



DERBY CITY COUNCIL



Overview and Scrutiny Annual Report 2010/2011

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Foreword

Overview and scrutiny plays an important role in the local government decision making process. It can contribute to policy development by carrying out topic reviews and hold decision makers to account on behalf of the local population by scrutinising plans, policies and other key decisions.

This has been another eventful and busy year for Scrutiny. The Commissions have conducted a number of important topic reviews, scrutinised a wide range of policy decisions and given their recommendations to the Council Cabinet and partnership boards on relevant issues. I am therefore pleased to present this ninth annual report which covers the work of the Commissions from April 2010 to March 2011.

This year also saw changes to the structure of overview and scrutiny function with the number of commissions reduced from six to five to mirror the four strategic directorates and the Chief Executives Office. There was a further refinement of commission structure which saw the creation of the Safer Communities Commission. The changes provided for more streamlined structure and enabled a more effective scrutiny process.

The format of this report is similar to last year and provides a shorter, more succinct presentation of items scrutinised by the Commissions.

It goes without saying that outputs from overview and scrutiny cannot be effectively achieved without the valuable contribution from my fellow members, the public and support from dedicated professional staff. I wish to take this opportunity and thank everyone who has made a contribution to the overview and scrutiny in Derby.

Councillor Mike Carr
Chair of the Scrutiny Management Commission 2010/11

Adult Health and Housing Commission



The Adults Health and Housing Commission has a wide remit which includes adult social care, housing management and delivery as well as scrutiny of NHS health service issues. It also has the statutory health scrutiny committee responsibilities.

The Commission has had another busy year and scrutinised a wide range of activities, balancing its time between the three major service areas within its remit.

The Commission carried out two relatively short but important in-depth reviews. In autumn it conducted a review of the future options for the housing management and repairs service as the existing contract with Derby Homes is due to expire in 2012. The Commission considered various options including renewing the Derby Homes contract; returning the functions back to the council; transferring the existing housing stock in to a housing association; or establishing a Tenant Management Organisation. As part of the detailed review the Commission sought the views of Derby Homes' tenants, including Derby Association of Community Partners, SHOUT, Derby Homes Tenant Board members and Derby Homes' Housing Focus Groups. The Commission learned that tenants were happy with Derby Homes in its current form and that they felt it was performing well. The tenants felt repairs were being carried out efficiently and that there was a good level of tenant engagement in decision making. They also stated that the management was accessible and responsive to the day-to-day needs of tenants. The outcome of the review was presented to the Council Cabinet to support their decision making process.

The Commission also decided to take a closer look at the proposals by NHS Derby City to close one of its two walk in centres as part of its review of Direct Access Services. NHS Derby City feels there is duplication between these services and it can provide better value for money by closing one of the centres. As part of its investigation the Commission received evidence from a range of stakeholders including the two centres, ward councillors, patients and the public to develop an informed response to the proposals. The findings were discussed at the March meeting of the Commission and submitted to the PCT.

Councillor Ruth Skelton, Chair Adults Health and Housing Commission

Topics scrutinised in 2010-11

- Major Trauma Proposals NHS Derby City
- Update on Personalisation
- Extra Care
- Safeguarding Adults
- Dementia Strategy
- Social Services Complaints Annual Report
- Homelessness Strategy
- Supporting People Strategy 2010/11 to 2012/13
- The Future of Derby Homes
- The NHS White Paper, Equity and excellence: Liberating the NHS
- Transforming Community Services
- Patient Advice and Liaison Service (PALS) contacts quarter one 2010
- Primary Care Update
- Update on Major Trauma proposals
- GP Out Hours Service
- The Future of Derby Homes
- Tenants Views
- Development of GP Consortia
- Pharmacy First Decommissioning
- Budget Scrutiny
- Housing Rent and Service Charges 2011/12
- Housing Capital Programme 2011/12 – 2013/14
- Response to the Direct Access Services consultation
- Development of Health & Wellbeing Board and the future of Public Health
- Update on GP Consortia developments
- PALS Quarter 3 report
- Transforming Community Services
- Children's Paediatric Cardiac review
- Housing Allocations Policy
- Supporting People Strategy and Savings

Children and Young People Commission

Report of the Commission Chair, Councillor Fay Winter

This year the Commission has scrutinised many issues which impact on the welfare and prospects of the Children and Young People in Derby.



Work Programme

The Commission was made up this year of many new Councillors and as Chair I was also new to the Commission this year. To ensure the Commission has a strong knowledge base which would enable us to scrutinise issues effectively, we planned our work programme carefully. For example an overview report detailing the different school structures to be found in Derby was followed by a meeting with the Head and Chair of Governors at Chellaston School to discuss their decision to become an academy.

Budget Scrutiny

The Commission's budget scrutiny this year took place over 2 evenings in January. The attendance of Voices in Action at the second meeting provided the Commission with an excellent insight into the views of Young People in the City and the Commission were extremely impressed by their debating skills.

Topic Review

Following a meeting dedicated to all issues relating to Children Looked after in October 2010 the Commission decided to conduct a Topic Review into What Derby City Council and its Partners are doing to support the mental health needs of children looked after. Five Councillors from the Commission spent two days interviewing relevant witnesses from the children and young people department and mental health providers. A detailed report with the Commission's findings and recommendations is currently being prepared and will be delivered to the Council Cabinet and Council Partners at the start of the next municipal year.

Corporate Parenting

Additionally Commission Members have conducted several visits to residential children's homes across the City, received quarterly statistical reports on Children Looked After and received the Annual Report from the Adoption Agency.

Finally...

Chairing this Commission has been a new and welcome role for me. I would like to take this opportunity to thank all officers who have attended Commission meetings and written reports for us this year, The Cabinet Member for Children and Young People – Councillor Williams, my vice-chair Councillor Higginbottom and all Commission Member's for their thoughtful and sensible contributions.

Issues Scrutinised this year have included:

- Children and Young People's Plan
- Remit and Work Programme
- Statistical Update on CLA
- Work Programme
- Briefing on retention and Recruitment of Social Workers
- Briefing on Out of Hours Care
- Voices in Action – responses to pledges
- Youth Services Provision
- School Funding
- School structures
- Briefing on all issues related to Children Looked After
- Consideration of Topic Review
- Work Programme
- Chellaston School becoming an Academy
- School Admission Appeals Panels
- Children's Trust and Priorities for 2011-14
- Gang's Review Update
- Children's Centres
- Visits To Children's Homes
- Topic review
- Budget Proposals
- Safe and Sound
- Schools Capital Funding Programme 2011/2012
- Constitution of the Corporate Parenting Role
- Annual Report of The Adoption Agency
- Children Looked After Statistics
- Topic Review Update



NEIGHBOURHOODS COMMISSION

The Neighbourhoods Commission was created in July 2010 as part of the reconfiguration of the overview and scrutiny function to mirror the four Strategic Directorates and the Chief Executive's Office. The Commission has had another busy year scrutinising a wide range of activities within its large portfolio as well as conducting a topic review on Libraries. It considered a wide range of issues - for example, the Local Transport Plan (which sets out fifteen year strategic framework for transport provision in the city) and drains in the Nightingale Road area.

The review of Libraries worked well as it coincided with the announcement by the Government on the Comprehensive Spending Review that front loaded savings required of councils. As a result, some councils decided to close or severely restrict their public libraries – which carried widespread media coverage. The review in Derby involved members conducting a mini-tour of some of the libraries, as well as a visit to Northamptonshire, chosen because it had an innovative approach and track record regarding one stop shops, a topic of particular relevance to Derby. The review is now complete and is awaiting approval by the Commission when it meets again in the new municipal year.

The Commission also welcomed a new chair following the resignation of the previous chair from the Council due to personal and work commitments.

Councillor Robert Troup, Chair Neighbourhoods Commission

Items scrutinised during 2010-11

- Golf Courses Contract
- Local Transport Plan – Strategic Alternatives
- Regional and Local Planning – Changes
- Remit and Work Programme 2010-11
- Strategic Decision on the future of Markeaton Crematorium
- Remit and Annual Work Programme of the new Commission for 2010-11
- Local Transport Plan – Emerging Transport Strategy
- Public Toilets Future Strategy
- In-year Revenue Budget Reduction
- Performance Management – Demonstration of DORIS
- Connecting Derby Scheme
- Bus Service to the Royal Derby Hospital
- Streetpride Devolved Budgets to Neighbourhood Boards
- Bus Services
- Drains on Nightingale Road
- 51/10 Proposed Parking Tariff Amendments
- 52/10 City of Culture 2017
- Arts Grants
- Controlled Waste Regulations (1992) – Public Consultation
- Impact of the Comprehensive Spending Review on Neighbourhoods Directorate Services



Safer Communities Commission

Report of the Commission Chair, Councillor Joe Naitta

The Safer Communities Commission was established by the Council at its meeting on 17 November 2010 and given the responsibility to scrutinise Derby Community Safety Partnership including the role of the Leader of the Council as the lead liaison for the Partnership. The Commission also acts as the “crime and disorder committee” under the Police and Justice Act 2006. Prior to the creation of the Safer Communities Commission, crime and disorder issues were scrutinised by the Scrutiny Management Commission.

In the lead up to the first meeting of the Commission in January I attended a Councillor Development Programme run by Northampton City Council which covered overview and scrutiny of crime and disorder. This training programme devoted a significant amount of its time on the Councillor Calls for Action which could potentially play a useful part in future scrutiny activities.

At the first meeting in January the Commission received a joint presentation from the Chief Superintendent of Police and the Director of Derby Community Safety Partnership on role of their respective organisations in tackling community safety issues. The presentation covered the history and governance of the Community Safety Partnership, level of resources allocated to addressing community safety issues as well as challenges and priorities for the coming year. The priorities for the Community Safety Partnership include some of the obvious high profile criminal activities such as organised crime but also less publicised but equally important issues such as safeguarding children and alcohol related crime. These topics also reflect member priorities who have identified similar issues for scrutiny over the short to medium term.

Visits by Safer Communities Commission

An important part of scrutiny process is to consider how things are actually working on the ground which is not always easily reflected in written reports. The Commission has so far carried out two visits during its short life.

The first visit was to St Mary’s Wharf Police HQ where members observed various activities at a busy police station on a typical day. The Commission also looked at the structure of the senior management team and how different types of crimes are tackled including:

- Custody and Operations
- Community engagement
- Proactive Team (specialist team inc. search warrants etc.)
- Intelligence Hub
- Licensing
- POCA – Proceeds of Crime Act
- Senior Management Team

The second visit covered a range of activities managed by Community Safety Partnership including:

- Drug and Alcohol Misuse
- Crime Prevention and ASB
- Preventing Violent Extremism and Community Cohesion
- Domestic and Sexual Violence including Family Justice Centre
- Gangs Unit
- Youth Offending Service

A positive outcome from the visit was facilitation of discussions between the Gangs Unit and a secondary school which reluctant to raise this amongst their pupils for the fear of raising issues that are not happening at the school. However, the school has since allowed the Gangs Unit to present their work to the school.

Members not only found the visits highly enjoyable but also very informative as they were able to ask a large number of questions and challenge how services were being delivered.

One of the key issues the Commission wishes to tackle is the antisocial activities linked to alcohol and the night time economy. The Council and its partners have recognised the need to develop an action plan for the early evening and night time activities and are embarking on a bid to acquire the Purple Flag status for the city centre. Purple Flag give confidence that an area is safe and clean for people to come and enjoy its facilities. However, the Purple Flag bid seems to have ran out of steam following Council's restructure and needs to be put back on track.

The Commission organised a briefing on the Serious Case Review BD09 to enable members to understand the level of the problems and receive feedback on what has been learnt from the recent case review and consider how responses to child sexual exploitation issues are tackled in Derby.

Topics scrutinised

- CSP Partnership
- Performance Statistics 2010/11 Quarters 1&2
- Revenue Budget Consultation 2011/12- 2013/14
 - * Derby City Council
 - * Derbyshire Constabulary
 - * Derbyshire Fire and Rescue Services
- Update on Purple Flag bid and Evening and Night Time Economy Plan
- The Licensing Policy
- Terms of Reference of the Night Time Economy Review

Scrutiny Management Commission

Early in the new municipal year two things became clear: Firstly, following the re-arrangement of overview and scrutiny to add the work of the former Climate Change Commission (CCC) to the Scrutiny Management Commission (SMC) portfolio, it would be necessary to ensure that this important topic was given the priority it deserved.

Secondly that the Crime and Disorder function being discharged by the SMC was dominating the work of the SMC making it difficult to cover all the other functions.

It was therefore agreed to create a new commission to be called the Safer Communities Commission (SCC).

The Commission has had a busy and productive year. The Commission has scrutinised issues ranging from school meals to strategic plans for the Council for the forthcoming years. This is discussed in more detail later in the report.

Crime and Disorder Work

As I said in my introduction at the beginning of the year the Commission held responsibilities for crime and disorder matters. The Commission took this role very seriously and welcomed presentations from colleagues in the police and prison services as well as the Community Safety Partnership which informed and helped the Commission in its work. The SCC is continuing this excellent work.

Topic Review

Following the changes to the commission structure described above SMC took on the topic review from the CCC investigating the potential benefits from moving from an aerobic to an anaerobic break down of the waste collected in brown bins.

The Commission decided to take this review forward and a detailed investigation into Anaerobic Digestion was carried out and visits to Biogem Greenfinch in Bedfordshire and Vital Earth near Ashbourne assisted the Commission in reaching their recommendations which will be presented to Council Cabinet early in the new municipal year.

The Commission also dealt with the very difficult issue of the closure of the Derwent New Deal. Meetings were held with the board, and various partner organisations were questioned. The Derwent New Deal has now been wound up and the various assets satisfactorily disposed.

And Finally...

I have thoroughly enjoyed chairing the Commission this year and would like to pass on my thanks to my vice-chair Councillor Dhindsa for his support, all Officers who have attended Commission meetings or contributed to the Commissions work, Cabinet Members for their time and responses to our work and Members of the Commission who have contributed to our debates and investigations with

enthusiasm. I wish to pass on my particular thanks for the support provide to the Commission by the OSCR Rob Davison who has taken Voluntary Early Retirement.

Councillor Mike Carr, Chair of the Commission

Items scrutinised by the SMC during 2010-11

Below are details of some of the issues scrutinised by the Scrutiny Management Commission over the last 12 months

- Council Accommodation
- School Meals Update
- One Derby One Council Programme Update
- Remit and Work Programme 2010/11
- Forward Plan Analysis
- Options Appraisal for School Meals in the City
- Revenue Budget Proposal
- In-Year Revenue Budget Reductions
- Refinement of Overview and Scrutiny Commissions
- Budget strategy – impact of Comprehensive Spending Review
- Performance Management
- Shifting Gears: Safeguarding Derby's Economic Growth
- Allestree Hall Update
- Climate Change Update
- Confirmation of Work Programmes for other Commissions
- Succession Strategy for Derwent New Deal for Communities Programme
- Consideration of events leading to the closure of school kitchens
- The Derby Plan 2011-2026
- The Council Plan 2011-2014
- Revenue Budget 2011/12 to 2013/14
- Capital Programme 2011/12 to 2013/14
- Climate Change – Carbon Reduction Commitment Liability
- Asset Management Plan
- Overview and Scrutiny Annual Report
- Brown Bin Waste

Crime and Disorder Matters (May – November 2010). This portfolio was then taken up by the newly constituted Safer Communities Commission)

- The role and membership of the Commission as the designated Crime and Disorder Committee
- Crime Statistics for the City of Derby
- Gangs – The position in Derby 2010
- Crime and Disorder Reduction Strategy 2011-2014
- Nottingham Prison – its role as a Local Prison
- Derbyshire Constabulary, Division Restructure Update
- Alcohol Licensing
- Redeployable Mobile CCTV – Proposed Protocol

Former Commissions



Resources Commission

The Resources Commission has had a short but eventful life. It was created in July 2010 as part of the reconfiguration of overview and scrutiny commissions and abolished in November. At its first meeting in July it scrutinised Housing and Council Tax Benefit Administration. Members learned that the Council had improved its performance in processing benefit claims during a time when the caseload increased by 13% and was now processing claims on average in 22.69 days. The Commission also learned that the Customer Service standards continues to improve across the Council at a time when customer numbers were increasing.

At the September meeting the Commission invited the Chief Executive to explain the progress on the Transformational Programme and consider possible impact of the budget savings on corporate resources.

The Commission also conducted a mini service review on the Derwent New Deal Programme which was coming to the end of its 10 year programme. The Commission heard from residents and Derwent ward councillors about many of the achievements of the programme as well of its challenges. The Commission supported the need to leave a lasting legacy for the area made representations for the release of funding that had initially been allocated to the programme. Unfortunately due to the Governments austerity measures a relatively small amount of funding was released to enable repairs and restructuring work to be carried out Revive Healthy Living centre.

The SMC continued to hold the decision makers to account when this responsibility was transferred to it in November.

Topics scrutinised

- Housing and Council Tax Benefit Administration
- Customer Services
- Remit and Work Programme 2010-11
- Update on the Transformation Programme
- Progress report on the Derwent New Deal Programme
- Succession Strategy for Derwent New Deal for Communities Programme

Adult Services and Health Commission

The Adults Services and Health Commission had a single meeting in June before its remit was widened to include housing. However, it managed to look at a range of health related items listed below. The Commission also received an annual report from Derby LINKs, the health engagement body established by the Government and identified potential topics for its future work programme.

Topics scrutinised at June meeting

- Procedures of limited clinical value
- Retinopathy Service
- Stroke Rehabilitation
- Pharmaceutical Needs Assessment
- Transforming Community Services
- Primary Care update
- Links Annual Report
- Remit and Work Programme 2010/11

Climate Change Commission

Work carried out by the Climate Change Commission prior to its amalgamation with SMC:

- Remit and Work Programme
- Climate Change Commission Topic Review
- Strategic directors Toolkit for tackling Climate Change
- Council House Refurbishment
- Climate Change Strategic Overview
- 10:10 Update
- Brown Bin Waste
- Waste Management Statistics

The Climate Change Commission met twice at the start of the municipal year prior to the reorganisation of the Commission Structure. Its work was then amalgamated into the portfolio of the Scrutiny Management Commission. The Climate Change Commission had planned a Topic Review into Anaerobic Digestion. This was taken up by the Scrutiny Management Commission as their review for the year.

Planning and Transport Commission

The bulk of the areas covered by the Planning and Transportation Commission have been incorporated into the Neighbourhoods Commission. However at its meeting in June the Commission considered the following items:

- Commission Review on Highways and Footways
- Update on the bus station
- Remit and work programme

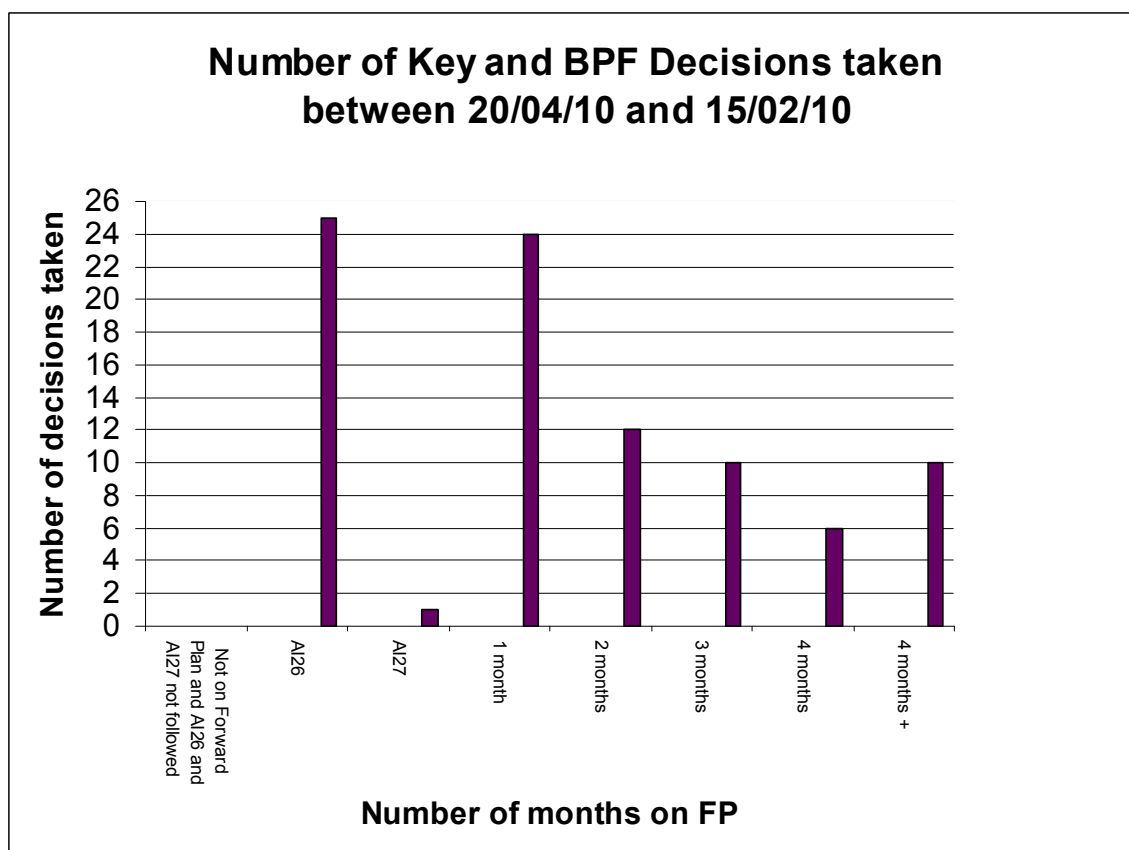
Forward Plan Analysis

The Council Cabinet's Forward Plan is published monthly and contains, or indeed should contain, details of all the Key and Budget Policy Framework decisions that the Council are planning to take in the following four months.

The Scrutiny Management Commission (SMC) raised concerns in 2008 about the number of decisions made by Council Cabinet which either did not appear on the Forward Plan or were made in less than four months of appearing on the Plan.

To address these concerns the SMC requested regular analysis of the Forward Plan and receives regular reports on the accuracy and timeliness of the reporting on this important document.

The table below details the findings of the Commission over the last 12 months

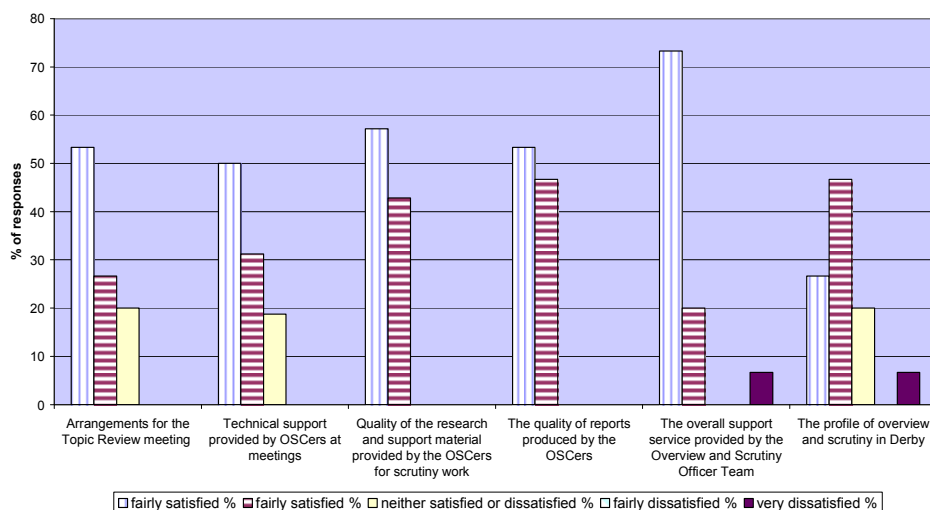


Member Satisfaction Survey 2011

An annual member satisfaction is carried out to seek members' views about the scrutiny process. This year a total of 15 completed forms were received from a possible 51, giving a response rate of just over 29%. This is significantly down from last year when more than 54% of the completed forms were returned.

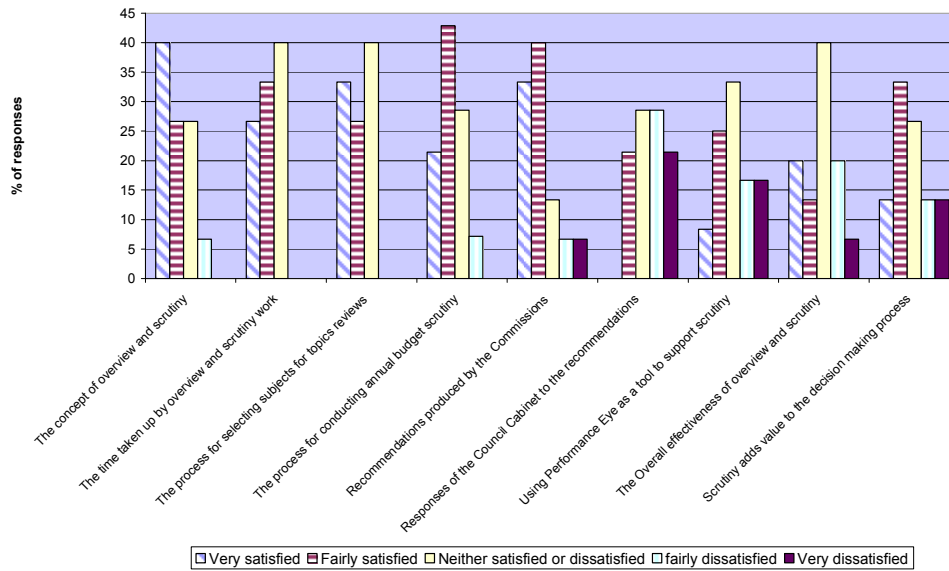
Analyses of the responses show members continue to have a high level of satisfaction for the overview and scrutiny support process. All members who responded to the survey, 100% were very or fairly satisfied with quality of the research and support material provided by the OSCers for scrutiny work and with the quality of reports produced by the O&S team. The responses also confirm that a vast majority of the members 93% of the respondents, are very or fairly satisfied with overall support provided by the Overview and Scrutiny Team. The responses shows that 80% of the respondents very or fairly satisfied with the arrangements for review meetings and 81% with the technical support provided at meetings. This is lower than last survey when the corresponding figures were more than 90%.

Level of Member Satisfaction with Overview and Scrutiny Support

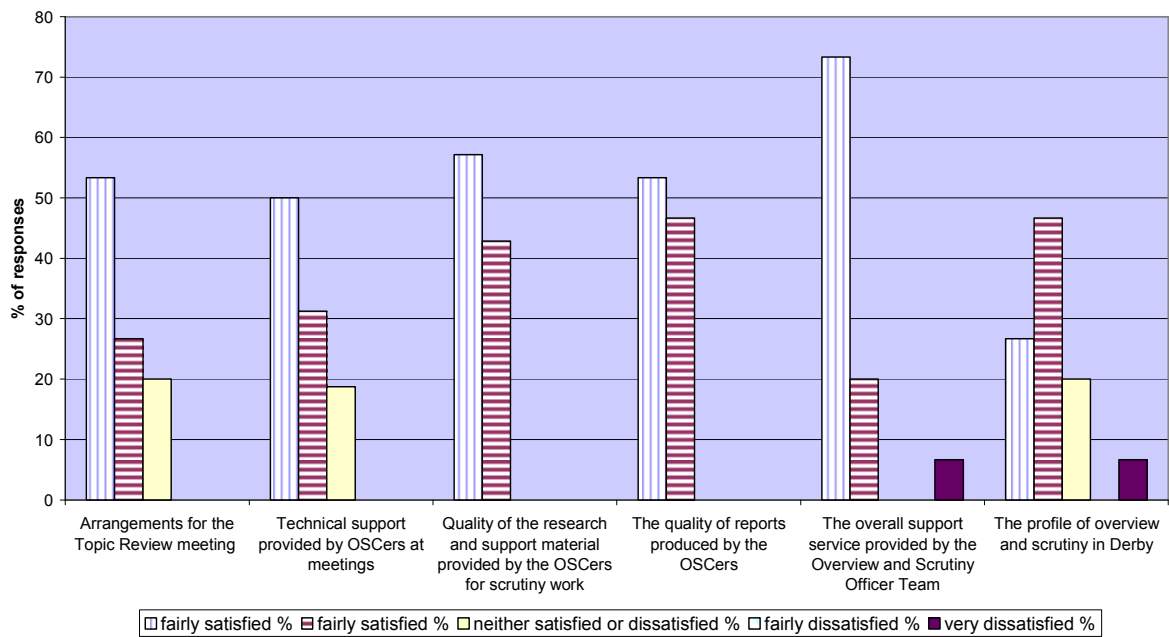


Member views about the concept of overview and scrutiny is a different story. A significant number of members are dissatisfied with certain aspects of the concept and process of overview and scrutiny. The highest level of member dissatisfaction relates to the response of Council Cabinet to the Commission recommendations with 50% of the respondents either fairly or very dissatisfied. 27% of the respondents were also fairly or very dissatisfied with overall effectiveness of overview and scrutiny whilst 43% of the respondents were very or fairly satisfied. In response to the question whether scrutiny adds value to the decision making process, 46% of the respondents were very or fairly satisfied.

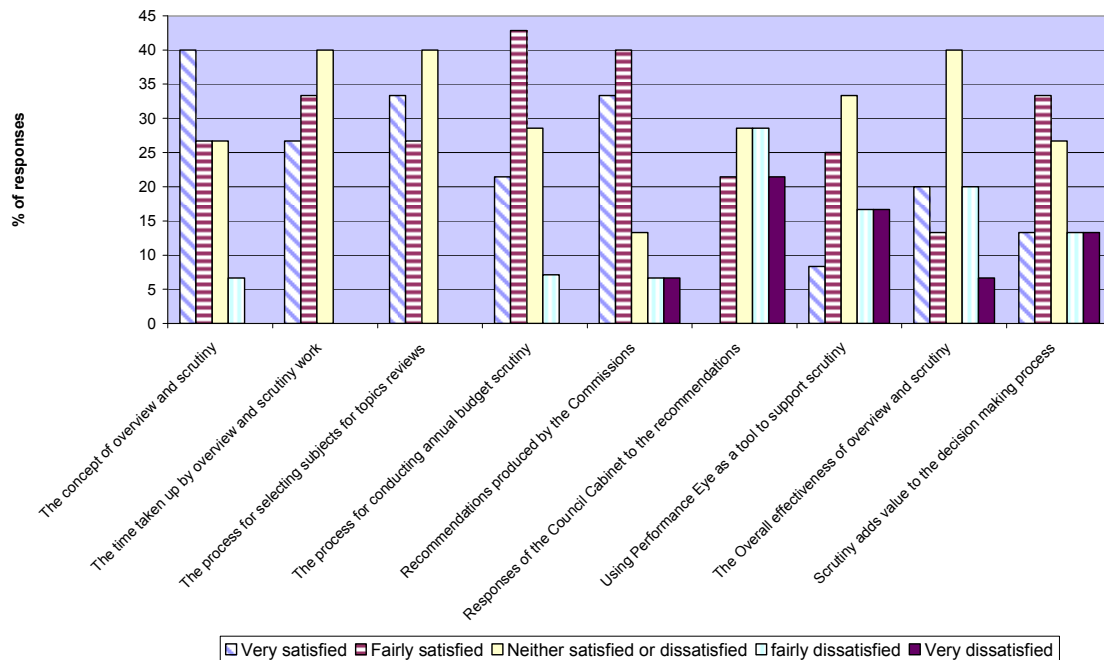
Level of Member Satisfaction with the Concept and Process of Overview and Scrutiny



Level of Member Satisfaction with Overview and Scrutiny Support



Level of Member Satisfaction with the Concept and Process of Overview and Scrutiny



Member comments

- Decision making powers given to back benchers much like the Select Committees
- Bigger team
- The OSC team need time to prepare + research thoroughly. I am concerned that with recent cut backs in staffing the OSC team may not be able to keep up their excellent standards.
- The Council Cabinet have for another year ignored O&S Commission views. recently they have 'noted' the reports without even expressing a view on the contents.
- More analysis around suitable themes for review that would be of most benefit to the Council.
- Cabinet tends to hide rather than share the difficult problems, usually because of fear of political skulduggery. Some members concentrate on catching others out rather than dealing with the most important issues. A report from the Cabinet Member(s) at the start of the year would be helpful, although this may prove difficult for a newly appointed cabinet member as they would not have fully picked up all the nuances of their brief.

- Scrutiny spends too much time on day-to-day issues and not enough on long term strategies for the city.
- I have always considered O&S to be an excellent tool to enable members to have an opportunity to look at council services and their delivery more closely however this process appears to have run down. Cabinet are not taking recommendations into proper account, decisions are delayed by an inauditable length of time without explanation and it has turned into a political battleground. This situation must be very frustrating for the officers working in this area as in my opinion they are dedicated, experienced and professional staff trying to do their best in a difficult situation
- O&S Officer Support is outstanding.
- We should have better understanding with Cabinet on our priorities through these Commissions.
- Presentation of Scrutiny Report by Chair at Cabinet meeting – MANDATORY
- Scrutiny only adds value if recommendations are followed. The reduction of scrutiny Commissions has watered down this function & limited member involvement. I was on three last year & 1.5 this year.

Appendix 1

List of Commission members involved in scrutiny during 2010/11:

ASHBURNER, Eric
ATWAL, Ajit
BATEY, David
BERRY Peter
BOLTON, Sara
CARR, Michael
CHERA, Prem Singh
DAVIS, Saadia
DHINDSA, Hardy Singh
GRAVES, Alan
HARWOOD, Franklyn A
HIGGINBOTTOM, Lisa
HUSSAIN, Fareed
JACKSON, Barbara
KHAN, Farhatullah
KHAN, Shiraz
LEEMING, Frank
LOWE, Bryan
NAITTA, Harjinder S (Joe)
RADFORD, Lorraine
RAWSON, Martin
REDFERN, Margaret
REPTON, Martin
RICHARDS, Finbar
ROBERTS, Dave
SHANKER, Bhagat S
SKELTON, Ruth
TROUP, Robert
TUPLIN, Derrick W
TURNER, Robin
WHITBY, John
WILLIAMSON, Chris
WINTER, Fay
WINTER, Linda