

PERFORMANCE SCRUTINY COMMITTEE

Minutes of a meeting of the Performance Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 20 June 2013 at 9.30 am.

PRESENT

Councillors Bill Cowie, Richard Davies, Colin Hughes, Geraint Lloyd-Williams, Arwel Roberts and David Simmons (Chair)

Co-optees : Ms D Houghton, Ms Nicola Lewis and Dr D Marjoram

ALSO PRESENT

Corporate Director: Economic and Community Ambition (RM), Head of Education (KE), Head of Business Planning and Performance (AS), Audit Manager (BS), Assistant Planning & Performance Officer (CE), Planning & Performance Officer (RBM), Corporate Improvement Officer (EMc), Health & Safety Officer, Support Services (VR), Scrutiny Co-ordinator (RE) and Committee Administrator (SLW).

1 APOLOGIES

Apologies for absence were received from Councillors Meirick Davies, Peter Owen, Dewi Owens and Gareth Sandilands
Co-Optees Carole Burgess and Gill Greenland.

2 DECLARATION OF INTERESTS

No declaration of personal or prejudicial interest had been raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES OF THE LAST MEETING

The minutes of the Performance Scrutiny Committee held on 24 May 2013 were submitted.

RESOLVED that the minutes of the meeting held on 24 May 2013 be received and approved as a correct record.

Councillor C Hughes, who was unable to attend the previous meeting, advised that he would be interested in representing the Committee on the Finance and Assets Service Challenge Group as he had not been appointed onto any of the Groups in his absence. The Committee agreed to Councillor Hughes' request and asked the Scrutiny Coordinator to contact Councillor D Owens, who already represented the Committee on a number of the Service Challenge Groups, to seek his agreement for Councillor Hughes to replace him on the Finance and Assets Group.

5 ESTYN ACTION PLAN

The Head of Education (H of E) submitted a report (previously circulated) providing an update on the progress made following the report presented to the Scrutiny Committee on 10 January 2013 in response to the recommendations made by Estyn following the 2012 inspection.

The Estyn Inspection had been very positive and had placed Denbighshire in the top 3 performing local authorities. However, in order to improve further, Estyn made the following two recommendations:-

Recommendation 1: Improve the accuracy of Teacher Assessments at the end of Key Stage 3. Denbighshire had been performing very well at the end of primary education and also at the end of statutory education. However, Estyn had noticed a dip in performance of students between key stage 2 and 4. At the age of 7, 11, 13-14 children were assessed in English, Welsh (if Welsh medium school), maths and science and performance had been judged on those assessments.

Estyn looked at the performance in relation to the free school meal percentage and Denbighshire were performing above the free school meal assessment level.

Denbighshire were looking to improve their ranking position in Wales. Once analysis of the results from all local authorities, together with teacher performance results, had been received, the rankings would be published. The climate around assessments would be changing and children would be required to sit numeracy and literacy tests. The actions identified by the Estyn Report, had been completed or were on target for completion.

Recommendation 2 – identify all services for children and young people in Denbighshire and establish an effective system to measure the impact of these services to help the Authority and its partners know whether these offer good value for money.

Phase One of the Resource Mapping Project for the Big Plan had begun in September 2012. There had been five phases to the Project. The time scale for Phase One had been amended to an estimated completion anticipated date of April 2014.

The threat of future industrial action by teachers was raised. One significant issue which had been the cause of possible future industrial action had been performance management. The Welsh Government favoured a “no limit” policy on the number of lesson observations taking place whereas the unions were strongly against a no limits policy.

The Welsh Government had instructed Denbighshire to instruct schools to adopt the Welsh Government Policy, which had been carried out. The local authority was opposed to the disruption of children due to the threatened strike action, especially year 11 children who would be preparing for GCSEs. Schools across Wales had been working individually with unions to attempt to resolve the situation. However,

a further policy change involving the pay policy which would have to be in place by September 2013, was anticipated to add to future risk of disruption and strike action. The Robert Hill Report also made reference to lesson observations.

Changes within the assessment process whereby numeracy and literacy tests were to take place caused an issue for Special Schools as pupils attending those schools did not fit into the criteria set by the tests. The problem had been raised at a recent meeting between the local authority and the Welsh Government.

Concerns had been raised with the Welsh Government (WG) on the impact these tests were having on the wellbeing of some of the children, some children having experienced significant issues. A number of children felt under pressure taking part in tests which occasionally caused problems with school attendance. Also, the impact on parents would need to be analysed. Many challenges lay ahead and it would be important the local authority were seen to be open and transparent.

Dr Dawn Marjoram thanked the Head of Education for her thorough report and incidental information. Dr Marjoram stated that co-opted members attended Scrutiny Committee meetings for education items only. There were numerous changes currently taking place but felt the Scrutiny system was not doing justice to education. Dr Marjoram expressed her concern that education items had not been discussed on a more regular basis at Scrutiny and felt an increased number of education topics needed to be scrutinised.

The Scrutiny Co-ordinator clarified that education topics were on the Forward Work Programme for Partnerships Scrutiny Committee in September 2013 and also for Performance Scrutiny in September 2013. Scrutiny Chairs and Vice-Chairs Group would be holding a meeting on Thursday 27 June and the subject of education scrutiny would be raised at the Group.

The Head of Education offered the Co-optees a briefing session to enable all the current issues within education to be discussed. Councillor Colin Hughes requested to be included in the briefing session. This was agreed.

The use of Moodle within schools was raised. All schools had access to Moodle and were being encouraged to utilise the system as an information sharing platform.

The Head of Education clarified work had been undertaken with Dr. Phil Bassett of Glyndŵr University in developing protocol for peer observations. This had been taken through the Union Forum LSP which met on a term basis to ensure there were no barriers down the line and some primary schools were to be pilots for this. There had been plans for the scheme to be in force across the county by the end of 2014.

There had been a considerable amount of work carried out within Denbigh Locality supported by Roger Rowett of Taith. The report by Roger Rowett had not yet been taken across county. The work had been labour intensive and in terms of targeting it would need to be taken locality by locality.

It had been recommended the issue be brought back to Performance Scrutiny Committee in six months for an update report. This had been agreed as clarification would be required for further scrutiny.

Tir Morfa School, Rhyl had recently been before members of the Schools Standards Monitoring Group (SSMG). Tir Morfa had been noted as a very good school Group Members had been extremely impressed. It was therefore recommended that a letter of congratulations be sent to Tir Morfa on their good work.

The Head of Education confirmed that due to welfare reforms, indicators may be changed regarding free school meals. Teachers were attempting to encourage parents to complete free school meal forms.

As there had been a number of experienced officers who had recently retired, and with the establishment of the regional school improvement service, concern was expressed regarding the quality of replacements. It was confirmed that there was a rigorous quality process in place to ensure best provision for Denbighshire.

RESOLVED that:-

- (i) The Committee receive and note the report and*
- (ii) The Committee agreed further monitoring of the action plan's implementation was required and would be brought back in six months for a further update.*

6 CORPORATE PLAN QPR: Q4 2012/ 13

The Head of Business Planning and Performance (H:BP&P) submitted a report (previously circulated) presenting an update on the delivery of the Corporate Plan 2012-17 at the end of quarter 4, 2012-13.

The Corporate Plan Performance Report was being presented to Performance Scrutiny Committee prior to submission to Cabinet to enable key points to be scrutinised and subsequently raised at Cabinet.

The current Corporate Plan QPR was quarter 4 of 2012/13 up to the end of March 2013.

The H:BP&P summarised the areas which had been identified within the report as "priority for improvement".

Following discussion the following issues were raised:

- (i) Many estate roads required work. Confirmation was requested as to whether these roads would be classed as C roads. The H:BP&P confirmed he would seek clarification of this and report back.
- (ii) A plan of the dropped kerb scheme had been requested. The H:BP&P confirmed he would obtain the information from Highways. It had been suggested the link member with highways could assist with this issue.

Councillor Bill Cowie, Link Member confirmed he would contact Mike Hitchings, the Strategic Highways Manager to arrange a meeting.

- (iii) The fact there were a deficit of primary school places was out of the local authorities hands.
- (iv) The fact the percentage of the adult population could not live independently was also an issue. This had been a long term plan but was not expected to change out of the red for some time.
- (v) Vince Russell, Service Improvement Manager, Highways & Public Realm, introduced himself as a representative for Steve Parker, Head of Environment. He reported the number of fly tipping incidents had increased from 680 incidents formally reported in 2009/10 to 2500 formally reported the following year. The data entry system for cases to be registered was CRM (Customer Relationship Management) system. Cases of fly tipping were dealt with within the day they were reported but it could take up to five days for the case to be closed on the CRM system. This caused data to be incorrectly monitored. The H&SO confirmed he would feed back to the Head of Environment that Members expressed concern regarding the delay in data entry.
- (vi) The Head of Planning and Public Protection was putting together a cross council approach regarding clean streets. Issues of untidy land were, on an average, dealt with within 12 weeks. Key officers were assigned to all individual sites. The Head of Planning and Public Protection would be approached to supply a list of “eyesore” sites to the Committee.

Committee members were reminded of their role as the Council’s performance leads for various services and the importance of utilising that role when the performance of the Service to which they were aligned seemed to be slipping or when undertaking the service challenge for the purpose of ensuring that priorities/actions were delivered e.g. improving school facilities and reducing the number of mobile classrooms.

The Head of Business Planning and Performance undertook to report the Committee’s observations on the Corporate Plan performance report to Cabinet at its next meeting.

RESOLVED that subject to the above, the Committee receive and note the report.

At this juncture (10.50 a.m.) there was a break.

Meeting reconvened at 11.05 a.m.

At this point, Councillor Colin Hughes raised the issue of the attendance of Lead Members at Scrutiny Committee meetings. Councillor Hughes stated that following the Peer Group exercise with Wrexham and Flintshire it had shown very good practice in that the Lead Member introduced the reports and officers played a more supporting role.

The Chair stated for future notice if Members wished a Lead member to attend, they were to contact the Scrutiny Co-ordinator to organise an invitation to the Scrutiny Committee

meeting.

The Scrutiny Co-ordinator confirmed the national Wales Audit Office (WAO) report would be launched on the 28 November 2013. The peer assessment report produced by Flintshire would be presented at the Scrutiny Chairs and Vice-Chairs Group on the 27 June 2013.

7 CORPORATE RISK REGISTER

The Head of Business Planning & Performance (H:BP&P) presented a report (previously circulated) presenting the latest version of the Corporate Risk Register, as agreed by the Corporate Executive Team (CET).

A risk register was produced by all services for their own service plan. Many risk affected not only the individual service but the Council as a whole.

A process was in place whereby a review took place bi-annually. If risks were to arise in the interim, they would be presented to CET immediately and thereafter added to the risk register.

The H:BP&P summarised the main changes to the Corporate Risk Register.

Following discussion taking place, the following issues were raised:

- (i) CRB checks would no longer be in existence. CRBs would be replaced by the DBS (Disclosure and Barring Service)
- (ii) Members had been informed by officers that there had been no site large enough within Denbighshire to accommodate the potential super prison. Council officers had furnished information that the former North Wales Hospital site comprised of only 43 acres. However, Denbigh Town Council had been in contact with the Ministry of Justice and alerted them to the fact that land adjoining the old North Wales Hospital site could have been made available to increase the size of the site to 75 acres which would have been sufficient for the new super prison.

It was clarified to the Committee that the North Wales Regional Leadership Board and not the North Wales Regional Ambition Board had dealt with the prison issue and had been in favour of the Wrexham site.

The Corporate Director: Economic and Community Ambition reiterated that a report had been submitted to full Council which had been an opportunity to put forward the former North Wales Hospital site. A further report would be submitted to Council in due endorsing the Wrexham site.

Members expressed serious concerns as they believed officers had not tendered the full details and, therefore, the matter had not been given due consideration.

In response to members' request the Scrutiny Co-ordinator confirmed that she would obtain a report together with details of correspondence relating to the matter and circulate the information to the Committee Members. Following analysis of the information provided, the decision would be taken whether to invite relevant officers to a future Performance Scrutiny Committee meeting to account for their actions.

Members questioned whether the risk relating to Welsh government (WG) Funding for 21st Century Schools should appear in the Council's Register as the availability of this funding was totally beyond the Council's control.

RESOLVED that the Committee:-

(i) *note the deletions, additions and amendments to the Corporate Risk Register, and subject to the receipt of the report and correspondence regarding the prospective site for the super prison, the information be circulated to Members for scrutinising.*

8 SCRUTINY WORK PROGRAMME

A report by the Scrutiny Co-ordinator was submitted (previously circulated) seeking Members' review of the Forward Work Programme:

- (i) The Corporate Governance Committee and Performance Scrutiny Committee roles regarding the Corporate Risk Register would be discussed at the forthcoming Scrutiny Chairs and Vice-Chairs Group meeting. A decision would be made as to which Committee the Corporate Risk Register would be required to be submitted. Depending on the outcome of the meeting, the Terms of Reference and Constitution may need to be amended to reflect the decision.
- (ii) Following the Bilingual Forum which had been held recently, the matter of the Conwy translation service had been raised. This had been due to the fact that the standard of translation appeared to have declined and also the length of time of translation of the papers had increased. The question had been raised as to why had the decision been taken to change from the original translation service to the Conwy translation service? Had it been to save costs? It had been recommended the issue be discussed at Scrutiny Chairs and Vice Chairs Group and then brought back to the Performance Scrutiny Committee.
- (iii) The Head of Communication, Marketing and Leisure requested the "Review of Council Publications" item be deferred until a future meeting. Unfortunately, due to the summer recess and work programme commitments, the Committee could not accommodate the report on its business agenda until the October meeting. As the Head of Communication, Marketing and Leisure was due to report to Communities Scrutiny Committee in September on the restructure of his Department, it was recommended that both subjects be combined into one report and

presented to the Communities Scrutiny Committee on the 12 September 2013.

- (iv) Five items had been scheduled into the work programme for the Committee's next meeting on 19 September. It was discussed and agreed that the "Licensing" matters be moved from the September meeting to the October 2013 meeting.
- (v) It was agreed that following the recent publication of an article in the Daily Post entitled "the missing millions of unpaid Council Tax," an information report would be submitted at a future meeting. If issues arose from the report, then the decision would be made as to whether to invite officers to the meeting to account for this problem.
- (vi) Dropped kerbs to be scheduled into the Forward Work Programme for October 2013.
- (vii) It was agreed at the meeting that Councillor David Smith, Lead Member for Public Realm, be invited for the "dropped kerbs", "CCTV" and "Licensing" items on the Forward Work Programme in October and Councillor Eryl Williams, Lead Member for Education, be invited to the September 2013 and January 2014 meeting for education items.

At this juncture, the Scrutiny Co-ordinator requested a volunteer to attend the Corporate Parenting Forum. Meetings were to be held quarterly with the next two meetings taking place in September and December. It was agreed by Members that the Scrutiny Co-ordinator contact Councillor Gareth Sandilands to ascertain if he would be willing to volunteer.

RESOLVED that subject to the above amendments, additions and agreements, the Future Work Programme be approved.

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Richard Davies wished to thank Councillor Colin Hughes for his hard work as Chair during the last year and offered his congratulations to Councillor David Simmons on his election as Chair.

The meeting concluded at 12.00 noon