

CORPORATE SCRUTINY COMMITTEE

Minutes of the meeting held on 9 March, 2020

PRESENT: Councillor Aled Morris Jones (Chair)
Councillors Lewis Davies, John Griffith, Richard Griffiths, Bryan Owen, Alun Roberts, J. Arwel Roberts

Portfolio Members

Councillor Llinos Medi Huws (Leader and Portfolio Member for Social Services)
Councillor Dafydd Rhys Thomas (Portfolio Member for Corporate Business)
Councillor Richard Dew (Portfolio Member for Planning and Public Protection)

IN ATTENDANCE: Chief Executive
Director of Social Services
Director of Function (Council Business)/Monitoring Officer (for item 2)
Head of Children and Families' Services
Head of Profession (HR) & Transformation (for item 3)
Programme, Business Planning and Performance Manager (for item 3)
Solicitor (Corporate Governance) (MY) (for item 2)
Principal Waste Management Officer (IH) (for item 3)
Scrutiny Manager (AGD)
Committee Officer (ATH)

APOLOGIES: Councillors Richard O. Jones, Dylan Rees, Nicola Roberts, Mrs Anest Frazer (Co-opted Member), Councillors R. Meirion Jones (Portfolio Member for Education, Libraries, Culture and Youth) Councillor Robin Williams (Portfolio Member for Finance)

ALSO PRESENT: Director of Function (Resources)/Section 151 Officer, Director of Education, Skills and Young People, Head of Service (Highways, Waste and Property), Head of Service (Housing Services), Interim Head of Service (Economic and Regulation), Head of Democratic Services, Scrutiny Officer (SR)

1 DECLARATION OF INTEREST

No declaration of interest was received.

2 PUBLIC SPEAKING PROTOCOL – SCRUTINY COMMITTEES

The report of the Director of Function (Council Business)/Monitoring Officer incorporating a Public Speaking at Scrutiny Protocol was presented for the Committee's consideration and comment ahead of its submission to the Executive and subsequently to the Full Council to determine whether or not it be adopted.

The Portfolio Member for Corporate Business presented the Protocol to the Committee stating that it is designed to assist Scrutiny Chairs in their work without affecting their authority or powers and to provide the public with a clear and accessible process for making their views known to the scrutiny committees.

The Solicitor for Corporate Governance advised that recent legislative developments have emphasised a legal requirement to listen to the voice of the public and that public involvement is imperative when Councils are making decisions. Under the Local Government and Elections (Wales) Bill published in November, 2019 which it is anticipated will receive Royal Assent during the Summer of 2020, there is a duty to encourage local people to participate in local government. There are also practical reasons for introducing the Protocol in terms of ensuring consistency and transparency for the public, for Members and for Officers. The focus of the legislation is to enable local people to have their views heard in matters that affect or can affect them. Although public speaking in scrutiny committees is currently possible, as there is no published procedural guide, it may be that the public are unaware of their ability to do so. The Protocol provides an opportunity to put in place clear, fair and formal guidance to inform the public and Members of the Committee about the arrangements and to ensure that expectations about the public speaking process are managed. Subject to approval, the finalised Protocol will be published on the Council's website as well as on social media sites to enable Scrutiny to reach the public including audiences it may not have reached previously.

With regard to the details of the Protocol, the Officer referred to the main provisions therein as follows –

- That Officers will undertake the administrative work under the Protocol in consultation with the relevant Scrutiny Chair;
- Members of the public can request to speak at a Scrutiny Committee meeting if they have submitted a written request to the Scrutiny Officer at least 3 working days prior to the Committee meeting. The written request must be made using the relevant form from the Council's website and electronic submissions are encouraged.
- Any written submissions/documentation should also be made available 3 working days prior to the committee meeting at the same time as the request to speak is registered. This provides for a fair balance between allowing the individual sufficient time to register a request to speak and prepare the relevant information, and ensuring that Officers have enough time to make the necessary administrative arrangements including verifying the suitability of any material submitted. It also provides time for the Committee's Members to prepare for the information presented.
- Members of the public are encouraged to review the Scrutiny Committees' Forward Work Programmes which set out the subjects that are scheduled to be considered – the Protocol includes a digital link to the work programmes.
- One person may speak from each group or party where each group or party has something different to say the aim being to ensure that the Committees hears all points of view, but that contributions are not repetitive. The Chair of the Committee will have the discretion to allow a second/third speaker with the same perspective in exceptional cases and where there are clearly different arguments to be heard. In accordance with legal powers, the Chair of the Committee will continue to have discretion in terms of exercising powers in presiding over the meeting which is made clear in the Protocol.
- Each speaker will be given five minutes to make their contribution.

In response to questions arising on the report, the Director of Function (Council Business)/Monitoring Officer and the Solicitor for Corporate Governance further clarified –

- That with regard to other authorities that have in place a published protocol for public speaking at scrutiny committees the time allotted to public speakers to make their contribution to a meeting can vary between them with some authorities allowing 5 minutes for each speaker and others 3 minutes.

- That the Protocol provides an organised and structured means for members of the public to give their views on issues that matter to them but does not permit members of the public to enter into a debate with members of the Scrutiny Committee.
- That with regard to making a request and submitting information the three days' notice period is considered necessary to allow Officers sufficient time to administer the request and to confirm the acceptability of any documentation presented and is in line with the statutory timeline for issuing committee papers. The publication of the agenda should not be the only means of raising the public's awareness of Scrutiny topics and the right to speak thereon; should the Protocol be adopted it is proposed that it be highlighted via a link in the Forward Work Programme. Additionally, as the Council undertakes a number of formal public consultations it might be possible to incorporate a standard declaration within the information about each consultation to flag up the public's right to request to speak at the meeting of the Scrutiny Committee when the matter that is being consulted upon is being discussed. The aim would be to provide pointers elsewhere about the right to speak at Scrutiny Committees and the business to be discussed so that the public are not dependent on the publication of agendas and papers for this information.

Whilst the majority of the Committee was supportive of the Protocol as presented accepting that it sought to formalise and provide clarity on public speaking arrangements at the Council's Scrutiny Committees, Councillors Aled Morris Jones, Lewis Davies and Bryan Owen were concerned that the Protocol imposed too great a constraint on members of the public in terms of the time given to them both to make a request and submit information, and to address the meeting and could therefore add to the pressure on individuals who may be nervous about speaking publicly or feel emotional about the matter on which they wished to speak. The three Members felt that the current informal arrangements under the direction of the Chair had served the Corporate Scrutiny Committee well hitherto.

Having discussed the matter and following a vote thereon, the Corporate Scrutiny Committee resolved to agree to the Public Speaking Protocol at Scrutiny as presented and to recommend it to the Executive. (Councillors Aled Morris Jones, Lewis Davies and Bryan Owen voted against)

3 MONITORING PERFORMANCE: CORPORATE SCORECARD QUARTER 3 2019/20

The report of the Head of Profession (HR) and Transformation incorporating the third Scorecard of the 2019/20 financial year portraying the Council's position against its operational objectives at the end of Quarter 3 was presented for the Committee's consideration and scrutiny.

The Portfolio Member for Corporate Business reported that at the end of Quarter 3 it was gratifying to be able to report that 86% of performance indicators continue to perform above target or within 5% tolerance of their targets and that the Council continues to improve in the exercise of its services.

The Programme, Business Planning and Performance Manager confirmed that the Quarter 3 Scorecard reflects one of the Council's best performances since the scorecard monitoring report was introduced in 2013. For 2019/20 the performance monitoring KPIs have been aligned to the Council's three strategic objectives; at the end of Quarter 3 the performance thus measured has been as follows –

- Under Objective 1 (Ensure that the people of Anglesey can thrive and realise their long-term potential) 9 out of the 13 KPIs are ragged Green.
- Under Objective 2 (Support vulnerable adults and families to keep them safe, healthy and as independent as possible) 12 out of the 17 KPIs are ragged Green.

- Under Objective 3 (Work in partnership with our communities to ensure that they can cope effectively with change and developments whilst protecting our natural environment) 4 out of the 6 KPIs are rated Green and 2 are rated Yellow.

In discussing the report the Committee requested further analysis and explanations from the Officers in relation to the following aspects of performance which were off-target. The Committee was advised that -

- With regard to *Indicator (04b) – Total % of written responses to complaints within 15 days (Social Services)* which was RED with a performance of 59% against a target of 80%, the Service is working with the Complaints Officer to improve performance and with team managers to ensure a timely response to complaints. However, the figure does not reflect the fact that in cases where the complaint is complex, the Service does ask for the complainant's agreement to exceed the timescale and it keeps the complainant informed of the position. Whilst the Service responds promptly to the receipt of a complaint and also in discussing the complaint with the complainant it is only with regard to providing a written response that the Service is underperforming.
- With regard to *Indicator 19 – Rate of people kept in hospital while waiting for social care per 1000 population aged 75+ which was RED on the scorecard with a performance of 6 against a target of 3*, the new area based domiciliary care contracts are generally supporting people to be discharged quickly when they have established packages in place. However, due to the pressure of ensuring that re-ablement is provided to all people new to services, ensuring sufficient capacity is a challenge. To address this, the Service is aiming to ensure that those receiving re-ablement do actually require it and that the Service also works to move individuals when the re-ablement period is complete. The Service continues to strengthen its partnership with BCUHB to facilitate swift discharges from all hospitals with particular attention turning to community hospitals. Additionally, the Service will be reviewing internal processes by holding weekly meetings with its re-ablement provider to ensure timely discharges from all hospitals.
- With regard to *Indicator 43 – percentage of planning enforcement cases investigated within 84 days* which was AMBER with a performance of 69% against a target of 80% 69%, there continues to be good progress being made given the historic backlog of work in this area and the current performance demonstrates a significant increase as new processes are embedded, capacity and expertise are improved and the backlog is cleared. It is anticipated that this improvement will continue for the remainder of the financial year with the expectation that the Enforcement Service will start 2020/21 in a stronger position.
- With regard to *Indicator 8 – number of visits to leisure centres* which was Amber on the Scorecard with a performance of 385k visits against a target of 396k visits, the target set for 2019/20 was based on the performance of a busy 2018/19. Due to some essential maintenance and upgrade to the leisure centres it has not been possible to reach the proposed targets so far this year. However, the number of direct debit payments has increased thereby ensuring that a consistent income stream is received when visitor numbers are off-target. Whilst an increase in the figures for the January to March period should see performance coming close to target, further upgrades and the repair of storm damage caused by recent severe weather are likely to have an impact on Q4 performance. **In response to a request for clarification of the process for giving notice of café closures within the leisure centres – it being pointed out that school children have found the cafés closed with little or no prior notice, assurance was provided that the matter would be raised with the relevant managers and a response circulated to members of the Committee bearing in mind also that vending machines are provided where there is no café provision.**

- With regard to *Indicator 17 – Landlord Services: Average number of days to complete repairs* which was ragged Red on the Scorecard with a performance of 15.49 days against a target of 12 days, the change in the Repairs and Maintenance Policy in October, 2018 has had an impact on this indicator as reported in Quarter 2. The Housing Service will continue to monitor this indicator and take action as necessary to improve performance
- With regard to *Indicator 36 – Landlord Services: Percentage of rent lost due to properties being empty* which was ragged Red on the Scorecard with 1.55% lost against a target of 1.15%, the poor performance of Indicator 35 on the scorecard (the average number of days to let lettable units of accommodation) in Q1 and Q2 has had an impact on this Indicator and it has not been possible to claw back as much as was hoped. Some properties have been vacant for longer than the Service would have liked as it addresses outstanding work in relation to “acceptable fails” (where the tenant has refused access for WHQS work) to bring them up to the Welsh Housing Quality Standards, whereas others e.g. the units at Llawr y Dref - although they are now ready to let - are vacant whilst the Service seeks to ensure the most suitable tenancies. These factors as well as setting a very ambitious target for this indicator have contributed to the below target performance.
- With regard to *Indicator 38 – Percentage of waste reused, recycled or composted* the Committee wanted to know why the indicator was ragged Yellow on the Scorecard when the Authority’s recycling performance is among the highest nationally in the UK. The Principal Waste Management Officer advised that the Service has been examining this indicator internally due to what appears to be the low percentage figure. Previously, the Authority’s black bin waste was collected by Potters Waste Management with in the region of 120 to 140 tonnes of additional recyclable material further extracted from this waste by Potters in the period from April to May 2018 and any residual waste then exported to Sweden. Following an on-site fire this figure reduced to 40 tonnes per month. The Authority’s black bin waste now goes to the Parc Adfer facility and although this is positive in terms of decarbonisation the waste is not treated beforehand in the same way as it was by Potters; this is an issue the Service is looking into. On the plus side the waste incinerated is used to generate electricity and the resulting ash is also recycled.
- With regard to Service resilience generally regarding which the Committee sought assurance particularly in light of the additional pressures which may be placed on services by the impact of Coronavirus, the Committee was advised that each service has in place its own business continuity plan and that the SLT is monitoring the situation. The Head of Democratic Services is the single point of contact in Anglesey for communications at regional level. The region is in turn in contact with Public Health Wales with regard to keeping the public informed and Public Health Wales along with Welsh Government are providing regular updates. The Services’ Business Continuity Plans are also updated accordingly.

Having considered all the information presented as well as the clarifications provided by the officers at the meeting on the points raised, it was resolved to note the areas which the Senior Leadership Team are managing to secure improvements into the future as outlined and to recommend the mitigation measures relating thereto.

NO ADDITIONAL ACTION WAS PROPOSED

4 PROGRESS MONITORING: SOCIAL SERVICES DEVELOPMENT PLAN

The report of the Director of Social Services outlining progress to date with implementing the Social Services Development Plan was presented for the Committee’s consideration.

The Leader and Portfolio Member for Social Services reported that the update provides information about the work/activities that are or have been undertaken both in response to the CIW's Local Authority Performance Review (Review Letter dated October 2019) and its monitoring visit to Children's Services (feedback letter dated October 2019), and as part of the ongoing work of the Social Services Improvement Panel. The Service is aware of what needs to be done to meet the challenges of continuous improvement and remains committed to the task.

The Committee noted the information presented and sought assurance that the Service is managing the risk that is posed by increasing demand especially in relation to Adults' Services budgets which are forecast to overspend by a significant amount by the end of the financial year. The Director of Social Services advised that the projected overspend is due in part to historic issues; the proposed budget for 2020/21 seeks to level out those areas where there has been historic overspend. The Service continues to scrutinise expenditure in Adults' Services and has put in place a plan to monitor spend in this area and will report back to Scrutiny thereon. Managing expenditure in a demand led service is a challenge and Adults' Services have recently been under pressure from high cost referrals some of which have transferred from Children's Services and some of which are as a result of individuals moving into the area. An ageing population is also a contributing factor in the pressure on Adults' Services. The Officer added that these pressures have been most keenly felt in the last two years and have translated into a service overspend for each of those years; prior to that Adults' Services were performing to budget.

In response to a question about the value of the extra care facility at Hafan Cefni in reducing the pressure on Adults' Services the Director of Social Services confirmed that in offering older people in the area an opportunity to live independently and as an alternative option to residential care the facility is proving valuable. The facility is now fully occupied and were all the residents of Hafan Cefni to be provided for in other ways then the pressure on Adults' Services would have been more significant.

It was resolved –

- **To confirm that the Corporate Scrutiny Committee is satisfied with the pace of progress and improvements made to date in Social Services, and that it**
- **Recommends to the Executive that progress and the pace of improvements in Social Services are adequate.**

NO ADDITIONAL ACTION WAS PROPOSED

5 FORWARD WORK PROGRAMME

The report of the Scrutiny Manager incorporating the Committee's Forward Work programme to the end of April, 2020 was presented for consideration.

The Scrutiny Manager advised that since there is no matter scheduled to be discussed at the Committee's April, 2020 meeting a resolution on whether to continue with the meeting is required. The Committee was agreed that in the absence of items for the April meeting, the meeting should therefore be cancelled.

It was resolved –

- **To agree to the current version of the Forward Work Programme for 2019/20 subject to the cancellation of the Committee's April, 2020 meeting.**
- **To note progress thus far in implementing the Forward Work Programme.**

**Councillor Aled Morris Jones
Chair**

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