

# Minutes



## Performance Scrutiny Committee - Place and Corporate

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Date: 7 June 2021

Time: 4.00 pm

Present: Councillors G Berry, M Whitcutt, I Hayat, J Richards, M Al-Nuaimi, C Ferris, Councillor R Truman and D Mayer

In Attendance: Councillors R Truman and D Mayer, Gareth Price (Head of Law & Regulation), Rhys Cornwall (Head of People and Business Change), Neil Barnett (Scrutiny Adviser) and Felicity Collins (Governance Officer)

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### 1 Apologies

Councillors Chris Evans, Malcolm Linton and Martyn Kellaway. Cllr Al-Nuaimi took as Chair for the meeting in Councillor Evans' absence.

### 2 Declaration of Interest

None.

### 3 Minutes of the previous meeting held on 22 March 2021

The minutes of the meeting held on 22 March 2021 were accepted as a true and accurate record.

### 4 2020/21 Service Plan End of Year Reviews

#### Law and Regulation

Invitees:

- Gareth Price - Head of Law and Regulation
- Councillor Ray Truman - Cabinet Member for Licensing and Regulation

The Head of Law and Regulation gave an overview of the report. The Committee were advised how the out term report performance last year was remarkable given the circumstances of the many challenges faced from the pandemic. The Committee was informed that most of the service's attention was diverted into dealing with response to COVID.

It was stipulated that the service area still managed to sustain normal level of service, indicating that most of its performance was still exceedingly good. Head of Law and Regulation commented that this is a testament to the hard work of the staff from the service area and paid tribute to their dedication to keep things going with the addition to the extra tasks that came with the Council's Covid response. It was further stated that the biggest test was setting up the Test, Trace, Protect (TTP) service from scratch – in last May/June they were instructed to set it up with just two weeks' notice.

It was outlined to the committee that by 1 June 2020, the system had 50 council staff from other service areas that were redeployed to work on the temporary IT systems over first few weeks and then in the following 6 months, they built the service up from nothing with a budget of £1.7 million. The explained to the committee that this was only successful due to the organisational support and professionalism from environmental health experts, the managers and support staff. Their dedication over the last 12 months was complimented by the Head of Service. The committee was informed that at one point, the TTP system in Newport had reported 260 cases in a day, this emphasised how busy they were with work and that it is a significant achievement to be able to manage.

It was explained that the second element of the response in containment of the virus, was the Covid Enforcement work undertaken by the Public Protection and Trading Standards teams. They checked licence premises and business premises, many local organisations were given advice on compliance with social distancing and PPE. The team dealt with around 3000 inspections during that period which echoes the point that all of the staff within that section were fully employed with Covid work so it was inevitable that other services within the area would have been forced to be put on the backburner during that period.

It was explained to the committee that due to the work of Covid response being so time consuming and due to the restrictions; food hygiene and housing inspections could not be carried out, mainly also due to infection control and outbreaks in care settings, schools and dealing with the compliance work. However, regulatory work did suffer by comparison, this was also inevitable due to the precedence of Covid work being the priority. It was stressed that there was no underperformance in the targets of the service plan as the committee was advised that for any delayed cases, there is an explanation which is related back to the Covid response being the causal link to the legal staff being diverted from their regular day to day tasks. The staff's response to the pandemic was praised as commendable by how they controlled the workload as staff adapted to new ways of working remotely such as the governance and scrutiny team to help keep the democratic decision making still go ahead.

Members were then advised of the other achievements of the Legal Services team such as Trading Standards officers dealt with a number of premises in the city centre dealing illegal tobacco and that its success was showcased on BBC Wales X-ray. It was informed that many rogue traders were caught out during this period. It was also mentioned that the Newport City Dogs Home won an RSPCA award for efficiently dealing with stray dogs during the pandemic. It was pointed out to the committee that despite the additional work Covid placed upon the teams, they were able to keep up with the challenges that came with it.

The Head of Law and Regulation acknowledged that the Covid legacy will be with the Council for a while due to the backlog of cases such as housing cases, childcare cases being adjourned and food hygiene inspections. It was also indicated that this year will be full of more new challenges despite the impact of the pandemic from the local government act with dealing with governance systems before the elections and waiting on the full Brexit support withdrawal and waiting on the impact on import and exports. The committee were advised that the service area hasn't yet seen an increase in work due to this but it is anticipated that the workload will be just as great this year as last year but the head of service indicated that through last year's performance, Law and Regulation's standard of service will be sustained.

The Cabinet Member concurred with the officer and advised members that the staff went above and beyond what was expected of them during this period. They worked well from inspections with trading standards, setting up the track and trace system, notices being served, working well with Newport businesses as well as carrying out

joint inspections with the police force. It was acknowledged that it came with a cost as many environmental health officers were pulled out of their normal hours and in doing so, dealt with a host of different challenges.

The Cabinet Member proceeded to explain that it is clear why the Environmental Health officers could not do as much as they usually could do work wise due to Covid being prioritised. The Cabinet Member acknowledges the huge backlog but the committee was assured that this will be dealt with as soon as possible but it is clear that Covid is the priority.

The committee was then informed by the Cabinet Member that the Welsh Government confirmed it will be providing additional funding for the Track and Trace system up until end of March 2022, when it was previously agreed to be funded up until September 2021. The Cabinet Member concluded that it has been an extremely busy year and that no one could have foreseen it but the staff in Civic Centre who pulled together with team effort.

The Chair of the Committee agreed with the remarks made by the Head of Service and Cabinet Member that the council staff have worked well during an unprecedented and very difficult situation.

The Committee asked the following:

- The Committee queried that with the cases that were not a priority at the time for the Legal Team, would the service area be able to provide a time scale for when they will be prioritised.

The Head of Law and Regulation stated that the legal team were unable to give a precise timescale as it was explained that they are still dealing with Covid response issues, not in Covid recovery phase as of yet. The Environmental Health team were working just as hard with the restrictions being relaxed and Licensing Officers were also heavily involved with the response phase. The Head of Service then advised that despite this, they hope to be able to deal with the Food Hygiene cases within the next 12 months but will know more closer to the recovery phase.

Members reiterated that they fully appreciate the Environmental Health and Legal team's extremely fundamental work to ensure that the local environment is fit for purpose in order to safeguard the public from the pandemic and stated that it holds many significant achievements against a challenging backdrop.

- The Committee further acknowledged that it is difficult to ask specific questions as the communities are in a crisis situation due to the pandemic and that the staff have worked well. The committee queried how staff would get rewarded for their efforts, the chair queried if this would be through the council pay scheme.

In response, the Head of Law and Regulation advised the Members that the national pay scale is not something that is influenced by scrutiny committees therefore it is not appropriate for the decision to be discussed by scrutiny about pay and reward but such comments have been duly noted.

The Committee reached a consensus that they would like their appreciation for the work of the staff to be recorded in the minutes of said meeting.

The Head of Service proceeded to give an overview of the section and the committee were advised and given updates on why some areas of the Amber and Red

measures were due to the direct and indirect impact of Covid-19. It was outlined that three to four areas are in the red measures to date.

Members were advised that two performance indicators are showing red. The Head of Service noted that one is a Local Land Charge searches and the other is percentages of Regulatory Service complaints being resolved. Head of Law stated that the reason for the underperformance of the latter is obvious due to Regulatory Service officers being diverted into response work for the pandemic with Environmental Health assistance. The Committee were advised that despite this, the performance of the area was still high with reaching 75% whereas the target was 95%.

The Head of Law and Regulation concluded that given inspectors had been redeployed, you can see the result of resources being stripped due to Covid is a clear indication that the prioritisation of other work has had a direct impact on resolutions of complaints. It was further explained with regard to the Land Charges search delays that this is also linked to Covid as it was explained to the Members that when the council process property transactions, they usually are able to review searches within 5 working days. This was put into perspective by pointing out that normally the team would look to process 95% of the searches within five working days so as the committee could see from this indicator, during the last 12 months, that went down to 78%. This drop was explained to have happened due to limited numbers of staff during the Covid lockdown period.

The Committee were advised that the reason for that was due to significantly fewer numbers of staff during the first lockdown period where only key workers could undertake key journeys, therefore there was a limited number of staff to deal with journeys and the property search agents could not come in. It was explained that the Council would use private companies to check council property registers and undertake their own searches so it was described as a double edged sword as searches were piling up as a result of fewer staff both within the council property transaction team and the search providers. Despite this however, the Council's income level was maintained due to the property transactions not going ahead so there was in time a drop in the local charges searches which was a positive as it meant that their income level was sustained due to the pandemic.

The Chair then thanked the Cabinet Member and officers for attending.

### **People and Business Change**

Invitees:

- Rhys Cornwall - Head of People and Business Change
- Councillor David Mayer - Cabinet Member for Communities and Resources

The Head of People and Business Change gave the committee a brief overview of the service plan and explained that for the financial out turn for the year, the area was around £2000 below the budget, the reason was explained to the committee that this was primarily due to the undelivered expenditure on IT provision. It was explained that the focus had been on if they can operate as an organisation due to less infrastructural work due to difficulties with supplies and less people being physically in work.

Members were advised that by in large as a service area, the staff have been remarkable regarding being redeployed into different areas such as social services and civic centre to maintain services. Not only that but the Newport Intelligence Hub and working with NHS Wales around data on shielding individuals and providing appropriate support for health and safety who have been instrumental for conducting robust risk assessments. The Committee were then advised and given updates on

why some areas of the red measures were due to the direct impact of covid-19. It was outlined that four areas were in the red measures to date. Members were advised that half way through the way the lockdown, a strategic decision was made to embed Public Relations team into the service area that they do and was happy to discuss the impact on the services.

From the performance point of view, out of the four red measures in place, three were to do with staff training as it was difficult to implement and undertake training through a pandemic. With the measures in place, the service area are starting a programme for this Summer online.

Members were advised that one of the red measures was to do with Subject Access Requests. The Head of People and Business Change explained that they are personal data requests that organisations hold and given the amount of primary social services, paper records the Council still maintain because they have got a prolonged retention rate, that requires people to come into the building to scan and redact that information as necessary. So the committee was informed that due to this there had been some particular issues in the performance measures on delivering against that. Despite all of that, there has been some really strong performance across the service area as they are driving forward real sort of organisational change. The Head of People and Business Change gave an example of this through partnering with the Shared Resource Services since 2017, the investments for future requirements came into fruition as the service area worked remotely within a very short period of time.

The Head of People and Business Changes highlighted the benefits of getting the Council teams set up from home successfully for working and this goes hand in hand with the work they have been doing with the Overview and Scrutiny Management Committee on a report on the New Normal. This report will try to encapsulate some of the benefits that the Council has achieved over the past year and how to run that forward.

The Head of People and Business Change concluded by stating that despite the pandemic, the service area has achieved many things against the service plan during the course of the past year, the performance measures should be understandable given the circumstances but the delays on some of those such as with civil contingencies, the department plan to undertake during the year 2021 which may roll into the next financial year with activities around HRR but generally an overall very strong performance from the service area as a whole. Discussion ensued and it was agreed amongst the committee that COVID obviously has had a massive impact that cannot be underestimated.

The Cabinet Member agreed and addressed the committee of how the Intelligence Hub has been at the centre of communication for the whole of Wales and that the staff have been wonderful through providing support all the way through the pandemic.

Members asked the following:

- A comment was made in relation to training courses performance measures on page 41 of the agenda. The committee queried why the staff/members who received inequality training and Welsh language course were so low in number.

Members were advised that the training programme for these were primarily face to face courses. It was also highlighted that it had taken the service area some time to identify the provider of an online training provision which is now taking place for all staff. It was noted that the Leader is determined for all

members of staff to undertake it, starting in the summer period, so the numbers will change dramatically.

With regard to the Welsh language course, Members were advised that the service area started a new training programme a month before everyone went into national lockdown in 2020, so this was massively impacted by restrictions.

- The Committee noted that the number of employers trained were below 200. They therefore queried how would the Council have been able to do that as it is a large number of staff?

Members were advised that those were more of that able to do as services provision as a lot of it happens with schools. It was indicated that schools have been operating through lockdown. The Lead Officer advised that with smaller numbers it has been doable, due to people being available. Members were advised that most of the employees would have been teachers/key workers.

The Chair thanked the Cabinet Member and officers for their attendance.

### **Conclusion of Committee Reports**

#### **Law and Regulation and People and Business Change**

- The Committee gave their thanks for the detailed report and stressed how proud they are of both service areas and what they have achieved in the past year. Members also wished to comment that they fully appreciate the Council is in a better situation from 12 months ago, and also acknowledge the service area have a lot to catch up due to the impact of the pandemic.
- The Committee wished to state that they had no further comments or recommendations to make on the report. It was stated that it was understandable that some performance measures were red given the position the service area are placed in, during unprecedented times.

### **5 Draft 2021-22 Annual Forward Work Programme**

Invitees;

- Neil Barnett – Scrutiny Adviser

The Scrutiny Adviser presented the Draft Annual Forward Work Programme for 2021-22 and outlined the draft topics for the year. It was emphasised that the Committee has ownership of the Work Programme and would continue to have the opportunity at each meeting to adapt, reprioritise, add or replace items on its Work Programme. Members' attention was drawn to the proposed schedule of meetings for the year.

#### **Agreed:**

The Committee **approved** the Annual Forward Work Programme, the schedule of meetings for 2021-22 and **agreed** the start time for Committee meetings of 4pm.

The meeting terminated at 4.50 pm