



## SCRUTINY MANAGEMENT COMMISSION 29 SEPTEMBER 2008

Report of the Director of Corporate and Adult Services

### Scrutiny Structure Proposals

#### RECOMMENDATION

- 1.1 That members give their views on each of the four options described in the report.
- 1.2 That members indicate how they now wish to proceed with the review.

#### SUPPORTING INFORMATION

- 2.1 A report on the outcomes of the scrutiny structure workshop held on 24 June 2008 and the structure proposals arising from that workshop was presented to the Scrutiny Management Commission meeting on 1 July 2008 when consideration of the matter was deferred until the Commission's meeting on 29 September.
- 2.2 Appendix 2 describes the outcome of the 24 June workshop meeting and gives details of four possible options for scrutiny based on those that were identified at the workshop.
- 2.3 Members are asked for their views on each of the four options and to indicate how they now wish to proceed with this review.

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**Background papers:** Appendix 1 – Implications  
**List of appendices:** Appendix 2 - Proposals for a Scrutiny Structure enable effective scrutiny of its Partner organisations by the City Council

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

1. None arising from this report.

**Legal**

2. None arising from this report.

**Personnel**

3. None arising from this report.

**Equalities impact**

4. Effective scrutiny of the LAA will be of benefit to all Derby people.

**Corporate Objectives**

5. This report has the potential to link with all the Council's Corporate Objectives,

SMC Scrutiny Structure

### **Proposals for a Scrutiny Structure enable effective scrutiny of its Partner organisations by the City Council**

#### **1. Introduction**

1. The effectiveness of the scrutiny of local partnerships and the Council's LAA will be part of the Audit Commission's investigations when the new Comprehensive Area Assessment (CAA) inspection regime for local authorities comes into effect. It is therefore important that Derby has a scrutiny structure that enables it to conduct effective scrutiny of its partners and of their delivery of LAA targets.
2. The 2007/08 Annual Report of the Council's Overview and Scrutiny Commission sets out a proposal that the Council should consider restructuring its scrutiny function in order to address the new duties and responsibilities contained in the Local Government and Public Involvement in Health Act 2007.
3. The Annual Report proposed that during the period June – September 2008 all the Council's Scrutiny Commissions should work together and with representatives of the Council's partners to identify some viable options for a future scrutiny structure for Derby. The best of these options could then be presented in the autumn to a meeting of full Council which would enable any proposal that was adopted by Council to be implemented in January 2009.
4. It was agreed at the Annual Meeting of the Council that the options for conducting scrutiny of the LAA and the Council's partners would be explored and that a report would be presented to the SMC meeting on 29 September 2008.
5. To further the proposal a workshop to explore the options for a new scrutiny structure was held on 24 June 2008. The workshop, which was facilitated by Mike Short of IDeA, was attended by around 30 members, officers, and representatives of partner organisations
6. At the workshop there was a clear suggestion, which was widely supported, for closer linkage between the Overview and Scrutiny Commissions and the DCP Cities and four possible options for doing this were proposed.
7. A report outlining the four options was presented to the Scrutiny Management Commission meeting on 1 July but consideration of the options was deferred until the Commission's meeting on 29 September 2008.
8. This report gives details of the four options identified at the workshop. SMC members are asked to consider the options and indicate their

preference. With the agreement of the Commission a report on the proposed structure can be provided to a full Council meeting later this year.

### **Options 1-3 for Scrutiny Structures which mirror Derby City Partnership (DCP) Cities**

9. There are currently six Overview and Scrutiny Commissions and 5 DCP Cities. These are listed below:

<b>Overview and Scrutiny Commissions</b>	<b>DCP Cities</b>
Scrutiny Management Commission	City for Children and Young People
Adult Services and Health Commission	City Growth City for Safer and Stronger Communities
Children and Young People Commission (plus the Corporate Parenting Sub Commission)	
Community Commission	Cultural City
Climate Change Commission	Healthy City
Planning and Transportation Commission	

10. The current portfolios of the Overview and Scrutiny Commissions and the terms of reference of the DCP Cities are listed in Appendix 1 of this report. It is recognised that if any of the proposed options are adopted by the Council it will probably be necessary to reconfigure the Commission portfolios to match more closely those of the relevant DCP Cities

### **Discussion of Options 1-3**

11. The following figures show schematically three possible options based on those put forward by Councillor Higginbottom at the workshop on 24 June 2008.

12. Option 1 is based on the current six Commission Overview and Scrutiny structure and as with the present arrangement incorporates a Scrutiny Management Commission that also has responsibility for the scrutiny of Corporate Affairs.

13. The Scrutiny Management/Corporate Affairs Commission is the only one of the six Commissions that does not have a direct scrutiny linkage with one of the five DCP Cities. The figure shows that there would be a clearly defined two-way linkage between:

1. Healthy City and the Adult Services and Health Commission
2. City for Children and Young People and the Children and Young People Commission
3. City Growth and the Planning and Transportation Commission
4. City for Safer and Stronger Communities and the Community Commission

14. These linkages build upon the existing similarities between the terms of reference and portfolios of the four Cities and four Commissions listed above

15. Under this option the Cultural City could be linked to either or both the Community Commission and the Planning and Transportation Commission and these linkages are consequently shown as broken lines.

16. Figure 1 also shows that it is proposed that there should be a defined two way linkage between the Climate Change Commission and the five DCP Cities. This is because a primary role of the Climate Change is to support the Council's Climate Change Board, and the Board is committed to promoting Climate Change mitigation measures across the whole of the City.

17. Option 2 as shown in Figure 2 is based on the six current Overview and Scrutiny Commissions plus an additional Corporate Affairs Commission. Under this arrangement it is envisaged that the 'Corporate Affairs' business of the current Scrutiny Management Commission would be conducted by the new Corporate Affairs Commission and that the role of the Scrutiny Management Commission would primarily be one of co-ordinating and where appropriate directing the Council's Overview and Scrutiny function.

18. The linkages between the five DCP Cities and their 'partner' Commissions are the same as for Option 1 and it is again envisaged that there would be a defined two way linkage between the Climate Change Commission and the five DCP Cities.

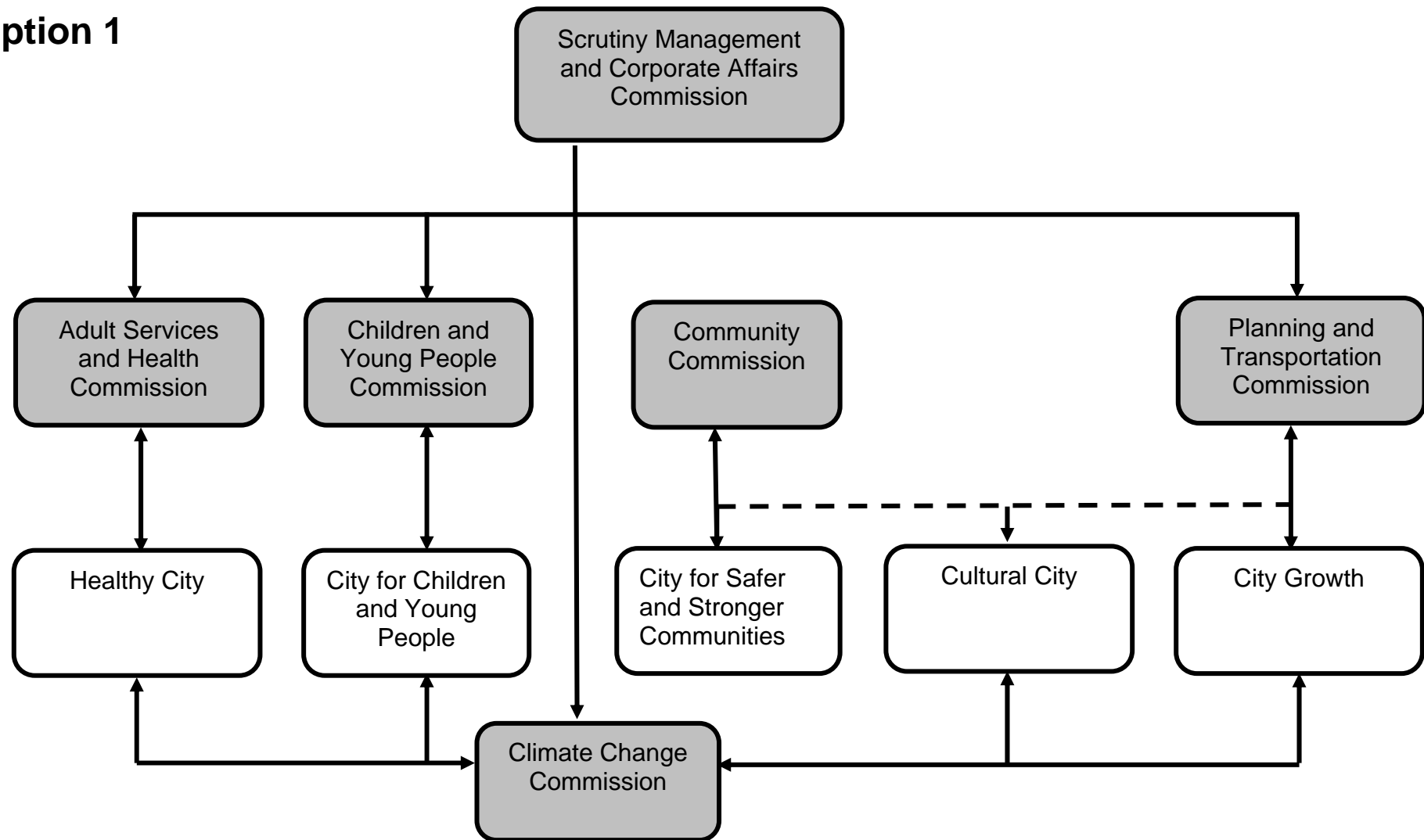
19. The third option is shown in Figure 3. This envisages a structure which is similar to that shown in Options 1 and 2 but whereas there is no co-ordination or management Commission the overall direction of the scrutiny function would have to be achieved through brokerage between the Chairs of the six Commissions.

#### **Discussion of Option 4**

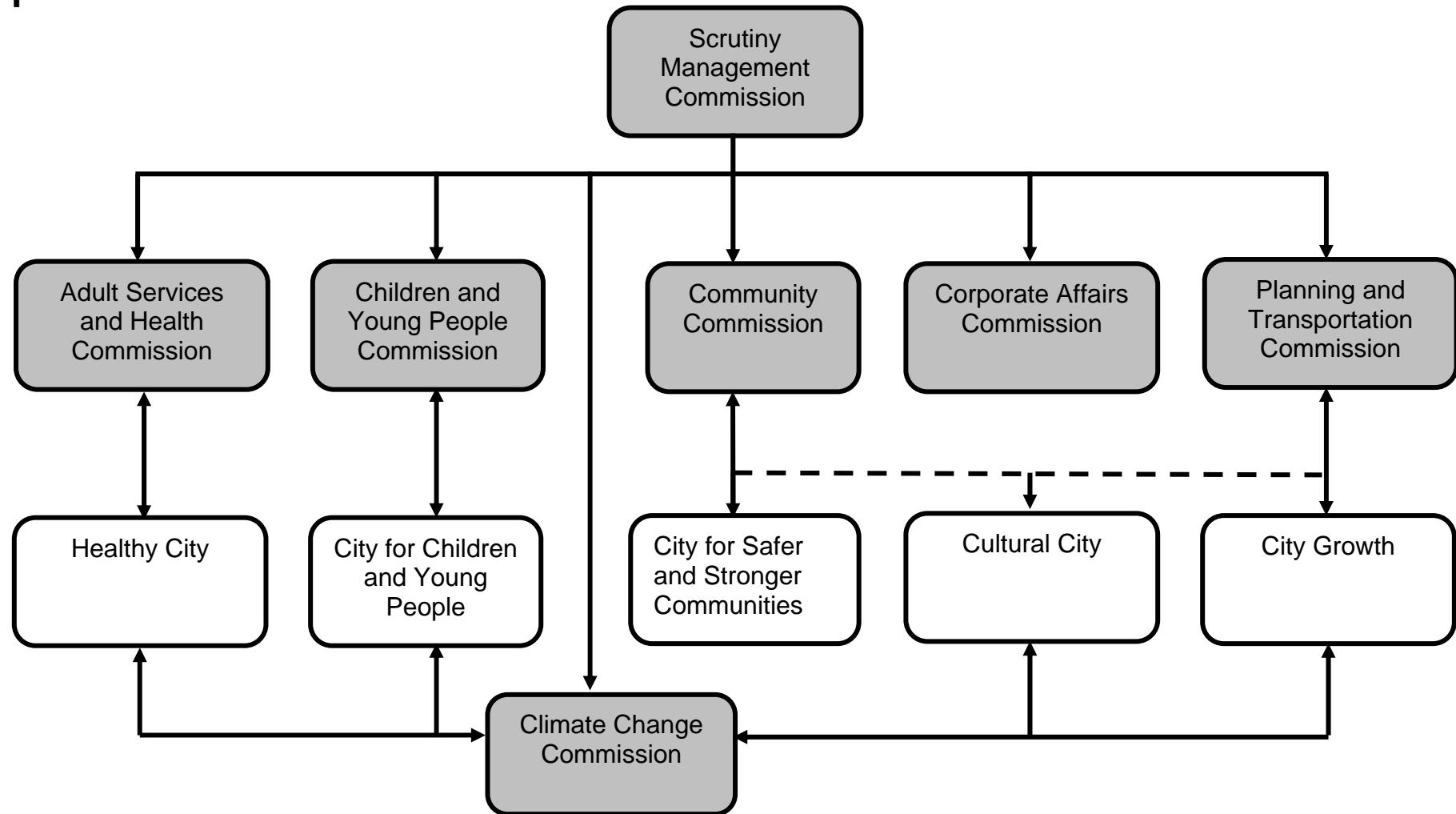
20. At the workshop Option 4 was offered as an alternative to making any changes to the current scrutiny structure.

21. This option envisages dividing responsibility for each of the Council's 35 National Indicators between the six existing Overview and Scrutiny Commissions. The way in which this division could be achieved is shown in Table 1.

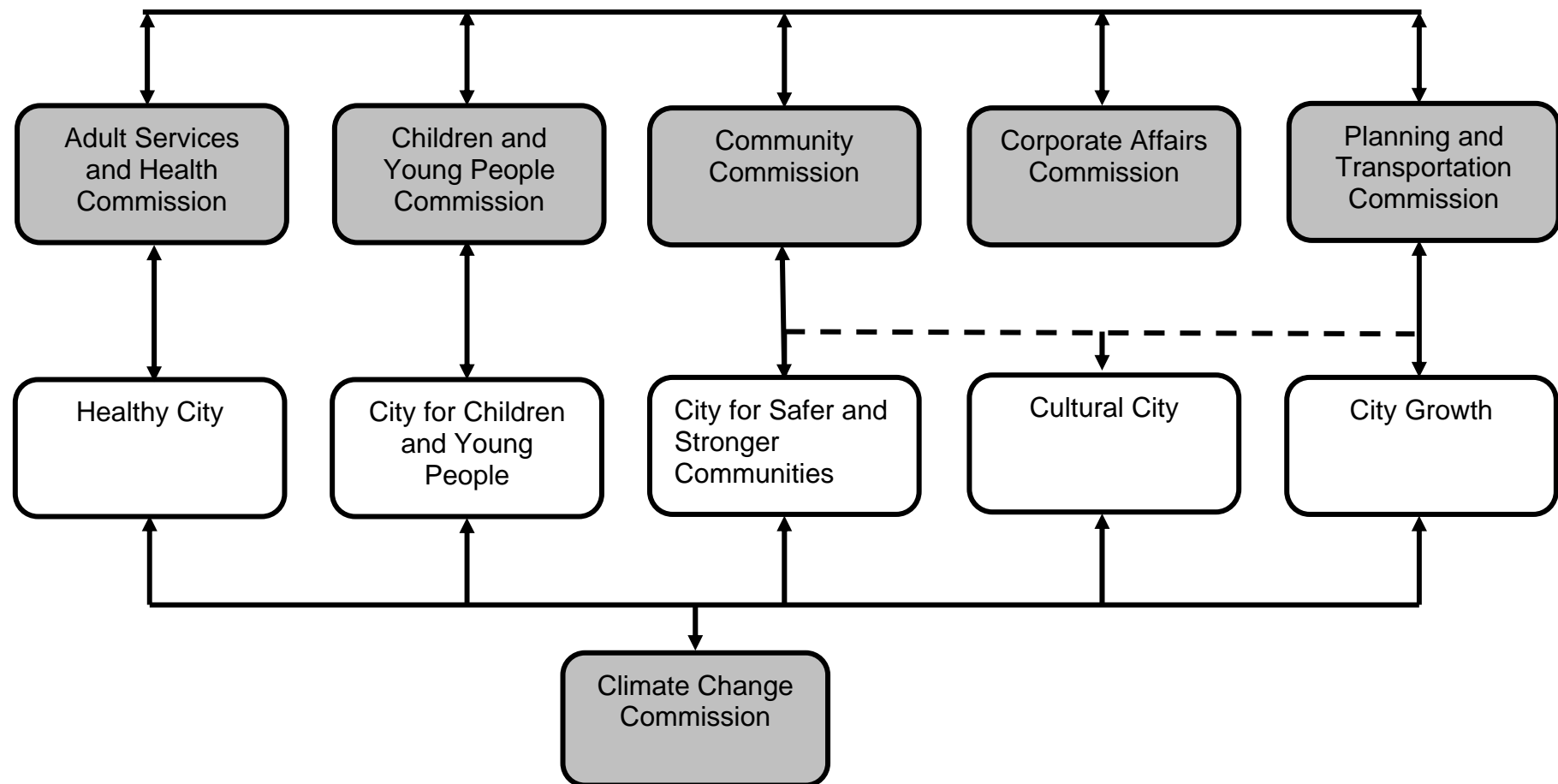
## Option 1



## Option 2



## Option 3





**Table 1 – Option 4**

<b>National Indicator</b>	<b>SMC</b>	<b>ASH</b>	<b>CLICH</b>	<b>COMM</b>	<b>CYP</b>	<b>P&amp;T</b>
NI 65 - Children becoming the subject of a Child Protection Plan for a second or subsequent time					X	
NI 125 - Achieving independence for older people through rehabilitation / intermediate care		X				
NI 135 - Carers receiving needs assessment or review and a specific service or advice and information		X				
NI 141 - Number of vulnerable people who have achieved independent living		X				
Local (NI 54) - Services for disabled children					X	
Local (NI 62) - Stability of placements of looked after children (number of moves)					X	
NI 117 - 16 – 18 yr olds who are not in education, training or employment – NEET					X	
NI 164 - Working age population qualified to at least Level 3 or higher		X				
NI 8 - Adult participation in sport				X		
NI 9 - Use of public libraries				X		
NI 57 - Children and young people's participation in high-quality PE and sport					X	
NI 110 - Young people's participation in positive activities					X	
NI 178 - Buses running on time						X
NI 186 - Per capita CO2 emissions in local authority area			X			
NI 189 – Flood risk management						X
NI 193 - Municipal waste land filled			X			
NI 195 - Improved street and environmental cleanliness (levels of litter, detritus, fly posting and graffiti)				X		

<b>National Indicator</b>	<b>SMC</b>	<b>ASH</b>	<b>CLICH</b>	<b>COMM</b>	<b>CYP</b>	<b>P&amp;T</b>
NI 1 - Percentage of people who believe people from different backgrounds get on well together in their local area	X					
NI 2 - Percentage of people who feel that they belong to their neighbourhood	X					
NI 4 - Percentage of people who feel they can influence decisions in their locality	X					
NI 35 - Building resilience to violent extremism	X					
Local (NI 6) - Participation in regular volunteering	X					
NI 17 - Perceptions of anti-social behaviour	X					
NI 18 - Adult re-offending rates for those under probation supervision	X					
NI 20 – Assault with injury crime rate	X					
NI 32 - Repeat incidents of domestic violence	X					
NI 49 - Number of primary fires	X					
NI 111 - First time entrants into the Youth Justice System aged 10-17	X					
NI 39 - Alcohol-harm related hospital admission rates		X				
NI 47 - People killed or seriously injured in road traffic accidents						X
NI 51 - Effectiveness of child and adolescent mental health (CAMHS) services					X	
NI 112 - Under 18 conception rate					X	
NI 121 - Mortality rate from all circulatory diseases at ages under 75		X				
NI 123 – 16+ smoking prevalence rate		X				
NI 152 - Working age people on out of work benefits	X					
NI 172 - VAT registered businesses in the area showing growth	X					
<b>National Indicator</b>	<b>SMC</b>	<b>ASH</b>	<b>CLICH</b>	<b>COMM</b>	<b>CYP</b>	<b>P&amp;T</b>
Local - New business starts	X					

Local - Public and private infrastructure investment levered	X					
NI 116 - Proportion of children in poverty					X	
NI 154 - Net additional homes provided				X		
All the mandatory indicators					X	
Totals	15	7	2	3	10	3

## **Summary of the Advantages and Disadvantages of the four Options**

### **Option 1**

#### Advantages

- No significant change to current scrutiny structure
- Clear linkages and obvious partnerships between the DCP Cities and the relevant Scrutiny Commissions
- Climate Change Commission in a position to interact with all the DCP Cities
- Builds on existing member strengths
- Has a 'directing' Commission (SMC/CA)

#### Disadvantages

- Potential doubt about the best Commission linkage to Cultural City
- Maintains the current six Commission structure which may cause membership capacity problems and which is at the limit of support with the present OSCer team

### **Option 2**

#### Advantages

- Clear linkages and obvious partnerships between the DCP Cities and the relevant Scrutiny Commissions
- Climate Change Commission in a position to interact with all the DCP Cities
- Builds on existing member strengths
- Has a 'directing' Commission (SMC)
- Incorporates a new Corporate Affairs Commission
- Separates the direction of the scrutiny function from the scrutiny of Corporate Affairs

#### Disadvantages

- Potential doubt about the best Commission linkage to Cultural City
- Extends the current six Commission structure which is thought to be near the limit of current member/OSCer capacity, by one further Commission.
- The 'directing only' role of SMC may not represent best value use of the time involved.

### **Option 3**

#### Advantages

- Clear linkages and obvious partnerships between the DCP Cities and the relevant Scrutiny Commissions
- Climate Change Commission in a position to interact with all the DCP Cities
- Builds on existing member strengths
- Incorporates a Corporate Affairs Commission
- Does not increase the total number of Commissions

#### Disadvantages

- Significant change in working practices involved
- Potential doubt about the best Commission linkage to Cultural City
- The lack of a 'directing Commission' may present co-ordination problems
- The 'direction by brokerage' may well involve creating a steering Commission so no real advantage over Option 2.

### **Option 4**

#### Advantages

- Retains existing scrutiny structure
- Allocates responsibility for scrutinising performance against specific indicators
- Could be achieved with existing resource levels
- Minimum disruption

#### Disadvantages

- Does not promote Climate Change Commission working with all DCP Cities
- Does not necessarily encourage Commissions to work more closely with the DCP Cities

DRR 24 July 2008.