

CORPORATE PERFORMANCE AND RESOURCES SCRUTINY COMMITTEE

Minutes of a remote meeting held on 24th May, 2023.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: Councillor J. Protheroe (Chair); Councillors G.D.D. Carroll, P. Drake, C.P. Franks, E. Goodjohn, S.J. Haines, H.C. Hamilton, S.M. Hanks, Dr. I.J. Johnson, B. Loveluck-Edwards and N.J. Wood

Also present: Councillors A. Asbrey, L. Burnett (Executive Leader and Cabinet Member for Performance and Resources), W.A. Hennessy, G. John (Cabinet Member for Leisure, Sport and Wellbeing), N.C. Thomas and E. Williams (Cabinet Member for Social Care and Health).

55 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

56 APPOINTMENT OF VICE-CHAIR –

RESOLVED – T H A T Councillor E. Goodjohn be appointed Vice-Chairman for the Municipal year.

57 DECLARATIONS OF INTEREST –

No declarations of interest were received.

58 AUDIT WALES – VALE OF GLAMORGAN OUTLINE AUDIT PLAN 2023 (REF) -

The reference from Governance and Audit Committee on 25th April, 2023 was presented by Ian Phillips, Audit Wales, for the Committee to consider and for their oversight and approval of the proposed Audit Wales Outline Audit Plan 2023 for the Vale of Glamorgan Council.

Appendix A provided details regarding how Audit Wales would complete this work in 2023. It was reported that as an outline plan, it provided a high level overview

of the work that was proposed to be undertaken in terms of performance audit work.

The Plan set out the responsibilities in respect of the audit of financial statements, includes information on the performance audit work programme for 2023/24 that included 2 thematic reviews. The intention was to carry out, for all 22 Councils in Wales, reviews on commissioning and contract management and on financial sustainability which would build on earlier work in this area. It was also intended to do a local project at the Council on the Planning Service, and this was currently being scoped, i.e. what that project would look like. The Plan also set out who the local Audit Team were and the audit timeline. The full Plan, later in the year, would provide the audit fee, with Councils already having been informed that the financial audit fee would see an increase of around 15%.

Scrutiny Committee, having considered the reference and the report, subsequently

RECOMMENDED –

- (1) T H A T the proposed Audit Wales Outline Audit Plan 2023 for the Vale of Glamorgan Council be endorsed.
- (2) T H A T the report be referred to Cabinet for their oversight and approval.

Reasons for recommendations

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) To enable the Cabinet to have oversight of the Audit Wales work programme.

59 4TH QUARTER SCRUTINY RECOMMENDATION TRACKING 2022/23 AND PROPOSED ANNUAL FORWARD WORK PROGRAMME SCHEDULE 2023/24 (DCR) –

The report, as presented by the Democratic and Scrutiny Services Officer, advised Members of progress in relation to the Scrutiny Committee's historical recommendations and the proposed Annual Forward Work Programme Schedule for 2023/24.

The report also provided a restatement around the key principles of scrutiny and to encourage Members of the Committee and other stakeholders to have a greater engagement with the Scrutiny process, as well as making suggestions around reports and other items for the Committee to consider. As part of this, there would be meetings between Cabinet Members and Scrutiny Chairs and Vice Chairs in order to allow both the Cabinet and Scrutiny Forward Work Programmes to be developed and agreed in conjunction with each other. Also, at Agenda Conferences with Chairs and Vice Chairs of Scrutiny Committees, management of the Committees' Work Programmes would be included as a standing item on the agendas for consideration and discussion.

Following this, the Chair and Councillor Dr. Johnson both suggested ideas for the Committee to undertake for Task and Finish work and both of these would be taken to the Scrutiny Committees' Chairs and Vice Chairs Group for consideration:

- To review the new Procurement Policy and Strategy and the related work with Cardiff Capital Region (CCR), including Cardiff Council, on a shared approach to procurement, as well as looking at the potential benefits of the Policy and Strategy in terms of social value and decarbonisation.
- To look at the ongoing Cost of Living crisis and its impact on residents within the Vale of Glamorgan, including the ongoing effects of the 'Bedroom Tax', Universal Credit and housing rent arrears.

Councillor Dr. Johnson also suggested that a number of the 'ongoing' or uncompleted recommendations attached to the appendices to the report be reviewed and marked as complete as appropriate.

Councillors Carroll and Haines referred to both the length of some Scrutiny meetings and of the reports on the agendas, with the suggestion that presenting officers should reduce or shorten the introduction of their reports to the Committee and to provide a more substantial executive summary instead. On the length of reports, it was explained that where reports were weighty, etc officers usually provided an accompanying presentation or supplementary information to act as a quick reference guide to Members. On the proposal around the executive summary, this would be looked at in conjunction with reporting officers.

The Vice Chair asked about the reintroduction of the scrutiny topic suggestion form and what happened following their submission. It was explained that this would be looked into and reported back to the Committee, although the intention was that these would be referred to the Chair and Vice Chair and ultimately the Committee for their consideration as part of including these suggestions from the public into the Committee's Work Programme.

Councillor Loveluck-Edwards asked if the background paper on the report concerning Scrutiny protocol from 2017 was still fit for purpose taking into consideration this 'relaunch' and if there was capacity for the Committee to look at ensuring that it aligned with what Scrutiny was trying to achieve. It was explained that this would be looked into and reported back to the Committee. The Councillor also stressed the need to sometimes have greater exposition and introduction of reports by officers at meetings, particularly for greater public understanding of the issues being presented and to help explain jargon and other terminology used.

The Executive Leader and Cabinet Member for Performance and Resources accepted that the level and scale of reporting that went to Scrutiny could be quite considerable, including for this Committee, and this could be a challenge for Members to scrutinise effectively. However, in part, this was due to this Committee being the lead Scrutiny Committee and reflected the challenging times the Council faced which required increased reporting and scrutiny to be provided to this and the other Scrutiny Committees. It was important that matters were not simply 'waved through' by Cabinet and therefore important for this Committee and

the other Scrutiny Committees to consider and discuss key business and other matters of the Council that fell into their remit(s). As part of this, it would be extremely beneficial to undertake the proposed meetings between Cabinet Members and Scrutiny Chairs in order to take matters for consideration and scrutiny forward to the relevant committees.

Scrutiny Committee, having considered the report, subsequently

RECOMMENDED –

(1) T H A T the status of the actions listed in Appendices A through to D to the report be agreed, subject to the following changes:

- The status for the uncompleted recommendations in Appendices A and B, be reviewed and marked as complete as appropriate.
- The status for Recommendation (3) for Min. No. 731 – Draft Transgender Inclusion Toolkit and Guidance Document for Schools and Other Settings (REF) (Appendix D) be updated and marked as complete.
- The status for Recommendation (2) for Min. No. 843 – Audit Wales: Springing Forward – Vale of Glamorgan Asset Management and Workforce Planning (DCR) (Appendix D) be updated and marked as complete.

(2) T H A T the Cabinet Annual Forward Work Programme for 2023/24 attached at Appendix E, in the context of the Corporate Performance and Resources Scrutiny Committee Annual Forward Work Programme 2023/24 content, be noted.

(3) T H A T the Committee's proposed Annual Forward Work Programme Schedule for 2023/24 attached at Appendix F be approved and uploaded to the Council's website

(4) T H A T the following topics for Task and Finish work be taken to the Scrutiny Committees Chairs and Vice-Chairs Group, in order for them to be considered and prioritised in line with Corporate Objectives in compliance with Council policy:

- To review the new Procurement Policy and Strategy and the related work with Cardiff Capital Region (CCR), including Cardiff Council, on a shared approach to procurement, as well as looking at the potential benefits of the Policy and Strategy in terms of social value and decarbonisation.
- To look at the ongoing Cost of Living crisis and its impact on residents within the Vale of Glamorgan, including the ongoing effects of the 'Bedroom Tax', Universal Credit and housing rent arrears.

Reasons for recommendations

(1) To maintain effective tracking of the Committee's recommendations.

- (2) To align with section 7.6 of the Cabinet and Scrutiny Roles and Responsibilities Protocol.
- (3) For public information.
- (4) For consideration by the Scrutiny Committees Chairs and Vice-Chairs Group in line with Corporate Objectives in compliance with Council policy.

60 WELFARE REFORM – CLOSURE REPORT (DCR) –

The report was presented by the Head of Finance/Section 151 Officer (in conjunction with the Benefits and Payments Manager and the Operational Manager – Exchequer), the purpose of which was to update Members on the work undertaken by the Council under Welfare Reform. Highlights included:

- The report aimed to provide a final update on the work first started by the Welfare Reform Task and Finish Group and recommended that this was now refocused under the ongoing Cost of Living portfolio with updates provided quarterly via performance reporting as well as separate updates of strategic significance.
- The scope of reporting had widened in order to cover further significant issues and impacts on residents across the Vale of Glamorgan such as the cost-of-living crisis and a significant amount of work had been undertaken to support them where possible, i.e. Cost of Living (main scheme) payments – 23,223 payments totalling £3,483,450.
- The report outlined the economic context, including ongoing high levels of inflation i.e. headline inflation still at 8.7% and food inflation at 16%.
- The Revenues and Benefits Team had done a huge amount in in the last 12 months including the now systematic move of any outstanding customers over to Universal Credit (UC) as part of the final roll out of the gradual welfare reforms undertaken since the early 2010s.
- The Benefits Cap, underoccupancy and the general economic pressures that had a specific impact on Discretionary Housing Payments (DHP) where there had been significant additional need but reducing Government support and the Council having to make additional budget provision available, were also referred to.

Following this, Councillor Dr. Johnson referred to the impact of the cost-of-living crisis which exacerbated the previous issues generated by Austerity measures and the impact of the welfare reforms, i.e. the ‘Bedroom Tax’. On his question about the availability of data on the ongoing impact of the Bedroom Tax, the Benefit Cap and other welfare reforms on Council tenants and other residents, it was explained it remained challenging to extract this data, but the local DWP Liaison Officer would be contacted to see if the data could be extracted and shared with the Committee concerning the impact on Vale of Glamorgan residents.

On the Chair's query about exemptions for certain categories of people in dwellings impacted by the Bedroom Tax, it was explained that such exemptions were rare but could be given under specific circumstances, i.e. a single person in accommodation with more than one bedroom who may need overnight caring support.

Councillor Loveluck-Edwards asked if any future report could be broadened to include pension credits, in light of an increasingly aging population and therefore more people transitioning from UC to Pension Credit. This was particularly pertinent due to there being in the UK significant amounts of unclaimed Pension Credit. Also, as part of this, was there any capacity to incorporate such data into the report in terms of what work the Council was doing to engage with members of the public who may be approaching this transition, so they knew in advance what they may be entitled to. It was explained that officers would look into the possibility of including this information into future reporting of this matter to the Committee.

Councillor Carroll asked if more could be done to improve communication to residents concerning the benefits and other support that was available to them, i.e. the Winter Fuel Support Scheme. It was explained that a huge amount had been done already to publicise the myriad of schemes that were out there for residents within the Vale. Lessons had also been learnt from the implementation and roll out of the Winter Fuel Support Scheme / Council Tax reduction and strenuous efforts had been made to get in touch with residents in order to make sure that everybody who was eligible was able to receive payment.

The Vice-Chair referred to the recent Bevan Foundation report and the suggestion of an integrated Welsh benefit system and asked if the Council had been involved in any discussions with Welsh or UK government about creating such an integrated system of benefits and support. It was explained that the Council had not been involved in any discussions, but the Welsh Local Government Association (WLGA) had been involved in looking at this area and had produced a report and recommendations around this.

Councillor Haines asked if DHP was open to all housing benefit claimants. It was explained that anybody who was in receipt of either housing benefit or housing costs within UC, could apply for a DHP if there was a shortfall between what they were getting in housing benefit or UC housing costs and what rent they were being charged. On the relatively low numbers of applicants for DHP, despite the offer of support to complete the application forms, etc, some people did not complete or follow up on the application and / or sought alternative options. Forms could be completed by a support worker as well, and the Council offered telephone or in person appointments in order to assist too.

Councillor Dr. Johnson stated it would be useful to get figures on the numbers of people who applied for DHP in the Vale but did not complete the process. He also referred to future reporting on this area as part of the wider scope suggested, and if this would be done on a quarterly or annual basis. It was explained that the reports would be provided on a regular basis pertinent to the remit of each of the Scrutiny Committees as part of the quarterly performance reporting.

Scrutiny Committee, having considered the report, subsequently

RECOMMENDED – T H A T the contents of the report be noted and that it was agreed that the Welfare Reform agenda be incorporated within reporting on the wider cost of living agenda moving forward.

Reason for recommendation

Having regard to the contents of the report and discussions at the meeting.

61 VALE OF GLAMORGAN COUNCIL – THE APPLICATION OF THE SUSTAINABLE DEVELOPMENT PRINCIPLE IN SERVICE AREAS (DCR) –

The report was presented by Ian Phillips, Audit Wales, the purpose of which was to present the findings of Audit Wales's review of the Council's arrangements for ensuring service areas were applying the Sustainable Development Principle, for Members' consideration.

During 2021/22, Audit Wales raised concerns regarding the Council's approach to addressing a proposal for improvement arising from the review of Outsourced Leisure Services. This related to strengthening the application of the sustainable development principle in the renewal of the Council's leisure contract. Whilst considerable assurance was taken from the Council's subsequent actions in response to the concerns raised, further assurance was sought by Audit Wales to ensure the learning was being embedded across the Council's services.

A review was subsequently undertaken by Audit Wales in the latter half of 2022 to gain further assurance that the Council was strengthening its arrangements for ensuring service areas were applying the Sustainable Development Principle.

The report (attached at Appendix A to the report) outlined the key findings of this work. The review findings were positive and concluded that, 'the Council's arrangements for ensuring service areas apply the sustainable development principle are largely effective, although there is scope to further develop some elements.' Key findings included:

- The Council's senior officers, supported by a corporate framework, were helping to drive a positive culture that supported services to apply the Sustainable Development Principle, but this was not fully incorporated in its project management toolkit;
- There was effective corporate support to help service areas to apply the Sustainable Development Principle, but there was an opportunity for the Council to strengthen its learning and development offer; and
- The Council had mechanisms in place that helped it to assess whether service areas were effectively applying the Sustainable Development Principle and was applying learning to strengthen its arrangements.

Two recommendations were made:

- R1: The Council should develop its project management toolkit to ensure that those documents helped officers to apply the Sustainable Development Principle from the outset.
- R2: The Council should develop its learning and development offer to help to ensure that staff across the organisation understood the Well-being of Future Generations Act (Wales) 2015 and were able to apply the Sustainable Development Principle as needed in their roles.

In response to the above recommendations, the Director of Corporate Resources developed an action plan (attached at Appendix B to the report) which would be progressed by the Council. In line with the Council's performance monitoring arrangements, progress against regulatory improvement areas would be monitored via the Insight Tracker.

Following the presentation of the report, the Chair stated the importance of embedding within the Council's culture and practices the principles around the 'circular economy' and the need to remove waste. This should be included in the Council's learning and development. The Chair also asked if commissioning was included when the report referred to the project management toolkit. The Director of Corporate Resources explained that due to the Procurement Policy and Strategy being refreshed recently, they explicitly referenced those Five Ways of Working, and in terms of how that process for commissioning works. The findings that Audit Wales found with regard to the project management toolkit was that because it had not been looked at for a number of years, whilst some of the ways of working were reflected, these were not as explicit as they should be in order to prompt Council officers to consider things more holistically. Therefore, there was a need to now review and improve on these areas.

Councillor Carroll referred to the Wellbeing of Future Generations (Wales) Act, the Five Ways of Working and was surprised that there was a need to 'prompt' Council officers considering the Five Ways of Working as part of project management. It was explained that overall, the Council's culture in this respect was healthy, with cross-cutting boards in areas such as Project Zero, other cross-cutting ways of working and good challenge from senior officers. It was felt that this could be supplemented with additional prompts in the accompanying documentation when undertaking work in order that opportunities were not missed.

Councillor Haines echoed Councillor Carroll's point on why there was need to have 'prompts' in place for officers in terms of work that fell into their role, when this could be achieved by more informal means by management. It was explained that these prompts had been put in just to help put the principles and duties at the forefront of officers' minds.

The Executive Leader and Cabinet Member for Performance and Resources added that sustainable development was a balance between social, economic and environmental factors, also citing the success, and some ongoing challenges, with separated recycling within the Vale and that the report offered constructive

criticism and ‘nudges’ for the Council, which was essentially going in the right direction in terms of sustainable development.

Scrutiny Committee, having considered the report, subsequently

RECOMMENDED –

(1) T H A T the findings arising from the review of the Council’s Application of the Sustainable Development Principle in Service Areas (Appendix A to the report) and the Council’s response to the review findings and Audit Wales’s recommendations (Appendix B to the report) be noted and endorsed.

(2) T H A T the report be referred to Governance and Audit Committee and thereafter to Cabinet for their oversight and endorsement of the proposed Council actions (Appendix B to the report) to address the recommendations.

Reasons for recommendations

(1) Having regard to the contents of the report and discussions at the meeting.

(2) For the consideration of the report by Governance and Audit committee and thereafter to Cabinet in order to ensure the Council responds appropriately and implements areas of improvement as identified by Audit Wales.

62 LEISURE MANAGEMENT CONTRACT – FINANCIAL UPDATE (DEH) –

The Director of Environment and Housing presented the report, the purpose of which was to update Members of the Committee on the current financial position of the Leisure Management Contract between Parkwood Leisure and the Council and of the support provided through the Covid Pandemic:

- The current Leisure Management Contract commenced on 1st August, 2012 for an initial period of 10 years, with it due to expire in 2022. The contract with Parkwood was subsequently extended from August 2022 for a period of 7 years and 5 months.
- The report provided a financial update on the costs of providing the Leisure Services Contract with Parkwood, through Legacy Leisure during the pandemic, throughout the recovery and beyond. There were significant additional costs during the pandemic due to lost income and the general health of the leisure industry. Post pandemic there were new challenges due to the worldwide economic pressures driven primarily by the Russian invasion of Ukraine resulting in the cost-of-living crisis and higher energy costs.
- The new contract was baselined for increases in utility costs with the Council bearing the risk, which had led to an additional £200k being set aside in the Budget for 2023/24. It was hoped from the end of the financial year, no further funding would be required. Such support however helped to ensure that other energy saving measures would not be required prior to

the lowering of energy costs, i.e. there would be no need to consider measures such as the closure of swimming posts.

- In terms of value for Money, the Vale of Glamorgan Council was the only Local Authority in Wales (based on the 2019/20 figures) to be getting an income from their leisure contract.
- In addition, Legacy Leisure had appointed a new Community Development Officer to work with the community to increase participations of all groups and implement an Active Communities plan. This was in response to the Wales Audit Office report, and the outcomes of this work would be presented to the Healthy Living and Social Care Scrutiny Committee as part of the performance management data it received.
- The Part II report on the agenda set out the details with regard to the additional costs and support to Parkwood.

Following this, Councillor Dr. Johnson stated that it was a positive sign that subsidies were coming to an end for the leisure services, although it would have been beneficial to have had this update sooner in order to provide reassurance earlier to the Committee.

Councillor Haines stated that it would be more appropriate to use the term 'comparative survey' rather than 'benchmarking' in relation to other Local Authorities and on the costs of providing Leisure Centres in the report. He also felt that it would have been useful for the Council to have gone out to tender for the leisure services prior to the renewal of the existing contract. In response, due to the commercial nature of this comment, this would be addressed in the Part II version of this report coming immediately after this agenda item.

Councillor Hanks endorsed the report and the efforts of Council officers to renew this contract under difficult circumstances.

The Cabinet Member for Leisure, Sport and Wellbeing endorsed the report and Legacy Leisure / Parkwood who had proved to be an extremely effective and successful external provider of leisure services in the Vale, as well as the work of Council officers in supporting this.

The Chair suggested that the Council worked with Legacy Leisure / Parkwood's Community Development Officer to help ensure that the sustainable development principle was applied to the ongoing contract. The Director of Environment and Housing agreed that this could be beneficial, and that the external provider was always open to such ideas.

Scrutiny Committee, having considered the report, subsequently

RECOMMENDED – T H A T the current financial position and the support provided to the Leisure Centre provider through the Covid-19 Pandemic and current economic challenges be noted.

Reason for recommendation

Having regard to the contents of the report and discussions at the meeting.

63 EXCLUSION OF PRESS AND PUBLIC

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

64 LEISURE MANAGEMENT CONTRACT – FINANCIAL UPDATE (DEH) (EXEMPT INFORMATION – PARAGRAPHS 12, 12A AND 14) –

The purpose of the report was to update Members of the Committee on the current financial position of the Leisure Management Contract between Parkwood Leisure and the Council and of the support provided through the Covid Pandemic.

The report provided a financial update on the costs of providing the Leisure Services Contract with Parkwood, through Legacy Leisure during the pandemic, throughout the recovery and beyond. There were significant additional costs during the pandemic due to lost income and the general health of the leisure industry and this report set out the details with regard to the additional costs of support to Parkwood.

Post pandemic there were new challenges due to the worldwide economic pressures driven primarily by the Russian invasion of Ukraine, etc.

Scrutiny Committee, having considered the report, subsequently

RECOMMENDED – T H A T the current financial position and the support provided to the Leisure Centre provider through the Covid-19 Pandemic and current economic challenges be noted.

Reason for recommendation

Having regard to the contents of the report and discussions at the meeting.

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