

Scoping Report for the Scrutiny Management Commission

Proposed review of the Council's Scrutiny Structure**1. Introduction**

1. This scoping report has been prepared in response to a request by the Chair and Vice Chair of the Scrutiny Management Commission. The report outlines a possible review to examine the resources available for scrutiny in Derby and to look at ways in which the available resources might be better matched to the Council's scrutiny requirements.

2. The Councils Overview and Scrutiny Commissions – definition of task

2. Article 6 of the Council's Constitution defines the terms of reference and the role of the Council's Overview and Scrutiny Commissions. The Constitution states that within their terms of reference The Overview and Scrutiny Commission will:

- a) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions
- b) Make reports and/or recommendations to the full Council and/or the Council Cabinet and/or any policy, joint or Neighbourhood Board/Forum in connection with the discharge of any functions
- c) Consider any matter affecting the area or its inhabitants
- 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.

Article 6 goes on to say that for the purposes of (a) to (d) above Overview and Scrutiny Commission may:

- e) Assist the Council and the Council Cabinet in the development of its budget and policy framework by in depth analysis of policy issues
- f) Conduct research, community and other consultation in the analysis of policy issues and possible options
- g) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options
- h) Question members of the Council Cabinet and chief officers about their views on issues and proposals affecting the area

- i) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working
- j) Review and scrutinise the decisions made by and performance of the Council Cabinet and council officers both in relation to individual decisions and over time
- k) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas
- l) Question members of the Council Cabinet and senior council officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects
- m) Make recommendations as appropriate to the Council Cabinet and/or Council arising from the outcome of the scrutiny process
- n) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny commission and local people about their activities and performance
- o) Question and, with their consent, gather evidence from any person.

3. The Council's existing Scrutiny Structure

3. To discharge the task set out in the Constitution the Council' Overview and Scrutiny function currently comprises six Overview and Scrutiny Commissions, two Sub Commissions and a Crime and Disorder Committee

4. The existing scrutiny structure is as shown in Figure 1.

3.1 Scrutiny Members

5. Derby City Council has 51 elected members. Of those 51 members, the seven Council Cabinet members are not eligible to be members of Scrutiny Commissions and the Mayor is not normally a member of any Committee.

6. The remaining 43 elected members are eligible to serve on the Scrutiny Commissions but only 30 of them do so. The distribution of those 30 members between the Scrutiny Committees is shown in Table 1.

7. Table 2 shows the number of Commissions/Committee of which each of the 30 Scrutiny members is a member. It should be noted that as the Scrutiny Management Commission (SMC) is the Council's Crime and Disorder Committee, membership of the Crime and Disorder Committee is an automatic consequence of membership of SMC.

4. Time spent on Scrutiny

8. Table 3 shows the number of scheduled and other meetings that each of the six Overview and Scrutiny Commissions and Sub Commissions, the Sub Committees and the Crime and Disorder Committee that have taken place or are projected to take place in 2009/10.

9. Table 3 shows that at present Scrutiny members have attended or are projected to attend a total of 57 meetings of various kinds during 2009/10.

10. It has been assumed that each meeting involves on average around six hours of members time. This is made up as follows:

- Preparation for the meeting – 2 hours
- Travel to and from the meeting – 1 hour
- Time at the meeting – 2 hours
- Follow up from the meeting 1 hour

11. An approximation of the total time spent on scrutiny by individual scrutiny members can then be derived from:

12. The sum for all Commissions/Committee of the number of members in each Commission/Committee x the average time/meeting x the number of meetings per year of that Commission/Committee.

13. Working on the average of 6 hours/meeting the total time the 30 scrutiny members will spend on meetings in 2009/10 is around 2400 hours or around 80 hours/member/year. Additional scrutiny work will probably extend this to an average of around 100 hours/year/member. This figure will of course be dependent on the number of Commissions/Committees on which the member serves. A member who only serves on one Commission/Committee which only meets six times per year might only spend around 36 hours/year on scrutiny. Conversely, a member who serves on three Commissions /Committees might spend 140 hours/year on scrutiny.

Figure 1 Derby City Council's Scrutiny Structure 2009/10

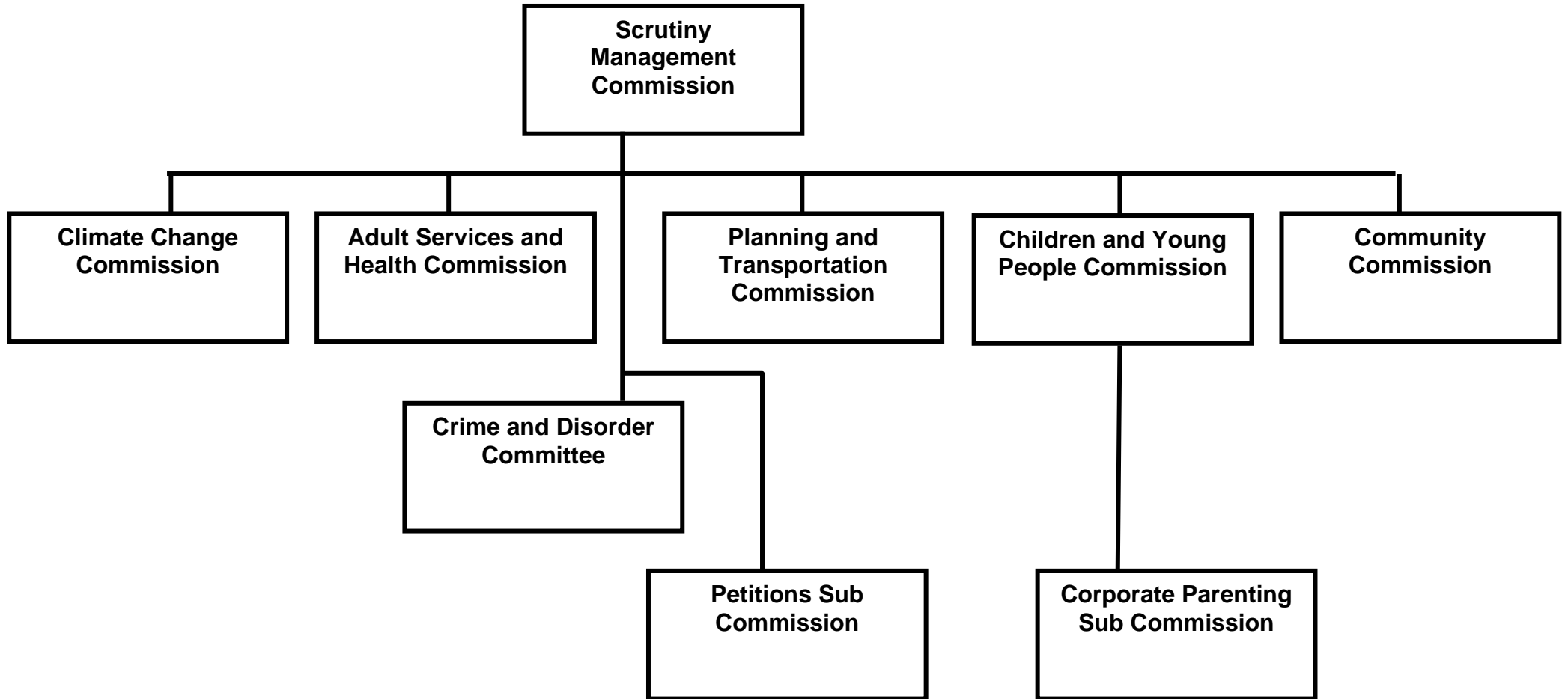


Table 1 – Membership of the Council’s Scrutiny Commissions/ Committee

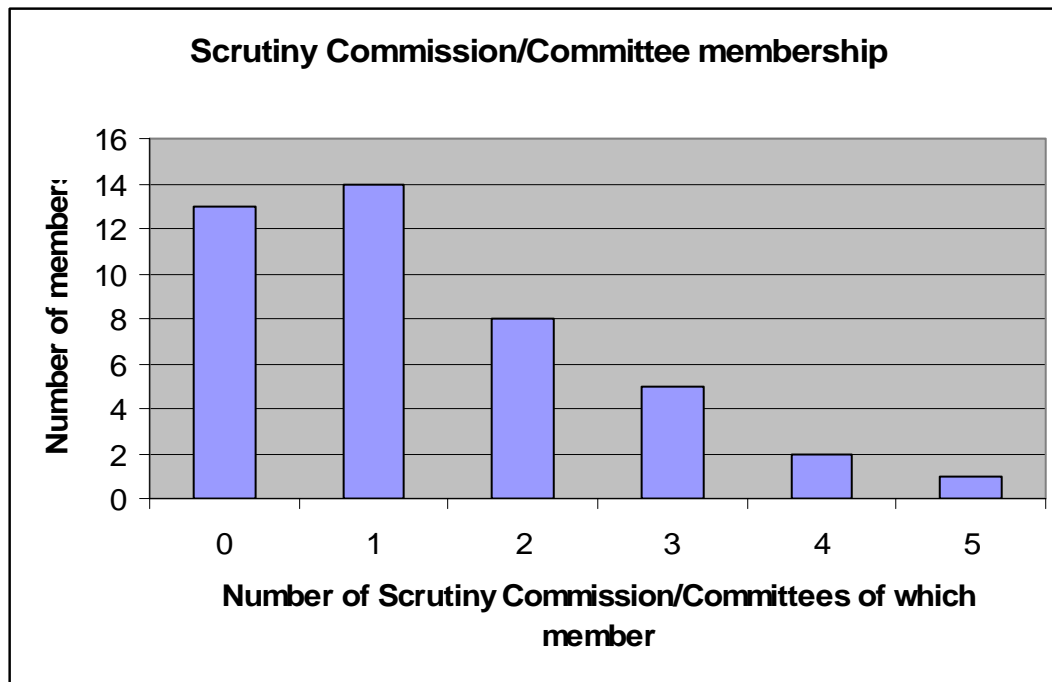
Commission/Committee	Commission/Committee membership (Councillors)
Scrutiny Management Commission (SMC)	LH, RW, DB, MH, FH, FK, CP
Climate Change Commission (CLICH)	PI, RB, PC, MH, JPK, BS, DT, RW
Adult Services and Health Commission (ASH)	FH, AN, JPK, DT, RT, FW, EW
Planning and Transportation Commission (P&T)	CP, MRe, DB, FHa, PI, BL, MRa
Children and Young People Commission (CYP)	SB, EW, JG, LH, FK, RK, PL
Community Commission (CC)	AG, PB, PC, RK, FL, BL, MRd, FR
Crime and Disorder Committee (C&D)	LH, RW, DB, MH, FH, FK, CP
Petitions Sub Commission (PSub)	LH, RW, MH
Corporate Parenting Sub Commission (CPSub)	SB, JG, LH, EW

Table 2 – Commission/Committee membership of the Scrutiny members

Member	Commissions/ Committee	Total	Member	Commissions/ Committee	Total
RB	CLICH	1	PL	CYP	1
DB	SMC, P&T, C&D	3	FL	CC	1
PB	CC	1	BL	P&T, CC	2
SB	CYP, CPSub	2	AN	ASH	1
PC	CLICH, CC	2	CP	SMC, P&T, C&D	3
JG	CYP, CPSub	2	MRa	P&T	1
AG	CC	1	MRd	CC	1
FH	P&T	1	MRe	P&T	1
LH	SMC, CYP, C&D, PSub, CPSub	5	FR	CC	1
MH	SMC, CLICH, C&D PSub	4	BS	CLICH	1
FH	SMC, ASH, C&D	3	DT	CLICH, ASH	2
PI	CLICH, P&T	2	RT	ASH	1
JPK	CLICH, ASH	2	RW	SMC, CLICH, C&D, PSub,	4
RK	CYP, CC	2	EW	ASH, CYP, CPSub	3
FK	SMC, CYP, C&D	3	FW	ASH	1

The breakdown of Commission/committee membership is shown in Figure 2.

Figure 2



14. The Councillors Commission report 'Representing the Future' published in 2007 shows how the time councillors spend on their duties has nearly doubled from 52 hours per month in 1964 to just under 95 hours by 2006. If members spend around 25 hours/week on Council business the total time they spend in each year will be around $44 \times 25 = 1100$ hours. Working on the basis of 100 hours/year for scrutiny, the percentage of their time that members spend on scrutiny will therefore be in the order of 9%. This figure of course assumes that all members attend all meetings of the Commission of which they are members and this has not been the case over the past three to six months.

15. The 100 hours/year that each of the 30 scrutiny members theoretically spends on average on scrutiny equates to a yearly total of 3000 hours. A full time equivalent (FTE) post amounts to $37\text{hrs} \times 44 = 1628$ hours so the 3000 member hours available for scrutiny equates at best to about 1.85 FTE posts.

16. The member resource available for scrutiny may be further eroded by competing challenges for member time, such as Regulatory Committees and Neighbourhood Forums. When these occur there may be periods when the already limited resources available to scrutiny are even further reduced.

Table 3 – Dates and numbers of Commission meetings

Commission/ Committee	Dates of scheduled meetings	Dates of call-in, special and review meetings	Total number of meetings
Scrutiny Management Commission	29 June 2009 29 July 2009 28 September 2009 9 November 2009 14 December 2009 2 February 2010 22 March 2010	13 July 2009 23 November 2009	9
Adult Services and Health Commission	22 June 2009 7 September 2009 19 October 2009 7 December 2010 25 January 2010 15 March 2010	12 August	7
Community Commission	10 June 2009 20 July 2009 16 September 2009 26 October 2009 2 December 2009 19 January 2010 30 March 2010		7
Children and Young People Commission	9 June 2009 22 September 2009 3 November 2009 1 December 2009 26 January 2010 16 March 2010	1 June 2009 22 June 2009 25 September 2009 27 October 2009	10
Climate Change Commission	16 June 2009 23 July 2009 14 September 2009 2 November 2009 18 January 2010 31 March 2010		6
Planning and Transportation Commission	15 June 2009 27 July 2009 21 September 2009 21 October 2009 10 December 2009 28 January 2010 9 March 2010	1 June 22 July 2009. Call-in 27 October 2009. Call-in	10
Crime and Disorder Committee	29 June 2009 28 September 2009 14 December 2010 22 March 2010		4
Corporate Parenting Sub Committee	30 June 2009 30 September 2009 6 January 2010 24 March 2010		4
TOTAL NUMBER OF MEETINGS IN 2009/10			57

5. Scrutiny Officer Support

17. Up until December 2009, the Council's Scrutiny Commissions and the Crime and Disorder Committee were in theory supported by four full time Co-ordination Officers. In practice the level of Co-ordination support provided has been less than 4.0 FTE because the Head of Service has been involved in other non scrutiny work and a more realistic figure would therefore be around 3.5 FTE.

18. From January 2010 until the re-organisation of the Council is completed, scrutiny support will be provided by two full time Co-ordination Officers and one part-time officer who is returning to work after maternity leave for three days per week. Unless some additional resource is provided the total level of scrutiny support for this period will therefore be 2.6 FTE Co-ordination Officers.

6. New Powers for Scrutiny

19. The last year has seen the introduction of the Councillor Call for Action and the requirement for Councils to have a Crime and Disorder Committee. These both have the potential to impact significantly on local authorities' scrutiny activities and there are other powers/requirements expected which will further increase that burden.

7. Need to review the Scrutiny Structure

20. The scrutiny resource available to the Council can either be spread widely across a relatively large number of scrutiny committees – as it is now, or it can be concentrated on a smaller number of committees. The type of approach that is taken, widespread but shallow, or narrow and deep is a matter of choice for the Council but if the available resource is spread too thinly there is a danger that the Scrutiny Commissions will have insufficient time and resources to properly undertake their work and that their outputs will consequently be of limited value

21. It is considered that the demands of the six Overview and Scrutiny Commissions as well as the Sub Commissions and the Crime and Disorder Committee coupled with a limited and possibly diminishing scrutiny member resource, a possible reduction in the number of scrutiny support officers and the possibility of new scrutiny powers and responsibilities that the Council will have to implement, have created a situation which warrants a new review of the Council's scrutiny structure.

22. It is therefore recommended that the Scrutiny Management Commission takes the opportunity to undertake a short review of the Council's scrutiny function. A suggested outline for the review is set out in the following section of this report.

8. Review Outline

8.1 Objectives

23. It is suggested that the review should:

1. Seek to define much more closely what the Council expects to achieve from scrutiny
2. Identify the resources, in terms of both member time and officer support, that will be needed to deliver the scrutiny outputs that the Council wants
3. Compare and contrast the scrutiny structures of other local authorities that are similar to Derby and assess the scrutiny outputs of those local authorities
4. Define some scrutiny structure options, with advantages and disadvantages for Derby for consideration by SMC.
5. Prepare a report and recommendations for consideration by full Council

8.2 Provisional Timetable for the review

1. Review period – January to mid February 2010
2. Consideration of draft report and recommendations by SMC – late February 2010
3. Final report and recommendations to full Council – 1 March 2010.

8.3 Member involvement in the Review

24. The review will largely be a desktop exercise although it may involve a workshop and questionnaire. It is therefore anticipated that unless members wish otherwise their involvement can be limited to:

- Input to the workshop and questionnaire – if it is decided that these are appropriate
- Participation in a review update at the SMC meeting on 2 February 2010
- The meeting to consider the draft report and recommendations in late February 2010.

DRR 16 November 2009.