

Overview and Scrutiny
Draft Annual Report 2005/06
PART 1

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1. Foreword

Welcome to the fourth Annual Report on the work of Derby City Council's Overview and Scrutiny Commissions, covering the period April 2005 to April 2006.

The Scrutiny Management Commission's 'Review of Scrutiny', completed one year ago, suggested ways to enhance the scrutiny function and to improve its linkage to the executive arm of the Council's decision making process.

The closer engagement between Cabinet and the Scrutiny Commissions recommended by the 'Review of Scrutiny' has now been facilitated by the constitutional changes introduced in the latter part of 2005 which provide for regular informal meetings between Scrutiny Chairs, Vice Chairs and the relevant Cabinet members. I am confident this will become established as a familiar and valued part of the Council's machinery.

Last year's 'Review of Scrutiny' also revealed a desire to undertake retrospective scrutiny which could be used after one or two years to see how well a decision was working in practice. Each Commission meeting's agenda now includes the standing item 'Retrospective Scrutiny' and although this has not so far been widely used, it is potentially a powerful tool for the Commissions.

During the past year the strengths of scrutiny in Derby have been the multi-meeting topic reviews and the multi-issue business meetings. Members had previously expressed a wish to have more medium sized scrutiny, two hours to one day, spent on one issue, and good practice examples of this have been the special meeting of the Scrutiny Management Commission on proposed police force mergers and that of the Community Regeneration Commission on Area and Neighbourhood Working. The latter was attended by over half of Derby's councillors.

A further innovation this year was the conduct of the Primary Care Trust merger review by the Social Care and Health Commission. The range of witnesses to this review was at least equal to some of the previous topic reviews but the review was conducted in only a week and a half. This demonstrates the capacity and flexibility of our overview and scrutiny function to deliver when the will is there.

This Annual Report shows that in the past year the Council's Overview and Scrutiny Commissions have again achieved some notable successes but these successes must be offset against a level of focus and commitment to scrutiny that has at times appeared very variable. Without question the change of control, which resulted in what was effectively a second 'Annual Meeting', the new Chair and Vice Chair partnerships and the changed

Commission memberships all had an impact, and inevitably members need time to find their feet in new roles. However, even allowing for this, there have been disappointments and opportunities not seized, and some Commissions have spent time thinking about what they might review, rather than deciding and getting on with it.

Furthermore, although it seems to be recognised by members that regular training is important if skills are to be enhanced and maintained, there has to date been almost no take-up of the very flexible training packages put together last summer by the Co-ordination Team. There also seems to have only been a limited attempt by members to become familiar with the use of Performance Eye. This is unfortunate as this user-friendly system offers the modern councillor access to information that our predecessors could only have dreamed about.

On a much more positive note I wish on behalf of the Commissions to tender my thanks to the OSCer Team that have supported us, to an extremely high level, through the year. So much so, that Derby is regarded as a leading light in local authority scrutiny across the country.

I also express my thanks to all officers – of all levels - of the Council and its partner agencies for supporting the scrutiny process by their attendance at meetings and through the provision of information and advice between meetings.

A significant difference this year has been the input and attendance of the council's Cabinet members, allowing rigorous political scrutiny that has at times been difficult for some of them. I commend them for their co-operation and involvement in our overview and scrutiny of council policy. I trust this practice will continue into the next year.

I want also to give special thanks to the co-opted members who serve on the Commissions. Their input has been invaluable and on occasions when insufficient councillors have been available, their attendance has allowed review meetings to go ahead with viable numbers. The quality of the contributions they have made to evidence gathering has been shown in the questions they posed and their reflections have added value to Commissions' conclusions and recommendations.

Four years on Derby City Council's Overview & Scrutiny function has set high standards and achieved good foundations for the future. Nevertheless, we should always be ready to challenge all areas of council business, including our own, to maintain those high standards and remain top of the class.

Councillor Alan Graves – Chair of the Scrutiny Management Commission

2. Introduction

The Council's Constitution that came into effect on 3 December 2001 required the establishment of six Overview and Scrutiny Commissions that would collectively cover all the functions of the Council. The six original Overview and Scrutiny Commissions were reconfigured at the Council's Annual Meeting on 21 May 2003 in order to give each Commission a more balanced workload.

That structure has remained unchanged since and is shown in Figure 1. The portfolios of each of the six Commissions are described in Appendix 1 of this report. Appendix 2 lists the membership of the Commissions.

The role and responsibilities of the Overview and Scrutiny Commissions are defined in the Council's Constitution and are in general terms to:

- a. review and/or scrutinise decisions made and actions taken in connection with the discharge of any of the Council's functions.
- b. make reports and/or recommendations to full Council and/or the Council Cabinet and/or any policy, joint or Area Panel in connection with the discharge of any functions.
- c. consider any matter affecting the area or its inhabitants, and
- d. consider decisions that have been called in for reconsideration and decide whether to ask the decision maker to reconsider the decision, or, where appropriate, to refer it to full Council.

Figure 2 illustrates the complementary roles of full Council, Council Cabinet and the Overview and Scrutiny Commissions and shows the linkages between them.

In practice, the task of the Overview and Scrutiny Commissions splits into two main components. These are:

1. To carry out policy development and review and for that purpose to conduct research and consult with interested parties on the development of policy options. The outcome of this process will be recommendations that are aimed at developing and improving Council policies.
2. To scrutinise and review the decisions and performance of Council Cabinet and Council officers. This may also involve research and consultation. It will lead to recommendations based on the outcome of the scrutiny process.

The policy development and scrutiny work that has been carried out by each of the Commissions during the administrative year 2005/06 is described in the following sections of this report.

Each meeting's agenda now includes the standing item 'Retrospective Scrutiny'. In a format change to this Annual Report, the section on 'Items scrutinised' by the commissions has been moved from a common appendix at the end to the individual Commission sections. Therefore rather than a 'read once' the Annual Report can be a useful item of kit for commission members – to be reached for when reading agenda papers and serve as a source of suggestions for retrospective scrutiny.

Derby City Council's Overview and Scrutiny Structure 2005/06

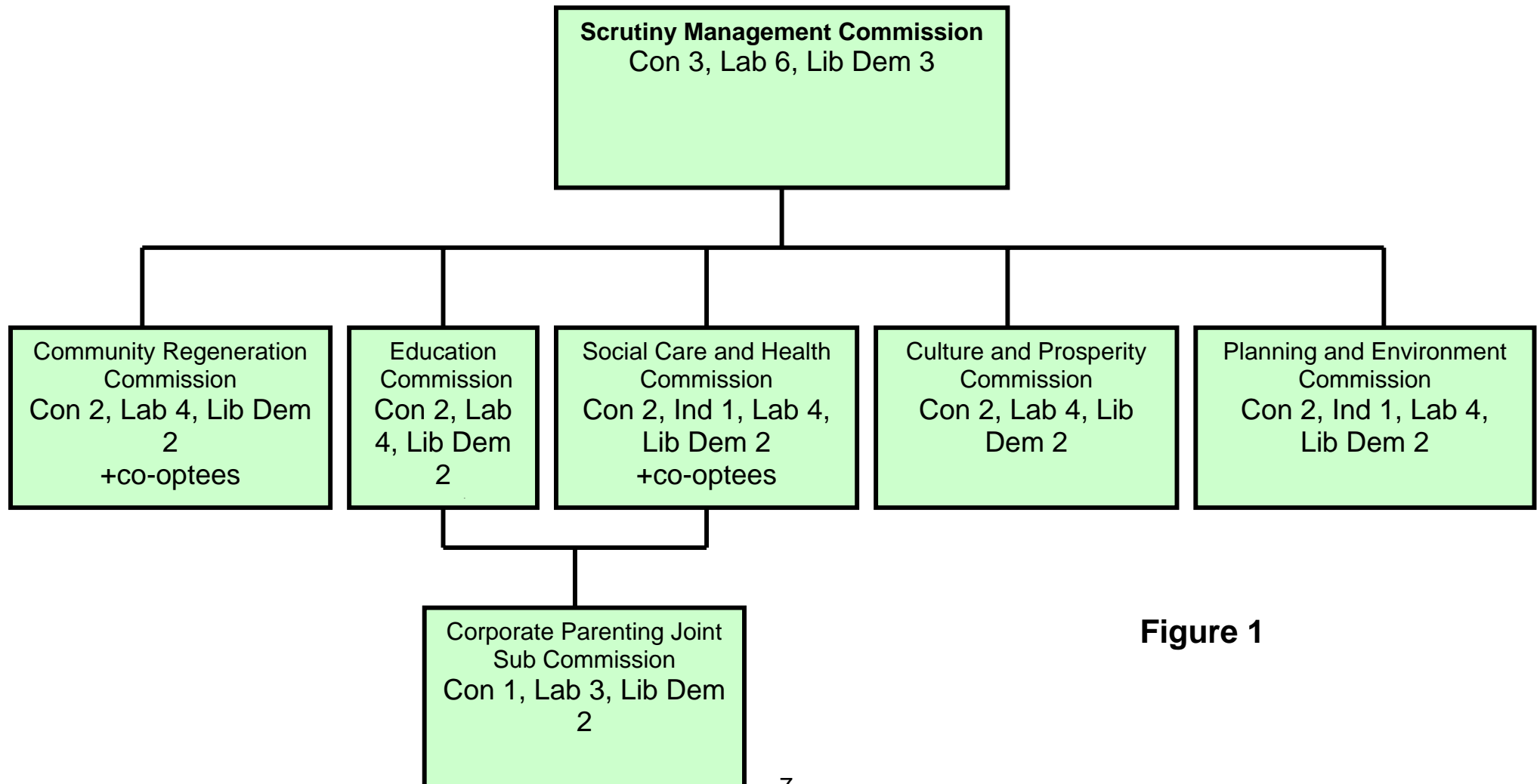


Figure 1

Linkages between Overview and Scrutiny, Council Cabinet and Full Council

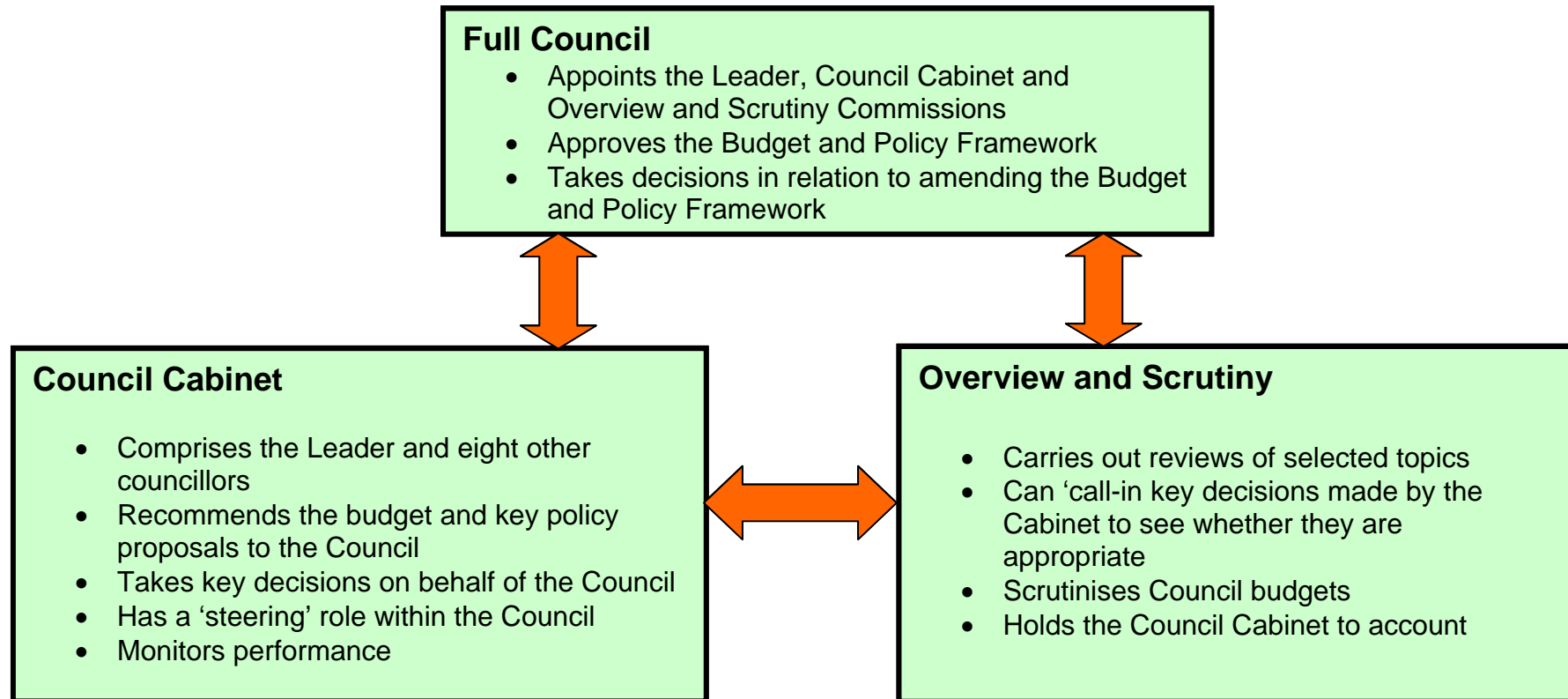


Figure 2