

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, 20 July 2023 at 10.00 am.

PRESENT

Councillors Ellie Chard, Chris Evans, Martyn Hogg, Carol Holliday, Alan Hughes, Hugh Irving (Chair), Terry Mendies, Gareth Sandilands (Vice-Chair) and Andrea Tomlin.

Lead Members- Lead Member for Corporate Strategy, Policy and Equalities, Julie Matthews, Lead Member for Education, Children and Families and Lead Member for Health and Social Care.

Chair of Governance and Audit Committee- David Stewart

Education Co-opted Members- Neil Roberts and Kathleen Jones

Observer: Councillor Jeanette Chamberlain-Jones

ALSO PRESENT

Corporate Director: Governance and Business (Monitoring Officer) (GW); Corporate Director: Communities, Modernisation and Wellbeing (NS); Chief Internal Audit Officer (BC); Interim Head of Human Resources (LD); Lead Business Partner (AM); Head of Adult Social Care and Homelessness Services (AL); Head of Children Services (RM); Principal Education Manager (RT); Principal Education Manager (JB); Inclusion Officer (JE); Scrutiny Coordinator (RE); Zoom host (SJ) and Committee Administrator (NH).

GwE Core Leads for Denbighshire: Jacqueline Chan (Primary) and Mair Herbert (Secondary).

1 APOLOGIES

Apologies for absence were received from Councillor Diane King.

2 DECLARATION OF INTERESTS

The following Committee members declared a personal interest in business items 6 and 7:

Councillor Ellie Chard – Local Education Authority (LEA) Governor at Ysgol Tir Morfa

Councillor Chris Evans – LEA Governor at Ysgol Tir Morfa

Councillor Martyn Hogg – Parent Governor at St. Asaph VP School

Councillor Carol Holliday – Governor at Ysgol Penmorfa

Councillor Alan Hughes – LEA Governor at Ysgol Caer Drewyn

Neil Roberts – Governor at Ysgol y Parc

Councillor Gareth Sandilands – LEA Governor at Ysgol Clawdd Offa

Councillor Gareth Sandilands also declared a personal interest in business item 8 as an independent trustee of Denbighshire Voluntary Services Council (DVSC).

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 8 June 2023 were submitted. It was:

Resolved: that the minutes of the meeting held on 8 June 2023 be approved as a true, accurate and correct record of the proceedings.

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

5 RECRUITMENT, RETENTION AND WORKFORCE PLANNING

The Lead Member for Corporate Strategy, Policy and Equalities introduced the report (previously circulated) on Recruitment, Retention and Workforce Planning to Members.

The report provided information and progress of the workforce plan including recruitment and retention activities and also provided turnover and sickness absence data for 2022/2023.

A corporate workforce plan was agreed by the Council in January 2022 together with an Action Plan to address the agreed priorities. The plan and action plan were brought to Performance Scrutiny Committee in March 2022. The current report provided an update on the action plan's progress.

A number of appendices were attached to the report including an internal audit report on the workforce planning to inform Members of capacity and resilience. The audit confirmed that there were robust initiatives and strategies in place to support the Corporate Workforce Plan.

The Lead Member welcomed Officers in attendance to outline the key points of the report.

The Interim Head of Service: Human Resources (HR) stated that there were three topics highlighted within the report, these were Recruitment, Retention and Sickness Absence. Thanks was given to the Internal Audit Team for their Audit of the Workforce Plan and the recommendations from the Audit were welcomed.

An overview of the report was given to Members:-

- Turnover statistics were provided in appendix 2 of the report (previously circulated). Turnover statistics were based on the number of leavers who leave an organisation. The organisations turnover figure was at the highest it had been in the last 6 years and was at 11.6%. However, this was still in line with average national UK figures.
- Trends were in line with UK statistics.
- Turnover of staff in certain departments was higher and these were being addressed by methods listed within the report.
- The organisation was recruiting more staff than 12 months ago.
- Recruitment was being undertaken in most departments however, some advertised posts were taking longer to recruit into than others.
- The biggest area of focus for recruitment was in Social Care.
- The organisation had conducted recruitment workshops and was looking at career grade progression for existing staff and where possible amendments were being considered in relation to terms and conditions.
- The Interim Head of Service: HR was working with other Councils on a national basis to address pay issues with agency staff.
- The HR team were tailoring their support to meet the needs of roles which included completing application forms and using the correct marketing tools to place adverts.
- Local authority and UK wide best practice was being reviewed to ensure that the organisation were maximising recruitment opportunities.
- Two barriers facing recruitment within the organisation were agile working and pay. Local authority pay rates for some roles were below those for similar roles within other public bodies. However, pay scales were agreed at a national level not on a local basis, therefore the Authority's powers in relation to varying pay rates was extremely limited.

The Interim Head of Service: HR continued and gave an overview of sickness absences to Members:-

- The average days lost due to sickness in 2022/2023 was 9.5, which was a slight reduction on the previous year.
- Denbighshire County Council remained one of the leading councils in Wales in managing absences.
- There was a robust absence monitoring policy in place.
- Personal stress of employees had decreased.
- Absence due to COVID had remained one of the main reasons for absence over the last 12 months however, this was due to how data was recorded and isolation periods coming to an end.
- Conversations on health and well-being were encouraged and occurred on a regular basis with mandatory 1:1 meetings in place for all employees within the organisation.

The Chair thanked the Interim Head of Service: HR for her report and questions were welcomed from Members.

The Corporate Director: Governance and Business informed Members that there was currently a difficult labour market and there were difficulties with recruitment

within the organisation however, the organisation was recruiting and continued to use innovative and creative methods to address the issue.

Members stated that the report highlighted the biggest issue facing all councils.

Members queried if a lack of business continuity planning for posts being vacant for long periods of time affected the handover of responsibilities to new staff. The Interim Head of Service: HR stated that there was a succession plan in place and the HR team were talking with Heads of Service on a regular basis. It was not felt that the current recruitment and retention issues were having an effect on business continuity.

Members questioned if loss of experienced staff lead to loss of knowledge, as a new recruit would need time to build a sufficient knowledge base to enable them to undertake their role effectively. The Corporate Director informed Members that statutory handovers had never been in place within the organisation however, as mentioned there were succession plans in place within departments.

Members questioned the timescale for when a post was advertised. For example, when a resignation was handed in, was the role advertised immediately. The Interim Head of Service: HR stated that when they received a resignation, the role would be advertised as soon as possible after considering if the role was still needed or could be amended.

At this juncture in the meeting the Chair invited David Stewart, Chair of Governance and Audit Committee to address the Committee. He informed Members that the Governance and Audit Committee had raised concerns regarding recruitment and retention within Children's Service following on from the Care Inspectorate Wales report they received in October 2022. The report recognised the recruitment and retention difficulties within Children's Services and the impact of this on service users. David Stewart stated that his Committee was particularly concerned about the impact of recruitment and retention on the governance of the Council as a whole.

The Chair thanked David Stewart for the Governance and Audit Committee's comments.

Members questioned if the Agile Working Policy was working well within the organisation. The Interim Head of Service: HR informed Members that the organisation had been working in an agile manner for over 2 years, and the Agile Working Policy was put in place to give a more consistent approach in its application and guidance for employees and managers.

Members stated that the turnover of a workforce was a good thing as it allowed new people with new ideas to join the organisation however, it was the time and the cost to recruit new employees which was an ongoing issue.

Members stated that recruitment and retention was cited as one the main issues within many reports that they received and enquired whether there was a Recruitment and Retention Policy in place. Members also noted that resignations

were one of the main reasons for employees leaving the organisation and questioned if there was data available on exit interviews to ascertain why people were leaving that they could be provided with. The Interim Head of Service: HR informed Members that there was a Recruitment Policy in place however, following the internal audit, wording needed including in the policy relating to retention. Referring to exit interviews, Members were informed that the organisation changed the way they conducted exit interviews 4 years ago. Exit interviews were not mandatory and were undertaken online by those employees leaving the authority who wished to complete them. Data was monitored from completed exit interviews however, the data was not deemed sufficiently reliable to bring to the Committee.

Stay surveys had been completed within departments of the organisation that were felt to be the most difficult to recruit, with the intention of promoting the benefits of working within that department in Denbighshire County Council.

The Chair thanked officers in attendance for their report and for attending the meeting.

At the conclusion of a comprehensive discussion the Committee:

Resolved: subject to the above observations -

- (i) to confirm that it had read, understood and taken account of the information presented to it and supported the ongoing work in relation to monitoring staff turnover and absence;***
- (ii) requested that a further report be presented to it in 12 months' time detailing the progress made in relation to workforce planning, recruitment and retention and highlighting pressure areas; and***
- (iii) that the Heads of Service for those services where staff recruitment and retention are proving to be a persistent challenge be invited to attend the meeting mentioned in (ii) above to discuss the potential impact of those challenges on service delivery and how they are addressing staff shortages in the short to medium term, until long-term solutions are found.***

6 CURRICULUM FOR WALES

The Lead Member for Education, Children and Families introduced the Curriculum for Wales update report (previously circulated) to Members.

The report provided an update on the progress made by schools since the Curriculum for Wales became statutory for all primary school learners and those secondary schools who opted in to start in Year 7, in September 2022. Additionally, the report offered information on how secondary schools and settings had been preparing to start teaching the Curriculum for Wales in Year 7 and 8 from September 2023 as per the national implementation rollout timescales.

The Principal Education Manager guided members through an overview of the report.

In September 2022, the new Curriculum for Wales became statutory for all learners from Nursery to Year 6. Secondary schools were given the opportunity to start with Year 7 in September 2022. One secondary school in Denbighshire had opted in. All other secondary schools and settings would start with the Curriculum for Wales in Years 7 and 8 in September 2023.

The Curriculum for Wales was a national framework with the Four Purposes as the shared vision. The framework was based on the principles of progression for all learners and required schools to design their own local curricula based on their learners' community.

There had been a significant amount of work undertaken by all primary schools in Denbighshire in preparation for the new curriculum. All primary schools had met the statutory requirements to enable them to deliver the new curriculum. This had been made possible by collaboration work across all schools within the region, sharing good practice and gauging a common understanding.

Collaboration work undertaken by secondary schools had also been a significant factor in supporting teachers to understand the demands of the new curriculum and the level of flexibility within it.

Curriculum for Wales focused on continuum learning for children from the age of 3 years old, allowing learners to become more involved with their education.

Many aspects of the curriculum were being reviewed such as teaching, learning and progression, and schools within the region had been very clear about where their successes had been to date.

9 Primary schools had been inspected throughout the school year and many were recognised for showing a strong vision for the curriculum and identifying where learners were thriving in that environment.

The Principal Education Manager stated that all schools within the region had worked significantly hard to embrace the new curriculum and continued to develop and refine their curriculum provision to meet the needs of all learners.

The Chair thanked the Education Manager and Lead Member for their report and questions were welcomed.

Members queried how schools were planning for the transfer of learners from Year 6 to Year 7 without any data being given.

The Principal Education Manager informed Members that Primary schools were using personalised reading and numeracy assessments to inform secondary schools of learners' abilities. Primary schools had been working in their clusters looking at a wider more holistic range of information that could be given to secondary schools, such as attitudes towards learning and wellbeing to aid the transition from primary to secondary school.

Members confirmed their full support for the new curriculum however, they enquired if the pressures relating to the new curriculum's implementation was influencing teachers to leave the profession.

GwE's primary core lead for Denbighshire informed Members that there had been a significant amount of work within the Local Authority and within schools to help manage the change in preparation for the new curriculum. However, the changes may influence some teachers to change their career paths.

Members questioned if life skills were taught within the new curriculum. Officers advised that the aim of the curriculum was to teach the six areas of learning with a view to equipping all pupils with academic, social and life skills. The delivery methods for the curriculum had a strong emphasis on learning linguistic and numeracy skills through their use in everyday situations, learning in an informative, interesting, and practical way by applying the skills learned to everyday situations. GwE's secondary core lead for Denbighshire emphasised that numeracy skills were very evident within the new curriculum. The new curriculum looked at working within authentic contexts, giving schools the flexibility to look at the life skills and learning experiences of learners within their community.

Members questioned how teachers gave their feedback on the new curriculum and how they felt about the pressures they may feel with the implementation. GwE's secondary core lead informed Members that the team were in schools working alongside school leaders and staff in the classroom. Generic support for all schools was given however, bespoke support was given if a school had specific needs. The team were sensitive to the differing needs of individual schools. The school clusters were extremely proactive in sharing best practice and providing feedback to both county education staff and GwE with a view to supporting the delivery of the curriculum and maximising its benefits for learners and deliverers alike.

The Principal Education Manager added that there was a support plan for each school tailored to their needs. The new curriculum did not stand in isolation it was part of a far wider reform of the delivery of education in Wales, in September 2024 a new School Improvement Framework would be introduced.

The Scrutiny Coordinator asked Members if there were aspects of education that they felt needed to be brought to Performance Scrutiny Committee at a future date. Members expressed interest in receiving feedback from Head Teachers and teachers on their thoughts on implementing the new curriculum within their schools.

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

Resolved: subject to the above comments and observations to –

- (i) receive the information on the progress made to date in relation to the implementation of the Curriculum for Wales for all primary school learners in Denbighshire along with the secondary school who chose to introduce it to Year 7 learners during the 2022/23 academic year;***

- (ii) receive the information on how secondary schools have been preparing to start teaching the Curriculum in Years 7 and 8 from September 2023, in line with national implementation rollout timescales;**
- (iii) request that a further report detailing the progress made in embedding the Curriculum in primary schools and implementing it in Years 7 and 8 in secondary schools be presented to the Committee during the autumn of 2024; and**
- (iv) that the report requested in (iii) above include an evaluation of the implementation process across all key stages, the Curriculum's impact on staff recruitment and retention, along with feedback from headteachers, teachers and school-based staff on their experiences of the implementation process and the advantages and/or disadvantages of the new Curriculum for learners.**

7 ADDITIONAL LEARNING NEEDS (ALN) TRANSFORMATION

The Lead Member for Education, Children and Families introduced the report (previously circulated) to the Committee.

The report provided information regarding the actions taken to ensure that the Local Authority and schools were ready to meet their statutory requirements under the Additional Learning Needs and Education Tribunal (Wales) Act, 2018 that started in September 2021 and was being implemented until 2025. The Welsh Government's Minister for Education and Welsh Language had allowed for an extension on the implementation period due to feedback received from schools.

The Additional Learning Needs and Education Tribunal (Wales) Act, 2018 would replace the current Special Educational Needs Code of Practice for Wales (2002). The new Act would be supported by regulations and an Additional Learning Needs (ALN) Code. The Act replaced the terms 'special educational needs' (SEN) and 'learning difficulties and/or learning disabilities' (LDD). This would also replace existing plans, such as Individual Education Plans (IEPs), Statements of SEN and Learning Skills Plans.

The Inclusion Officer guided members through the report on the Additional Learning Needs (ALN) transformation.

Training on the ALN reforms continued to be provided to local authority (LA) teams where needed. The LA continued to provide support and guidance to schools where required. At a recent Additional Learning Needs Coordinator (ALNCo) meeting, school systems and processes were discussed, shared and explored and a workshop on writing Individual Development Plans had been held.

School inclusion funding was fully delegated to schools as agreed in the school budget forum.

Denbighshire, Flintshire, Conwy and Wrexham had implemented the regional IT system (Eclipse ALN) which enabled the management of the new ALN processes. Denbighshire IT along with regional colleagues continued to work to refine the system.

The Team Around the School (TaS) had been established to continue to meet the current requirements of the Statutory Assessment Process and the ALNET (Wales) Act 2018 in relation to early intervention and prevention and accurate, timely identification of additional learning needs. Work was continuing with schools to map out their provision including interventions and strategies that they used to support learners with and without ALN.

The Chair thanked the officers for their report and welcomed questions from Members.

Members questioned if schools had adequate time and resources to plan effectively for ALN and queried if the current budget allowed for the transformation to be implemented. The Inclusion Officer informed Members that there had been some funding from Welsh Government in terms of grants to support schools and local authorities in implementing the transformation. The Lead Member for Education, Children and Families stated that the Welsh Government Minister for Education and the Welsh Language had responded to the concerns raised by schools in relation to budget and an allocation of £12 million had been made to support resources and an additional £1 million investment had been allocated to Special Schools to enable the transformation to be implemented successfully.

Members queried the feedback from Head Teachers referred to in the report, stating that funding was often highlighted to local councillors as a main concern for schools in the area whenever they spoke to local headteachers.

Members requested clarification on the new Eclipse ALN system and questioned if the system was for teachers to diagnose children with an ALN. The Inclusion Officer informed Members that the Eclipse IT System was being implemented to record the statutory processes that took place. If a child was going through the process for consideration of ALN, the system would record correspondence that was sent to parents and any decisions that were made. Education staff were not able or qualified to give a diagnosis of neurodevelopmental conditions, for example Autism Spectrum Disorder (ASD) or Attention Deficient Hyperactivity Disorder (ADHD). These types of diagnosis were undertaken by medically qualified professionals. Education staff were trained to support the educational needs of those pupils identified as having ALN.

Members questioned if teachers could make a referral to request one-to-one support for a child without a formal diagnosis. The Principal Education Manager stated that the diagnosis of a child did not initiate the support that a child could receive and that the support was based upon a child's presenting needs. Schools had a duty of care to each child which included supporting a child's needs with or without a diagnosis. TaS meetings were held regularly within the local authority to enable schools to discuss any concerns they had and to obtain any advice.

Following a discussion, it was agreed that a general update on the ALN Transformation should be brought to Performance Scrutiny in 12 months' time.

The Chair thanked the officers in attendance for their report.

Following an extensive discussion, the Committee:

Resolved: subject to the above to –

- (i) receive the report and the information provided during the discussion on the local education authority's progress in ensuring that its schools are ready to meet the statutory requirements entailed with the Additional Learning Needs and Education Tribunal (Wales) Act 2018; and**
- (ii) request that a further report be provided to members during the autumn of 2024 analysing**
 - the effectiveness of the funding provided to schools to meet the Act's requirements;**
 - progress made in recruiting and supporting Educational Psychologists;**
 - school-based educational practitioners' feedback on the resources and support provided to schools with a view to meeting the Act's additional requirements; and**
 - staff recruitment and retention matters relating to the implementation of the Act's requirements.**

8 DRAFT DIRECTOR OF SOCIAL SERVICES ANNUAL REPORT

The Lead Member for Health and Social Care presented the Draft Director of Social Services Annual Report (previously circulated) to Members.

Every Statutory Director of Social Services in Wales was required to produce an annual report which summarised their views on the effectiveness of the authority's social care services along with their priorities for improvement.

The Corporate Director: Communities, Modernisation and Wellbeing guided Members through the draft Director of Social Services annual Report. She stated that the report was for the last financial year and combined the progress of Children's and Adult Social Care Services.

The demand on Social Care Services had increased and Social Care employees had worked extremely hard to meet the needs of their local communities. However, it was important to note that the social care service had not progressed as well as they would have liked, this was due to national challenges and budgetary constraints. Recruitment and retention were continuing to be difficult within the Social Care Sector.

At this juncture the Corporate Director welcomed questions from Members.

Members requested details on how social care services were trying to recruit employees into the sector. The Corporate Director informed Members that recruitment and retention was one of the biggest challenges facing the sector. Details were given on the Social Care Recruitment and Retention Working Group

which met on a regular basis. The escalation of the challenges relating to social care staff recruitment and retention, and their potential impact on the Council's ability to deliver services to residents, on the Council's Corporate Risk Register highlighted the increased focus given by the Authority's senior management team to this area of work. The Head of Adult Social Care and Homelessness Services stated that front line social care recruitment and retention was the biggest challenge for the Service at present, with external factors such as higher wages being paid by other public organisations for similar roles or for less stressful jobs within the retail sector exacerbating the situation. National organisations were currently working on potential solutions to improve local authority care workers' terms and conditions and also exploring the potential of utilising overseas recruitment. Vacancies for positions were constantly advertised and aspects of the recruitment process had been relaxed to make it a more assessment-based process rather than an interview-based process. The team had visited schools and colleges to attract younger people into the sector.

Members questioned if there were plans to have an inhouse respite service for carers. The Head of Children Services informed Members that a business case was being developed for a respite service and it was a need that had been identified and were committed to implementing this in the future.

Members felt that the report did not give information on the aspects of the social care service that were not performing well. Members requested data on the number of people who had been recruited and the number of vacancies within the sector. It was felt that this information would enable Members and the public to understand the context of the difficulties that the social care sector was facing. The Corporate Director advised that the report presented followed a specific structure with regards to the information contained within it and the audience that it was prepared for. The figures for the number of people recruited and the number of vacancies was constantly changing.

Members referred to the Micro-Providers Scheme and questioned the effect that the scheme was having on the care that was provided within the community. The Head of Adult Social Care and Homelessness Services told Members that the Micro-Providers were helping to deliver lower-level packages of care. There were currently 35 Micro-Providers within Denbighshire and 21 of them were providing personal care packages locally. Currently, 150 residents were having their care provided from Micro-Providers.

Looking ahead the Lead Member and officers advised that they were of the view that the greatest challenges for the forthcoming would be around rebalancing the care and support agenda, delivering preventative, intervention and safeguarding services with diminishing finite resources.

The Chair thanked the officers for their continued valuable work and for presenting the report to the Committee.

Following an in-depth discussion, the Committee:

Resolved: subject to the above observations, and having regard to the high profile and continued focus given to recruitment and retention pressures across the social care sector by the Council's Corporate Executive Team along with the measures being implemented in a bid to address staffing shortages, to confirm that the report provided a clear account of performance during 2022-2023.

9 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator introduced the report and appendices, (previously circulated) the purpose of which was to seek the Committee to review its programme of future work.

The Scrutiny Co-ordinator advised Members that it would be reasonable to bring the Curriculum for Wales and the Additional Learning Needs Transformation reports back to the Performance Scrutiny in September 2024. This followed on from Members requesting to have Head teachers at the next meeting to receive their feedback.

The next meeting of the Performance Scrutiny Committee was the 28 September 2023, proposed for that meeting were four agenda items.

1. Delivery of Welsh Medium Curricula and Non-Curricula provision in the County's Schools.
2. Christ the Word Progress report.
3. Whole School approach to wellbeing.
4. Denbighshire's Housing and Homelessness Strategy Action Plan.

The Scrutiny Chairs and Vice Chairs Group meeting was scheduled for 25 July and Members were reminded to complete the relevant form if they had any topics they wished to be considered.

Members were guided to appendix 4 which contained progress on the Committee's recommendations from the previous meetings. The Scrutiny Co-Ordinator informed Members that the action from the Council Performance Self- Assessment in relation to the Sustainable Transport Plan for Denbighshire was in progress and enquiries had been made in relation to when it would be presented to Scrutiny.

The Committee:

Resolved: subject to the amendments and additions agreed during the course of the discussions at the current meeting, to confirm the Committee's Forward Work Programme as set out in Appendix 1 to the report.

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The Vice-Chair in his capacity as the Committee's representative on the Planning, Public Protection and Countryside Services Service Challenge Group provided members with a summary of the discussions which had taken place at that meeting, explaining that he found it to be an extremely informative and constructive meeting.

The Chair, in his role as Scrutiny's representative on the Queen's Building Project Board, informed the Committee that the building was nearing completion and would be handed over to the Council in the near future. In the meantime, an operator had been appointed for the facility who would soon be commencing work on recruiting businesses to operate within the facility.

The Chair thanked officers and Members for their contributions and attendance at the meeting.

Meeting concluded at 1.05pm.