Overview and Scrutiny
Annual Report 2017-18
Introduction and Foreword

Welcome to the Annual Report for Overview and Scrutiny, which sets out the work undertaken by Derby City Council's six scrutiny boards during the 2017-2018 municipal year.

Over the previous twelve months, Overview and Scrutiny has played an important role in Derby City Council's decision making process. The six boards have held 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. The Executive Scrutiny Board looked closely at areas of underperformance to monitor service outcomes and drive service improvement. The Board also challenges decision-making and helps ensure the effective use of public 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 improvement. Meanwhile, every key decision has been debated 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 to make scrutiny a success through their invaluable support, input and co-operation. As the Chair of Executive Scrutiny Board for 2017-18 I would like to thank all those involved in the scrutiny process for their hard work and commitment over the last year.

With significant changes proposed to the governance structure of Derby City Council in 2018-19, it is my hope and expectation that robust scrutiny arrangements remain at the heart of our local democratic process.
Overview and Scrutiny represents a fundamental part of the democratic process. It provides a check and balance to the executive powers of the Council Cabinet and an opportunity for elected members from across the political spectrum to challenge, review and improve the services provided by the local authority.

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 2017-2018:

- Executive Scrutiny Board
- Adults and Health Scrutiny Review Board
- Children and Young People Scrutiny Review Board
- Communities Scrutiny Review Board
- Corporate Services Scrutiny Review Board
- Regeneration and Housing Scrutiny Review Board

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 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; participate in the early stages of consultation for changes and new proposals; contribute to policy development; and, monitor the 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 and 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 fundamental purpose of scrutiny boards is to examine policies and proposals before decisions are taken. This enables elected 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 in 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 2017 to April 2018 Municipal Year.
Executive Scrutiny Board

The Executive Scrutiny Board is responsible for scrutinising Executive decisions and the Forward Plan, as well as considering statutory reports and performance issues. It also has an annual responsibility to scrutinise the Council's Revenue and Capital Budget Proposals.

The Executive Scrutiny Board is made up of thirteen elected members, with the composition of the Board reflecting the Council's overall political balance.

The Board meets monthly and has an opportunity to pre-emptively examine every 'key decision' that the council takes and can make recommendations on these to Council Cabinet, who typically meet the following night.

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 considered '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 at elements of decisions in further detail, provide endorsements or issue challenges to the implementation of decisions.

During the 2017-18 Municipal Year the Executive Scrutiny Board made 39 recommendations to Council Cabinet, of which 34 were accepted.

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

- Council House ground floor redevelopment
- Libraries Strategic Review
- Post 16 Home to School Transport
- Budget Outturn 2016/17
- Response to OFSTED's Inspection of Children's Services
- Derby Silk Mill Redevelopment
- Deployment of Public Protection Officers for waste enforcement
- Special Educational Needs and Disability provision in Derby
- Progressing the Derby Performance Venue project
- International Partnerships with China and India
- New Swimming Pool Complex at Moorways
- Appointment of the Derby Ambassador for Business and Innovation
- Commercial Waste service delegation
- Maintained and voluntary controlled school admission arrangements
- East Midlands Regional Adoption Agency
- Council Tax exemption for care leavers
- Social Impact Bonds for children in care
- Infinity Park research and development opportunities
As part of its remit to ensure robust performance monitoring and provide appropriate challenge at a corporate level, the Executive Scrutiny Board also sets a Performance Work Programme at the start of the Municipal Year.

Throughout 2017-18 the Board received presentations and reports from a number of service areas, with a view to agreeing remedial actions, encouraging further investigation or supporting planned service improvements.

Performance items examined during 2017-18 included:

- DBS renewal programme
- Findings of the Corporate Peer Challenge
- Complaints and customer feedback
- Staff health and wellbeing
- Delivery of the Neighbourhood Charter
- Supporting housing needs – new homes and homelessness prevention
- Independence for older people – rehabilitation, intermediate care and prevention
- Regeneration projects – impact on businesses and jobs
- Single Inspection Framework – one year on

**Call-In of Council Key Decisions**

In addition to scheduled scrutiny meetings, the Executive Scrutiny Board has a responsibility for meeting to consider key decisions that have been 'called in'. This is a process where three or more elected members are questioning that a particular Council Cabinet 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 relevant Council Cabinet meeting, stating which of the principles they believe to have 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 decide whether the objection should be upheld. 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.

During 2017-18 the Executive Scrutiny Board considered two call-ins, on the following matters:

- Libraries Strategic Review
- Derby Performance Venue

On both occasions, the Board resolved that the Council's decision-making principles had not been breached and therefore did not uphold the call-in.
Scrutiny Review Boards

Sitting beneath the Executive Scrutiny Board are five topic-led Scrutiny Boards which act as a means to conduct in-depth reviews of particular topics or services. In addition, the Scrutiny Review Boards may look at policy development, aid in the formulation of council strategies or participate in early stage consultation.

These Boards are comprised of eight elected members, with their composition broadly reflecting the political balance of the council, as defined under the 'Widdecombe rules'. The Chair of each Scrutiny Review Board also serves as a Vice Chair on the Executive Scrutiny Board.

This means that matters can be referred down from Executive Scrutiny for further in-depth review; the Executive Scrutiny Board may also refer items to the review boards for Performance Surgeries, supported by the Performance and Intelligence Division.

The Corporate Parenting Committee stands outside of the main Overview and Scrutiny framework. In 2017-18, it was chaired by the Cabinet Member for Safeguarding and Children and Young People. However, the Chair and Vice Chair of the Children and Young People Scrutiny Review Board both sat on the Corporate Parenting Committee, allowing for relevant matters to be referred between the two boards.
Adults and Health Scrutiny Review Board

The Adults and Health Board is responsible for scrutinising adult social care and public health services in Derby. In 2017-18, these service areas fell within the portfolio of the Cabinet Member for Integrated Health and Care.

The Board is also the statutory health scrutiny committee, meaning it has legal powers to review and scrutinise any matter relating to the planning, provision and operation of health services 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.

Given the wide remit of the Board, members chose not to carry out a single topic review and instead focused on a number of relevant issues over the course of the municipal year.

Overarching themes included the impact of increasing demand and cost pressures on adult social care services, as well as considering national policy on how a funding shortfall for the sector should be met.

Derby Teaching Hospitals and Burton Hospitals NHS Foundation Trust merger

Throughout the year the Board considered the planned merger of the Derby Teaching Hospitals and Burton Hospitals NHS Foundation Trusts, including welcoming Gavin Boyle, Chief Executive of the consolidated Trust, to give evidence.

Members considered both the clinical and financial benefits of the planned merger, as well as the impact on employees of the two trusts. It was reported that the merger would sustain general hospital services in Burton; improve access to specialist services in Derby and lead to the development of community hospitals in Derby, Lichfield and Tamworth.

The Board confirmed its support for the merger and acknowledged the benefits of rationalisation.

Access to GP Surgeries

The Board heard evidence from the Southern Derbyshire Clinical Commissioning Group (CCG) on efforts to improve access to GP surgeries. This included measures to improve recruitment and retention of clinicians and to extend opening hours at evenings and weekends.
Members were briefed on two Derby-based surgeries that were acting as pilots, trialling new consultation methods, improved IT systems as well as enhanced triage and signposting techniques. The Board also expressed a desire to consider local issues in more detail and scrutinise under-performing clinics; the Board therefore resolved to continue their review in the 2018-19 municipal year.

**Services delivered by pharmacies**

Evidence was heard throughout the year of the services available for residents directly from pharmacies, with a view to relieving pressure on GP surgeries. Members considered how pharmacies were equipped to deal with a number of common ailments and felt that greater effort needed to be made to publicise the services available.

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

- Adult Social Care funding
- Independent sector home care
- Dementia Friends initiative
- Carers' service
- Psychodynamic and psychotherapy services
- Move More Derby physical activity and sports strategy
- Waiting times for cancer treatment

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.
Children and Young People Scrutiny Review Board

The Children and Young People Board was responsible for the scrutiny of services relevant to the portfolios of the Cabinet Member for Safeguarding and CYP and the Cabinet Member for Education and Skills.

These included:

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

The Children and Young People Board had a particularly busy work programme over the course of the 2017-18 municipal year. Given the extensive remit of the Board, members were keen to scrutinise topics from across the full spectrum of relevant services.

A key consideration for the Board was the outcome from inspections and readiness for future inspections. This included OFSTED’s inspection of services for children in need of help and protection, looked after children and care leavers.

Members heard evidence of how further improvements could be achieved, following the overall Good outcome received under the Single Inspection Framework (SIF) in March 2017. Members scrutinised the proposed action plan for services for children in need of help and protection, which included measures to manage social worker caseloads.

The Board also considered preparation for an anticipated inspection of services for children and young people with special education needs and disabilities. Members considered current strengths and weaknesses under the existing inspection framework, with particular consideration given to assessments and timescales for transfers from Statements of Special Educational Needs to Education, Health and Care Plans (EHCPs).

The Children and Young People Board also thoroughly scrutinised and fed into the consultation process for a planned review of Special Educational Needs and Disability (SEND) Provision in Derby. The Board made recommendations to ensure the consultation was as accessible as possible to parents and carers.
Other items scrutinised by the Board included:

- Derby Child Sexual Exploitation Strategy
- Education Performance Outcomes
- Free Early Education Entitlement for 2, 3 and 4 year olds
- Integrated Commissioning
- Monitoring Safeguarding Practice
- Opportunity Areas
- Progress of care leavers
- Proposed merger of Brackensdale Infant and Junior Schools
- Pressures on Children's Safeguarding
- Profile and outcomes for Derby's looked after children
- Youth Offending
Communities Scrutiny Review Board

The Communities Scrutiny Review Board was responsible for the scrutiny of services under the remit of the Cabinet Member for Neighbourhoods and Public Protection and the Cabinet Member for Leisure, Culture and Tourism.

The Board scrutinises services such as Streetpride and neighbourhood working, as well as Environmental and Regulatory Services. The Board also acts as the council’s statutory Crime and Disorder Committee.

Services under the remit of the Communities Scrutiny Review Board in 2017-18 included:

- Bereavement Services
- Building Control
- Community Safety, Cohesion and Integration
- Culture and Business Development (including Derby LIVE)
- Environmental Health and Licensing
- Grounds maintenance and street cleansing
- Highways and engineering
- Leisure Facilities
- Libraries
- Neighbourhood Partnerships
- Parks, Golf and Nature Reserves
- Refuse and Waste Management
- Tourism
- Trading Standards
- Traffic and transportation

Environmental Enforcement and Community Protection Officers

Over the course of the municipal year, the Board gave particular consideration to the work of recently appointed Community Protection Officers. Targeted enforcement activity against fly-tipping, bins left on streets and bulky waste collection were discussed in detail.

The Board heard evidence of the success of increased enforcement activity in particular hot-spot areas; members of the Board were then consulted on the extension of the approach to a number of other areas in the city.

Anti-Social Behaviour and Psychoactive Substances
The Board also responded to public concern about anti-social behaviour in Derby city centre, specifically related to the use of psychoactive substances. Members heard evidence of partnership work with Derbyshire Police and Public Health England to address underlying issues and scrutinised the effectiveness of a newly introduced Public Space Protection Order (PSPO).

**Replacement and renewal of residential refuse bins**

Throughout the year, members considered evidence in relation to household waste, as well as scrutinising the policies and procedures surrounding the replacement of residential refuse bins.

The Board also received information about waste minimisation and considered efforts made to divert refuse found in black bins to other waste streams.

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

- Community buildings
- Grass cutting of sports pitches, open spaces and verges
- Closed circuit television network
- Events at the Derby Arena
- Private hire taxi operators and school contracts
- Relocation of the Central Library
Corporate Services Scrutiny Review Board

The remit of this board covered service areas that fell within the portfolio of the Cabinet Member for Finance and Governance.

These included:

- Business Support
- Communications and Consultation
- Corporate Health and Safety
- Emergency Planning and Business Continuity
- Finance, Procurement, Revenues and Benefits
- HR and Organisational Development
- ICT and Customer Management
- Legal and Democratic Services
- Performance and Intelligence
- Property Management
- Taxi Licensing

In addition to a topic review on council online services, the Board considered and scrutinised a range of issues over the course of the municipal year. These included regular updates on the development of the Organisational Development Strategy, which focused on performance management and improving productivity. The Board also conducted a review of employee IT services and gave consideration to parking and drop-off arrangements at the Council House for disabled visitors and staff.

Online Accessibility of Council Services

At the first meeting of the Municipal Year, the Corporate Services Scrutiny Review Board committed to carry out a topic review on the online accessibility of council services.

This included examining how residents could access services online; how employees were utilising technology to delivers services effectively and efficiently; and, how residents and businesses were being equipped with the digital skills necessary to enhance their lives.

As part of the review, members spent time with the Derby Direct service and spoke with employees about what their role entailed. The Board considered the impact of the ground floor reorganisation of the Council House and discussed proposed working arrangements with Job Centre Plus.
Regeneration and Housing Scrutiny Review Board

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

These included:
- Derby Homes and Derby Advice
- Economic Development
- Empty Homes, Housing Development, Housing Enforcement and Housing Options
- Planning
- Markets
- Regeneration and Strategic Assets
- Strategic Housing
- Strategic Transport

Rather than focus on an individual topic review, the Regeneration and Housing Board chose to consider various matters throughout the municipal year, reflecting the broad range of services and projects that fell within its remit.

These included scrutinising the council’s strategic partnerships, such as the Derby Nottingham Metropolitan Strategy, and considering the impact of major transport infrastructure projects on the city, such as HS2 and the electrification of the Midland Mainline.

The Board received regular updates on housing issues across Derby, with a particular focus on meeting housing demand through the delivery of new homes and tackling homelessness. Major regeneration projects were also a regular topic of discussion for the Board. For example, members considered proposals for the redevelopment of the former DRI site and took a keen interest in proposals for a new city-centre Performance Venue.

In the Board’s final meeting, members heard evidence from Marketing Derby about steps being taken to generate inward investment. The Board supported proposals for the business community to be formally consulted in planning matters in order to promote economic regeneration.

Additional items scrutinised by the Regeneration and Housing Board included:
- Derby Arena Commerciality
- Anti-Social Behaviour in the River Gardens
Overview and Scrutiny Membership 2017 - 2018

Executive Scrutiny Board (Labour 7, Conservative 4, Lib Dem 1, UKIP 1)

Chair – Councillor Stanton
Vice Chairs – Councillors Bayliss, Eldret, Jackson, J Khan, Pegg
Councillors Barker, Carr, Graves, Hezelgrave, M Holmes, Poulter and Webb

Adults and Health Scrutiny Review Board (Labour 4, Conservative 3, UKIP 1)

Chair – Councillor J Khan
Vice Chair – Councillor Webb
Councillors Eldret, Evans, Froggatt, Ingall, Potter and Turner

Children and Young People Scrutiny Review Board (Labour 4, Conservative 3, Lib Dem 1)

Chair – Councillor Eldret
Vice Chair – Councillor Williams
Councillors Anderson, Care, Hezelgrave, Roulstone, Willoughby and Winter

Communities Scrutiny Review Board

Chair – Councillor Pegg
Vice Chair – Councillor Smale
Councillors Anderson, Hassall, Hudson, Nawaz, Sandhu and Skelton

Corporate Services Scrutiny Review Board (Labour 4, Conservative 3, UKIP 1)

Chair – Councillor Jackson
Vice Chair – Councillor Marshall
Councillors Barker, Bayliss, Dhindsa, Evans, Hudson, Jackson and Pegg

Regeneration and Housing Scrutiny Review Board (Labour 4, Conservative 3, Lib Dem 1)

Chair – Councillor Bayliss
Vice Chair – Councillor Grimadell
Councillors Ingall, S Khan, Naitta, Stanton, Webb and West

Consideration of education related matters on scrutiny boards

Co-optees – Revd Eleanor Berry, Gillian Butler, Nicky Fenton, Dr Philip Henry, Chris Hulse, Stephen Grundy, Didier Matamba, Dr Christopher Reynolds, Ruth Richardson and Bev Stewart