

Birmingham City Council

Report to City Council

18 June 2024



Title:	REPORT OF CHAIR OF CORPORATE AND FINANCE OVERVIEW AND SCRUTINY COMMITTEE: SCRUTINY BUSINESS REPORT
Lead Cabinet Portfolio:	Councillor Rob Pocock, Cabinet Member for Transformation, Governance and HR
Relevant Overview and Scrutiny Committee:	Corporate and Finance Overview and Scrutiny Committee
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Authorised by:	Christian Scade, Head of Scrutiny and Committee Services Legal and Governance
Is this a Key Decision?	Not Applicable
If this is a Key Decision, is this decision listed on the Forward Plan?	Not Applicable
Reason(s) why not included on the Forward Plan:	Not Applicable
Is this a Late Report?	No
Reason(s) why Late:	Not Applicable
Is this decision eligible for 'call in?'	Not Applicable
If not eligible, please provide reason(s):	Not Applicable

Does this report contain exempt or confidential information? No

Has this decision been included on the Notification of Intention to consider Matters in Private? Not Applicable

Reasons why not included on the Notification: Not Applicable

1 EXECUTIVE SUMMARY

- 1.1 The purpose of the report is to inform City Council of the development of the Council's Scrutiny function in response to the Governance Stabilisation Plan and Improvement and Recovery Plan. The report sets out the work undertaken by the Council's 8 Overview and Scrutiny Committees during February – May 2024, and how Overview and Scrutiny continues to add value and contribute to the Council's priorities through the developing work programmes for 2024/25.

2 COMMISSIONERS' REVIEW

- 2.1 In noting the contents of this report, Commissioners were keen to stress that the scope and scale of the governance work within the Improvement & Recovery Plan should mean that the role and function of Scrutiny will remain subject to further review going forward.

3 RECOMMENDATIONS

- 3.1 That the report be noted.

4 KEY INFORMATION

Context

- 4.1 The importance of the role of Overview and Scrutiny in providing challenge, contributing to the Council's priorities and fulfilling statutory functions has been reaffirmed in the statutory guidance published in April 2024 [Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/121212/Overview_and_scrutiny_statutory_guidance_for_councils_combined_authorities_and_combined_county_authorities.pdf)
- 4.2 This sets out that Overview and Scrutiny should continue to:
- Provide constructive 'critical friend' challenge
 - Amplify the voices and concerns of the public
 - Be led by independent people who take responsibility for their role
 - Drive improvement in public services and strategic decision-making
- 4.3 The Council's Improvement and Recovery Plan was approved at City Council on 4 April 2024 [BCC Improvement and Recovery Plan \(IRP\) \(cmis.uk.com\)](https://www.bcc.gov.uk/press-releases/2024/04/04-improvement-and-recovery-plan-irp/) which sets out the role of the Overview and Scrutiny Committees to consider key programmes and projects in the IRP, provide assurance to members and citizens on progress, consider unplanned consequences and negative impacts of the changes the Council is making.
- 4.4 The IRP Governance Principles sets out that members are integrated into the model and have clear oversight via forums including Overview and Scrutiny. The IRP also highlights that scrutiny and decision making is timely and informed and there is proactive management of risks, actions, issues and dependencies. The reporting process shows that formal reporting will take place to Cabinet, Audit and O&S Committees after the Improvement and Recovery Board.

- 4.5 During February and March 2024, the Centre for Governance and Scrutiny held workshops with members of Co-ordinating Overview and Scrutiny Committee (OSC) and met with officers. The aim of this work was to develop a Scrutiny Blueprint setting out the principles and key objectives for the coming year to enable a more focussed and targeted approach to improvement at the authority.
- 4.6 While Commissioners agreed with the overall direction of this work, it was considered that more work was needed across the organisations in order to ensure it is deliverable. In response to this it was agreed by the former Co-ordinating OSC that work would progress on how information held by the Council is shared with members to inform the development of Scrutiny Committee work programmes going forward. Further information on this is provided in paragraph 4.15 below.
- 4.7 Following engagement on the principles of the Blueprint with, amongst others, the Commissioners' Governance Board, Informal Cabinet and the Corporate Leadership Team, it is proposed that some of these principles will be piloted, and an initial action plan will be developed for consideration by Corporate and Finance OSC. As part of this, consideration will be given to member learning and development needs and how scrutiny can improve its working relationship with Audit Committee. It is anticipated that the piloting of the new approach to Scrutiny will be a transition period until May 2025.
- 4.8 The work that will be undertaken by Overview and Scrutiny Committees during June and July 2024 includes:
- All O&S Committees will hold public committee meetings in June. The work programme report for this meeting will include the high level summary on the 24/25 savings and members will decide the savings they want to consider at Task and Finish meetings during July to focus on the impact of the savings on communities and individuals
 - Corporate and Finance OSC to hold a public Committee meeting to consider the delivery of 24/25 savings
 - Pre-decision scrutiny of asset sales
 - Scrutiny of integration of Greater Birmingham and Solihull Local Enterprise functions into Birmingham City Council
 - Visit to City of Birmingham School
 - Continued work on the inquiries on Active Travel, Road Safety and Improving Standards of Re-let Properties.
- 4.9 The development of the O&S Committee work programme during the rest of the municipal year will also be informed by the work of the Information Task and Finish Group as set out in paragraph 4.15 below.
- 4.10 At City Council on 21 May 2024 members were appointed to the following 7 Overview and Scrutiny Committees:

- Corporate and Finance O&S Committee
- Economy, Skills and Culture O&S Committee
- Education, Children and Young People O&S Committee
- Health and Adult Social Care O&S Committee
- Homes O&S Committee
- Neighbourhoods O&S Committee
- Sustainability and Transport O&S Committee

4.11 Other than Corporate and Finance O&S Committee, meetings will take place on an approximate 6 weekly cycle (9 meetings a year) as compared to previous years where O&S Committees had planned Committee meetings approximately monthly (10 times a year). The Corporate and Finance O&S Committee will meet monthly and has the role of planning and co-ordinating the work of all the Overview & Scrutiny Committees. The work of all Overview and Scrutiny Committees will be reported to City Council in future Scrutiny Business Reports.

4.12 During the year Scrutiny Committees will continue to use a range of scrutiny methods to undertake their work including:

- **Report to Committee meetings** (single item)
- **Themed Committee meetings** to consider an issue in more depth.
- **Task and Finish Group in day**
- **Multiple Task and Finish Group meetings** to consider an issue in depth over four or six meetings spread over a limited number of months
- **Site Visit:** Members visit services or organisations to inform the work of the Committee
- **Inquiry Evidence Gathering:** Evidence for Scrutiny Inquiries may take place at public committee meetings, Task and Finish Groups or Site Visits
- **Briefings:** for members to be updated on specific issues.

4.13 As set out in the Scrutiny Framework where O&S Committees hold Task and Finish Group meetings (these are not public meetings) the outcome of this work will be reported to a public committee meeting.

4.14 The following sections of this report set out the work that has been undertaken by O&S Committees from February – May 2024.

4.15 **Co-ordinating OSC Activity and Outcomes:** The Lead Commissioner attended Co-ordinating OSC in March to update members on the Council's progress since government intervention started in October 2023. At this meeting it was agreed that each Overview and Scrutiny Committee would hold a Task and Finish Group meeting to consider the savings delivery plans within the Committee's terms of reference. Recommendations from this work were reported to Co-ordinating OSC on 17 May 2024.

4.16 Members of Co-ordinating OSC have held workshops facilitated by the Centre for Governance and Scrutiny. This set out that there was a need to identify the information that is needed to inform the development of O&S Committee work programmes. A Task and Finish Group has been established to undertake this work and will report back to Co-ordinating OSC in September 2024 or sooner.

4.17 **Economy and Skills OSC Activity and Outcomes:** Following a review of the Committee's work programme in January 2024 to ensure alignment to the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review the Committee undertook the following work during February to May:

- The proposed budget for 24-25 and specifically how the Place, Prosperity and Sustainability Directorate is mobilising to deliver these savings (January, February and March)
- A briefing on the proposed Improvement and Recovery Plan (February)
- A workshop to inform a new corporate performance management framework (February)
- Asset Disposals – a briefing on the asset disposal programme and methodology (January)
- Sale of Bordesley Park (March) – the Committee undertook pre-decision scrutiny of this asset disposal and made seven recommendations to the Cabinet Committee – Property to consider when making its decision
- Our Future City Plan – the Committee suggested that there should be a Statement of Involvement setting out how communities will be involved in the implementation of the framework; confirmation that issues raised by the Jewellery Quarter Neighbourhood Plan have been taken on board; further information on the economic, environmental and sustainability impact of the framework, and how risks around the Council's current financial position have been mitigated (March)
- Savings Delivery Task and Finish Group considered the delivery plans for relevant savings for 2024-25.

4.18 **Education, Children and Young People OSC Activity and Outcomes:** On 17 January 2024, the Committee met informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The committee reviewed its work programme for February – May and reframed it to ensure it aligned with the developing Improvement and Recovery Plan and considered the following topics in February - May 2024:

- The draft SEND Sufficiency Strategy 2024 - 2030 – the Committee fed into the consultation on the draft strategy, and the strategy was agreed at Cabinet on 23 April 2024
- Early Years Education Entitlement – the Committee examined how best the council can increase the take up of Early Years entitlement for children

in the city and the benefits it provides children, and examined the plans for delivering the new and expanding responsibilities for early years

- School Attainment – the Committee examined school attainment and what is being done to improve outcomes for vulnerable children
- Budget Savings Delivery – following the agreement of the 2024-25 budget at City Council on 5 March the Overview and Scrutiny Committees continue to monitor the delivery of the savings identified in the budget. All the Overview and Scrutiny Committees held a Task and Finish Group meeting in April to consider the delivery plans for the relevant savings for 2023-24. The recommendations from this meeting were considered at the Co-ordinating O&S Committee meeting on 17 May 2024
- The Child Criminal Exploitation Inquiry was agreed at City Council on 16 April 2024. The key question asked was ‘how are the council and partners working together to reduce the risks of criminal exploitation for young people?’ The report included 15 recommendations related to the definition and scale of child criminal exploitation, early intervention and resilience, supporting young people to exit exploitation, enforcement, governance and strategy. Progress towards achievement of these recommendations will be discussed six months after publication at the October 2024 committee meeting
- In May 2024, the Committee considered the refreshed Children and Families Improvement Plan and an update on the short breaks review.

4.19 **Finance and Resources OSC Activity and Outcomes:** In February 2024, the Committee held an informal meeting to review the work programme in light of the recommendations of the Governance Stabilisation plan. The report from the Budget Scrutiny Task and Finish Group was considered at Cabinet on 27 February 2024 and City Council on 5 March 2024. Of the 71 recommendations in the report 63 were agreed, 7 were noted and 1 saving had been removed. During February – May 2024 the Committee considered the following issues:

- A Savings Delivery Task and Finish Group meeting was held in April to consider the mobilisation and implementation of savings within the Committee’s terms of reference. Recommendations from this meeting were considered at Co-ordinating OSC on 17 May 2024
- End of Year Outturn 2022/23
- Oracle Re-implementation
- Job Evaluation and Pay Equity.

4.20 **Health and Adult Social Care OSC Activities and Outcomes:** On 20 February 2024, the Health and Adult Social Care Overview and Scrutiny Committee met informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The Committee reconsidered its work programme for the rest of the municipal year and reframed it to ensure it aligns with Governance Stabilisation Plan and developing Improvement and Recovery Plan.

4.21 In light of this, the Committee considered the following topics in April and May:

- Update on the temporary relocation of Warren Farm UTC
- ICB Quality Update
- Mentally Health City Programme
- In April, a Task and Finish Group meeting was held in April to consider the savings delivery plans within the remit of the Committee. The comments and recommendations from this meeting were reported to Co-ordinating OSC on 17 May
- A draft Memorandum of Understanding to clarify the role of Health Scrutiny, specifically in regard to consultations on substantial variations and developments of health services and to enable Health Scrutiny and NHS bodies to reach agreement on what constitutes 'substantial' within the local context has been developed and will be circulated to members for comment
- In May members of the Committee visited hospital sites at Queen Elizabeth Hospital, Heartlands Hospital and Good Hope Hospital of the University Hospitals Birmingham NHS Foundation Trust.

4.22 The Birmingham and Sandwell Joint Health Overview and Scrutiny Committee has considered the following issues:

- Updates on the Midland Metropolitan Hospital and a visit to the hospital site during development
- Changes to Day Surgery as Sandwell and West Birmingham Hospitals NHS Trust
- Patient Experience at Sandwell and West Birmingham Hospitals NHS Trust
- Update on proposed changes to stroke services.

4.23 The Birmingham and Solihull Joint Health Overview and Scrutiny Committee has considered the following issues:

- Update reports on the 3 independent reviews of University Hospitals Birmingham NHS Foundation Trust
- Regular updates on the Integrated Care System (ICS) financial position and recovery of healthcare services following the impact of the Covid-19 pandemic
- The Care Quality Commission report on maternity services at Heartlands Hospital and actions taken by the Trust
- West Midlands Ambulance Service (WMAS) activities such as conveyance to hospitals, lost hours to handover delays, response time by call category, profile of Serious Incidents, actions taken by WMAS, high impact actions to make a difference, outcomes from a WMAS perspective
- Winter pressures as part of A&E pressures and ambulance issues
- Update on ICS workforce planning in health and social care sectors.

4.24 Homes OSC Activity and Outcomes: On 15 February 2024, the Homes Overview and Scrutiny Committee met informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The Committee reconsidered its work programme for March

- April and reframed it to ensure it aligns with the issues set out above. In light of this, the Committee considered the following topics in February and March:

- The proposed budget for 23-24 and specifically how the City Housing Directorate is mobilising to deliver these savings (February)
- A briefing on the proposed Improvement and Recovery Plan (February)
- A workshop to inform a new corporate performance management framework (February)
- Scrutiny Inquiry: Exempt Accommodation – a further report tracking the outstanding recommendations
- Affordable Housing – the Committee received a briefing report
- A Savings Delivery Task and Finish Group was held in April to consider the delivery plans for relevant savings for 2023-24
- Inquiry – Improving the Standard of Re-let Properties: The Committee continued the evidence gathering for this inquiry. Pioneer Housing provided evidence to the Committee in March 2024. The inquiry is scheduled to conclude in the new municipal year.

4.25 **Neighbourhoods OSC Activity and Outcomes:** On 10 January 2024, the committee met informally to consider the developing Improvement and Recovery Plan and the findings and recommendations of the Governance Review. The committee reviewed its work programme to reframe it to ensure it aligns with the Governance Stabilisation Plan and the developing Improvement and Recovery Plan: During February – May the Committee considered the following issues:

- Delays in birth and death registrations
- Monitoring the progresses of the 18 outstanding recommendations from the Customer Services Task and Finish Group work undertaken by Coordinating OSC
- A Savings Delivery Task and Finish Group was held in April to consider the delivery plans for relevant savings for 2023-24.

4.26 **Sustainability and Transport OSC Activity and Outcomes:** Following the review of the Committee's work programme to ensure alignment with Governance Stabilisation Plan and the developing Improvement and Recovery Plan the Committee considered the following issues during February – May:

- A briefing on the proposed Improvement and Recovery Plan (January)
- A workshop to inform a new corporate performance management framework (January)
- The proposed budget for 23-24 and specifically how the Council is mobilising to deliver these savings (January)
- Highways Management and Maintenance PFI (February – April)
- A Savings Delivery Task and Finish Group was held in April to consider the delivery plans for relevant savings for 2023-24
- Customer Services and Highways Repairs (April) – the Committee received a report on the progress towards the recommendations agreed by Coordinating Overview and Scrutiny Committee in 2022-23. The Committee provided valuable feedback on resident and Member

experience of reporting issues. The Committee also made recommendations to take forward

- Flood Risk Management Plan (May) – the Committee received its annual report on Flood Risk
- Active Travel Inquiry: The Inquiry report was drafted and will report to City Council in July 2024
- Road Safety Inquiry: The Evidence gathering for this inquiry commenced in April and is scheduled to conclude in June. It is anticipated that this inquiry will report to Council in Autumn 2024.

4.27 **West Midlands Police and Crime Panel: West Midlands Police and Crime Panel Activities and Outcomes:** Birmingham City Council is the host authority for the Panel which is administered by the scrutiny office. This is a joint committee of the 7 West Midlands district authorities responsible for scrutinising the West Midlands Police and Crime Commissioner. Birmingham has three seats on the Panel. The Panel is funded through a ring-fenced Home Office Grant. During February – March the Panel has considered the following issues:

- The Panel invited the Chief Constable to provide reassurances on actions to address the four areas of concern identified in the HMICFRS Enhanced Monitoring decision for West Midlands Police and wider recommendations in the PEEL Inspection Report (February)
- The Panel conducted its formal review of the Commissioner’s proposed policing precept for 2024/25. To understand the context of the proposals, the Panel examined the Commissioner’s proposed budget, capital programme and reserve’s policy (February)
- The Panel considered its annual complaints report providing oversight of the delegated actions undertaken by the Monitoring Officer in relation to complaints received against the PCC (March)
- The Panel considered the Commissioner’s end of term report and examined the activities and progress against objectives in his Police and Crime Plan (March).

5 RISK MANAGEMENT

5.1 The Council’s Governance and Stabilisation Plan identified the need to strengthen the working relationships between the Chairs of Overview and Scrutiny Committees and the Chair of the Audit Committee to lead and direct the function. This will include the development of a Memorandum of Understanding that will include the respective roles of Overview and Scrutiny Committees and Audit in relation to the Council’s management of risk.

6 IMPACT AND IMPLICATIONS

Finance

6.1 There are no financial implications resulting from the recommendations in this report. Overview and Scrutiny Committees will continue to scrutinise the delivery of savings as a key element of the Council’s financial recovery.

Legal

- 6.2 There are no legal implications resulting from the recommendations in this report. The work of the O&S Committees meets the Council's statutory duties regarding local government and health scrutiny as set out in the Statutory Guidance: [Overview and scrutiny: statutory guidance for councils, combined authorities and combined county authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/424241/Overview_and_scrutiny_statutory_guidance_for_councils_combined_authorities_and_combined_county_authorities.pdf) and Health Scrutiny Regulations: [Local authority health scrutiny - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/424241/Local_authority_health_scrutiny.pdf)

Equalities

- 6.3 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.4 The protected characteristics and groups outlined in the Equality Act are: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.
- 6.5 Overview and Scrutiny should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.
- 6.6 Overview and Scrutiny should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

People Services

- 6.7 There are no staffing implications resulting from the recommendations in this report.

Climate Change, Nature and Net Zero

- 6.8 Overview and Scrutiny Committee's will need to consider climate change, nature and Net Zero issues relevant to the work programme items.

Corporate Parenting

- 6.9 Overview and Scrutiny Committees will need to consider corporate parenting responsibilities and opportunities relevant to the work programme.

7 APPENDICES

- 7.1 None

8 BACKGROUND PAPERS

- 8.1 City Council 21 May Reports: Review of Constitution, City Council Appointments
[CMIS > Meetings](#)
- 8.2 Overview and Scrutiny Committee Meetings: [CMIS > Committee > Overview and Scrutiny](#)