

Performance & Overview Scrutiny 19th November 2024

1. Apologies for Absence

Jill Bond, Su McConnel substituting. Rachel Garrick, Phil Murphy substituting. Steven Garratt.

2. Declarations of Interest

None.

3. Public Open Forum

None.

4. School Exclusions

Cabinet Member Martyn Groucott and Morwenna Wagstaff introduced the report. Dr Wagstaff answered the members' questions with Keeva McDermott:

- The Chair asked for clarity between the numbers of children excluded in 5.2 and 5.3 of the report. It was clarified that the table in the report refers to instances of fixed-term exclusions, which can range from half a day to a longer period. The number 520 represents the unique learners who experienced exclusions, while the 1810 instances include repeat exclusions for some learners. Therefore, some children had multiple exclusions, leading to the higher number of instances.
- A member asked for how long problems can be attributed to the pandemic, and if the problem will be generational. Dr Wagstaff emphasised the anxiety and stress caused by the pandemic and explained that, for children, its impact varied depending on their age and the protective factors in their lives. The pandemic disrupted key developmental stages, affecting social skills, emotional regulation, and behaviour. While the hope is that the impact will phase out, some children, especially the more vulnerable, may experience long-lasting effects.
- It was asked if the number of FSM children who are currently absent on any given day (1 in 4) might get worse. Dr Wagstaff noted that many children who were educated at home during the pandemic now find it challenging to return to the busy and noisy school environment, and some children, particularly those with complex needs or barriers to learning, preferred the online learning style and find it difficult to re-acclimate to traditional schooling. There has been an increase in the population of children receiving education other than at school (EOTAS) due to mental health and emotional needs, particularly anxiety about attending school. The hope is to enable these children to move on to positive post-school options and prevent them from becoming not in education, employment, or training (NEET).
- A member asked if it would be possible to have a detailed breakdown of exclusions by school, including the stories behind them, possibly in a closed session. It was explained that while detailed breakdowns of exclusions by school are scrutinised through various checks and balances, including Pupil Disciplinary Committee meetings and independent appeals, sharing such detailed information publicly could risk identifying individuals. However, it might be

possible to provide this information in a closed session for scrutiny purposes. The Chair suggested that for a particular concern, members pick up directly with the team.

- Clarity was sought about the connection between the appointment of the CYP Data officer and exclusions. It was clarified that the appointment of the Data Officer has improved the capture and use of data around exclusions, making the recording process more robust and streamlined. A lot of work has gone into how reintegration is managed safely, using learner behaviour risk assessments.
- Further detail was sought about managing pupils coming back mainstream education from the Pupil Referral Unit, especially given the reductions in school staff. It was explained that a comprehensive risk assessment and management process is in place. This involves multi-agency collaboration to ensure that the risk has been sufficiently reduced before reintegration. The process includes phased returns, increased support during high-risk times, and continuous monitoring to ensure safety and well-being.
- A member asked about the availability of data prior to 2021 and national comparable data. The officer explained that national comparable data is provided by Welsh Government, but it is typically a year and a bit in arrears. The local authority also looks at comparison with consortia partners, but consent to share this data was not obtained from other partners. Therefore, the most recent national data is not yet available for the period in question.
- It was asked if it is possible to quantify the long-term cost of an exclusion, and therefore quantify the savings made by an intervention. Officers responded that Welsh Government's three-year trend data is still incomplete for the period in question so it is challenging to provide a comprehensive analysis. The analysis of exclusion data involves looking not just at the exclusion numbers but considering internal sanctions that might not be recorded in the same way but still affect the child's education. NEET data is not readily available and would be difficult to ascertain. However, efforts are being made to consider various pathways and mixed offers to prevent exclusions and support reintegration, though there are challenges in resourcing, such as reduced support for work experience.
- A member asked if there is a profile over time looking at issues that were underpinning even before the pandemic, such as adverse childhood experiences, neurodevelopmental challenges, etc. Dr Wagstaff explained that the data analysis is now more robust, and the local authority monitors and has a strong profile of vulnerable learners, including those with barriers to learning, additional learning needs, contact with social care, and those living in poverty. The analysis reflects that these groups are more likely to be excluded, and there is a focus on ensuring schools make reasonable adjustments to support these learners.
- It was further asked about the viability of the additional capacity to support pupils, families, and schools given the significant deficit for the Pupil Referral Unit. Dr Wagstaff responded that the capacity of the PRU has been a concern, with the population within the units doubling. The local authority is responding by increasing capacity and moving into new bases to provide better provision. The aim is to offer preventative interventions to avoid permanent exclusions and manage reintegration safely.

- Clarity was sought about the authority's offer for education other than in school (EOTAS). The EOTAS offer is broad and complex, including PRU, medical provision for children too unwell to attend school, and small group learning. The provision is person-centred and varies based on the child's needs, with the aim always being to reintegrate the child back into school.
- It was asked if the quality assurance procedures for EOTAS stand up to the rigour mentioned in the Estyn report. Dr Wagstaff explained that the local authority has developed more robust quality assurance processes for EOTAS, including a commissioning officer and a structured review cycle. There is ongoing work to ensure the provision meets the needs of learners and complies with the ALN Act requirements.
- A member asked how much capacity there is within the schools for children to be excluded from the classroom but still kept in the school, being taught within the school, rather than being excluded and sent home. The officers explained that schools have various interventions and provisions for children excluded from the classroom but still within the school. This includes emotional literacy support assistants, in-house support, and other targeted support to address specific needs. The approach varies by school, and there is an expectation that schools make reasonable adjustments to support these learners.
- A member asked how the authority ensures the welfare of staff who are dealing with risky, disruptive behaviour and distress from vulnerable children. The officers explained that the welfare of staff is a significant focus, with various projects and pilots in place to support their well-being, including supervision pilots. The health and safety of staff are considered in risk assessments and reintegration plans for students. The local authority acknowledges the impact on staff and works to ensure their safety and well-being through comprehensive processes and support mechanisms.

Chair's Summary:

Members expressed gratitude about the usefulness of the recent Members' Seminar on this topic and thanked staff in all schools for their work. The Chair noted that the skillsets required for staff now are broader and more complex than previously, and recognised the difficult judgements Heads need to make regarding exclusions. He wishes to remind all parents that the best place for their child is in school, particularly given the high correlation between complex problems in life and non-attendance. The report and recommendations were moved.

5. Planning Annual Performance Report

Phil Thomas delivered a presentation, introduced the report and answered the members' questions with Craig O'Connor and Andrew Jones:

- Members asked about the timescale for digitising all the microfiches and tree records and were advised that the digitisation process is quite complicated and largely dependent on budget constraints. The process may take a few years to complete and that there is no definite timeline at the moment. The process might be expedited if secure funding through the migration of Land Registry data could be secured, but this is not guaranteed.

- A member enquired about the figures and percentages related to the pre-application advice service, noting its potential as a revenue earner and was advised that during the period 2023-2024, they closed 263 applications seeking pre-application advice and received 282 new submissions. Of those that had pre-application advice, 35 led to planning applications, with 34 approved and one withdrawn, resulting in a 100% success rate. The revenue from this service was around £55,000.
- Concern was expressed about the low percentage (4.5%) of enforcement cases resulting in notices served, out of 286 cases. Officers explained that enforcement action is only taken for serious breaches of planning control in the public interest. Many breaches are resolved through negotiation or retrospective planning applications, and some cases do not warrant enforcement action due to minor breaches or lack of expediency. Informal negotiations often resolve breaches without the need for formal notices, and all decisions go through a delegated panel process for scrutiny.
- A member asked about the target for member decisions against officers' recommendations, noting that the target was less than 5% and enquiring what "good" would look like in this context. Officers explained that the target of less than 5% is set by Welsh Government, and the range of 5-9% is considered fair. They emphasised that planning officers and committee members should generally align in their decisions, but acknowledged that the Planning Committee exists to make balanced judgments in the public interest. They noted that the current figure of 6% sits comfortably within the fair range and reflects the collaborative working between officers and committee members.
- A member suggested improving public understanding of how planning works, possibly through a statement at the beginning of each planning meeting. Officers acknowledged the complexity of planning processes and the need for better communication. They mentioned that there is a preamble in the agenda with key principles and policies, but agreed to take the suggestion away and consider how to make the information more concise and accessible to the public.
- A question was asked about the £800,000 collected in fees and how often this is reviewed. Members were advised that the fee structure and planning services are currently under review by Welsh Government, with a consultation running until January 17th. This review aims to make planning services more resilient and cost recoverable.
- An enquiry was made about the low action rate (4.5%) from 286 enforcement complaints and whether this highlights the need for improved training for Community and Town Councils. Officers explained that many enforcement cases are resolved through informal negotiation or retrospective planning applications, and only serious breaches result in formal notices. They emphasised the importance of communication and training for Community and Town Councils to better understand the enforcement process.
- A question was asked about the sources of enforcement reports and whether the current level of reporting is appropriate. Officers stated that reports come from a mix of residents, town councils, and county councillors. They noted that the current level of reporting is manageable and necessary to address various concerns, even if some cases do not result in formal enforcement action.

- A member asked about benchmarking, noting the absence of national figures from Welsh Government and suggesting the need for a more standardised approach to data collection and benchmarking across local authorities. Officers acknowledged the frustration with the lack of benchmarking data since 2019 and explained that Welsh Government is currently consulting on a new planning performance framework. They mentioned that the Council has continued to review its performance annually despite the lack of statutory requirement and expressed hope that the new framework would address benchmarking issues. The Chair will consider a way to push for more benchmarking data to be made available to officers and members – **ACTION**
- Concerns were raised about the capacity for enforcement and the need for improved communication with Community and Town Councils. Officers acknowledged the need for better communication and training for Community and Town Councils. They emphasised the importance of explaining the enforcement process and the legal complexities involved. They also mentioned the action plan to improve these relationships and provide updated training.
- A member suggested setting a day to invite members of Community and Town Councils for a session to improve understanding and communication. The suggestion was well-received, and it was agreed that organising such sessions could be an effective way to disseminate information and improve the understanding of planning processes among Community and Town Councils.
- It was questioned whether service users are encouraged to provide formal feedback or if feedback is primarily received in the form of customer complaints. Officers explained that while they used to have a customer feedback form, it was discontinued due to a low response rate. However, they do receive both positive and negative feedback through complaints and compliments. They mentioned that they are considering reintroducing a feedback mechanism, possibly by sending out questionnaires with decision notices.

Chair's Summary:

The Chair acknowledged the good performance in several areas, including the high percentage of applications determined within eight weeks (93%), the high approval rate of applications (97%), and the success of the pre-application advice service (100% approval for those who followed the advice). He emphasised the importance of improving communication and relationships with Community and Town Councils, particularly regarding enforcement. He also highlighted the gap between public expectations and the actual enforcement process, stressing the need for better explanation and transparency. The Chair highlighted the need for better customer feedback mechanisms and the importance of benchmarking against other authorities and suggested exploring peer-to-peer reviews and sharing performance data with neighbouring authorities to improve transparency and performance evaluation.

The committee supports the plan to improve communication and provide updated training for Community and Town Councils and suggests organising sessions to invite members of these councils to improve understanding and dissemination of information. The committee wished to thank the officers for the reports and for the team's continuing hard work.

6. Community & Corporate Plan progress update

Leader Mary-Ann Brocklesby introduced the report and answered the members' questions with Richard Jones and Matthew Gatehouse:

- The Chair asked if more could be done to remove the perception of the Council 'marking its own scorecard', given the lack of benchmark information and regional or national comparisons in the report. He asked further if neighbouring authorities could form working clusters. Councillor Brocklesby acknowledged the need for benchmarking and agreed that it is important to include such comparisons where data is available. She mentioned that the Council is committed to improving this aspect and highlighted the upcoming peer assessment in 2025, which will provide an objective external evaluation. She also noted that the Council is already engaging in cross-learning with neighbouring councils and looking at ways to improve data management and analysis.
- An explanation was sought for the number of businesses assisted declining by 75%. It was explained that this is primarily due to the reporting period: the current figure of 42 businesses covers only six months, whereas the previous period's figure was an annual total for the full 12 months of 23-24. However, even if the current six-month figure is projected forward, it would still be lower than the target but, in any case, it is expected that the number will increase by the end of the full year, making the comparison more meaningful. The progress update acknowledges the ongoing efforts to support businesses and plans to continue these efforts in the next six months.
- A member asked why the work that Monmouthshire Partnerships is doing with the three farms on regenerative farming was not included in the report. The officer responded that while the work on regenerative farming is important, the report focused on significant areas related to the measurement framework. He assured members that the outcomes from the regenerative farming project would be included in future reports, particularly in the self-assessment report at the year-end.
- The Chair enquired as to whether there was any understanding of why Free School Meals uptake is lower in areas of deprivation. The officer acknowledged the question and mentioned that the team is monitoring and tracking the uptake of free school meals. He suggested that the relevant team would be best placed to provide a fuller understanding of the reasons behind the lower uptake in areas of deprivation – **ACTION**

Chair's Summary:

The Chair highlighted the need for benchmarking information, whether regional or national, to provide a more objective view of the Council's performance, emphasising the importance of removing the perception that the Council is marking its own scorecard, and reiterating the idea of exploring peer reviews with neighbouring authorities. He appreciated the Leader's engagement on this matter and acknowledged the ongoing efforts to work more closely with other councils and share best practices. The Chair thanked the Leader and officers, and moved the report.

7. Performance and Overview Scrutiny Committee Forward Work Programme 2024 and Action List

Officers noted that the first point in the Action List has been addressed, with the amount of Consultancy spend clarified as being £1,277,584 for 2023-24. Members were reminded about

invitations to briefing sessions on Corporate Insurance and Emergency Planning on 28th November and 15th January, respectively.

8. Cabinet and Council Planner

9. To confirm the minutes of previous meetings:

- 7th October 2024 (Special)
- 8th October 2024 (Special)
- 15th October 2024

The minutes were agreed.

10. Next Meeting: 3rd December 2024