningful format to present to future scrutiny committees.

Responding to the Committee's questions Denbighshire and GwE officers advised:

- The negative impact on the learner's mental health when faced with the pressure of multiple examinations over a relatively short period was recognised. It was anticipated that through consultation with Welsh Government and the exam boards continuous assessments and other avenues could be explored to relieve those pressures.
- There had been additional grant funding for schools to prepare and deliver the new curriculum.
- The new Religion, Value and Ethics subject differed from previous teaching as it dealt with belief systems rather than religions per se.
- Whilst schools were encouraged to adapt the curriculum locally there was a core set of 27 skills that had to be covered by the adopted curriculum. The skills and knowledge demonstrated by learners would still be assessed, it was the 'journey progression' that was changing and
- GwE had excellent partnership working relations with Professor Graham Donaldson, architect of the new curriculum and school cluster groups (local and national) to share best practices.

The Head of Education re-iterated that it was the start of the journey with respect to reviewing the success of the Curriculum for Wales. Realistically it would need 12 months to assess how the implementation of the curriculum fared, lessons learned and what success looked like.

Following the in-depth discussion, the Committee:

Resolved: subject to the above observations to –

- (i) receive the information presented on the progress made to date with regards to the implementation of the Curriculum for Wales in Denbighshire schools; and***
- (ii) request that a further report be presented in 12 months' time detailing the effectiveness of the Curriculum's implementation in the county's primary schools, including the lessons learnt during the implementation stage, and outlining the measures taken to prepare for the Curriculum's delivery across the County's secondary sector from September 2023.***

6 ADDITIONAL LEARNING NEEDS (ALN) TRANSFORMATION

The Lead Member for Education, Children and Families introduced the report (previously circulated) providing an update on the progress made by Local Authority and schools to meet their statutory requirements under the Additional Learning Needs (ALN) and Education Tribunal (Wales) Act, 2018 which replaced the Special Educational Needs (SEN) Code of Practice for Wales (2002)

The Head of Education assured the Committee that the changes to ALN was a key piece of legislation ensuring that schools met the educational needs of all pupils. In respect to progress there had been, over the past 12 months:

- a significant amount of training from the Senior Leadership Team to middle management and Additional Learning Needs Coordinators (ALNCos);
- work with the School Budget Forum to ensure funding was delegated to schools;
- regional working with Wrexham, Conwy and Flintshire to develop an IT system, Eclipse, to incorporate all the new ALN processes and
- an Internal Audit of the ALN implementation which resulted in a high assurance rating.

Officers advised that Eclipse reported on school based ALN identification and Individual Development Plans (IDP). It was not anticipated that there would be much difference in terms of the number of ALN identified which numbered approximately 400 at that time.

A conversion process had begun in schools in January 2022, moving away from the SEN process to the ALN system. It did not necessarily follow that during the conversion that a statemented SEN would automatically have a recognised ALN. Predicted numbers would not be accurate until towards the end of the conversion in September 2024.

Responding to members' questions officers advised that:

- training and engagement had been provided to 3rd parties (e.g. parent and governor groups).
- the Eclipse system was accessible by all schools. Each cluster had identified 2 ALNCos to train on the Eclipse system. Who would then train others.
- a new induction process had been implemented for ALNCos which included training on Eclipse.
- the ALN transformation implementation was on track and being monitored regionally and nationally by Welsh Government (WG)
- ALN transformation had been identified as a budgetary pressure during 2021/22 which resulted in additional funding being allocated towards the work; and
- Schools were being audited to ensure that funding was allocated appropriately. The costed Provision Map system required schools to input the actual current needs of the child. This helped schools to plan more effectively to support the pupils going forward.

At the conclusion of a detailed debate members:

Resolved: subject to the above to –

- (i) receive the information provided on the progress made by Denbighshire to date to ensure that the local education authority and schools are in a position to meet their statutory requirements under the Additional Learning Needs and Education Tribunal (Wales) Act, 2018; and***
- (ii) request that a further report be provided to the Committee in 12 months' time on the Council's compliance with the Act's requirements and on the effectiveness of the ECLIPSE system in identifying, monitoring, managing and supporting pupils that have additional learning needs.***

7 SOCIAL CARE MARKET STABILITY REPORT

The Lead Member for Health and Social Care introduced the report (previously circulated). The Social Services and Wellbeing (Wales) Act 2014 introduced a new duty on local authorities and health boards to develop a joint assessment of the sufficiency and sustainability of the social care market. The Market Stability Report had been produced by the North Wales Regional Partnership Board in line with the Code of Practice (Welsh Government, 2021a). It was the first Market Stability Report to be produced, informed by the North Wales Population Needs Assessment 2022.

The report assessed the sufficiency of care and support in meeting the needs and demand for social care as well as the stability of the market.

The Interim Head of Service, Business Support Services referred to the key messages in relation to adult social care for Denbighshire, a slight reduction in overall capacity of the care home sector in Denbighshire. The capacity that was available (basic residential care) did not meet current or future needs of clients which was for more complex needs – Elderly Mentally Infirm (EMI) residential and nursing care.

Changing operations from existing residential homes into EMI compatible homes was not an easy conversion. The buildings were often unsuitable and fees did not always cover the cost to the provider.

Advancements in health care and medicine had a significant impact on social care requirements. People with learning difficulties were moving through from children's services to adults' services with complex packages of care that would be required for life.

The desire for clients to remain independent and stay in their own homes had increased the demand for domiciliary care. The challenges around recruitment and retention in the domiciliary field further exacerbated difficulty in provision of cover in that area.

Respite care for people with complex health conditions – stroke, acquired brain injury etc. – was in limited supply and would be reviewed under future commissioning exercises.

The Head of Children Services advised that the report highlighted issues that were already known to Denbighshire. Particularly the lack of local, short term foster placements available, especially for children with complex needs, both in-house and in the independent sector. Those particular placements were targeted to be the focus of commissioning going forward.

Whilst there were residential placements available in Denbighshire, they tended to be for specialist and specific criteria. For more general behaviour placements these were having to be sourced further afield. Future commissioning would be focused on Bwthyn y Ddôl a residential assessment unit shared with Conwy and BCUHB.

Future focus areas would be:

- Commissioning intent on promoting fostering close to home and
- Implementation of an action plan over the next 12-18 months for the in-house team. Including review core support given to carers.

Responding to members' questions officers advised:

- There was a shortage of social care staff and a recruitment and retention crisis (at all levels) throughout the UK.
- Social care and foster care recruitment was being publicised / promoted at every opportunity e.g. backgrounds at virtual meetings, sides of fleet vehicles, recruitment fayres etc.
- A special board had been established to explore various methods of improving recruitment and retention of staff in social care. Amongst the areas being explored were terms and conditions. However, it was acknowledged that attempting to address recruitment and retention of social care staff via terms and conditions would impact on roles throughout the council.
- Whilst the extra care housing in the north of the county were owned by registered social landlords the care provided to residents was undertaken by Denbighshire County Council staff.
- The demand for extra care housing was being managed. If residential care home providers wanted to change their operations Denbighshire was willing to have that conversation.
- Discussion was underway as a region to implement a consortia approach the local authority would be the lead body for an apprenticeship scheme with placements sourced in different settings with both in-house care and independent providers.
- From a market stability perspective, the key objectives for each Service over the next 12 months would be:
 - to attain stability in domiciliary care, looking at micro-enterprise and rural providers and
 - Implementing fostering friendly policies within Denbighshire and preparing for the launch of Bwthyn y Ddôl residential assessment unit.

The Committee, having considered the report and the answers given to members' questions:

Resolved:

- (i) to recommend the approval of the North Wales Market Stability Report 2022 (Appendix 1); and***
- (ii) to confirm that the Committee, as part of its consideration, had read, understood and taken account of the Equalities Impact Assessment (Appendix 2).***

8 DRAFT DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT

The Lead Member for Health and Social Care introduced the report (previously circulated) advising the Committee that it was a statutory report requested of the Director of Social Services to summarise the effectiveness of social care services within the Authority and outline priorities for improvement. The main focus in the previous year had been to maintain capacity and resources in order to effectively deliver statutory services to meet the needs of Denbighshire's population.

The Director of Social Services (DSS) explained that the report was an honest and fair reflection of the Adult and Children's Services departments that needed to be considered in context with the situation that social care was in nationally at that time – recovering from the Covid pandemic and the long term effect that it still had on performance and the ability to deliver social care services. Nevertheless, some significant achievements had been made and noted in the report.

The DSS acknowledged that the report was compiled as a team effort from everyone working in social care within Denbighshire – including public and private providers, formal and informal carers - and was a testament to the professionalism, dedication and hard work of everyone working to support adults and children in Denbighshire.

Responding to members' question officers advised:

- Invitations to tender for a building partner were being re-issued for the Bwthyn y Ddôl residential assessment unit project. Interim solutions were being explored, but the Multi Disciplinary Team (MDT) was in place and operational.
- Generally, complaints were resolved within timescales without the need for escalation. Those that did go to stage 2 were minimal. Most complaints were a result of communication – lack of – but training and the implementation of virtual meetings as a result of the pandemic had improved the situation.
- Denbighshire had been asked by the Equality and Human Rights Commission to share their data collection and questions with them to inform a national report and review on Social Services Complaints. Recognising Denbighshire as a learning organisation that takes complaints seriously and responds accordingly.

- The 'Your Voice' complaints report was circulated quarterly for information purposes. Members were advised that if they saw anything of concern in the report they could make an application to have the item brought to scrutiny.
- Priority objectives for the next 12 months were:
 - recruitment and retention of social care staff,
 - ensuring delivery of statutory provision and
 - ensuring that the approach to prevention and intervention was as robust as could be.

It was:

Resolved: - subject to the above observations, to confirm that the Director of Social Services Annual Report for 2021-2022 provided a clear account of performance during the reporting year.

9 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator introduced the report (previously circulated). The forward work programme showed 4 items on the agenda for the next meeting of Performance Scrutiny Committee on the 29th September. Although confirmation was yet to be received that the Hafan Deg report would be available.

The three reports requested earlier in the meeting would be included on the future forward work programme.

The Scrutiny Chairs and Vice-Chairs Group (SC&VCG) were holding their re-scheduled meeting on 28th July if Committee members had any items they would like considered for scrutiny they should complete the form (appendix 2) and the SC&VCG could consider it at that meeting.

It was:

Resolved: subject to the above to confirm the Committee's draft forward work programme, attached as Appendix 1 to the report.

Meeting concluded at 12.35pm