

SCRUTINY MANAGEMENT COMMISSION – THE ACHIEVEMENTS AND ORGANISATION OF OVERVIEW AND SCRUTINY IN DERBY

APPENDIX TWO

Description: The IDeA and local government academics agree that the goal should be parity of esteem between O&S and the executive. Locally, Members from all three groups have aired concerns about the impact of scrutiny. O&S is a very labour intensive activity, with many hours invested in topic review evidence gathering and report production: but on the outcomes, is it all worth it? Voiced concerns are set out in the Checklist below. Members need reassurance that O&S is already worthwhile – or that changes to make it so would be accepted.

The Council's constitution, adopted in December 2001, created six overview and scrutiny commissions. There was a small reconfiguration in May 2003, achieved with cross-party agreement. No changes were put to the June 2004 Annual Meeting on the basis that this review would be undertaken by SMC within a reasonable timescale. Those most closely engaged with the process will be able to:

- address the perceived areas of weakness in the system, as identified by members from all three parties during discussions at previous SMC meetings and referred to in the 2003/04 O&S Annual Report
- consider whether improvements might be made in the light of 2 ½ years experience

Phase	Suggested Terms Of Reference	Inputs	
<p>So What's Happened Since?</p> <p>Nov - Dec 2004</p>	<p>To look at the reviews already undertaken to establish: What's happened since the review? Is it being implemented – where and how fast? Has it made a difference? How... and is the service now better/worse?</p>	<p>Chief officers have been instructed by the Chief Executive to produce a position statement on each topic review recommendation within their remit. This will provide essential baseline information that might be followed by the SMC interviewing the Cabinet member/CO to i) clarify grey areas, ii) have a dialogue about the pace of progress. The key issues checklist may assist the SMC to arrive at conclusions.</p>	

Phase	Suggested Terms Of Reference	Inputs	
<p>The future organisation of O&S in Derby</p> <p>Jan – March 2005</p>	<p>To review the current overview and scrutiny function of the Council by addressing key issues - see table below - and then decide whether any alternative or revised arrangements i) would be durable for at least three years and ii) could be implemented on a consensual basis.</p>	<p>The process would be owned by the SMC but with commission chairs and vice-chairs feeding in the views a) of their respective commissions and b) their political groups on the council. It can also draw on the survey of Members previously undertaken by the OSCer team. A supplementary survey could focus on specific issues to answer, for example, whether members are overworked. The joint SMC/Council Cabinet review evening can also help inform the process.</p> <p>The review would also benefit from an independent element for the twin purposes of drawing on practical experience of the cabinet-and-scrutiny model elsewhere and introducing a detached viewpoint about Derby's current practice. <i>If wished</i>, a facilitator might be “borrowed” from another LA but realistically that would probably be limited to one working day and be of limited value. <i>Alternatively</i>, this would be more productive if it included observation of two to four meetings and the interviewing of key scrutiny members. This independent element could also usefully advise whether Members' suggestions for changes would be durable for at least three years and make a cross-party consensus more likely. To help members make an informed decision, estimates were obtained from three bodies considered prestigious in respect of the field of scrutiny: the lowest was under £5,500.</p>	

Key issues checklist:

So What's Happened Since?	The future organisation of O&S in Derby
<ul style="list-style-type: none"> i) the time taken for Cabinet to respond to topic review reports, ii) whether consensual evidence-based recommendations are too lightly disregarded, iii) is there a tendency for proposed changes to delivery to be seen by chief officers as undeliverable without extra resources - whereas the O&S message was the scope for smarter working? iv) whether "accepted" recommendations are actually implemented, v) ambiguous responses making it unclear whether recommendations are to be accepted and actioned; vi) have implemented recommendations actually improved the service? 	<ul style="list-style-type: none"> i) an audit or 'health check' of current overview and scrutiny activity, ii) the current structure and portfolios of overview and scrutiny commissions, iii) the role of the Scrutiny Management Commission, iv) relationships with the Council Cabinet and individual Cabinet members, and full Council, v) the political dimension e.g. allocation of chair and vice chair posts between political groups, arrangements for briefings for groups outside commission meetings etc, vi) the roles of members and officers vii) officer support arrangements viii) the balance between overview (policy development and review) and scrutiny (holding the Cabinet to account), ix) the effectiveness of topic reviews, x) the effectiveness of call-in, xi) how the overview and scrutiny process can add value to Council decision-making, xii) how the Council can learn from good practice elsewhere