

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Council Chamber, County Hall, Ruthin and by video conference on Thursday, 24 November 2022 at 10.00 am.

PRESENT

Councillors Ellie Chard, Martyn Hogg, Carol Holliday, Hugh Irving (Chair), Paul Keddie, Terry Mendies, Gareth Sandilands (Vice-Chair) and Andrea Tomlin

Councillors Gwyneth Ellis, and Julie Matthews were in attendance at the Committee's invitation in their role as Lead Members to introduce the reports within their portfolios.

Observer – Councillor Elen Heaton.

ALSO PRESENT

Gary Williams – Corporate Director: Governance and Business

Nicola Stubbins – Corporate Director: Communities

Iolo McGregor – Strategic Planning and Performance Team Leader

Emma Horan – Strategic Planning and Performance Officer

Ann Lloyd – Interim Head of Community Support Services

Rhian Morrle – Head of Children Services

David Solely – Interim Head of Community Support Services

Rhian Evans – Scrutiny Co-ordinator

Kath Jones/Nicola Hughes – Zoom Host, Webcast

Sharon Walker – Committee Administrator

1 APOLOGIES

Apologies for absence were received from Councillors Alan Hughes and Diane King and also received from Nicola Kneale, Interim Head of Business Improvement and Modernisation.

2 DECLARATION OF INTERESTS

Councillor Gareth Sandilands declared a personal interest in business items 5 and 6, as a trustee of Denbighshire Voluntary Services Council (DVSC).

3 URGENT MATTERS AS AGREED BY THE CHAIR

No matters 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 29 September 2022 were submitted. It was:

Resolved: - *that the minutes of the meeting held on 29 September 2022 be received and approved as a true and correct record of the proceedings.*

No matters were raised in relation to the contents of the minutes.

5 PERFORMANCE SELF-ASSESSMENT UPDATE, QUARTER 2 2022 TO 2023

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced the Performance Self-Assessment Update Quarter 2 report (previously circulated).

The report presented an update on the Council's performance against its functions as at the end of quarter 2, 2022 to 2023, including Corporate Plan and Strategic Equality objectives, and the seven key areas of governance.

Regular reporting was an essential monitoring requirement of the council's Performance Management Framework. Quarterly performance reports were routinely shared with the Senior Leadership Team, Cabinet and Performance Scrutiny Committee to support constructive discussion regarding performance and the identification of interventions where necessary.

The report was presented in two parts to outline progress against the following key areas –

- **Performance Objectives** – comprised of the Corporate Plan / Strategic Equality Objectives
- **Governance Areas** – Seven governance areas predetermined by the Statutory Guidance on performance under the Local Government and Elections (Wales) Act 2021.

The summary evaluation provided had been determined by the status of measures and projects for each of the following priorities: the following projects –

- **Housing:** Everyone was supported to live in homes that met their needs
- **Connected Communities:** Communities were connected and had access to goods and services locally, online and through good transport links
- **Resilient Communities:** The Council worked with people and communities to build independence and resilience
- **Environment:** Attractive and protected, supported well-being and economic prosperity
- **Young People:** A place where younger people would want to live and work and had the skills to do so
- **Corporate Health:** The Council was efficient, well-managed and environmentally sustainable

Members were advised that the report presented to them was the final report on the 2017 – 2022 Corporate Plan. From now on the performance reports would be

focussing on the introduction and implementation of the new Corporate Plan, from 2022 – 2027.

The following were summarised during the discussion –

- A large number of the housing units earmarked for development under the 2017-22 Corporate Plan were now nearing completion towards the end of the Plan's lifespan.
- Damaged roads and pavements were not within the report as the issue was to be addressed by the relevant service.
- Domestic Abuse – Denbighshire saw a 34.3% decrease in the number of repeat victims of domestic crime for July, August and September 2022 in comparison to the same period last year. Figures reduced from 405 to 266. As a whole, North Wales had seen a 7.5% decrease in repeat victims of domestic violence for July to September. The number of repeat offenders of Domestic Abuse had also decreased in Denbighshire from 33 this time last year to 28 this year, equating to a 15.2% reduction. The overall picture for North Wales was a reduction of 8.1% for same period.
- 100 carer assessments had taken place between July and September, bringing the financial year total to 197 (cumulative since April). The figure was, however, a decrease of 11% for the same period last year (221). Officers advised that members may wish to consider scrutinising this particular area in the near future.
- Data for the average length of time adults (aged 65 years or over) were supported in residential care homes had decreased from 1,059 (April to June) to 1,043 for July to September. This figure was 1,050 days for the same period last year.
- Recently published data for the total economic impact of tourism in Denbighshire had seen a dramatic increase from £213m in 2020 to £432m in 2021. This remained lower than pre-pandemic figures (£552m in 2019), but this increase was encouraging and indicated the resilience of the tourism sector and its continued economic significance to the county.
- Young People Priority - There was only one update to give within the report to the data framework for Young People. This related to the 18 to 24 claimant count. Data for July to September revealed a slight increase in Denbighshire's claimant count, at 5.3% (up from 4.9% in June). The increase appeared to reflect national trends, with both the Wales and UK averages also rising. DCC remained behind the Wales average at 4.3% (up from 4.1%). The UK claimant count had not recovered its pre-pandemic levels (which was historically lower than Wales), now at 4.6% (up from 4.3% in June). The new Corporate Plan would be focussing on ways of getting young people into the right type of work and career paths.
- Workstart had changed to "at risk". The project was at risk as there were continued delays to the announcement of the UK Government's Shared Prosperity Fund. This had been due in August but was now not expected until the end of October. No further funding has been agreed to support the project beyond December, which placed staff at risk of redundancy. However, delivery of current targets were on track to be delivered until the end of December 2022. The Council's Corporate Executive Team (CET)

had agreed to bridge the funding gap in the interim, until future funding streams had been secured.

- The second part of the report explained corporate health pressures on finance.
- Recruitment and retention of staff was an ongoing issue. The report demonstrated the productivity and progress by the Council. The Scrutiny Chairs and Vice-Chairs Group had already requested an information report following the end of the current financial year on recruitment and retention in Denbighshire, with a view to determining if this area merited in-depth scrutiny.
- Connected Communities – BT Openreach had attended a Scrutiny Committee meeting in the past and it was suggested that the Denbighshire Digital Officer attend a future meeting.
- Regarding DVSC, it was confirmed that the Managing Director of DVSC would be attending Partnerships Scrutiny Committee on 15 December 2022 to discuss its relationship and work with Denbighshire County Council.
- Officers agreed to provide members with more information on the suspension of the Allocations Policy for Social Housing and on the Council's recent percentage spend with suppliers based within Denbighshire.

The report authors explained that illustrations and graphs etc. could not be used within the report due to accessibility rules. However, the new performance framework that is currently being developed to support the new Corporate Plan is an opportunity for officers to explore with communications colleagues alternative ways of reporting data, such as reintroducing coloured statuses and trend analysis. We will seek Member input through future reports.

At the conclusion of an in-depth discussion on the matters raised within the Performance Self-Assessment update report, the Chair encouraged members to refer areas which were a cause of particular concern to them to the Scrutiny Chairs and Vice-Chairs Group for consideration as potential future topics for thorough scrutiny. The Committee:

Resolved: - subject to the above observations and advice –

- (i) to receive the contents of the Performance Self-Assessment Update report for Quarter 2 2022 to 2023; and***
- (ii) that members complete scrutiny proposal forms on any areas of concern and submit them to the Scrutiny Chairs and Vice-Chairs Group for consideration for inclusion on a scrutiny committee forward work programme for future detailed examination.***

6 CORPORATE RISK REGISTER REVIEW, SEPTEMBER 2022

The Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews introduced the report to provide an update on the Corporate Risk Register Review, September 2022.

The Corporate Risk Register was developed and owned by the Senior Leadership Team (SLT) and Cabinet. It was reviewed twice every year by Cabinet at Cabinet Briefing.

Following each review, the revised register was presented at Performance Scrutiny Committee, and Governance and Audit Committee. Officers explained each Committee's different role and focus in relation to the Risk Register.

The Strategic Planning and Performance Officer, Emma Horan, summarised the risks within the report as follows -

- Risk 01: The risk of a serious safeguarding or practice error, where the Council had responsibility, resulting in serious harm or death, had increased in both its inherent score (A1 – Critical Risk Almost certain / Very high impact) and residual score (A1 – Critical Risk Almost certain / Very high impact). The risk score had been increased on the basis of an assessment that the chance of this occurring was currently higher than it was previously. Although the Council did not regard the likelihood as “almost certain to occur in most circumstances” (which was the definition of Risk Likelihood A in the authority's risk methodology), the risk had certainly increased. It therefore felt appropriate to increase the Risk Likelihood score, this meant increasing it from B to A. Increasing the risk score enabled the risk to be further prioritised and escalated, which felt appropriate and necessary at present. It was noted that the Corporate Executive Team (CET) had undertaken a review of Risk 01. CET were to review this risk monthly, and Cabinet would be receiving a verbal update every month at Cabinet Briefing.
- Risk 12: The risk of a significantly negative report(s) from external regulators. The risk score had increased to C3 – Moderate Risk: Possible / Medium Impact.
- Risk 36: The risk that the economic and financial environment worsened beyond current expectations, and had a detrimental impact on local businesses and economic hardship for the local community. The inherent and residual scores had been increased.
- Risk 43: The risk that the Council did not have the funds or resources to meet its statutory obligations under the Additional Learning Needs and Education Tribunal (Wales) Act 2018. The proposal was to de-escalate this risk for it to be managed by the Service.
- Risk 44: The risk of Ash Dieback Disease (ADB) in Denbighshire leading to significant health and safety issues that represented a potential risk to life. The risk owner was now the Head of Planning, Public Protection and Countryside Services. On the basis of better intelligence, inherent and residual risk scores had decreased (but remained outside the Authority's risk appetite).
- Risk 47: The risk that the new North Wales Corporate Joint Committee (CJC) resulted in the Council having less influence and control at a local level. The proposal was to de-escalate this risk for it to be managed by Service(s).

During discussions the following points were made –

- The cumulative impact of recruitment and retention issues in social care was significantly impacting on the Council's ability to deliver statutory social care

functions. There was a national recruitment and retention crisis in social care. Social care frequently lost staff due to the superior pay and conditions offered by recruitment agencies, other local authorities and the Health Board, often for similar but less demanding roles. Social Care services were often only able to replace experienced staff with newly qualified or inexperienced workers that required significant support and were unable to independently work with the increasingly complex cases referred to the service. Many new starters were younger, newly qualified staff and rates of maternity leave in some teams were high. The impact of Covid-19 was a significant movement of the workforce away from social care and health. Fewer social workers were entering the profession than were leaving. The market was extremely competitive and there was no national pay structure in place in the sector. At the same time, caseloads were increasing and becoming more complex. There was a risk of people not being supported, or not being seen with the right intensity. This was impacting social care services' ability to deliver its statutory responsibilities which was placing increased pressure on staff and negatively impacting their well-being and causing increased levels of unplanned absence. It was requested that the information provided in future be split as to Adults and Children's Services. The issue of recruitment and retention was a nationwide problem. The problem was outside the control of the Local Authority. Meetings with Welsh and UK Governments had taken place to discuss the concerns and how the risk had escalated. Internal meetings were taking place involving CET, the Leader and Lead Members. There had been some future movement on a draft memorandum, which was being led by Social Care Wales. Children's Services and Adult Services officers outlined the procedures and timescales which they abided by when they received referrals into their Services. They also outlined all methods that they had utilised to try and recruit workers at all levels and the good working relationships they had with local schools, colleges and universities. National terms and conditions was a matter within the gift of the WG, who had established a forum to explore the potential of establishing national terms and conditions.

- Risk 45 – the risk that the Council failed to become a net carbon zero and ecologically positive council by 2030. As the risk was B2 – Critical Risk: Likely/High, officers assured members that robust arrangements were in place to attain this and work was in progress.
- Risk 36 – the risk that the economic and financial environment worsened beyond current expectations, and had a detrimental impact on local businesses and economic hardship for the local community. Members asked how the North Wales Economic Ambition Board (NWEAB) was assisting with this. It was confirmed that a report on the NWEAB's activities and performance was submitted to Partnerships Scrutiny Committee on a quarterly basis. If members felt that the NWEAB merited being invited to attend Scrutiny earlier than its annual visit a proposal form should be submitted for the Scrutiny Chairs and Vice-Chairs to assess.

At this juncture, thanks were extended to the Strategic Planning and Performance Team Leader and the Strategic Planning and Performance Officer for their detailed report and presentation and to the Lead Member and Social Services officers for their detailed response to the questions raised.

At the conclusion of an in-depth analysis and discussion the Committee:

Resolved: - *subject to the above observations –*

- (i) having discussed the risks, scores and controls included in the Corporate Risk Register (Appendix 1), including the status of each risk against the Council's Risk Appetite Statement (Appendix 2), and accepting the verbal update provided on recent changes to the risk appetite statement, to receive and endorse the information provided; and*
- (ii) request that members who have particular concerns about specific risks contained in the Corporate Risk Register along with the controls in place to manage those risks escalate them for detailed examination via the submission of a Member Scrutiny Proposal form to the Scrutiny Chairs and Vice-Chairs Group.*

7 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator introduced the report (previously circulated). There were three items listed for the next Performance Scrutiny Committee on 26 January 2023 –

- (i) Christ the Word – Response to Estyn Inspection
- (ii) Cefndy Health Care and Options Appraisal for future business delivery
- (iii) Library Service Standards 2021/2022

It was suggested that as items (i) and (ii) would be substantial discussions, item (iii) Library Service Standards 2021/2022 be deferred to the meeting taking place on 16 March 2023. All members present agreed to this amendment to the Forward Work Programme.

The next meeting of the Scrutiny Chairs and Vice-Chairs Group was to take place on 24 November 2022.

Appendix 2 contained a copy of the Member Proposal form

Appendix 3 to the report was the Cabinet's forward work.

Appendix 4 – informed members of the recommendations made at the previous Scrutiny meeting.

It was:

Resolved: - *subject to enquiries being made with the County's Library Service, on the feasibility of rescheduling the presentation of its Annual Service Standards report from January to March 2023, to confirm the Committee's forward work programme, attached as Appendix 1 to the report.*

8 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The Chair, as the Scrutiny Committees' representative on the Queen's Building Project Board, advised that construction work had recently commenced on the foundations for the new facility.

The Committee:

Resolved: - to receive the feedback provided.

Meeting concluded at 12.05pm