



DERBY CITY COUNCIL

## SCRUTINY MANAGEMENT COMMISSION 19 JULY 2005

Report of the Director of Corporate Services

# ITEM 7

### Portfolios of Overview and Scrutiny Commissions

#### RECOMMENDATION

1. The Commission is invited to consider this report and decide what further action it wishes to take.

#### SUPPORTING INFORMATION

- 2.1 At the last meeting of the Commission on 7 June 2005, Members asked me to report back on possible ways of aligning the portfolios of overview and scrutiny commissions more closely with Council Cabinet Areas of Responsibility. It was felt that this would help to ...
  - make scrutiny more focussed
  - enable commissions to hold the Council Cabinet to account more effectively
  - reduce the number of Council Cabinet members involved with each commission. For example, the current Culture and Prosperity Commission has elements of four Council Cabinet areas of responsibility within its portfolio
  - build productive relationships between commissions and Council Cabinet members.

Members will recall that, at the Annual Meeting on 25 May 2005, full Council rejected a proposal to have four overview and scrutiny commissions, each covering two Council Cabinet Areas of Responsibility.

- 2.2 Baseline information is attached as follows:

Appendix 2 - current portfolios of overview and scrutiny commissions  
Appendix 3 - current areas of responsibility of Council Cabinet members  
Appendix 4 - table showing the current involvement of Council Cabinet members with overview and scrutiny commissions.

It can be seen from Appendix 4 that, currently, four commissions are involved with three Council Cabinet members, one has four Council Cabinet members and one has two Council Cabinet member plus responsibility for health scrutiny.

- 2.3 Appendix 4 also sets out two possible models for realigning commission portfolios more closely with Council Cabinet members' areas of responsibility. Option 1 simply provides for two commissions to have two Cabinet members each and the rest one each. Option 2 attempts to put related services and functions together. There are other possible models.

2.4 The advantages and disadvantages of these two options are:

### Option 1

Advantages:

- Simple and straightforward
- Self-contained commission portfolios and Cabinet members' areas of responsibility – no crossing over
- Clear relationship between Cabinet members and commissions
- Achieves integration of children's and adult services required under new agendas for change

Disadvantages:

- Imbalance in workload of commission portfolios – efor example compare Children's Services with Personnel, Equalities and Direct Services
- Fragmentation of services and functions scrutinised – for example, Scrutiny Management Commission would scrutinise some but not all central services as well as some direct services
- Not conducive to cross-cutting reviews.

### Option 2

Advantages:

- Links related services and functions
- Achieves integration of children's and adult services required under agendas for change
- Allows Scrutiny Management Commission to concentrate on central services
- Achieves more balanced workloads.

Disadvantages:

- More complex
- Commission portfolios and Cabinet members' areas of responsibility not self contained – crossing over issue not resolved
- Blurs relationship between Cabinet members and commissions.

2.5 Members of the Commission will wish to discuss the issues and consider how to take the matter forward.

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**Background papers:**

**List of appendices:**

Appendix 1 – Implications

Appendix 2 – Current Portfolios of Overview and Scrutiny Commissions

Appendix 3 – Current Areas of Responsibility of Council Cabinet Members

Appendix 4 – Current and Possible Portfolios

Appendix 5 – Statutory Guidance

### IMPLICATIONS

#### Financial

1. None arising from this report.

#### Legal

- 2.1 The Local Government Act 2000 requires that the Council's overview and scrutiny arrangements cover the full range of functions it is responsible for. That can be undertaken by a minimum of one committee or any higher number the Council considers appropriate. Any committee when considering local education authority functions must, in addition to the Councillor members, include, in the case of Derby five voting members representing faith communities and parents. The Health and Social Care Act 2001 provides for one of the Council's overview and scrutiny committees to review and scrutinise local National Health Service bodies.
- 2.2 The 2000 Act also requires that local authorities must have regard to any guidance issued by the Secretary of State. A copy of the chapter in the guidance covering overview and scrutiny arrangements is attached to this report at Appendix 5. The paragraphs that are ticked are those to which the Council has a statutory duty to have regard.

#### Personnel

3. None arising from this report.

#### Equalities Impact

4. Effective scrutiny benefits all Derby people.

#### Corporate Themes and Priorities

5. This report has the potential to link to all the Council's Objectives, Values and Priorities.

## APPENDIX 2

### Current Portfolios of Overview and Scrutiny Commissions

Commission	Scope
<b>Scrutiny Management Commission</b>	<p>Corporate Council Policies and Strategies</p> <p>Corporate Legal, Administrative, Estates/Property Services and Repair and Maintenance</p> <p>Chief Executive's Policy, European, Best Value and Communications Functions</p> <p>Corporate Finance and Financial Services including Taxation</p> <p>External Affairs - European, National, Regional and Local</p> <p>Democratic Representation</p> <p>Mayoral Office/Electoral Issues/Registrars</p> <p>Concessionary Fares</p> <p>Best Value Performance Plan and Derby Pointer</p> <p>Members Services/Allowances</p> <p>Corporate Personnel, Recruitment and Training functions and issues</p> <p>Employment training</p> <p>Health and Safety</p> <p>Corporate Equality functions and issues</p> <p>E-Government IT Services/Development and Telecommunications</p> <p>Repairs and Maintenance Programmes</p> <p>Design Services</p> <p>Emergency Planning</p>
<b>Education</b>	<p>Schools</p> <p>Centrally Funded School Services, including Special Youth Service</p> <p>Adult Education</p> <p>Mandatory and Discretionary Awards</p> <p>Access Support, including Ethnic Minority Achievement Grant (Role of Education Evaluation Panel)</p>
<b>Social Care and Health</b>	<p>Children and Family Services</p> <p>Corporate Parenting</p> <p>Adult Services</p> <p>Assessment and Care Planning</p> <p>Social Services Support Services</p> <p>Health Improvement Planning</p> <p>Health Services</p>
<b>Planning and Environment</b>	<p>Strategic Planning, including Traffic and Transportation</p> <p>Development Control and Building Control policy</p> <p>Footpaths, Highways and Maintenance, Car Parks</p> <p>Roads - Engineering and Design Service</p> <p>Highways Property Administration</p> <p>City Centre and Neighbourhood Horticultural Features</p> <p>Licensing policy issues - Taxis/Entertainment etc</p> <p>Local Agenda 21 Strategy, Environmental Co-ordination and Initiatives</p> <p>Environmental Health and Trading Standards</p> <p>Outdoor Amenities</p> <p>Client - Street Cleaning/Waste Collection and</p>

	Disposal/Conveniences Recycling Land Drainage Energy Conservation Building Cleaning All Direct Services Non-highway Engineering Cemeteries and Crematorium
<b>Community Regeneration</b>	Social Inclusion, including Anti-Proverty initiatives Community Governance and Consultation Community Regeneration and Development, including Community Planning Special Programmes Management including all Single Regeneration Budget Schemes New Deal for Communities Community and Equalities Grants Cultural Diversity Housing and Council Tax Benefits Welfare Rights Community Legal Services including Law Centre and Citizens Advice Bureau Crime and Disorder, including Youth Offending Service External Employment Initiatives Housing Management Housing Strategy and Development Private Sector Housing
Culture and Prosperity	Community Centres and Council Activity Centres Arts and Libraries Assembly Rooms/Guildhall Museums/Art Gallery Outdoor events City Centre Management Markets Sports, Fitness and Play including Grants Leisure Centres and Coaching Economic Development Tourism and Tourist Information Centre Festivities Parks and Allotments, including Client Grounds Maintenance

### Current Areas of Responsibility of Council Cabinet Members

1. Corporate Policy  
Corporate Council Policies and Strategies  
Corporate Finance and Financial Services including Taxation  
Corporate Legal and Administrative Services  
Corporate Communications  
European Policy  
Local Strategic Partnership  
Sub Regional Strategic Partnership  
External Affairs – European, National, Regional and Local  
Mayoral Office/Electoral Issues/Registrars  
Emergency Planning  
Community Strategy  
Community Consultation, including Derby Pointer  
Business Link  
Museums, Art Gallery  
Libraries  
Quad
2. Performance Management, Economic Development and Housing  
Performance Management  
Best Value functions  
Best Value Performance Plan  
Estates, Property Services and Repair and Maintenance  
Building Design Services  
External Employment Initiatives  
Economic Development  
Housing Management Client  
Housing Strategy and Development  
Markets  
Tourism and TIC  
City Centre Management  
Computer Services Development  
Telecommunications and e-Government  
Festivities and Outdoor Events  
Arts policy  
Assembly Rooms and Guildhall  
Members Services/Allowances
3. Community Services  
Housing and Council Tax Benefits  
Derby Advice Service  
Community Safety  
Community Cohesion  
Community Centres  
Community Grants and Equality Grants  
Community Regeneration and Development, including Community Legal Services  
Area Neighbourhood Working, including Area Panels  
External Regeneration Funding

Private Sector Housing (Renewals and Grants)  
Homelessness (Housing Options)

4. Children's Services and Health  
Children and Family Services  
Social Services Support Services  
Youth Service  
Health Service Partnerships – Children  
Early Years  
Play Development
5. Adults' Services and Health  
Adult Social Services  
Assessment and Care Planning  
Health Improvement Planning  
Health Service Partnerships - Adults  
Adult Education  
Supporting People  
Sports Centres and Coaching
6. Schools Education Services  
Schools, including Repairs and Maintenance  
Centrally funded Schools Services, including Special Needs  
Mandatory and Discretionary Awards  
Access Support, including Ethnic Minority  
Achievement Grant
7. Planning, Transportation and Environment  
Planning and Building Control  
Strategic Planning and Transportation, including car parking strategy  
Footpaths, Highways and Maintenance  
Roads – Engineering and Design Services  
Highways Property Administration  
Local Agenda 21 Strategy, Environment Co-ordination and Initiatives  
Client – Street Cleaning/Waste Collection and Disposal/Public Conveniences  
Recycling  
Land Drainage  
Energy Conservation  
On-street and Off-street Car Parking Strategy and Client
8. Personnel, Equalities and Direct Services  
Corporate Personnel, Recruitment and Training functions  
Employment Training  
Health and Safety  
Corporate Equalities Functions and Issues all Direct Services  
Non-Highway Engineering  
Cemeteries and Crematorium  
Environmental Health and Trading Standards  
On-street and Off-street Car Parking Contractor  
Parks and Allotments, Client Grounds Maintenance  
City Centre and Neighbourhood Horticultural Features

## Overview and Scrutiny Portfolios

### Current – 2005/06

Commission	Cabinet
SMC	1, 2, 8
Education	4, 5, 6
Social Care & Health	4, 5, Health Scrutiny
Planning & Environment	2, 7, 8
Community Regeneration	1, 2, 3,
Culture & Prosperity	1, 2, 3, 8

### Possible realignment to Council Cabinet areas of responsibility

#### Option 1

Commission	Cabinet
SMC	1 & 2
Children's Services	4 & 6
Community Services	3
Adult Services	5 & Health Scrutiny
Planning, Transportation & Environment	7
Personnel, Equalities & Direct Services	8

#### Option 2

Commission	Cabinet
SMC	<ul style="list-style-type: none"> <li>1 &amp; 2 except Arts, Housing &amp; Economic Development</li> <li>Personnel &amp; Equalities from 8</li> </ul>
Children's Services	<ul style="list-style-type: none"> <li>4 &amp; 6</li> </ul>
Community & Housing	<ul style="list-style-type: none"> <li>3</li> <li>Housing from 2</li> <li>Community Strategy from 1</li> </ul>
Adult & Health Services	<ul style="list-style-type: none"> <li>5</li> <li>EH&amp;TS from 8</li> <li>Health Scrutiny</li> </ul>
Planning, Transportation & Environment	<ul style="list-style-type: none"> <li>7</li> </ul>
Economic Development & Leisure	<ul style="list-style-type: none"> <li>Economic Development from 1</li> <li>Parks etc. from 8</li> <li>Arts from 1 &amp; 2</li> </ul>