

# **BIRMINGHAM CITY COUNCIL**

## **CO-ORDINATING O&S COMMITTEE – PUBLIC MEETING**

**1000 hours on Friday 14<sup>th</sup> June 2019, Committee Rooms 3 & 4**

### **Action Notes**

#### **Present:**

Councillor Carl Rice (Chair)

Councillors Tahir Ali, Deirdre Alden, Debbie Clancy, Roger Harmer, Rob Pocock and Kath Scott

#### **Also Present:**

Councillor Brigid Jones, Deputy Leader

Dawn Baxendale, Chief Executive

Dawn Hewins, Director of HR

Emma Williamson, Head of Scrutiny Services

### **1. NOTICE OF RECORDING/WEBCAST**

The Chair advised that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there were confidential or exempt items.

### **2. APOLOGIES**

Apologies were received from Cllrs Sir Albert Bore, Liz Clements, Mariam Khan and Charlotte Hodivala.

### **3. APPOINTMENT OF CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE CHAIR, DEPUTY CHAIR AND MEMBERS**

#### **RESOLVED:**

- i. To note the resolution of the City Council appointing the Committee, Chair and Members to serve on the Committee for the period ending with the Annual Meeting of the Council in 2020

Labour Group: Councillors Tahir Ali, Sir Albert Bore, Liz Clements, Penny Holbrook, Mariam Khan, Rob Pocock, Carl Rice and Kath Scott.

Conservative Group: Councillors Deirdre Alden, Debbie Clancy and Charlotte Hodivala.

Liberal Democrat Group: Councillor Roger Harmer.

- ii. To elect Cllr Kath Scott as Deputy Chair for the purposes of substitution for the Chair, if absent, for the period ending with the Annual Meeting of the Council in 2020.

#### **4. DECLARATION OF INTERESTS**

None.

#### **5. CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE 2019/20**

(See document No 1)

##### **RESOLVED:**

The Terms of Reference were noted.

At this point the Committee agreed to vary the agenda, and take item 8.

#### **8. JNC RE-STRUCTURE UPDATE**

(See document No 4)

Dawn Baxendale, Chief Executive, was first asked to outline her reflections on the 15 months since her arrival at the City Council. She noted that there was a balance sheet of positives and negatives. The positives included:

- Member officer relationships feel, look and act differently than in previous years, with better dialogue and relationships between the parties and in particular the three group leaders.
- The position with regard to the budget has moved significantly, with the first year seen as a stabilisation of the budget as a result of a lot of hard work between members and officers;
- With regard to JNC appointments, we are now moving into stability with permanent senior appointments;
- Our relationship with Government has improved, with regular dialogue at many different levels.

Areas of improvement within services were highlighted:

- The work between the Children's Trust and the Council has been critically important, recognising that we have been failing for over 10 years and to have 'requires improvement' across the board is an important stepping stone but there is still significant work to do;
- Prevent work is outstanding and in terms of our education work, this is internationally recognised;
- Cityserve has been nominated for two MJ awards, both centred around team and commercial work;
- Our Brum account now has over 108,000 citizens signed up;
- Our partner relations have strengthened quite significantly and we have created a City Board with our partners, which is an important step to talk about how we work together across the city;
- We have a new Children's Strategic Partnership;
- The relationships around Health and Wellbeing and with the Health Service through the Sustainability and Transformation Partnerships are in a far stronger position;
- The Community Safety Partnership has stabilised and our relationships with the Police and wider partners are crucially important;
- Our relationship with business have always been very strong and continue to thrive, in particular how we are working with the Chamber of Commerce around the Clean Air Zone is an important example of that;
- With regard to the West Midlands Combined Authority, the Council has taken an active role this year and will continue to do so;
- Birmingham is being asked to take part in LGA peer reviews.

However, there are issues not on the positive side, for example:

- A third section 24 notice is a serious issue and we must continue to strive to show we are in a far better position;
- Cultural change is needed but is deep-seated and challenging;
- Industrial relations need to be better;
- We need to ensure partnerships are working well to achieve greater added value, including being transparent.

On the JNC re-structure, an additional document was circulated to the Committee, to give the up-to-date position on senior leadership. In order to be a modern organisation, the council needs to work across the organisation and not just in silos within directorates, to use business intelligence to inform our decisions and to deploy our resources (people and relationships as well as money) more effectively to improve services.

The Council will be an organisation which is lean and has fewer layers of management and the JNC re-structure was very much a part of that. When the Chief Executive started there were 51 JNC posts; there are now 41. She inherited a savings target of £660,000 to deliver and the savings secured were £1.1m. In terms of recruitment, as of today, 50% have been external appointments and 50% internal.

The JNC panel has changed and involves stakeholders, psychometric testing and technical interviews. The vast majority of appointments have been unanimous decisions.

The Council is now in phase 2 of the recruitment with a small number of posts to recruit to. Applications for this phase will close on 5<sup>th</sup> July.

The breadth and depth of applicants has been good, with around 20 applicants for most positions. The Council now has stability with permanent appointments in key posts, for example the Chief Finance Officer and Director Children's Services.

Members then asked questions on the following:

- Full Council declared a climate emergency on Tuesday, and that has to be a responsibility across the organisation; the Chief Executive agreed and will be emphasising that with officers. This will be reflected in the council plan and officer appraisals.
- Member officer relationships are good in parts, but there are still struggles to get responses in some parts of the organisation or to get response that are accurate; the Chief Executive agreed that this is not perfect but had wanted to reflect the journey that the City Council is on. Members are customers too and that should be reflected. There needs to be a culture change.
- Neighbourhoods and communities are increasingly affected by health and safety rules, so community groups need support e.g. to run a carnival. The Chief Executive agreed to look at that.
- The Chief Executive agreed that changes in the waste portfolio is a challenge, and confirmed posts had not been taken out of this area. The independent review was a crucial part of the confidence government would have in the council to move forward, and is likely to be more trusted by members.
- In Education & Skills, the Assistant Director posts have gone from five to three. It was agreed by members that it was right to bring education and skills together.
- The Chief Executive noted that in the past, Assistant Directors had been operating at Head of Service level, and Heads of Service at managerial level, so directors' focus had been spread more thinly as a result.
- There are major problems in some basic services. The waste function appears several steps down the hierarchy, yet some of our depots are as large as some other authorities. If the review suggests that the service should be placed differently, then that will be taken seriously.
- The structure chart on the website is being updated and this can be shared with all members, perhaps via the member bulletin;
- Members suggested that officers are allocated to different geographical areas in key services e.g. housing. The Chief Executive will consider this.
- Members queried the capacity of JNC to respond to events and special projects and is there sufficient strength in middle managers. The Chief

Executive responded that this is not about numbers but officers being able to do the job well; that creates capacity.

- The Chief Executive agreed that job titles are important, should be consistent and “managers” should manage people and/or budgets;
- There used to be good local district partnerships, and a city this size should have local partnerships. The Chief Executive offered members a briefing on the Community Safety Partnership.

**RESOLVED:**

The update was noted.

## **6. ACTION NOTES AND ACTION TRACKER**

(See documents No 2 and 3)

**RESOLVED:**

- The action notes from the meeting held on 15<sup>th</sup> April 2019 were agreed.
- It was further agreed that the Housing and Neighbourhoods O&S Committee should take the lead on waste scrutiny but with Co-ordinating members invited to attend.

## **7. CHAIRS ACTIONS**

The Chair informed the committee about the meetings he had held since his appointment in May, including with the Deputy Leader, Leader, City Solicitor and Chief Executive.

## **9. DEPUTY LEADER UPDATE**

Councillor Brigid Jones outlined the key areas of her portfolio, including:

- Performance – the outturn report and refreshed council plan is going to Cabinet on 25<sup>th</sup> June. There have been challenging discussions about how the City Council can improve its performance. The aim is to have a more direct link between how performance is measured and what is in the council plan to better reflect overall change in the city.
- Transparency – there has been criticism over the number of late reports to Cabinet. There is now a new way of dealing with private reports and that has led to a significant reduction in the amount of time spent in private session.
- Governance Assurance – with Birmingham Independent Improvement Panel (BIIP) leaving in March, there is a need to continue to assure governance externally. Therefore a model of having non-executive directors is proposed, to bring robust challenge. This is similar to previous models such as with

Children's' Services. Areas of focus include good governance and culture change, vulnerable children and adults and risk management.

- ICT – we are in the midst of bringing back services from Capita, which is currently on track;
- The Brum account has gone live and waste is going live on this at the end of June;
- Legal Services – there is a peer review starting next week;
- Emergency planning – there have been member sessions on this in the last year to support local councillors in their role;
- Brexit – there was a tremendous amount of work to prepare for the March deadline, which is continuing so that the council is ready for leaving the EU.
- Customer Services – the focus has shifted from call answering to using the data to fix services and to compare with live experiences.

Members then asked questions on the following:

- The Citizens' Panel: the Deputy Leader said that this has been used to develop the Brum account and adults social care services, and use could be extended, including for scrutiny work;
- Waste collection: the Deputy Leader asked that if there were particular areas that members raise it with her. Members expressed concern that whilst the independent waste review was underway, the service was collapsing. Recycling is not being picked up. The green waste service is not working;
- Risk assessments within Cabinet reports are varying – some are detailed and others not; is the risk assessment toolkit being used across all reports;
- Member queries now go through BCC enquiries, which is another layer for queries to go through and be chased – does this not simply take more time? The Director will take that to address;
- It was asked whether citizens could get an external paid service for their waste collection and claim a refund. The Deputy Leader noted that there was additional capacity being brought in to manage missed collections.

**RESOLVED:**

The update was noted.

Following the Deputy Leader's item, the committee agreed to vary the agenda and take item 11.

**11. PRIORITIES FOR THE YEAR AND WORK PROGRAMME**

(See document No 5)

The Chair outlined his view that the involvement of scrutiny in policy formulation at a much earlier stage is a priority, and one way to work collaboratively with the Executive in the future.

In response to questions, the Chair outlined his thoughts on the inquiry into Full Council that had been conducted by the committee last year, but had yet to be finalised. One proposal was to bring forward reports to Full Council, perhaps based on the priority themes, from the Executive along with a scrutiny response. The Chair proposed to hold an informal meeting of the committee to agree the report. A formal response from the Executive was requested.

On the proposal to base reports around themes, the Deputy Leader suggested that these could be based around key improvement areas, the council plan's six priorities, or agreed collaboratively between Scrutiny Chairs/Co-ordinating O&S Committee and the Executive. Members expressed their views, including that reflecting current issues would be of more interest to the council. Other members felt the approach would not work and that scrutiny would be more appropriate, as Full Council meetings tended to be more political, with whips in place.

The Chair proposed a further piece of work around customer services, to investigate areas of persistent failure in service delivery. Members responded that there are still issues with the call centre; it is difficult to log a complaint, and telephone calls are not always answered. There seems to be no method of escalation for citizens. It was also proposed to include the wider point around how we engage with citizens – how does the City Council understand the issues and use these to inform services and policy and create a culture of improvement.

The committee agreed to continue to monitor performance in the relevant Scrutiny Committees.

The Housing and Neighbourhoods O&S Committee will take a lead on Localisation, with Co-ordinating O&S Committee keeping a watching brief on this.

A final issue for consideration is late reports, following on from the report to Full Council on Tuesday, to explore how Scrutiny can assist the Executive in managing this.

The review of scrutiny will be considered at the next meeting.

**RESOLVED:**

The work programme was noted.

## **10. CALL IN**

(See document No 5)

Following an introduction by Emma Williamson, Head of Scrutiny Services, members agreed that the guidance for call-in should be amended as set out in the papers with the following addition:

The presumption to be that Cabinet Members, their officers and any councillors who are not members of the committee will leave the room whilst the committee deliberates, with the Chair having discretion to allow them to stay in exceptional circumstances.

## **12. CO-ORDINATING OVERVIEW AND SCRUTINY COMMITTEE – DATES OF MEETINGS 2019/20**

### **RESOLVED:**

- i. That the committee meets on the following Fridays at 1000 hours in the Council House:  
2019: 12 July, 6 September, 4 October, 8 November, 6 December,  
2020: 10 January, 7 February, 6 March, 3 April, 8 May.
- ii. That the Committee approves Friday at 1000 hours as a suitable day and time each week for any additional meetings required to consider 'requests for call in' which may be lodged in respect of Executive decisions.

## **13. REQUEST(S) FOR CALL IN/COUNCILLOR CALL FOR ACTION/PETITIONS RECEIVED (IF ANY)**

None.

## **14. OTHER URGENT BUSINESS**

Cllr Debbie Clancy asked for an update on what was happening following the recent motion to City Council in relation to the Veterans Strategy. The Chair advised that following discussions with Cllr Mike Sharpe, who is the Armed Forces Champion, and with the Lord Mayor's Office, he will be attending a meeting to pick up that resolution and will report back to Committee.

Cllr Clancy requested that Cllr Peter Fowler be involved in any future scrutiny work on this topic and the Chair stated that he would be happy to meet with him to discuss this.

## **15. AUTHORITY TO CHAIRMAN AND OFFICERS**

### **RESOLVED:**

In an urgent situation between meetings, the Chairman jointly with the relevant Chief Officer has authority to act on behalf of the Committee

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The meeting ended at 1220 hours.