



# Co-ordinating Overview and Scrutiny Committee

## 1 Purpose of the Report

- 1.1 To enable the Committee to set the overall direction of Scrutiny work for the year ahead and plan its work programme.

## 2 The Role of Scrutiny

- 2.1 The City Council's Overview and Scrutiny function:
- i. Provides "critical friend" challenge to executive policy-makers and decision-makers;
  - ii. Enables the voice and concerns of the public and its communities to be heard;
  - iii. Is carried out by 'independent minded members' who lead and own the scrutiny process;
  - iv. Drives improvement in public services.
- 2.2 The functions and remits of the scrutiny committees are set out in the Constitution and are included on your agenda under item 5.
- 2.3 The role of a scrutiny member is not formally defined; however the responsibility includes:
- To personally contribute time and effort to both the development and the carrying out of the scrutiny work programme by attending and contributing to committee meetings and inquiries or task & finish groups including hearing evidence, considering conclusions and making recommendations in a final report;
  - To be fair and open, not take a party political stance and not make party political points;
  - To be independent minded and to not pre-judge issues coming to scrutiny nor use the meeting to promote narrow or parochial interests;
  - To challenge the evidence by asking probing questions where necessary in order to get the information needed without being confrontational and to actively seek ideas and opinions;
  - To attend relevant training as appropriate.
- 2.4 It is for individual Scrutiny members to declare any interests or conflicts of interest as under the Constitution.



## 3 The Committee's Remit

3.1 The Co-ordinating Committee's work programme essentially consists of two elements. Firstly, making sure that the work of all O&S Committees is properly planned, co-ordinated, progressed and prepared for any developments in the role of scrutiny itself; and secondly, acting as an O&S Committee in its own right, focussing on matters largely within the portfolios of the Leader and the Deputy Leader.

3.2 In summary, these include:

Leader	Deputy Leader
Strategic policies	Business Change
Structure and Governance of the Council	Efficiency and improvement for the Council
Lord Mayor's office	Risk Management
Communications	Customer Services
Council Wide Efficiency and Improvement	External Scrutiny and Local Government Ombudsman
Policy and Partnerships	Open data and Information systems
West Midlands Combined Authority	Whistleblowing and Corporate Complaints Procedure
	Emergency Planning
	To take a lead on information law and data protection matters
	To challenge any lack of transparency in all work carried out by the Council

3.3 Transparency, equalities and improvement will be cross-cutting themes for all O&S Committees.

3.4 Amendments to the make-up of Cabinet portfolios and O&S Committees were confirmed at the City Council's AGM on 21<sup>st</sup> May. A full summary of O&S Committee remits mapped against Cabinet portfolios is attached in Appendix 1.

## 4 Work programming

4.1 Effective work programming is the bedrock of an effective Scrutiny function. Done well, it can help lay the foundation for targeted, incisive and timely work on issues of local importance where Scrutiny can add real value. Done badly, Scrutiny can end up wasting time and resources on issues where the impact of any work is likely to be minimal.



- 4.2 Each Scrutiny Committee work programme is determined by the members of that committee. The work programme is discussed at the start of each year; and is updated throughout the year. Whilst Scrutiny Committees are independent from the Executive, there are benefits in aligning priorities, particularly when resources are scarce.

## Prioritisation

- 4.3 Members often have a number of topics suggested to them and are therefore required to prioritise matters for consideration. The following factors could be considered:
- *Public interest:* concerns of local people should influence the issues chosen;
  - *Ability to change:* priority should be given to issues that the Committee can realistically influence;
  - *Performance:* priority should be given to areas in which the Council and Partners are not performing well;
  - *Extent:* priority should be given to issues that are relevant to all or a large part of the city;
  - *Replication:* work programme must take account of what else is happening to avoid duplication.

## 5 Priorities for the Coming Year

- 5.1 In setting the direction and tone for all scrutiny committees, members may want to focus on some cross-cutting priorities for the year:
- Developing Scrutiny's participation in policy development – working with the Executive to ensure early involvement to support robust policy-making by exploring options early on and presenting alternatives;
  - Championing citizen issues, ensuring that Scrutiny responds to issues of public concern;
  - Contributing to the big strategic issues facing the council with a view to ensuring that long term issues are captured; e.g. prevention, challenging the pattern of inequalities across the city;
  - Supporting improvement in performance.

- 5.2 Key areas within the remit of the Co-ordinating O&S Committee are discussed below.

### Priorities for Improvement

- 5.3 At its meeting on 12<sup>th</sup> April, the Co-ordinating O&S committee heard from the Leader of the Council following the publication of the Birmingham Independent Improvement Panel's (BIIP) final letter and the City Council's accompanying Stocktake report. The recently issued section 24 Audit letter to the City Council was also included in the discussion.



## Co-ordinating Overview and Scrutiny Committee

5.4 Both reports highlighted that whilst meaningful progress had been made, there is still much work to do. The City Council's Priorities for Improvement 2019-20+ sets out the following priorities (see Appendix 2) and the main areas in relation to this committee's remit:

- Political leadership – including member development, the Constitution, the new Members Portal online case management system. Budget matters would sit with the Resources O&S Committee;
- Industrial relations – the Co-ordinating O&S Committee heard two call-ins relating to the waste industrial dispute and may wish to explore further the progress of the Industrial Relations Framework. However, workforce issues also sit with the Resources O&S committee;
- A modern and progressive organisational culture – this priority, including invest-to-save financial strategies and the Workforce Strategy, largely sits within the Resources O&S Committee remit;
- Managerial leadership – as above, though Co-ordinating members did request an update on the JNC re-structure, which has been re-scheduled for the June meeting;
- Strategic planning, financial and performance management – performance management has been a focus for the Co-ordinating Committee in 2018/19, and this continues with the Refreshed Council Plan (scheduled for July); budget matters raised would sit with the Resources O&S Committee and Commonwealth Games with the CWG, Culture and Physical Activity O&S Committee;
- Key corporate policies to enable effective corporate governance – this committee's focus would be on governance and the Policy Framework and the Localism agenda; other committees would take policies as appropriate:
  - Development of the Council's community hubs strategy with clarity around an integrated, local offer and commencement of implementation – Health & Social Care O&S Committee;
  - Delivery of Community Cohesion Strategy, including development of implementation plan – Housing and Neighbourhoods O&S Committee;
  - Implementation of the Equal Pay mitigation strategy to deal with current and prevent future claims – Resources O&S Committee;
  - Implementation of the new 0-25 Policy for Home to School Transport/Home to School Transport commissioning strategy (Travel Assist) – Education & Children's Social Care O&S Committee
- City partnerships – with the exception of the Birmingham and Solihull Sustainability and Transformation Programme (which sits with Health and Social Care), partnership working arrangements would fall within the remit of this Committee;
- Communications and transparency – this priority includes a focus on transparency and how the City Council communicates with citizens.



- 5.5 Whilst there are suggestions above for elements the Committee may wish to focus on, it is also worth considering how O&S as a whole supports this agenda.

## Budget

- 5.6 One outstanding action from last year is for the Chair of this Committee to meet with the Deputy Leader to discuss O&S involvement in budget planning. Whilst oversight of the budget and financial strategy sits with the Resources O&S Committee, O&S involvement in the budget process would be led by this Committee as all committees would have a role to play.

## Review of Scrutiny / Statutory Guidance for Scrutiny

- 5.7 The BIIP report and Stocktake Report also made reference to Overview & Scrutiny; the BIIP letter noting that "The Council has made progress over the last year in strengthening its scrutiny functions".
- 5.8 The City Council's Priorities for Improvement 2019-20+ states that there should be parity of esteem for O&S and Audit Committees enabling robust decision making processes with pre-decision scrutiny, aligned work programmes and constructive challenge. In particular:

*We will enable O&S Committees to carry out their Scrutiny function effectively and with rigour, by:*

- continuing to emphasise the parity of esteem between Scrutiny functions and the executive leadership, as part of the wider member development programme and shift to an organisational culture based on transparency and constructive challenge;*
  - undertaking Phase 2 of Review of Scrutiny, with recommendations presented to the Council Management Team, Extended Leadership Team, and Full Council;*
  - an agreed work programme for 2019-20, aligned with the Council Plan, 2019-20 Improvement Plan and committee timetables;*
  - Scrutiny to work closely with the corporate Strategic Policy team to develop the Council forward plan, feeding into policy development and priority-based budgeting process at the earliest stages;*
  - supplying performance management data to O&S committees for their service areas, with specific training for Members on how to interpret, analyse and challenge data.*
- 5.9 In May 2019, the Ministry of Housing, Communities and Local Government published *Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities*. The City Council must have regard to this guidance when exercising scrutiny functions. This does not mean that every section must be followed but there should be a good reason not to do so. The full guidance can be found at: <https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities>. A summary of the guidance, alongside an assessment of what Birmingham currently does in relation to the guidance, will be brought to a future meeting.



## *Inquiry into Full Council*

5.10 In March 2019 the Committee produced a draft report following its inquiry into the Full Council meeting. This did not progress to Full Council for discussion as the Leader raised some concerns with the then Chair. The Chair has since taken up this work and a proposal for progressing this will be circulated.

## *Governance*

5.11 Over the last year members had raised concerns about the transparency of the Cabinet process in relation to the number of private reports and late reports. The committee endorsed a change to the approach for private reports which was adopted in March 2019. However, members continued to raise concerns about the processes for Cabinet and delegated decision making, including how consultation was undertaken. How equality impact is assessed is another area that could be looked at in more detail.

5.12 Another area of governance that the committee has been looking at is Localisation. Following the scrutiny inquiry completed by the former Corporate Resources and Governance O&S Committee on *Partnership Working: BCC and parish/town councils* and the subsequent White Paper on **working with neighbourhoods**, members have asked for an update on the implementation of the action plan, including how the approach is being embedded across the organisation and how are other organisations being engaged. However, this matter also sits within the Housing and Neighbourhoods O&S Committee remit, and members have expressed an intention to focus on this work in the coming year.

## *Performance*

5.13 Also supporting the improvement journey is a renewed approach to performance management, including a refreshed set of performance indicators that are published so that the council can be held to account for its performance. Scrutiny members over the past year had contributed to the development of the framework. The refreshed framework will be presented to Full Council in July and then brought to this committee for agreement on how to use in scrutiny work programmes and how to contribute to its further development.

## *Customer Services*

5.14 Previous scrutiny committees have taken an in-depth look at citizens' experiences of contacting the City Council. Committee members have been keen to see maximum improvement in customer services and in end-to-end service delivery, i.e. not just the quality of the call but whether the request was completed to the citizen's satisfaction. The last scrutiny inquiry on this topic was concluded in February 2016 and since then a number of activities were delivered in 2017-18 which led to an improvement in the citizen experience, including the implementation of "One and Done" for Council Tax enquiries, increasing what is dealt with at the first point of contact and reducing avoidable contact, and continued focus on coaching and quality to maximise customer satisfaction,



supported by working with services to identify and implement improvements to end to end service delivery. The last update on customer services matters to Scrutiny was in March 2019.

- 5.15 However, a suggestion for this municipal year is to focus on the customer experience and tackling areas of persistent failure. Using data provided by the customer services team (including complaints, councillor queries, performance data etc), areas and examples of persistent failure can be identified, which could then be explored in detail, to get to the root cause of the problem. This could be investigated in the relevant Scrutiny Committee, which would also monitor any resulting action plan and monitor impact.**

### Citizen Engagement

- 5.16 The former Districts and Public Engagement O&S Committee completed an inquiry in 2014, and there are still outstanding actions that could be considered as part of the priorities for improvement above.

## 6 Recommendations

- 6.1 The Co-ordinating O&S Committee is recommended:
1. To agree three or four priorities for the committee over the next year, perhaps including:
    - Co-ordinating customer services work across all relevant O&S committees;
    - Priorities for Improvement arising from the City Council's final report to the Birmingham Independent Improvement Panel;
    - Performance framework – to determine how to use these in scrutiny work programmes and how to contribute to its further development;
    - Finalise the inquiry into the Full Council meeting.
  2. To put forward views on other areas of priority.

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