

# Overview and Scrutiny

## Annual Report 2016-17



Derby City Council



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## Introduction and Foreword

Welcome to the Annual Report for Overview and Scrutiny which sets out the work undertaken during the 2016-2017 municipal year. Over the previous year, scrutiny has played an important role in Derby City Council's decision making process by holding the Council Cabinet to account for its policies, decisions and actions, whilst also supporting policy making by conducting in-depth reviews and monitoring performance.

This work has involved scrutinising a wide range of topics and conducting a number of reviews through the topic specific scrutiny boards, which took a detailed look into a number of specific projects and service areas. The Corporate Scrutiny and Governance Board looked closely at areas of underperformance to monitor service outcomes and drive service improvement. The Board also challenged decision-making and the use of Council funds to deliver services to the people of Derby.

The Performance Forward Plan has allowed backbench Members an opportunity to look in detail at areas of the Council which are underperforming and make recommendations for improvements and mitigation, whilst every key decision has been examined before being made by Council Cabinet. Overview and Scrutiny members also have an opportunity to consider individual Cabinet Member decisions, ask questions and make suggestions for changes or improvements to the Cabinet Member during decision-making meetings.

Delivering effective scrutiny requires a great deal of time and commitment from appointed Chairs, Vice Chairs and Members of all of the scrutiny boards. These elected members have a vital role to play in scrutinising existing and developing council policies and making informed recommendations to drive improvement and the development of services within their remits.

Council officers help make scrutiny a success through their invaluable support, input and co-operation. As the Chair of the Corporate Scrutiny and Governance Board I would therefore like to thank all those involved in the scrutiny process for their hard work and commitment over the last year.



**Cllr Jack Stanton**  
**Chair Corporate Scrutiny and Governance Board**

## What do Overview and Scrutiny Boards do?

Councillors who are not Cabinet Members still have an important job to do. These councillors have roles to play on regulatory panels and committees, and the majority sit on one or more of our Overview and Scrutiny Boards.

The Overview and Scrutiny Boards cover all Council functions between them, as well as services provided by other public bodies such as health, police and the fire service.

In total there were six Overview and Scrutiny Boards for 2016-2017:

- Corporate Scrutiny and Governance Board
- Supporting Derby's Workforce
- Regenerating Our City
- Inspiring Young People
- Integrating Our Communities
- Protecting Vulnerable Adults



Each Overview and Scrutiny Board is made up of councillors from the different political groups. The number of councillors from each party reflects the political balance of the Council.

The Corporate Scrutiny and Governance Board (now called the executive Scrutiny Board) is the main body by which the key decisions made by Council Cabinet are reviewed. This Board acts as an umbrella to the other scrutiny boards, with membership comprised of the Chairs and Vice-Chairs of those boards. The five other boards review services and put forward recommendations for development and improvement, input into early stages of consultation for changes and new proposals, contribute to policy development and monitor performance and progress of specific projects.

The aim of scrutiny is to make sure that decision makers are held accountable and local services are fit for purpose. Scrutiny of decisions is carried out in public in an impartial manner, mainly through scheduled meetings held throughout the year. These meetings can involve thorough questioning of Cabinet Members, council officers and representatives of partner organisations about their decisions and policies.

The main role of the scrutiny boards is to look at policies and proposals before decisions are taken. This enables members to influence the development of service improvements and ensure that the decisions being made are done transparently and in accordance with the council's decision making procedures.

Cabinet Members, council officers, representatives of external organisations or experts on a particular subject may be asked to attend meetings to give information and respond to questions. Board members can also speak to local people who will be affected by the decisions being taken.



Scrutiny also has legal powers to ask representatives from some other public organisations to attend. These are called 'responsible authorities' and include:



This report provides information on what each of the Boards has looked at over the period of the May 2015 to April 2016 Municipal Year.

## Corporate Scrutiny and Governance Board

The Corporate Scrutiny and Governance Board (now known as the Executive Scrutiny Board) is responsible for scrutinising Executive decisions and the Forward Plan as well as statutory reports and performance issues. It also has an annual responsibility to scrutinise the Council's Revenue and Capital Budget Proposals. This is made up of thirteen elected members distributed to the four political parties with locally elected members, based on 'Widdecombe rules'. The Board has an opportunity to examine every decision executive, or 'key decision' that the Council takes, before it is taken, and can make recommendations on these to Council Cabinet. A 'key decision' is any decision resulting in a financial cost or saving of £250,000 or more, or involving a grant to a voluntary organisation of £25,000 or more. A decision would also be 'key' if it is likely to have a significant environmental, physical, social or economic impact on people living or working in communities in two or more wards in the city.

Council Cabinet considers recommendations made by the Scrutiny Board alongside the relevant Council Cabinet papers. These recommendations are wide-ranging and can include suggestions to look elements of decisions in further detail, provide endorsements or issue challenges to the implementation of decisions. During the 2015-16 Municipal Year the Corporate Scrutiny and Governance Board made 50 recommendations to Council Cabinet and only 2 of these were rejected by the Cabinet.

The Board made recommendations to Council Cabinet on the following decisions/proposals:

- Parkland View Extra Care Apartments
- Changes to the Council Tax Support Scheme for 2017/18
- Redevelopment of the former Britannia Court site

- Libraries Strategic Review: Options for a new service delivery model
- Outdoor Football Pitch Provision
- Single Discretionary Award Scheme
- Capital Budget Monitoring
- Food and Feed Law Enforcement Plan 2016/17
- Approval of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015  
Statement of Principles
- Primary School Places – Additional Capacity
- Contract and Financial Procedure Matters
- Homelessness Performance Update
- Performance Update – Complaints and Customer Feedback & Food safety Inspections
- Service Delivery Model for the Council’s Care Homes and Day Centres
- Strategy and policies for the Collection of Debts
- Performance Update - Sickness Absence
- Consultation on the future of Housing Related Support
- Appropriate Adult Service
- Purchase of Residential Scheme to provide affordable housing funded through the HRA
- Property Improvement Capital Works Programme 2017/18
- New Swimming Pool Complex

To ensure robust performance monitoring and challenge, the Corporate Scrutiny and Governance Board also had a Performance Work Programme which was agreed by the Board at the beginning of the Municipal Year. This allowed the Board to carry out in-depth and robust performance monitoring and challenge with a view to agreeing remedial actions, further investigative action or supporting planned improvements. Performance items looked at during the 2015-16 were:

- Homelessness
- Food safety / regulatory services
- Complaints and customer feedback
- Adult social care – residential admissions / safeguarding
- Staff health and wellbeing
- New Homes
- Health and wellbeing
- Council Tax and Business Rate collection

### **Call-In of Council Key Decisions**

In addition to scheduled scrutiny meetings, the Corporate Scrutiny and Governance Board has a responsibility for meeting to consider key decisions that have been called in, where three or more members are questioning that a particular decision has been made in line with the Council's Decision-Making Principles.

If councillors wish to call-in a decision, a notice must be submitted within five working days of the publication of the minutes of the Council Cabinet meeting, stating which of the principles has been breached. The call-in suspends the implementation of the decision until it has been considered by the relevant board, which must meet within ten working days to consider it. The



views of the board are then referred back to Council Cabinet or in certain circumstances to Council.

Councillors who ask for the 'call-in' have to prove that the decision is wrong on one of the following grounds:

- Proportionality - the action must be proportionate to the desired outcome
- Due consultation - professional advice must have been taken from officers
- A presumption in favour of openness - all relevant information in the public interest must have been disclosed
- Clarity of aims and desired outcomes
- Respect for human rights

Call-in also applies if a record has not been provided of what options were considered, the reasons for that decision and if relevant issues do not appear to have been taken into consideration.

## **Scrutiny Review Boards**

There are five topic-led Scrutiny Boards which have roles as review boards. The Scrutiny Review Boards look at policy development, developing strategies, get involved in early stage consultant and carry out in-depth topic reviews. These Boards consist of eight elected members distributed to the four political parties with locally elected members, also based on 'Widdicombe rules'.

The Chairs of each of the Scrutiny Review Boards also hold seats on the Corporate Scrutiny and Governance Board and therefore have a role to report to the Executive Scrutiny Board and the Chairs sit on the Executive Board. The Executive Board in turn refer items to these boards for further in-depth scrutiny. The Executive Board can also refer matters to performance surgeries for further detailed analysis and follow-up. Performance surgeries are chaired by the Chair of the relevant review board.

The Corporate Parenting Committee is no longer a scrutiny sub-board, but is a committee in its own right and is chaired by the Cabinet Member for Safeguarding and Children and Young People. The Chair and Vice Chair of the Inspiring Young People Board are Members of this Board so are invited to attend and input into these meetings.

## Inspiring Young People

The Inspiring Young People Board was the Board responsible for scrutiny of services relevant to young people including:

- Children's Residential Care
- Integrated Children's Disabilities Services
- Fostering & Adoption Services
- Early Help & Children's Safeguarding
- Integrated Commissioning (Children's)
- Children's Quality Assurance
- Youth Offending
- Adult Learning
- Inclusion & Intervention
- Quality, standards and performance (Education)
- School organisation and provision
- Skills and Development



The Inspiring Young People Board completed a review on the recruitment and retention of Foster Carers which aimed to increase the numbers of in-house foster carers and reduce budget pressures relating to the cost of agency placements. The Board had held a number of evidence gathering sessions as part of the review and as a result of this made 22 recommendations to Council Cabinet including:

- A review of the marketing strategy, increase the marketing budget put under the control of the fostering team.
- Being up front with what the fees are for different categories of children in all marketing.
- Work to ensure that the length of time from first contact to conversion is not more than six months.
- Make sure that foster carers are treated as valuable professionals who provide an essential service to children, Derby and the Council.
- Make counselling easily available for all children in care, removing the requirement for foster carers having to seek approval through social workers.
- Ensure that the therapeutic unit at Leopold Street remains open.
- Give foster carers more responsibility for routine permissions, as far as allowed nationally, such as school trips and GP appointments.

Council Cabinet received the Board's recommendations and agreed to report back to the Board with a response to the review recommendations and inform the Board of any actions the Council Cabinet proposes to take in relation to the Board's recommendations. Following the conclusion of this topic review the Board agreed to start working on a new topic review on the 'Leaving Care Service', which will be completed in the 2017-18 Municipal Year. The Board routinely invited young people to attend and participate in Board meetings.

### **Other items scrutinised by the Board included:**

- Monitoring Safeguarding Practice
- Education and Health Care Plans
- Performance Indicators
- Early Help Annual Report
- Progress of the Multi-Agency Safeguarding Hub
- Integrated Commissioning
- Children and Young People's Plan 2016-17 Refresh
- Special Educational Needs and Disabilities Inspection Framework
- Single Inspection Framework 'Readiness'
- Annual Education Performance Outcomes
- Leaving Care Service
- Annual Performance Summary of Derby's Looked After Children
- Child Sexual Exploitation Strategy Annual Report

### **Supporting Derby's Workforce**

The remit of this board covers service areas that fall within the portfolios of the Cabinet Member for Strategy and Policy (Leader of the Council) and Cabinet Member for Job and Fair Employment.



This includes:

- Legal and Democratic Services
- Finance and Procurement
- ICT and Business Systems
- Strategic Services and Transformation
- Customer Management
- HR Operations
- HR Strategy and Policy

## **Volunteering Opportunities and Employment Practices**

The Board started an in-depth Review into volunteering opportunities across Derby, combined with an investigation into which employers pay the Living Wage, as recognised by the Living Wage Foundation. The Board conducted a survey of the top 200 companies in Derby to establish: their policies and practices with regards to the Living Wage; their volunteering strategies; flexible working arrangements; and their employee incentives.

Respondents to the survey provided detailed information regarding their policies and practices in relation to the Living Wage, volunteering strategies, flexible working and employee incentives. One of the survey's key findings was that fifty per cent of respondents expressed an interest in becoming an accredited Living Wage employer within the next five years. Due to commercial sensitivities of the information provided, results of the review were not widely communicated, however, this work presented opportunities for the Board and the authority to do further work with the city's largest employers in these areas.

## **Integrating Communities**

The Integrating Communities Board is responsible for scrutiny of services under the remit of the Cabinet Members for Cohesion and Integration and Regulated Services, and covers services such as Streetpride, City and Neighbourhood Partnerships and Environment and Regulatory Services. The Board also acts as the Council's Statutory Crime and Disorder Committee.

During the period from June 2015 to April 2016 the Board looked at a number of issues of particular importance to the residents of Derby. Two of the biggest issues were around the restructure of the Police and how the North and South areas of the city will be covered, and information on work being done in the city on Counter Terrorism and Counter Extremism. Other relevant local issues discussed in detail were around the additional costs incurred through garden waste being placed in the black bins and issues around the removal of street-mounted Post Office Boxes from communities.



### **Other items scrutinised by the Board included:**

- Restructure of Derby City Council's Neighbourhoods Division
- Hate Crime Campaign
- Derby Markets Transformation Programme
- Traffic Control at Roundabouts
- A52 Wyvern Junction Improvements
- Parking Enforcement and Penalty Charge Income
- Building Neighbourhood Capacity
- Asylum Dispersal



## **Protecting Vulnerable Adults Board**

The Protecting Vulnerable Adults Board is responsible for scrutinising adult social care and public health services. It is also the statutory health scrutiny committee, which gives it the power to review and scrutinise any matter relating to the planning, provision and operation of the health service in the city.



This includes services delivered by external organisations such as the Southern Derbyshire Clinical Commissioning Group, Derby Teaching Hospitals NHS Foundation Trust and the East Midlands Ambulance Service. The Board is diligent in discharging its scrutiny responsibilities and selects items for health and social care in its work programme at the start of each municipal year.

### **Sustainability and Transformation Plans**

One of the main developments under the scrutiny responsibility of the Protecting Vulnerable Adults Board is around the production of a five year Sustainability and Transformation Plan (STP) which is place-based and should drive a new vision for the future of the health and care system. This has been continually reported to the Board and its progress discussed in detail. During this period the Board has resolved to support Derby's participation in joint working with NHS leaders and local government in developing the STP to promote meaningful health and care integration, improving the health and wellbeing of our populations and reducing inequalities between communities. The Board also resolved to continue to support the development of clear and agreed system wide governance arrangements in support of an effective STP.

### **Safeguarding Adults and the Deprivation of Liberty Safeguards**

Another major issue looked at in detail during the 2016-17 Municipal Year was the significant increase in adult safeguarding activity since the implementation of the Care Act (2014) and the fulfilment of statutory functions for Safeguarding Adults and the Deprivation of Liberty Safeguards (DOLS). The Board was keen to ensure that Adults Safeguarding as a broader issue should be communicated to groups such as the Older People's Forum in order to raise awareness of DOLS and adult safeguarding and that all providers know their responsibilities and are trained to fulfil them.

### **Access to GP Surgeries**

Access to GP Services continues to be one of the biggest issues facing Derby residents in relation to accessing health services in a timely and convenient manner. During the 2016-2017 Municipal Year the Board was updated by the Chief Officer of the Southern Derbyshire Clinical Commissioning Group and Strategic Director of People Services on the progress made to improve the GP access situation. The Board will continue to monitor this progress at future meetings.

### **Other items scrutinised by the Board included:**

- The Health and Care System
- East Midlands Ambulance Service
- Clinical Commissioning Group Care Quality Commission Inspection
- GP Surgeries Access
- Healthwatch Derby Annual Report
- Local Area Co-Ordination in Derby
- Parkland View Extra Care facility

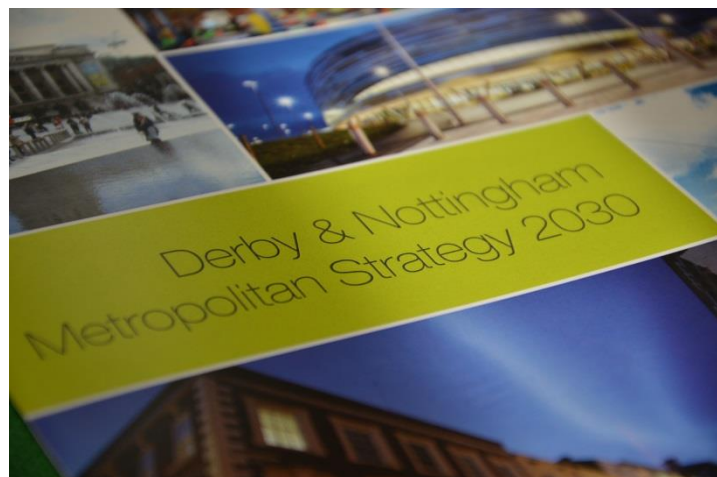
Regular briefings were also provided by the Southern Derby Clinical Commissioning Group, Derby Healthwatch and the Derbyshire Healthcare Foundation Trust to keep members up to date on their projects and services and highlight any areas for future scrutiny.

### **Regenerating Our City**

The remit of this board covered areas that fall within the portfolios of the Cabinet Member for Communities and City Centre Regeneration (Deputy Leader of the Council) and the Cabinet Member for Urban Renewal.

This included:

- Regeneration
- Planning and Property Services
- Leisure and Culture
- Derby Live
- Museums and Libraries
- Tourism
- Derby Homes
- Strategic Housing



### **Strategic Partnerships**

The Board was responsible for scrutinising some of the Council's high level relationships with other Authorities and Organisations through its Strategic Partnerships, such as the Derby and Derbyshire, Nottingham and Nottinghamshire (D2N2) Board and joint strategies such as the Derby and Nottingham Metropolitan (Metro) Strategy.

Due to the complex nature of these partnerships and importance of work they are responsible for delivering and the budgets involved, the Board was keen to see details of the governance, scrutiny and performance monitoring arrangements over the course of the Strategy and Action

Plan period over the coming years to 2030. The Board questioned the delivery of the Strategy and the scrutiny and monitoring arrangements, and requested that officers consider what mechanisms would be used, including whether or not there would be a joint Board that would deal with these or whether it would be done between authorities. The Board also suggested that any scrutiny should be carried out either jointly or collaboratively.

**Additional items scrutinised by the Regeneration and Culture Board included:**

- Metropolitan Strategy
- Cultural Offer and Assembly Rooms
- Leisure Facilities Strategy - Leisure Facilities and Pool
- Derby-Nottingham Metropolitan Strategy
- HS2 and Implications for Derby
- Former Celanese Acetate Site, Spondon
- Derby City Centre Masterplan 2030
- Strategic Asset Management – Property Rationalisation and Disposal Programme





## **Overview and Scrutiny Membership 2016 - 2017**

### **Corporate Scrutiny and Governance O&S Board** (Labour 7, Conservative 4, Lib Dem 1, UKIP 1)

Chair – Councillor Stanton

Vice Chairs – Councillors Bayliss, Jackson, J Khan, Pegg and Whitby

Councillors Carr, Graves, Hassall, Hezelgrave, Poulter, Webb and Williams

### **Inspiring Young People O&S Board** (Labour 4, Conservative 3, Lib Dem 1)

Chair – Councillor Whitby

Vice Chair – Councillor Williams

Councillors Anderson, Care, Hezelgrave, Nawaz, Roulstone and Smale

### **Integrating Communities O&S Board** (Labour 4, Conservative 3, Lib Dem 1)

Chair – Councillor Pegg

Vice Chair – Councillor Skelton

Councillors Bayliss, Hudson, Marshall, Nawaz, Poulter and Sandhu

### **Regenerating Our City O&S Board** (Labour 4, Conservative 3, Lib Dem 1)

Chair – Councillor Bayliss

Vice Chair – Councillor Naitta

Councillors Dhindsa, Grimadell, Hassall, Marshall, Stanton and West

### **Supporting Derby's Workforce O&S Board** (Labour 4, Conservative 3, UKIP 1)

Chair – Councillor Jackson

Vice Chair – Councillor Barker

Councillors Anderson, Evans, Grimadell, A Holmes, S Khan and Whitby

### **Protecting Vulnerable Adults O&S Board** (Labour 4, Conservative 3, UKIP 1)

Chair – Councillor J Khan

Vice Chair – Councillor Webb

Councillors Evans, Froggatt, Hudson, Ingall, Raju and Turner

### **Consideration of education related matters on scrutiny boards**

Co-optees – Eleanor Berry, Phil Henry, Steve Grundy, Didier Matamba, Chris Reynolds and Bev Stewart