



## REFINEMENT OF OVERVIEW AND SCRUTINY COMMISSIONS

### SUMMARY

- 1.1 I was pleased that on 7 July Council agreed the motion to align the overview and scrutiny commissions to the new Directorates, with this Commission mirroring the Chief Executive's Office.
- 1.2 The new Commissions have met and considered reports on their remits. This has revealed a significant difference in the breadth of responsibilities. The smallest commission, Resources, also has a blurring of responsibilities with that of the SMC.
- 1.3 The SMC has also struggled to manage agendas divided between its designation as Crime and Disorder Committee and its Council responsibilities.
- 1.4 I am inviting the Members to consider refining the new commission structures by:
  - the SMC absorbing the Resources Directorate functions, so dispensing with the need for a Resources Commission
  - using the freed capacity to creating a new, free stranding Crime and Disorder Commission.

If supported by Members this would need to be endorsed by Council at its November meeting.

### RECOMMENDATION

- 2.1 To recommend Council to dispense with the Resources Commission by allocating its functions to the Scrutiny Management Commission
- 2.2 To recommend Council to create a Crime and Disorder Commission and designate that as the 'Crime and Disorder Committee' for the purposes of Section 19 of the Police and Justice Act 2006

### REASONS FOR RECOMMENDATION

- 3.1 This would avoid a potentially long term imbalance in the size of the portfolios of commissions. The Resources Commission has a small portfolio with few public facing services yet also has the greatest potential for overlap with the SMC. The dividend would be to have a separate commission to allow a clear focus on crime and disorder. That would overcome the SMC's current split agenda arrangements which do not

assist the engagement of community safety agencies or the public.

## SUPPORTING INFORMATION

- 4.1 On 7 July 2010 Council agreed the important principle of aligning the overview and scrutiny commissions to the new Directorates, with this Commission mirroring the Chief Executive's Office. Whereas previously senior officers and Cabinet Members may have to attend several commissions in respect of different parts of their responsibilities, the new model means they will usually only have to be accountable and attend one overview and scrutiny commission. A dividend was a reduction from six to five commissions.
- 4.2 The new commissions have met and considered reports on their remits. This has revealed a significant difference in the breadth of responsibilities, <http://cmis.derby.gov.uk/CMISWebPublic/Binary.ashx?Document=16010> Lists are a guide but do not reveal numbers of service users, spend or number of staff. Another reference is the number of Cabinet Members mirrored by each commission, which tend to balance size, spend, complexity, political priorities and scope for controversy. In summary:
- Adults Health and Housing Commission mirrors two Cabinet Members plus responsibility for NHS scrutiny
  - Children and Young People Commission has one Cabinet Member but is a statutory requirement mirroring half the Council budget.
  - Neighbourhoods Commission is the only one to mirror three Cabinet Members.
  - Resources is the smallest commission corresponding to one Cabinet Member.
  - The SMC mirrors the functions of the Chief Executive's Office and the outward facing functions of the Leader. It is also retains its traditional co-ordinating role in respect of the other four commissions, and, since 2009 has been the designated crime and disorder committee.
- 4.3 While the Resources Commission's remit covers areas which are very important to the functioning of the Council, few are public facing services. Most functions falling under the Resources Commission were with the SMC until July this year. It may prove difficult not to have blur or overlap between the new Resources Commission's role and that of the SMC. The management or delivery of financial functions falls to the first but when set out in budget or major strategy the SMC clearly would retain a role.
- 4.4 In 2009 the SMC was designated as the Council's Crime and Disorder Committee. In line with Home Office Guidance, an early decision was the co-option of the City Council's two Police Authority members and the Divisional Commander but only for the consideration of crime and disorder issues. The SMC has also struggled to manage agendas necessarily divided between its designation as Crime and Disorder Committee and its Council responsibilities.

4.5 I am inviting the Members to consider refining the new commission structures by:

- the SMC absorbing the Resources Directorate functions, so dispensing with the need for a Resources Commission
- using the freed capacity to creating a new, free stranding able to focus on Crime and Disorder issues.

The reasons are as set out at paragraph 3.1. Such a change would require the approval of Council when it meets in November.

#### **OTHER OPTIONS CONSIDERED**

- 5.1 The July arrangements could be retained without alteration. The Resources Commission would then seek to scrutinise meaningful areas within its current remit.
- 5.2 The SMC could be open minded to alternative suggestions but I believe the principle of alignment with directorates should be kept.

**This report has been approved by the following officers:**

<b>Legal officer</b>	N/A
<b>Financial officer</b>	N/A
<b>Human Resources officer</b>	N/A
<b>Service Director(s)</b>	N/A
<b>Other(s)</b>	N/A

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<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial**

- 1.1 None should arise as the number of Member attendances at meetings would not appreciably alter.

**Legal**

- 2.1 The changes would ensure continued compliance with Section 21 of the Local Government Act 2000 which requires that all Council services and functions must be capable of being scrutinised. A separate commission for crime and disorder issues would better enable the carrying out of statutory functions under Section 19 of the Police and Justice Act 2006.

**Personnel**

- 3.1 None directly arise. The July reconfiguration which aligned commissions to directorates has produced a significant efficiency gain by reducing the need for senior officers and Cabinet Members to attend multiple meetings. The proposed refinements would maintain that principle.

**Equalities Impact**

- 4.1 A free standing committee to deal with crime and disorder issues would be more transparent, easily understood by the public and promote engagement.

**Health and Safety**

- 5.1 None directly arise.

**Carbon commitment**

- 6.1 Neutral, as the number and cycle of meetings would remain the same. Please note that to in order to mainstream climate change across the organisation, the heading 'Carbon Commitment' is now to be addressed as a standard implication in every Derby City Council report.

**Value for money**

- 7.1 The July reconfiguration which aligned commissions to directorates has produced a significant efficiency gain by reducing the need for senior officers and Cabinet Members to attend multiple meetings. The proposed refinement would produce a further gain, as it would lessen the amount of time senior officers of the Council and community safety partner agencies spend at SMC meetings waiting for particular agenda items to be reached.

## **Corporate objectives and priorities for change**

- 8.1 This would contribute to the commitment to Council Organisational Development to enable us to be at the heart of a successful city.