

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in the Council Chamber, County Hall, Ruthin and by video conference on Thursday, 6 June 2024 at 10.00 am.

PRESENT

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

Cabinet Lead Member – Councillor Gwyneth Ellis attended for item 7 and 9.

Observer – Councillor Jeanette Chamberlain-Jones

ALSO PRESENT

Corporate Director - Governance and Business (GW), Head of Finance and Audit / Section 151 Officer (LT), Head of Corporate Support Service - Performance, Digital and Assets (HVE), Joint Head of Service for Education and Children's (GD), Climate Change Project Manager (LWJ), Strategic Planning and Performance Team Leader (IM), Strategic Planning and Performance Office (EH), Scrutiny Co-ordinator (RE), Committee Administrator (NH – Webcast), and Business Coordinator (RPJ Minutes).

1 APOLOGIES

Apologies for absence were received from Councillors Bobby Feeley and Diane King, as well as from Councillor Gill German, Lead Member for Education, Children and Young People, and Councillor Barry Mellor, Lead Member for Environment and Transport.

2 DECLARATION OF INTERESTS

The following members declared a personal interest in business item 6, 'Estyn Inspection Report 2018', in their role as school governors.

Councillor Ellie Chard	Local Education (LEA) Governor at Ysgol Tir Morfa
Councillor Martyn Hogg	Parent Governor at St Asaph VP School
Councillor Carol Holliday	Town Council/Community Governor on the governing bodies of Ysgol Penmorfa & Ysgol Clawdd Offa
Councillor Alan Hughes	Governor at Ysgol Caer Drewyn
Councillor Paul Keddie	Governor at Ysgol Bryn Collen
Councillor Gareth Sandilands	LEA Governor at Ysgol Clawdd Offa

Councillor Martyn Hogg also declared a personal interest in business item 8, 'Denbighshire's Revised Draft Climate and Ecological Change Strategy 2021/22 –

2029/30' in his role as a member of the 'Climate Change and Ecological Emergency Working Group'.

The Monitoring Officer clarified that members were required under the Code of Conduct to declare their roles as school governors, but membership of internal Council boards or groups did not require to be declared.

3 APPOINTMENT OF VICE CHAIR

Nominations were sought for the office of Vice-Chair of Performance Scrutiny Committee for the 2024/25 municipal year. Councillor Ellie Chard nominated Councillor Gareth Sandilands for the role of Vice-Chair, Councillor Carol Holliday seconded the nomination. No other nominations were received, therefore the Committee:

Resolved: that Councillor Gareth Sandilands be elected Vice-Chair of Performance Scrutiny Committee for the 2024/25 municipal year.

Councillor Sandilands thanked Committee members for their support and entrusting him with a further term as Vice-Chair of the Committee.

4 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.

5 MINUTES OF THE LAST MEETING

The minutes of the Performance Scrutiny Committee meeting held on 18 April 2024 were submitted. It was:

Resolved: that the minutes of the Performance Scrutiny Committee meeting held on 18 April 2024 be received and approved as a true and accurate record of the proceedings.

Matters arising:

In response to members' questions the Scrutiny Co-ordinator advised that:

Page 10, 'Minutes of the Last Meeting': a copy of the letter relating to 'Elective Home Education' sent to Welsh Government Minister for Education and Welsh Language had been circulated to Committee members for information the previous day. The Head of Education confirmed that Welsh Government (WG) officials had acknowledged receipt of the letter and advised that its contents would be fed into a piece of work currently underway in relation to elective home education and children missing out on educational opportunities. The outcome of that work would be reported back to members in due course.

Page 12, 'Internet Connectivity in Denbighshire': the future sustainability of the Council's Digital Officer role would form part of the 2025/26 budget setting process.

6 ESTYN INSPECTION REPORT 2018

In the absence of the Lead Member for Education, Children and Young People the Head of Education introduced- the report (previously circulated) which updated the Committee on the actions taken following the Estyn Inspection of 2018. He explained that ideally the Service would have presented this type of closure report far earlier, however the finalisation of actions to address the report's recommendations had been delayed and had required to be adapted due to pressures following the pandemic. This particular inspection had ~~was~~ a very positive inspection report and had three key areas that Estyn focused on in 2018; Outcomes, Quality of Education services and Leadership and Management.

The recommendations from the inspection were to reduce the variability in outcomes in secondary schools, and secondly to ensure that the evaluation of services for pupils educated out-of-county and in resourced-based settings focused clearly on measuring the outcomes that children and young people achieved through those services.

The Head of Service-explained under recommendation one, to reduce the variability in outcomes, that the Welsh Government (WG) directive that local authorities and schools should not publish comparative data showing year to year, school versus school performance, as all schools were different and should not be used as a like for like comparison tool, made it more difficult to illustrate how variances between schools had been narrowed.

The schools and local authorities still held the data but strictly were not permitted to publish it. The data could still be viewed by the public using the WG's My Local School website . The data should be used to drive decisions for improvement within each school.

The Service was intending to bring a report to the Committee to detail how Denbighshire schools were performing against national performance targets, which would examine the outcomes in Denbighshire against outcomes nationally, just not against schools within Denbighshire.

Under recommendation two the Head of Service advised that with respect of out of county placements that there has been a lot of steps taken to address this aspect, including a panel that met on a fortnightly basis to discuss individual learners' progress, regular visits from the Service officers to the schools, and where appropriate joint working between social care and education as well as Health Service personnel with a view to monitoring, supporting and securing continued improvement in the pupil's attainment. Following on from the inspection, the Service was confident that it had a well-informed hold on all out of county placements.

The Chair then opened the discussion out for questions. Responding to members' questions the Head of Service advised:

- that the advice given to families moving into the area on how best to determine which school would be most appropriate for their child was to use the data available on the My Local School website for each school under consideration for their child and then to follow that up with a visit to the school(s) and meet the Headteacher(s).
- that data sets for school were generally updated on an annual basis whilst attendance data was updated monthly
- that whilst there had been a number of changes in personnel within the Service since the inspection, education and the world in general had also changed dramatically since the pandemic, with all services now attempting to meet increasing demands with finite financial resources. However, the Service had built outstanding relationships with headteachers and understood the priorities they were focusing on. Weekly open briefing sessions were held with schools at which all were encouraged to share any worries or queries with the Service with a view to seeking resolutions and answers. The Service was also required to meet other priorities which arose from WG and Estyn and the Service constantly attempted to balance these in order to use limited resources effectively. The Service currently had a 'good' Estyn profile.
- that Dragon Sports initiative nor the 5 x 60 programme no longer existed. Denbighshire Leisure Limited (DLL) had a strong community offer for schools and sport formed a statutory part of the new Curriculum for Wales, with its holistic focus on physical and mental wellbeing.
- that with respect of GWE the former Minister for Education and Welsh Language had announced Phase 2 of a middle tier review of GWE, which could ultimately lead to the regional working element coming to an end, with more of a focus on local schools and collaboration with other neighbouring local authorities, this phase of the review was due to be completed by the end of August 2024. No decisions had yet been made in respect of long-term support. For the forthcoming twelve months GwE would continue to support schools. It was anticipated that changes would be made to services commissioned from GwE from April 2025 but the statutory work they provided for Denbighshire County Council would continue. The commissioned services were likely to be tailored to individual school needs post April 2025; and
- that, with respect to when the next inspection of the Council's Education Service was likely, Estyn inspections ran in six-year cycles. As all 22 local authorities had now been inspected, in theory the Council could be inspected anytime from September 2024 onwards when the new Framework for Inspection came into force. All inspections were undertaken with limited notification being provided to the Authority or when it was likely to take place.

At the conclusion of a comprehensive discussion the Committee:

Resolved: that, subject to the observations provided and considering the current position following the Pandemic, it was satisfied that all possible

actions to address the recommendations in the Estyn Inspection Report of 2018 had been completed.

7 UPDATE ON MEDIUM TERM FINANCIAL STRATEGY AND PLAN FOR 2025/26 - 2027/28 AND REVIEW OF THE COUNCIL'S FINANCIAL RESILIENCE AND SUSTAINABILITY

The Lead Member for Finance, Performance and Assets and Head of Finance and Audit presented the Medium-Term Financial Strategy (MTFS) and Plan (MFTP) report (previously circulated). They advised members that the Committee would have a key role going forward in the budget and medium-term financial strategy/plan monitoring processes and that its views would be feedback to Cabinet. The Lead Member provided an overview of what each appendix presented and invited questions from Committee members.

Responding to the questions raised the Lead Member and Head of Finance and Audit advised:

- that in relation to how up to date the data presented was and whether real time data was available to elected members - embedding the new T1 finance management system would be a priority over the summer in order to ensuring it was working efficiently and effectively. The Finance department were constantly looking at the balance sheets. There would be a further update on the savings made to date to the July Cabinet meeting. Unfortunately, there would always be a slight time lag in data due to time required for preparing reports prior to publication deadlines.
- that whilst Adult Social Care and Homelessness spend and savings figures were grouped together, because they were both under the same Head of Service, the Finance Service did hold individual figures for the separate service areas which could be shared with members. Individual service area figure would be shared during the upcoming workshops. It was emphasised that Adult Social Care was the Council's biggest area of spend because it was based on demand and the area had a large older people demographic profile, people were living longer therefore the demand on service increased.
- that, in relation to the number of fora that discussed the contents of this particular report, this was a significant report which contained the details of the main barrier to the Council delivering its services and ambitions for the foreseeable future. It was therefore imperative that all the Council's main decision-making committees and operational groups had sight of it and fed-into the scrutiny of it. The report was in the first instance presented to the Senior Leadership Team (SLT), then Cabinet prior to Full Council approving it. The Governance and Audit Committee had a role to play in ensuring that the Council had an adequate budget setting process in place, whilst Performance Scrutiny Committee's role centred around budget and savings monitoring, early identification of slippages in order to formulate recommendations with a view to addressing those slippages. As each committee/group had a different role to fulfil in relation the MTFS and MFTP its presentation to each one did not equate to the duplication of work

- that arrangements were underway to hold a meeting with City, Town and Community Councils (CTCC) to update them on the budget position
- that with regards to the staff voluntary exit schemes and their impact on service delivery, vacancy controls were still in place. Under the vacancy control policy any requests from managers/heads of services for staff recruitment were presented to the Corporate Executive Team (CET) for endorsement prior to advertising the posts. Members registered concerns on whether these schemes had prompted other officers to leave the Authority's employment in parallel but not via these schemes, as they felt that a lot of well-known officers within Denbighshire County Council were leaving in the near future which would result in a loss of knowledge and experience. Members were concerned that the perceived high number of experienced staff leaving for a variety of reasons was an unintended negative consequence of the voluntary exit schemes.
- that enquires would be made in relation to whether the estimated prediction of £700,000 from car parking fees was on target to be realised.

To conclude the discussion the Committee discussed what mitigating steps were being taken to make sure the Council set and delivered a balanced budget for the current year and in forthcoming years. The Lead Members drew the Committee's attention to Appendix 4, the MTFP, which outlined the process being followed. Each service within the Council had been required to make savings, and in some instances some services have had to be cut, however this in the long term would not be a viable approach and this was the reason why the Budget and Transformation Board had been established with a view to exploring other budget saving options for the future, including alternative service delivery models.

Following an in-depth discussion, the Committee:

Resolved:

- (i) that the above observations on the matters listed in paragraph 2.1 of the report be conveyed to Cabinet by the Lead Member for Finance, Performance and Assets along with the Head of Finance and Audit; and***
- (ii) acknowledged its future role in the budget setting and Medium-Term Financial Strategy and Plan monitoring processes.***

At this juncture the Committee adjourned for a 10-minute break.

8 DENBIGHSHIRE'S REVISED DRAFT CLIMATE & ECOLOGICAL CHANGE STRATEGY 2021/22 - 2029/30

In the absence of the Lead Member for Environment and Transport the Head of Corporate Support Service - Performance, Digital & Assets, and Climate Change Project Manager presented the report and reviewed draft strategy (previously circulated).

The Strategy required to be reviewed every three years, and this was the first review. Appendix 2 to the report detailed the initial findings of the public consultation on the draft document, whilst Appendix 3 listed the proposed amendments which would be made to the strategy following the consultation. The Head Service advised that the Council was making good progress in implementing and delivering the Strategy, but due to the pace of change and budget pressures they could not guarantee that the Authority would achieve its ultimate ambition by 2030.

Responding to members' questions the Head of Service and Climate Change Project Manager advised that:

- The Council had 85 Electric Vehicle (EV) Charging Points available, most of which had two sockets. 45 of these points were located near Council buildings, 40 were available to the public in Council owned car parks (18 of which were located on West Kimmel Street car park in Rhyl). 12 points were currently being commissioned. The location of the nearest EV charging points could be viewed online.
- the Council does not currently provide charging points in its housing stock, mainly as the majority do not have driveways. Where driveways existed, some tenants had made their own arrangements to install EV charging points. However, the Council would continue to look at funding arrangements for installing more EV points on Council owned land and Council housing stock in future.
- the income generated from the use of EV charging ports was invested in maintaining the systems. Whilst the Council was not running at a loss by installing these ports it was not permitted to realise a profit-making from the service.
- They would be willing to discuss with individual councillors outside of the meeting various grant opportunities which may be available for public or local organisations to apply for the installation of EV charging points and other energy saving measures etc. particularly in rural areas. The team had a good track record at securing external funding and would continue to do so for priority areas within the Strategy.
- The council doesn't need to deliver everything itself that is in the Strategy, its about using our influence for partners and public to contribute too. Also about prioritising our efforts and actions. Officers were looking to have projects ready as and when grant monies became available.
- the review itself did not have cost implications as the costs were staff time. Some funding had been spend on an independent facilitator for the external public consultation.
- in order to achieve net zero by 2030, financial implications were estimated at at least £48million over the six years, a lot of which could be funded through external grants.
- affordability was the main risk associated with the Strategy, then officer resources. Officers were now prioritising projects where they were likely to be able to source external money for projects that would make the biggest difference.

Members suggested that it may be good practice in future for planning permission for new builds to stipulate the need to install EV charging points as part of the planning criteria during the planning application process. Members discussed whether possibility of utilising the new financial management system for tracking carbon emissions data for the Council.

Following a comprehensive discussion, the Committee:

Resolved: subject to the above feedback and observations, to acknowledge the work undertaken to develop the Year 3 reviewed and refreshed Climate and Ecological Change Strategy, and in doing so –

- (i) support its aims and ambitions and recommend to Cabinet that it seek County Council to adopt and implement the revised Strategy;***
- (ii) determined that the Council's progress in delivering the revised Strategy be monitored by the Committee on an annual basis from autumn 2025 onwards; and***
- (iii) as part of its consideration, it had read, understood and taken account of the Well-being Impact Assessment (Appendix 4).***

9 COUNCIL PERFORMANCE SELF-ASSESSMENT REPORT 2023/24

The Lead Member for Finance, Performance and Strategic Assets introduced the report and appendices (previously circulated) stating that the Council had set itself an ambitious Corporate Plan, which since its approval had become even more of a challenge to deliver given the current financial climate facing local authorities and public services.

The Head of Corporate Support Service - Performance, Digital & Assets, provided an overview of the progress made, and outlined the challenges that lay ahead against the Corporate Plan themes. She advised that it was a live document, where items were considered as having a red status, they were still being worked upon, it did not mean they had been paused, in some instances progress may be slower for some areas due to budget pressures. Also attached as an appendix to the report was the draft scope for the Panel Performance Assessment for members' observations.

Responding to members' questions the Lead Member, Head of Service and other officers explained that:

- the 'trauma informed status' schools referred to an all-society Framework to support a coherent, consistent approach to developing and implementing trauma-informed practice across Wales, providing the best possible support to those who need it most. It related to how schools and individuals within them took into account adversity and trauma, recognising and supporting the strengths of an individual to overcome these experiences in their lives and setting out the support they could expect to receive from the organisations, sectors and systems that they may turn to for help. It did entail training which was quite intensive and dependent on grant funding.

One school in Denbighshire had achieved the status to date and two other schools were part way through the process. In June 2023, a programme of two-day school senior leadership training had taken place; 87 senior leaders had been trained between June and November 2023. The county also had 86 school and county staff who had completed the diploma as Trauma Informed Practitioners. The Council was currently waiting to receive confirmation of the roll out of free general trauma informed awareness training.

- the main areas of overspend, which contributed to the Corporate and Service budget variant of £2,780,000 at the end of March 2024, continued to be in Education and Children's Services, Highways and Environmental Services and Adult Social Care and Homelessness. The report presented to the Committee outlined the steps taken in recent months to achieve a balanced budget i.e, voluntary exit schemes, staff savings schemes, the package of savings proposals approved earlier in the year, implementation of spending controls (including vacancy controls). It was important to remember that the budget was viewed as an evolving process rather than a one-off event in January of every year. Significant engagement on the budget and financial pressure across the Council, with members and with communities would continue.
- The flexible working policy, which meant that some officers were working from home for some of their time and from Council buildings when Council-business demand it, had been approved by the Council. This policy enabled staff to have a work/life balance, with the interests of the business being foremost. It saved the Council money and had freed up office buildings, it also reduced time spent travelling to meetings and between different locations and helped reduce carbon emissions. There were no plans to review the policy at present. The Corporate Director: Governance and Business advised members that if an officer was not responding to councillors in a timely fashion, they should raise it with the officer's Head of Service, as working from home should not delay a response.

At the conclusion of the discussion the Committee:

Resolved: subject to the above to –

- (i) receive the Council's Performance Self-Assessment report for 2023 to 2024, acknowledging the performance related issues highlighted within the report along with the actions identified to address slippages and/or budgetary pressures; and***
- (ii) support the key messages arising from the Self-Assessment and endorse the draft scope for the Panel Performance Assessment 2024 contained in Appendix IV.***

10 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.

She advised that a request had been received to reschedule the presentation of the Economic and Business Development Strategy from the July 2024 to the one in January 2025. The reason for the request was that the Council had engaged consultants to develop the Strategy and therefore the draft document would not be available for scrutiny until later in the calendar year.

Due to pressures on the Committee's forward work programme, and with a view to securing balanced business agendas and sufficient time to examine each item at every meeting, the Committee agreed the following changes to its forward work programme, that the presentation of the:

- Draft Economic and Business Development Strategy be rescheduled from July 2024 to January 2025
- Report on Recruitment, Retention and Workforce Planning be rescheduled from September 2024 to November 2024
- Initial Findings of the Working Group examining Library Service/One Stop Shop Provision be rescheduled from November 2024 to January 2025

During the course of the meeting the Committee had agreed to monitor the delivery of the Council's Climate and Ecological Change Strategy on an annual basis, starting in the autumn of 2025.

Members were reminded to complete a 'Member Proposal Form' (Appendix 2 to the report) if there was a topic or area of work which in their view merited examination by Scrutiny. All completed forms would be considered by the Scrutiny Chairs and Vice-Chairs Group (SCVCG) who would determine whether the topics put forward met the criteria for Scrutiny.

At May's meeting of the SCVCG the Group had agreed that Performance Scrutiny should in future have a role to play in the budget setting and Medium-Term Financial Strategy & Plan monitoring process, hence the consideration of the report presented at the current meeting. Similar reports would be presented to the Committee, either as agenda items or as information reports, at regular intervals throughout the year.

In addition, the SCVCG had considered Scrutiny's approach to the Council's Transformation Programme and had resolved that each of the Scrutiny Committees be allocated one of the Transformation Programme's themes to examine, as and when they were sufficiently developed. The themes would be allocated as follows:

- Commercialisation and Enterprise – Communities Scrutiny Committee
- Collaboration and Partnership – Partnerships Scrutiny Committee
- Influencing Demand and Digital – Performance Scrutiny Committee

Nevertheless, the Council's thematic scrutiny structure had sufficient flexibility to enable any of the Committees to examine matters relating to any of the above themes if the 'designated' committee did not have capacity to do so at the required time.

The Committee:

Resolved: subject to the above inclusion and amendments, to confirm its work programme as set out in Appendix 1 to the report.

11 FEEDBACK FROM COMMITTEE REPRESENTATIVES

None.

Meeting concluded at 12.50pm.