

## **PERFORMANCE SCRUTINY COMMITTEE**

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 29 November 2012 at 9.30 am.

### **PRESENT**

Councillors Meirick Davies, Richard Davies, Huw Hilditch-Roberts, Colin Hughes (Chair), Geraint Lloyd-Williams, Peter Owen, Dewi Owens and Arwel Roberts (Vice-Chair)

### **ALSO PRESENT**

Corporate Director: Economic and Community Ambition (RM), Head of Communication, Marketing and Leisure (JG), Head of Planning, Regeneration and Regulatory Services (GB), Corporate Improvement Manager (TW), Customer Relationship Manager (JW), Corporate Complaints Officer (SG), Audit Manager (BS), Senior Licensing Officer (NJ), Wales Audit Office Representative (GB) Democratic Services Officer (RH) and Administrative Officer (CIW).

#### **1 APOLOGIES**

Apologies for absence were received from Councillors Ian Armstrong and Gareth Sandilands

#### **2 DECLARATION OF INTERESTS**

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

#### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

#### **4 MINUTES OF THE LAST MEETING**

The Minutes of a meeting of the Performance Scrutiny Committee held on Thursday, 18<sup>th</sup> October, 2012 were submitted.

Matters arising:-

Denbighshire School Funding Formula – Councillor H. Hilditch-Roberts expressed concern that the minutes had not specified that he had submitted the first four questions under responses to questions and issues raised by Members.

Councillor A. Roberts explained that the Board of Governors at Ysgol Y Castell, Rhuddlan had expressed concern that, following the hard work and improvements made to balance the school's budget, the proposed changes to the School Funding

Formula would alter the criteria to the financial detriment of the school, and that the Board of Governors were not satisfied with the level of consultation.

**RESOLVED** – *that, subject to the above, the Minutes be received and approved as a correct record.*

## 5 CORPORATE RISK REGISTER

A copy of a report by the Corporate Improvement Manager had been circulated with the papers for the meeting, which presented the latest version of the Corporate Risk Register for Denbighshire, and enabled the Scrutiny Committee to fulfill its role in ensuring that identified risks were being appropriately addressed by the implementation of effective measures to mitigate risks.

The Corporate Improvement Manager (CIM) introduced the report and outlined the main changes made to the Corporate Risk Register, since the previous presentation to the Committee, which included:-:

- The removal of DCC003: *“The risk that demographic change leads to un-resourced demands on Council services”*.
- The amendment of DCC005 from *“The risk that the time and effort invested in collaboration is disproportionate to the benefits realised”* to *“The risk that the time and effort invested in existing large-scale collaboration projects is disproportionate to the benefits realised”*.
- The removal of DCC008: *“The risk that political change impacts on the ability of the political leadership (Leader/Cabinet) to deliver a difficult agenda”*.
- The revision of DCC014: *“The risk of a health & safety incident resulting in serious injury or the loss of life”*.
- The creation of the new risk DCC015: *“The risk that the Council cannot influence the collaboration agenda and that further collaboration is forced upon rather than entered into voluntarily”*.
- The creation of the new risk DCC016: *“The risk that the impact of welfare reforms is more significant than anticipated by the Council”*.

The CIM provided a summary of the structure, changes and reviewing process of the Corporate Risk Register, Appendix 1, which been included in the report. All service risk registers were reviewed by services prior to each round of Service Performance Challenge meetings. A risk workshop would be held with CET who formally review each round of Service Performance Challenges. Any significant new or escalating risks would be brought to the attention of CET, as and when identified, and CET would then consider whether the risk identified should be included in the Corporate Risk Register.

The Corporate Risk Register would be presented to the Scrutiny Committee following each formal review. Members agreed that an item be included in the Forward Work Programme for February, 2013, following the current round of Service Performance Challenges. Actions identified to address corporate risks were included in Service Plans, where appropriate, which would enable the Committee to monitor progress. Any performance issues relating to the delivery of the activities would be highlighted in the Service Performance Challenge process.

The Council's Internal Audit function provided independent assurance on the effectiveness of the internal control procedures and mechanisms in place to mitigate risks across the Council, and offered independent challenge to ensure the principles and requirements of managing risk were consistently adopted throughout the Council.

An annual review and report on progress of the risk management policy, produced for the Corporate Governance Committee, would identify weak areas which required strengthening to improve the risk management process.

In reply to questions from Councillor M.LI. Davies, the CIM confirmed that the Corporate Risk Register could be accessed through the Denbighshire Intranet and he provided details regarding the format and categorising process of identified risks under the Risk Register.

The Corporate Director: Economic and Community Ambition (CD:ECA) responded to concerns raised by Councillor A. Roberts regarding the Council's independence in not being able to influence the collaboration agenda (DCC015). She explained that this issue had remained as a B2 risk due to actions currently being undertaken to mitigate the impact of the risk. CET had discussed this matter in detail and it had been agreed that further work would need to be undertaken with regard to the Regional Collaboration Agenda.

Councillor H. Hilditch-Roberts raised concern in respect of DCC004, the risk that the Council would be unable to develop the staff and management capability to deliver the change agenda, with one factor recognised as a resistance to change, and stated that flagging this as a risk was not sufficient and that this would require action to resolve. The CD:ECA said that the 'resistance to change' was not an issue at present, but the potential for this to present difficulty was recognised. It was confirmed that actions were still pending with work being undertaken in respect of the Modernisation Board and its agenda of projects, the delivery of the People Strategy Action Plan and the relevance of workforce and succession planning.

In response to a question from Councillor H. Hilditch-Roberts relating to the recent events following the bad weather conditions, the CD:ECA referred to DCC011 and confirmed that the identification of the Inherent and Residual Risks of E1, in respect of the risk of a severe weather event, had been at the appropriate level of risk and correctly identified. She confirmed that following completion of the recovery phase a debriefing would be held to assess the response and recovery operations.

**RESOLVED** – *that the Performance Scrutiny Committee:-*

- (a) confirms that the Corporate Risk Register provides full coverage of the major risks facing the Council at this time, and that the actions identified in the Corporate Risk Register were appropriate to address the identified risks; and*
- (b) agrees to receive a report to review the Corporate Risk Register following the latest round of Service Performance Challenges at its meeting on 21st February 2013.*

A copy of a report by the Corporate Improvement Manager had been circulated with the papers for the meeting.

The Corporate Improvement Manager (CIM) introduced the report which presented the Improvement Assessment Letter for Denbighshire County Council, Appendix 1, issued by the Wales Audit Office (WAO) on the 17<sup>th</sup> September, 2012. The letter was one of the key external regulatory reports received by the Council each year, and this would enable the Performance Scrutiny Committee to carry out its performance management function.

The Improvement Assessment was the main mechanism for the WAO to report its assessment of the Council's performance and prospects for improvement. Although there were no formal recommendations in the letter, Members were provided with an opportunity for discussion in order to decide whether any particular aspects of performance referenced in the letter required further scrutiny. Members agreed that the next Improvement Assessment Letter, due to be issued by the WAO before the end of November 2012, be included in the Committee's Forward Work Programme for consideration on the 10<sup>th</sup> January 2013.

Mr Gwilym Bury, the representative from the Wales Audit Office, provided a summary of the detail contained in the letter and highlighted the proposals for improvement made in the Annual Improvement Report 2012. He made particular reference to the work to be undertaken on the Annual Governance Statement, and the relevance of the Strategic Review in respect of the Rhyl Going Forward delivery plan.

He explained that a key element of the information considered by the WAO was the Council's performance in relation to delivering the priorities in its Corporate Plan. The WAO was required to formally assess the Council's Annual Performance Report and its Corporate Plan. Neither document had been available for assessment prior to the publication of the Improvement Assessment Letter, as the draft versions of both documents had been discussed and approved by Council on the 9<sup>th</sup> October, 2012. The WAO would therefore include an evaluation of both documents in its Improvement Assessment Update Letter which was due to be published before the end of November, 2012.

Mr Bury explained that the WAO had undertaken a number of interviews with relevant officers and elected members prior to drafting the Improvement Assessment Letter. The draft report had been shared with the Council, and feedback had been requested prior to publication.

The Chair commented on the positive assessment given in the letter and following further discussion, it was:-

**RESOLVED** – that Performance Scrutiny Committee:-

- (a) receives and notes the contents of the Improvement Assessment Letter, and
- (b) agrees that the next WAO Improvement Assessment Letter be included in the Committee's Forward Work Programme for the 10<sup>th</sup> January 2013.

## **7 PERFORMANCE STANDARDS REVEALED THROUGH THE COMPLAINTS PROCESS**

A copy of a report by the Corporate Complaints Officer had been circulated with the papers for the meeting.

The Customer Relationship Manager introduced the report which presented an analysis of the feedback received via Denbighshire County Council's customer feedback policy 'Your Voice' for Quarter 2 of 2012/13. The Corporate Complaints Officer (CCO) summarised the report which identified the key areas detailed below:-

Highlights – The Council's response time to complaints within the 'Your Voice' timescales in Quarter 2 was down from 91% to 87% in the previous quarter and continued to be short of the corporate target of 95%.

Complaint response times - Although the overall performance of the Council had dropped there were a number of points to note.

- A number of complaints had been incorrectly allocated to services and reallocated under the heading of 'Other'. This had impacted on the overall performance figures as these complaints had been dealt with outside of target.
- Housing Services had 'stabilised' their performance following the restructure.
- Environmental Services continued to perform well despite having had the highest volume of complaints. Their performance had not suffered significantly despite a 69% increase in the complaints received during the quarter.
- The complaint volumes for Highways had increased by 38% in the quarter. However, performance had only slipped slightly.
- Stage 1 complaints were said to relate to failure to respond within the recognised timescales, with 87% of Stage 1 complaints having been responded to within an appropriately timeframe.

Improving performance - The corporate aim had been to respond to at least 95% of complaints within the stated timescales. The main area of concern had been responding to Stage 1 complaints outside the 10 working day timescale. A meeting with service complaints and performance officers had been held in November to further reinforce this aspect of performance and one aim would be to ascertain why complaints were not responded to within timescale. The findings from the meeting would assist in formulating an action plan to improve this aspect of complaint handling with the results fed back to the Committee when the next report is presented in February. A monthly report had been introduced in September for meetings of the Senior Leadership Team (SLT) highlighting performance in regards responding to complaints.

In response to a question from Councillor A. Roberts, the (CCO) confirmed that all complaints received should be directed through the Customer Relationship Management system.

The Customer Relationship Manager responded to a question from Councillor M.LI. Davies and provided an outline of how the timescales in respect of complaint

response times had been set. He confirmed that consideration was currently being afforded to adopting a two stage policy as advised by the Local Government Ombudsman. In reply to concerns raised by Councillor D. Owens it was explained that, depending on the nature of the complaint, responses could be provided within shorter timescale. In cases where timescales could not be adhered to customers would be informed accordingly.

Following further discussion, it was:-

**RESOLVED** – that Performance Scrutiny Committee receives the report and notes the performance of services.

## **8 LIBRARY SERVICE STANDARDS: ANNUAL REPORT 2011/12**

A copy of a report by the Lead Officer: Libraries, Archives and Arts, which detailed the Library Service's performance against CyMAL's Annual Assessment Framework for Welsh Public Library Authorities, had been circulated with the papers for the meeting.

The Head of Communication, Marketing and Leisure (HCML) introduced the report which summarised the Library Service's 2011/12 performance against the 9 Welsh Public Library Standards, 7 Welsh Public Library Performance Indicators and detailed the CyMAL's Annual Assessment Framework for Welsh Public Libraries. The Framework would be operational for a three-year period from April 2011 to March 2014, and would focus on the maintenance of a core library service.

CyMAL's assessment of Denbighshire's Annual Report confirmed that in 2011/12 the Authority had met 5 of the 9 Welsh Public Library Standards, partly achieved 3 of the Standards and failed to meet one Standard. Denbighshire's performance had been considered by CyMAL to be slightly below average when compared with other authorities in Wales.

A summary of the standards met, partly met and not met by Denbighshire had been included in the report. As the Welsh average for meeting the Welsh Public Library Standards was 6 it implied that Denbighshire's Library Service was below average. However, Performance Indicators provided a different perspective:-

- 2<sup>nd</sup> highest used and visited Library Service across Wales.
- 3<sup>rd</sup> highest Authority in Wales for issues of books and other materials.
- 17<sup>th</sup> for percentage of the Library Service's revenue budget spent on stock.
- 12<sup>th</sup> for percentage take up of public access PCs.

Denbighshire's high usage and issue figures for 2011-12 had reflected the success of its Summer Reading Challenge, the most successful ever in the County. Denbighshire was 4<sup>th</sup> for its net expenditure per 1,000 population on Library Services. However, it was in 20<sup>th</sup> position with a cost of £2.29 per visit and usage, compared with the Welsh average of £2.84, and the Welsh highest of £4.24.

Performance Indicator data for all Welsh Authorities had been included in Appendix A and officers confirmed that they would contact other high performing Library

Services in Wales, such as Monmouthshire, to share best practice and learn from their experience. Performance against the Assessment Framework for 2011-14 was reported annually to CyMAL. The CyMAL's most recent evaluation indicated that Denbighshire had underperformed in meeting 5 of the 9 Standards. However, Performance Indicators illustrated that Denbighshire was one of the best performing in terms of library visits, usage and issues. There were no risks involved with the current assessment and the service was confident it was addressing its own priorities in meeting the needs of local residents and communities in Denbighshire.

The Chair explained that he had met with the Lead Member, Councillor H.LI. Jones, and the Lead Officer: Libraries, Archives and Art Service, Arwyn Jones, to discuss what was most relevant to the delivery of the Library Service in Denbighshire. The HCML highlighted the importance of the Libraries Strategy, which would develop a new range of metrics with the provision of more community based services within the libraries. This would also raise the profile of the Library Service and form part of the response to CyMAL.

The HCML explained that the services of St Asaph Library had been lost due to flood damage which would have a detrimental impact on future statistics. In reply to concerns raised by Councillor M.LI. Davies regarding the need for the provision of temporary replacement facilities, it was explained that Libraries at Rhuddlan and Denbigh would provide support with the possible deployment of the Youth Mobile Unit to the area to enable local residents to access services. The HCML confirmed that consideration would not be afforded to reducing library hours until the impact on associated services was clear, with efficiencies being found through more effective use of existing resources.

In response to concerns expressed by Councillor A. Roberts, the HCML confirmed that there were no proposals within the immediate term financial plan or within the Service Challenge to close Rhuddlan Library. He confirmed that maintenance issues relating to the roof and heating system had been referred to Building Services and he agreed to pursue the matter. However, it was explained that the undertaking of maintenance work would be subject to prioritisation and the availability of funding.

During the ensuing discussion the Committee endorsed the work undertaken and it was:-

**RESOLVED** – that Performance Scrutiny Committee:-

- (a) receives the report and endorses the Library Service's performance against the Annual Assessment Framework; and
- (b) agrees to provide a statement to CyMAL concerning the Library Service's performance.

## **9 REVIEW OF LICENSING MATTERS**

A copy of a report by the Head of Planning and Public Protection had been circulated with the papers for the meeting which detailed the comprehensive review

of taxi and private hire vehicles (PHV) licensing policies and procedures and advised on the reporting mechanism to the Licensing Committee.

The report was presented and summarised by the Head of Planning and Public Protection (HPPP) and the Senior Licensing Officer (SLO). The HPPP informed Members that the policies and procedures to ensure appropriate control over taxis and PHVs were being revised to provide for a robust taxi and PHV licensing system. The duties and responsibilities of the Licensing Admin Team, who work in conjunction with a number of teams and agencies, and details of the licensing system had been summarised in the report. The Licensing Committee consider and propose policy and make decisions as a quasi-judicial body on individual applications, with a number of decisions being delegated to officers or the Head of Service.

Taxi licensing was said to be a particularly complex area with co-ordination and communication between service areas of the Council and partner agencies integral to the safe operation of the system and to the protection and safety of the public. The Authority would continue to take robust action against operators and drivers who were non-compliant and failed to meet the required standards. In order to ensure that the process was as robust as possible a full review of the taxi licensing process had commenced during 2012. Details of the project management approach and the project proposal had been included in Appendix 1 to the report.

Licensing Administration Officers, Enforcement Officers, Social Services, Fleet Services, School Transport and North Wales Police had, as a Group, identified areas for improved communication and achieved the desired outcome of clarifying roles and responsibilities within the taxi licensing process. This had been facilitated by Internal Audit and revised processes were produced and circulated to the Group for final agreement. The revised process would be presented to the Head of Service and the Licensing Committee and had been included as Appendix 2a. Further work had been planned to review the scheme of delegation and areas of the Constitution.

An update report would be presented to the Licensing Committee in 2013, and the work programme for the Licensing Committee had been included as Appendix 3. Members agreed that a review of the effectiveness of the revised policies and procedures be undertaken later in 2013, and that an update report be submitted to the Scrutiny Committee in September, 2013.

The SLO responded to questions from Councillor D. Owens and provided details pertaining to the issuing and renewal of taxi driver licenses and the importance of undertaking CRB checks. She explained that licenses were renewed annually and CRB checks undertaken every three years. The SLO stressed the importance of interaction with other agencies and made particular reference to the introduction of new processes which would require applicants to provide declarations of any current or spent convictions. These processes would minimise any risks and assist in improving an already robust system.

The following responses were provided by the officers to questions submitted and issues raised by Members:-



- details of the differentiation between hackney carriage and private hire vehicles was provided by SLO.
- there being less legislative control over taxi company proprietors than taxi drivers.
- confirmation was provided that the Licensing Authority receives immediate notification of taxis which had failed their MOT tests to ensure they were not utilised as taxis.
- in response to issues raised by Councillor G. Lloyd-Williams, the SLO provided details of the process of obtaining and undertaking CRB checks on taxi drivers, the timescales involved and the impending changes to the system. The SLO informed the Committee that employers would be notified of any changes in the status of a person who had been CRB checked.
- the limit on the number of taxi plates issued had been discontinued and this had eliminated the unauthorised sale of the taxi plates between taxi operators.
- the HPPP explained that whilst taxi driver tests were not a statutory requirement, refusal by a driver to undertake the test could be referred to the Licensing Committee for consideration.
- the process adopted for revoking and suspending taxi driver licenses was outlined by the SLO together with the procedure for the removal of plates from taxis.
- in instances where applicants for licenses were found to have previous offences and convictions, each individual case would be considered on merit and the timescales and category of conviction would be taken into consideration.

Following further discussion, it was:-

**RESOLVED** – *that Performance Scrutiny Committee:-*

- (a) receives and notes the content of the report*
- (b) supports the approach undertaken to date under the review of licensing processes; and*
- (c) agrees to receive an update report in Autumn 2013 in order to review the effectiveness of the new processes once fully operational.*

## **10 SCRUTINY WORK PROGRAMME**

A copy of a report by the Scrutiny Coordinator, which requested the Committee to review and agree its Forward Work Programme, had been circulated with the papers for the meeting. A copy of the Cabinet Forward Work Programme had been included as Appendix 2 to the report.

The Committee considered its draft work programme for future meetings, as detailed in Appendix 1, and the following amendments and additions were agreed:-

10<sup>th</sup> January, 2013:- Wales Audit Office (WAO) Improvement Assessment Letter

21<sup>st</sup> February, 2013:- Corporate Risk Register. Members agreed that the Performance Scrutiny Committee meeting commence at 10.00 a.m. with a briefing session in respect of the Corporate Risk Register commencing at 9.30 a.m.

The Corporate Improvement Manager explained that arrangements were being made to reschedule the Service Challenges meetings which had been cancelled as result of the bad weather conditions.

The Chair referred to the information report circulated in relation to the School Funding Formula. Members agreed that the Democratic Services Officer liaise with the Planning and Resources Manager to provide a table showing the revised funding formula elements and the effects on individual schools in the County.

Members agreed that issues raised by Councillors A. Roberts and M.LI. Davies respectively regarding the problems experienced in relation to the roll-out of the x2 wheelie bin scheme, and the use of economy saving devices on vehicles, as demonstrated at the Fleet Management training sessions, be submitted to the Chairs and Vice Chairs Group for consideration for inclusion in the Forward Work Programmes of the appropriate Scrutiny Committees. The Corporate Director: Economic and Community Ambition explained that the service providers had recognised that the roll-out of the x2 wheelie bin scheme could have been executed more successfully in the South of the County. She confirmed they were currently analysing and scrutinising the process adopted, with a view to improving future arrangements, and would be prepared to attend the relevant Scrutiny Committee meeting to share the details of the work undertaken.

In response to a request from Councillor D. Owens for the inclusion of information, relating to Deeside College, in the report relating to External Examination Results and Achievements for Denbighshire Students at Llandrillo College, the Democratic Services Officer agreed to liaise with the 14-19 Network Co-ordinator regarding the possibility of obtaining the information.

**RESOLVED – that:-**

- (a) subject to the above amendments and agreements, the Future Work Programme as set out in Appendix 1 to the report be approved.*
- (b) the Democratic Services Officer liaise with the Planning and Resources Manager to provide a table showing the revised funding formula elements and the effects on individual schools in the County.*
- (c) issues relating to the problems experienced in relation to the roll-out of the x2 wheelie bin scheme, and the use of economy saving devices on vehicles, be submitted to the Chairs and Vice Chairs Group for consideration for inclusion in the Forward Work Programmes of the appropriate Scrutiny Committees, and*
- (d) the Democratic Services Officer liaise with the 14-19 Network Co-ordinator regarding the possibility of obtaining the information relating to External Examination Results and Achievements for Denbighshire Students at Deeside College.*

## **11 FEEDBACK FROM COMMITTEE REPRESENTATIVES**

Councillor D. Owens explained that he had attended a number of Service Challenge meetings which he confirmed had been very positive.

***RESOLVED*** – *that the position be noted.*

*Meeting ended at 12.50 p.m.*